

COMMITTEE ON CHILDREN AND YOUNG PEOPLE

LEARNING TO RUN...

REVIEW OF THE SECOND ANNUAL REPORT OF THE COMMISSION FOR CHILDREN AND YOUNG PEOPLE FOR THE 2000-2001 FINANCIAL YEAR

Incorporating edited transcripts of evidence

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Chair's foreword

David Campbell MP, Member for Keira Chair, Committee on Children and Young People

This is the sixth report of the Committee on Children and Young People. It examines the issues raised in the second annual report of the Commission for Children and Young People, as required under section 28(1)(c) of the Commission for Children and Young People Act 1998.

Since commencing its operation in August 2000, the Committee on Children and Young People has fostered a constructive working relationship with the Commission for Children and Young People. This relationship assists the Committee in fulfilling its statutory obligation to monitor and review the work of the Commission and to examine issues affecting the children and young people of NSW.

Based on the information presented to the Committee, I am confident that Commissioner Calvert and her team have continued their good work of the previous year, to successfully complete the Commission's second full year of operation.

I note, in particular, the Commission's emphasis on promoting participation by children and young people in decision making that effects their lives. Among other initiatives, the Commission, with the assistance of children and young people, produced a *TAKING PARTicipation Seriously kit*; a resource for organisations that want to encourage the participation of children and young people in decision making.

The Commission also emphasised the importance of relationships to children during this reporting period and successfully introduced measures to improve the safety and welfare of children and young people and to strengthen their wellbeing.

The Committee acknowledges the positive role which the Commissioner and her staff have played in the promotion of the safety, welfare and well-being of children in New South Wales.

Acknowledgments

With eleven members, the Committee on Children and Young People is one of the largest of Parliament's Committees, and also one of the most diverse in terms of Members interests and political affiliations. It is this mix of individual views and opinions which, when placed into the general environment of the deliberations of the Committee, provides a strong basis, I think, for the ongoing work of the Committee.

I am grateful for the assistance of the Committee Secretariat: the Manager, Mr Ian Faulks, Project Officer, Ms Rachel Callinan, Committee Officer, Ms Rachel Dart and Assistant Committee Officer, Ms Susan Tanzer.

I commend this report to Parliament.

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Recommendations

RECOMMENDATION 1: The Committee on Children and Young People recommends that every Government Department obtains a copy of the *TAKING PARTicipation Seriously* kit from the Commission for Children and Young People. This kit should be utilised to develop, as far as practicable, policies and strategies to encourage the participation of children and young people in that Department.

RECOMMENDATION 2: The Committee on Children and Young People recommends that the Commission for Children and Young People is actively consulted on legislation, legislative amendments and policies which will significantly affect children and young people. This is in accordance with section 11(d) of the *Commission for Children and Young People Act 1986* which states that, among other things, the principal function of the Commission is to 'make representations to government and non-government agencies on legislation, policies, practices and services affecting children'.

RECOMMENDATION 3: The Committee on Children and Young People recommends that the Commission for Children and Young People, and in particular, the Children's Death Review Team, continues to report on the correlation between the death of children and young people from neglect and abuse and the involvement of Government agencies prior to that death in the same manner it did in the 2000/2001 Report.

Commentary

TAKING PARTicipation Seriously

1.1 The Commission for Children and Young People have undertaken substantial work in the area of the participation of children and young people in the decisions which affect their lives. To this end the Commission for Children and Young People have developed the *TAKING PARTicipation Seriously* kit to assist organisations wanting to involve children and young people in their operations.

RECOMMENDATION 1: The Committee on Children and Young People recommends that every Government Department obtains a copy of the *TAKING PARTicipation Seriously* kit from the Commission for Children and Young People. This kit should be utilised to develop, as far as practicable, policies and strategies to encourage the participation of children and young people in that Department.

Consultation with the Commission for Children and Young People

1.2 The Committee on Children and Young People recommends that the Commission for Children and Young People is actively consulted on legislation, legislative amendments and policies which will significantly affect children and young people. This is in accordance with section 11(d) of the *Commission for Children and Young People Act 1986* which states that, among other things, the principal function of the Commission is to 'make representations to government and non-government agencies on legislation, policies, practices and services affecting children'.

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Involvement of Government agencies prior to the deaths of children and young people

1.3 The Committee on Children and Young People finds that the Commission for Children and Young People adequately complied with Recommendation 1 of the Review of the First Annual Report of the Commission on Children and Young People for the 1999-2000 Financial Year (Report 1/52). The Committee notes in particular the 2000-2001 Report of the Child Death Review Team, and specifically Chapter 7.5 and Appendix 4.

RECOMMENDATION 3: The Committee on Children and Young People recommends that the Commission for Children and Young People, and in particular, the Children's Death Review Team, continues to report on the correlation between the death of children and young people from neglect and abuse and the involvement of Government agencies prior to that death in the same manner it did in the 2000/2001 Report.

1.4 The Committee on Children and Young People finds that the Commission for Children and Young People has satisfactorily completed its second full year of operation. The Commissioner for Children and Young People, Ms Gillian Calvert, and her staff are to be acknowledged for their work in promoting the safety, welfare and well-being of children in New South Wales.

1.5 The Committee on Children and Young People notes, in particular, the contributions of the Expert Advisory Group and the Young People's Reference Group in assisting the Commission in the exercise of its functions.

Record of the examination of Ms Gillian Calvert, Commissioner for Children and Young People, regarding the 2000-2001 Annual Report of the Commission for Children and Young People

2.1 On 31 October 2001, the Commissioner for Children and Young People, Ms Gillian Calvert, presented the annual report of the Commission for the 2000-2001 financial year to the Presiding Officers of the New South Wales Parliament, in accordance with the provisions of the *Commission for Children and Young People Act 1988*, the *Annual Reports (Departments) Act 1985* and the *Public Finance and Audit Act 1983*.

2.2 On Thursday 6 December 2001, Commissioner Calvert appeared before the Committee for an examination of the 1999-2000 annual report of the Commission for Children and Young People.

2.3 At the conclusion of the examination, a number of questions were taken on notice by the Commissioner for Children and Young People. The responses to these questions on notice were received by the Committee on 4 February 2002 and form part of the following record of examination.

OPENING STATEMENT

Ms CALVERT: This is our second year of operation and it has provided the Commission with an opportunity to catch our breath, I think is the best way to describe it, and to settle down into the work that Parliament has set us. After building our foundations and establishing ourselves in the first year of operation, we are now starting to bear the fruits of this substantive ground work.

As we have become better known and developed a reputation for providing useful advice, the range of agencies seeking our views and wanting to work with us has grown. Over the reporting period we have introduced the Working With Children Check and in the process conducted almost a quarter of a million checks on people who work with children. We have begun long-term research projects, we have developed the TAKING PARTicipation Seriously kit and developed training and advocacy work shops for a range of stakeholders.

A lot of this work has focused on the importance of relationships to children. For kids so much of their world, and how they understand it, is mediated by relationships. We can not underestimate the difference that one meaningful relationship can make to a child's positive development. That is why the commission's work has emphasised the role of relationships and the role every day activities play in influencing participation of children and young people in issues affecting their lives and in ensuring their safety and welfare and creating their sense of well-being.

Through our activities we are working to improve the lives of children in New South Wales and we have done a lot, I think, in two years. It is a near impossible task to have a direct relationship with every child in New South Wales but through strategic partnerships with a wide range of children and young people, and the organisations who work for them, we can

touch the lives of a broad range of children. For example, as part of producing our TAKING PARTicipation Seriously kit we spoke to over 50 individual kids as well as students at seven school and pre-school groups and young people from five local government and four non-Government organisations.

My staff and I continue to challenge ourselves, to reflect on our strengths and use our authority in meeting our responsibilities under the Act to make New South Wales a better place for children and young people. I welcome this opportunity to meet with the Committee to discuss the annual report.

PARTICIPATION OF CHILDREN AND YOUNG PEOPLE

Mr CAMPBELL (CHAIR): In reading your annual report there is a big emphasis on participation, on finding ways for organisations to engage children. Can you expand on that a little?

Ms CALVERT: We have focused very much on participation in the past 12 months because it is one of our primary functions and one of the principles that underpins the Commission for Children and Young People. I do think we need to be realistic and recognise it is not possible to have a relationship with the over 10 million young people and children that live in New South Wales. The other challenge we have with participation is that we have a constantly turning over population as children are born and young people grow into adults. I think we have had a number of achievements in relation to participation over the past two years.

I think the way in which we show that is through three main activities. One is we are focused on building kids' capacity to participate; secondly, we have valued kids participation; and, thirdly, we have encouraged organisations to change so that kids' participation is welcomed.

Let me give you an example of each of those three areas. In relation to building kids' capacity to participate, we have developed an advocacy training course for young people. We have trialled that in a reporting period with 45 young people in various groups across New South Wales. It covers ways in which kids can influence people, understanding Government, how to develop your media skills, what does advocacy mean. I am pleased to say that we have just been notified that this course has now been accredited nationally, so that it will be able to feed into existing courses in TAFE and participants will receive a certificate of attainment. That is an example of the way in which we are building kids' capacity to participate.

Ways in which we have valued kids' participation is to seek their views as the basis of our submissions. I think one you would be familiar with is the report we did for your inquiry into over the counter medication where we went and spoke to over 75 children and young people and used that as the basis of our submission. That gives a message to kids and other people that we value kids' participation in the way in which we do our work.

The third way I talked about is encouraging others to value kids' participation. One of the ways in which we have done that is through the launch of our TAKING PARTicipation Seriously kit, which sets out suggestions and guides and directions for organisations who want to adopt or want to move in the direction of also having kids participate in their work. I think they are examples of the three main ways in which we are trying to measure and take up the issue of kids' participation.

QUESTION ON NOTICE: In "The First Steps ... Review of the First Annual Report of the Commission for Children and Young People for the 1999-2000 Financial Year " (2001) at page 58 it was noted that the Commission was developing a Conference Model that would identify and discuss the key elements needed to enable children and young people participate effectively. Has the development of the Conference Model been completed? What are its elements? How and to whom will it be publicised?

ANSWER: A major initiative in 2000/01 was the publication of the *TAKING PARTicipation seriously* kit.

This kit consists of two separate Guides, one of which, *Conferences and Events: children and young people's participation*, gives detailed guidance on involving children and young people in conferences and events.

The *Conference and Events* Guide outlines effective participation in two parts:

1. Participation principles and resources, including models, samples and checklists.
2. Techniques, activities and games for including children and young people in conferences and events.

More than 700 copies have been distributed to children and young people, organisations and key government departments. The Kit is on the Commission's website and nearly 2,000 hits have been registered to date.

