

REPORT OF PROCEEDINGS BEFORE

COMMITTEE ON CHILDREN AND YOUNG PEOPLE

**REVIEW OF THE 2009-10 AND 2010-11 ANNUAL REPORTS OF THE
COMMISSION FOR CHILDREN AND YOUNG PEOPLE AND 2010
REPORTS OF THE CHILD DEATH REVIEW TEAM**

At Sydney on Monday 7 May 2012

The Committee met at 1.00 p.m.

PRESENT

Mr A. S. Cornwell (Chair)

Legislative Council

The Hon. N. Blair
The Hon. J. Barham
The Hon. G. J. Donnelly

Legislative Assembly

Mr A. R. Gee
Ms M. R. Gibbons (Deputy Chair)
Dr A. D. McDonald

CHAIR: It is a function of the Committee on Children and Young People to examine each annual and other report of the Commission for Children and Young People and report to both Houses of Parliament in accordance with section 28 (1) (c) of the Commission for Children and Young People Act 1998. The Committee welcomes the Commissioner for Children and Young People for the purpose of giving evidence on matters relating to the following reports: the commission's annual reports for 2009-10 and 2010-11, the 2009 annual report of the Child Death Review Team and the report titled "A preliminary investigation of neonatal SUDI in NSW 1996-2008: Opportunities for Prevention", published in October 2010. Commissioner, I convey the thanks of the Committee for your appearance today.

MEGAN MITCHELL, Commissioner for Children and Young People, affirmed and examined:

CHAIR: In what capacity are you appearing before the Committee today?

Ms MITCHELL: I am the New South Wales Children and Young People Commissioner.

CHAIR: Would you like to make an opening statement before the commencement of questions?

Ms MITCHELL: I would.

CHAIR: Thank you.

Ms MITCHELL: Thank you for inviting me to discuss our work at the Commission for Children and Young People. Congratulations on your appointments to the New South Wales joint parliamentary Committee on Children and Young People. I am very much looking forward to our work together in the coming year. This will be the first full year that this Committee and the commission will be working together for the benefit of New South Wales children. I would be happy to answer any questions you have about past reports and current work of the commission.

Just a bit of background about the commission, the commission was established as an independent statutory agency in 1998 with strong bipartisan support, reporting to a parliamentary committee, this Committee. Our Act has been reviewed twice since then, with amendments made in 2005 and further recommendations currently with the Government from the second review of the Act. The New South Wales commission was one of the first to be established in Australia. It is a well-respected model that works effectively to advocate for the interests of children and young people, and all other States and Territories now have similar commissions—and indeed there is to be a Federal commission.

Our vision is to together make New South Wales a better place for children and young people. The relationship between the parliamentary joint Committee and the commission is central to this vision, and much of the commission's best work has been accomplished working with the Committee. The multi-partisan support enjoyed by the commission here in Parliament has greatly benefited children who are affected by so many government decisions. Beyond the Committee, the commission works with Ministers, government agencies and non-government organisations, including children service providers and peak bodies, and, of course, most important of all, we work with children and young people. Our remit is children aged nought to 17 years of age.

We have a whole-of-government focus and work to ensure children benefit from improved legislation, policies, practices and services. We support children to participate in decisions that affect their lives; we research, monitor and promote child safety and wellbeing; and we ensure employers support child safe and child friendly workplaces. We also administer the Working with Children Check and the sex offenders counselling scheme. Just to set the context in which kids live, I would like to provide some brief information from our online data book, "A Picture of New South Wales Children". Of the 7.2 million estimated total population of New South Wales in 2009, just over 1.6 million were children aged nought to 17. That is about 23 per cent of the total population.

While most children in New South Wales do well, children in some families are in difficulty. Fourteen per cent live in overcrowded households, 6.3 per cent had run out of food and could not afford to buy more at some stage in the last 12 months—in the period of the data book—nearly 8,000 were homeless and nearly 11 children in every 1,000 were living in out-of-home care in 2010. Looking out for and speaking up for our children, especially those at risk, is important work for us all to do together. Many of our successes, as I said, have been achieved through the cross-party work of the Committee, including the longstanding Children at Work project and two pieces of current work that have been developed out of inquiries of this Committee as well: the Middle Years of Childhood and Children and Young People in the Built Environment. These are continuing legacy projects for the commission.

In terms of the Middle Years of Childhood, which we define as 9 to 14, there was an inquiry conducted by this Committee in 2008, a report published in 2009 and 59 recommendations made, several of which were directed at the commission. During 2011 the commission held a seminar series which considerably advanced building the knowledge base on what is happening to children's bodies, brains and social development during this time as an informant to policy and program development. We have established a cross-agency governmental

working group and we have rationalised those 59 recommendations into 10 proposed priority areas from within government that I am intending to put to this Committee for endorsement.

We have also held just recently a non-government organisation [NGO] roundtable on the middle years to facilitate exchange of information through that sector, and we are about to establish an expert panel to provide continued advice on this issue. We have also been active in children and young people in the built environment. That inquiry was first conducted in 2005 by this Committee and a report published in 2006. We released Built for Kids, which is a resource that came out of that inquiry, to help planners and planning professionals to engage kids in the development of child-friendly and accessible built environments. We also funded in 2010 Healthy Cities Illawarra to produce a resource called Child Friendly by Design. We have also worked with a range of councils using both of those tools in concert.

At the moment we have a four-part seminar series underway for planning and policy professionals in this area, called Beyond Playgrounds and Skate Parks. That is being very well attended. We are also working with the Planning Institute of Australia to support an award for best practice in child-friendly design. All of those things are underway at the moment. We have a number of other ways that we are currently fulfilling our legislative mandate. These are projects like preventing child injury. That is a new area of consolidated work for the commission. We have done work in that area before but we are actually developing a broader program and we hope to establish a child injury prevention team for New South Wales and provide advice to government on prevention initiatives and policies for kids.

We also have the "Picture of New South Wales Children", which I have talked about a bit before, which has a wealth of data about kids' lives in it and is very helpful for planning and policy development processes. We are currently redeveloping a resource called "Taking Participation Seriously". This is it; it is a bit clunky and old-fashioned now, books and things like that, but it is widely used and widely respected. So we are redeveloping that into a newly produced publication called "Citizen Me", and that has other contemporary resources for participation. We also run the Child Safe Organisations Program, which does training, education and compliance monitoring in relation to child safety and the Working with Children Check. As I noted before, we also administer the child sex offender counsellors accreditation scheme. As you know, we operate the Working with Children Check at the commission.

