



**Commissioner for Children and Young People**  
Western Australia

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Hon Wendy Duncan MLC  
Chairperson  
Review of Regional Development Commissions  
PO Box 1143  
WEST PERTH WA 6872

Dear Ms Duncan

**Review of Regional Development Commissions**

I was appointed as Western Australia's (WA) inaugural Commissioner for Children and Young People in December 2007 pursuant to the *Commissioner for Children and Young People Act 2006* (the Act).<sup>1</sup> Under this Act, I have responsibility for advocating for the half a million Western Australian citizens under the age of 18 and for promoting strategies and outcomes that enhance the wellbeing of children and young people.

Under section 19(g) of the Act, I have responsibility to monitor and review written laws, draft laws, policies, practices and services affecting children and young people. Section 20 provides that in carrying out all of my functions I must have particular regard to Aboriginal and Torres Strait Islander children and young people, and to those who are vulnerable or disadvantaged for any reason.

The Act provides that I must observe four guiding principles:

- Children and young people are entitled to live in a caring and nurturing environment and to be protected from harm and exploitation;
- The contributions made by children and young people to the community should be recognised for their value and merit;
- The views of children and young people on all matters affecting them should be given serious consideration and taken into account; and
- Parents, families and communities have the primary role in safeguarding and promoting the wellbeing of their children and young people and should be supported in carrying out their role.

I am also required to have regard to the United Nations Convention on the Rights of the Child (UNCRC), and the best interests of children and young people must be my paramount consideration.

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<sup>1</sup> Commissioner for Children and Young People Act 2006, WA

*Caring for the future growing up today*

It is with these responsibilities in mind that I submit comment to the Review of the functions and responsibilities of the Regional Development Commissions, to ensure the needs and views of children and young people are considered.

As Commissioner for Children and Young people I have travelled extensively across the State to regional and remote communities and have met with hundreds of children and young people and their families, as well as community leaders and senior decision makers. This experience has given me an insight into the areas of need and has informed my work and focus on several key themes pertinent to this review.

### **Population of Children and Young People 0 – 18 Years in Western Australian**

According to the Australian Bureau of Statistics 2006 Census the total population of children and young people in WA aged between 0 and 18 years is 481,840. 28% of this total live in regional and remote areas, this equates to 135,612 children and young people.

The total population of Aboriginal and Torres Strait Islander children and young people living in WA is 25,659<sup>2</sup> or 5% of the total population of children 0 – 18 years. The total indigenous population of children and young people living in regional and remote areas is 16,027 or 62% of total WA indigenous population of children and young people.

### **The need to involve our youngest citizens in discussions about their needs and concerns**

Children and young people living in regional Western Australia have consistently told me of their concerns regarding a lack of activities and the limited educational and career opportunities that are available to them. I have also heard that the lack of transport impacts their ability to access what services and activities are available.

Of particular concern are the specific needs of Aboriginal children and young people and their families, the issues affecting their wellbeing have been well documented in many forums including the work of the Telethon Institute for Child Health Research, the Productivity Commission's report *Overcoming Indigenous Disadvantage* and in the reports of three Parliamentary Standing Committees that have reported in the last year<sup>3</sup>.

Some individual programs both in the government and non government sector are, however, achieving marked results and provide promising practice of ways to support and enhance the health, welfare and educational experience and outcomes of Aboriginal young people.

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<sup>2</sup> Indigenous population statistics are subject to increase due to an undercount and unknown Indigenous Status

<sup>3</sup> Education and Health Standing Committee – *Invest Now or Pay Later* (March 2010) and *Destined to Fail* (May 2010) and Community Development and Justice Standing Committee - Inquiry into the Adequacy of Services to Meet the Developmental Needs of Western Australia's Children (2009)

If regional Western Australia is to be a desirable place to live, work and invest we must develop services in the areas of recreation, education and training and support services for families to attract and retain families and young people in these communities. Children and young people should be involved in planning, decision making and reviewing these services and supports.

### **The need for structural reform in the provision of services to children and young people and their families to improve social outcomes and maximise economic efficiencies**

Across the state I have found services that are duplicated and ad hoc. This situation is bringing reduced social outcome at very high cost to both children and young people and the State's finances. During a recent visit to the Wheatbelt, families told me of a trend to living in the region due to the affordable housing, however there is a dearth of services that are then required to support these families and their children. In contrast families living in the north of state discussed with me the very high costs of housing and living expenses and the lack of co-ordination between the services provided by the government, non government and private sector.

