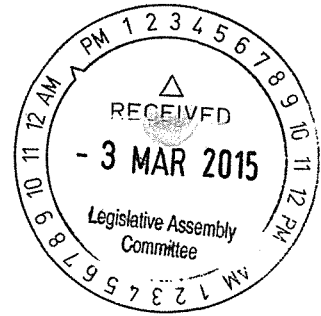




Government of Western Australia  
Department of Corrective Services  
Office of the Commissioner

All enquiries: (08) 9264 6371  
Your reference: n/a  
Our reference: CR2014/001919



Ms Lisa Baker, MLA  
Chair  
Joint Standing Committee on the Commissioner for Children and Young People  
Parliament of Western Australia  
Parliament House  
PERTH WA 6000

Dear Ms Baker

**Inquiry into the functions exercised by the Commissioner for Children and Young People: invitation to make a submission**

Thank you for your invitation to make a submission to the above inquiry.

The Department of Corrective Services (the Department) is responsible for managing young offenders in the state's detention centres, as well as those on supervised release and other community orders.

At present there are several agencies to which a person can report alleged abuse of a child or young person in the care of the Department. These agencies include this Department, the Department of Child Protection and Family Support, the Western Australian Police, the Office of the Inspector of Custodial Services (OICS) and the Ombudsman. OICS have jurisdiction to enter detention centres and police lock-ups to investigate treatment of and complaints by children and young people.

The Department has clear obligations in respect of reporting misconduct and criminal offences. The Department's Investigations Services Directorate is responsible for receiving, assessing and investigating allegations of improper conduct on the part of employees. The Department has a statutory obligation to report suspected misconduct to the Corruption and Crime Commission. Where, during the course of an investigation, it is identified that the matter may be a criminal offence under a written State or Federal law, the Investigations Services Directorate is required to liaise with the appropriate law enforcement agency with respect to referring the matter for criminal investigation. Investigations Services is further required to cooperate and assist members of the Corruption and Crime Commission (CCC), the Western Australian Police and other law enforcement agencies in their investigations into the incidents and events that occur.

In considering the proposed expansion of functions of the Commissioner for Children and Young People, this Department has reviewed the recommendations of the Review of the *Commissioner for Children and Young People Act 2006*.

The Department welcomes any measure that would demonstrably serve to make reporting of child abuse more accessible, and that accords with accepted understandings around reporting practices. Further the Department supports in-principle any measure that would increase the protection afforded to persons reporting abuse in good faith.

Yours sincerely

A handwritten signature in black ink, appearing to read 'James McMahon', written in a cursive style.

James McMahon  
Commissioner for Corrective Services

26 February 2015