Report 5

ANNUAL REPORT 2017-18

Presented by
Ms J.M. Freeman, MLA
September 2018
Committee Members

Chair
Ms J.M. Freeman, MLA
Member for Mirrabooka

Deputy Chair
Mr W.R. Marmion, MLA
Member for Nedlands

Members
Ms J. Farrer, MLA
Member for Kimberley

Mr R.S. Love, MLA
Member for Moore

Mrs S.E. Winton, MLA
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   Education and Health Standing Committee. Report 5)
Education and Health Standing Committee

Annual Report 2017-18

Report No. 5

Presented by

Ms J.M. Freeman, MLA

Laid on the Table of the Legislative Assembly on 20 September 2018
It is my pleasure to present the second annual report of the Education and Health Standing Committee in the 40th Parliament.

The previous financial year ended with the Committee tabling a report on the regulation of e-cigarettes. At the Committee’s request, the Minister for Health reported back to the Committee in September on any considerations being given to e-cigarette regulation. The response included copies of submissions the WA Government made to two Commonwealth parliamentary inquiries related to e-cigarettes (one reporting in September 2017 and the other in March 2018). The WA Government makes it clear in the submissions that it subscribes to the precautionary principle. It supports a total ban on nicotine and non-nicotine containing electronic cigarettes until there is enough evidence of their safety, quality and efficacy. It does not believe there is enough evidence of the harm minimisation role of e-cigarettes – that is, that they assist smokers in quitting a habit that is known to be damaging to health and that they are a less harmful alternative to cigarettes. The government is also concerned that some e-cigarette flavours and packaging are appealing to children and that vaping serves as a gateway to smoking for young people. However, these concerns are challenged in one of the Commonwealth parliamentary inquiries, notably by Professor John Newton of Public Health England, who says that the precautionary principle depends on one’s attitude:

... rather than waiting 20 years to get definitive evidence, we have to make the best decision on the evidence that’s available now, and that points us towards cautious use of e-cigarettes.¹

The same report notes that the Royal College of Physicians of London adopted harm reduction as part of its tobacco control policy in 2007, based on the understanding that the harms from smoking arise primarily from the toxins in tobacco smoke. If smokers cannot quit, it says, policies should at least encourage them to switch to a less hazardous source of nicotine.² A recent House of Commons report found that concerns about vaping being a gateway to conventional smoking were unsupported, with data showing that ‘British youth experiment with e-cigarettes but regular use is rare and very largely confined to young people who have smoked’.³ Importantly, the US Food and Drug Administration (FDA) has identified that an acceleration of e-cigarettes to ‘epidemic’ use in young people has required regulators to fine and warn retailers and

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² Ibid.
³ House of Commons Science and Technology Committee, E-cigarettes, August 2018, p19.
on-line sellers who are unlawfully selling them to minors. The FDA is also considering pulling flavoured liquid nicotine off the market to restrict the appeal to children, noting that while they believe it is a less harmful alternative for adults the ‘availability of these products for the adults cannot come at the expense of hooking a whole generation of young people on e-cigarettes’.

As noted in this Committee’s report and in the chair’s foreword to the report by the House of Representatives Standing Committee on Health, Aged Care and Sport, regulation is important, given that nicotine liquid for e-cigarettes can easily be purchased online from overseas. It is not helpful to pretend it is not happening, since an unregulated market poses risks regarding product quality and safety. Further, it limits the capacity for regulators to react accordingly, as illustrated by the US FDA.

The first half of the reporting period was dedicated to an inquiry into the extent to which the Vocational Education and Training in Schools program was meeting the needs of schools, students and industry. Since the report of the inquiry was tabled in November, two Commonwealth parliamentary committees have reported on issues related to vocational education and training and pathways for secondary students. They echo some of the findings made in this Committee’s inquiry. For example, the Inquiry into School to Work Transition conducted by the Standing Committee on Employment, Education and Training recommended that career advisory programs and information within the school sector be increased, and that VET, apprenticeships and alternative post-school pathways are promoted to the same extent as higher education. It also recommended that all high schools have trained career advisors on staff who can provide accurate advice about employment opportunities resulting from particular qualifications.

