

GOVERNMENT RESPONSE TO RECOMMENDATIONS OF REPORT 5 OF THE JOINT STANDING COMMITTEE ON THE COMMISSIONER FOR CHILDREN AND YOUNG PEOPLE *FROM WORDS TO ACTION: FULFILLING THE OBLIGATION TO BE CHILD SAFE*

Introduction

The Government of Western Australia (the Government) welcomes Report 5 of the Joint Standing Committee on the Commissioner for Children and Young People (the Committee), *From Words to Action: Fulfilling the obligation to be child safe*, tabled in the Legislative Assembly on 13 August 2020.

Many of the report’s findings and recommendations align with the recommendations made by the *Royal Commission into Institutional Responses to Child Sexual Abuse* (the Royal Commission), and the work that is underway to implement them.

The Government is committed to making Western Australia safer for children and recognises that all organisations engaging in child-related work have a duty to keep children safe, and to respect and uphold their rights and wellbeing. The Government is progressing work to support organisations to become child safe, which includes consideration of a system of independent oversight to ensure child safety is embedded within organisational cultures and practices.

As the State responds to the COVID-19 pandemic, the Government continues to support the implementation of the Royal Commission recommendations and efforts towards child safe reform, acknowledging that child safety risks are heightened by the pandemic. The Government appreciates the work of the Committee in preparing this report, and in providing helpful and considered findings and recommendations.

Profile of the Government’s response

Response	Definition
Accept	All elements of the recommendation are supported by the Government.
Accept in principle	The Government generally supports the intent or merit of the policy underlining the recommendation, but does not necessarily support the method for achieving the policy; and/or additional funding will be required to implement the recommendation; and/or it requires further consideration.
Not accept	The recommendation is not supported by the Government.

Summary of Government's response to each recommendation

No.	Recommendation	Response
1	That, in progressing the Royal Commission recommendations, the State Government continues to endorse the nationally consistent approach framed by the National Child Safe Principles.	Accept
2	To support the implementation of the National Child Safe Principles, the Government should give urgent consideration to devising methods of incorporating the participation of children and young people to assist in decision-making as a key objective in policy development and design.	Accept in principle
3	That the Government consider whether additional resources would be required by the Commissioner for Children and Young People to further develop participation guidelines to build the capacity of the community, institutions and the government to hear the voice of the child and seek the participation of children in decision-making.	Accept
4	That the Government give serious consideration to professionalising the role of a child safeguarding manager.	Accept in principle
5	That the Government ensure the implementation and oversight of the National Child Safe Principles are effected as soon as possible at the Kath French Secure Care Centre.	Accept
6	<p>That the Government should finalise the necessary determinations about how organisations will be supported to become child safe. This should include measures to increase the understanding within communities and organisations about:</p> <ul style="list-style-type: none"> • the impacts of child abuse; and • how to respond appropriately to concerns of child abuse. <p>Further measures should include information about:</p> <ul style="list-style-type: none"> • why the National Child Safe Principles are important; • what the ongoing operation of child safe approaches will mean for individual organisations required to become child safe; and • the means by which organisations and the community can contribute to the planning for, and operation of, child safe approaches. 	Accept

No.	Recommendation	Response
7	That the Government considers the creation of a standalone piece of legislation that enshrines both the National Child Safe Principles and the requirement to adhere to them.	Accept
8	That the Government should consider some form of engagement with the community and stakeholders about which institutions should be obliged to become child safe.	Accept
9	That if the “child-related work” definition is to be the single threshold for determining to which institutions the National Child Safe Principles should apply, direction be provided by the Government about how the “the usual duties of work” and “contact with a child” as determined under section 6 of the <i>Working with Children (Criminal Record Checking) Act 2004</i> may operate from a whole-of-organisation perspective.	Accept in principle
10	<p>Should any new information sharing regime for Western Australia be established, the Government ensures that it includes:</p> <ul style="list-style-type: none"> • alignment with the recommendations from the royal commission; • information sharing with third parties; • explicit protections for those who share information in good faith; • the ability to compel information; • specific child safety functions pertaining to a privacy commissioner including a function to work collaboratively with the oversight body of the national child safe principles; and • the ability to see “the whole picture” of a child. 	Accept in principle
11	That accurate advice and education resources about appropriate information sharing be included in any material developed to raise the awareness of the community and organisations about child abuse and its impacts.	Accept
12	That professional education campaigns be undertaken to help adults in child-related work identify the early markers of abuse and neglect and assist them understand the importance and effectiveness of appropriate information sharing.	Accept in principle
13	That community information and education campaigns be undertaken to demonstrate how practical employment of the National Child Safe Principles can encourage appropriate information sharing.	Accept in principle