In exercising our functions, the legislation asks us to give priority to the interests and needs of vulnerable children, and we will be looking closely into developing ways of reducing risks for more vulnerable children at the same time as identifying and building the capacities of all children to be and grow and mature. As identified by the previous joint parliamentary Committee, the middle years in particular is a stage of accelerating growth and development, and aside from the profound physiological changes associated with puberty, which typically occurs at this time, major changes take place in the brain that relate to an individual's capacity for abstract thought, understanding consequences, managing emotions and decision-making.

But unlike previous thinking, we know that the brain retains its plasticity at this time and that there are significant opportunities to impact on brain development and behaviour during the middle years. This is also the time when children make some of the most critical transitions in their lives, for instance, from primary school to high school or starting work for the first time, and they generally become more independent of their families as friends and others in the community assume greater importance for them. Importantly, as well as it being a time of accelerating development, it can also be one where disadvantage also accelerates.

There are other areas of concern for us in terms of risks for children that I wanted to highlight to you. New South Wales has a higher than average rate of children in detention. In 2010 this was 371, and almost 60 of these were in unsentenced detention. We are also concerned about how the Keep Them Safe initiative, laudable as it is as a broadening of the child protection framework in New South Wales, is working to benefit children in New South Wales, and I will be watching that quite closely and monitoring its effectiveness. The area of juvenile justice and children at risk closely intersects with our work in the middle years as well as our work in the built environment. The recent debate in the media shows there is a wide range of views and emotions associated with this topic.

The commission is particularly looking to make a constructive contribution to improving responses to children and young people who offend, who are at risk of offending or who are generally at risk. In conclusion, we share a wonderful privilege to be working for the children and young people of New South Wales. These are citizens who cannot vote and therefore need other ways of speaking up for themselves or having others, such as

the people in this room, speak on their behalf. Thank you for giving me the opportunity to address the Committee, and I look forward to answering any questions you might have.

Dr ANDREW McDONALD: Can I ask you some specific questions?

Ms MITCHELL: Yes, certainly.

Dr ANDREW McDONALD: Would you like to give some general comments on where we should be going with the report "A preliminary investigation of neonatal SUDI in NSW 1996-2008"?

Ms MITCHELL: From our report we can see that there has been a significant reduction in sudden infant deaths over the period of the operation of the Child Death Review Team. In part, I would say that is to do with campaigns about safe sleeping practices for children. In terms of where we should go with that, I think we need to strongly maintain those public education campaigns about safe sleeping. In many cases of sudden infant death there is co-morbidity with smoking and substance abuse. Clearly, potentially some more targeted campaigns at particular groups of people in the community about those co-morbidity factors could be warranted as well.

Dr ANDREW McDONALD: You said that 27 out of 123 had drug and alcohol criminal violence, mental illness and narcotics. There has been a tendency to keep these mothers in hospital for longer after the birth but that is not always feasible because they frequently have multiple needs to go home. How should such people be monitored in the first few weeks after going home?

Ms MITCHELL: I would like to take that question on notice to think about it a little bit more. It does occur to me that if there is a need for the parent to go home earlier than would otherwise be beneficial a range of health and allied health professionals should work in a case-management role around those families. I would like to look into it a little bit more.

The Hon. GREG DONNELLY: I want to go through a series of reports and have a discussion with you about your knowledge of the reports and their recommendations. Have you read the 2007 "Report of the American Psychological Association Task Force on the Sexualisation of Girls"?

Ms MITCHELL: I am familiar with the report. I read a lot of reports. I am not sure I can clearly tell you that I have read that report but I am very much aware of it.

The Hon. GREG DONNELLY: Are you aware of its recommendations?

Ms MITCHELL: Correct me if I am wrong, the recommendations go to better regulation of sexualising imagery in the media. Is that correct?

The Hon. GREG DONNELLY: In part, yes.

Ms MITCHELL: That is as much as I know of it. If the Committee would like me to read it and come back I am happy to do that.

The Hon. GREG DONNELLY: No. In June 2008 the Senate Committee on the Environment, Communications and the Arts produced its report, "Sexualisation of Children in the Contemporary Media". Are you familiar with that report?

Ms MITCHELL: I am familiar with that as well but, again, it is difficult for me to comment on that particular report.

The Hon. GREG DONNELLY: Are you aware of the recommendations in that report?

Ms MITCHELL: I would have to re-familiarise myself with them. Might I say my appointment to this position was in 2010.

The Hon. GREG DONNELLY: In February 2010 a very significant report in the United Kingdom titled "Sexualisation of Young People" was reviewed by Dr Linda Papadopoulos. Are you familiar with that report?

Ms MITCHELL: The feeling I am getting from you is that there is a range of reports that the Committee would like me to be familiar with. That has not been a main focus of the commission's work. I would be very happy to take that on board.

The Hon. GREG DONNELLY: Please do not jump to conclusions. I am trying to work through some background information.

Ms MITCHELL: It is not an area that the commission has done a lot of work in. So while we would be familiar with them because they would come up, we would hear about them in the press and they would come across our desks, it is not an area in which we have had specific work at this time.

The Hon. GREG DONNELLY: I will refer to the February 2010 report that I just mentioned. Are you familiar with that report?

Ms MITCHELL: I am familiar with it but I could not tell you what its recommendations were.

The Hon. GREG DONNELLY: In June 2011 another significant report from the United Kingdom titled "Letting Children be Children" was released, and an independent review on the commercialisation and sexualisation of children was made by Reginald Bailey.

Ms MITCHELL: I do not know that report.

The Hon. GREG DONNELLY: On 5 March 2012 the French Parliament issued a report by the Senate "Hyper-Sexualisation: A New Fight For Equality". Are you familiar with that?

Ms MITCHELL: No, I am not familiar with that one either.

The Hon. GREG DONNELLY: An independent parliamentary report into "Online Child Protection" was released, dated 18 April 2012. Are you familiar with it?

Ms MITCHELL: I did see some press about that but I have not read the report.

The Hon. GREG DONNELLY: I have just mentioned a sample of numerous reports on the sexualisation of children and young people. You said, if I am quoting you correctly, that it is not a matter that the commission has been involved with or has turned its mind to. In light of the number of reports on this matter, why is that so? Why has this issue not been given a particular priority?

Ms MITCHELL: As I noted in my opening introduction, much of the commission's work has come out of the work of this Committee or inquiries held by this Committee. We have limited resources. It may be that other people are better placed to take that up. Obviously people are very active in that space. However, we can reprioritise our work if there is a will of the Committee to do so.

The Hon. GREG DONNELLY: Are any resources devoted by the commission to monitoring this material, discussing it and giving consideration to it?

Ms MITCHELL: Not at present.

The Hon. GREG DONNELLY: None at all?

Ms MITCHELL: We have some resources devoted to child protection issues.

The Hon. GREG DONNELLY: That is quite separate to this matter.