Regional centres provide unique opportunities to trial the co-location, collaboration and co-ordination of services to ensure that children and young people living in regional WA receive the same quality of service as those living in the metropolitan area.

Government has a crucial role to play in taking a leadership role in the co-ordination of new methodologies of service provision and ensuring that the services that are provided are outcomes focussed and meet the needs of the local community.

### **The lack of innovation and collaboration in Western Australia's government structures**

This is an issue that has been commented upon frequently from a range of disciplines and is often raised at regional meetings. To address this we need to find new ways of doing business – rather than repeatedly calling for improved collaboration and being disappointed when it fails to happen or does not achieve the required outcomes.

The review of the Regional Development Commissions provides an opportunity to work with community leaders to explore alternative governance mechanisms, with shared objectives of achieving positive transformation in the community.

In my submission to the Economic Audit Committee I outlined in greater detail the three key areas for improvement summarised above – structural reform; realignment of service areas and innovation. I attach a copy of that submission for your information.

### **Royalties for Regions**

The introduction of the Royalties for Regions program has the potential to have a significant impact on regional development, particularly in supporting programs and services that can greatly improve the wellbeing of children and young people.

I have previously provided a submission to the Standing Committee on Estimates and Financial Operations: Inquiry into the 'Royalties for Regions' Policy. This submission concentrated on four central themes:



- That there is a significant need for more activities and programs for children and young people in regional and remote WA;
- That there is insufficient coordination of the existing activities and programs for children and young people in WA, which could be improved through funding a Regional Children and Youth Plan;
- That a meaningful portion of the 'Royalties for Regions' funding should be allocated towards improving the health and wellbeing of children and young people in the State's regional and remote communities, particularly Aboriginal and Torres Strait Islander children and young people, by providing them and their families with appropriate services; and
- That children and young people should be given the opportunity to participate fully in decision making and policy development that affects them and that their contributions should be given serious consideration and taken into account.

### **Conclusion**

In the economic climate in which we currently find ourselves, it is increasingly important to invest wisely. The need to be more strategic and prudent with the State's finances in fact provides an opportunity to concentrate funding in the areas that will have the most effect, be the most sustainable and contribute to a future society that can respond to the environmental, social and economic challenges that will need to be faced.

The comments I have made highlight the issues for children and young people living in regional Western Australia and I encourage the Review Committee to consider the needs and views of children and young people and their families in reviewing government service delivery in regional WA.

Whilst my work relates primarily to achieving outcomes for children and young people, I believe that systemic change would bring about broader, widespread change for the community, including a cessation of waste and perceived duplication and lack of co-ordination in Government service provision.

It is my intention to place a copy of the submission on my website. Making work such as this publicly available is one way of demonstrating my accountability to the children and young people of WA.

I therefore seek your permission to make this submission public and will await your advice.

Yours sincerely



MICHELLE SCOTT

Commissioner for Children and Young People WA



July 2010



## **Submission to the Economic Audit Committee**

### **1. Introduction**

Thank you for the opportunity to submit to the Economic Audit Committee's review of the operational and financial performance of the Western Australian public sector. This is my second submission to the Committee, and I provide comment in my capacity as Western Australia's Commissioner for Children and Young People.

My initial submission, dated 19 January 2009, provided an overview of areas of need for children and young people. In this submission, I provide a more comprehensive analysis of priority areas and an assessment of where economic efficiencies could achieve improved social outcomes through more effective ways of working, and smarter investing.

In an analysis of the public sector's operational and financial performance it is crucial to assess critically which areas of investment reap the greatest rewards. In my view there is a significant level of fragmentation and duplication in several areas of service delivery in Western Australia, where costly inputs are not resulting in maximum outputs.

This submission highlights three key areas where improvements would be seen through:

- Structural reform
- Realignment of service areas
- Innovation

I would be happy to meet with the Committee and provide more information as required.

### **2. Role of the Commissioner**

I was appointed as Western Australia's inaugural Commissioner for Children and Young People in December 2007 pursuant to the *Commissioner for Children and Young People Act 2006* (the Act). The role of the Western Australian Commissioner for Children and Young People is one of broad advocacy; I have responsibility for advocating for the half a million Western Australian citizens under the age of 18 and for promoting and monitoring their wellbeing. I must always observe and promote the right of children and young people to live in a caring and nurturing environment and to be protected from harm and exploitation.

In performing all functions under the Act, the best interests of children and young people must be my paramount consideration. I must also give priority to, and have special regard for, the interests and needs of Aboriginal and Torres Strait Islander children and young people, and to children and young people who are vulnerable or disadvantaged for any reason.

