

REPORT OF PROCEEDINGS BEFORE

COMMITTEE ON CHILDREN AND YOUNG PEOPLE

**INQUIRY INTO THE EXAMINATION OF THE ANNUAL
REPORT OF THE COMMISSION FOR CHILDREN AND
YOUNG PEOPLE**

At Sydney on Wednesday 27 November 2002

The Committee met at 10.00 a.m.

PRESENT

Mr D. A. Campbell (Chair)

Legislative Council

Legislative Assembly

The Hon. Jan Burnswoods

Ms M. T. Andrews

The Hon. Peter Primrose

GILLIAN ELIZABETH CALVERT, Commissioner, Commission for Children and Young People, level 2, 407 Elizabeth Street, Sydney, affirmed and examined:

Mr CAMPBELL MP (CHAIR): The Committee on Children and Young People will examine matters appearing in or arising out of the 2001-02 annual report of the Commission for Children and Young People. The Committee has received that annual report and I direct that document to be tabled at this time.

Document tabled.

Commissioner, do you wish that document to form part of your evidence today?

Ms CALVERT: I do.

Mr CAMPBELL MP (CHAIR): I have been advised that you have been issued with a copy of the terms of reference of the Committee on Children and Young People and also a copy of the Legislative Assembly's Standing Orders. 332, 333 and 334, which relate to the examination of witnesses. Is that correct?

Ms CALVERT: It is.

Mr CAMPBELL MP (CHAIR): Did you receive a summons issued under my hand in accordance with the provisions of the Parliamentary Evidence Act 1901 requiring you to attend before this Committee?

Ms CALVERT: I did.

Mr CAMPBELL MP (CHAIR): The evidence you shall give is privileged and you are protected from any legal or administrative action that might otherwise have been able to have been taken with regard to your evidence. Do you wish to table any further document relating to the matters under examination in this hearing at this time?

Ms CALVERT: No.

Mr CAMPBELL MP (CHAIR): I acknowledge that you have brought some staff with you and that you have invited a young person to attend with you. I assume he is a member of the Young Persons Reference Group. I welcome them to the hearing.

Ms CALVERT: Yes, I have brought with me Joshua James Elliott of Jindabyne. The Commission's work in the past year has continued to provide us with some new insights into the way that the community thinks and behaves towards children and young people. We have spent some time speaking with children and young people about what they need help with and how communities can help them. They give us clear messages about the sorts of directions they want their communities to take when considering their development. In many respects the messages children are giving us are also about how they want the Commission to be accountable to them. Right from the start of the Commission's operations we have considered how to be accountable to children and young people.

Our guiding principles have set the stage for this. The Commission is now in its third year of operation and we have a range of strategic planning and management systems and practices in place to monitor and report on our results and performance, and that is reflected in our annual report. We have reported on the four key result areas that we have identified through our strategic planning, which are about building children's participation, looking at their safety and welfare, strengthening their wellbeing and being a responsive organisation. Under each key result area we have implemented a range of activities to work towards and have achieved results.

For example, this year as part of our building participation key result area we launched the kit entitled "Taking PARTicipation Seriously". That kit assists people working with kids to involve children and young people in decision making. It also provides very practical advice on involving kids in an organisation's work and to help us build up a picture about the effectiveness of projects and

activities such as that, and we have reported in our annual report on the take-up of the kit. For example, during 2001-02 we distributed 200 kits free of charge to key organisations; 480 kits were purchased; and there were 3,800 hits to the web site summary of the kit.

It is that kind of indicator that helps the Commission to quantify the achievement of our key result areas and demonstrates that we are fulfilling our legislative function to encourage other organisations to participate. Our second key result area is improving the safety and welfare of children and young people. The indicator that we have used is the Working with Children Check. To measure how well we are doing with that check we have developed and implemented an audit program. From April 2001 until March 2002 we completed quarterly audits of the outcomes of the risk assessments that we had undertaken and their impact on employment decisions.

There were 247 risk assessments undertaken and 75 people in total were rejected for employment on the basis of that risk assessment. A further 29 people were rejected for other reasons and in 16 cases the employment decisions had not been finalised. There were 127 people employed following a risk assessment, 62 of those had received a risk assessment outcome of no greater than average and another 62 received a low- to medium-risk assessment. Only three people were employed following a high-risk assessment and one of those three has since left that position. Employers advised us when we were conducting the audit that their decisions to employ were guided by factors such as satisfactory reference checks, specialist skills of the applicant, existing contract being renewed, and the explanation of the incident of concern, or modifying the job, which had reduced the risk to children.

Those performance measures demonstrate that the Working with Children Check is achieving its goal of protecting children while not unfairly disadvantaging applicants. The people who are being employed are assessed at the lower end of risk, and the people who are not being employed had been assessed as being a higher risk. We are achieving our goal of protecting children without disadvantaging applicants. The other thing it does is give us information to identify improvements in the Working with Children Check.