Ms MITCHELL: Not specifically to do with sexualisation.

The Hon. GREG DONNELLY: How regular are meetings of the Australian Children's Commissioners and Guardians?

Ms MITCHELL: They are twice a year.

The Hon. GREG DONNELLY: How many of them have you attended in your capacity as the commissioner?

Ms MITCHELL: I have been to three.

The Hon. GREG DONNELLY: Has the topic of the issue of the sexualisation of children and young people been on the agenda for those meetings?

Ms MITCHELL: I believe it has been at one of them. I would like to take that on notice and get back to you about that.

The Hon. GREG DONNELLY: Yes, please. What was discussed around that topic? Do you need to refresh your memory?

Ms MITCHELL: I would need to refresh my memory. What is in the back of my mind is that one of the particular States has this as a priority issue and is working on it and brought it to the agenda. I would have been discussing some of the things in some of those reports, and policy and other research initiatives that might be going on in the Australian context.

The Hon. GREG DONNELLY: Do commissioners and guardians, through your discussions with them, both formally at those meetings and perhaps informally, express concern about this mounting evidence?

Ms MITCHELL: Yes, there has been discussion about that. The commissioners and guardians look for opportunities to make those concerns known, particularly in Federal forums.

Ms MELANIE GIBBONS: Obviously the commission has suggested improvements to the Young Persons Reference Group. What has been incorporated into the creation of the newly formed Young People Advisory Group from those recommendations?

Ms MITCHELL: The group was formed earlier this year at the beginning of term in this year. In the past the advisory group for the commission was actually called a reference group. We wanted to ensure that they had more capacity for advice to be passed on to government if necessary. We also wanted to make sure that they are more supported than they were in the past. Following the evaluation of their functioning we sought to find two young people from six schools across New South Wales—two young people from six separate schools—and they would support each other as children. Also, there will be a teacher or a resource at that school that would also support those children. They have met and they are like best friends forever. They seem to really enjoy working together. They are already off and running in terms of some child-led research that they are doing for us in terms of what kids do after school. They are setting the research questions and they are going out to their school communities to undertake that research for us.

Ms MELANIE GIBBONS: How many times have they met?

Ms MITCHELL: They have met twice and they are about to meet again. They meet quarterly. In terms of what the evaluation showed and the changes that we made, I think they are much better supported. They are actually doing much more structured work related to government and commission priorities and they are also developing their capacities as co-chairs, as researchers, as leaders.

Ms MELANIE GIBBONS: Are the outcomes from them what you expected?

Ms MITCHELL: Yes, and it is early days. These kids are between 14 and 16 years of age but they are certainly a very impressive bunch of young people.

Ms MELANIE GIBBONS: For how long will those children be involved?

Ms MITCHELL: The model is a year long. We might consider extending it, but we will certainly stay with the school for two years. They might be different kids but one of the reasons we wanted them at that age is we do not want them to have to compete with doing the study associated with the Higher School Certificate.

The Hon. NIALL BLAIR: I refer to the information you supplied in answer to a question on notice about the KidsPoll. The commission says it is the most popular subscription design for young people, with more than 1,000 subscribers. You said in your opening statement there are 1.6 million children in New South Wales. How do 1,000 subscribers out of 1.6 million children sit with the commission's expectations for the sign-up? Is that something that is in line with or below what you were hoping for? What is the commission doing to increase the popularity of the website?

Ms MITCHELL: Thank you for the question. I think we would be expecting more children to be connecting with us. "Let a thousand flowers bloom" is the strategy we are adopting. The KidsPoll is only one way to grab a kid's interest and get their views. The commission has gone out in the past with the "Ask the children" series—and will continue to do so—and conducted focus groups and surveys. We do online surveys. We have the *Feedback* magazine, which has 4,000 child subscribers. In the last year we have entered into the world of Twitter and Facebook. We have nearly 500 Twitter and Facebook friends. We are trying to explore all the options available to encourage more engagement with the commission by adults as well as children.

A lot of what we do is about changing adult views and practices as well as children's views and practices. We are in the process of redeveloping our website and as part of that process we will look at the kidsZone area—where KidsPoll is—to see what we might be able to do differently to engage more kids. We are facilitating for government an online engagement project with young people in the non-government sector. That should also give us more mechanisms to reach young people. We would like to have more young people connecting with us.

The Hon. NIALL BLAIR: We need One Direction or Justin Bieber to "like" you on Facebook and Twitter and it would go viral.

Ms MITCHELL: I could not agree with you more. A few weeks ago I went to work and the first thing I said was: If we Twitter today can we say the words "one direction" in there somewhere? Such as, "The kids in New South Wales are going in one direction—up."

The Hon. NIALL BLAIR: I would like more information on the project for preventing childhood injury that the department is working on. I know it is monitoring injury trends throughout the State and providing information. Could you give me a little more information about that and how that process is going to occur?

Ms MITCHELL: Yes. There have been injury prevention initiatives in New South Wales before. They have been focused on particular injuries such as quad bike injuries or falling out of windows. What is missing in the New South Wales context at the moment is a whole-of-government mechanism to look at serious childhood injury. The commission has been working with our colleagues in health and related sectors to think about how to develop a mechanism to provide that advice and research in the New South Wales context. In the first instance we are doing a couple of things: We have commissioned the Australian Institute of Health and Welfare to prepare a surveillance report on serious child injury in New South Wales. That should be released midyear. That will be a good starting point for having further discussion about how we can develop an injury prevention mechanism. In that context the Committee will appreciate there is a lot of preliminary research to do to scope exactly what we mean by "childhood injury": Is it intentional, unintentional? What data is available through hospital separation data or other data sources? How good is the coding around childhood injury? I can tell you it is not very good. What do we include and what do we scope out and what do we mean by "serious child injury"?

There is a lot of preliminary work to do to get the settings right. We have been doing that and we have developed a scoping paper which will be the subject of a roundtable discussion held later this year after the surveillance report comes out. That discussion will take place with a range of key experts in this area. We want to talk to them about what would work best and what kind of data should be included in order to get the settings right. We hope to establish a child injury prevention team in the same way as the child death review team worked. We can then focus on specific issues and trends as they come up.

The Hon. NIALL BLAIR: What control mechanisms do you have to ensure that we do not stop, as a result of the data, kids being kids? I can guess that the data will target horse riding, motorbikes, playgrounds, trees and weekend participation sport—and there is your range of injury origins wrapped up. I can look at my own son and what injuries he has had and they fall under those categories. What control measures is the commission putting in place? We want our kids to be active, experience risk and physically challenge

themselves and each other; what control measures does the commission talk about in that scoping project to ensure that continues?

