

**REPORT OF PROCEEDINGS BEFORE**

**COMMITTEE ON CHILDREN AND YOUNG PEOPLE**

**INQUIRY INTO CHILDREN AND YOUNG PEOPLE 9 to 14 YEARS IN  
NEW SOUTH WALES**

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**At Sydney on Wednesday 15 April 2009**

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**The Committee met at 10.00 a.m.**

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**PRESENT**

Mr R. D. Coombs (Chair)

**Legislative Council**

The Hon. C. E. Cusack  
The Hon. K. F. Griffin  
Reverend the Hon. F. J. Nile

**Legislative Assembly**

Ms M. T. Andrews  
Mr S. R. Cansdell  
Mr R. A. Furolo

**MARGARET HELEN VICKERS**, Professor of Education, University of Western Sydney, Bankstown Campus, affirmed and examined:

**CHAIR:** Before the commencement of proceedings I remind everyone to switch their mobile telephones off as they can interfere with the electrical equipment. Professor Vickers, I welcome you to this Inquiry. I am advised that you have been issued with a copy of the inquiry's terms of reference and a brochure entitled, "Information for Witnesses Appearing Before Parliamentary Committees", is that correct?

**Professor VICKERS:** That is correct.

**CHAIR:** The Middle Years Strategy of the Department of Education and Training extends from 2006 to 2009. If a subsequent strategy were to be developed what would you consider it should emphasise?

**Professor VICKERS:** The Middle Years Strategy has some excellent material in it. I have read it closely and I am relatively aware of the modes of implementation. While there are some excellent statements of principle in there, around the outcomes and indicators and the cross-curriculum material, I think in order to make it clear that children have the right to further negotiation and choice in the curriculum context, we need to say a little more about implementation. There are still many schools that are using a scope and sequence approach, simply prescribing what should happen right across, but further attention should be paid to other issues.

One issue is the year 10 school certificate. New South Wales is the only State in Australia that has a school certificate. The research I have done indicates that this examination may actually increase the likelihood that students leave school without completing year 12. New South Wales lags behind every other State in Australia in terms of high school completion rates and it has not caught up the gap that was created during the 1980s. New South Wales is 10 per cent behind the average for the rest of Australia, which is astonishing given that we are one-third the size of the whole country.

A larger number of New South Wales students leave school at the end of year 10 than in any other jurisdiction across Australia. I believe they leave because they have a certificate, or they leave because they are afraid of not getting a certificate and leave before the exams for that certificate. For the vast majority of middle-class students in ordinary New South Wales schools the school certificate examination comes and goes as a non-event because it is not a difficult examination. But it has the worst effect on those young people that are most vulnerable, leading them to give up on school. Particularly with issues around the school leaving age moving up to the age of 17, with national testing at grades 3, 5, 7 and 9, this particular year 10 examination is becoming quite redundant, and probably damaging, quite expensive and unnecessary. So I think that needs to be looked at.

We are looking at children up to the age of 14 in the Middle Years Strategy but we are still looking at kids who are thinking about getting in to part-time employment and who may, perhaps illegally, be in high levels of part-time

employment during the middle years. While there is legislation around the restriction of employment for children under their 15th birthday I am not sure how effective the implementation is in terms of penalties being awarded against employers or even close monitoring. I know from direct experience in our high schools that children get text messages on their mobile phones saying, "We are short staffed right now, come." Those children get up out of their classrooms, leave and go to their place of work. They are walking out of school; they are truanting in fact.

Employers are sending a message saying they are needed and if they say to the employer they cannot go the response is "If you do not want to come, you do not have a job." It is very difficult to get hard data on that but I know from school principals, and from my own interviewing of kids in schools, that it happens. I think the enforcement of regulations around students working during school hours and being pushed by employers to work during school hours really needs to be looked at.

**Reverend the Hon. FRED NILE:** Do you think that children know their rights? Should more information be provided to them explaining their rights as a part-time employee and what their response should be?

**Professor VICKERS:** That is very important. You have probably received testimony from Sally Edsall from the New South Wales Teachers Federation and you would be aware of the excellent work of the New South Wales Commission for Children and Young People. The survey work done by the New South Wales Teachers Federation and the Commission indicate that 70 per cent of teenagers do not know their rights. Knowing their rights is one thing but actually being able to act on that is another. When you are 15, 16 or 17 how do you do that? Do we need some kind of advocate in the middle for young people? I was talking to a school principal in Brisbane who approached me after I had given a presentation. She said she had her students walking out of school during the school day. Those students were in years 11 and 12 and she was concerned that they should get good results at the end of year 12 and she did not want them to leave. She said—and this was a very interesting idea—she would be prepared to act as a labour management agent; if employers around her school were desperate for someone to work she would send students who had a free period. In other words, there needs to be some kind of adult intervention on behalf of children in order to protect them against what is happening to them. Even if they do know their rights, I am not sure that they have the personal power at that age to implement what they know.

**Reverend the Hon. FRED NILE:** Should the school counsellor be involved in that process?

**Professor VICKERS:** It is not a matter of tossing it to the careers counsellor or school counsellor. I think we probably need to have what I call an Intergenerational Youth Compact. Intergenerational youth compacts would be created in each locality by a meeting of parents, school staff and local employers. You could have the Rotaries and the Chambers of Commerce involved but I think you need to have clear regulations and procedures and local meetings where these things get thrashed out and where agreements are reached and then processes for the implementation of the agreements.

I have some documentation here, which I will give to the Committee, a draft prospectus for an intergenerational youth compact put forward by the Australian National Schools Network. You may know that the Standing Committee on Education and Training of the House of Representatives is conducting an inquiry this year into teenagers working. I have promoted that inquiry—in fact I probably precipitated it by my submissions to that committee.

There is also the excellent report on the legal issues that came from the Commission for Children and Young People. There is a lot of material to work from but I think we need to start to work now at the local level, possibly through the LCPs, the Local Community Partnerships, and through the schools and setting up negotiations and agreement at the local level that involve the employers, the parents and the teachers in coming to agreements.

**The Hon. CATHERINE CUSACK:** Can I just clarify that you are talking about children aged under 15 getting text messages in schools?

**Professor VICKERS:** I am. Ten per cent of children under the age of 15 are in employment; 50 per cent of the children over aged 15 are in employment.

**The Hon. CATHERINE CUSACK:** How appropriate is the curriculum in teaching practice for middle year students in New South Wales schools, and how can it be strengthened?

**Professor VICKERS:** That is a very broad question. When you talk about curriculum you have curriculum documents and then you have the curriculum as enacted, and the gap between the formal curriculum and the curriculum as enacted is where the trouble lies. The formal curriculum contains statements, objectives—I am sorry, the exact wording of that is "outcome statements and indicator statements", indicator statements being the finer level detail of outcome statements. When I say the problem lies somewhere between the formal statement and its implementation, you could have an outcome and indicator combination, for example, "children will understand ecological systems and the interrelationships between plants and animals." In some schools this will be a scope and sequence exercise where somebody, the school principal, has decided that this is how it will be taught, and it is rolled out and the kids are not involved in any negotiation about the how, why, when and whatever.

In other schools there is a good deal of discretion about how the teacher achieves that outcome and the indicators. You can involve children in the discussion: Do you want to do the pond or do you want to do the beach? How do you want to do it? Do you want to do excursions and so on? Can we plan it together? That is what I call implementation closer to the spirit of the curriculum, but there is still a lot of old practice, which is scope and sequence and it is instruction straight off the blackboard and it is not effective. That is where I see the issue lying. And there is plenty of evidence from research studies that children like their teachers more and are more engaged in learning and more motivated if they have some level of choice in what they are doing. For example, these are the four novels we will read this year in English. What order would you like to read them in? They are happier than if they are told just what to do. It is not difficult to move to a point where children are involved to

a greater extent in having some level of decision making. That does increase their engagement and I think it is important that we work with teachers to make it clear that the old scope and sequence, straight down the line stuff is not effective with today's young people.

**The Hon. CATHERINE CUSACK:** As a teacher educator how are you addressing that problem, and what do you think needs to be done?

**Professor VICKERS:** I know that the work that we do at the University of Western Sydney, with the 400 primary teachers and the 350 secondary teachers that we qualify every year, places a great deal of emphasis on what I have just been talking about, both in subjects that we teach like the psychology of teaching and social justice issues and the curriculum subjects. Unfortunately it often happens that when we place our students in schools to do their practicum they are told by jaundiced old teachers that they are too idealistic and that they will settle down eventually and see how things are really done. In some schools they go out on a practicum and they are able to exercise what we have been teaching them. In other schools they go out on practicum and they are just clamped down into a rigid framework.

I would never identify particular schools but there are schools that we consider to be “toxic”, and there are schools that we consider to provide good opportunities for the people we are training to engage students in the kind of negotiations and so on that matter. There is also an excellent program where we get on to things like tutoring and mentoring and programs like Circle Time. In some schools this is working like a charm because the teachers believe in it and support it, and in other schools it is not. So I think there is an issue there around getting on to those schools where maybe the staff are relatively old, they are certainly set in their ways, and seeing if there is some way of shifting that.

**The Hon. CATHERINE CUSACK:** Are there any other common characteristics of a “toxic” school other than an older teaching service?

**Professor VICKERS:** My own academic field does not cover educational leadership, but I can name people who do study this, and I have heard that there is increasing concern around succession planning and increasing concern about the quality of the leadership coming up. With the baby boomers all being stuck where they are at the ages that they are, the leadership levels in schools have been blocked for a very long time. I think that it will take a very major exercise in re-education and development to replace that layer that has been sitting right across the leadership for such a long time. There is a huge opportunity because I think in 10 years time the average age of the teaching service will drop by 20 years, but you have to pay attention to the fact that you have a largish teaching service that has not had leadership opportunities, so I think you have to think about the investment in that issue.

**Mr ROBERT FUROLO:** Legislation has been introduced recently into the United Kingdom requiring schools to seek and take account of pupils’ views on policies about curriculum, behaviour, uniform, school food, health and safety,

qualities and sustainability. Would such legislation be desirable or feasible in New South Wales?

**Professor VICKERS:** So there is United Kingdom legislation that requires that schools involve students in all of these negotiations?