In our third key result area, which is strengthening the wellbeing of children and young people, we have done a number of things. We have developed information to help young people with important relationships with family and friends. That is about strengthening their relationships by developing their skills in relationships. We have developed a strategic partnership with *Girlfriend* magazine to target young people aged 12 to 18 years. We jointly developed articles with the magazine about young people's relationships with family and friends. Through that partnership we reached more than 420,000 young Australians with information and resources about relationship building. We incorporated into the project a feedback mechanism to assess the work we were doing.

The New South Wales September issue of *Girlfriend* contained a reader survey asking about relationships with families and friends. The results will be reported in the December issue of the magazine. The survey gave readers the opportunity to reflect on their important relationships. It was also a way for us to get feedback from kids on our projects and what they think about them. I turn now to our fourth key result area, which is being a responsive organisation. It is important that we fulfil our aim of being an effective public sector agency because that is what helps us meet the other key result areas. During this period we have met all the reporting requirements of central agencies in areas such as work force profile data and budget estimates.

We commenced implementation of the recommendations arising from our internal audits in 2000-01, and we have been able to do things like implement 100% of the recommendations of a tax compliance audit, 82% of the recommendations of a training database application audit, 69% of the recommendations of the employment screening system audit and 28% of the recommendations of the Internet and remote access infrastructure audit. The remainder of the recommendations will be implemented by the end of 2003. Also during 2001-02 we completed our internal audits for accounts payable, engagement practices for contractors and consultants and did a follow-up review of the employment screening system. All of those recommendations are scheduled to be implemented by the end of 2003.

We paid 90% of our accounts in accordance with government regulatory requirements and we responded to correspondence within two weeks of receiving it at an average rate of 83%, which

was an improvement on our 80% rate in 2000-01. We also met all external audit requirements with the auditor reporting compliance with section 45E of the Public Finance and Audit Act 1983. Our disability action plan continues to create, promote and sustain initiatives that allow people with disabilities to participate fully in the work of the Commission. In 2001-02 there were people with disabilities on the *Young People's Reference Group and the Expert Advisory Group. We also held a staff development seminar on the needs of young people in the deaf community that was run by young people from the deaf community. We have provided all the Commission publications on our web site in an RTF format that is accessible by Braille readers.

However, accountability is not only about good results. It is also about identifying areas that we need to improve. We need to talk openly about the problems and challenges. If we do not do that we will not develop as an organisation. As I said, a 2000-01 internal audit of our employment screening system made a number of recommendations to address some of the security issues. The issues were similar to those identified in a statewide security of electronic information policy review. Under that policy we all have to become compliant by June 2004. We have commenced work on improving our security standards and practices through acquiring some funding from Treasury to make the necessary security enhancements in the 2002-03 reporting period, drafting 50% of the security policies that are required to meet government standards-that is scheduled for completion by June 2004-and commencing negotiations to amend our service-level agreement with our system maintenance contractor so that it also complies with the security of electronic information policy.

To get feedback on how we were progressing we did a second audit in 2001-02. We wanted to see how much we had been able to implement. The auditors reported that we were on track in implementing the recommended changes to the employment screening system and noted that we had been successful in obtaining Treasury funding to improve security. However, in terms of implementing security standards, we had completed only 28% of the recommendations. From that second audit feedback we have recognised the need to devote more resources to address the outstanding issues and to monitor and refine our progress to meet government policy and standards by June 2004.

I will take this opportunity to outline some of the internal work practices of the Commission that help it to be accountable and focus on results. Each year the key result areas are translated into work plans for the teams and then further down to each individual staff member. The managers and I meet regularly to review work plans and they in turn meet regularly with their staff to review individual work plans. In the coming reporting period we will use computer technology to keep better track of the progress of our projects in respect of both time frames and budgets. Through our performance development policy we identify staff learning and career development opportunities to help achieve our strategic plan. It is these internal work practices that help us to meet our external reporting obligations and to produce the results that all of us are very proud of.

Our work throughout the year with the Young People's Reference Group has also given us insight into what it means to be an accountable organisation to children and young people. Each year we produce feedback, which is our annual report to the children of New South Wales. We learnt from our discussions with the reference group this year that we were sometimes using an adult understanding of accountability rather than what kids see as accountability. The 2003 incoming reference group will be involved in more detailed discussions about what they see as accountability and what they want us to be accountable about. In that way, we will be accountable to Parliament and more accountable to the kids of New South Wales.

Finally, I acknowledge the important role of the Committee on Children and Young People in helping to make the Commission for Children and Young People an accountable organisation. Appearing before the committee today gives the Commission an important dimension to its accountability. I welcome the opportunity to explore in detail the work of the Commission and how it can make New South Wales a better place for children and young people.

Mr CAMPBELL MP (CHAIR): I am particularly interested in the feedback. You made the comment that the reference group thinks there is adult accountability rather than young people's accountability.