Ms MITCHELL: The scoping paper talks about that philosophical challenge. While we want to prevent serious injuries such as kids losing their eyes, having disabilities and those sorts of serious consequences, the commission acknowledges the importance of kids taking risks, playing sports, being healthy and developing as a normal child. It is really important to get that balance right and to not fall into the trap of over-regulating children's lives. It really is about serious child injury.

The Hon. NIALL BLAIR: I noted on the weekend that social debate includes the terms "helicopters" and "free-range". Parents are referred to as "helicopters" if they hover over their children and do not allow them to experience risk. The term "free-range" describes parents that allow kids to run free. Will this study investigate some of those areas?

Ms MITCHELL: Just to follow up on that, the last of the middle years seminars held in 2011 was about risks—real and perceived. It looked very much at that topic: To what extent are we preventing normal healthy development through over-regulating our kids and what is the impact of that on the lives of children? Does it impede brain development as well as just being able to develop normally?

Ms MELANIE GIBBONS: You mentioned children falling out of windows and some work the commission has done on that issue. In my electorate of Menai we have had two children in the last fortnight fall out of windows. What advice does the commission have on that issue and how has it responded, given the commission has done work on the subject previously? Do you know what the outcome of that work was?

Ms MITCHELL: The work that we have done is to analyse, from the New South Wales admitted patient data, the circumstances of falls out of windows. We provided that information to the Department of Health, and Premier and Cabinet are establishing a working group to look at what we can do about it. The circumstances are so different in each case. Sometimes it is about the security of the window, sometimes it is about supervision, sometimes there are deaths and sometimes there are injuries. Every circumstance is very different.

The Hon. JAN BARHAM: I will focus on the children at work situation. Has the commission followed up or updated the 2005 report and recommendations?

Ms MITCHELL: It is not something that is in our forward plan. Again, it could be timely if the Committee was interested in the commission doing more work in that area, given the change to the school leaving age, looking at those children who might not be flourishing during the last two years of school and their experiences of work.

The Hon. JAN BARHAM: The first recommendation from that report referred to research that was done to monitor the working lives of children over time. The report says that the research should be regularly repeated. Did that happen or was it a one and only?

Ms MITCHELL: It is my understanding it was a one and only but we can advocate around doing that.

The Hon. JAN BARHAM: Is there anything available on the website or in the production materials that inform young people about their rights at work? I have a particular interest after being shocked quite recently upon hearing about sexual harassment in the workplace for young people.

Ms MITCHELL: We did develop an "Ask the children" series on what kids think about work and at the end there are references to other sources they can go to for information such as WorkCover and Lawstuff and places that have that information. I should note at the present time it is the NSW Children's Guardian who regulates children's employment. That might be a question better put to the NSW Children's Guardian.

Dr ANDREW McDONALD: Alcohol is a major contributor to the child deaths in both of the reports. There has been controversy about availability of alcohol to the general community and to people younger than 18. Do you have any suggestions about whether this problem is increasing in people younger than 18 and if so what can be done?

Ms MITCHELL: The good news is that over the last 10 years risky alcohol abuse behaviours have significantly decreased with kids and I think that is probably due to the public health campaigns that have been mounted in this area. However, there is a tail of kids, a small proportion, which has remained stable and is indulging in very risky alcohol abuse behaviours. That has not shifted. I think that is the key issue in terms of targeted interventions.

Dr ANDREW McDONALD: The Child Death Review team reports the tail kids are aged 16, 17 and 18 years old: In terms of accidental death, has that changed or is it unchanged?

Ms MITCHELL: On the whole the rate of alcohol abuse has decreased amongst children. However, there is a significant group that has stayed stable and they drink and take other substances at dangerous levels. In terms of public and government intervention, the challenge is how to target those particular young people who are probably disengaged in very many other ways in terms of community life. These are the same children you will find in the juvenile justice system and out-of-home care system. We do know where they are but the challenge is to mount the kind of intervention that will make a difference to the lives of those children. I would say there are not enough of those specific targeted treatment programs for those groups and there needs to be more of them.

The Hon. JAN BARHAM: I asked a similar question about how you deal with cyber bullying. The alcohol issue has some resonance in my electorate where there are a lot of children at risk in the community. As a council we set up an opportunity for them to do peer education. We provided the resources and a bit of guidance but they did the material production; they organised the campaign. Have you considered whether it is more valuable for young people, particularly those at risk, to speak to each other rather than to have money, time and materials presented to them that have been written by adults?

Ms MITCHELL: That is a very good point. With these sorts of issues most children are more responsive to their peers or slightly older peers; they relate much better to them. I think we need to look for opportunities for them to have conversations to support each other. Children consistently tell us that that will have a much greater impact on them. We have been working closely with the Department of Education and Communities on anti-bullying initiatives; those sorts of in-school programs can have much more of a peer-to-peer focus as well. While bullying is a reality in the cyber world, it is a reality in the playground too. It can spread more quickly in the cyber world but it has just as much impact on kids when they are bullied. For instance, you can see sometimes in the suicide statistics or the attempted suicides, which will hopefully form part of our injury work, that bullying can play a part and that many of those kids either did not have anyone to turn to or they turned to their peers and their peers did not know quite what to do with the information. I think you are right that that is the area to focus on.

The Hon. JAN BARHAM: Do we have the capacity to reflect some resources towards that? For instance, a couple of years ago an advertising company employed some young people to do their promotional work so they would target young people. It is easy to do at the local government level but it is much more difficult to do at the State level.

Ms MITCHELL: I can see that there could be opportunities for that. As I have said, we are redeveloping our participation guide and resources and that is being led by kids. It is not for kids but it is something that they need to know will work for them, so they are actually reviewing the material. I think it is possible to involve kids in these sorts of initiatives, very much so.

CHAIR: In terms of children who are disengaging from school or disengaging from the community, are there any statistics around what proportion of them have suffered emotional injury in their childhood which has led to that?

Ms MITCHELL: Off the top of my head I cannot put my finger on it. I will take the question on notice and get back to you because I am sure there are some. It certainly is a phenomenon that we know: kids who are disengaged and who may end up in the juvenile justice system have significant trauma backgrounds. For instance, we know that kids from low socioeconomic backgrounds are five times as likely to be on an order of the court, and we know that around 40 per cent of kids in the juvenile justice system have cognitive and other impairments or a background of abuse. Those statistics are around. They give us cause to think about what we can do for those kids and how we can intervene. I will provide them to the Committee.

CHAIR: In your opening statement you said that 11 in every 1,000 children are in out-of-home care. I note that government agencies such as the Department of Education and Communities treat those children differently to other children. Do you feel it is within the commission's brief to advise the Government on how to manage the competing interests of the safety of those children as opposed to their human rights?

