

**JOINT STANDING COMMITTEE ON THE
COMMISSIONER FOR CHILDREN AND YOUNG PEOPLE**

*Second Report — Report review 2020–21: Examination of selected reports
by the Commissioner for Children and Young People — Tabling*

HON NEIL THOMSON (Mining and Pastoral) [10.07 am]: I am directed to present the second report of the Joint Standing Committee on the Commissioner for Children and Young People titled *Report review 2020–21: Examination of selected reports by the Commissioner for Children and Young People*.

[See paper [895](#).]

Hon NEIL THOMSON: As Deputy Chair of the Joint Standing Committee on the Commissioner for Children and Young People, I am pleased to make a statement on the committee's second report, *Report review 2020–21: Examination of selected reports by the Commissioner for Children and Young People*. The committee examined the commissioner's *Annual report 2020–21* and two other key reports tabled in past months. The commissioner and his research director also considered a hearing to answer questions about these reports and the commissioner's recent activities. This includes one of the committee's functions as agreed by both houses, which is to regularly consult with the commissioner and monitor and review his reports. The commissioner's office commenced or completed all the activities set out in the 2020–21 work plan. Key amongst these was completion of the Fair Work component of the "Speaking Out Survey". The survey gathers the views of students from around the state and provides an excellent insight into how young people are feeling and the issues that are important to them.

The Commissioner for Children and Young People also published *Progress update for agencies on recommendations from the 2015 Our children can't wait report*. The update indicates that the Western Australian mental health system is still not addressing the mental health needs of children and young people. We welcome the news that the commissioner had been consulted by the Ministerial Taskforce into Public Mental Health Services for Infants, Children and Adolescents aged 0–18 years in Western Australia, which is due to report this month.

In October last year, the Minister for Child Protection asked the commissioner to review the Department of Communities' policies, practices and services regarding the placement of children with harmful sexual behaviours in residential care. His report tabled in September made six findings and nine recommendations, largely related to systemic issues. The review found the department's practice manual did not compare favourably with equivalent manuals in other jurisdictions and guidance to staff needed to be clearer and more accessible. The report said that the department needed to devote time to fixing this.

The committee also reviewed the literature review *Exploring the decline in wellbeing for Australian girls*. The review was prompted by findings of the 2019 Speaking Out Survey. It contains some troubling findings and highlights how inequality is a normal part of life for many girls. The committee is pleased to see that the commissioner will be creating two advisory groups made up of young girls to discuss how services and policy decisions can improve wellbeing for girls.

Commissioner Colin Pettit will exit the role early in the new year and we thank him for his six years of dedicated service and wish him the best for the future.

Third Report — The merits of appointing a commissioner for Aboriginal children and young people — Tabling

HON NEIL THOMSON (Mining and Pastoral) [10.11 am]: I am directed to present the third report of the Joint Standing Committee on the Commissioner for Children and Young People titled *The merits of appointing a commissioner for Aboriginal children and young people*.

[See paper [896](#).]

Hon NEIL THOMSON: As Deputy Chair of the Joint Standing Committee on the Commissioner for Children and Young People, I am pleased to make a statement on the committee's third report, *The merits of appointing a commissioner for Aboriginal children and young people*. As far as the committee is concerned, there is no doubt that a commissioner for Aboriginal children and young people is warranted. Aboriginal children and young people account for nearly 40 per cent of Western Australia's Aboriginal population, which is almost double the percentage of children and young people in the non-Aboriginal population. But it is not just the high proportion of children and young people that justifies the appointment of a dedicated advocate; it is also the fact that Aboriginal children and young people are among the most disadvantaged. It is well-known that they are over-represented in the youth justice and child protection systems, and data shows that they are still lagging behind on school attendance and completion rates and are at higher risk of mental health problems.

Aboriginal children and young people are almost 10 times more likely to die by suicide than non-Aboriginal children and young people. In her 2019 report on the inquest into the deaths of 13 children and young people in the Kimberley region, Coroner Ros Fogliani recommended the appointment of a commissioner for Aboriginal children and young people, echoing a recommendation from the Gordon inquiry 17 years earlier. So we can see that calls for such

a position are not new, and are often made as a response to tragic circumstances. In his time as Commissioner for Children and Young People, Colin Pettit has also urged the government to appoint an Aboriginal counterpart to his position. He has suggested that WA follow a model similar to Victoria, which has a principal commissioner and a Commissioner for Aboriginal Children and Young People who work within the same office.

The committee sought feedback from the four states that already have Aboriginal children's commissioners or guardians. There are various issues to consider in appointing a second commissioner, such as the need to clearly define roles to avoid duplication or overlap. The other states provided insights into how their offices operate within their particular legislative framework. We concur that Victoria's model is a suitable model upon which to base ours, but note that the powers and functions of the Aboriginal position are not defined in the relevant act. Victoria's Commission for Children and Young People has identified this as a shortcoming. Hence, we recommend ensuring that an equivalent role in WA be explicitly defined in our Commissioner for Children and Young People Act, clearly outlining the functions and powers. This short report has drawn together previous recommendations and feedback from other states to make six recommendations. Two of these recommendations refer to the need to consult Aboriginal people to determine the appointment process and the title of a new position. This is an important aspect which should not be overlooked.

I commend the report to the house.