Ms CALVERT: They did not put it in those terms. We got the group to role-play a discussion about feedback. We conducted a mock radio interview with one young person as the interviewer, one as a member of the parliamentary committee, a designer and kids of various ages. We got them to role-play being interviewed about feedback-what they liked about it, what they thought about the design, was it value for money and so on. In listening to them talk it became clear that they were interested more in what impact we were having directly on the kids themselves. They were less interested in things like financial accounting and some of the more formal statutory reporting that we do through the parliamentary process. I understand that is important, but the kids do not.

When we finished that exercise and talked as a group of staff, we decided we had not really explored with kids what they wanted us to be accountable to them about. We thought it would be an opportunity to explore that a bit more with the incoming group. What did they want us to report on? Did they want us to report on what we were planning on doing or what we had actually done? Did they want us to report much more about what the youth reference group had done versus what the staff had done, and a whole range of things like that? It is an opportunity for us to explore that. In reflecting on what we had done, we realised we had not sufficiently explored that question.

We have made assumptions that we know about kids' accountability, but we are not sure that our assumptions are right. So we need to go back and check that. This year we are inserting a reply paid postcard into each of the Feedback documents. That postcard asks two questions: one, what do you think about Feedback, and, two, what do you think the work of the Commission should be? We hope that is another way for us to explore a little bit with kids about accountability.

Mr CAMPBELL MP (CHAIR): How is Feedback distributed?

Ms CALVERT: We distribute it primarily through schools and it is on our web site. It goes to all the schools through the Students Representative Council [SRC] system. We distribute it to the principals who generally give it to the Students Representative Council. Also, people contact us and ask us for more copies of Feedback. The other way that we distribute Feedback is through youth groups and so on. We have a distribution list, if you like, that is primarily made up of schools through SRCs, then youth groups and so on, and word of mouth where people then ask us for copies.

Mr CAMPBELL MP (CHAIR): You gave some figures about how many participation kits have been distributed. How is that whole issue progressing?

Ms CALVERT: We are making good progress in relation to participation. It has been taken up in a number of places. We have chosen to focus specifically on schools because that is a key area of kids' lives and the place where all kids are captured. We have focused a lot on public schools because they have an existing leadership and participation policy at both primary and secondary levels. But we are making some inroads into the Catholic schools system. We have a young woman on our youth reference group who is from a Catholic school. She has been able to take the issue of participation back into her diocese. We have a number of projects coming out of that focus on schools. We also are focusing on local government trying to increase participation in local government and to be much more outreaching with local governments around youth councils and so on and helping them become more effective.

The other way in which we develop participation is through our participation advisory service. We get a number of calls and invitations to work with organisations to involve kids in what those organisations are doing. It might be a conference, and we will work with them about that. The key thing we have learnt is that we do not do it for them. Some of them have approached us and wanted us to do it for them. We have to negotiate that we are not going to do it for them, we will help them do it in an effective way. An example of the success of us doing that is the recent Obesity Summit which was held in Parliament where we made a number of gains in increasing the participation of young people and ensuring that their participation throughout the summit was very successful.

We also have a number of projects we are adding to the participation kit. We are looking at doing a module on kids' participation in research. We are also going to add a module that looks at kids' participation in case management and case planning. Further, we have developed a participation check list that we are piloting with organisations to help them get feedback about how well they are

dealing with participation. We have a number of different things we are doing about participation. My assessment is that there have been significant shifts. More people know they should be doing it and of those people more of them are doing it better and with much more respect and success in relation to kids.

It is an incredibly important area of the work of the Commission because it is through participation that kids get a sense of their own capabilities and competence. They are much more connected to our communities, our schools and our society if they feel they have a place in it and that their place is respected and valued. There is now much more research coming out that demonstrates the importance of participation in things like children's achievement at school. It is a critical area and one that I know all staff are very committed to.

Ms ANDREWS MP: Commissioner, recently during an interview I had with a young person I referred to the Commission for Children and Young People. I was surprised because, although she is a bright young girl, she had not heard of the Commission. I informed her a little about what was happening. Are there any areas, such as the Department of Education and Training, that could assist in making the Commission more widely known throughout the State?

Ms CALVERT: There is no way we are going to be able to get to know every kid in New South Wales for two reasons. Firstly, there are 30 of us and 1¼ million of them, so we are outnumbered. Secondly, for kids to know about the work of the Commission you have to offer them something. We are not that sort of direct service agency. We are much more about influencing the work of others. We work with people behind the scenes. Notwithstanding that, we are conscious of needing to have kids know about us and to promote ourselves.

One of the projects we are working on is developing school curriculum around the Convention on the Rights of the Child and the Commission for Children and Young People as an example of an organisation that embodies the principles and articles of the Convention on the Rights of the Child. We are aiming to have that curriculum available in 2004. The teaching material and resources take a long time to develop. We have already piloted in eight schools and next year we will pilot it in 20 schools. We have all of the key education systems on board.