**Mr ROBERT FUROLO:** In views on policies about curriculum, behaviour, uniform, food.

**Professor VICKERS:** I think there is a problem in New South Wales with legislation like that. I am very much in favour of it—let me say that first of all. I think that is great. There is an 8-minute DVD in here developed in the Australian Capital Territory where students in one of their senior secondary colleges conducted a research project surveying everyone in the school and produced a brilliant outcome which has been taken into account in the school. You can see how students can do it. The difference between the United Kingdom and New South Wales that makes it very difficult for New South Wales to do something like that and implement it well is that in the United Kingdom, education is managed by local government areas and therefore there is more autonomy and smaller units. My friends who are regional directors for the South-Western and Western Sydney regions occasionally point out to me that if they were in South Australia they would be the Director-General.

But when it comes to our university implementing, for example, a teacher education program that required some adjustment to the way the staffing branch of the department functioned in order to provide the incentives to let this program succeed, the Regional Director for South-Western Sydney could do nothing about it because he was not in charge and had no influence on staffing. So you have a person who runs a school system larger than that of South Australia who can have no influence whatsoever in the staffing division of the department. It is as though, because this is the largest organisation in the Southern Hemisphere and one of the largest in the world—it employs I think 65,000 teachers plus innumerable assistants—it is broken into chunks which are like empires in themselves and they cannot influence or relate to each other. So how could you have children influencing policy when nobody below the DET Deputy Director-General can influence policy?

**Mr ROBERT FUROLO:** How important is engaging the community and parents in the education of middle year students? Are there any particular models that you would suggest?

**Professor VICKERS:** I think the Indigenous communities have demonstrated a very effective program in Schools in Partnership [SIP], which is described in the documentation for the middle years and I know from first-hand experience in relation to some rural schools that have SIP operating that that kind of engagement with parents is terrific and has a positive effect. I have seen examples from Western Australia where parents have been brought into meetings in the school and shown the NAPLAN results, the standardised test results, and invited to participate in a data-driven process to see if they could push the graph up by next term and so on.

There are ways of bringing parents in and saying, "Look, this is where all our kids are on average in the range, and the boys and the girls and the non-English

speaking background and the other, and we'd like to have this graph look different. We'd like the graph to look like this. Can you work with us?" I think it is incredibly valuable and important to do that. It is a lot of work and I think we are proving with Indigenous families that it does make a difference. I think we need to extend that to refugee families and other families that we have in the western suburbs particularly, that are not engaged well, and who feel that they have no entitlement.

It is very common among Sudanese refugee families that there is no-one literate in English in the household. That is having a huge effect. Without starting to engage in programs where we provide literacy teaching to those mothers, we are not going to get very far. There have been innovative programs in the past where schools have run literacy programs for mothers where the mothers are actually doing the kids' homework. What they are being taught to do is the kids' homework and they are learning literacy through doing the kids' homework and I think we need to look at that.

**Ms MARIE ANDREWS:** Would you be able to make any suggestions to the Committee as to how children and young people in the middle years could have better access to tutoring?

**Professor VICKERS:** Yes. In relation to tutoring I will describe something that the University of Western Sydney is doing. Like any university, it will not continue to do certain things if it does not see a benefit for it—that is, there is no tagged funding for it—but I think recognition, praise, awards, whatever is going to keep the vice-chancellor and others on the track. What I am referring to is that when we do teacher education, we do not just deliver standard Pracs; we do not just deliver that sort of, you know, there is a four-week block here and you go out and teach, and then there is another four-week block there and you go out and teach. We have a third type of Prac—correctly called professional experience—where students in the secondary teacher education program go and do tutoring and mentoring.

Because it is not funded—the University does not have it funded as part of its program—the Australian Literacy and Numeracy Foundation has actually stepped in, worked with our students, given them additional training on English as a second language, given them additional cultural training on the backgrounds of refugee students, and organised with the State Department of Education and Training that refugee students will get that tutoring. The department is paying for teacher coordinators who look after our students while they do that tutoring. So, there are numerous elements, which I can document—in fact, we have got written reports—that need to be put together to make this work effectively.

But in actuality what we have got through the Refugee Action Support Program, as one example, is 80 secondary teaching students each year delivering 50 hours of tutoring each to three students. So, about 250 refugee students get about 50 hours of tutoring for free, and it is part of the teacher education of our students. I think that indicates the potential to do this kind of work. We also have students who do what is called Circle Time, which is an emotional literacy mentoring program. Next year we are starting a program for undergraduates who are interested in teaching called Classrooms Without Borders, which is somewhat loosely based on Médecins Sans Frontières—doctors without borders.

We would like to then, have about 300 students doing tutoring in the primary school. Basically, I think it is a really interesting model. I think other universities could be encouraged to do it. It is somewhat of a disadvantage in New South Wales because unlike Victoria, South Australia and Queensland, I think this State does not actually spend money to provide incentives for universities to do things differently. The view of New South Wales is that the Commonwealth pays for the university, so we are not touching them. I think if you want to create incentives for universities to do things differently, you have to get a little bit more involved—that is, the State has to get a little bit more involved in these kinds of things. Is that clear enough how they run?

**Ms MARIE ANDREWS:** Yes.

**The Hon. CATHERINE CUSACK:** Having prepared your teachers in this way, does that match up with the recruitment strategies of the Department of Education and Training?

**Professor VICKERS:** They love it. We have got something of a reputation. They know that not only do our students come from non-English-speaking backgrounds, but 90 per cent of our students are the first in their family ever to enter a university. They are comfortable in difficult environments and this kind of work, working one-on-one with Sudanese refugees et cetera, makes them more comfortable with the kind of difficult teaching and learning environments they are likely to be appointed to. The very interesting thing about staffing and recruitment is that Western and South-Western Sydney is what we call the nursery of the teaching services. It does not matter whether you grew up on the North Shore or whether you grew up out in Bankstown, your first school is likely to be Lurnea, Campbelltown, St Johns Park, Cambridge, whatever, and for a lot of our North Shore kids it is a total shock; and for our students, both because of who they are and because of the kind of training opportunities we give them, they are very comfortable.

**CHAIR:** Margaret, you indicated that you are under a tight time frame. We have only three remaining questions, but if time prevents completing them, please indicate that to me and we will forward the remaining questions to you in written form.

**Mr STEVE CANSDELL:** As an educator, how should we ensure that problem youth excluded from schools through suspension, expulsion et cetera continue to have access to an education, whether it be through home tutoring or suspension classes? It is an issue of this age bracket; how would you handle that?

**Professor VICKERS:** It is an issue. The largest provider is TAFE: TAFE Open Access, TAFE Tertiary Preparation Course [TPC] and TAFE Certificate of General Vocational Competency [CGV], which is the alternative to year 10. The issue then becomes how TAFE has been deconstructed, you know, messed up in a way by the huge emphasis on being a commercial supplier of commercially valuable training and how the staff that have always attempted to deal with dropout youth in TAFE, providing the CVGs and the other programs, their position, salary, levels of staff-student ratios and general support have tended to fall away in not being such a

strong focus and not being so prestigious within the TAFE institutes. So, if we are going to worry and be concerned about those students, and we should be, we have to go back to looking at the ethos, goals, mission statements and resources of TAFE and strengthen that sector in relation to the CVG and TPC courses.

**Mr STEVE CANSELL:** I think you have answered the question: What would you recommend to improve English language support for middle-year students in New South Wales who are refugees? Have you anything to add or has that been covered?

**Professor VICKERS:** I think nothing beats one-on-one tutoring for kids who are falling behind. All literacy people would say the earlier you get there the better. I would add something to what I said before about the kids who have dropped out and that is, re-entry high schools are incredibly important. Bankstown, Port Kembla, which is called Illawarra, and Bradfield—they exist, they are fantastic; we do not have enough of them. There are too many young people in New South Wales who do not have access to those second-chance opportunities. We know how to run those second-chance opportunities and where we run them, we run them well. But you could shade in on the map loads of geographical areas where there are kids who do not have any access to those opportunities and do not know those opportunities exist.

**Mr STEVE CANSELL:** Have you any other comments or recommendations for the Committee?

**Professor VICKERS:** I think I already started off by saying you could abolish the year 10 School Certificate. That is a big one. The second thing I will say is that if the school leaving age is moved up to 17, then the ban on employment of children during school hours would need to be raised from age 15 to age 17, and that would need to be looked at very closely in terms of what kinds of penalties would need to be imposed on employers if they breach that ban, and what kinds of programs like intergenerational compact arrangements would be used to support it. In 1991 Australia achieved a 76 per cent high school completion rate; at that stage New South Wales achieved about 68 per cent. I think New South Wales is at 70 per cent; I think the whole of Australia is at 77 per cent. For 15 years we have not improved. We have to ask why have we not improved.

**CHAIR:** When you talk about school completion, are you talking about year 10 or year 12?

**Professor VICKERS:** I am talking about year 12. I am sorry, my focus tends to be senior secondary as my own research background. A lot of these problems have earlier origins: kids decide to leave in year 8 and year 9. They do not decide to leave later. They decide to leave when they are in year 8 and year 9. So, what is done in the middle school years is incredibly important. I will come back to another issue that we did not mention at all, introduction to VET studies, the TAFE to VET stuff that started to happen at stage five. It is very important because you have kids who have completely lost heart about school and they do not know that if they hang on for a couple of years they can do these terrific things.

The other thing is that you have got kids who at age 14 want to start studies that would lead them towards an apprenticeship or other trade qualification. They should be allowed to start those studies if that is the thing that motivates them to stay in the school system. We have tended to view VET studies as something that starts in year 11. I think it should start in earlier years, at least in terms of orientation and making them aware that that is something that school is on about because they think schools are only on about making them value activities like maths and reading. So I would add those remarks.

**Mr STEVE CANSELL:** If I could backtrack a little, basically you just recommended banning children from employment from 15 up to under 17. Are we talking about just during school hours?

**Professor VICKERS:** Talking about during school hours. The studies I have done with my colleagues from the University of Melbourne in large-scale statistical studies suggest that if students work less than 10 hours a week, it does not have a huge effect on the likelihood of their completing school; it may have some effect on the scores they get, but I think most students with a bit of help can manage up to 10 hours a week. What we have got are students who are working 20 hours a week. It is not just how many hours they work, it is when they work. We have got students who go to work at 9 o'clock and leave at seven in the morning and come to school. In New South Wales you can say there is not one hour in 365 days of the year when there is not a school student in employment. I really think the regulations should basically say it is an offence to have a student employed in a workplace during school hours, number one. Number two, they should not work for a duration of more than four or five hours in a block, something like that. And the other one is that they should not be working after 10 o'clock at night or before six in the morning or whatever. Those sorts of issues I think really are important. I think you will find there is a lot of violation of those.

**CHAIR:** Professor Vickers, thank you very much for attending today, your information was very valuable. We wish you well.