In February we held a hearing with the Chief Health Officer on the progress of the State Public Health Plan and local health plans. The information provided highlighted that it is important that Members of Parliament involve themselves in local health planning being undertaken by Local Government in their electorates, since this represents a major shift in public health management. In doing so, we should be aware of a 2017 article on English local governments (which were given similar responsibility for public health in 2013) which reported ‘a continuing state of flux’. The article described a ‘culture shock’ and ‘organisational churn’ in internal organisation of public health in local councils. Further, it noted the ‘enormous challenge’ (particularly in times of austerity) in regard to resourcing. The article outlined concerns about the lack of development of the public health workforce and its capacity to deliver the new agenda.

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5 S. Peckham et al., ‘Views of public health leaders in English local authorities – changing perspectives following the transfer of responsibilities from the National Health Service to local government’, Local Government Studies, 43:5, pp842-863.
However, the study also acknowledged ‘high levels of enthusiasm and commitment to making the reforms work, and increasing positivity about the impact of public health within local government’.

The Committee spent the second half of the reporting period preparing an issues paper on oral health and holding health-related hearings and briefings which have helped guide us to our next inquiry.

I would like to acknowledge my fellow committee members for their commitment and important contribution and thank the Committee secretariat for their valuable support.

MS J.M. FREEMAN, MLA
CHAIR
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<th>Committee's activities</th>
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Committee’s activities

Introduction

During the course of this reporting period, the Committee:

- conducted one inquiry
- tabled three reports in Parliament
- held 19 deliberative meetings
- took evidence from/was briefed by 34 persons

Table 1.1 Summary of activities of the Committee, 1 July 2017–30 June 2018

<table>
<thead>
<tr>
<th>Description</th>
<th>Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reports tabled</td>
<td>3</td>
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<tr>
<td>Deliberative meetings</td>
<td>19</td>
</tr>
<tr>
<td>Public hearings</td>
<td>12</td>
</tr>
<tr>
<td>Briefings</td>
<td>3</td>
</tr>
<tr>
<td>Witnesses appearing</td>
<td>34</td>
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</tbody>
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Portfolios

The three portfolio areas of the Committee as determined by the Speaker of the Legislative Assembly are:

- Education and Training
- Health
- Mental Health

Public hearings

Pursuant to Assembly Standing Order 264, the Committee has the power to send for persons, papers and records. During the period 1 July 2017–30 June 2018, the Committee conducted 12 public hearings, taking evidence from 34 witnesses to assist with its investigations (Table 1.2).
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Table 1.2 – Witnesses who provided evidence at hearings, 1 July 2017–30 June 2018