If it has a good take-up rate by teachers, that will be the most effective way in being able to let kids know about the Commission for Children and Young People. The kids of primary school age, almost all of them, go to primary school. With more schools teaching this material, we will achieve two things. First, kids get to understand a little bit about their rights and about the Convention on the Rights of the Child, and, second, they will get to know about the Commission. It is much better that people with whom the kids have an existing relationship tell them about the Commission and answer questions. In a sense, we get the teachers to be our ambassadors and to promote the Commission.

The cost of us advertising would be prohibitive. And for what purpose—so that they know our name. They are more likely to get involved in activities in their local area because we have only a limited number of opportunities for kids to be involved with us at a State level. One of the things we found when we went around doing the inquiry into children who have no-one to turn to is that, apart from family and school, kids know very little about what resources are available to them. The one organisation they did know about was Kids Help Line. That has been around for 10 years, it is advertised on every bus pass and schools promote it. It is on Kellogg's Cornflake packages and it has had advertising on both radio and in the media. It has been a fairly massive campaign. It is estimated that now about 85% of kids know about Kids Help Line. I do not know what we would gain other than name recognition by expending all that effort and money on promoting to kids.

We have gone down the path of trying to get awareness into schools through the curriculum and teacher material being developed around the Convention on the Rights of the Child. It also gives the Commission a context. If you talk to kids about the convention and community development, social justice and rights and you use the Commission as a good example in their own State, then the kids will not only know our name, hopefully they will know something about us, why we exist and what we do.

Ms ANDREWS MP: I believe it is important for every child to know that there is a Commission that protects them. Often young people—not every one but a number of them—think that

people are against them. Do you believe there could be a stronger relationship between your department and the Department of Education and Training?

Ms CALVERT: We have quite a strong relationship with the Department of Education and Training, particularly in relation to the Students Representative Council structure, which is the logical place for us to be. We regularly appear on their program. When they do State conferences and hold meetings we are always there. In fact, today there is a meeting of the Students Representative Council at the Commission. We have very strong links with the Students Representative Council in the Department of Education and Training. As I said, a lot of our participation projects are with the Department of Education and Training. We are focusing on three districts, trying to develop and enhance student participation. If that is successful, we will probably repeat that in other districts with the department.

We also have an interesting project at Minto. Minto primary school and community organisations have come together to try to lift kids' involvement in the school and the community. We have been working with them to enhance kids' advocacy skills. Following our work with them, the year 5 kids and their teacher embarked on a 10-week project around advocacy. We are modelling these sorts of things with the department in schools. The trick is to then get that message out more broadly and widely. As I said, our main ways to do that are through the SRC and the teacher material we are developing on the Convention on the Rights of the Child.

Ms ANDREWS MP: In what three districts will the pilot program be introduced next year?

Ms CALVERT: We started this year. The three districts are Lake Macquarie, Deniliquin and Port Jackson.

Ms ANDREWS MP: You said that 20 more schools will come on board next year.

Ms CALVERT: The three districts are where we are working specifically with the Students Representative Council in the secondary schools. We have piloted the Convention on the Rights of the Child project—what we call the CROC project—in eight districts this year to develop the material. We have made some modifications to the material as a result of that pilot. Next year in 2003 we will pilot the final draft in 20 schools. We have not yet selected those schools. We will select the Department of Education and Training, Catholic Education and Independent schools because all three of the systems are on board. Hopefully that pilot will finalise the material and we will then start rolling out across the whole State.

The curriculums that we are going to insert it in are what is called the HSIE curriculum—which is Human Society and Its Environment—the Arts curriculum and the English curriculum. So we have produced material which can be inserted and used in each of those three curriculum areas, and it involves all three parts of the education system. I think it has got a lot of potential to work. We are going to review it at the end of five years from when it started to see how well we have gone and if it is successful and it is having the impact that we wanted it to have, then we will look at doing a similar project at the secondary level.

Ms JAN BURNSWOODS MLC: I think we would have to ask Ms Andrews whether any schools in Lake Macquarie are in the electorate of Peats.

Ms ANDREWS MP: No, there are not. That was going to be my next statement. As you would be well aware, unfortunately on the Central Coast we have a really high number of child abuse cases and it is very worrying, particularly for State members. I was wondering if in your selection of schools you could consider some of the schools on the Central Coast?

Ms CALVERT: I am happy to do that.

The Hon. PETER PRIMROSE MLC: I would like to talk about the chapter "Strengthening Wellbeing"—firstly, the status of the project and the development of indicators of wellbeing. What is the status? How is the project being managed? Is it possible just to outline the important indicators so far? Allied to that is a more general question. Clearly, one thing I know from my own son that is uppermost in the minds of the general population at the moment—and I suspect young people as

well—is the issue of terrorism. I am interested to know if there are indicators in terms of the sense of wellbeing and the change. If so, what are those indicators, and, talking about the period of time in this report, the post September 11 period, clearly it is relevant to your current research.