Ms MITCHELL: Yes, I do, and that is of particular concern to me. In many ways it is good that they are treated as in a special situation and given particular resources and attention; however, at the same time they can be very marginalised and invisible so they do not get the same experiences as other kids—for instance, in terms of doing something great at sport and being reported in the paper, all that sort of stuff. I think there is a lot we can do in a policy sense to change the way we treat those children.

Mr ANDREW GEE: In one of the answers to questions on notice it was indicated that "The commissioner is exploring the option of holding a special inquiry in 2013". Are you able to provide the Committee with any further information today as to what type of special inquiry you may be considering?

Ms MITCHELL: In terms of pointing to the needs of those kids at risk who are disengaging from school and potentially offending and reoffending that I mentioned in my opening statement, I would be seeking to mount a community debate, perhaps through an inquiry, around what better interventions we can provide for those children. It seems to me that we have an issue here and that those children are not thriving in the community. They are being cycled through all sorts of systems that do not seem to be actually making a difference for them.

Mr ANDREW GEE: That would be a specific inquiry?

Ms MITCHELL: That is one option in terms of the commission's legislation. It is a way of potentially getting a whole lot of input into this issue in a pretty consolidated way and in a sensible timeframe. It is timely because there are a couple of things happening in the government sphere at this time—namely, the Government is reviewing both the Young Offenders Act and the Bail Act and by the end of the year we are to have a first stage evaluation of the Keep Them Safe initiative. With the range of things going on it could be beneficial to have such an inquiry to inform policy program and development in this area.

Dr ANDREW McDONALD: Returning to the issue of out-of-home care, is the number of children in out-of-home care higher than it has been in the past? If so, why and what will work in reducing that number?

Ms MITCHELL: You will probably get a lot of different views about this.

Dr ANDREW McDONALD: I am asking for your view.

Ms MITCHELL: Yes, it is higher; it continues to steadily increase. That is true of all jurisdictions in Australia and overseas.

Dr ANDREW McDONALD: It is the same in the rest of the world?

Ms MITCHELL: Yes, it is a general phenomenon in terms of the Western world at least. What is causing it? To some extent we have introduced mandatory reporting regimes that have meant we are alerted to abuse that is happening in society—that is a relatively recent phenomena over the past 20 years or so. The community is acutely aware of what is going on, and willing to report and we have laws that oblige you to do something about that. In many cases that might end up with the removal of a child and that child being put into a different family environment.

Also we do not have as strong an early intervention and family support suite of services as we could have so that we could get in earlier and assist families when things are not going particularly well. So we have to heavily invest in the tertiary end of the system, instead of shifting the resources more into the early intervention and prevention area. People know this but we have not worked out how to do that yet very well. There are peaks of kids coming into care—in particular, I again go back to the middle years. There is a group of kids now coming into care aged around 9 to 14, which has happened more recently. Clearly there are issues with parenting or family functioning at that time, which means that the relationships disintegrate between the young adult and the parent and they end up in a care situation.

There have also been changes to the law that recognise the importance of permanency and stability. So you will get higher numbers in care for longer. That is probably a positive thing if they are in good out-of-home care situations. It is a complex issue. Others will say that the constellation of factors in family lives is increasing so that you are more likely to remove a child now. Things such as domestic violence, mental health and alcohol abuse are all happening in the same space. It makes it really hard to address those problems within a reasonable period of time in a way that makes it safe for the child to stay with them.

Dr ANDREW McDONALD: Are risk-adverse governments part of the problem?

Ms MITCHELL: To some extent I think that is right. I think the law reflects that, but I think it is a risk-adverse community too. We all might think back to our own childhoods when families would step in to help other families rather than ring the Department of Community Services [DOCS] helpline. I think that is a real issue for us to confront as a community.

Dr ANDREW McDONALD: It is my understanding that the current population of adults who were in out-of-home care as children have had pretty poor outcomes. What are we doing now that is different to prevent a similar scenario in 20 years time for this group who are now being removed?

Ms MITCHELL: There are some improvements. They are cumulative and they accompany various reports and inquiries into the out-of-home care system and the child protection system. There is a move to develop more family support services at the front end. It would be good to prevent some kids from going into the system in the first place but you have got to stay with those families too. It took them a long time to get into that state and it is going to take them a long time to get out of it. It is not a quick fix. I think the advent of permanency planning is a good one. It is really important for kids not to be in and out of foster care or residential care and back into dysfunctional families. That is probably the experience that creates the worst outcomes. The greater the stability a child can have, whether they are at home or in a foster care situation, the better. That is much more strengthened in the law now, in terms of what pathways you can have. There is also a focus now on leaving care supports; kids can be supported after leaving care such that they do not repeat the patterns of their parents—early pregnancies and things like that. There are some supports available for them in that period, financial and others, through both government and non-government agencies. But it is still an area that needs a lot of work and a lot of attention.

The Hon. NIALL BLAIR: I preface my question by saying that I am also a member of another committee that has recently been undertaking an inquiry into domestic violence. I am interested in your thoughts in relation to children and the lack of support and programs for those I would term as "the victims" of such events. From your comments it sounds as if we are very quick to remove children from situations rather than to remove the perpetrators and leave the children in a stable environment with appropriate supports and mechanisms. Do you have any suggestions as to where we should be increasing support for children? Should it be at school? Should it be through government agencies to keep them at home and provide stability so that they do not end up in out-of-home care?

Ms MITCHELL: The school setting is probably a really critical point of knowledge and intervention. Often it will be the teachers or the school counsellor who first notice something is going wrong. So we really do need to, I think, be using those mechanisms better than we do and get in early and work in an integrated way around a child for whom things might be going wrong, or their family. Child care settings too—you will be picking up clues at that setting even earlier. So we really need to work with those professionals to increase their capacity to identify risk and work together around that. That is not about more resources; that is just about doing things differently and upskilling. I think there is a lot of opportunity there to support kids who might be exposed to domestic violence.

The Hon. NIALL BLAIR: The commission's role with the schools, the counsellors and the actual care providers, other than the seminars that we have seen—for the 9 to 14 and those sorts of things—what ongoing support and education does the commission provide to those people to help them identify those issues and provide a voice for the children in those circumstances, and can that be enhanced?

Ms MITCHELL: It could be enhanced. We really work on a sort of population basis in most cases. We can look at service models and do look at service models and make recommendations to government. We are involved in some place-based initiatives to increase kids' participation. We could also do specific work with kids in these sorts of situations to better understand their needs. That is something that we could potentially do and I would be very happy to do something like that. We are very small so we cannot work with every school,

for instance, so the kinds of things we could do are resources, policy advice and research. They are the main things we can do and spread that out into the community. I am on the domestic violence task force so I am bringing children's perspective to that, and I agree with you: we should be looking at more of the perpetrator removal programs. They do exist in New South Wales and we could do more of them. But I think it is also important to get the community understanding how witnessing violence impacts on children.