The Commission will soon launch a major promotional mail out to schools, local government organisations and agencies serving children and young people.

The complete kit is free to children and young people and sells at a cost recovery price of \$39 to adults and organisations. The *Conferences and Events* Guide can be purchased separately for \$32. It can also be downloaded free from our website www.kids.nsw.gov.au

RECOMMENDATION 1:

The Committee recommends that every Government Department obtains a copy of the *TAKING PARTicipation Seriously* kit from the Commission for Children and Young People. This kit should be utilised to develop, as far as practicable, policies and strategies to encourage the participation of children and young people in that Department.

QUESTION ON NOTICE: In the view of the Commission, what are the major difficulties that prevent children and young people from having full and equal participation into the decision-making processes of these agencies and departments? Are there specific structural or organisational obstacles to participation by children and young people? Does the Commission have any recommendations on how to overcome these obstacles?

ANSWER: The barriers children and young people may experience to being effective participants are many, complex and often unique to particular organisations or services.

Common barriers include: belief on the part of adults that children and young people could not understand the issues, or that they would have nothing positive to offer; unwillingness to devote the time and other resources; or a lack of appreciation of children's capacity.

Rather than being prescriptive, the Commission promotes effective strategies anyone can use to identify cultural barriers particular to their organisation and ways of working to overcome these barriers.

TAKING PARTicipation seriously has been published by the Commission and is a toolkit to assist organisations to involve children and young people in decision-making and in conferences and meetings. It identifies the key things organisations need to do if they are to be successful. It is practical and popular in NSW and in other states. The Commission is now assisting organisations to implement it, targeting local government, schools and non-government organisations in the first instance.

The Commission also provides an advisory service to organisations on enhancing their participation mechanisms. We are developing a training course for organisations, which will be piloted in Minto early in 2002.

QUESTION ON NOTICE: With respects to this advisory service to government and non-government organisations on how to set up effective mechanisms for involving children and young people in decision-making, what procedures and guidelines does the advisory service follow in order to achieve best outcomes?

ANSWER: Since our establishment in July 1999, we have received requests from organisations to assist with enhancing children and young people's participation in their activities.

Following the publication of the *TAKING PARTicipation seriously* kit in July 2001, we have formally offered an advisory service to organisations to assist them in enhancing their participation mechanisms.

The advice given to organisations by the Commission staff may range from a short phone call to many months' work as a member of an organising committee for a conference.

The participation mechanisms that suit one organisation may not be right for another. Rather than having prescriptive guidelines for organisations on implementing participation, the Commission's advisory service bases its advice on best practice models and the key elements of effective participation detailed in the *TAKING PARTicipation seriously* kit.

The Commission is also developing a training course for organisations on encouraging participation. This training course will be piloted in Minto in 2002.

QUESTION ON NOTICE: How do you assess the effectiveness of processes that involve children and young people in decision-making?

ANSWER: There is no simple formula that will guarantee the effective involvement of children and young people as the views and preferences of organisations and children and young people change over time. Ways to assess effectiveness of processes can include feedback session's run by a neutral facilitator, checklists, evaluator observations, simple evaluation forms for participants or more formal evaluation methods such as surveys.

Children and young people should be given adequate opportunities to provide feedback to the organisation and express their views about their contribution. Irrespective of the

methods used, the organisation needs to create a receptive environment in which negative comments are accepted.

Organisations should regularly monitor their progress in achieving effective involvement of children and young people around the five key elements of participation outlined in the Commission's kit, *TAKING PARTicipation Seriously*:

1. Participation is part of the organisation's culture
2. Children and young people have a place in decision making
3. Adults adapt to children and young people's way of working
4. Developing strong relationships with children and young people
5. Participation is rewarding for children and young people and the organisation

The Hon. JAN BURNSWOODS: Firstly, I am interested in the participation of children under twelve and you will remember the Social Issues Committee talked to you about this because we are all aware that it is very difficult. I am interested in how you feel you have gone and whether you have advanced in being able to offer advice to Government and other agencies about how to get to talk to kids under twelve?

Ms CALVERT: I am quite confident about being able to talk with kids, say, from five or six to twelve, because they are in a school setting, so we can reach them and we have got access to them and they are in ongoing relationships with teachers that we can then use to help us have the conversations with kids or to bring the issues out for discussion in normal classroom processes. I am confident about the six to twelve year group.

I think it is the under six or under fives that challenge us, and I guess from my point of view as well as using play and stories and so on to invite kids to make comments, I think we have to very much rely on observation of their behaviour and their relationships and in a sense draw conclusions from that observation process.

I think the other thing that we have to do is rely on secondary reporters, if you like, for example parents, those who spend a lot of time with the children and who are able to interpret, if you like, what it is that might be in the kids' interests, in those little kids' interests. I think you also have to use, with those little kids as well, more objective measures, if you like, to get an idea of what some of the issues are that they are facing.

I guess that is where our thinking is up to. In the research project that we are doing we have contracted a company to look at the top issues for kids where we are seeking the views of kids on what are the top issues for them as a way of helping us set our direction. They are going to be holding focus groups with kids from age six up and we would routinely expect that we would get good information from that process, but we are not looking at under six-year-olds in that process.

The Hon. JAN BURNSWOODS: Can I continue on that for a moment. This may relate to your first inquiry as well. I suppose I have a particular concern about, say, the kids in that six to twelve age group whose school experience, for whatever reason, is pretty much a failure, which may be to do with their family circumstance, absenteeism, et cetera; it may be to do with difficulties they are having with learning or behaviour, where perhaps there is no relationship of trust with teachers or where their experience of school is intermittent or bad. They are obviously a huge at risk group that we all need to know something about, and so what kind of comments can you make on reaching those kids?

Ms CALVERT: Again I will try and find relationships that I could use, whether that is in some cases parents, or they might be attending a service that has a relationship with the child. I would try and use that relationship to give me access, if you like, to the kids or to be secondary reporters on the kids and what they know about the kids. I think again probably the only other thing is to look at that more objective data. I think that is an area that we are trying to focus on much more and the commission will focus on more over the next few years, how do we, in a sense, measure and monitor those sorts of things that kids are doing.

In terms of seeking their views, the problem with hard to reach kids is they are hard to reach. So how do you reach them? I think it is about trying to find those agencies, if you like, those services that have a relationship with them. Certainly, in terms of our inquiry getting access to street kids we had to do that through locating an agency who was effective in reaching street kids. They were mainly secondary school kids; they were not primary school kids. What we do with primary school kids is try and find agencies who have successfully engaged with families who were traditionally hard to reach and used that as a way to get to the kids. It is challenging, it is difficult and not easy. It is hard to find hard to reach adults.

The Hon. JAN BURNSWOODS: And the hard to reach children are often the children of hard to reach adults?

Ms CALVERT: That is correct.

The Committee proceeded to discuss other issues but later returned to the issue of participation:

Ms ANDREWS: If I could ask, has the Commission explored or does it intend to explore strategies to include the participation of children and young people in the area of education and training, for example, in developing school curriculum changes to the education system and representation on key education boards?

Ms CALVERT: Participation is something you have to learn to do to some extent. I think therefore schools are a very good starting place for that learning to take place. TAKING PARTicipation Seriously does use a lot of practical examples from schools and participation in schools that has been particularly effective.

I recently met with the Director General of the Department for Education and Training to discuss participation and trying to build up participation in schools. I have to say that I think the public school system is really showing great leadership in relation to participation and have been very responsive to developing the idea of participation. They recently launched a participation framework for leadership and participation framework for primary schools. They now have specific activities at secondary and primary schools around participation and leadership.

What the Director General and I agreed to was that we would target three school districts next year to try and focus on building up and expanding participation and leadership opportunities. If we could trial it and pilot it successfully in those three areas, then we would use that to move it into other school districts. They are the Denilquin school district, Lake Macquarie school district and Port Jackson school district. We are in the process of developing that as well.

Another thing that we are doing around participation and schools is that we have commenced a joint project with the Department of Education and Training, the Catholic

Commission Forum and the Catholic Education Office, the Association of Independent Schools and the commission. We are developing teaching resource material on the rights of the child and the Commission for Children and Young People for primary schools. That teacher resource material will be about participation and leadership and rights and so on and that it will be then able to be used in things like the civics curriculum in the primary school, history curriculums and personal development and physical education. That teacher resource and student resource material will be able to be used in those curriculums. We are not only in primary school beginning to develop participation skills, but we are also promoting information and understanding about the commission as well. They are some of the things we are doing.

Ms ANDREWS: What about the Higher School Certificate, getting young people to have an input into --

Ms CALVERT: The design of the Higher School Certificate?

Ms ANDREWS: Yes.

Ms CALVERT: I am sure they would. I think certainly one of the things that I have noticed - this is anecdotal - is that senior people in the department do seem to be meeting more or certainly talking with the SRC over some of those sorts of big key issues that maybe ten years ago they would not have done that. Having done it, they are beginning to understand that you get information that you do not get from other sources by talking to the kids.

There is a role to perhaps look at, not only the Department of Education, the Catholic Education Office, the Association of Independent Schools, all of the school systems to actually look at how the Board of Studies, how kids are involved in the development of curriculum and in the very many of those sorts of educational learning type things.

Ms ANDREWS: Do you see there is a continuing role for the commission?

Ms CALVERT: Absolutely. We see education as a key for us to formalise alliances and be involved.

ADVOCACY TRAINING PROGRAM FOR YOUNG PEOPLE

QUESTION ON NOTICE: The Commission has reported that it has developed an advocacy training package for young people in New South Wales. Has the Commission also addressed the issue of advocacy roles and responsibilities of government agencies, as identified in the Legislative Council Standing Committee on Social Issues (1996) report on children's advocacy?

ANSWER: The Commission's advocacy training program for young people has been piloted in Sydney, Albury and Bega with 45 young people taking part.

The program was developed after requests from young people for skills in speaking up for themselves and their peers and in understanding government and the media.

Along with other resources, the Legislative Council Standing Committee on Social Issues (1996) report on children's advocacy was used in the development of the program.

The workshop aims to provide children and young people with the skills to advocate for what they need, whether from government agencies or people around them. The Kit includes modules on the role of government and other organisations, working with the media, using influence and what is advocacy.

The course is free for young people. The program workbook includes a contact list of agencies that have an advocacy role.

The Vocational Education and Training Advisory Board have now granted national accreditation to the program.

EMPLOYMENT SCREENING

The Hon. DON HARWIN: Employment screening and how it is functioning: have you identified any major difficulties with the functioning during the past year or are you happy with the way it is going?