**Professor VICKERS:** My pleasure, thank you. This is some work I did helping teachers to work with refugees students. I will leave that behind as well as the DVD and the stuff about the Intergenerational Youth Compact as well. I hope you enjoy it.

**(The witness withdrew)**

**(Short adjournment)**

**REPORT OF PROCEEDINGS BEFORE**

**COMMITTEE ON CHILDREN AND YOUNG PEOPLE**

**REVIEW OF THE 2007-08 ANNUAL REPORT OF THE COMMISSION  
FOR CHILDREN AND YOUNG PEOPLE AND THE 2007 ANNUAL  
REPORT OF THE CHILD DEATH REVIEW TEAM**

**REVIEW OF CHILD DEATH REVIEW TEAM REPORT: TRENDS IN  
CHILD DEATHS IN NEW SOUTH WALES 1996-2005**

**INQUIRY INTO CHILDREN AND YOUNG PEOPLE 9 to 14 YEARS IN  
NEW SOUTH WALES**

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**At Sydney on Wednesday 15 April 2009**

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**The Committee met at 10.45 a.m.**

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**PRESENT**

Mr R. D. Coombs (Chair)

**Legislative Council**

The Hon. C. E. Cusack  
The Hon. K. F. Griffin  
Reverend the Hon. F. J. Nile

**Legislative Assembly**

Ms M. T. Andrews  
Mr S. R. Cansdell  
Mr R. A. Furolo

**CHAIR:** I now declare open the public hearing in relation to the Review of the 2007-08 Annual Report of the Commission for Children and Young People, the 2007 Annual Report of the Child Death Review Team and the Child Death Review Team report: Trends in Child Deaths in New South Wales 1996-2005. The Committee welcomes the Commissioner, Ms Gillian Calvert, and Professor Heather Jeffery, Chair of International Maternal and Child Health, University of Sydney. Thank you very much for joining us today. It is a function of the Committee on Children and Young People to examine each Annual Report of the Commission and report to Parliament in accordance with part 6 section 28 (1) (c) of the Commission for Children and Young People Act 1998. I note that the first part of today's hearing will relate to the reports of the Child Death Review Team.

**HEATHER ELIZABETH JEFFERY**, Professor, International Maternal and Child Health, School of Public Health, University of Sydney, and

**GILLIAN ELIZABETH CALVERT**, Commissioner for Children and Young People, level 2, 407 Elizabeth Street, Surry Hills, affirmed and examined:

**CHAIR:** The Commissioner will be very familiar with the Committee's procedure. Professor Jeffery, I am advised that you have been issued with a copy of the Committee's terms of reference and also a brochure entitled "Information for Witnesses appearing before Parliamentary Committees". Is that correct?

**Professor JEFFERY:** That is correct.

**CHAIR:** The Committee has received a detailed response from the Commission to its Questions on Notice relating to the 2007-08 Annual Report, the 2007 Annual Report of the Child Death Review Team and the Child Death Review Team's report: Trends in Child Deaths in New South Wales 1996-2005. Commissioner, do you wish this response to form part of your evidence today and be made public?

**Ms CALVERT:** Yes.

**CHAIR:** Professor Jeffery, you have also provided a response to the Committee's questions on the 2007 Annual Report of the Child Death Review Team and the Child Death Review Team's report: Trends in Child Deaths in New South Wales 1996-2005. Do you wish this response to form part of your evidence today and be made public?

**Professor JEFFERY:** Yes, thanks.

**CHAIR:** Does either of you want to make any comment before we start with questions?

**Ms CALVERT:** I would like to make an opening statement. I have to say that it is with mixed emotions that I appear before you today as the New South Wales Commissioner for Children and Young People and the convenor of the New South Wales Child Death Review Team. There is some sadness in undertaking what is

likely to be my final appearance before the Committee. However, it is also with great pride when I look back at what the Commission has achieved for children and young people in New South Wales over the past 10 years. In particular, I have appreciated the role of the Parliamentary Joint Committee in the Commissioner's work and value the positive relationship that I think we share.

The Committee and the Commission have always had a productive relationship, which I believe comes from our common and genuine desire to improve the lives of our younger citizens, and providing this level of representation for children and young people has resulted in significant benefits in their lives. But the changes we make for our kids also bring great benefits to the broader community and help make our society a stronger and healthier place for all our members across all our generations. I think the Parliamentary Joint Committee's own commitment to children and young people and its efforts to help bring kids' issues into Parliament is a key element to this process, and being provided with this level of direct political representation sends a strong message that children and young people are valued as citizens and should be consulted about the decisions that will affect them. It means that the public do not see Committee Members as being faceless and invisible but as people who are taking on an important and purposeful role in representing children as citizens in our democracy.

I have seen the Parliamentary Joint Committee grow over the last 10 years and become more confident about bringing kids into the consultation process—for example, as a result of your work such as your current Inquiry into Children and Young People Aged 9 to 14 Years. Our approach to kids' participation in New South Wales is leading the way both nationally and internationally, and other States, the Commonwealth Government and many countries are now adopting the participation practices that we developed and fine-tuned in New South Wales. It was with great pleasure that I attended the Commonwealth Government's 2020 Summit in Canberra last year and saw this take place at the national level. The event was preceded by the Youth 2020 Summit where, for the first time, young people were invited to make significant contribution at that level. I think these opportunities help to promote community understanding that children and young people need to be acknowledged and encouraged to participate as full community members of a truly democratic society. When the community sees this process happen in positive and meaningful ways, such as through Parliamentary Joint Committees, it recognises and values the mechanisms that enable this to happen.

I hope that the Committee Members continue to consolidate this best practice approach with the next Commissioner. The new Commissioner is fortunate indeed to inherit a Committee that combines stability from its long-term members with the freshness of those with new ideas. In particular, I would like to acknowledge and personally thank long-term Committee Members Marie Andrews, Steve Cansdell, Catherine Cusack, Reverend Nile and Kayee Griffin for their support and commitment to the Commission's work over many years, their willingness to stay with the Committee and to provide it with the continuity and commitment that has enabled it to make an important contribution to Parliament. I would also like to acknowledge the contributions of the Committee's Chairs—David Campbell, who gave us a good early start with the commitment to bipartisan support to work with the Commission in promoting children's wellbeing; Barbara Perry, who brought a

commitment to the built environment that is reflected in our work over the past five years; and Carmel Tebbutt, who brought a strong commitment to children's wellbeing, powerfully demonstrated by her bringing children directly into the work of the Committee when they appeared before the Committee's current Inquiry. I am confident that the new Commissioner and the new Chair, Robert Coombs, will continue this tradition of fostering a strong and productive relationship for the benefit of children.

The Commission has always welcomed the scrutiny of the Parliamentary Joint Committee. It is a valued mechanism that we use to hold ourselves accountable for the decisions that we make and the work we have done in the last 10 years to bring about positive changes for children and young people. Over the past decade, with all the decisions we have made, the Commission has been guided by the governing principles contained in our legislation. In our work with others, the Commission promotes the spirit of that legislation to encourage the ethos that any decisions concerning children and young people should be made with children and young people in mind. The recent decision to move the Child Death Review Team was therefore disappointing.

In the last 10 years the work of the Team and the support of the Commission has produced good outcomes. Together the Team and the Commission formed a valuable partnership across the continuum of New South Wales children's lives from birth through to death. The Commission has been able to take the Team's recommendations and work with community groups, government agencies and others to bring about change for children and young people where it was needed. I think this is well demonstrated with the release of the Team's groundbreaking report covering the 10-year period from 1996 to 2005. The Commission draws on the Team's research to inform and help opinion leaders, organisations and the wider community to take action to support children and young people's overall development and wellbeing. It is a holistic and integrated approach to our work and to children's wellbeing that follows similar principles being implemented in the United Kingdom. The recent decision signifies a worrying shift in thinking away from that whole-of-child approach to children's issues. The decision in my view does not keep the wellbeing of all children in the front of our minds as seen by the fact that this Joint Parliamentary Committee on children will no longer oversight the Child Death Review Team. Despite this setback for children, I am sure the Commission will continue to perform and build upon its role as the peak advocate for all children in New South Wales.

There is still great pride when I look back at what the Commission and those who have worked with us have achieved over the last 10 years to improve children's lives. In that time I have seen a greater acceptance that children are capable of giving meaning to their world and actions, and therefore the right of kids to have a say in decisions that affect them. Kids are increasingly understood to be active and are increasingly given a seat at the table. I have also seen a greater appreciation of the importance of the early years for children. Accompanying this has been an increasing emphasis on promoting wellbeing to improve the quality of children's lives and to prevent problems in later life from intervening earlier. There is also greater understanding of the importance of relationships to children and the need for us as a country to support families and workers to enable and maintain those relationships

as illustrated through solid community support through the introduction of paid parental leave. There have been particular areas where we are keeping children in mind where previously we had not—the work we have done and are doing, for example, on the built environment and on children in work. Importantly, we have seen an acceptance of the need for people in organisations who work with children to take action to reduce harm to them, either through the 2 million checks we have done or through our Child-safe - Child-friendly Program's emphasis on reducing risks in organisations. These are all changes in areas that children have told us in so many of our consultations, our research work and our listening, are the things that make them grow and develop, that promote their wellbeing and are important to them.

I said before that there is great pride when I look back at what the Commission has achieved over the last 10 years. It has been an honour and a privilege to have been the first Commissioner for Children and Young People in New South Wales, but I do not see this point as the end of the journey but rather an opportunity for the Commission to look to the future with a feeling of renewal and a new sense of purpose in what it can still achieve. I hope you share with me that great excitement and anticipation about the future of both the Commission and the Parliamentary Joint Committee and that together the Commission and the Parliamentary Joint Committee continue to improve the lives of children and young people in New South Wales.

**The Hon. KAYEE GRIFFIN:** Thank you for those words, and for the support you have given children and young people in New South Wales over the period that you have served as Commissioner. We will miss you.

**Ms CALVERT:** Thank you.

**The Hon. KAYEE GRIFFIN:** In your response to the Committee's questions on the 2007 Annual Report you note that strategies relating to drug education and road safety have not been linked to the New South Wales Suicide Prevention Strategy. Do you consider there might be any benefits in having such a linkage?

**Ms CALVERT:** If we are going to first of all focus on the Child Death Review Team and then talk about the other one, could you bear with me for a moment, and would you mind restating the question?

**The Hon. KAYEE GRIFFIN:** Yes, it was in relation to your response regarding strategies in relation to drug education and road safety and your comment that they have not been linked to the New South Wales Suicide Prevention Strategy. Do you consider that there might be benefits in having such a linkage?