No.	Recommendation	Response
14	That attention is given to improving access to independent individual advocacy for children in care as a priority.	Accept
15	That consideration be given to the immediate provision of additional resources for the Advocate for Children in Care until a long-term solution is developed.	Accept in principle
16	That the substance of Recommendation 3 of the Children's Commissioner <i>Improving the Odds for WA's vulnerable children and young people</i> report should be included in measures to implement and oversight the National Child Safe Principles.	Accept
17	That consideration is given to the ways in which legislation and regulation can be put in place to promote change and support organisations to dedicate resources, time and effort towards becoming child safe.	Accept
18	That an oversight body with the purpose of assisting child safe approaches and a focus on achieving better safety outcomes for children is a crucial part of child safe reform and must be established as a priority.	Accept in principle
19	That the oversight body for the National Child Safe Principles should incorporate all the elements of the model described in Fig 7.1 of this report and include sufficient and appropriate enforcement powers, collaboration with other statutory oversight bodies and good faith information sharing provisions.	Accept in principle

Recommendation 1: That, in progressing the Royal Commission recommendations, the State Government continues to endorse the nationally consistent approach framed by the National Child Safe Principles.

Accept

In February 2019, the Council of Australian Governments, which included the Western Australian Government, endorsed the National Principles for Child Safe Organisations (referred to by the Committee as the National Child Safe Principles).

The Department of Communities continues to work with the National Office of Child Safety (the National Office) to support the development of a nationally consistent approach for the implementation of the National Child Safe Principles. The Commissioner for Children and Young People has updated *Child Safe Organisations WA* resources to align with the National Child Safety Principles, which support organisations to develop child safe strategies and practices.

Recommendation 2: To support the implementation of the National Child Safe Principles, the Government should give urgent consideration to devising methods of incorporating the participation of children and young people to assist in decision-making as a key objective in policy development and design.

Accept in principle

The Government acknowledges and supports National Principle 2 of the National Child Safe Principles “Children and young people are informed about their rights, participate in decisions affecting them and are taken seriously”. Government agencies already encourage the participation of children and young people in service improvement and design, and involve them in policy development and decision-making (see examples below). Consideration will be given to whether new approaches to involve children and young people in the policy development and design for the implementation of the National Child Safe Principles are required.

The Child and Adolescent Health Service is accredited to the National Safety and Quality Health Services Standards. Standard 2, “Partnering with Consumers”, requires that consumers are partners in their own care, as well as in planning, design, delivery, measurement and evaluation of systems and services. The Child and Adolescent Health Service has a long-standing Youth Advisory Committee that is comprised of young people who use their service experience to help improve health services for children.

The Department of Education has developed the *Engaging and Working with your Community Framework* to support government schools build on their partnerships with staff, students, families and communities, to directly influence the quality of learning. The Framework includes a key domain of decision-making that promotes the need for parents, students and community members to have meaningful roles in school decision-making.

The Department of Communities is developing an Aboriginal young people’s council and regularly consults with young people through the CREATE Foundation which is

the national consumer body representing the voices of children and young people with an out-of-home care experience.

Recommendation 3: That the Government consider whether additional resources would be required by the Commissioner for Children and Young People to further develop participation guidelines to build the capacity of the community, institutions and the government to hear the voice of the child and seek the participation of children in decision-making.

Accept

Under National Principle 2 of the National Child Safe Principles, organisations engaged in child-related work will be required to ensure that children and young people are informed about their rights, are enabled to participate in decisions that affect them, and are taken seriously.

The Commissioner for Children and Young People has a statutory role “to promote the participation of children and young people in the making of decisions that affect their lives and to encourage government and non-government agencies to seek the participation of children and young people appropriate to their age and maturity.”¹

The *Involving Children and Young People Participation Guidelines* released by the Commissioner for Children and Young People in 2009 provide assistance to organisations to involve children and young people in decision-making about services and activities. The Commissioner has also been commissioned by the National Office to develop resources for children and young people “explaining their right to speak up when they feel uncomfortable, unsafe or marginalised, and outlining the steps they can take to raise their concerns or make complaints within organisations”.² The Government anticipates that organisations will seek guidance on how to fulfil their obligations under National Principle 2 which may result in increased demand on advice from the Commissioner for Children and Young People. Work to assess and quantify the extent to which resourcing will be required to implement the National Child Safe Principles will need to be undertaken and provided to the Government for consideration.