The Hon. JAN BARHAM: You mentioned the leaving care plans. Currently it is the case that only 17 per cent of young people receive them. Surely that is a crucial bit of support given to them before they leave care. Do you have any ideas about how that can be better improved and addressed?

Ms MITCHELL: New South Wales is probably one of the worst in the country for even doing leaving care plans let alone the quality of them. My suggestion for improving that is to make it part of the performance of caseworkers so people have to account for it. Also, there are system solutions too. If a child is about to leave care there should be systems developed, system flags to ensure that caseworkers know—and this is in the non-government organisation sector and in the government sector—it is time to do a case plan for leaving care. In a sense, leaving care plans should be in development from the time that they start in care because you are looking towards their future. I think they could start a lot earlier than that even in terms of evolving into a leaving care plan, and that this should identify all the resources and supports that a young person will need to flourish out in the world.

The Hon. JAN BARHAM: Do you support the idea that that information or access to that information and support should be there after they leave care? I have heard that some young people are not keen to take up the opportunities; some workers have tried five times just to get an appointment with a young person and they do not turn up or they are not interested. But after they are out in the real world and experience homelessness and some of the other terrible issues, that is when they might be motivated to get some help, but the help is not really there.

Ms MITCHELL: Yes, of course, they should be able to come back at any time. If we are going to break that cycle of disadvantage through generations I think young people need to be able to come back. Being 18 is a whirlwind anyway, let alone if you have come from a care situation. Yes, you should be able to reconnect with parts of the system that will support you. Under the legislation there is the capacity to do that up until 25 now.

The Hon. GREG DONNELLY: Just some questions on financial statements. I have an immediate past financial report or the annual report and the one before that. You probably do not have the one before that but in terms of the financial year 2008-09 expenditure and income was \$9,376,000. We then look at the financial year 2009-10—and I appreciate that some of this is during the time when you were not the commissioner—and it increased to \$13,632,000. Then we look at 2010-11 and it goes back down to \$9,858,000. So it goes from \$9.3 million up to \$13.6 million and down to \$9.8 million. During that period—and once again I acknowledge that you were not the commissioner during all of that time—what was the effect of that change on the commission? Did that have a significant impact, as far as you know, on the capacity of the commission to carry out its work?

Ms MITCHELL: That anomaly, as I understand it—and I will check this for you—is due to a couple of things. One is that we were given, in the middle of that year when the spike happened, additional resources for the Office of Youth Affairs, which came into the commission. After one year it went out of the commission again—so it was a couple of people doing work on youth programs, which is now back in the Office of Communities again. That largely reflects those resources. So no, it did not have an impact. The other thing is I think there were some resources provided to do with the Wood inquiry. There were some resources provided, around \$3 million Virginia thinks, to do with the Wood inquiry amendments in terms of the Working with Children Check expansion. So there were some initial set-up costs for that as well. So no—only that it made us do more work.

The Hon. GREG DONNELLY: There is an explanation for that?

Ms MITCHELL: Yes, there is an explanation and I will get you the details.

The Hon. GREG DONNELLY: In terms of the current financial year—the last financial year was \$9.8 million—are we tracking approximately to that number this financial year, as far as you know?

Ms MITCHELL: We are. We are a little bit underspent primarily because there have been staff freezes across the public sector. We experienced that like everybody else, so we are a little bit underspent. But next year there will be a different set of accounts again because we will be moving, hopefully, to a new type of Working with Children Check with a revenue stream, so the accounts will look quite different again.

The Hon. GREG DONNELLY: Could I return to a theme in my earlier set of questions? I have some material here from the Commissioner for Children and Young People Western Australia website, which I will pass to you. I just took that off the website on Thursday or Friday last week. It is broken down into three separate sections but on the home page of the website there is a section about the sexualisation of children and young people. Have you seen that material before?

Ms MITCHELL: I have seen parts of it. I think, as I recall now, the Western Australian Commissioner was the one who raised that at the Australian Commissioners and Guardians meeting and provided some of this information.

The Hon. GREG DONNELLY: Was that one of the meetings last year that you attended?

Ms MITCHELL: It might have been even the first one that I attended the year before. But I will get back to you on that.

The Hon. GREG DONNELLY: In terms of the development of the new website for the New South Wales commission, how far down the track have you got in terms of developing what is going to be on that website?

Ms MITCHELL: Not very far; it is a blank canvas. People should feel free to seek particular resources.

The Hon. GREG DONNELLY: Do you think some consideration should be given to putting some material on the website regarding that matter?

Ms MITCHELL: I would be more than happy to do that.

The Hon. GREG DONNELLY: There is a detailed section there for parents in terms of advice and links and information.

Ms MITCHELL: And we do similar things; we have done it on guides for babysitting and we have all sorts of different resources or links to resources. We do that on a regular basis. One of the areas I am quite interested in is how children and parents manage the online world. That is another area I would like to potentially get into because I think it is quite difficult for both kids and parents to understand how to deal with all the online opportunities that come up. But I am very, very happy to do that.

The Hon. GREG DONNELLY: I note from the report you are obviously involved in having some meetings directly with young people to find out from them their thoughts in a range of areas. Do you actually have meetings with parents as well as part of your consultation?

Ms MITCHELL: It depends on the topic but yes we can.

The Hon. GREG DONNELLY: My question was: Have you had meetings with parents on issues or is it something you have not entertained before?

Ms MITCHELL: As I say, it depends on the topic. With the young people's advisory group we obviously met with all the parents in terms of their young people being part of our committee and what they want to get out of it. So we have got a relationship with those parents. In the middle years forums we had the participation of young people in those forums either directly or doing video diaries and things like that to talk about their experiences, and parents were involved in those discussions as well. Certainly on the development of the babysitting guide we talked to parents and children. So it depends on the topic. But certainly kids have told us they see themselves part of their family and so there would never be any problem talking to parents, and in fact we would be keen to talk to parents in all sorts of environments.

Dr ANDREW McDONALD: How have staff freezes affected the work of the commission and how many staff have been affected?

Ms MITCHELL: The freeze is on non-frontline staff. We have had an agreement that the Working with Children Check operators can be deemed to be frontline staff. So that has been good because we do not want to potentially diminish that service because it is a service to the public and it is to do with people's employment, et cetera. But in terms of other policy, research and corporate positions they need to be negotiated on an individual basis.

Dr ANDREW McDONALD: About how many staff were affected?

Ms MITCHELL: In the commission it is not very much; it is about three positions at the moment. In general we have managed to argue for the critical ones.