**Ms CALVERT:** One of the reasons that we conducted the suicide and risk-taking strategy is that we wanted to look at whether or not there was a relationship between risk taking and suicide. We did find that there was a group of young people who did take risks. I think that in trying to reduce the number of deaths we would be better off looking at it from the point of view of road fatalities rather than trying to look at it as a suicide prevention strategy. There are a number of well researched and evidence-based strategies for reducing the number of deaths from road traffic

accidents and I think we are better off keeping it in that sphere rather than seeing it as a suicide prevention activity.

**The Hon. KAYEE GRIFFIN:** And in relation to drug education as well?

**Ms CALVERT:** Similarly with drug education, although probably there is a greater crossover with drug education and suicide prevention activity than there is with road traffic accidents and suicide prevention activities.

**The Hon. KAYEE GRIFFIN:** You note that there has not been any formal evaluation of the guidelines for Australian media professionals in relation to community capacity to prevent and respond to increases in suicide. Are you aware of any anecdotal evidence of their effectiveness or otherwise?

**Ms CALVERT:** My understanding is that those suicide guidelines have been reviewed twice to reflect new statistics and research, and the most recent version was in 2007. I think a measure of the success of the guidelines is the number of times they have been breached and our understanding is from ACMA, the Australian Communications Media Authority, that there has only been one finding of a breach of safeguards of reporting suicide in the past four years.

**The Hon. KAYEE GRIFFIN:** My last question relates to the review of the *Swimming Pools Act 1992*, and it would appear to be a lengthy process. You referred in your answers to the questions that the Committee sent you that you were going to meet with the Director-General of the Department of Local Government. Has that occurred and, if so, can you report any outcome in relation to that?

**Ms CALVERT:** I am meeting with the Acting Director-General next Monday. So that meeting has been arranged and I am happy to report back to the Committee, if that is what the Committee would like.

**CHAIR:** Before we go to questions for Professor Jeffery, does anybody have any further questions of Commissioner Calvert in relation the Child Death Review Team?

**Reverend the Hon. FRED NILE:** Just a quick comment only. As you know from the debate, I strongly supported the statement that you just made and hopefully there may be a review in the future.

**Mr STEVE CANSDELL:** A few people supported your statements, Gillian.

**The Hon. CATHERINE CUSACK:** Chair, is this the last opportunity to question in relation to the 2007 report?

**CHAIR:** The Child Death Review Team report, yes, for Commissioner Calvert it is. We can go back after we deal with questions for Professor Jeffery, if you like, to ask some general questions.

**Reverend the Hon. FRED NILE:** Professor Jeffery, with respect to the 10-year Review could you please explain for the Committee the manner in which the

members of the Child Death Review Team undertook the Sudden Unexpected Death in Infancy research?

**Professor JEFFERY:** I really think I should defer to Gillian for that because I was not directly overseeing the Child Death Review Team; I am not part of that Team.

**Ms CALVERT:** Professor Jeffery's relationship is what we call an expert adviser, which means that she has access to the data and the information, and when we need expert advice we will bring in our expert adviser. Clearly, because of the range of causes of deaths of children we cannot hold all that knowledge on the Team so we have got this system of expert advisers, and Professor Jeffery is our expert adviser on Sudden Unexpected Death of infants. Were you wanting to know how we did the Sudden Unexpected Deaths of Infants for the 10-year data study or the 2007 Annual Report, Reverend Nile?

**Reverend the Hon. FRED NILE:** I think it would be the report.

**CHAIR:** The 10 years.

**Ms CALVERT:** We have a register of all the deaths of children in New South Wales where we collect a number of bits of information, and the information we collect is guided by advice from people like Professor Jeffery and also based on our special study on the Sudden Unexpected Deaths of Infants report, which showed a number of issues. So we now routinely collect that data on all the deaths of children who die from Sudden Unexpected Deaths. We then subjected that data to a range of statistical analyses and that then gave us the information that we needed. So that is how we gather the information and how we then understand the information.

**Mr ROBERT FUROLO:** Professor, in relation to the Review's findings on Sudden Unexpected Deaths of Infants were there any particular trends or anomalies that you encountered that you can comment on?

**Professor JEFFERY:** I think that this was a landmark publication and I think it needs to be put in context with the previous publication, *Sudden Unexpected Death in Infancy: the New South Wales Experience*, which was a turning point for New South Wales in its approach to prevention of these deaths. The issues that have come out in that publication and in the 10-year Review I think are very important ones in terms of prevention and in terms of process. In terms of prevention, there are some very clear messages arising both from the 10-year Review and also reinforced by the 2007 Annual Report and that is that we are seeing deaths in parts of our population in excess of the background rate, and I am referring here to Indigenous infants where there is a 6.5-fold increase in these infants death. That is one of the highest statistics and one of the largest gaps that we are seeing in infant mortality.

The second is the overrepresentation of preterm babies—that is, babies that are what we call less than 37 weeks of the 40 weeks gestation in humans—they represent 28.6 per cent in the 2007 Review. That is concerning but does help us in terms of where we should be targeting prevention and how we should be targeting prevention. I think the third issue is that surrounding remoteness, the fact that rural

remote infants are dying in excess of urban babies—about 2.5 times the urban rate. So we are seeing a gradient from inner urban to outer, to remote. Underlying all of this is the very strong predeterminant, and that is low socioeconomic status, poverty. So I think we have got some very clear messages from this very good research and excellent output from the Child Death Review Team on what we should be doing.

In terms of process, I have addressed that to some extent in the questions that you posed to me in writing, but the process of examining the death of an infant who has died a Sudden Unexpected Death is a reasonably complex process because it cuts across different agencies and different disciplines. Australia is not the only country that has had to face that complexity. The United Kingdom has done it and the United States has done it and Canada has done it in different ways. I refer back to this landmark document, which is *Sudden Unexpected Death in Infancy: the New South Wales Experience*. I think this clearly sets out how we in Australia and in New South Wales still need to reach international standards in this process.

Since this was published there has been a lot done to try and achieve that, and I believe that the recent protocol put out by NSW Health on 22 December 2008 certainly has been hard work in moving towards that across agencies, across disciplines, to try and reach optimal standards. But we still have got a long way to go, and I put that into the background of we still have 50 to 60 deaths suddenly and unexpectedly of these young infants in New South Wales, the large number of which—over 90 per cent of which—have one or more risk factors and therefore are potentially preventable.

**Ms MARIE ANDREWS:** Professor, I think the Commissioner might have already answered part of this question. The Committee would like to know how much you and your colleagues had to do with the overall preparation of the report and did you work independently according to area of expertise?

**Professor JEFFERY:** I have worked with the Commission, and in particular I have worked with both my colleagues here. They have posed questions to me, I have also examined with other experts the difficult issues of defining Sudden Unexpected Death and we have had a very nice two-way debate and conversation about these issues over now a long period of time.

**Ms CALVERT:** I would like to say Professor Jeffery is very much involved in this special report of Sudden Unexpected Deaths of Infants, and has continued to be involved, and that provided the basis of what we have carried on through the 10-year data study and the Annual Reports. So it has been over about five or six years.

**Professor JEFFERY:** Since 2002.

**Mr STEVE CANSDELL:** Professor, are you aware of any similar long-term studies of child deaths and if so have they reached similar findings to the Child Death Review Team research?

**Professor JEFFERY:** Yes, there are a number of longitudinal studies in the literature, particularly from the southern part of the United Kingdom, what is called the Avon district, under Professor Peter Fleming and colleagues, and also now a

number of publications from the United States and Canada generally on both population-based and state-based outcomes of Sudden Unexpected Death in Infancy, and I think low socio-economic status is the biggest antecedent determinant and underlies all of them. Of course, the issues associated with that mean the groups who are most vulnerable here do differ depending on the country. For example, black infants in the United States are particularly vulnerable and share a 2.5 to 3 times increased risk of death.

The issues that underlie the neonatal aspects of prematurity are also a common thread, and particularly so in the United Kingdom, the data from the United Kingdom. I guess, thirdly, the practices that underlie the risk, that is, of generally unsafe sleeping, are common across all countries, and that is really the most outstanding thing, that you can look at the proximate risk factors then go back to further antecedent causes and further back and yes they share a very common thread.

**Mr STEVE CANSDELL:** Those figures with the negroes in the United States would be very similar to Indigenous Australians, would they not?

**Professor JEFFERY:** Our rate here in New South Wales is higher: we are talking about a 2.5 to 3 times increased rate of SUDI in the United States but here in New South Wales the Indigenous rate is over 6. This is a very important issue that we need to address.

**Mr STEVE CANSDELL:** I know that one of your research areas is in methods of translating evidence into clinical and preventative practice. How do you consider that this might be done in respect of the evidence obtained in the course of a 10-year Review?

**Professor JEFFERY:** I think this very much comes down to implementation of what this 10-year Review is telling us. Gillian might like to comment but I see this as dependent on the responsible agencies for implementation of facts that have been detected here; that is, where there are vulnerable populations and increased risk we have Government, SIDS and Kids Advisory Committee, and community organisations and we need to get the "safe sleep" messages across.

**Ms CALVERT:** I think it also ties into other strategies that have been implemented. Smoking is another of the risk factors that cross borders in a sense, so reducing smoking around infants and in the household is one strategy. Broad programs that are aimed at reducing smoking, whether through taxes, point of sale strategies or quit lines, all contribute to potentially reducing Sudden Unexpected Deaths in infants because they reduce the general level of smoking in households. Of course, the level of smoking in poor households is much higher than in more wealthy households. Again you can start to see the interaction of various things.

**Reverend the Hon. FRED NILE:** What machinery is in place to make sure the different departments study that report and apply its findings to their areas—you mentioned smoking. Health, DoCS?

**Ms CALVERT:** All of the relevant agencies have been sent copies of the three reports that have looked at Sudden Unexpected Deaths in infants over the last three or four years. When *Sudden Unexpected Deaths in Infancy: the New South Wales Experience* was tabled, the New South Wales Government undertook to implement the recommendations. They have given that responsibility to the SIDS and Kids Advisory Committee and they are working their way through the recommendations. The Team review progress on the recommendations as part of their annual reporting and report on progress on the implementation of the recommendations.

I think it is important that we now have a standard autopsy protocol in place and required to be used. It is also important that we now have the multi-disciplinary response protocol in place and required to be used, and all the agencies have signed up to that protocol and it is now being implemented. I also know that some of the agencies have done specific things to target Aboriginal communities. For example, the Department of Community Services was giving some of the people it is in contact with, singlets for children in Aboriginal colours saying "This side up" to encourage safe sleeping practices such as placing the baby on its back to sleep. The Team looks at the implementation on an annual basis and reports.