The Commissioner for Children and Young People national resources for children and young people explaining their right to speak up when they feel uncomfortable, unsafe or marginalised, and outlining the steps they can take to raise their concerns or make complaints within organisations.

¹ Section 19(b) *Commissioner for Children and Young People Act 2006* (WA)

² <https://ccyp.wa.gov.au/our-work/projects/helping-children-and-young-people-to-make-complaints/>

Recommendation 4: That the Government give serious consideration to professionalising the role of a child safeguarding manager.

Accept in principle

National Principle 1 of the National Child Safe Principles encourages organisations to embed child safety and wellbeing into organisational leadership, governance and culture, so that child safety is championed and modelled at all levels of the organisation not just by a designated position within an organisation.

The Government agrees that the proposal to professionalise the role of a child safeguarding manager will require further consideration. The Department of the Premier and Cabinet will examine the feasibility for such a role in the Western Australian context as part of its engagement process on the independent oversight system.

In the local government context, the Government notes recommendation 6.12 of the Royal Commission that child safety officer positions should be designated in local governments from existing staff profiles to support local institutions become child safe through awareness raising and connecting local institutions with key services.

The role of child safeguarding manager as suggested by the Committee differs in scope to that of a child safety officer as it would have a higher level of responsibility and decision-making, including responding to child protection/safeguarding concerns. Acknowledging these differences, one option could be for child safety officers to be supported by a pool of child safeguarding managers for consultation and support in decision-making around child safety.

Recommendation 5: That the Government ensure the implementation and oversight of the National Child Safe Principles are effected as soon as possible at the Kath French Secure Care Centre.

Accept

The *Better Care Better Service* standards are currently the safety and quality standards applicable to out-of-home care in Western Australia, including secure care. The Department of Communities will consider how the National Child Safe Principles will apply to the Kath French Secure Care Centre (the Kath French Centre), including consideration of the findings from the review of the New South Wales *Child Safe Standards for Permanent Care*. The *Better Care Better Service* standards were reviewed in 2017 after 18 months of consultation with the out-of-home care sector. Any further review will involve considerable planning and consultation.

In regards to oversight, a recent evaluation of the Kath French Centre has reflected similar findings to that of the 2017 *Statutory Review of the Children and Community Services Act 2004* (the Act) which emphasised the need for heightened independent oversight of the secure care facility. The Government acknowledges that the existing statutory assessor model provision in section 125A of the Act does not allow for the higher degree of independent oversight required for a locked facility such as the Kath French Centre, and that oversight should be completely independent of the statutory child protection agency.

The Department of the Premier and Cabinet is developing policy advice for the Government on options for an independent oversight system, which will include independent oversight of the National Child Safe Principles at government agencies and facilities.

The Government notes that, in relation to other recommendations from the evaluation of the Kath French Centre, the Department of Communities is considering options to establish an independent reviewer process for secure care arrangements, and options for a mandated advocacy service for children under 12 years of age or with a significant intellectual disability admitted to the Kath French Centre. The Department of Communities has also developed resources for younger children that informs them of their rights, how to make a complaint, and how to access the Advocate for Children in Care and legal advice which aligns with National Principle 2.

Recommendation 6: That the Government should finalise the necessary determinations about how organisations will be supported to become child safe. This should include measures to increase the understanding within communities and organisations about:

- **the impacts of child abuse; and**
- **how to respond appropriately to concerns of child abuse.**

Further measures should include information about:

- **why the National Child Safe Principles are important;**
- **what the ongoing operation of child safe approaches will mean for individual organisations required to become child safe; and**
- **the means by which organisations and the community can contribute to the planning for, and operation of, child safe approaches.**

Accept

The Government agrees with the observations by the Royal Commission that “child safe institutions existed in child safe communities”, that is, organisations “are more likely to foster a child safe culture if the broader community values children, respects their rights and understands that child safety is everyone’s responsibility”.³

The Government supports opportunities to increase awareness and knowledge about child abuse and building the capacity of communities and organisations to respond effectively. The Government notes the work of the National Office in raising awareness and driving cultural change to support child safety and wellbeing, and in leading capacity building and continuous improvement of child safe initiatives through resource development, best practice material, evaluation and reporting. The Government will continue to work in collaboration with the National Office on these priorities.