<table>
<thead>
<tr>
<th>Date</th>
<th>Date</th>
<th>Position</th>
<th>Organisation</th>
</tr>
</thead>
<tbody>
<tr>
<td>16 August 2017</td>
<td>Mr James Walker</td>
<td>Chair</td>
<td>State Training Board</td>
</tr>
<tr>
<td></td>
<td>Ms Kathleen Hoare</td>
<td>Director</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Mr Alan Davis</td>
<td>Director, Skills Development</td>
<td>Construction Training Council</td>
</tr>
<tr>
<td>6 September 2017</td>
<td>Miss Samantha Schofield</td>
<td>Vice President</td>
<td>State School Teachers’ Union of WA</td>
</tr>
<tr>
<td>6 September 2017</td>
<td>Mrs Janette Gee</td>
<td>President/Director</td>
<td>WA Secondary School Executives Association/ Australian Secondary Principals’ Association Board</td>
</tr>
<tr>
<td></td>
<td>Mrs Mary Griffiths</td>
<td>Principal</td>
<td>Armadale Senior High School</td>
</tr>
<tr>
<td></td>
<td>Mrs Janice Sander</td>
<td>Principal</td>
<td>Mindarie Senior College</td>
</tr>
<tr>
<td></td>
<td>Mr Domenic Camera</td>
<td>Principal</td>
<td>Australind Senior High School</td>
</tr>
<tr>
<td></td>
<td>Ms Melissa Gillett</td>
<td>Principal</td>
<td>John Forrest Secondary College</td>
</tr>
<tr>
<td></td>
<td>Mr Ian Johnston</td>
<td>Principal</td>
<td>Greenwood College</td>
</tr>
<tr>
<td>13 September 2017</td>
<td>Ms Sharyn O’Neill</td>
<td>Director General</td>
<td>Department of Education</td>
</tr>
<tr>
<td></td>
<td>Mr Lindsay Hale</td>
<td>Acting Deputy Director General, Schools</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Mr Martin Cleary</td>
<td>Acting Executive Director, Statewide Services</td>
<td></td>
</tr>
<tr>
<td>13 September 2017</td>
<td>Ms Anne Driscoll</td>
<td>Acting Director General</td>
<td>Department of Training and Workforce Development</td>
</tr>
<tr>
<td></td>
<td>Mr Simon Walker</td>
<td>Executive Director, Policy, Planning and Innovation</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Dr Ross Kelly</td>
<td>Director, Policy, Planning and Research</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Ms Karen Purdy</td>
<td>Manager, VET System Policy</td>
<td></td>
</tr>
<tr>
<td>29 November 2017</td>
<td>Mr Duncan Ord</td>
<td>Director General</td>
<td>Department of Local Government, Sport and Cultural Industries</td>
</tr>
<tr>
<td></td>
<td>Mr Peter Minchin</td>
<td>Director, Liquor Control and Arbitration</td>
<td></td>
</tr>
</tbody>
</table>
Briefings

In addition to the formal hearings, the Committee held a number of briefings to gather information in relation to future inquiries and other matters of interest.

Table 1.3 Briefings provided to the Committee, 1 July 2017–30 June 2018

<table>
<thead>
<tr>
<th>Date</th>
<th>Name</th>
<th>Position</th>
<th>Organisation</th>
</tr>
</thead>
<tbody>
<tr>
<td>9 August 2017</td>
<td>Mr Timothy Marney</td>
<td>Mental Health Commissioner</td>
<td>Mental Health Commission</td>
</tr>
<tr>
<td>21 February 2018</td>
<td>Mr Dean Dell’Oro</td>
<td>Headmaster</td>
<td>Hale School</td>
</tr>
<tr>
<td></td>
<td>Mr David Bean</td>
<td>Deputy Headmaster</td>
<td></td>
</tr>
<tr>
<td>14 March 2018</td>
<td>Ms Jane Martin</td>
<td>Executive Manager</td>
<td>Obesity Policy Coalition</td>
</tr>
</tbody>
</table>

Investigative travel

The Committee did not undertake any investigative travel during the reporting period.

Conferences

The Committee did not attend any conferences or forums during the reporting period.
Chapter 1

Reports tabled

The Committee tabled three reports during the period 1 July 2017–30 June 2018, including the annual report for 2016–17.

Putting VET to the test: An assessment of the delivery of Vocational Education and Training in Schools was tabled on 30 November 2017. The inquiry found there were complex funding arrangements in place for the provision of VET in Schools, with the Department of Training and Workforce Development funding almost one-fifth of students and the Department of Education providing funds to schools for the remaining students. This was reflective of a broader fractured view of VET in Schools, with the two agencies offering up differing philosophies as to its purpose. The Committee expressed concern regarding the concentration of VET in Schools delivery in the hands of a few private registered training organisations and saw this as a risk in the event of an organisation collapsing or losing registration. The Committee recommended the Department of Education provide greater support to schools to manage the complexities of auspiced delivery arrangements, whereby a private registered training organisation quality assures the delivery and assessment. The government responded to the report and supported, partially supported or agreed to consider 7 of the 12 recommendations, including greater integration of the Department of Education and the Department of Training and Workforce Development. The government response is available on the Committee website.