I know that it is probably still too early in relation to that generally, but the reason I say that—apart from the obvious one, which really would mean trying to develop some programs so you do not scare the heck out of people—is that I remember many years ago, when I first studied sociology, the old Emile Durkheim research in relation to suicide. I know we are talking here specifically about youth suicide, but Durkheim, the father of sociology, found that at times of great stress the number of suicides actually reduced. That has been replicated many times. So I am very interested in young people and what we are measuring and what programs may be put in place to address some of those anxieties.

Ms CALVERT: The indicators project is at two levels: One level is working with the State Government and the Federal Government and its work on indicators for children and young people. At the Federal level the longitudinal study of Australia's children is under way. We have been talking to them about what indicators to use. At a State level there have been a number of discussions about indicators around Families First and generally through the child health survey data, for example. We have been intimately involved in all of those projects. So the first level is working with others to get consistent indicators at a Commonwealth and State level where we can.

In relation to our own indicators project and monitoring of children's wellbeing in New South Wales, what we have decided to do is, rather than go out and collect data ourselves, we want to try and make use of the existing administrative data sets; for example, the ABS data set; the child health survey data set; we are looking at trying to get information about complaints by children; Department of Community Services data sets, where they exist; injury risk management data sets, and so on. We have been collecting those data sets and from that we will then report on children's wellbeing.

Partly that means that our indicators are determined by what data is available. What we want to do in the long term is, having looked at what is available and started to use that in a much more productive way, we will then be able to identify the gaps in the data sets and then start negotiating with other agencies to add those items to their data. We are still consulting with people about the final indicators that we will use, but what we do know is that we are better off using a few good indicators rather than a lot of questionable indicators. In choosing those indicators we want to use indicators that might be indicative of other things: low birth weight might be an indicator for a whole range of other sorts of issues around wellbeing. We are still finalising the list but we hope to release that monitoring, if you like—that Counting Kids project, which is what we are calling it—in mid 2003.

In relation to terrorism, I do not know that any of our indicators will be sensitive enough to pick up on levels of anxiety around terrorism. I am concerned about the impact of the discussions that are occurring in families and on television to do with war, the images that are about September 11, Iraq, all those sorts of things. As one of the more immediate things we did in relation to, say, September 11, we sent out, as part of our exchange, a letter from me to people who received exchange, talking about the importance for us to remember that this will have a big impact on children from a number of perspectives: children will be seeing images, and that will distress them, so what are some strategies people could do for that. For other children it may mean that they have friends in America who they are very concerned about, and what can we do about that? For other children they may have friends in some Middle Eastern countries or they may be from Middle Eastern countries themselves, they may be Islamic, and they will have anxieties and fears as well.

We then referred them to our web site, where we had set up a special section with hyperlinks to things like Racism No Way, which is a web site about racism: information from, say, particular psychological web sites which give parents advice and also give kids advice about how to deal with anxiety. We had that on our homepage. More recently we took that off because we felt that things had calmed down but in the aftermath of the Bali bombing we are putting it up again. We are also expanding our homepage to look at natural disasters as well because I think the impact of bushfires raises kids' anxiety, and I think drought can also raise anxiety as well.

So what we are trying to do is provide a resource for parents and kids that will link them back into much more comprehensive resources. Every page talks about ringing the kids helpline if they are

having trouble. I think it is an important issue in our community for kids. I know that the Department of Education certainly has been keeping an eye on it as well and has got a number of things in place. In relation to suicide and risk taking, we have just completed a study into suicide and risk-taking and we anticipate tabling that report in Parliament next year. I think that report is probably going to have some very useful insights into the nature of suicide in New South Wales over that three-year period. Through the child death review team we will continue to monitor the suicide levels and I guess that will give us some information over time.

Ms JAN BURNSWOODS MLC: I want to take up the question I have taken up before about what further the Commission has found out, or is thinking about, to do with the participation of children in work, paid or unpaid? I know there have been reports and so on done by other agencies but I wondered if you had any comments on that?

Ms CALVERT: Yes, I do. We have certainly been spending a lot of time on it. Probably one of the things that we have understood through much of our work is that we probably need to leave longer lead times for negotiating with the various partners that we have in our projects. We originally wanted to do this with the Department of Education, then in discussions with the Department of Education we all agreed that it was probably worthwhile for us to expand it into the other education systems as well, such as the Catholic education system and the independents. That has meant that we have had to go back and negotiate with them and consequently that has delayed the project somewhat. We have now got the agreements that we need to proceed with the work and the survey will be undertaken in 2003.

What we have decided to do is to focus on children under the age of 15; we are going to look at 12- to 15-year-olds. We have designed a survey that will go out to selected schools so that we can try to get proper sampling in place and that data will then be analysed to see what comes out. We will ask kids a number of questions: what they like about work; what they do not like about work; what they see as work; what is their understanding of what work is; some of the things around work conditions. Even though it has taken us time to get in place, if we get it in place, once we get to the other side and we have collected the data and analysed it, I think it will be quite a unique piece of work because there is so little research done about kids' views on work and kids' experience of work. So it is going to be research that is well worth waiting for.