Dr ANDREW McDONALD: So about three frontline employees in the establishment?

Ms MITCHELL: At the moment, yes—2½, I would say.

Mr ANDREW GEE: In the 2010-11 annual report the results of stakeholder surveys were published and one of the figures contains the results of the surveys as to where the commission can do more. Where do you personally think the commission could be doing more?

Ms MITCHELL: I personally think the commission should be doing more in the space of vulnerable children. I do not think it is an area where the commission has done as much work in the past and it is really vital to the health of our community as a whole that we ensure that the needs of kids who miss out more than others are addressed in policy and service terms. But that is not to say we want to neglect the health and wellbeing of all kids, and we continue to do that platform work as well. As I have noted, I have a particular concern about kids who are hovering around the child protection and juvenile justice systems, that we are marshalling the resources that we have available to us in the community in the right way to give them positive experiences so they can fulfil their opportunities in life.

Ms MELANIE GIBBONS: Going back to the KidsPoll for a moment, obviously you collect their age to try to get a bit of an idea, but do you collect any other information? I am trying to find out whether the thousand are all city kids or all regional kids or whether it is diverse?

Ms MITCHELL: We do not have that information. We could do more in that area. It is not a scientific thing, it is more an engagement strategy, as I think some of those polls in the *Daily Telegraph* and other places are. It has an "entertainment with information-gathering" aspect to it. But it is something we could look at, to find out more information about them. We do not want to overburden them so that they think, "Oh my God, I have to fill in 1,000 questions, "I will just go yes or no." The most important thing about those is not really whether they say yes or no, it is their comments. The commentary they provide about their lives is really lovely and interesting and deep. We have one at the moment on how they get to school, because our built environment work leads us to promote safe, healthy walking to school. There is a comment there at the moment from a child, clearly in a rural area, who can sometimes get to school by bus and walking but on other days when the bus does not come has to be driven. They are interesting comments. We just had a poll about whether they think smacking should happen. It is interesting. Kids are really conservative about this issue: yes, you need discipline but within reason. The comments are enlightening about what kids think.

The Hon. JAN BARHAM: On the issue of vulnerable children, obviously those in care, Aboriginal children, the statistics are not good for knowing if they are vulnerable. How could you, within your budget, focus more on those young people who are vulnerable? How would you reorganise what you do to be able to give them more focus?

Ms MITCHELL: We have already been thinking about it, because a large proportion of the stakeholder survey participants said they felt the need to work more with vulnerable kids. It is certainly a focus in our middle years work, working across governments. So we can marshal the resources of the Government and all the government agencies to focus on the more vulnerable groups, and we have made that a priority within that work. In our online data book, our monitoring work, we certainly focus on vulnerabilities and we highlight areas where kids are vulnerable and which kinds of kids are vulnerable in what circumstances. So, from our monitoring and surveillance role we can highlight their issues. In our work on the participation we are looking to

ensure that parts of that resource focus particularly on marginalised kids, on engaging marginalised kids. As decision-makers, how do you engage marginalised kids? We are contributing actively to policy debates about laws and services that come our way about what could be done for those more marginalised kids.

The Hon. JAN BARHAM: Unfortunately, one of your recommendations recently was not taken up. Was that in relation to the youth tribunal, about which you had written to us?

Ms MITCHELL: The mental health tribunal.

The Hon. JAN BARHAM: That is right, mental health. In areas like that, if your recommendations are not being heard—

Ms MITCHELL: In that case there was a debate in Parliament, which is a good thing, and we strongly believe that kids should have a focus within the new Mental Health Commission, which is a great initiative. One of the issues is that the Government has to think about lots of different parts of the population and it has to balance it out. It made a decision that it could focus on the needs of kids without having them named in the legislation. I understand that in the course of that debate the Government made a commitment that it would focus resources on children in that context. So, in a sense, that is a reasonable outcome. I will monitor it to make sure it occurs. I do not think the intention was not to focus on this; it was simply a matter of a difference of opinion about how the legislation should be worded. At the end of the day, as long as we get the outcome we want.

The Hon. JAN BARHAM: Then it relies on you to monitor rather than a reporting mechanism built into legislation?

Ms MITCHELL: Indeed. We need to watch that space very carefully.

The Hon. JAN BARHAM: Will you have a special part of your reporting to address that?

Ms MITCHELL: I will.

The Hon. GREG DONNELLY: The consulting you do with children and young people as you travel the State, what do they tell you and what have they been telling you are the major issues that concern them growing up in New South Wales in 2012?

Ms MITCHELL: Consistently children are worried about bullying and the impact on them and their friends. They are concerned about the environment and how that gets managed. The most important people in their lives are their family and friends; so making sure there are supports around their family and friends is important to them, and their wellbeing and their happiness. They have problems getting about in certain places. You can imagine transport is a real issue for them. For younger kids, safety in the built environment is an issue for them as well. They are some of the major things that consistently kids have been saying to me in the last two years.

Dr ANDREW McDONALD: I know the Child Death Review Team report is a touchy subject. The team was from the Commission for Children and Young People in 2009 and from the Ombudsman in 2010. It seems 11 out of the 14 people are unchanged but there seems to be no representative from NSW Health on the Ombudsman's team. Is that an oversight?

Ms MITCHELL: My understanding is that Les White, the chief paediatrician, is on that team.

Dr ANDREW McDONALD: Is going to be?

Ms MITCHELL: And has attended meetings. If that was the case at one point, it is not now.

Dr ANDREW McDONALD: You mentioned that the reports are difficult to compare because of the different reporting. What is your take on the general trends of child deaths and where should we be focusing our attention?

Ms MITCHELL: The team has discussed in a priority setting the focus, and some of the issues that people raised were varied. I think people put to the team what their particular interest is. An area I am

particularly interested in, and some others were too, was about unexpected deaths of children, like, heart attacks on sports fields, et cetera, and whether there are some prevention initiatives that could be mounted for example better assessment of health issues prior to that happening to them.

Dr ANDREW McDONALD: Do you know at a rough guess how many children we lose per year?

Ms MITCHELL: The data are really difficult because of the way they might be recorded. I will take that on notice. It is a small number, but there are a few. That is an area, for instance, I have an interest in. But there are varied interests, everything from neonatals and more work on safe sleeping practices and what happens in pregnancy to suicide and some of the congenital diseases. So, it is a very varied level of interest. What I am hoping to do, with my knowledge from what is happening in the trend area around deaths, is to bring that into the injury prevention area as well—where you are seeing either the burden of death or very preventable serious injuries and deaths.

Dr ANDREW McDONALD: This is the first generation we have heard is likely to have a shorter lifespan than their parents. Should bicycle helmets be compulsory?