On 28 June 2018, the Committee tabled an issues paper on oral health. While this was not an inquiry, the Committee held two public hearings with representatives from the Department of Health (DoH) and Fluoride Free WA. The paper, Oral health: facts and friction, considers some of the challenges for the DoH in working to improve the oral health of the state’s population, including how it deals with community opposition to fluoridation. The Committee suggested that the DoH review its approach to consultation in communities where fluoridation is proposed. The Committee is of the view that there is no convincing published evidence that fluoridated water causes serious negative health outcomes. However, it felt that the DoH needed to find better ways to counter scepticism. The Committee also felt that relying on fluoridated water to deliver the desired oral health outcomes risked leaving other important strategies under-developed.

Other activities

Briefings outside of inquiries

Early in the reporting year the Mental Health Commissioner briefed the Committee on the status of the Commission’s mental health initiatives and programs, as well as some specific issues of interest.
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At the start of the school year, the Committee toured Hale School’s Institute of Innovation and Research and was briefed on ways in which the school is using technology to enhance learning.

Following her appearance at the WA Preventive Health Summit in March, the Committee was keen to hear from the executive manager of the Melbourne-based Obesity Policy Coalition, Jane Martin. Ms Martin briefed the Committee on ways in which policy changes could improve people’s eating habits.

**Hearings outside of inquiries**

The Committee held a number of one-off hearings that were not associated with an inquiry.

In November, the Committee invited the director general of the Department of Local Government, Sport and Cultural Industries (in his capacity as Director of Liquor Licensing) and the director of Liquor Control and Arbitration (from within the department) to speak about liquor licensing in Western Australia. In particular, the Committee was interested in the status of alcohol restrictions in Aboriginal communities and the location of large-scale liquor vendors. The Department provided further clarification following the hearing in regard to exemptions to packaged liquor restrictions in place in some Kimberley towns. The director general said he would be very concerned if the Aboriginal community saw restrictions in the Kimberley as racially targeted. He said the Department would commit to providing more education and an engagement program before the next stage of restrictions to ensure Aboriginal communities were better informed about the restrictions. In regard to large-scale liquor outlets, the Committee was concerned that there was not enough data and evidence in relation to unacceptable levels of harm or ill health in communities where applications for large-scale outlets had been made. The Committee also sought and received information from the McCusker Centre for Action on Alcohol and Youth on research linking liquor barns with increased levels of alcohol consumption and/or alcohol-related harm or violence. This is available on the Committee website.

In February, the Chief Health Officer and one of his advisers on public health planning updated the Committee on the status of the interim State Public Health Plan and local public health plans, which local governments will be required to produce from 2022 to comply with the Public Health Act 2016. The Committee was told that some councils had already produced public health plans, and the Department of Health (DoH) was working with the WA Local Government Association (WALGA) and Curtin University to provide education and resources to councils that needed assistance. The DoH has received feedback on its interim public health plan and will produce another iteration of the plan by mid-2019. The DoH was also working on an evaluation framework for the State Public Health Plan, which it expected local governments would also adopt, given that state and local public health plans should align. The Committee suggested that the
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DoH prepare a document to help elected Members of Parliament identify health planning issues which they might like to raise with their local councils. In April, the Minister for Health responded that the DoH would work with WALGA to develop information over the coming year.

Following the Australian Building Codes Board’s (ABCB) announcement in April 2018 that it had commissioned a research project to investigate potential sources of lead in plumbing materials, the Committee invited the board’s chief executive officer to a hearing to explain the scope of the project. The ABCB project was instigated following the release of the WA Building Commission audit into the possible causes of drinking water contamination at the Perth Children’s Hospital. The Building Commission has undertaken to provide updates on the ABCB investigation to the Committee, and as such, the Building Commissioner was also invited to the hearing. The Committee asked about water testing standards and responsibility for plumbing product compliance.

In June, with discussions underway for an inquiry related to the impact of overweight and obesity, the Committee was delighted to welcome one of the United Kingdom’s most prolific health and science journalists, Dr Michael Mosley, to a hearing. He was accompanied by local GP and collaborator Dr Patrick Garratt. They spoke in detail about the latest scientific research on weight loss and diet, including the connection to type 2 diabetes.