Ms CALVERT: I think given that we are in the first year of operation, I am actually very pleased in the way in which employment screening has gone. I think that success is demonstrated by a number of things. We have now over 12,000 employers registered as participating in the scheme. Over 223,000 preferred applicants for employment were screened in the first year of operation. Of those screened 0.6 per cent had a record that warranted further investigation, and 67 applicants were rejected as being unsuitable for employment. The Commission received only one complaint regarding the operation of our scheme in the first year and no person was granted an exemption under the Prohibited Employment Act that we had concerns about. I think they are examples and evidence of the success. However, I have to say that I cannot see a system of this size ever being without an issue that needs addressing and resolving.

We are in the process of finalising the comprehensive audit program for the Working with Children Check and we will commence that auditing in the beginning of 2002, so we will be able to report in the next period certainly on six months auditing. We did audit in this reporting period the outcomes for those applicants who had been the subject of a risk assessment. We went and had a look at all of those 0.6 per cent of people who warranted further investigation and we looked at whether or not they had notified us of the outcome of that risk assessment. We found 39 employers had failed to notify us, so we contacted those employers. All of them responded and most of them had not been aware of the responsibility to notify us if they had not employed somebody. I think that has highlighted for us the need to continually promote that requirement and we have done that. The Ombudsman's office now includes it in the letters they send to employers. I recently wrote to all 12,000 employers and reminded them of that as well.

We did have an internal audit conducted of the Commission's employment screening processes that highlighted some problems in the way things are done, primarily over things like controls over password management, capacity of the system support, back up and recovery. They made 42 audit recommendations. We have implemented 29% of those already and I will continue to implement those. That is oversight by the director, who reports monthly to me on the progress of implementation. I have asked that we conduct another internal audit on employment screening at the end of this year so I can

independently be sure that what we put in place meets the requirements of what was requested.

We continue to keep our ear to the ground in a range of ways. We meet regularly with the approved screening agencies, that is the Department of Health and so on, and they raise issues. We have identified some information technology enhancements which we think would enhance the system and so we are seeking a capital budget bid out of this round. We have been able to do some of those, but in order to do more of them we are putting in a budget bid. I anticipate the review of the guidelines that we have commenced will throw up some issues as well and we will deal with those as part of that process.

The sort of issues that just get raised on a day to day basis, for example, the Red Cross approached the Commission about a concern that every person who did door knocking with the Red Shield Appeal would need to be screened. We were able to work with the Red Cross to clarify for them the legislation and to really identify who did need to be screened. That was a very satisfactory outcome from their point of view. They were reassured that they were fulfilling the legislation but it was not onerous on them. We have also been negotiating with the Independent Education Union, the Catholic Commission for Employment Relations and the Association of Independent Schools over the definition of "relevant completed disciplinary". That is ongoing and it is a difficult issue. We have some ideas but what all of us have agreed to do is to roll that up into the review of the guidelines.

They are examples of the way in which, I guess, we are keeping our ear to the ground, people are bringing things to our attention and we are trying to sort them out as we go along. Some agencies have been more responsive than others in taking up their responsibilities and we are continuing to try to identify those agencies and work with them. Given it has been in place for a year, it is a State-wide scheme and it is more than anyone else has done, I am quite relieved at how well it has gone.

The Hon. JAN BURNSWOODS: Ms Calvert, will the numbers drop, is the first year going to be your biggest year because of the administrative things and as the system works presumably the screened people will not bother to apply?

Ms CALVERT: I do not know whether the screening numbers will go up or down. I think they probably will stabilise. I do not know that we will see them go up much more or we will see them go down much more. It is too early to tell. I thought there might have been an initial rush in terms of the prohibited employment applications. I had anticipated the people seeking employment would drop down but that has not proven to be the case and we are continuing to get a steady flow of people applying for exemptions.

CULTURAL DIVERSITY

The Hon. HENRY TSANG: What work has the Commission undertaken with regard to the issues affecting or associated with children or young people in culturally diverse communities of New South Wales?

Ms CALVERT: I think as we undertake all of our work we have tried to engage with all members of the New South Wales community, in particular those that come from culturally and linguistically diverse communities, and we have tried to build that into all of the work that we do. Some of the ways in which we do that is through, for example, the membership of

the Commission's youth reference group who advise me by sharing their insights and their ideas. They come from a range of cultural backgrounds. For example, we have young people of Aboriginal, Lebanese, Vietnamese, Polish, Indonesian, Persian and Chinese descent in the two groups this year and last year. We also have members of the group who come from quite different personal circumstances, for example a young person who has been in care, a young person who represents people with disabilities or has a disability themselves. We try and encourage those young people to involve themselves in their communities by speaking out and being a part of their particular ethnic press, community media, and we have been reasonably successful in doing that. That is certainly one way in which we have tried to engage with culturally and linguistically diverse communities.

I guess the second way is through an inquiry where we actively went out and sought to meet with people from particular communities. We went and spoke with young Vietnamese people in Cabramatta, we had consultations with young Aboriginal people and we specifically went and spoke to young people and services in the Bankstown area as a way of making sure that we heard from the full range of community views. I have to say that they contributed significantly to the richness of the information that we have been able to put together for the inquiry process.

We have also developed links with a full range of community groups by contributing to different activities. For example, we were involved in planning and promoting a youth friendly conference for young people from non-English speaking backgrounds in the northern suburbs, and that was a fantastically successful conference that had a whole lot of young people from all of the different non-English speaking background communities in the northern suburbs who came together for a day and talked a lot about their health needs and issues that affected them. That has meant that we have built up good links with those communities.

ISSUES AFFECTING CHILDREN AND YOUNG PEOPLE IN INDIGENOUS COMMUNITIES

QUESTION ON NOTICE: Has the Commission undertaken any work in relation to issues affecting children and young people in indigenous communities in New South Wales?

ANSWER: The Commission has two projects underway specifically addressing children and young people in New South Wales indigenous communities.

The Commission has taken the lead role in developing the interagency *Aboriginal Communities: Protecting Children* Project, which is almost ready for final consideration by agencies.

This project involves developing and delivering culturally appropriate child protection training for Aboriginal communities.

It emphasises developing community capacity and promotes local ownership of the intervention strategies.

A range of agencies are involved including:

- Department of Aboriginal Affairs
- Department of Education and Training
- NSW Police Service

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- Department of Community Services

I anticipate the project will be piloted during 2002.

The Commission has also delivered an advocacy workshop, which aims to provide children and young people with the skills to advocate for what they need, to an indigenous community group in Murwillumbah.

In undertaking broader Commission work, such as the inquiry into children who have no-one to turn to, the Commission's consultations included children and young people, parents and workers from Aboriginal communities.

Each year, at least one member of the Commission's Young People's Reference Group, who advise me by sharing their ideas and insights about the Commission's work, has an Aboriginal background.

KIDS HELP LINE

QUESTION ON NOTICE: What is the range of issues that the Kids Help Line worked on in assisting children and young people of New south Wales? Are there any major matters of concern for the Commissioner that have been identified through the Kids Help Line?

ANSWER: As part of the Commission's inquiry into children who have no-one to turn to, Kids Help Line was commissioned to undertake research which would complement the findings of the inquiry's consultation process.

Forty per cent of the calls that Kids Help Line receives from children and young people in NSW relate to relationships – with family, friends and partners. Almost 20% of these calls relate to conflict or difficulty with family relationships.

Calls about relationships significantly outstrip calls made on any other topic. It is also consistent with the findings of our Inquiry into children who have no-one to turn to – that relationships are the most important thing in children and young people's lives. The recommendations of the Inquiry will focus on how government and the community can strengthen children and young people's key relationships with the parents, child care and schools, services and the community.

The Commission is aiming to develop a partnership with appropriate youth media to disseminate information for young people about managing important relationships in their life. The aim of the resources is to help them to get through difficult times they may experience in their relationships and give them opportunities to develop interpersonal skills. The resources will be distributed through partnerships with other agencies that young people trust and will be completed in 2002.

THE EVENTS OF 11 SEPTEMBER 2001

QUESTION ON NOTICE: Is the Commission aware of the effect, if any, on children and young people occurred as a result of the 11 September 2001 terrorist attacks in the United States and the subsequent involvement of Australia in the war against terrorism?

ANSWER: The Commission received reports that children and young people had been disturbed by the events of September 11 even if they did not fully understand what they were about.

Constant media replays of the events have reinforced the strong emotions they perceive from adults about the issue. For some this has resulted in speaking about 'war' as if it was taking place in their own neighbourhoods.

Children and young people have reported sleeping problems and forms of depression. For some who have come from countries in conflict it has revived unpleasant memories. Those from Islamic or Middle Eastern communities are also less sure about their acceptance by Australian society.

The Commission has publicised help sources for children, young people, parents and for those working with children and young people. In a recent Exchange newsletter, distributed to approximately 10,000 people and organisations in the field, information was provided on sources of help. The Commission's web site also featured sources of help.

The Hon. HENRY TSANG: Do you think after September 11 there might be a need to have a conference, not about language but religion? People of Muslim origin might need to discuss their identity crisis. Do they feel the need to be forcibly more Australian than to carry with them their religious belief? Do you think there might be a need for such a conference or suggestion?

Ms CALVERT: We were very mindful of the impact of the September 11 events and America's response to those events on the communities in Australia and on the children in those communities. I called a meeting of some of the key Government agencies who were interested and responsive to children. We met with the Department of Health, Department of Education and Training and the Office of Child Care to review what was in place to support those kids and to try and minimise any backlash that might occur that would negatively impact on children.

Following that, as part of our exchange, in our newsletter I included a letter which addressed and talked about some of the issues and we set up a link on the Commission's web site which linked professionals and kids and parents to information about anti-racism strategies which also linked people to how to help kids who might be traumatised or might have been subject to some sort of traumatic event as a way of trying to resource professionals and parents and kids if they were worried about something.

What we are doing next is to invite four children to write about the impact of September 11 on them. We will be looking at a child or young person who has come from a war torn country and has moved to Australia, what has been the impact on them; we are going to ask a young person who is from a Muslim background what has been the impact on them; a kid who has not been exposed to anything like this before, what has been the impact on them. It is a way, I guess, of demonstrating, a way of getting kids' voices heard, but also a way to show that the impact of this is different depending on where you come from and to foster an appreciation of the range of impacts.

Mr WEBB: That would be even more valuable if you were able to compare it with a story from a child in New York.

Ms CALVERT: We have not been able to get a story from a kid in New York but we have a story from a child who has a friend in New York. We are trying to cover the range of experiences that exist in the community and to promote the idea that something that might have a particular impact on you may have a different impact on someone from a different background, both are distressing and worthy of attention and importance.