**The Hon. CATHERINE CUSACK:** I want to ask about asthma deaths. There has been a fairly substantial decline in the number of asthma deaths, which is really tremendous. Do you have any explanation for that? Secondly, I note the percentage of asthma deaths is increasing in metropolitan areas. Given that the overall death rate, as you commented, is disproportionately higher for non-metropolitan areas, that would suggest there are still a large number of preventable asthma deaths occurring in metropolitan areas. So, why the reduction and what are the issues for metropolitan areas?

**Ms CALVERT:** I will take part of that on notice because I am not really qualified to talk about why there has been a reduction in asthma deaths. I do know that the number of asthma-related deaths is very small. There were no asthma-related deaths from 2003 to 2005, five in 2006 and three in 2007. With those small numbers it is very difficult to comment generally about anything contributing to those deaths. I will take that on notice and seek the advice of our independent expert on asthma.

**The Hon. CATHERINE CUSACK:** Can I draw your attention to page 231? It shows the trend has come right down. The reason I am interested is that I know the Department of Health has undertaken a number of interventions and of course we all recall the big drama about childhood asthma. It suggests to me that public health interventions can succeed in reducing the number of deaths. I come from the Northern Rivers area of New South Wales where we have, particularly in my part of the world, the immunisation rates of a Third World nation. I am concerned that if a public health intervention can be successful, as it has been in the case of asthma, maybe there are other preventable deaths that we need to focus on as well, particularly looking at rates of immunisation across the State.

**Ms CALVERT:** I will comment on the issue of public health measures in relation to asthma. I think it has been a contributor. Changes to procedures and protocols for the treatment of asthma in Emergency Departments are another factor

that has probably contributed to the decrease in asthma deaths. I do know that there are differences in the rate of asthma deaths depending on socio-economic status. We have had an increase in the higher socio-economic areas and a decrease in the lower and middle areas. That same pattern has also been reported by others. In relation to immunisation, I know there has been a big effort on the part of various levels of government and the professions to try to increase rates of immunisation. The strategy to pay GPs to undertake immunisation whenever they see children has stopped the decline in immunisation and is beginning to reverse that. We are seeing more children being immunised than we did in the past. Heather might have more information on that.

**Professor JEFFERY:** We have evidence that best practice guidelines that are well implemented save lives when targeted appropriately, so I think your comment about asthma, for example, is very real as there are very good and clear guidelines that have been well implemented. To come back to Mr Cansdell's question in relation to this, which I think I probably did not answer fully, I believe the first thing is to get the stakeholders together and agree on best practice guidelines. Probably the toughest aspect of this is implementation. A policy alone does not have "teeth" in the health area unless it has not only the power to be implemented, which means the resources, the best evidence in educational and public health means of implementation. We have now an armamentarium of good, high-level evidence where we know that it will work if we can get it into practice.

To come back to Sudden Unexpected Death in Infancy, we really have to get the whole process into practice in terms both of prevention and also, when a child dies, looking at the circumstances of the death and the best practice autopsy and the multi-disciplinary group deciding from the evidence what they believe is the cause of death. Both aspects of this are really necessary to drive those deaths down. We have 65 infant deaths and you could probably argue that 60 of them, the majority, are preventable. That is too many. I remind you that a country's progress and social fabric are really assessed on its infant mortality rate. The comment that we have done well with the reduction in SIDS is true, but we have not done well enough.

**The Hon. CATHERINE CUSACK:** I agree. There is no cause for complacency. Do you know what percentage of SIDS deaths were children who had been immunised?

**Professor JEFFERY:** We do have data and I believe it is in this book. We did look at immunisations, as I recall. Are you asking about the relationship between SIDS and immunisation?

**The Hon. CATHERINE CUSACK:** I am asking factually because there is a very powerful lobby group in our part of the world that argues that immunisation is a causal factor. If we could be provided with the factual information a number of us would like to publicise it. We have just had a baby die of whooping cough, so that will have to be a new item in your reporting. It is very distressing to see the sort of misinformation that is put about. I am suggesting that maybe the Committee could be of assistance in ensuring some factual information gets to the community. I am also hoping you would be a voice in favour of a stronger campaign to boost our immunisation rates.

**Professor JEFFERY:** Absolutely. I am very aware of the "black hole" in the Northern areas of New South Wales with regard to immunisation. There is no causal relationship between immunisation and SIDS that has been found to date with several very large studies in North America, the United Kingdom and Europe. We have to remember that the immunisation of a young infant occurs around the maximal time of death from SIDS; that is, between two and four months, and quite rare after six months. This is when babies here have their immunisation schedules. It is natural for the community to jump to look for a cause. This has been very well looked at because immunisation has been such a successful public health strategy. Probably many of us here have not seen a child with whooping cough. I have and it is a terrible death. It brings us back again to all the issues in prevention, which are dependent on human behaviour.

If we talk about asthma, it is at the parental level in the home to follow a particular flow chart. If we talk about immunisation, it is parents and community helping in supporting the schedule. If we talk about Sudden Unexpected Death, it is to always put a baby on the back for sleep, never on the side or the front, and never to smoke around a baby. These are all behavioural issues. Once the particular death rates, whether it is due to asthma or sudden unexpected infant death, come down and once the deaths from the preventable diseases come down through immunisation, there is the potential for laxity in the community. I think we are seeing that clearly with pertussis—whooping cough. Part of it is the education of adults. How many of you in this room have actually had the adult whooping cough injection so that you are protecting every very young child in the community?

**The Hon. CATHERINE CUSACK:** I was not aware there was such an injection.

**Professor JEFFERY:** This is a message that is not out there. Adults do not know that they need to get the adult injection, the single pertussis injection, and in that way you as adults will not get the infection and will not pass it on to young infants who are extremely vulnerable to death or neurological damage if they get whooping cough. Everywhere we have gaps which have not yet been transferred or implemented. I think this is probably one of them.

**The Hon. CATHERINE CUSACK:** Every year I ask the same question. In relation to gender, you mention socio-economic factors as the main driver, but in fact gender is an even greater predictor, or the mortality rates are even more disparate in relation to gender. Do you agree?

**Professor JEFFERY:** With respect to which deaths?

**The Hon. CATHERINE CUSACK:** Boys and girls?

**Professor JEFFERY:** Yes.

**The Hon. CATHERINE CUSACK:** Why has the Commission not looked at gender?

**Ms CALVERT:** We in fact did look at gender in relation to the 10-year data study. It was one of the demographics we used in our analysis. In some causes of death, it was a significant issue, and in other causes of death it was not a significant issue. For example, if you look at different types of road traffic accidents, then gender starts to emerge as an issue. If you look at page 410 of Volume Two, we look at the differences in mortality rates by sex. You start to see which of the deaths have gender as an issue.

**The Hon. CATHERINE CUSACK:** When I look at, for example, risk-taking behaviour—

**Ms CALVERT:** For males and females? Yes, it is very different.

**The Hon. CATHERINE CUSACK:** It is very different, yet in that chapter of the book it is not discussed at all. Can I also put to you that in relation to risk-taking behaviour, particularly in relation to motor vehicles although I would not like to generalise, maybe there would be fewer female deaths as well as male deaths if we could deal with the male risk-taking behaviour issues. I just feel that on principle I should keep raising this as an issue because it perplexes me why the Commission does not mount something separate in relation to this.

**Ms CALVERT:** I will take that back to the Team and let them know your views.

**The Hon. CATHERINE CUSACK:** Thank you.

**CHAIR:** Thank you very much. I am sure that information will prove to be more than valuable. Commissioner Calvert will remain with us for the next session, but I thank you, Professor Jeffrey, for your attendance today. We wish you well in the future.

**Professor JEFFERY:** Thank you very much.

**(The witnesses withdrew)**

**(Short adjournment)**

**CHAIR:** I reconvene the hearing. The Committee first will turn to considering the 2007-08 Annual Report of the Commission and will then put questions to Commissioner Calvert on the Committee's Inquiry into Children and Young People 9 to 14 Years in New South Wales.

**GILLIAN ELIZABETH CALVERT**, Commissioner for Children and Young People, Level 2, 407 Elizabeth Street, Surry Hills, on former affirmation:

**CHAIR:** Commissioner, would you like to make any initial comments? The answer to that being no from Commissioner Calvert, I will commence questions. We have put aside an hour for questions, and I will commence by noting that the Annual Report shows that six consultants were engaged during 2007-08 to provide specialist management advice at a cost of \$19,833. In what kind of work were the consultants engaged? How will the advice be utilised by the Commission?

**Ms CALVERT:** Generally we employ consultants when we need additional expertise that we do not hold on staff. We are a small organisation so it is impossible for us to hold the range of expertise that we need to draw on to complete our work. The consultants reports inform us in our work, whether that is in the corporate service or business service areas or whether it is in relation to policy and so on. In terms of breaking down what the six consultants were doing, I will take that on notice and provide that to the Committee.

**CHAIR:** Thank you very much. In 2006-07 the Commission had 43.7 full-time filled positions out of an establishment of 44.3. In 2007-08 there are 38.8 filled positions out of an establishment of 41.9. Could you explain to the Committee the reduction in numbers? Was that part of the restructure mentioned on page 49 of the Annual Report?

**Ms CALVERT:** It was not part of the restructure. The reduction in positions was not a reduction in actual positions. Rather, it was a reduction in the positions that we had filled. Staff changeover occurs for a whole range of reasons. At the end of June, that is what the number happened to be. At the end of this financial year we will be back up to our usual 42, 43, 44 equivalent full-time positions [EFTs].

**CHAIR:** In your answer to the Committee's question about the additional work proposed by the Wood Inquiry you note and estimate that the Commission will need approximately 10 additional staff to undertake this additional work. What are you doing about the funding implications of this proposal?

**Ms CALVERT:** We have let the Government know what the funding requirements are for us to implement the additional checks they require us to make under the changes in the legislation. I anticipate that we will be given a positive result when the Appropriation Bill is brought forward to Parliament.

**Reverend the Hon. FRED NILE:** Is that mostly to the volunteer area?

**Ms CALVERT:** The checks are in relation to volunteers for at-risk and disadvantaged young people mentoring, volunteers who provide personal care for

children with disabilities. It is also the adult household members of family day carers, and foster carers, as well as subgroups such as children's services licensees and the child wellbeing units that have been established. The list is set out in the Act.

**The Hon. CATHERINE CUSACK:** What is the actual requirement resource-wise in order to undertake those additional responsibilities?