In my first 18 months as Commissioner for Children and Young People I have travelled extensively across the State, to metropolitan, regional and remote communities, and met with hundreds of children and young people and their families, as well as community leaders and senior decision makers. This experience has given me an insight into the primary areas of need and concern across the State, and has influenced the focus areas of my work and office.



### **3. Structural reform**

One of the Committee's terms of reference is to undertake "An examination of the current structure of government agencies to determine whether changes are warranted to better support the efficient and effective delivery of government services."

This examination is timely. There is undoubtedly a need for structural reform in certain areas to streamline service delivery, provide strategic direction, improve social outcomes and maximise economic efficiencies.

Early childhood is one such area; where a lack of cohesive governance is resulting in fragmentation and a large wastage of investment.

Across the State, I have found that early childhood services—such as childcare, education, health, parenting and family support programs—are duplicated and ad hoc. This situation is bringing reduced social outcomes at very high cost, and is failing to achieve results for children or the State's finances. For example:

- I have spoken to business and industry leaders who are keen to contribute financial support to early childhood programs but have been frustrated in their efforts because of the challenges in determining which agency to go to for advice and assistance, and a lack of clarity around which programs are best practice.
- I am aware of five separate government agencies running disparate parenting programs.
- I have spoken to mothers who have sought to finance the upgrade of their local playground facilities but have been unable to because of bureaucratic inertia.
- I have been to communities where up to 40 different early childhood programs are being run and other communities where there are none.
- There is confusion in the sector about which agency is leading on implementing the COAG early childhood agenda, and the needs of the child—which should be central to all of this—appear to be sliced in a somewhat arbitrary fashion with different agencies addressing different elements.

At Attachment 1, I have presented two case studies of where community-based, integrated early childhood services are being hindered by government processes, rather than facilitated and supported.

In short, Western Australia is failing to take advantage of opportunities to channel investment into our children's wellbeing simply because of bureaucratic difficulties. The early childhood sector has been revealed to me as one suffering from overlap, a lack of communication and, most crucially in my view, an absence of coordinated, strategic planning. There is limited clarity as to the outcomes we wish for our young children and no overarching framework leading us more clearly towards it.

This is despite the extensive research in neurobiological and social sciences which is conclusive that a child's development in its earliest years sets the trajectory for their life development, and that positive experiences early reduce health, justice and welfare issues later.



*...investment in more preventative and early intervention strategies [are] repeatedly demonstrated to be far most cost effective – and humane – than dealing only at the crisis end of the scale... The needs and welfare of our children must always be our top priority.<sup>1</sup>*

There is little doubt that an investment in children, especially early childhood, is a smart investment: delivering positive social outcomes as well as extensive economic gains. We know that providing optimum experiences in these early years is the best way to facilitate a harmonious and productive adult life, and we have the economic modelling to prove that investing in the early years saves money in the long term—one study done in the US has documented a return to society of more than \$US16 for every tax dollar invested in its early care and education program.<sup>2</sup> It is also widely accepted that investing earlier facilitates better results, and is more cost effective, than investing later. (I refer the Committee to Attachments 2 and 3 for evidence on the important developmental phase of early childhood and the associated benefits of investing in this phase.)

Unfortunately, despite this knowledge, there remains a desperate need to officially recognise this evidence and increase the priority Western Australia places on early childhood.

**Recommendation 1: Increase the priority Western Australia places on early childhood, understanding the significant impact the early years has on later outcomes, including on the economic and social costs to the Western Australian community.**

To address the issues raised above—including the dearth of strategic planning and lack of coordination—it is my view that structural reform is required: Western Australia needs an Office of Early Childhood that would become a central office for early years matters.

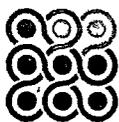
A Western Australian Office of Early Childhood would achieve the following:

1. Become a central office, bringing together the key elements of:
  - Early childhood health services;
  - Childcare; and
  - Early childhood education;
2. Become a central location for the coordination of parenting support programs, playgroups, other programs for the support of families and young children.
3. Undertake strategic planning for early childhood in this State, setting the agenda and the framework for where we want to go and how we can get there.
4. Liaise with other government agencies that have a role in the social inclusion and healthy development of young children (for example the Disability Services Commission).
5. Be responsible for liaison with the Commonwealth, non-government organisations and the private sector on early childhood matters.

