

ATTACHMENT 1

GOVERNMENT RESPONSE TO RECOMMENDATIONS OF REPORT NO. 7 OF THE JOINT STANDING COMMITTEE ON THE COMMISSIONER FOR CHILDREN AND YOUNG PEOPLE *EVERYBODY'S BUSINESS: AN EXAMINATION INTO HOW THE COMMISSIONER FOR CHILDREN AND YOUNG PEOPLE CAN ENHANCE WA'S RESPONSE TO CHILD ABUSE*

Recommendation 1

That the government takes immediate action to investigate capacity limitations and unmet demand within support services for child abuse victims and the provision of appropriate service models and funding.

Noted.

Recommendation 1 is closely related to Finding 24 of the *Everybody's Business* report. Finding 24 suggests the Commissioner for Children and Young People work with the child protection sector to map the services available to support victims of child abuse in Western Australia. As noted by the Committee, this would allow for identification of any duplication and gaps in existing services.

The Western Australian Government is supportive of the Commissioner for Children and Young People (the Commissioner) undertaking mapping of the support services available to child abuse victims to help inform government decision-making in relation to service models and funding.

The Commissioner has advised the Attorney General that his office can map the support services available to child abuse victims. This includes working collaboratively with key government and non-government agencies to document the capacity of and demand for services.

The Western Australian Government currently provides or funds a number of services for child abuse victims. These include services contracted by the Department for Child Protection and Family Support, and those provided by the Department of the Attorney General's Child Witness Service and WA Health's Sexual Assault Resource Centre.

Of particular relevance to Recommendation 1 is the review of community services sector expenditure currently being undertaken by the Department for Child Protection and Family Support. The review aims to improve service effectiveness, efficiency, incorporate contemporary service design and delivery, and service target groups. This review includes services to support recovery from the effects of child abuse.

The results of the Commissioner for Children and Young People's mapping of services supporting victims of child abuse will inform the outcome of this review.

Recommendation 2

That the Minister for Education requires the Department of Education to report annually on the extent of protective behaviours education being delivered within each school in Western Australia.

Noted.

The Western Australian Government is committed to implementing protective behaviours instruction across all phases of schooling, and in both government and non-government schools.

The Department of Education's *Focus 2016* provides direction for public schools to implement protective behaviours education as a key risk management strategy. The

Department of Education is currently implementing mechanisms to ensure Western Australia's public schools report on the extent of protective behaviours education being delivered in these schools.

In Semester 2, 2016, all Western Australian public schools will be surveyed on the implementation of protective behaviours education. From 2017, protective behaviours education will be included in the Reporting Requirements of Schools. This will allow ongoing compliance to be monitored and reported.

Non-government schools will be required from 1 January 2017 to meet a new child abuse prevention standard, which is explicit about the quality and content of protective behaviours curriculum to be delivered by schools.

Non-government schools will be required to deliver to all students a developmentally appropriate protective behaviours curriculum, developed by experts in child abuse prevention, and covering what the boundaries are between appropriate and inappropriate interactions and when, how and who to tell when a boundary is crossed. As part of meeting this requirement, information is to be provided to parents and guardians about the protective behaviours curriculum, the staff code of conduct and when, how and who to tell when they have concerns about grooming or child abuse.

The Department of Education Services does not currently report on the extent of protective behaviours education delivered in non-government schools. The *School Education Act 1999* requires non-government schools to observe the child abuse prevention standard. However, non-government schools must satisfy the Director General of the Department of Education Services of the school's compliance with this standard when applying for initial registration, renewal of registration, registration change and at any other time on request.

This provides incentive for non-government schools to comply with the required delivery of protective behaviors education. Compliance with the child abuse prevention standard:

- ensures maintenance of registration and associated State Government funding;
- avoids the imposition of conditions and directions, which appear on the school's registration certificate; and
- aids obtaining renewal of registration for the longest available period.

Notwithstanding the explicit requirement for non-government schools to deliver a protective behaviours curriculum, the Department of Education Services will engage with system and sector representative bodies to investigate mechanisms for reporting on the extent of protective behaviours education delivery within non-government schools.

Recommendation 3

That the Children's Commissioner's office be appropriately resourced to appoint a person who is either a special advisor on matters concerning Aboriginal children and young people, or to consider appointing an additional Commissioner for Aboriginal children.

Noted.

The Commissioner for Children and Young People has undertaken, and continues to embark on, significant engagement with the Aboriginal children and young people in Western Australia.

The Commissioner recently appointed an Aboriginal Community Engagement Officer to enhance the activity of his office in engaging with members of the Aboriginal community and has also engaged four eminent individuals to act as ambassadors for children and young people who are Aboriginal. The ambassadors provide advice and support to his office on a regular basis.

Further, the Commissioner has advised that he will be undertaking significant work building on the views of Aboriginal children and young people as outlined in the *Listen to Us* report, tabled in Parliament in 2015. This project will be guided by an Aboriginal reference group and is anticipated to commence in early 2017.