**Ms CALVERT:** It is \$1.3 million.

**The Hon. CATHERINE CUSACK:** It is important to get those things on the record, thank you.

**The Hon. KAYEE GRIFFIN:** Commissioner, could you please explain to the Committee the role of the position that is designated as "Director—Influencing"?

**Ms CALVERT:** Yes, I can. There are two Directors in the organisation. We have tried to have a flat hierarchy because we are a small organisation and flat hierarchies work best. The Director of Influencing is responsible for that area of work where we are trying to influence positive outcomes for children. He is responsible for the policy, research, community development and communication activity that the Commission undertakes. All of those things are the tools that we used to try to influence the decisions of others so that we get a positive outcome for children and young people.

**The Hon. KAYEE GRIFFIN:** How have the views of the staff management committee fed into the decision-making processes of the Commission?

**Ms CALVERT:** The staff management committee provides advice on a range of issues. Really I guess it is a way of providing a staff voice. It is an additional way of giving staff a voice in the management of the Commission. Staff have a voice through the normal reporting hierarchies; they also have a voice through the staff committee, but we also set up a staff management committee to provide a particular and specific place where staff and management could jointly work on issues to do with the running of the Commission.

Some examples of issues that they have come up with are how we can make the Commission more environmentally sustainable. They have also raised issues such as glare and heat from windows. We have also discussed how to improve staff health, specifically how to reduce smoking by staff. We have also asked them to review some of our policies and procedures, such as the grievance policy, flexible working hour agreements, and so on. It relies on staff volunteering and managers volunteering to sit on the committee. We have not had enough staff volunteers to form a quorum this year, although we continue to call for volunteers to sit on the staff management committee.

**The Hon. KAYEE GRIFFIN:** In your answers to the Committee's question on e-Checks, we note that you have terminated the e-Check project and have submitted a business case for rebuilding the system. You are now seeking funding from the Government for this project which, when built, will incorporate e-Check. How is the project progressing?

**Ms CALVERT:** We are awaiting advice regarding funding. That also will hopefully be positively received and will be included in the Appropriation Bill. We have requested approximately \$1.5 million.

**The Hon. KAYEE GRIFFIN:** If approval is given in terms of that funding, how long would it take for that system to be up and running?

**Ms CALVERT:** We estimate that it will take between two and three years by the time we have designed the system, then built a system, then tested the system, and then implemented the system.

**The Hon. KAYEE GRIFFIN:** It is very much a long-term project?

**Ms CALVERT:** It is a long-term, significant project for the Commission to undertake—extremely significant.

**Reverend the Hon. FRED NILE:** Commissioner, according to the Annual Report, 84 per cent of preferred applicants who have been assessed by the Commission as high risk were not employed. In the Commission's experience, what are the likely circumstances surrounding the fact that 16 per cent of those assessed as high risk were nonetheless employed?

**Ms CALVERT:** Based on our past research, the sorts of reasons employers give for employing people who have a high risk are things like "There is no-one else available" or they are in a remote area and so they have less choice from which to select. They also will say that they changed the parameters of the position and the conditions under which that person works, so that is a neat way of reducing the risk of that person. For example, they might increase the supervision levels imposed on that person.

They also frequently will employ someone on a short-term contract, and when that contract is up, they will let them go and not continue the employment. While they might have been employed at the time that they made a request for a Working With Children Check, in some cases when we ring them up to check whether they have been formally employed, we find out that it was a short-term contract and it has not been renewed. While it says 16 per cent were employed, some of them would have only been employed for a short period of time and would not have had their contract extended. They are the sorts of range of circumstances in which that 16 per cent would be employed.

**Reverend the Hon. FRED NILE:** And they were employed in an area where they were involved with children?

**Ms CALVERT:** In unsupervised contact with children, yes. You have to remember that those who have criminal convictions are already excluded. They are already banned under our prohibited employment part of the Working With Children Check. So we are not talking about people with convictions for sex offences or for murder or for very serious violent offences against children, unless they have been through another process that has enabled them to be exempt from the operation of

the banning. Very serious offenders would already have been banned, so we are talking about the next layer, if you like.

In New South Wales we provide that information on those people to the employer along with the level of risk that we assess around the position and an assessment of the level of control that organisation has over the risks. Then the employer makes the decision about whether or not to employ and, in doing that, also makes a decision about the level of risk they are willing to bear.

**Reverend the Hon. FRED NILE:** Have you ever exercised any pressure by saying in your opinion someone should not be employed in a role?

**Ms CALVERT:** We discuss with employers the ways in which the risk might express itself with a particular person in that position and in that organisation, and we have certainly discussed with them ways in which they might improve their risk management strategies so that they reduce the risk not only for that person but, importantly, for all the other potential—

**Reverend the Hon. FRED NILE:** But you cannot veto the employment?

**Ms CALVERT:** No.

**Mr STEVE CANSDELL:** Is there any record of offending for that 16 per cent that are assessed as high risk in those positions?

**Ms CALVERT:** Offending after they have been appointed?

**Mr STEVE CANSDELL:** Are there any records of the 16 per cent offending in the time they are employed in the high-risk areas?

**Ms CALVERT:** We certainly would not keep those records. Anecdotally we have not heard of any but that is not to say that they could have. We looked at doing a research project where we thought about following through the outcome of people who had gone through a Working With Children Check and whether or not they subsequently offended. With such small numbers it would take such a long period of time that it is not really worth it for us. The other thing we do know is that a lot of people who offend do not have records. In fact most people who offend do not have records. Basing your risk management strategy on the fact that an individual has a record is a risky risk management strategy. You are much better off assuming in a sense that everybody has the potential to harm a child and therefore the way you design your position and the way you manage risk in your organisation is what really makes the difference. Because you are not only capturing those that we know about—and in some ways they are the easy ones because we know they have a record—but it is the ones who do not have a record, the majority who do not have a record, who go on to offend that I think are the ones we really should be worried about. That is why we are trying to really focus on Child-safe Child-friendly programs.

**Reverend the Hon. FRED NILE:** Would that include that any person should not be alone with a child in a room?

**Ms CALVERT:** No, with some people it is important to have one-on-one conversations with children. It is very important to children that they be touched, cuddled and hugged and looked after. It is about what can the organisation do to have some rules around that and how do they monitor that? How do we recognise if someone is stepping over the boundary? We encourage organisations to think through what the rules might be. For example, it might be entirely appropriate for a teacher to cuddle a child and to soothe them but if an information technology person does it, you would probably ask why that is happening. It is about being alert to those sorts of things and having a conversation in your organisation about that. We certainly do that in our own organisation. In the Commission we talk about those things and reflect on those things. We have got tools in place to have staff reflect on how they are going to manage risk before they go out and do work directly with children themselves.

**The Hon. CATHERINE CUSACK:** I understand the importance of the policy you are advocating but given that there is such a lack of clarity in so many workplaces at the moment, the presumption that everyone is an offender is having a debilitating effect on some professions. For example, males in primary school teaching. What can we do to give greater clarity, rather than telling people to be alert and aware, because it is not clear as to what they need to do to protect themselves? It is impacting on our workforce and that affects the children as well.

**Ms CALVERT:** We do not go out publicly and say assume everybody is an offender because I do not think that is helpful. It is in thinking about how we design our risk protocols that we talk about that. In fact in our documents and publications we quite clearly talk about how important it is that children are hugged, touched and that close intimate contact is an essential part of children's well being. We try and talk quite a lot about that and then go on to talk about ways in which we can do that appropriately. Asking very clear questions around that I think has been one of the things that has helped.

In relation to males entering teaching and childcare it is much more complex than the idea of you will be called a child molester if you hug a kid. I do not think that is the primary reason why men are not going into teaching; there are other strong forces to do with the fact that it is a low-paid job compared to some of the other things that men can get, it is not a high status job, it is seen as women's work and so on. All of those sorts of things have contributed to that. In fact the decline of men in teaching preceded this whole discussion around safety in relation to children.

**The Hon. CATHERINE CUSACK:** On the issue of people who are convicted, do you get records of people who have been charged with offences but not convicted? The group that I am particularly interested in are people who are not convicted because they are found to be insane at the time, or whatever the modern terminology is. We had a case in our region—I do not wish to reflect on the individual involved—but in that case the individual had served 10 years in prison in Victoria but because she was at the Governor's pleasure she was not convicted because she was found to be insane at the time that she kidnapped a baby and attempted to murder it. There was no record of that in her working with young people's check and

therefore she has been working for the Department of Juvenile Justice in our region for some time. Is there a gap in your system?

**Ms CALVERT:** I am happy to take the details of that case outside of this conversation to give you specifics if that would help you?

**The Hon. CATHERINE CUSACK:** It is more that it might be revealing a gap?

**Ms CALVERT:** The definition of a conviction is broader than what is normally thought to be a conviction. So whether they are captured by the prohibition element is one aspect. We get a much broader range of charges and convictions with a background check than we do with the prohibition. So we do get charges and we should get, as I understand it, guilty or not guilty or no conviction by reason of insanity. We would get those results. Even though the legislation talks about conviction and charge, they are quite encompassing notions of charge and conviction.

Could I also say that one of the issues that might come up—because you said they were from Victoria—is that Victoria will not provide us with charges. That is a decision that government has made. Under the Council of Australian Governments [COAG] we have been working to put in place a regime of exchange of information between the different States and Territories across Australia and we anticipate a 12-month trial commencing at the beginning of 2010 before it is more completely rolled out. Victoria has quite clearly indicated its decision not to exchange information on charges.

**The Hon. CATHERINE CUSACK:** Is Victoria the only State?

**Ms CALVERT:** Yes. It is the only State that will not exchange information on charges.

**The Hon. CATHERINE CUSACK:** What reason does Victoria give for that?

**Ms CALVERT:** The reason given is that, as it has not yet been heard by a court, it is therefore prejudicial.

**Reverend the Hon. FRED NILE:** Moving to the issue of Child-safe Child-friendly organisations. With respect to the Commission's future plans as set out in the Annual Report, what practical ways does the Commission intend to support out of school hours care?

**Ms CALVERT:** In relation to Child-safe Child-friendly, we have been discussing with the Network of Community Activities about working together on an out of hours school care Child-safe Child-friendly program. We are discussing with them the program they want to put in place to try and make their services safer for children. One of the things they have indicated to us is that they want to be licensed to run our training program on being Child-safe Child-friendly, which we would certainly try and make happen because that then provides them with an ongoing source of training for all of their services around Child-safe Child-friendly. That training program leads the organisation through a process of identification as to what

the risks are in the specific setting of their organisation and then developing a plan for how they might address those risks. It is a catalyst for helping an organisation to start the process of trying to think about ways in which it can reduce risk. There may be other things we can do with the Network of Community Activities based on other activities we have done with organisations such as the public libraries in New South Wales, where we have helped them develop policies to implement as part of their Child-safe Child-friendly activity as well.

