

41ST PARLIAMENT



Community Development and Justice Standing Committee

Report 1

ANNUAL REPORT 2020–21

Presented by
Ms L. Mettam, MLA

September 2021

Committee Members in the 41st Parliament

Chair	Ms L. Mettam, MLA Member for Vasse
Deputy Chair	Mr M.J. Folkard, MLA Member for Burns Beach
Members	Ms K. Giddens, MLA Member for Bateman
	Ms D. D'Anna, MLA Member for Kimberley
	Ms J. Hanns, MLA Member for Collie-Preston

Committee Members in the 40th Parliament

Chair	Mr P.A. Katsambanis, MLA Member for Hillarys
Deputy Chair	Mr M.J. Folkard, MLA Member for Burns Beach
Members	Mr S.K. L'Estrange, MLA Member for Churchlands
	Ms L. Mettam, MLA Member for Vasse
	Mr D.T. Punch, MLA Member for Bunbury

Committee Staff in the 41st Parliament

Principal Research Officer	Dr Alan Charlton
Research Officer	Dr Sam Hutchinson

Committee Staff in the 40th Parliament

Principal Research Officer	Ms Alison Sharpe
Research Officers	Ms Catie Parsons
	Mrs Alice Jones (until November 2020)

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**Community Development and Justice
Standing Committee**

Annual Report 2020–21

Report No. 1

Presented by

Ms L. Mettam, MLA

Laid on the Table of the Legislative Assembly on 16 September 2021

Chair's foreword

I am pleased to present the first Annual Report for the Community Development and Justice Standing Committee of the 41st Parliament, which is also my first as the Chair.

This report covers the period from 1 July 2020 to 30 June 2021, representing the activity of two iterations of this Committee in the 40th and 41st Parliaments, a period which has been extraordinary on a number of fronts. The State election process and the establishment of this Committee in early May 2021 means there is little report for the second half of the financial year.

I would like to firstly acknowledge the work of the Committee of the previous Parliament, ably led by Mr Peter Katsambanis MLA. That Committee tabled a report, *Opening Doors to Justice* into how the management of Family and Domestic Violence matters could be better managed in the Magistrates Court of Western Australia.

The Government in its response stated that the 72 recommendations aligned with what it was already considering and would be implemented or considered over the ten-year life of the current policy plan. The Committee had also undertaken multiple agency reviews into the State Government's COVID response.

Towards the end of the 40th Parliament the Committee was approached by the Attorney General, who was seeking consideration for a Committee Inquiry into matters raised by Mr Aaron Cockman regarding issues with the family court as they related to the tragic death of his children and former family members in Osmington in May 2018. That Committee determined there was insufficient time to deal with the matter during the 40th Parliament, but asked the future Committee to consider it.

During the short time available to it before the end of the financial year, the current Committee began preparing its work program. This involved considering where we might best make a difference across the 22 portfolios for which we have responsibility. This included considering the questions raised by the previous Committee, the oversight of the election process itself, and considering options for a stand-alone inquiry.

Some of these decision have since been made and our work has begun in earnest, but some will be considered as the Committee and the Parliament progress. I look

forward to continuing working with my fellow Committee members in this Parliament.

A handwritten signature in blue ink, appearing to be 'L. Mettam', written in a cursive style.

**MS L. METTAM, MLA
CHAIR**

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Chapter 1

Committee activities

A report on the activities of the Community Development and Justice Standing Committee for the financial year 2020–2021.

Introduction

The 2020–2021 reporting period encompasses two parliamentary sessions. The 40th Parliament was prorogued and Legislative Assembly dissolved by the Governor on Monday, 7 December 2020. This dissolution terminated the Legislative Assembly of the 40th Parliament and its committees. The Community Development and Justice Standing Committee (the Committee) of the 41st Parliament was established on Wednesday, 12 May 2021.

A summary of the activities of the Committee during the course of this reporting period—1 July 2020 to 30 June 2021—is in Table 1.1.