Ms JAN BURNSWOODS MLC: In designing the survey and doing the research I guess it is hard to pick up the kids whose work is, rather than an add-on to school, paid or run paid, in some cases it is a replacement to the school—perhaps the most exploited kids. I am just wondering how confident you are of picking up the kids who really are being grossly exploited or whose school attendance is very much affected by the demands that are being placed on them and whether the schools, for instance, will be able to help you in perhaps picking up that sort of thing.

Ms CALVERT: Part of the reason we chose 12- to 15-year-olds is that they are legally required to be at school, so even if their school work is being affected by work we should still get to them because very few of those between 12-to 15-year-olds are not at school because of work.

Ms JAN BURNSWOODS MLC: They may be at school quite irregularly.

Ms CALVERT: They may be at school irregularly but if we get a large enough sample we should still pick up some of those kids. Sure, some of them may not be there on the day we do the survey, but some of them will be. We do ask questions about kids' perceptions of the impact of the work on their school and their school work, and also on their social lives and their relationships, a whole range of things. So we do explore that. I think that perhaps the number of kids who are so exploited that they are not at school at all would probably be such a small number that we would not be able to deal with them through a survey anyway because it relies on large numbers.

Ms JAN BURNSWOODS MLC: I do not think it is so much a question of kids not being at school at all as it is a question of their schooling being very much affected in terms of attendance, fitness and ability to concentrate.

Ms CALVERT: We are trying to get as large a sample as we can, so if those kids exist we are hoping to pick them up through the sampling.

Ms JAN BURNSWOODS MLC: I assume the definition of "work" will be broad enough to encompass relevant circumstances. People who say the issue of children's work is not a major issue often pick farm work as a classic example of what kids are doing not really being work. There is plenty of room to argue whether the definition should cover kids helping in the family business. I assume that, by exploring the kids' views of what work is, and so on, you pick up on some of those things.

Ms CALVERT: We have not defined work as paid employment in the traditional sense of a contract of employment between an employer and employee, although that is covered.

The Hon. PETER PRIMROSE MLC: In terms of employment screening, and bearing in mind chapter 4 of the report, I should note that I recently have had two lots of representations from one area. One involves contracting, where young people are involved in a children's theatre. There are major issues to do with conditions of safety, et cetera, so I have referred that on. In the same area a person is involved in theatrical training for young people. Basically, these are not employees; they are people in their own small business and dealing with people. Do they come under the rubric of employment screening?

Ms CALVERT: They do come under part of what we do under the Working with Children Check. The definition of an employee includes anybody who does volunteer work, who is a student on placement and who is in a contract of employment. They are the only ones required to have background checks. There are variations on that, but they are the ones covered by the background check. But anyone running a small business and offering services to children and has a conviction for a serious sex offence is required not to offer those services. They are prohibited from working with children if they have a serious sex offence conviction, but they are not required to be screened because they are not an employee.

The Hon. PETER PRIMROSE MLC: I was wondering about the requirements to acquire a licence to run an organisation such as that, such as an Australian Business Number or whatever, if it is made known to those individuals that they are required to seek that check.

Ms CALVERT: I guess the starting point is that there is no legislative requirement on us to make sure that everybody knows about the Working with Children Check. However, we want as many people as possible to know about it because we want to protect children. So would have done a number of things to try to get that information out. We now have more than 15,000 employers registered with the Working with Children Check. We have also introduced things like e-mail updates, list servers and so on. We are also in the process of negotiating with Fair Trading to have the Working with Children Check put on a business or industry index so that when anyone involved in child-related employment registers, they will be informed that one of their requirements will be not to work with children if they have a conviction for a serious sex offence and about the Working with Children Check requirements. So we are constantly exploring and seeking opportunities that we can use to let employers know what their legislative responsibilities are.

Mr CAMPBELL MP (CHAIR): If I could follow up the questions about the Working for Children Check. On page 31 are a number of tables and graphs. The table a third of the way down the page notes that in 2000-01 there were 112 people listed as people with relevant records requiring risk assessment, but in 2001-02 that number leapt to 360. Do you have any idea why that occurred?

Ms CALVERT: The short answer is, no. There is not an equivalent increase in the number of people screened.

The Hon. PETER PRIMROSE MLC: Standard variation!

Ms CALVERT: This is where we need to know over time what the figures are, because it may be that the 2000-01 figure was abnormally low or that the 2001-02 figure was abnormally high. But I have no explanation for that.

Mr CAMPBELL MP (CHAIR): The staff of the Committee forwarded some questions. No. 13 is: Describe and discuss the progress in the Vulnerable Kids pilot with the Department of Juvenile Justice. Can you talk to us about that?