YOUNG CARERS

The Hon. ALAN CORBETT: One of the particular groups of children that I am interested in from my personal experience is those children caring for a relative or adult with a chronic illness or mental illness or whatever. The statistics seem to show that there are at least 54,000 kids in some way involved in caring. A lot of the families do not see children as being carers as well. There are a lot of children who are actually involved in being the primary carer for a relative, which means that there are a number of consequences of that. There is the risk of physical injury for these children; there are the emotional aspects; for example, many children go through the grieving process because they lose that normal contact with their parents; intellectual ramifications because the child comes late for school; and social aspects of missing out on social interaction with their peers. Given the importance that the Commission has placed on relationships and sustaining relationships and participation of kids in various aspects, have you actually had any contact with this group of kids or have you contacted Carers New South Wales to work through their Young Carers Program? What sort of things has the Commission been doing?

Ms CALVERT: I have to say, when I was in my previous employment we were instrumental in supporting the funding that the Government now gives to Carers New South Wales to operate the Young Carers Program. Continuing to support that is probably one of the key things we can do. The work they do in terms of the camps, providing the newsletter and on-line support is invaluable for children, the raising of awareness of the young carer issues. We would have contact with them in the same way we would have contact with a range of other groups who were involved and working with children and young people. They would certainly get information of our activities and would be able to participate in those activities. If they had a particular issue that they wanted support in taking up, they would contact us and ask for our assistance and we would give that, as we would with any other group.

I think our relationships with them are very good and I guess, from my point of view, the key thing is that they continue to be supported to be able to do the sort of work that they are doing with that quite vulnerable group of kids. I think it is an important issue and important area and I am pleased that New South Wales is funding specific support programs for young carers because I do think they need specific and particular support.

The Hon. ALAN CORBETT: The budget was only \$100,000 and I gave a speech recently asking for a little more money - not a little bit more money, a substantial amount of money, to help that.

Ms CALVERT: From our point of view it would be money well spent.

CHILD EMPLOYMENT

The Hon. JAN BURNSWOODS: I wanted to discuss what role the Commission is playing in monitoring issues of young people in employment, paid and unpaid, and obviously this relates to issues of industrial relations and occupational health and safety. I wanted to ask particularly about children as outworkers and whether you can tell us anything about that.

Ms CALVERT: What I can tell you is that we do not know very much about children's work patterns and working histories. I think it makes any comment then on children's employment very difficult to discuss with any sort of authority. Partly because of that we are in the process of negotiating a joint research project for the Department for Education and Training and the Department of Community Services to do a selected sample, a random sample of work patterns, if you look like, for kids in years 7 to 10. We will anticipate that that will be a paper survey conducted early next year. From that we hope to at least have some basis on which to be able to look at some issues arising around children's employment.

I am reluctant to comment on it until I have a better idea of what children are actually doing and how long they are doing it for and whether or not they see that as a problem. We are keeping the Department of Industrial Relations briefed on the progress of that project.

The Hon. JAN BURNSWOODS: Can I assume from what you are saying about the setting up of a joint project that the Department of Education and the Department of Community Services share the concerns and they think it is an important project but presumably they also have problems with data?

Ms CALVERT: Yes, I think everybody has problems with data and everybody would like to be a bit more accurate and have that data before they actually start to move in particular directions. The Department of Education and Training are involved because certainly there is some research that shows if you work more than a certain number of hours per week it starts to impact on your learning and educational experience. They are interested from that point of view. From our point of view, one of the ways we can capture kids is through the education system. We recognise that there are kids who are working who are not part of the education system, so we are going to have to find other ways of getting information from their experiences.

The Department of Community Services are interested in the issue because they have children's employment regulations under their legislation. They, like us, would like to have more accurate data on which to base any developments.

The Hon. JAN BURNSWOODS: Will this project focus on particular industries where children are known to be employed and perhaps exploited? Cleaning is often suggested, the clothing industry out work where people talk about women at home but of course so often they have children working with them as well.

Ms CALVERT: Not at this stage, we actually want to go to a random selection of kids and say, "Tell us about your work experiences". One of the issues is that it may well be that out working is a problem for those kids that are out workers but it may be a small number of kids who are out workers, whereas working in the retail or hospitality industry it may be a problem for a far larger number of kids but there may not be as many industrial issues involved in that. We need to get some overall picture before we start looking at particular industries or groups of kids.

The Hon. JAN BURNSWOODS: I am really glad that is going to be done. Do you have any time lines in mind or is it too early to say?

Ms CALVERT: I would hope we would have the data collected by the middle of next year and of course it will be publicly released.

CHILD PROTECTION

QUESTION ON NOTICE: What strategies has the Commission put in place to commence the monitoring process of compliance by public and private sector employers with the *Commission for Children and Young People Act 1998* s. 39 'Duties of employers with respect to disciplinary proceedings'?

ANSWER: The Commission has implemented an information program throughout the public sector to raise awareness and increase compliance with s.39 of the *Commission for Children and Young People Act 1998*.

A Premier's Department circular advising of employer responsibilities under s.39 was sent to all public sector agencies. A review of returns has been undertaken on a regular basis to follow up any agency that had not provided a return to the Commission regarding relevant completed disciplinary proceedings.

A small number of agencies are continuing to review disciplinary proceeding records to determine which records satisfy the definitions of a relevant record for notification to the Commission.

In late 2001 the Commission sent a letter to about 12,000 public and private sector employers registered with the Commission or its approved screening agencies. This letter provided an update on employment screening matters and included a reminder of all employers' responsibilities to notify the Commission of relevant completed disciplinary proceedings.

QUESTION ON NOTICE: What are the main objectives and priorities of the strategic learning and development framework for child protection training in New South Wales that has been developed by the Commission and which child protection agencies in New South Wales are likely to implement the strategic learning and development framework in their work, and is there an accepted timeframe for this implementation?

ANSWER: The child protection sector has been concerned about the lack of co-ordinated quality training; incomplete national competency standards; and the inability of the sector to address future learning needs. In response to this concern, the Commission took the lead role in developing a framework that has now been adopted by the Child Protection Chief Executive Officers' Group and endorsed by key non-government sector agencies including the Association of Children's Welfare Agencies.

The Framework provides a statewide, integrated approach with clear directions for government and community responses to the learning needs of the child protection sector in 2001–04.

It is based on the following principles:

- interagency cooperation in planning and delivery of learning and development activity, and the use of common curriculum when possible
- learning and development activities should be aligned to current policy and be evidence-based
- portable qualifications and career pathways
- a range of levels in learning and development, from pre service to post service, where learning is accredited and connected to other courses
- monitoring and review.

The main objectives of the framework include:

- efficient and effective use of learning and development dollars
- development of appropriate learning strategies
- development of a workforce that can meet the demands of the child protection sector
- development of expert practitioners and policy makers
- retention of skills and knowledge in the sector
- development of a structured monitoring and review system for learning

The initial priority of the framework is to establish a Child Protection Learning and Development Coordination Unit, funded by all agencies, to develop an implementation workplan for the framework.

Agencies likely to implement the framework include the Departments of Community Services, Health, Education and Training, Police, Juvenile Justice, Corrective Services, and Sport and Recreation, Area Health Services, non-government organisations involved in child care, family services, education, health and youth work, and the tertiary education sector.

The Child Protection Chief Executive Officers agreed to an initial implementation timeframe of two years after which an evaluation of the strategy will take place.

This positive outcome demonstrates the benefits of the Commission's leadership in developing children's policy and the benefits of joint approaches.

FAMILIES FIRST ADVISORY GROUP

The Hon. ALAN CORBETT: You are the chair of the Families First State-wide advisory group. This advisory group provides advice to the Cabinet on issues arising from the Families First program. From your point of view how is this program going, what are the advantages and what areas of this program need improvement?

Ms CALVERT: I think it is progressing well. I think there are five remaining areas in New South Wales that we have to still improve. I think it is so far progressing well and I think it holds significant promise. That is not only my view. For example, I have been invited to present to various Victorian people on Families First and some of those issues, because they have recognised that New South Wales is leading the way.

The evaluation process of Families First is now beginning and is under way and I think over the next 5, 10, 15 years we will get usable results and independent objective results as to how well Families First is progressing. With any complex State-wide roll-out of a new

program there are continual issues, but, again, most of those are dealt with as they arise and I am relatively confident that as a community of people involved in rolling out Families First we are actually doing very well.

As I said, I think that is borne out by invitations to me to go to other States and to in fact go to Ireland and participate and present on the sort of direction that New South Wales is taking in relation to the early years.

The Hon. ALAN CORBETT: Do you experience a bipartisan approach to this program, an acceptance by both major political parties?

Ms CALVERT: Yes. I think that is one of the things that has contributed to its success, in that I think across the board people are now recognising and acting on the importance of the early years for children, in a way recognising that it sets their life course. That is a very powerful point at which you can intervene. What you do when the baby is one to three can have impacts when they are sixty-five.

The Hon. ALAN CORBETT: The message that comes out of the program is that we have to have a long term perspective, it is not going to happen in three years.

Ms CALVERT: No, it is not. The evaluation results will come out in 5 years, 10 years, 15 years. The other thing I would say is that not only do you have to have a long term perspective on the outcomes, you have to have a long term sustained commitment to doing it. It is not something you can do for five years and then let up, because the babies that come along at the end of that five year period will miss out. We have to, as a community, have a sustained commitment to supporting babies nought to four, nought to five if we are to continue to be the sort of country that we are.

EXPERT ADVISORY GROUP

Ms ANDREWS: Who are the current members of the expert advisory group and what changes have occurred in the membership of the group in 2000-2001 and how have the skills and capacities of the expert advisory group changed with those membership changes?

Ms CALVERT: The membership of the committee is listed on page 69 of the annual report. There were two people who resigned for personal reasons and work reasons, that was Robyn Maher, who was from the sports area, and Adrian Ford, who was from the child protection area. They are replaced by Dr Robert Parker from the sports area and Father John Usher from the child protection area. There has been no impact on the skills and capacity of the expert advisory committee by the resignation and replacement of those two members.

Essentially, the primary role of the group is to provide me with advice and to assist me in the exercise of my functions. Dr John Yu chairs that committee and approves the agenda for the group and so on. They are my other key group that I get support from and who I get advice from and who are able to act as a sounding board on a number of matters, both in session and out of session if you like, and it has been really useful in helping me manage particular issues or sort things out or just giving advice on a particularly tricky issue or circumstance that I might be faced with.

Ms ANDREWS: How often do you meet?