The Western Australian Government supports the Commissioner's continued focus on the needs and views of Aboriginal children and young people in Western Australia.

Recommendation 4

The Children's Commissioner must develop an education and outreach role to increase awareness about child abuse matters, including prevention. This must extend beyond the Child Protection Sector to include parents and children and, most importantly, the broader community.

Noted.

The Western Australian Government recognises the importance of increasing awareness about child abuse and the need for education to extend to children, parents and the community more broadly.

There are currently a number of ways in which education about child abuse is delivered in Western Australia. This includes, but is not limited to, programs delivered by the Department of Education and through Western Australian Government-funded Child and Parent Centres.

The Commissioner for Children and Young People has recently developed his office's educative role through the launch of the Child Safe Organisations project. This project encourages and supports organisations in the implementation of child safe strategies.

Before the Commissioner for Children and Young People undertakes an increased educative and outreach role in respect to child abuse, the landscape of existing education and outreach must be understood to highlight any gaps, prevent duplication and promote consistency. The Government intends to work with the Commissioner for Children and Young People to identify any gaps in current child abuse education, and to assess how this may be best addressed.

Recommendation 5

The Commissioner for Children and Young People should develop a single, central online portal, and an associated social media presence, that hosts in one location information about services, advice, emerging issues and best practice for responding to child abuse.

Noted.

The Government of Western Australia acknowledges the importance of providing accessible services and information to vulnerable persons, and the value of broadly sharing information about child abuse.

It is important there is consistency across government in the information being made available online regarding child abuse. The government recognises there is opportunity to consolidate and simplify existing information, and make it more accessible.

Consequently, and taking into account the recommendations of the Auditor General's May 2016 *Delivering Services Online* report, the Western Australian Government will carefully consider how information about services, advice, emerging issues and best practice for responding to child abuse can be best provided, including consideration of a single, online portal.

Recommendation 6

That the Commissioner for Children and Young People Act 2006 should be amended to provide for a complaints monitoring function that extends to complaints made about services provided to children by public sector agencies and non-government service providers.

Noted.

The Commissioner for Children and Young People's office is commencing work to examine the Commissioner's complaints-monitoring functions set out in sections 19(d) and (e) of the *Commissioner for Children and Young People Act 2006*. This work will include:

- reviewing the current mechanisms for monitoring and reporting on complaints made by children and young people to agencies, with a view to enhancing the robustness of the process; and
- establishing options or models to focus on increased review of complaints by the Commissioner for Children and Young People.

Following this, the Commissioner will make recommendations to Government about options for monitoring of complaints made by children to agencies by his office.

The monitoring of complaints-handling processes intersects with work of the Royal Commission into Institutional Responses to Child Sexual Abuse. The Western Australian Government is of the view that any substantial change to the role of the Commissioner for Children and Young People – particularly where legislative change may be required – should be considered following the release of any relevant Royal Commission recommendations.

Following receipt of the Commissioner's advice and consideration of any relevant Royal Commission recommendations, the Western Australian Government will decide whether the Commissioner's complaints monitoring function should be expanded.

Recommendation 7

The Children's Commissioner should continue to develop a monitoring role with regard to systems improvements and capacity building of the Child Protection Sector; particularly to help improve the Sector's response to matters concerning child abuse.

Noted.

Government is committed to systems improvements and capacity building in the child protection sector in Western Australia. This includes substantial reform of the State's out-of-home care system, which aims to ensure the out-of-home care system is responsive and sustainable, as well as transparent and accountable.

As part of this reform, the Department for Child Protection and Family Support is working with the Western Australian Ombudsman to develop a model for a reportable conduct scheme for persons working with children in out-of-home care. The Department is also reviewing the safety and quality standards relating to out-of-home care.

Further, the Royal Commission into Institutional Responses to Child Sexual Abuse is likely to make recommendations with respect to monitoring and oversight of institutions providing service to children, mandatory standards for organisations providing care to children, and the monitoring of child safe organisational practices.

While the Commissioner for Children and Young People is working to build the capacity of organisations providing services to children through his Child Safe Organisations project, the Government will await the recommendations of the Royal Commission before considering expanding the role of the Commissioner to undertake a more extensive and resource-intensive monitoring role.

In the interim, the Western Australian Government will continue to support the Commissioner's important work in the area of child safe organisations, and encourages the Commissioner to continue working with organisations to promote child safe principles and practices.

Recommendation 8

That the Children's Commissioner work with oversight agencies to clearly map the extent of monitoring and oversight of organisations who provide services to children and make recommendations to government to address any gaps in scrutiny.

Supported.

The Commission for Children and Young People is currently undertaking a mapping exercise of oversight agencies that provide services to children and young people. This exercise will inform the work of the Commissioner and enable advice to be provided to Government on identified gaps in scrutiny.

Relevant Western Australian Government agencies will work cooperatively with the Commissioner as he completes this body of work.