Ms CALVERT: We certainly can. That pilot arose from the work of the human services CEOs. A number of human services CEOs were concerned about what the State was doing with kids who have very complex needs. So we developed a project to look at those kids—because we had very conflicting information about them. We set up a group of senior practitioners from relevant agencies—such as Health, Community Services, Education and Training, Police and Juvenile Justice—and selected about 10 case histories. Each of the agencies brought along the case history, discussed what had happened, tried to identify what the barriers were, and tried to identify some of the things that got in the way of the State system being able to adequately provide for those young people.

Those practitioners were assisted by a very experienced external practitioner who facilitated the meeting and the discussion. We are at the tail end of that process, so the report on that project is being prepared. That report will go to the human services CEOs once it has been finalised by that group of senior practitioners. What they also did in developing that report was to have two forums with the non-government sector—because that sector also does a lot of work with these kids—to broaden their understanding to what happens with non-government agencies as well. We also had an external evaluator evaluate that process, and we are awaiting the evaluation report.

The initial feedback is that the pilot has achieved more than people expected in the short period of time we had available to review those 10 cases. This has had some flow-back effect into the regions, in the sense that where problems have been identified that we can fix now, we go and fix them. We think, anecdotally, it has improved things for the young people whose case histories were reviewed. All of that information will go to the CEOs with a recommendation on what to do with it. I anticipate the recommendation probably will be to pilot that case discussion with an external facilitator in a more planned, structured and systematic way. There are not a lot of kids who are in the situation, so we need to have quite tailored responses to their needs.

Mr CAMPBELL MP (CHAIR): It sounds positive though.

Ms CALVERT: I think it is positive in the sense that it is beginning to show us a way forward in an area where we have felt quite defeated in a number of ways. These are very challenging kids and they are in very challenging circumstances.

Ms JAN BURNSWOODS MLC: I have a question on an issue that we had not flagged. This might be to satisfy my curiosity as much as anything else. I gather that New South Wales has an unusually low percentage of 18-year-olds on the electoral roll compared with other States. I have been told this, but I must admit I have not checked whether it is true. There could be a number of reasons for it. I can guess at a few. In terms of what you were saying earlier about participation and kids' attitudes to the world they live in, have you come across any comments about this matter? It almost seems to be voluntary for 18-year-olds to get on the roll—leaving out the issue of whether they then vote. I just wondered whether you had come across any comments about this at all.

Ms CALVERT: No, I have not. But I am happy to look into it, because if kids are not exercising this fundamental democratic right, we need to look at that, and possibly talk with the Electoral Commission. I know that the Electoral Commission has had various campaigns encouraging young people to enrol.

Ms JAN BURNSWOODS MLC: Theoretically, that should not make a difference, because the Australian Electoral Commission conducts those sorts of campaigns across Australia. There have been suggestions, for instance, that various organisations in other States—including education systems—may make more of an effort to make sure kids turning 18 are enrolled and perhaps New South Wales is not doing as much in this area. It is an important right.

Ms CALVERT: I agree.

Ms JAN BURNSWOODS MLC: Perhaps we are focused on it because we have an election coming up. Nevertheless, it is an important issue for kids.

Ms CALVERT: I would probably focus on it because it is important to kids, though I understand you may well focus on it because there is an election coming up. I am happy to look into that because if there are State differences we need to try to understand and account for those, and perhaps look at the States that are most successful in getting kids enrolled to see what they are doing that we are not.

Ms ANDREWS MP: Apprehended violence orders are dealt with at page 32. Where is the Commission up to on bringing apprehended violence orders into the employment screening process? Does it mean that persons who have apprehended violence orders against them, regardless of the reason, would be prohibited from employing children?

Ms CALVERT: Section 34A of the Commission for Children and Young People Act 1998 provides for a check of relevant apprehended violence orders to form part of the background checking that we do under the Working with Children Check. The legislation defines a relevant apprehended violence order as one which has been taken out for the protection of a child by a police officer or public official. That covers a very narrow group of apprehended violence orders. Subsequently, we passed a regulation that redefines relevant orders as those that have been taken out in New South Wales or an interstate order that has been registered in New South Wales, because it is just too difficult administratively for us to get access to apprehended violence orders in other States.

The difficulty we have had in implementing this part of the legislation is that there were some drafting anomalies in our Act such that the Police Commissioner was not given clear powers to give us the information. The bill that was passed by Parliament last week empowers the Commissioner of Police to give me the information. We have in place the necessary IT systems and everything is ready to go. We anticipate that provision being proclaimed in mid-January. That will be one of the databases that we check against when doing a background screening on somebody. If a person has an apprehended violence order record, we conduct a risk assessment.

There are several aspects to that. Following a risk assessment, we then give an outcome of high, medium or a low level of risk and that rating would then be fed back to the employer. It would be up to the employer to make a decision whether or not they employ that person, based on the risk assessment and any other material that they may have available. For some people it may mean that they do not get the position, but for other people it may not mean that they do not get the position.

Ms ANDREWS MP: I think notice of this question has been forwarded to you, but can you tell the Committee the status of the review of sudden infant death syndrome [SIDS]? What are the general findings of the study? Has a release date for the final report been established?