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<sup>1</sup> Stanley, F., *Annual Report 2008*, Telethon Institute for Child Health Research, 2009, p3.

<sup>2</sup> <http://www.highscope.org/Content.asp?ContentId=282>



6. Function as a 'one stop shop' for industry, providing the much needed advice and support for companies wanting to invest in early years projects/programs.
7. Identify the best research and evidence for 'what works' for young children and families, evaluating programs, and translating research into practice for parents and workers.
8. Develop a set of agreed outcomes for children across government agencies and monitor and report on these outcomes every two or three years to monitor progress and inform policy and program development.

With these developments in place, service delivery to and by the early childhood sector would be streamlined, bringing much needed cohesion and coordination and vastly improving economic efficiencies.

This is not a new model. Victoria and South Australia have recently established units with clear responsibility for early childhood:

- South Australia: In South Australia, the Department of Education and Children's Services has responsibility for both education and childcare services, involving the provision of preschool, administration of Family Day Care, sponsorship of Outside School Hours Care programs and the establishment and enforcement of minimum standards for all types of childcare.
- Victoria: Since 2007, Victoria has operated a combined Department of Education and Early Childhood Development, inclusive of an Office for Children and Early Childhood Development. This Office has responsibility for coordination of licensed children's services; child health nurse services; supported playgroups; parenting services; occasional childcare; community kindergartens and early childhood intervention services for children with a disability or developmental delay. These functions are closely coordinated with early childhood education. Comprehensive reporting is provided, measuring how Victoria's children are faring. This model has proven to be effective in creating well integrated early childhood services from the policy level through to service delivery.

While both are excellent models for integrating the education and care of young children, my preference for Western Australia would be the Victorian model as it is inclusive of child health and parenting services.

The current location of Western Australian community child health services within the Department of Health means that it is required to compete with tertiary health services for funding and support. Historically, this has been challenging for community child health services: despite the State's recent economic 'boom', there has been no significant investment in staffing or budget across community child health services for more than 20 years.

The compounded effects of more children and fewer staff and resources has slowly eroded the operating environment of community child health services which, for decades now, have been required to do more with less. This has been confirmed by two recent Western Australian Parliamentary reports, with the Education and Health Standing Committee finding that Western Australia is in need of 105 community child health nurses, 135 school nurses



and 126 child development service staff<sup>3</sup>—not to provide an enhanced service, but simply to keep pace with the State's population growth. This shortage has been publicly acknowledged by senior Government Ministers and officials<sup>4</sup> yet I understand further cuts are occurring.

Community child health nurses offer an essential universal service but the sector is now under extraordinary pressure with the ratio of community child health nurse (FTE) to birth notification now at least 1:167, and up to as high as 1:420<sup>5</sup> (in most other jurisdictions this ratio ranges from 1:78 to 1:98).<sup>6</sup> I understand because of this unreasonable workload, in some cases nurses are unable to conduct the critical first home visit—an issue that has potentially severe ramifications, especially for disadvantaged or at-risk children.

This is not a national trend. In fact, other States are progressing at speed in recognising the importance of early intervention in child health, and Western Australia is falling behind its state counterparts in providing this early support. It is a disappointing reality that a child born in Victoria is likely to be given a better start than a child born in Western Australia, and that parents will be better supported and informed. A comparative look at the schedule of visits with child health nurses that the two States provide is telling:

- A Western Australian child will have seen a child health nurse 5 times at 18 months old.
- A Victorian child will have seen a child health nurse 5 times at 4 months old.<sup>7</sup>

This comparison highlights the differing value and associated resources the two States give to early childhood. In my view, it also reflects the forward-thinking approach of Victoria by recognising the significance of early childhood to the future of its citizens and the State.

The evidence shows that where investment in child health has occurred and community health services have been boosted, positive outcomes follow. South Australia has implemented a home visiting scheme for at-risk parents, including Aboriginal parents, offering 34 home visits over the first 2 years of a child's life, and has experienced notable positive outcomes as a result (see Box 1 below). Western Australia should implement this program as a matter of priority to achieve optimum outcomes for children and their families—particularly if it is to achieve the 'closing the gap' targets. It could be rolled out in a phased approach, starting in the Kimberley region where the need is most acute.

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<sup>3</sup> Education and Health Standing Committee, *Healthy Child – Healthy State: Improving Western Australia's Child Health Screening Programs*, Western Australian Parliament, 2009.