Table 1.1: Summary of Committee activities, 1 July 2020–30 June 2021

Activity	Number
40th Parliament	
Reports tabled	4
Deliberative meetings	11 (including four via Zoom)
Hearings	7
Briefings	0
Witnesses appearing	22
41st Parliament	
Reports tabled	0
Deliberative meetings	4
Hearings	0
Briefings	0
Witnesses appearing	0

Portfolios

During the 40th Parliament, the Committee had responsibility for 21 portfolio areas, as outlined below:

- Aboriginal Affairs
- Child Protection
- Attorney General
- Environment
- Citizenship and Multicultural Interests

- Community Services
- Corrective Services
- Culture and the Arts
- Disability Services
- Electoral Affairs
- Emergency Services
- Local Government
- Police
- Prevention of Family and Domestic Violence
- Road Safety
- Seniors and Ageing
- Sport and Recreation
- Veterans Issues
- Volunteering
- Women's Interests
- Youth

The Committee's portfolio responsibilities have increased during the 41st Parliament and the Committee is now responsible for 22 portfolios:

- Aboriginal Affairs
- Child Protection
- Attorney General
- Environment
- Citizenship and Multicultural Interests
- Community Services
- Corrective Services
- Culture and the Arts
- Disability Services
- Electoral Affairs
- Emergency Services
- Local Government
- Police
- Prevention of Family and Domestic Violence
- Road Safety
- Seniors and Ageing
- Sport and Recreation
- Veterans Issues
- Volunteering
- Women's Interests
- Youth
- Climate Action

Public hearings

Pursuant to Standing Order 264, the Committee has the power to send for persons, papers and records. During the period 1 July 2020 to 30 June 2021, the Committee conducted 7 hearings and took evidence from 22 witnesses. Hearings were primarily related to agency reviews.

Table 1.2: Witnesses who provided evidence at hearings of the Committee, 1 July 2020–30 June 2021

Date	Name	Position	Organisation
40th Parliament			
9 September 2020	Ms Michelle Andrews	Director General	Department of Communities
	Mr Philip Payne	Acting Executive Director, Regulation and Quality	
	Ms Melanie Samuels	Acting Executive Director, Statewide, Metropolitan Service Delivery	
	Ms Renee Elise Gioffre	General Manager, Royal Commission into Institutional Responses to Child Sexual Abuse	
16 September 2020	Dr Ron Edwards	Chair	State Emergency Management Committee
23 September 2020	Commissioner Chris Dawson	State Emergency Coordinator/Commissioner of WA Police	State Emergency Coordinator
	Mr Colin Blanch	Deputy Commissioner of WA Police	
	Mr Paul Steel	Acting Deputy Commissioner of WA Police	
14 October 2020	Mr Robert Kennedy	Electoral Commissioner	Western Australian Electoral Commission
	Mr Christopher Avent	Deputy Electoral Commissioner	

4 November 2020	Mr Tony Hassall	Commissioner, Corrective Services	Department of Justice
	Mr Gary Budge	Acting Deputy Commissioner, Operational Support, Corrective Services	
	Mr Andrew Beck	Deputy Commissioner, Women and Young People, Corrective Services	
	Mr David Brampton	Acting Deputy Commissioner, Offender Services	
	Mr Michael Reynolds	Deputy Commissioner, Adult Male Prisons	
18 November 2020	Ms Sharyn O'Neill	State Recovery Controller	State Recovery Controller
	Ms Rebecca Brown	Acting Director General, Department of the Premier and Cabinet	
	Ms Emily Roper	Deputy Director General, Department of the Premier and Cabinet	
18 November 2020	Ms Michelle Andrews	Director General, Department of Communities,	State Welfare Coordinator
	Mrs Rachel Green	Deputy Director General, Department of Communities	
	Mr Andrew Sanders	Deputy Welfare Emergency Controller, Department of Communities	
	Mrs Geraldine Carlton	Executive Director, Emergency Services, Department of Communities	

Briefings

No briefings were held during the reporting period in the 40th or 41st Parliaments.

Reports tabled

The Committee of the 40th Parliament tabled four reports during the 2020–21 financial year.

- **Report 8:** [*Opening Doors to Justice: Supporting victims by improving the management of family and domestic violence matters in the Magistrates Court of Western Australia*](#) (13 August 2020)

The Committee's report into how the management of family and domestic violence (FDV) matters could be improved in the Magistrates Court of Western Australia (MCWA) was tabled on 13 August 2020, and was the result of a major inquiry initiated on 14 August 2019. In its inquiry, the Committee looked at both the processes of the MCWA, as well as complementary legal and support services. The Committee also considered the practices of other jurisdictions, and the findings and recommendations of previous relevant inquiries. The report made 85 findings and 72 recommendations.

Among other things, the report focused on the primacy of judicial resourcing in improving timeliness; the integral role that trained magistrates and staff play in court accessibility; the benefits to the court and its users of access to legal and support services; the benefits of alternative dispute resolution; the need to improve access to and efficiency of family violence restraining orders; the need to define the objectives of specialist FDV courts; the need to improve management of FDV criminal matters; the integration across different jurisdictions of matters involving FDV to improve efficiency; improving court infrastructure; and the need for an integrated government response.