The new Safer WA for Children and Young People content on the WA.gov.au website contains comprehensive child safety information for the public and includes a central portal to relevant child safe resources and links to the National Office, the eSafety

³ Royal Commission into Institutional Responses to Child Sexual Abuse, Final Report, Volume 6 – Making institutions child safe, Commonwealth of Australia, 2017, p. 294

Commissioner and the Commissioner for Children and Young People. Updates to the Mandatory Reporting and Working with Children Check websites are also planned over coming months.

The Commissioner for Children and Young People's *Child Safe Organisations WA* resources provide guidance on how organisations can implement strategies to be child safe, strengthen their organisational leadership and governance, and create a tangible culture of safety for children. The Commissioner has also delivered training for organisations on how to promote and implement child safe practices within their organisation.⁴

To enhance the adoption of the National Child Safe Principles in contracts for 'child-related work'⁵, the Department of Finance has included a National Child Safe Principles clause in request templates for community services from 1 July 2020 and commercial services contracts from 1 October 2020.

The Department of the Premier and Cabinet will be commencing public consultation to inform its advice to government on an independent oversight system. Through this consultation process, information will be provided on the importance of the National Child Safe Principles, the implication of the ongoing operation of child safe approaches on individual organisations, and how organisations and the community can contribute to the planning for, and operation of, child safe approaches.

Recommendation 7: That the Government considers the creation of a standalone piece of legislation that enshrines both the National Child Safe Principles and the requirement to adhere to them.

Accept

The Government accepted in principle Royal Commission recommendations 6.8 and 6.9 to require institutions that engage in child-related work to comply with the National Child Safe Principles. The Government acknowledges a legislative requirement to adhere to the National Child Safe Principles will provide a strong impetus for organisations to become child safe as well as enable appropriate monitoring and enforcement activities by an independent oversight body.

The Government will be considering mechanisms for implementation and oversight of the National Child Safe Principles, which will include consideration of legislative models and interface with existing legislation. As noted by the Committee, there is no consistent approach and the Government appreciates the work undertaken by the Committee to examine approaches in Ireland and Scotland.

⁴ Submission 15, Commissioner for Children and Young People, 7 March 2019, p. 9; Joint Standing Committee on the Commissioner for Children and Young People, Inquiry into the monitoring and enforcing of Child Safe Standards

⁵ As defined in section 6 of the *Working with Children (Criminal Record Checking) Act 2004* (WA)

Recommendation 8: That the Government should consider some form of engagement with the community and stakeholders about which institutions should be obliged to become child safe.

Accept

The Government accepted in principle the scope of organisations recommended by the Royal Commission to become child safe (recommendation 6.9). These are organisations that undertake child-related work.

The Department of the Premier and Cabinet will engage with communities and stakeholders about which organisations should be required to comply with the National Child Safe Principles.

Recommendation 9: That if the “child-related work” definition is to be the single threshold for determining to which institutions the National Child Safe Principles should apply, direction be provided by the Government about how the “the usual duties of work” and “contact with a child” as determined under section 6 of the *Working with Children (Criminal Record Checking) Act 2004* may operate from a whole-of-organisation perspective.

Accept in principle

The Government acknowledges that the threshold for determining which organisations should be required to comply with the National Child Safe Principles needs to be clear, and should be informed by the definition of ‘child-related work’ in the *Working with Children (Criminal Record Checking) Act 2004*. Further work is required to determine the impact of aligning the two definitions of ‘child-related’ work to manage their different purposes as one definition applies to individuals and the other applies to organisations.

Recommendation 10: Should any new information sharing regime for Western Australia be established, the Government ensures that it includes:

- **alignment with the recommendations from the royal commission;**
- **information sharing with third parties;**
- **explicit protections for those who share information in good faith;**
- **the ability to compel information;**
- **specific child safety functions pertaining to a privacy commissioner including a function to work collaboratively with the oversight body of the national child safe principles; and**
- **the ability to see “the whole picture” of a child.**

Accept in principle

The Government continues to be committed to introducing new whole-of-government privacy and responsible information sharing legislation for the Western Australian public sector. Due to the significant impacts of COVID-19, the process of finalising the legislative model has been delayed. The Government supports any new information sharing regime in Western Australia allowing for:

- alignment with the recommendations from the Royal Commission;

- information sharing with third parties;
- explicit protections for those who share information in good faith; and
- the ability to see “the whole picture” of a child.

The Government will give further consideration to:

- the ability to compel information; and
- specific child safety functions pertaining to a privacy commissioner including a function to work collaboratively with the oversight body of the National Child Safe Principles.