Ms CALVERT: We meet four times a year but I will often have contact in between. If there is an issue relating to employment relations or working with children, I will often contact Professor McCallum, who is an expert in industrial relations law, and toss the idea around about him. Similarly with Dr Yu, if I have an issue I will contact him and ask what does he think. I seek their advice, circulate documents saying, "What do you think about this position?"

YOUNG PEOPLES REFERENCE GROUP

Mr WEBB: [With regard to the Young People's Reference Group] who are the current members? When is the time for the new group to come on?

Ms CALVERT: It will be early next year, January/February.

Mr WEBB: It is not relevant to say who the current members are?

Ms CALVERT: They are listed on page 68 of the annual report.

Mr WEBB: What is the current city/country balance? Is it one third, two thirds, like the population?

Ms CALVERT: Yes, about one third/two thirds; four from the country and eight from the urban city areas. It depends how you define "country" I have to say.

Mr WEBB: What sort of criteria do you use to select members of the reference group?

Ms CALVERT: We ask groups that are already active in the children's area to nominate for six positions. For example, CREATE would nominate a position, the Police Citizens Youth Club nominate a position, the Youth Action Policy Association nominate a position, the student representative councils would have two positions. We fill half of them through that process. We did that because it is a way of making sure that groups that are children's groups actually have a voice.

Mr WEBB: That is important.

Ms CALVERT: We can feed back into those existing groups as well. The other six we appoint from a list we get together from the Government's register of boards and committees. We will look at the names on that. We also invite people to nominate and we promote it through asking you, as members of the Committee, to let your kids know. That seems to have had an impact which is great.

Then when selecting members I guess we have regard to social justice and diversity issues like gender, cultural and linguistic diversity, location, isolation and so on, and while we may not get everything covered in one year, over the two or three year period generally I think we have been quite successful in getting the range of diversity that exists in the New South Wales community.

Mr WEBB: Are there any specific projects or issues that have come to light through the youth reference group that the Commission has reported on or that you would particularly like to highlight?

Ms CALVERT: I guess one of the main things that the group does is keep my feet on the ground in terms of reality checks with children and young people. They have certainly helped us with the design of our web site and what we have got on the web site and we have a particular section for kids on the web site. They also were helpful in designing promotional items, which is a great way to engage with kids. They also certainly had an impact on the design of our logo and the communications establishing for the Working With Children Check. So they helped design that. They also gave us some new directions to take in relation to the TAKING PARTicipation Seriously kit and also in the rural focus for our inquiry, so that they certainly were active around looking at what rural areas we might go to and advising me to focus on particular rural areas in the inquiry, which was good. They also certainly help me frame our submissions to the various reviews of legislation or whatever. They are very active in that. They have been active in helping us design our advocacy training course as well. They are some of the sorts of things.

Mr WEBB: So you say it would be a very important part of the Commission's function?

Ms CALVERT: Absolutely. They are an extremely important part of the Commission's functions, as I said I think primarily because they are an important way to keep us grounded really.

Mr WEBB: Experts in the field can have a different opinion.

Ms CALVERT: They are the experts in youth. Just their presence at a function really challenges people to think about their own practice. So when I go to a function and I have a young person with me and it is about young people and they are the only young person there, that is a fairly non-threatening way to make a statement about the way in which people are doing their business. They are terrific at doing those sorts of things as well.

Mr WEBB: How often did that youth reference group meet in the last twelve months?

Ms CALVERT: I will have to get back to you with the exact numbers, generally it is every six weeks. That is formally. I will often do things in between. We will have phone contact or e-mail contact or go to a function together or, for example, they were active in helping us run the mobile phones forum in sitting on hypotheticals. They did all the media for the mobile phones forum.

Mr WEBB: Do they meet amongst themselves formally or informally?

Ms CALVERT: Informally they do. Particular friendships form or they will make comment about "I met so-and-so the other day". They negotiate separately from me.

Mr CAMPBELL (CHAIR): There is a young person who is on the Young Person's Reference Group who comes from Wollongong whom I know and whenever I bump into him he tells me he is having a great time and learning a great deal. He is very confident and complimentary about the work he has been able to do and things he has been able to be involved with.

Ms CALVERT: He has made a great contribution, that particular individual. I guess the other side of it though, I feel the responsibility for us on our part to make it a learning and development experience for the young people, so that we are in a sense contributing to growing up and creating community leaders.

ASIA PACIFIC CHILDRENS COMMISSIONERS' NETWORK

The Hon. ALAN CORBETT: With regard to the inaugural meeting of the Asia Pacific Childrens Commissioners' Network, this is news to me, so can you briefly explain who this network is comprised of and things arising out of the meeting you attended?

Ms CALVERT: We set up a network with the Childrens Commissioners from Queensland and Tasmania, the New Zealand Childrens Commissioner and the Childrens Commissioner from British Columbia in Canada, really to support each other, promote issues in the region, children's rights issues in the region, share information and approaches and strategies on how we can promote children's interests and issues. It was an one day meeting. What we decided was to set up the forum or network and I offered to host the next meeting in February where we want to progress some of those issues.

SUBMISSIONS TO NEW SOUTH WALES GOVERNMENT AND COMMONWEALTH GOVERNMENT ON BILLS, REGULATIONS AND REVIEWS

Mr WEBB: From the point of view of legislation, and the Commission was set up through legislation, the Committee has noted that the Commissioner has been very active in providing submissions to the New South Wales Government and Commonwealth Government on Bills, regulations and reviews. Do you feel that the issues and concerns that you have expressed in your submissions have been heeded by the relevant legislation that has been enacted?

Ms CALVERT: Sometimes yes and sometimes no.

Mr WEBB: How do you monitor that?

Ms CALVERT: One of the things we do is we keep track of the resulting legislation and compare that to what our submissions are saying. For example, changes to forensic procedures legislation in introducing greater safeguards before forensic samples are taken from children, we tracked that through and some of our suggestions were taken up. The Commonwealth asked us to comment on some immigration legislation regarding strip searches of kids in detention centres. We recommended that before a kid is strip searched they should get a court order so there is some independent monitoring of that. They should make sure that the people who are conducting the strip searches have, in fact, been screened. In tracking that legislation both of those ideas have been taken up. Certainly we track the outcome of the legislation or the final report and then compare it with what it is that we recommended.

Mr WEBB: That will be an ongoing process?

Ms CALVERT: That is an ongoing thing, yes. Apart from reporting processes, we do it for practical reasons. If we did not get what we believed should happen to happen and it is something we think is very important because it may have a negative impact on children and young people, then we want to be able to continue to advocate for further reforms to that piece of legislation, or that practice, or that policy.

RECOMMENDATION 2:

The Committee on Children and Young People recommends that the Commission for Children and Young People is actively consulted on legislation, legislative amendments and policies which will significantly affect children and young people. This is in accordance with section 11(d) of the *Commission for Children and Young People Act 1986* which states that, among other things, the principal function of the Commission is to 'make representations to government and non-government agencies on legislation, policies, practices and services affecting children'.

CONCEALED DRUGS BILL

Mr WEBB: Were there in fact any legislative outcomes in the New South Wales or Commonwealth Parliaments that you feel have had or could potentially have a negative impact on children?

Ms CALVERT: Yes. The New South Wales police powers concerning the *Internally Concealed Drugs Bill* I am concerned about. I think that having that apply to children as young as ten is worrying and I am concerned about it. I think by lowering it to that age we are potentially being a bit misdirected in seeing these kids as criminals rather than as victims of adults' behaviour. I am concerned about that bill and we will continue to look at the operation of that bill now it has been passed and to ensure that no children are disadvantaged through that process.

Mr WEBB: Do you make a report on these aspects where you have concerns on legislation?

Ms CALVERT: I provide advice to a number of members of Parliament on that legislation putting forward my concerns. Some of my concerns were taken up but not all of them. The one I am most concerned about is the age, how low the age is.

MR CAMPBELL (CHAIR): You said that you intend to monitor the operation of the Act, how will you go about that?

Ms CALVERT: We will need to look at that. My instinct is that it will probably very rarely be used and that I would be very surprised if in fact we have ten-year-olds who are subject to the Act. In a sort of pragmatic sense that is a relief because, as I said, I have concerns. What we will probably do is write to the Minister for Police and ask him how he is going to monitor the operation of that particular police power.

The Hon. JAN BURNSWOODS: Do you know whether statistics would be kept if the searches were performed? If these searches are going to be performed, presumably it would be a good thing if records were kept to enable the monitoring to take place. That

applies to other similar problems, I guess, whether it is records of arrests or searches and the age of the child.

Ms CALVERT: In order to be searched I think they have to have a court order, a magistrate has to order it. The court records would be one source of statistics that we could pursue.

The Hon. HENRY TSANG: How do you overcome the problem that kids of a young age are used to carry drugs and to sell them? How do you balance that?

Ms CALVERT: I think it is very worrying if a ten-year-old is carrying drugs, internally concealing drugs, whether we treat them as a criminal is the question. I think, in fact, that we should treat them as requiring a health response because we do not want the drugs to spill out and enter their body. I am concerned with the medical health aspects and I am concerned about the welfare aspects and that a ten-year-old is being put in that position.

The Hon. HENRY TSANG: Forced to?

Ms CALVERT: I am not sure that many ten-year-olds voluntarily insert drugs into their body without a bigger or older person coercing them in some way. It may not be through physical force, it may be some other way, but it is at the request of an older person. I am questioning whether or not a criminal response is in fact the most appropriate and the most child centred response that we could make.

PHYSICAL MISTREATMENT BILL

The Hon. ALAN CORBETT: Commissioner, you would be aware that the Bill that the Commission had so much input to over last year, the *Physical Mistreatment Bill*, will soon gain assent and it comes into effect the year after assent. The Attorney General has committed the Government to an education campaign. Could you give the Committee some idea of where that education campaign stands?

Ms CALVERT: We plan to conduct information seminars for parents, carers and professionals about the new laws. The Government allocated a budget of \$192,000 for that purpose. That will be supplemented through in kind arrangements, if you like. We aim to do essentially four things.

Firstly, we want to target law enforcement and child protection workers, and we will do that by conducting - at this stage we are anticipating, this is all planning - we plan to conduct training sessions for particular police and community services staff to help them understand the impact of the new laws and how it will help protect children.

The second thing we want to do is use existing information resources. We will be seeking the cooperation of the Department of Community Services to insert some things into their parenting magazines and that will have an ongoing and widespread distribution. That is the sort of in kind contribution we are talking about.

The third thing we want to do is create a new resource for parents on the new laws, but we will probably try and distribute that through places that parents already go to for advice on these matters, like general practitioners and early childhood centres. That is in recognition that most parents want to be able to have a face-to-face conversation about smacking and

punishment and management of discipline. So we will try and provide resources for parents but distribute it through existing channels.