[Government Response to Committee Report 8](#)

The Government 'welcomed' the Committee's report and said its 72 recommendations aligned with work that was either underway, or had been previously considered. The Government had, it said, implemented reforms to address FDV which focused on prevention, providing services to survivors and holding perpetrators accountable, including through criminal justice reforms. The Government said the Committee's findings and recommendations 'will continue to be considered as policy, legislation and system reform, outlined in the ten-year strategy, are scoped and implemented.'

- **Report 9:** [Annual Report 2019-20](#) (17 September 2020)
- **Report 10:** [Response to Attorney General's request to conduct an inquiry](#) (19 November 2020)

On 27 October 2020, the Community Development and Justice Standing Committee of the 40th Parliament received a letter from Hon John Quigley MLA, Attorney General, regarding Mr Aaron Cockman's request that the Attorney General direct the State Coroner to hold a public inquest into the death of his family members on 11 May 2018 in Osmington. The Attorney General considered the Committee best placed to conduct a formal inquiry into the matters raised by Mr Cockman, and hoped the Committee would agree to do so. The Committee considered such an inquiry worthy of further investigation but, given there was only three sitting weeks remaining in the 40th Parliament, there was not sufficient time to conduct it. The Committee, in tabling its report, and the Attorney General's letter, left the matter open for the next committee to consider. It also noted it could not bind the activities of a future committee in a future Parliament.

- **Report 11:** [Hearings held with agencies responsible for COVID-19 response](#) (19 November 2020)

The Committee oversees emergency services, community services, and police, among other portfolio areas. Given these responsibilities, the Committee thought it important to better understand how the State's emergency management framework operated, the role of the emergency response bodies and their activities, and how lessons learned during the State's responses to the COVID-19 pandemic were being captured. Though there was insufficient time before the conclusion of the 40th Parliament to conduct a formal inquiry, on 9 September 2020, the Committee resolved to conduct a series of hearings into the WA Government's response to the COVID-19 pandemic. The Committee invited the State Emergency Management Committee, the State Emergency Coordinator, the State Recovery Controller, and the State Welfare Coordinator to discuss aspects of emergency management including preparedness, response, recovery and support for those affected. The hearings were held in public to enable media attendance and the publication of transcripts that then become publicly available.

Chapter 2

Financial statement

Expenditure of the Committee during the financial year.

The Committee does not have its own formal budget and is funded out of the budget of the Legislative Assembly. Approval for major expenditure is required on a case-by-case basis and is subject to the approval of the Speaker.

The Committee is required in accordance with Standing Order 276 to detail expenditure for the financial year 1 July 2020–30 June 2021. The Legislative Assembly dissolved on Monday, 7 December 2020 prior to the state election; therefore two Committees operated during the 2020–2021 financial year. The figures tendered below cover the full reporting period and include expenditure by the Committee of the 40th Parliament.

Table 2.1: Expenditure items of the Committee, 1 July 2020 –30 June 2021

Expenditure Item	Total (\$)
Printing	\$ 1, 156
TOTAL	\$1, 156

Notes:

- Figures rounded to nearest dollar.
- Excluded:
 - Salaries of Committee staff;
 - Costs of shared administrative expenses, including lease costs for Committee accommodation.



**MS L. METTAM, MLA
CHAIR**

Appendix One

Committee's functions and powers

The functions of the Committee are to review and report to the Assembly on:

- a) the outcomes and administration of the departments within the Committee's portfolio responsibilities;
- b) annual reports of government departments laid on the Table of the House;
- c) the adequacy of legislation and regulations within its jurisdiction; and
- d) any matters referred to it by the Assembly including a bill, motion, petition, vote or expenditure, other financial matter, report or paper.

At the commencement of each Parliament and as often thereafter as the Speaker considers necessary, the Speaker will determine and table a schedule showing the portfolio responsibilities for each committee. Annual reports of government departments and authorities tabled in the Assembly will stand referred to the relevant committee for any inquiry the committee may make.

Whenever a committee receives or determines for itself fresh or amended terms of reference, the committee will forward them to each standing and select committee of the Assembly and Joint Committee of the Assembly and Council. The Speaker will announce them to the Assembly at the next opportunity and arrange for them to be placed on the notice boards of the Assembly.



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