The final hearing for the financial year was with Robyn Kruk, the chair of the State’s Sustainable Health Review Panel. Ms Kruk spoke to the Committee about the findings of the Sustainable Health Review interim report and progress towards the final report. Ms Kruk said that feedback on the interim report had been very positive. She said the health system would need to change consistently over a long period of time, but would still need to deal with day-to-day challenges and continue to provide quality services. The final report, due in November 2018, would identify the key anchors in keeping health on the path of sustainability. She said the state had spent a lot of money on building hospitals and now needed to focus on building capacity in other parts of the system.

**Correspondence**

**Correspondence regarding “Educate Australia Fair”** (07/09/2017)

This Committee sought comment from the Department of Education on findings made in relation to Western Australia in the Bankwest Curtin Economics Centre (BCEC) report *Educate Australia Fair? Education Inequality in Australia*.

The department provided an extensive response detailing the initiatives it has implemented to enhance the engagement of disadvantaged children in early childhood education, and other strategies employed to address the inequities identified in the
BCEC report. These include KindiLink, a program aimed at building the capacity and confidence of Aboriginal three-year-olds before they start kindergarten; the engagement of Elders in Residence at schools to build stronger partnerships between school staff and local Aboriginal people; and face-to-face professional lessons in digital technologies for schools in socially disadvantaged communities. The correspondence is on the Committee website.

**Correspondence regarding provision of safe houses in the Kimberley** (01/12/2017)

The Committee wished to ascertain if there had been any further consideration in relation to an unsupported recommendation made in a report tabled by the Education and Health Standing Committee of the 38th Parliament. That committee recommended Department for Child Protection ‘construct/maintain and staff a “safe house” for children at risk in the larger Kimberley towns of Broome, Derby, Halls Creek, Fitzroy Crossing, Wyndham and Kununurra’.6

Hon Simone McGurk, Minister for Child Protection; Women’s Interests; Prevention of Family and Domestic Violence; Community Services, advised that the government was not considering the construction of safe houses in the towns listed. The Minister advised that there were 13 group homes already in existence in the area and the department had not identified the need for any additional dwellings. The correspondence is on the Committee website.

**Correspondence regarding medicinal cannabis** (13/06/2018)

The Committee wrote to the Minister for Health, Hon Roger Cook, MLA, on issues related to access to medicinal cannabis. Three particular matters were of interest to the Committee:

- whether the Minister was in support of a proposal by the Federal Minister for Health that the States and Commonwealth adopt a nationally consistent application pathway for patients wishing to access medicinal cannabis

- the prospect of a Cannabis Medicines Advisory Service as operated in New South Wales

- whether a Medicinal Cannabis Compassionate Use Scheme as operated in New South Wales was under consideration

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The Minister’s response indicated that the Western Australian Department of Health was working collaboratively on the single portal as proposed by his federal counterpart. The Minister was not in support of the two other schemes as operated in New South Wales. The correspondence is on the Committee website.
Chapter 2

Financial statement

The Committee does not have its own formal budget and is funded out of the budget of the Legislative Assembly. Approval for major expenditures is required on a case-by-case basis and is entirely at the discretion of the Speaker.

The Committee’s expenditure for the financial year 1 July 2017–30 June 2018 (in accordance with Standing Order 276) is detailed below.

Table 2.1 Expenditure items of the committee, 1 July 2017–30 June 2018

<table>
<thead>
<tr>
<th>Expenditure Item</th>
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<tbody>
<tr>
<td>Advertising</td>
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</tr>
<tr>
<td>Staff and Member amenities</td>
<td>900</td>
</tr>
<tr>
<td>Printing</td>
<td>700</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>3500</strong></td>
</tr>
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</table>

Notes:

- Figures rounded to nearest $100.
- Salaries of committee staff are not included.
- Costs of shared administrative expenses, including lease costs for committee accommodation, not included.

MS J.M. FREEMAN, MLA
CHAIR