Ms MITCHELL: I think it is worthy of community debate.

The Hon. JAN BARHAM: Built for Kids, can you advise me on how that was distributed and how it is getting out to local government?

Ms MITCHELL: Yes. It has been around since 2009 now. We know from our website it has had 91,000 downloads, so that is pretty good. It is available on our website. We promote it at our seminars on the built environment. We also promote it every time we visit a local council. If I am out there to see the children at Scone High School, I also drop in and see the local council and talk about what is happening in the built environment and alert them to it. We work closely with local councils to promote both Built for Kids and the Child Friendly by Design resource and we hold training sessions and forums in various local councils. That has a bit of a snowballing effect that is continuing to occur. We work with Healthy City Illawarra around that work. At the roundtable that was held here a year or so ago we had the Local Government Association with us and we talked to them about how we can promote it through their newsletters and things like that. We are just about to have a Child Friendly Design award, so that will be promoted through the Planning Institute. We will also promote Built for Kids through that. In the last year we have just reviewed Built for Kids, so we commissioned somebody to review it and see how it is being utilised. We may refresh it and refine it and think about other promotion strategies as well.

The Hon. JAN BARHAM: I asked about that because I have been on council for 13 years and I was not aware of it and staff had not brought it forward. Is there a practice where you have the resources to write to all councils or at least to elected representatives so they know about it and, at the moment, the idea of how it can be used? The previous Government developed a new local environment planning instrument. It would have been great if something was in that. My council is now looking at a development control plan. What often works is a template. The Local Government and Shires Associations have been very good at creating templates or template policies, something for a council from a region. You could design resources that can be used effectively by local government rather than have them saying, "Oh no, more work, we need another consultant." Is there availability for that?

Ms MITCHELL: We can do that. My understanding is that initially we did that; we wrote to all councils. The issue is who picks up the mail and who opens the package and what they do with it.

The Hon. JAN BARHAM: It needs to be done at both ends—the organisation and the elected body. Hopefully one or the other will pick that up.

Ms MITCHELL: In this review of how it is being used there will probably be some advice about how better to target people in councils. Yes, I am happy to do that again and do it better.

The Hon. NIALL BLAIR: My final question is around the changes to the Working with Children Check. Can you outline some of the key changes to the new system? I think my record in one year was three or maybe four checks on me from four different organisations.

Ms MITCHELL: As members know, the Working with Children Check has been in place in New South Wales for about 12 years and it was one of the first in the country. There have been a lot of changes and add-ons to it over time but at the moment most people would say it is a pretty clunky system; it has inefficiencies and it needs an overhaul. That was certainly the majority of opinion expressed through the review of our Act two years ago. Also, since New South Wales started the checks, other jurisdictions have put in place different kinds of Working with Children Checks that are much more streamlined and efficient. At the moment, as you pointed out, every time you change jobs in child-related work you need to get a new Working with Children Check. That means you could have four in a year, so there is considerable duplication. Also, it is very clunky and inefficient for the employers who have to facilitate these checks.

At the moment there are, in a sense, three different Working with Children Check systems, one for everyday paid employees, one for self-employed people and another system again for volunteers. That is confusing and they do not all get the same level of checking, so it is a protection issue. Kids do not get the same level of protection through those different systems. So, what did the review say and where is government going on this? In general, they are keen to support the recommendations of the review, which was done by Michael Eyres, which is that it move to a system where the check is portable and stays with the person for five years. You can do any child-related work in that period and the check will be portable. You will need to renew it every so often. For paid employees there will be a fee associated with it that will fund the expansion to volunteers not in the system at the moment, in particular. Volunteers, self-employed people and paid employees will be checked in exactly the same way. More records will be available to do that checking, so it will be a much more rigorous check, and a person will only get a clearance or a bar.

Another interesting aspect of the current system is that you could be barred or you could be cleared but be said to pose a risk. It is up to the employer at the moment to decide whether to proceed and employ a person, but they do not know what the risk is about. That is a really difficult situation in which to leave an employer. In the new system you will either be cleared or you will not be cleared. The quality of the assessment has to be spot on if you are going to deny somebody employment on the basis that they pose a risk to kids. That is why we need all the records and good quality assessors in that system. It will also be an online application, which you cannot do at the moment; it is all paper-based. The identity check component, which at present has to be done by the employer, will be done through what is now Roads and Maritime Services. Theoretically, when you go to renew your driver licence you will take another number and renew your Working with Children Check if you are, say, a childcare worker or a teacher.

The Hon. JAN BARHAM: I did not quite grasp what the situation is with volunteers and whether they will be associated with an employer. I have heard that some organisations are not doing the checks because of the time and cost involved. What will the future situation be with volunteer groups?

Ms MITCHELL: It will most likely vary depending on the volunteer group and its structure. We are talking to those groups to determine the best way to manage their volunteer checking. It will be an offence not to be checked and so it also will be an offence not to check that they are checked. It will be important to ensure that everybody who needs to be checked is checked, as it should be now, because otherwise they will be committing an offence. As with any new system it will take time for the community to understand it and comply with it, so we are working with various organisations, industry groups and volunteer peak bodies to ensure we have a reasonable phase-in for some of these groups. We will work to educate those communities so that they are ready to adopt it.

Ms MELANIE GIBBONS: The number of freedom of information and Government Information (Public Access) [GIPA] requests has been fairly consistent over the past few years. I think it was six and the other was seven, or nine and seven. Without going into detail, what types of information are being requested and who is looking for that information?

Ms MITCHELL: The Working with Children Check is exempted from that provision, so it is not in that area. I would have to take that on notice. I do not know what it would be.

Ms MELANIE GIBBONS: In general, what kind of information?

Ms MITCHELL: It might be staff-related issues. I will have to go back to it.

CHAIR: What do you see as the legacy the commission will leave over the next decade? In effect, what is your vision for the next 10 years?

Ms MITCHELL: It is such a privileged organisation, and to have this Committee in Parliament, so a legacy is a really important thing to think about. I would like to ensure that the work of the commission is understood and that it actually meets community needs; that children and government benefit from it; that decisions are taken that consider children; and that children are engaged in the decision-making processes. I would like to see a safer community as well as a community that is more welcoming of children so that they can be active in the community and participate in it. Progressively I would like to see, even though I cannot draw a direct causal link, an improvement in outcomes for all children, in particular those that are more vulnerable. I might suggest that this Committee consider doing some joint planning with the commission in terms of your work plan so that we can be working towards similar or complementary ends. That could be a good thing to do on a regular basis and to help me develop my next strategic plan, which will be happening soon.

CHAIR: On behalf of the Committee I thank you for giving evidence today.

(The witness withdrew)

(The Committee adjourned at 2.39 p.m.)