The fourth thing we will do is spend some time considering the specific needs of parents from culturally and linguistically diverse groups. We want to, I guess, research some cultural differences in raising children and disciplining children so the message can be given in as culturally an appropriate way as we can manage.

The Hon. ALAN CORBETT: Are you satisfied you can do those things with \$192,000?

Ms CALVERT: Yes, I am satisfied we can because I think it is ultimately going to be more than \$192,000 when you take into account the in kind contributions. We will not have to pay for relief staff for the Department of Community Services staff attending training courses. If we had to pay that, it would not be enough. Because there will be those in kind contributions, it will be sufficient. We are trying to embed it into ongoing existing programs, ongoing Department of Community Services training programs or the parenting magazine that the Department of Community Services delivers.

DIFFICULTIES IN PERFORMING THE COMMISSION'S STATUTORY FUNCTIONS

Ms ANDREWS: In general, did the Commission experience any major difficulties or challenges in performing its statutory roles and functions during the year, and, if so, what were those difficulties and what action did the Commission take to overcome them?

Ms CALVERT: Essentially, no, we did not. There were no difficulties that stopped us in our tracks. There were issues that we needed to work on and resolve and some of those were the legislative amendments that I have brought to the Committee, and I do not anticipate any difficulties with finally and eventually getting them through, particularly if the Committee supports the proposals. No, there was nothing that stopped us in our tracks, but there were areas that we had to work with at times.

THE COMMISSION'S RELATIONSHIP WITH OTHER GOVERNMENT AGENCIES

Mr CAMPBELL (CHAIR): You seem to have painted a fairly positive picture about the relationship with the Commission and other agencies. The Commissioner's report last year made a recommendation that each Minister should reinforce with its agency the relationship with the Commission. Could you be more specific about which agency's preparedness to work with the Commission?

Ms CALVERT: In painting a positive picture, that is not to say there have not been tensions and difficulties, and certainly some agencies may well not necessarily agree with the direction we are heading in. I think overall it is fair to say that we have become part of the culture of the State Government human service agencies and also probably the Commonwealth human service agencies and justice agencies as well, also some non-Government human service agencies, such as the child care agency, family support services and so on. It would now be pretty much a matter of routine for those agencies to seek out news on proposals that they were undertaking. Many of the projects that we have

undertaken are done with other agencies and that is something that as an organisation we have really tried to promote. For example, the Child Protection Learning and Development Framework was done with all the child protection agencies, including non-Government agencies. The work with Children Check involves endless agencies. The research into Suicide and Risk Taking Project is conjointly done with the Centre for Mental Health, the CDIT. I think they are examples of outcomes of co-operation.

I think that our relationship with agencies is good when it is about human services and justice agencies. I think that there are some domains where we are less well known and I think that is partly because they do not use us or they do not see the issue impacting on kids. They do not see the breadth of issues kids are involved in. Kids are very interested in environmental issues, but I do not know that the environmental portfolio would see the Commission as a key agency for them. I think there is some work to do there.

I think we are beginning to develop relationships. The mobile phones forum that was recently done, with the support and co-operation with the telecommunications companies, I think that has been very good. An anecdote that might demonstrate that your recommendation was helpful in progressing that: I happened to be in a meeting with some senior members of a Government agency and one of them came up to me to say that they had just forwarded a paper to us for our comment which they had not thought to do until they received a memo from their Minister quoting your recommendation that they should consult with us.

Mr CAMPBELL (Chair): We will take that as a wink. That is good for kids first but good for all of us afterwards.

Ms CALVERT: I can only give you that as my objective evidence, that your recommendation had some impact.

Mr CAMPBELL (Chair): What are the constraints or the issues or resources of the Commission in that interagency approach?

Ms CALVERT: I think one of the constraints is that we can get pulled in a thousand different directions and we can become very fragmented and reactive, rather than focussed and proactive, and I think that is a continual tension that we, as a Commission, have to manage and do manage reasonably well, but it is a tension that has to be managed. So we may have to say no for some requests for assistance. Whether that is, "Can you have a representative on a committee" or "Can you do this work with us jointly", just because we do not have the resources available?

We try to be selective about the ones we say no to, for example, if we know the relationship can stand us declining their invitation, if you like, or we know that there are other people on that committee who will look after children's interests. We try and apply those sorts of criteria to those invitations we decline. I guess the other thing is that I do not want to see the Commission as being solely holding responsibility and ownership of kids' issues. Our job is to value add. Those line agencies should have an ownership of kids' issues. They cannot get out of it by saying, "The Commission is there. That's okay. We have dealt with that issue."

QUESTION ON NOTICE: Which organisations and agencies have used the Commission's advisory service up to date and what were the outcomes of the service for these organisations?

ANSWER: Over the 2000-2001 period, the Commission staff have given advice about participation strategies to a wide range of agencies including international groups, very small non-government organisations, agencies of all three levels of government, peak industry and professional associations, schools, and to a small number of private sector organisations.

Some illustrations of the Commission's work include:

- The Northern Sydney Migrant Network Services – Advice provided to help the Service run a very successful conference for over seventy young people from the many small cultural communities in the northern suburbs;
- The Commonwealth Department of Family and Community Services – Information about establishing feedback mechanisms for young service users;
- South East Sydney Area Health Service – Advice about organising an ongoing advisory committee about health services for young people;
- The Hunter and Central Coast Drug Community Action Strategy – Advice about the involvement of young people and their parents in prevention programs; and
- Albury-Wodonga Youth Interagency – Information about building participation into the structure and culture of youth organisations.

We have also provided advice to the following agencies:

- New South Wales Departments of Local Government and Education and Training;
- Greater Murray and South West Sydney Area Health Services;
- Local Councils in Sydney, Parkes, Bega Valley and Broken Hill;
- The Royal Hospital for Women;
- Youth Action and Policy Association;
- Catholic Education and Social Welfare Committee;
- Social Justice in Early Childhood Group;
- Coffs Harbour Child Protection Interest Group;
- UNICEF

The Commissioner has recently made an agreement with the Director-General of Education and Training, Dr Boston, to focus participation activities in the Deniliquin, Lake Macquarie and Port Jackson school districts in 2002. The Commission will also be working closely with the *Families First* initiative, Campbelltown Council, the Department of Housing, Sarah Redfern Primary School and Burnside on a participation project for primary school children in Minto.

QUESTION ON NOTICE: Which other national or international organisations and agencies has the Commission established working relationships with and what is the nature of these relationships?

ANSWER: For the purposes of the Working With Children Check the Commission has established a formal relationship with the Commonwealth CrimTrac Agency.

CrimTrac maintains a national criminal record database; all State and Territory Police jurisdiction criminal records are incorporated within the CrimTrac database.

The Commission has entered into an arrangement with CrimTrac to allow it to conduct national criminal record checks for people being considered for child-related employment

in New South Wales. These checks are undertaken electronically between the Commission and CrimTrac.

CrimTrac also acts on the Commission's behalf in consultation with State and Territory police jurisdictions where a criminal record has been identified for the purposes of employment screening and further details are required to enable screening to be undertaken.

In relation to policy, the Commission is represented on advisory committees to UNICEF, the National Institute for the Early Years, the Coalition for Australia's Children and the Commonwealth Department of Family and Community Services.

As part of the Commission's research activities, we have worked with and obtained data from the Australian Bureau of Statistics and the National Coronial Information System and have discussed possible projects with the Health Inequalities Research Collaboration. The Aboriginal and Torres Strait Islander Commission is part of the steering committee for the *Aboriginal Communities: Protecting Children* Project.

The Vocational Education and Training Advisory Board has accredited the Commission's advocacy training course.

The Childrens Commissioners from New South Wales, Queensland, Tasmania, New Zealand and British Columbia are members of the Asia Pacific Childrens Commissioners' Network.

The network was established in June 2001. The network aims to provide a forum for the exchange of ideas and where children and young people's issues can be addressed from a regional perspective.

QUESTION ON NOTICE: Is the Commission satisfied with the level of participation in major decision-making by New South Wales government agencies that is offered to the Commission for Children and Young People?

ANSWER: I believe that the Commission has become part of the culture for New South Wales government human service and planning agencies, and for some non-government organisations, particularly those involved in education, childcare, youth services and family support.

For most of these organisations, it is now a matter of routine that our views are sought on proposals however there have been times when our views have not been sought.

Among New South Wales government agencies, we have been consulted by the Police Service, the Office of the Children's Guardian, some Area Health Services, the Cabinet Office and Departments such as Education and Training, Health, Community Services, Attorney-General's, Juvenile Justice, Urban Affairs and Planning, Premier's, Local Government, and Ageing, Disability and Home Care.

We also work with other agencies that focus on particular population groups, such as the Department for Women, the Department of Aboriginal Affairs and the Community Relations Commission.

Many of our projects have involved other agencies, for example the Child Protection Learning and Development Framework, the Working with Children Check, research into suicide and risk taking, and our participation advisory service.

There are other domains where we are, as yet, less well known or the agency does not regard a matter as a “children’s issue”, and so we are not consulted.

It is often forgotten that children and young people are for example, current and future key players in the economy and are among the most concerned about the environmental issues.

If it comes to the Commission’s attention that there are proposed changes to legislation or significant policy changes in one of these areas, the Commission seeks to make a submission. Generally agencies are happy for the Commission to comment.

QUESTION ON NOTICE: Does the Commission believe that there should be compulsory reporting mechanisms for government agencies and departments on their performance in relation to children and young people, in a manner similar to occupational health and safety statements or cultural diversity statements?

ANSWER: As a matter of general principle, if there were to be such an arrangement it should apply not just to government agencies but to any organisation that has a relationship with children and young people.

Compulsory reporting already exists for the Commission in some areas of its work. For example, the Working With Children Check makes it compulsory to report relevant, completed disciplinary matters.

If reporting were made compulsory on other issues affecting children and young people then we would need to clearly articulate the benefits that would accrue. This should include looking at the effectiveness of existing compulsory reporting in other areas such as the Ethnic Affairs Policy Statement.

It may be unwise to go down the path of requiring compulsory reporting as a matter of course as this may only give us a measurement of outputs, rather than real outcomes for children, young people and their families.

Leadership and encouragement may be more effective than compulsion at this stage, as they are proving in the Commission’s work on participation. However there is a place for compulsory reporting where there is a consistent pattern of non-compliance or there is consistent under-achievement.

COOPERATION WITH COMMUNITY GROUPS

QUESTION ON NOTICE: What mechanisms exist for the Commission's liaison with community groups that work with issues relevant to children and young people with specific needs, e.g., community groups for people with disabilities, Aboriginal community groups, Migrant Resource Centres, etc.?