Following consultation with key stakeholders in late 2019, and ongoing input into the national work in this area, work is continuing to progress the development of an information sharing framework specifically aligned with the Royal Commission recommendations, current legislation that governs information sharing in Western Australia in particular contexts, and any new privacy and responsible information sharing legislation as mentioned above.

Recommendation 11: That accurate advice and education resources about appropriate information sharing be included in any material developed to raise the awareness of the community and organisations about child abuse and its impacts.

Accept

The Government supports the incorporation of accurate advice and education resources about appropriate information sharing within material developed to raise awareness about child abuse and its impacts. Having materials with a consistent message across departments, organisations and sectors would reduce confusion about who is responsible for addressing child sexual abuse, and may help to bridge knowledge gaps in the community. In this regard, the Government notes the work being undertaken by the National Office. In addition, education materials will be updated following the introduction of a new information sharing framework as referenced in Recommendation 10.

The Government acknowledges the Committee’s finding that opportunities exist for Government to take a leading role in educating the public on the importance of appropriately sharing information when it comes to the safety of children. The Safer WA for Children and Young People content on the WA.gov.au website will be used to communicate information on information sharing to the community and organisations. The Department of Communities is currently revising the Working with Children Check website which will also be used to communicate the same information sharing message.

As noted by the Committee, the Department of Communities’ *Working together for a better future for at risk children and families* guide was developed to clarify the information sharing provisions within the *Children and Community Services Act 2004*, and to assist agencies and individuals to make the right decision when sharing information. In light of the Committee’s findings and recommendations, the Department of Communities is planning to circulate this guide more widely.

Recommendation 12: That professional education campaigns be undertaken to help adults in child-related work identify the early markers of abuse and neglect and assist them understand the importance and effectiveness of appropriate information sharing.

Accept in principle

The Government supports the development of resources to help adults in child-related work identify the early markers of abuse and neglect and assist them understand the importance and effectiveness of appropriate information sharing. The Government would also support the inclusion of the early markers of grooming, noting that the Royal Commission identified a broad range of roles that failed to recognise the signs of child sexual abuse and grooming behaviour.⁶

The delivery of professional education campaigns is likely to assist in building the capacity of staff engaged in child-related work to identify the early markers of grooming, abuse and neglect, and to understand the importance of appropriate information sharing in identifying, preventing, reporting and responding to abuse of this nature. The Government notes the National Office is developing resources to promote information sharing which Western Australia may be able to adapt and promote through the Safer WA for Children and Young People content on the WA.gov.au website and the Working with Children Check and Mandatory Reporting websites. The extent to which professional education campaigns can be funded will require further consideration.

The Government notes the National Office is also overseeing the design and implementation of a *National Strategy to Prevent Child Sexual Abuse* (the National Strategy) to include prevention education for tertiary students studying university, technical and further education, and vocational education and training courses before entering child-related occupations. The National Strategy will give specific consideration to the needs of Aboriginal and Torres Strait Islander communities and other key population groups.⁷ The National Office intended to undertake consultations in Western Australia in May 2020, however due to the COVID-19 restrictions these have been postponed to early 2021. The Department of Communities will continue to work with the National Office to ensure that the National Strategy is appropriate for the Western Australian context.

Recommendation 13: That community information and education campaigns be undertaken to demonstrate how practical employment of the National Child Safe Principles can encourage appropriate information sharing.

Accept in principle

The Government recognises the importance of informing and educating the community about appropriate information sharing in the context of the National Child Safe Principles. As noted in Recommendations 12 and 13, the National Office will be developing materials to support the National Strategy which may assist in promoting and encouraging information sharing in Western Australia. Materials to support the

⁶ Royal Commission into Institutional Responses to Child Sexual Abuse, Final Report, Volume 6 – Making institutions child safe, Commonwealth of Australia, 2017, p. 45

⁷ <https://chilsafety.pmc.gov.au/what-we-do/national-strategy-prevent-child-sexual-abuse>

introduction of the proposed information sharing regime in Western Australia, as mentioned in the response to Recommendation 10, may also encourage appropriate information sharing in relation to children and young people.

As noted in the response to Recommendation 11 above, the Safer WA for Children and Young People content on the WA.gov.au website and the revised Working with Children Check and Mandatory Reporting websites will be used by government to communicate the importance of information sharing. The extent to which funding will be required to assist in any information and promotional campaigns will need to be considered by the Government.

Recommendation 14: That attention is given to improving access to independent individual advocacy for children in care as a priority.