**Reverend the Hon. FRED NILE:** In your Annual Report you talk about the target of 80 per cent of checks completed in two days not being achieved. It seems the reason for the delay is the time spent waiting on the Crimtrac police crosschecks. Do you consider that can be improved or should the two-day target perhaps be revised to a more achievable timeframe?

**Ms CALVERT:** Two things cause the delays—one is getting our results back from Crimtrac. The second occurs when we get a record and we need to conduct a risk estimate, we then have to go and source the primary records so we can get the information on which to conduct our risk estimate. I do not think there is much we can do to speed up Crimtrac. They continually review their procedures and processes and they are continuing to improve their service.

**Reverend the Hon. FRED NILE:** What is the average time for reply? Do they do it within two days?

**Ms CALVERT:** Yes. The two days really reflects their results, if you like, rather than our result because we are dependent on their records. We have explored things like real-time exchange. At the moment we batch—we batch at the end of the day and get the results back the next day or the day after that. With real time you would be able to submit the name straight away and get a result straight away. That may speed things up within the two-day timeframe; so rather than getting it back in two days you might get it back in two hours, but we will still have that percentage of people who have records and we have to clarify whether they are the person they say they are and that is what causes the longer time frame.

**Reverend the Hon. FRED NILE:** That cancels the 20 per cent, do you think?

**Ms CALVERT:** Yes.

**The Hon. CATHERINE CUSACK:** In 2007-08 the Commission made a submission to the Special Commission of Inquiry into Acute Care Services in Public Hospitals in New South Wales. Can you explain to the Committee the focus and aim of the submission, and whether the Commission intends to follow up on it?

**Ms CALVERT:** The focus of the Commission's submission to the Garling Report, if I could use that shorthand phrase—

**The Hon. CATHERINE CUSACK:** Yes. I believe that is probably a better term.

**Ms CALVERT:** I guess we wanted to give a couple of messages. One was the notion that children's health is different to adult health and adult focus on health; for children it is about health whereas for adults it is often about disease management and that the health system is focusing a lot more on disease management than it is on promoting health. So we were really arguing for Garling, I guess reminding the Garling Inquiry that in relation to children's health needs it is probably in that health promotion, healthy area that the bulk of children's needs are. However, when we look at those children who have diseases and who need the disease management side of the system, which is a much smaller percentage of children, then there are some things that are important to children, one of which is access to their parents to be able to care for them. So we raised the issue about parents having paid leave in order to care for their children appropriately, particularly as we are moving away from hospital-based care into home-based care. But to do that where you have both parents working without also providing parents with the means to care for those children actually places those kids' health or recovery at some risk.

I guess we tried to think about what we have heard from children and young people about health over our time and to convey that to the Garling Inquiry. We raised as well the issue of the nature of those disease management services or health services and what children and young people have told us make them accessible and useful services for them. We also provided advice on that. In relation to what has happened subsequent to the tabling of the report, I have already had some discussions with the Minister for Health's office and I am going to be meeting with some senior officials within the Department of Health to talk about the proposal for a NSW Kids model that Garling has proposed.

**The Hon. CATHERINE CUSACK:** Can you be more specific about that recommendation? Can you describe the recommendation?

**Ms CALVERT:** The Garling report recommended that the children's hospitals and children's health should come under one management structure. At the moment there is the Children's Hospital at Westmead, which is its own Area Health Service, and then there are two other tertiary hospitals, one at John Hunter and one at Sydney Children's Hospital, that are run through the Area Health Services. The argument that Garling put forward was that for a population of our size in New South Wales we probably can only support one tertiary service. Garling then recommended that a thing called NSW Kids be created and that kids health come under that one management structure so that the children's hospitals would come under the one management structure. You may have different sites for the delivery of the service but it would be under one management structure, and other bits of the health system should also come across to NSW Kids, like mental health, population health and so on.

**The Hon. CATHERINE CUSACK:** To be clear, in terms of your recommendations to the Inquiry you would see them being implemented through that new—

**Ms CALVERT:** The discussion around children's services would certainly be implemented through that recommendation, and also the balance between disease

management and promoting health in children would probably be more effectively addressed if you had one health service for kids. At the moment kids not only have to compete against adults within the Area Health Service funding; the health promotion aspect has to compete against the disease management model, and that is a big ask, whereas if you had it all under the one kids hierarchy or one kids management you would probably get a better balance between those two things.

**Reverend the Hon. FRED NILE:** It would have a separate budget item.

**Ms CALVERT:** Yes, well, they are some of the finetuning details that we probably need to talk with Health about. You can quite easily see how you could bring the tertiary children's hospitals under that one management structure but when you are talking about local hospitals where you have a kids ward, you do not want that ward run by NSW Kids management; you want it run by the hospital within the Area Health Service. So those sorts of relationships need to be sorted out and there are ways in which you can do that, and I think that is what needs to be explored.

**The Hon. CATHERINE CUSACK:** I think your recommendation that parents be facilitated to engage more completely is something that parents would welcome as well as children, and it is probably not necessarily a resource issue. I am just eager that that framework be in place for that idea to be pursued.

**Ms CALVERT:** It is not a resource issue for Health. It is probably a resource issue for employers in that you need to be able to give parents—and this is not a new idea—a children's sick leave. We have sick leave for ourselves but we do not make provision for sick leave if your children are sick. If you have kids who are ill then you have to use your own sick leave or so on at the moment. What we were saying is that part of providing health care for kids is for Health to advocate for a form of children's sick leave for parents.

**Reverend the Hon. FRED NILE:** It is really for carers though.

**Ms CALVERT:** Yes.

**Reverend the Hon. FRED NILE:** Parental leave.

**Ms CALVERT:** Yes, it is a specific parental leave when your children are sick.

**The Hon. CATHERINE CUSACK:** I was thinking more in a practical way that, having spent a lot of time in hospital with a sick one, it would be nice just to have a comfortable chair to sleep in. That would make a huge difference to parents.

**Ms CALVERT:** Yes, and certainly those sorts of things around what your children's ward looks like is something that NSW Kids could certainly address. I know that there has been quite a bit of discussion in Health about whether or not there are separate kids wards or they are in general wards. There is now much more of an acceptance that you need to have kids wards and I know the Department of Health is looking much more closely at the guidelines that the Royal College of Physicians released around children in hospital.

**The Hon. CATHERINE CUSACK:** The Commission joined an international collaborative research project to investigate systems where young people with chronic conditions will have more say in their health management. The collaboration was awarded funding from the Australian Research Alliance for Children and Youth. The Annual Report notes that the Commission will attend a second roundtable discussion to identify the research trajectory for the future work of the collaboration. This will involve preparing and submitting at least one grant application in 2008. How has this collaboration project progressed?

**Ms CALVERT:** We are not the chief investigators of that collaboration so we tend to be in an advisory role, a reference group role. We will provide advice on specific issues where we have expertise like kids participation and we then in a sense sit on the steering group of that committee, so it is quite a high level. The actual work is done by the chief investigators.

**The Hon. CATHERINE CUSACK:** Which is the lead agency?

**Ms CALVERT:** That is the University of Sydney. Professor Gwyneth Llewellyn, who is the Dean of Health Sciences, is the one we have the most contact with and who is the lead—I think it is called the chief investigator or lead investigator.

**The Hon. CATHERINE CUSACK:** Is there any progress on the project?

**Ms CALVERT:** Yes. They have done some quite interesting things in terms of seeking children's views but also in relation to providing advice and information around management of chronic health care. I certainly constantly get emails flashing up around newsletters and bulletins and so on where they are trying to bring the profession along at the same time as they are doing the actual research.

**Mr ROBERT FUROLO:** Turning to the Wood Special Commission of Inquiry, in March the Commission made a submission to the Wood Inquiry into Child Protection Services. Can you advise the Committee as to the substance of the Commission's submission and to what extent you feel it impacted on the inquiry's recommendations?

**Ms CALVERT:** The submission we put in was done collaboratively with Professor Cashmore and Professor Scott. We took in a sense a fairly high level view of the system and recommended that we needed to rebalance the system away from focusing all our energy on and seeing all of children's issues as needing to fall into a child protection frame, and argued that we needed to free up the Department of Community Services [DoCS] to do the work that it is uniquely able to do, and that required the rest of the human services system to take a much more active role in supporting vulnerable children within struggling families. So there was a series of recommendations to the Commonwealth Government about the role it could play in doing that, for example, the role of Centrelink being much more proactive in identifying and supporting struggling families.

We also made a number of recommendations at the State level for that to happen, one being the establishment of units within organisations that staff could turn to for advice about how to respond to vulnerable children in struggling families,

rather than just shifting it all on to DoCS. There are also recommendations regarding the reshaping of services for adults so that they stop seeing just the adult as their client but also see the children of that adult as part of their client and the need to provide services. So there was a range of recommendations which did have as their main focus the freeing up of DoCS in order to allow them to get on with their very important work and that therefore meant other agencies have to step in and start pulling their weight a lot more and start taking up their responsibilities to children. We also made recommendations around children in out-of-home care and how we might improve those sorts of services.

I think in fact our submission was quite influential in the final report that Justice Wood brought down. Certainly Adele Horin made that comment in a piece that she wrote about the Wood Special Commission of Inquiry; in her view, the submission by the three of us had been quite influential in shaping the final work of Justice Wood.

**Mr ROBERT FUROLO:** In your submission to the Wood Special Commission you recommended that drug, alcohol, mental health, disability and housing services should develop and trial an intervention plan that also meets the needs of the children of locked clients. Can you elaborate on that?

**Ms CALVERT:** One of the things that we know when we look at the children who are referred to DoCS is that there are high levels of domestic violence, alcohol and drug use and mental health. We are not alone in that in New South Wales. That is common across the whole of Australia and in fact in developed OECD countries. What has happened is that agencies have been under pressure and the way they have dealt with that pressure is to say that our client is only the person who presents with the problem and so they do not pay attention to the children. So what they do is then just refer the child to the Department of Community Services and what we were saying is that you have a responsibility to provide services to that child as well as to that adult and you cannot just continue to shift risk on to DoCS, that you need to take responsibility for your contribution to that child's outcomes and to share responsibility for that child's outcomes.