ANSWER: In all our work, the Commission seeks to engage with all members of the New South Wales community from different cultural backgrounds and with specific needs.

Firstly, members of the Commission's Youth Reference Group, who advise me by sharing their ideas and insights about the Commission's work, come from a broad range of cultural backgrounds and they represent groups of young people with specific needs, as well as contributing different regional and age perspectives.

Past and current members include young people of Aboriginal, Lebanese, Vietnamese, Polish, Indonesian, Persian and Chinese descent. One member of the Reference Group is a young person with a disability; another represents young people in care. Several Reference Group members have helped disseminate information about the Commission to their communities, for example by speaking with the ethnic media.

Secondly, in undertaking major projects such as the Inquiry into children who have no-one to turn to, the Commission's consultations included children and young people, parents and workers from culturally diverse backgrounds and specific needs groups.

This has included visits to culturally diverse communities and focus groups with Muslim children, young people and parents in Bankstown, Vietnamese young people engaged with services in Cabramatta, and consultations with Aboriginal children and young people, community members and workers. We also undertook a focus group involving young people with disabilities.

All of these groups have significantly contributed to the richness of the information gathered for the Inquiry process.

Thirdly, the Commission has developed links with a broad range of community groups by contributing to different activities. An example is our involvement in planning and promoting a youth friendly conference for young people from non-English speaking backgrounds in the Northern Sydney region.

A final example of our efforts to work with different community groups is the lead role we have taken in the interagency *Aboriginal Communities: Protecting Children* training project – to develop and deliver culturally appropriate child protection training for Aboriginal communities in cooperation with a number of other agencies.

CHILDREN DEATH REVIEW TEAM

QUESTION ON NOTICE: In a recommendation made in the Committee's report of the examination of the 1999-2000 annual report of the Commission, it was proposed that a descriptive terminology be developed to indicate where there had been formal contact between a New South Wales government agency and a child, prior to the child's death, and the nature and intensity of that contact. How has this recommendation been implemented?

RECOMMENDATION 1: The Commissioner for Children and Young People, as Convenor of the Child Death Review Team, should:

- (a) ask the Child Death Review Team to give serious consideration to including, where relevant, statistical and descriptive summary information about the deaths of children that are due to abuse or neglect or that occur in suspicious circumstances; and

(b) pursue the investigation and reporting of deaths of children that are due to abuse or neglect or that occur in suspicious circumstances in a manner that is based upon, and reflects: (i) the interagency approach to child protection that is existing policy in New South Wales; and (ii) the nature and intensity of the involvement of Government agencies prior to each child's death. [from "The First Steps ... Review of the First Annual Report of the Commission for Children and Young People for the 1999-2000 Financial Year" (2001)]

ANSWER: Statistical and descriptive information about the deaths of children due to abuse or neglect or that occur in suspicious circumstances are provided in the 2000-2001 Report of the New South Wales Child Death Review Team.

Chapter 3 of the Report Methodology, outlines the screening procedure adopted by the Team to identify abuse and neglect deaths from the register of all child deaths in a reporting period.

The cases of 21 children from 20 families were identified by the Team as deaths caused by abuse (7 cases), neglect (3 cases) and suspicious of abuse and neglect (11 cases). The human service agency involvement in the 21 child deaths is described in the 2000-2001 report against the four broad stages of intervention listed in the Interagency Guidelines for Child Protection Intervention. Case studies are provided to highlight policy and practice issues. An appendix provides additional information for each case on human service agency involvement, risk factors and demographic factors.

RECOMMENDATION 3:

The Committee on Children and Young People recommends that the Commission for Children and Young People, and in particular, the Children's Death Review Team, continues to report on the correlation between the death of children and young people from neglect and abuse and the involvement of Government agencies prior to that death in the same manner it did in the 2000/2001 Report.

The Hon. PETER PRIMROSE: Commissioner, can I just refer to page 44, just the Child Death Review Team report. I have a long question that you may want to comment on. This Committee is currently conducting an inquiry into the use of prescription drugs and medications in children and young people. Some of the areas of importance identified during the inquiry are the inconsistent documentation and review of medical and other health records for all children and young people, and particularly of those living in and out of home settings or as State wards, and issues of achieving informed consent for treatment and guardianship for young people.

Do you see a role for the Child Death Review Team in establishing a specific audit and review mechanism that reports on the medical history and other health treatments administered to children, even if these were not directly associated with the child's death?

Ms CALVERT: When we review child deaths due to child abuse and neglect as part of the Child Death Review Team's activities, we review the medical history of the child, and that includes their medication history if it is relevant to the child's death. Medication intake at the time of death is noted in coronial records and autopsy reports and we will also get their health records and have a look at what some of the medication issues are. The doctors on the team will frequently discuss that toxicology and medical stuff.

I do not know that I see a broader role for the Child Death Review Team to monitor children's medications and medical histories outside of the review of deaths that we would be doing anyway. However, if a mechanism was to be established, say, somewhere else, then we would certainly be happy to participate in that and to provide advice on where it is best located and so on. I guess I would also comment that the Children's Guardian would be particularly well placed to review medication use for children who are in out of home care, including those who have got disabilities, because she has the powers to review case planning and to accredit agencies. She will be particularly useful to look at the issue of medications and what systems are in place to ensure that medication is accurately or appropriately given if the kids are in out of home care.

BUDGET FOR THE COMMISSION FOR CHILDREN AND YOUNG PEOPLE

QUESTION ON NOTICE: Was the funding appropriated to the Commission sufficient for the Commission's effective performance of its functions?

ANSWER: The budget for this year continues to allow the Commission to fulfil all of my obligations.

We received \$300,000 in additional funding in the 2000-2001 budget to meet the costs of employment screening.

Additionally, my budget has been supplemented by \$154,000 to allow the Commission to implement a recommendation made by the Child Death Review Team, and conduct research into the sleep related deaths of infants.

This research project will commence during 2002 and is funded for two years.

The Commission has also been received funding of \$192,000 to undertake community education activities supporting the proposed *Crimes Amendment (Child Protection – Physical Maltreatment) Act 2001*.

I will be seeking a budget enhancement this year for capital expenditure to assist with enhancements to the information technology underpinning the Employment Screening Service.

QUESTION ON NOTICE: What cost-performance measures has the Commission put in place to ensure that the objectives of its projects fall within the limits of its funding?

ANSWER: The cost performance measures are incorporated into the strategic planning process and Performance Development Program of the Commission. They are also incorporated into the financial reporting systems that form part of any public sector agency.

The Commission's strategic planning process determines the projects for the coming years and each project is allocated a budget, timeframes and performance indicators are set.

Then at the beginning of the financial year, a detailed work plan is prepared for each project. These work plans form the basis of each staff members action plan under the Commissions Performance Development Program.

Managers review the project performance against the agreed performance indicators and budgets on a regular basis. There is also a formal six-month review of staff work plans and performance by Managers as part of the Performance Development Program.

The Director or Commissioner similarly reviews each Manager's performance.

As part of the financial reporting systems, the Commissioner reviews the Commission's overall budget performance on a monthly basis.

An internal auditing program has been established which at times includes audits of financial matters. The Director oversees the implementation of any recommendations arising from this with monthly reporting to the Commissioner.

The Commission's annual financial statements are audited by the New South Wales Audit Office and reported on to Treasury and to Parliament.

Mr SMITH: Can I ask you to turn to page 12 of your report. I do not know if it is a typo but about halfway down the page it says, "We also spent .052 million acquiring plant and equipment". What does that mean?

Ms CALVERT: That is our capital funds. We would use that fund if we needed to buy a new computer because we had a new staff member coming on board.

EFFECTIVE FULL TIME STAFF

QUESTION ON NOTICE: What is the current staffing of the Commission? What staffing changes occurred during 2000-2001?

ANSWER: For 2000/2001 the Commission's staff establishment was 31.4 Effective Full Time Staff (EFT, cf. 29 EFT 1999/2000). Actual staff numbers against establishment at 30 June 2001 was 28.6 EFT.

As at 30 June 2001 two permanent positions were vacant and two full-time positions were occupied on a part-time basis.

The increase in staff establishment of 2.4 positions from 1999/2000 is a result of creation of the temporary position of Project Officer, Employment Screening, responsible for coordinating the Commission's responses to prohibited employment exemption applications. In addition part-time temporary positions of Research Officer (0.8 EFT) and Research Assistant (0.6 EFT) were established in 2000/2001 to meet the demands of the Child Death Review Team.

The Senior Community Education Officer position has been filled. The Auditing and Standards Officer was replaced by the Performance Assessment Officer responsible for

the Employment Screening System and for the monitoring and auditing function of the Working With Children Check.

QUESTION ON NOTICE: What are the areas of staff concern identified in the Commission's Staff Survey 2000? What are the strategies put in place by the Commission to identify these concerns?

ANSWER: The Commission participated in an Office of the Director for Equal Opportunities in Public Employment (ODEOPE) sponsored staff climate survey in November 2000.

The Commission's results were submitted to ODEOPE for inclusion in a benchmarking study.

The Commission performed above the average in nearly every category.

The Commission was below the average in 10 out of 72 questions. For two of the 10 questions below the average no Commission staff responded, therefore the results aren't valid.

The question areas where the Commission was below the average were:

- Career options (8% against an average of 59% with 12/29 respondents)
- Feedback on work performance from supervisor (47% against an average of 56% with 19/29 respondents)

Limited career options are an issue for all small agencies. Expressions of interest for staff development opportunities, in other government agencies, are regularly circulated to Commission staff through our involvement in the Joint Initiatives Group and through the Central Corporate Services Unit. Commission staff have also been granted approval to take up secondment opportunities to enhance their career options.

During 2000/2001 the Commission introduced the Performance Development Policy as a means of linking strategic planning with staff goals and achievements. The Performance Development Program is based on the principles of:

- clear identification of expectations and responsibilities
- linking individual contributions to Commission objectives
- providing for fair, equitable and confidential treatment of staff
- regular supervision and feedback to staff

QUESTION ON NOTICE: How does the Commissioner select and allocate traineeships to Children and Young People?

ANSWER: The Commission has established three traineeships for young people in the areas of policy, community education and administration.

During 2000/2001 all of these position were filled.

The Policy traineeship was completed in February 2001 and the young person was successful in gaining full-time employment.

The Community Education traineeship was filled in November 2000 and the traineeship was completed in November 2001 and was successful in gaining fulltime employment within 2 months of finishing the traineeship.