Ms CALVERT: We are now quite clear what the term is that we are going to use. We are calling this the sudden unexpected death of infants [SUDI] research. The aim of this project really is to increase the knowledge of the known risk factors that occur in this group of kids or infants—that is, kids under 12 months—who die suddenly and unexpectedly, and generally in a bed sleeping sort of situation. We want to increase knowledge of known risk factors. We also want to improve the information that is available on these deaths so that we can give parents recommendations about ways of reducing the risk that their child may die unexpectedly.

In 2001-02, 38 infants died unexpectedly, and under the Child Death Review Team [CDRT], we conducted this research project. Because of the confidentiality requirements of CDRT, we generally do not talk about those findings until we have tabled the report in Parliament. We anticipate tabling the report in Parliament in 2004 and hopefully it will be a productive report and will help parents and workers in the field to improve the way we respond to these sudden unexpected deaths. We also held a seminar with probably one of the world's leading experts in sudden unexpected deaths, that is, Professor Peter Fleming. He did a seminar at the Commission and that was very helpful in pointing us in the direction we should go with our research. I think it will be an important research project from the point of view of preventing children's deaths.

Ms ANDREWS MP: I think I am correct in saying that there has been a substantial reduction in the number of deaths?

Ms CALVERT: There has been with SIDS, but that is only one subcategory of this wider group that we are calling these sudden unexpected deaths of infants, or SUDI. What has happened is that the overall category of sudden unexpected deaths has remained the same. SIDS as one subgroup has gone down, but overall numbers have not changed. We are getting better at recognising SIDS but we do not know what these other groups, what the remainder of the 38 or 40 deaths, are about. The overall problem remains. We are just getting better at reducing SIDS deaths and identifying SIDS deaths. That is why we have not restricted it to SIDS. It is this whole group of sudden unexpected deaths of infants that we are wanting to look at to get an understanding of what is going on in there.

Ms ANDREWS MP: That is good. Can you describe and discuss the progress of the Taree pilot for addressing child abuse issues in Aboriginal communities?

Ms CALVERT: Yes. Again, this is another very important project that we are engaged in. It is important from a number of points of view or perspectives. It is important because we have been able to achieve a partnership with a number of government agencies that have joined us in partnership, and we have partnered with the Aboriginal community itself in Taree and with the local council in Taree. I think that is important because I think it is that unified approach, that common approach, which will probably be very important. I think the other reason why the project is important is that it is a ground upwards project; it is not a top down project that we are imposing. What we are trying to do is resource the community and the agencies so that, from the bottom up, they can seek their own solutions and we can help them seek their own solutions.

The project started in June 2002 when the senior people in the community and community members and agencies got together and had a meeting to discuss and agree on what the way forward was, what the priorities were for skilled development, and what training they wanted. We are now in the process of continuing to run those workshops. There have been some training workshops run and we are training around things like child protection, sexual assaults, and we are also training the community about how to do community education so that community elders can be resource people in their community, and kids will have people in their own community to turn to. Those elders will know how to approach other agencies.

At the same time we are trying to work with government agencies so that they are much more responsive and respectful when Aboriginal and indigenous members of the community approach them. We are doing things around cultural awareness and we are trying to get the community members and the agencies to work together to develop responses by the agencies that are appropriate. We have also been able to engage Tranby co-operative college to run some of those workshops and training sessions, so it is working in partnership with the indigenous community. We anticipate that we will complete the training by February 2003. We will evaluate the project to see what are people's impressions of the work and what people's experience of it was, and then we will assess whether or not it has been able to achieve anything and whether we want to replicate it in other places.

Ms ANDREWS MP: That is excellent.

Mr CAMPBELL MP (CHAIR): I think we have asked all of our questions. We appreciate the frank exchange and, from my point of view, I congratulate you and your team on what seems to have been a successful year.

Ms CALVERT: Thank you. I take this opportunity also to acknowledge the Committee. I understand that Parliament will be prorogued sometime between now and when we probably next meet in a formal setting. I place on record my appreciation of your work. This is the first Committee on Children and Young People and I think it is to the Committee's credit that it has adopted many of the principles that are set out in the Commission's Act. The Committee is under no obligation to do that, but you have done that in trying to involve children and young people directly in your work with our help. You have certainly focused on the best interests of children and have emphasised the importance of taking children's issues seriously.

I acknowledge and thank you for, in a sense, setting the ground rules and for setting the ground work on how the Committee on Children and Young People will work with the Commission for Children and Young People. I really appreciate our co-operative approach, our frank exchanges

and our working together, and I acknowledge how important that has been from my point of view. I acknowledge the work of David Campbell as the Chair in setting up that relationship. Finally, it has been a pleasure to get to know all the Committee members personally. I thank you for your commitment to children and young people in New South Wales.

Mr CAMPBELL MP (CHAIR): Thank you. We wish the Commission for Children and Young People well in its challenges and tasks. Your comments are appreciated.

(The Committee adjourned at 11.24 a.m.)