Accept

The Government notes Recommendation 14 reflects recommendation 54 of the 2017 *Statutory Review of the Children and Community Services Act 2004* that exploration of a model of independent child advocacy services most appropriate for children in care be undertaken.

The Department of Communities is currently addressing the Statutory Review's recommendation and has undertaken a jurisdictional review on models of child advocacy in other Australian states and territories. Further analysis of these models and consultation will inform policy advice to the Government on options for an independent oversight system.

Recommendation 15: That consideration be given to the immediate provision of additional resources for the Advocate for Children in Care until a long-term solution is developed.

Accept in principle

The Government supports the intent of the Committee's recommendation to ensure all children and young people in out-of-home care have adequate access to the Advocate for Children in Care. The Advocate provides an invaluable service, playing a key role in supporting the voice of children and young people in decisions and actions that affect them, as well as helping children and young people in making complaints and/or providing feedback on their care experience.

The Government will consider funding options for the Advocate for Children in Care alongside other resource priorities.

Recommendation 16: That the substance of recommendation 3 of the Children’s Commissioner *Improving the Odds for WA’s vulnerable children and young people* report should be included in measures to implement and oversight the National Child Safe Principles.

Accept

The Government acknowledges its previous support for recommendation 3 of the *Improving the odds for WA’s vulnerable children and young people* report. The Department of the Premier and Cabinet signalled to the Commissioner for Children and Young People at the time that the recommendation would be considered in the implementation of the Royal Commission’s recommendations for independent oversight of organisations engaged in child-related work.

The Department of the Premier and Cabinet is developing policy advice to the Government on options for an independent oversight system and is working in conjunction with the Independent Oversight Working Group, which includes relevant oversight agencies and government agencies, to develop its advice to Government. Consultation on options for an oversight system, including co-regulation, will provide for engagement with non-government organisations and the broader community.

Recommendation 17: That consideration is given to the ways in which legislation and regulation can be put in place to promote change and support organisations to dedicate resources, time and effort towards becoming child safe.

Accept

The Government will give consideration to the ways in which legislation and regulation can be put in place to promote change and provide the impetus for organisations to dedicate resources, time and effort towards becoming child safe.

The Government acknowledges the need for balance between legislation that includes sufficient powers to enforce compliance with the National Child Safe Principles when required, and awareness raising and capacity building strategies to enable organisations to become child safe and achieve the cultural change required.

As noted in the response to Recommendation 6 above, the Department of Finance has included a National Child Safe Principles clause in request templates for community services from 1 July 2020 and commercial services contracts from 1 October 2020.

Recommendation 18: That an oversight body with the purpose of assisting child safe approaches and a focus on achieving better safety outcomes for children is a crucial part of child safe reform and must be established as a priority.

Accept in principle

The Government accepted in principle all aspects of Royal Commission recommendation 6.10, which recommended an independent oversight body be responsible for monitoring and enforcing the Child Safe Standards and, where appropriate, this should be an existing body with the power to delegate responsibility to another government body, such as a sector regulator. The Government agrees with

the Committee's view that establishing an oversight body with the purpose of assisting child safe approaches and a focus on achieving better safety outcomes for children is a crucial part of child safe reform.

As noted in responses to other recommendations above, consultation and engagement on an independent oversight system will be occurring, and this will include consultation on powers and functions of an oversight body for the National Child Safe Principles. Consultation, analysis and policy development of options for consideration by the Government is a priority.

Recommendation 19: That the oversight body for the National Child Safe Principles should incorporate all the elements of the model described in Fig 7.1 of this report and include sufficient and appropriate enforcement powers, collaboration with other statutory oversight bodies and good faith information sharing provisions.

Accept in principle

The Government appreciates the Committee's outline of a model for the oversight of the National Child Safe Principles as described in Figure 7.1. The Government notes that the majority of the functions illustrated in Figure 7.1 incorporate those recommended by the Royal Commission and support the regulatory approach also proposed by the Royal Commission. The Government notes that the title "Monitor outcomes for children's services" in Figure 7.1 is not reflective of the functions for the oversight body recommended by the Royal Commission, but acknowledges that the monitoring of the National Child Safe Principles as contemplated by the Royal Commission may lead to improved service delivery outcomes for children and young people.

As previously noted, the Department of the Premier and Cabinet will be consulting on the elements of an integrated independent oversight system, including appropriate enforcement powers, in Western Australia to inform policy advice to the Government on options.

The Government recognises that the oversight system must work in collaboration with the National Office to promote a nationally consistent approach, maximise efficiencies through the use of common resources and avoid duplication of work.