The Administration traineeship was filled in July 2000. For personal reasons the traineeship was finished in May 2001. A new Administration trainee was appointed in June 2001.

The Commission engages trainees through the Australian Training Company. They are responsible for all aspects of the traineeship including recruitment, salary payments and the off-the job training component.

The Commission acts as the host employer and is responsible for the Trainee's on-the job training and providing regular feedback to the Australian Training Company.

When the Commission identifies a suitable vacancy, and potential trainee, this information is forwarded to the Australian Training Company to assess the applicant against other candidates they may have.

If the Commission has not identified a suitable applicant the Australian Training Company is requested to forward the Commission resumes of applicants that the Commission can consider for interview.

MEASURING THE COMMISSION'S PERFORMANCE

QUESTION ON NOTICE: What are the benchmarks for measurement of the Commission's performance according to its statutory objectives and functions?

ANSWER: I am not aware of, nor have I been able to find any established benchmarks for the work of Childrens Commission's. There are however some areas where we have been able to benchmark our performance, usually against other public sector agencies.

The Staff Climate Survey for example, conducted in 2000, was benchmarked against other New South Wales public sector agencies.

We are in the process of establishing an audit program for the Working With Children Check that will allow us to benchmark against other Approved Screening Agencies.

We will continue to try and find benchmarking opportunities against which to measure ourselves.

Mr SMITH: Page 14, about halfway down there it says, "Commenced a phone sampling trial to find out about the types of calls we were receiving, from whom and our level of response to those calls and are developing that further". Can you expand on that please?

Ms CALVERT: We are trying to develop some key performance indicators for the commission so we can demonstrate to you, the Committee, and to others, the nature of our work and whether or not we are achieving the outcomes that we have set ourselves.

One of the key performance indicators or ways we are collecting data is through recording our phone calls, because that is often how we give advice to people, it is often how we fulfil our information and referral functions. We had about a month's trial of a phone survey where we recorded who the calls were from, who took the calls, whether it was for information, advice, referral, what the outcomes were. We have now refined that and are continually collecting that information and so in our next report to the Committee and to Parliament we will be able to report to you how many phone calls we got over the year, who the calls were from, who took the calls, what was the nature of the calls in very broad terms. It is a sort of way really of describing and showing some of the work we do.

FUTURE PLANNED INQUIRIES OF THE COMMISSION FOR CHILDREN AND YOUNG PEOPLE

Ms BEAMER: What inquiries are you planning to do? I would like to know what you are thinking of doing in the future?

Ms CALVERT: We have no inquiries planned for the 2001-2002 year, partly because we are still completing the first inquiry into children who have no-one to turn to. We are at the point of finalising our report which will make a number of recommendations to Government and non-Government, and the community, focusing on that notion of strengthening the key relationships that I talked about in my opening address. I anticipate releasing that in 2002. Then I want to spend some time in a sense embedding and promoting the findings of that inquiry and trying to get the recommendations adopted. I am reluctant, until I see how that goes, to embark on another inquiry. It does cost a lot of money and it does take significant resources in the Commission and I think there are other ways of achieving results that are as effective as doing inquiries. I am conscious that the Parliamentary Committee are also conducting inquiries as well, and in some ways supporting and participating in your inquiries is an effective way for us to pursue issues as well.

CONCLUDING STATEMENT

Ms CALVERT: I would like to thank the Committee for their support over the last 12 months in a number of ways, through the support of proposed changes to the legislation that I might have brought to you, through your support in conducting or doing things jointly in terms of seminars and hosting lunches with the Macquarie Street series has been well received by members of the sector, and personally I think your support has been really valuable.

I certainly see the Committee as a place that I can turn to for advice and assistance, but also a place that keeps me on my toes in terms of accountability and openness and transparency in the manner in which we do our business. I want to formally place on record my appreciation of the Committee's support and co-operation, in particular the Chair's support for me in fulfilling my role and in setting up the Commission.

Mr CAMPBELL (Chair): From my point of view, having read the annual report and your answers today, I think we have confidence that the Commission is meeting its objectives and doing it well. You have a motivated team, and I would acknowledge that there are some observing today. Maybe that is good or bad from their point of view or yours. I think there is that sense of team that should be acknowledged.

EXTRACTS OF THE MINUTES OF THE COMMITTEE ON CHILDREN AND YOUNG PEOPLE

Relevant extracts of the Minutes of the Committee on Children and Young People are included:

- | | |
|----------------|---------------------------|
| Meeting No. 14 | Thursday 25 October 2001 |
| Meeting No. 15 | Thursday 6 December 2001 |
| Meeting No. 16 | Thursday 14 February 2002 |

COMMITTEE ON CHILDREN AND YOUNG PEOPLE

PROCEEDINGS

**9:30 A.M., THURSDAY 25 OCTOBER 2001
AT PARLIAMENT HOUSE, SYDNEY**

MEMBERS PRESENT

Legislative Council

Mr Primrose
Mr Tsang
Mr Harwin
Ms Burnswoods

Legislative Assembly

Mr Campbell
Mr Smith
Ms Andrews
Mr Webb

The Chair, Mr Campbell, presiding.

Also in attendance: Mr Faulks, Committee Manager, Ms Brdaroska, Committee Officer, and Ms Tanzer, Assistant Committee Officer.

1. Apologies

Apologies were received from Mr Corbett, Ms Beamer, and Mr O'Doherty.

...

4. Chair's report

...

Date of hearing for examination of the 2000-2001 annual report

The Chair noted that he had been advised that the Commissioner for Children and Young People had indicated that her 2000-2001 annual report would be tabled in several weeks. There is a need to set the date for a public hearing to examine the annual report 2000-2001 of the Commission for Children and Young People.

On the motion of Ms Burnswoods, seconded Mr Smith:

That:

- (a) the Committee conduct a public hearing to examine matters arising from the annual report of the Commission for Children and Young People for the 2000-2001 financial year; and
- (b) the date for the hearing be set by the Chairman.

Passed unanimously.

...

There being no further business, the Chair closed the meeting at 10:00 a.m.

COMMITTEE ON CHILDREN AND YOUNG PEOPLE

PROCEEDINGS

**9:30 A.M., THURSDAY 6 DECEMBER 2001
AT PARLIAMENT HOUSE, SYDNEY**

MEMBERS PRESENT

Legislative Council

Ms Burnswoods
Mr Primrose
Mr Harwin
Mr Tsang
Mr Corbett

Legislative Assembly

Mr Campbell
Ms Andrews
Mr Webb
Mr Smith
Ms Beamer

The Chair, Mr Campbell, presiding.

Also in attendance: Mr Faulks, Committee Manager, Ms Brdaroska, Committee Officer, and Ms Tanzer, Assistant Committee Officer.

1. Apologies

Apologies were received from Mr O'Doherty.

6. Public hearing into the 2000-2001 annual report of the Commission for Children and Young People

The Committee commenced a public hearing into the 2000-2001 annual report of the Commission for Children and Young People, pursuant to the Commission for Children and Young People Act 1998 s.28(1)(c), relating to the examination of annual reports of the Commission.

The public were admitted.

Ms Gillian Elizabeth Calvert, Commissioner for Children and Young People

was called and sworn.

The witness acknowledged receipt of a summons issued by the Chair under the Parliamentary Evidence Act 1901.

The witness was examined by the Chair and Members of the Committee.

7. Private hearing into the 2000-2001 annual report of the Commission for Children and Young People

On the motion of Ms Burnswoods, seconded Mr Corbett:

‘That the Committee take private evidence into the 2000-2001 annual report of the Commission for Children and Young People, pursuant to the Commission for Children and Young People Act 1998 s.30, relating to clause 6 of Schedule 1 concerning confidentiality of evidence.’

Passed unanimously.

The public were excluded.

The Chair and Members of the Committee continued examination of the witness.

Evidence completed, the witness withdrew.

...

There being no further business, the Committee adjourned at 11:30 a.m.

COMMITTEE ON CHILDREN AND YOUNG PEOPLE

PROCEEDINGS

**11:00 A.M., THURSDAY 14 FEBRUARY 2002
AT PARLIAMENT HOUSE, SYDNEY**

MEMBERS PRESENT

Legislative Council

Ms Burnswoods
Mr Primrose
Mr Harwin
Mr Tsang

Legislative Assembly

Mr Campbell
Ms Andrews
Mr Webb
Mr Smith
Ms Beamer

The Chair, Mr Campbell, presiding.

Also in attendance: Mr Gönye, Acting/Committee Manager, Ms Callinan, Project Officer, Ms Dart, Committee Officer, and Ms Tanzer, Assistant Committee Officer.

1. Apologies

Apologies were received from Mr Corbett.

....

4. Consideration of the Chair's draft report: "Review of the 2000-2001 annual report of the Commission for Children and Young People"

The Chair presented the draft report: "Review of the 2000-2001 annual report of the Commission for Children and Young People" (Report 6/52).

The draft report, having previously been distributed to Members, was accepted as being read.

The Committee proceeded to deliberate on the draft report in globo:

Recommendation 1: read and agreed to

Recommendation 2: read and agreed to

"RECOMMENDATION 2: The Committee on Children and Young People recommends that the Commission for Children and Young People is actively consulted on legislation,

legislative amendments and policies which will significantly affect children and young people. This is in accordance with section 11(d) of the *Commission for Children and Young People Act 1986* which states that, among other things, the principal function of the Commission is to 'make representations to government and non-government agencies on legislation, policies, practices and services affecting children'.

Recommendation 3: read and agreed to

"RECOMMENDATION 3: The Committee on Children and Young People recommends that the Commission for Children and Young People, and in particular, the Children's Death Review Team, continues to report on the correlation between the death of children and young people from neglect and abuse and the involvement of Government agencies prior to that death in the same manner it did in the 2000/2001 Report."

Commentary: read and agreed to

Record of the examination of Ms Gillian Calvert, Commissioner for Children and Young People, regarding the 2000-2001 Annual Report of the Commission for Children and Young People:

read and agreed to

On the motion of Mr Primrose, seconded Mr Webb:

That the draft report: " Review of the 2000-2001 annual report of the Commission for Children and Young People ", be read and agreed to.

Passed unanimously.

On the motion of Mr Primrose, seconded Mr Webb:

That the draft report: " Review of the 2000-2001 annual report of the Commission for Children and Young People " be accepted as a report of the Committee on Children and Young People, and that it be signed by the Chair and presented to the House.

Passed unanimously.

On the motion of Mr Primrose, seconded Mr Webb:

That the Chair and Manager be permitted to correct any stylistic, typographical and grammatical errors in the report.

Passed unanimously.

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There being no further business, the Committee adjourned at 11:30 a.m.