That means that mental health and drug and alcohol services need to change the way they operate. They need to think about not only providing a service to the adult but also to the child. They need to think about child services. If you look at drug or alcohol services, for example, there are very few family-based treatment centres or rehabilitation centres. We think there needs to be a lot more of those sorts of services because a lot of people who go into those rehabilitation services have children. So, you need to account for the children in the way you deliver your service to the adult.

**Ms MARIE ANDREWS:** I want to place on record my appreciation and thanks for everything you have done as our first Commissioner for Children and Young People in this State and for the wonderful work you have done on behalf of children and young people in New South Wales. My question is about the built environment. From the Commission's perspective, what recommendations from the Inquiry into Children, Young People and the Built Environment do you consider remain relevant and a priority?

**Ms CALVERT:** We are in the process of finalising a document that I hope to release in the next month looking at community indicators for a child friendly environment. I think that remains an important work because that gives people in local government a tool they can use to think about child friendliness. That same project that developed community indicators also set up, in a sense, a support group of like-minded people in local councils who are working on the development of child friendly built environments. I think that remains another important piece of work because it is the people-change aspect of the project and I think that is what is going to give us the different results.

In relation to the outstanding recommendations arising from the Parliamentary Committee's report on the built environment, we think there are probably two recommendations, one of which I have alluded to—recommendation 4 about promoting the use of child friendly community indicators with the Minister, which is relevant for the Minister for Local Government, which is very handy given that she was the Chair of that Committee that made that recommendation. The second recommendation that supports that is amending the planning legislation to incorporate child friendly planning, which is relevant for the Minister for Planning. So they would be the two things that we would see as being important because they build on that work we have already done around child friendly community indicators and the network of people who are committed to trying to build and create child friendly environments.

**Ms MARIE ANDREWS:** Have you any other comment or recommendation to make to the Committee in relation to the built environment report?

**Ms CALVERT:** I think we were somewhat hampered in our ability to implement the recommendations because we did not get the separate funding that the Committee recommended. So, we were able to do some of the things that we thought were important, but we were unable to do all of the things the Committee identified, for that reason.

**Mr STEVE CANSDELL:** In September 2007 you attended a European Network of Ombudspeople for Children [ENOC] meeting in Spain as a representative of the Asia Pacific Association of Children's Commissioners [APACC] and visited the children's commissions in Northern Ireland and England. Could you advise the Committee of any practices or policy initiatives at the Commission that have arisen from these travel opportunities?

**Ms CALVERT:** Yes. One of the immediate things that comes to mind is the recruitment process for my replacement. The Republic of Ireland has produced a book where they evaluated the way in which they recruited their first Commissioner, Emily Logan. When we looked at how the recruitment should proceed for my replacement, I contacted that Commissioner and other Commissioners I also had contact with, to seek their views on ways in which you can include children in recruitment. That certainly has informed our recruitment process. The advertisement that was placed that we used is based on the advertisement that the Republic of Ireland used in recruiting their first Commissioner. So, it is a very immediate practical example.

Other ways in which it has helped us is in relation to child friendly impact statements or children's impact statements; the Scottish Commissioner has done quite a lot of work in that area. So, we have had ongoing dialogue around the use of children's impact statements. That may come up in the 9 to 14 years inquiry discussion that we have. So, I guess, apart from practical things like using advertisements or their experience, it is really about also being able, I guess, to use them as sounding boards for ideas and for discussion as well.

**Mr STEVE CANSDELL:** In April 2008 you attended the Australia 2020 Summit as part of the strengthening community, supporting families and social inclusion discussion stream. Could you please tell the Committee about your experiences at the Summit and whether and in what way you consider it has influenced your work as Commissioner?

**Ms CALVERT:** It was a very interesting couple of days. There were some really good things about it. What I initiated prior to the Summit was a network of children's advocates who were attending the Summit across the various working groups. We had email contact and discussion about the issues and what people thought should be raised within the Summit. We then also continued that contact throughout the Summit so that we could support each other and provide feedback to each other. Some of the things that came up in the groups arose partly from our email contact. For example, children's television channels was one of the things we talked about, and there have been some recent indications that that looks like getting funded.

So, it certainly was an opportunity to build alliances around children's issues and to advocate for children. One of the things that I think did not work was that there was no formal opportunity for cross-fertilisation between the various working groups. So you have got in your working group and you stayed in that working group for the two days that you were there. At times I actually wanted the creative people or the governance people to come and help me deal with the issue that I was dealing with rather than the familiar faces that were in my group. So, I think there was a missed opportunity for cross-fertilisation and for the introduction of new ideas.

Having said that, I think it was a worthwhile process and a worthwhile experience. One of the things that helped me was that it gave me a greater sense of what the national landscape looked like, and that has been useful in working out how to advocate on particular issues. I was in the group that was around skills and capability, if you like, in employment. It really helped me to understand the players and where they were coming from in that area, which has helped me then to progress things like paid parental leave, school-to-work transition and so on because I have a much better understanding of the players, their thinking and the way they operate.

**Mr STEVE CANSDELL:** Before I ask my final question, I offer my congratulations. You have been an excellent Commissioner and a great advocate of children and young people.

**Ms CALVERT:** Thank you.

**Mr STEVE CANSDELL:** What do you see as the major issues with which the Commission will have to deal in the medium term, say the next two to three years? In what areas relating to children and young people do you envisage the Commission will have to most concentrate its resources?

**Ms CALVERT:** The Commission is in the middle of a three-year strategic plan and that strategic plan is finishing off some projects and beginning some new projects—so, finishing off things like the built environment, mobile phones, children at work. These are a number of projects that we are winding down. At the same time there are other projects that we are trying to grow and develop. I think there is further work that needs doing on children at work and the notion of a national regulation of children's work. I think there are still, depending on what happens with the Commonwealth budget, issues to do with paid parental leave that may need to be pursued.

I think in terms of children as a group and the issues facing the new Commissioner, there are probably three that I would raise. One is a much greater appreciation and use of information technology, social networking sites and the role they play in children's lives. I think that is an area that the new Commissioner probably needs to get a handle on. I think there is also an issue arising around poverty and budget allocations to children. We do not know enough about children's experience of poverty, and with the increasing effects of the global financial crisis I anticipate more children moving into poverty. We need to understand how children experience poverty so that we can design policies and programs that respond to that. Most programs around poverty look at adults and families and not around children. So, we need to focus on children.

Connected to that is the potential for disinvestment in children in the face of the global financial crisis. I think we are seeing that with the debate around paid parental leave in that it is not getting the priority that it should partly because it is about children. Adding to that disinvestment in children is the power of the baby boomers to lobby for what they want. I think that unless we have a very powerful voice for children in that debate around the allocation of funding and budgets and investments in children, we will see it skewing away from children into other areas. So, I think that is certainly an area that the new Commissioner needs to pay attention to as well, that whole sort of investment in children.

I think the third area that we really need to get a handle on is getting a voice for children at the federal level and at the international level because a lot of the issues facing children are in fact now at the national and global levels; they are not necessarily at the State level. I guess I am talking about an Australian Children's Commissioner. And that leads into probably the fourth and final area that I identify as being critical for children that the new Commissioner is going to have to deal with, and that is the issue of the environment and sustainability. The voice of children and the impact on children I think are different to the impacts on adults. We need really strong representation of children's interests in that debate and in how we as a country respond to that.

**Mr STEVE CANSDELL:** Have you any concerns or disappointments that you take with you?

**Ms CALVERT:** I am disappointed about the decision relating to the Child Death Review Team. I think that was not a decision made with children in mind. I feel disappointed about that. You can look back on the 10 years and think, "If only I had done that" or, "If only I had paid more attention to that." I think it is inevitable that you have some regrets when you leave a position, but I have to say overall I feel incredible pride at the work that the Commission has done and the work the staff have done alongside me in making the gains we have made because I do think New South Wales is a better place for children and young people as a result of the Commission having been around for 10 years.

**CHAIR:** From the point of view of the statutory role of the Commission, would there be any suggestions that you could make to the incoming Commissioner on how they might best fulfil their role or make any changes to ensure that the role of Commissioner is carried out?

**Ms CALVERT:** I think the challenge for the Commissioner is being able to be an advocate for children and at the same time maintain relationships with those people that you want to advocate to. I think that is really the challenge that all commissioners face and when I talk with commissioners both in Australia and overseas that is what all of us identify as being the challenge. To be able to say to somebody, "I do not like that decision", or "I think that decision is wrong", or "I think that is not in the best interests of children", and to argue and lobby for that and the next day go back and still continue to have a positive relationship with that person and organisation is the challenge.

I think the other challenge is to recognise that your role as Commissioner is really one step removed, that you are not able to force people to do things—that is the role of democracy through the electoral process, whereas your role is to try to persuade or convince them and I guess shape their behaviour so that there are good outcomes for children. Thinking about how you do that in a way that value adds to those people's and organisations' tasks is a challenge as well that we all, as commissioners, discuss.

**CHAIR:** My Committee colleagues wanted me to address what we can do better to fulfil our statutory role. Do you have any suggestions for us?

**Ms CALVERT:** I think I should take that one on notice. I do think that, as I said in my opening statement, what has been really valuable about this Committee is that we have had long-term people who have stuck with the Committee, which has provided a continuity, capacity and opportunity to build relationships that I think have enabled us to work effectively together. I also think that having new blood is equally as important because it is a different point of view and it keeps us on our toes. I probably have to quote children when I say what has been the thing that has made it work is the relationships. What makes children work is the relationships that surround them and I think probably what makes the Commission and the Committee work are the relationships between the Committee and the Commission, so

opportunities to build and sustain those relationships is what I would encourage you to continue with the new Commissioner.

**CHAIR:** You are going to be around for a little while—we do not know how long it will take to select a replacement—but on behalf of the Committee I thank you very much for your work. I know that has been said a couple of times, but I think it is important to emphasise it. We have some 14 questions in relation to the Inquiry into Children and Young People 9 to 14 Years of Age. As we are out of time, could I suggest that we put these questions to you on notice and you might respond to us in written form?

**Ms CALVERT:** I would be happy to do that.

**Reverend the Hon. FRED NILE:** I move accordingly.

**Motion agreed to.**

**CHAIR:** We also need a composite resolution to say that and that the Committee publish the Commissioner's responses on its website as part of her evidence to the inquiry.

**The Hon. CATHERINE CUSACK:** I move accordingly.

**Reverend the Hon. FRED NILE:** I second the motion.

**Motion agreed to.**

**(The witnesses withdrew)**

**(The Committee adjourned at 12.53 p.m.)**

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