<sup>4</sup> Minister for Transport representing Minister for Health in the Legislative Council, 5 May 2009 (Hansard); correspondence to the Commissioner for Children and Young People from Director General of the Department of Health, Dr Peter Flett, dated 12 March 2009; correspondence to the Commissioner for Children and Young People from Minister for Health, Dr Kim Hames, dated 11 June 2009.

<sup>5</sup> Community Health Nurses Western Australia, *Submission to the Inquiry into the Adequacy of Services to Meet the Developmental Needs of Children*, 2009, p2.

<sup>6</sup> Information provided to the Commissioner for Children and Young People from Department of Health, correspondence received 20 August 2008.

<sup>7</sup> Victorian Department of Education and Early Childhood Development, Maternal and child health service information sheet, 2007; and Western Australian Department of Health, 'Child Health Services Birth to School Entry – Universal Contact Schedule', 2006



### Box 1: South Australia Family Home Visiting Service<sup>8</sup>

The South Australian Family Home Visiting Service offers intensive care and support for parents who are considered to be more at-risk, for example where the mother is less than 20 years of age or where the infant is identified as being of Aboriginal or Torres Strait Islander descent. These parents are then offered **34 home visits over the first 2 years of the child's life**. This model is based on the building of a relationship between the nurse home visitor and the family, and on the development of the infant and the parent-infant relationship. Flexibility is embedded in the program so that it suits the family and follows the parent's lead, addressing the issues they raise. It is highly likely that this program has contributed to South Australia's delivering a "significant" increase in the proportion of Aboriginal mothers who are attending antenatal sessions.<sup>9</sup>

Child development services are also suffering under the strain of inadequate resourcing and lengthy waitlists—and the situation is worsening. The metropolitan Child Development Service (CDS), for example, has waitlists of 12-18 months with some children, especially those over eight years of age, not receiving treatment at all.<sup>10</sup> The shrunken capacity of child development services to meet increasing demand means, inevitably, that the often already extreme disadvantage of the children requiring treatment is compounded.

Parents who can afford it are increasingly turning to private practice. For many parents, however, the cost of seeking private assistance is prohibitive and, once again, the cycle of disadvantage is perpetuated because of underfunded public health services.

*For the most disadvantaged families, a healthy start to life is equivalent to providing a lifeline to help lift children out of generational cycles of poverty and unhealthy environments and give them the best health and life opportunities.<sup>11</sup>*

With all that we know about the benefits of early intervention, the situation within the child development service is untenable. The evidence showing the benefits of investing early in child health is conclusive, and there is increasing urgency for resources in this area.

With an Office of Early Childhood in place, Western Australia would be best placed to coordinate this activity for the benefit of families, as well as to maximise the opportunities arising from the Council of Australian Governments' (COAG) Early Childhood Agenda directions and resources, especially in boosting community child health services which, in my view, are in crisis.

COAG recently signed off on a wide-ranging package of reforms for early childhood, including the new national strategy for early childhood development: *Investing in the Early Years - A National Early Childhood Development Strategy*<sup>12</sup> (the COAG strategy). The COAG

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<sup>8</sup> South Australian Children, Youth and Women's Health Service, *Family Home Visiting: Service Outline*, 2005, pp15-19.

<sup>9</sup> *Overcoming Indigenous Disadvantage: Key Indicators 2009*, Productivity Commissioner, 2009, p32.

<sup>10</sup> Education and Health Standing Committee, *Healthy Child – Healthy State: Improving Western Australia's Child Health Screening Programs*, Western Australian Parliament, 2009, p52.

<sup>11</sup> National Health and Hospitals Reform Commission, *A Healthier Future for All Australians*, Australian Government, 2009, p98

<sup>12</sup> *Investing in the Early Years – A National Early Childhood Development Strategy*, Council of Australian Governments, 2009.



strategy is intended to guide consideration of investment in future reforms to support children aged 0-8, and their families.

The COAG strategy (and broader agenda) has brought with it tremendous momentum, and a great deal of alignment of Federal and State priorities—particularly in the area of early childhood health, and a shared commitment to achieve the ‘closing the gap’ targets.

It has been apparent, however, that those states with already well established early childhood plans, such as Victoria and South Australia, have been much better placed in COAG negotiations, being able to leverage off their existing momentum. In Western Australia, the COAG agenda has largely become a ‘default plan’ in the absence of any broader strategic direction. This has disadvantaged our State which has particular social and geographical needs and, again, has caused a failure to maximise the use of Commonwealth funding.

Western Australia must now work hard to establish a strategic direction so it can move at the pace required by COAG and avoid the high risk that COAG initiatives will simply lead to another level of fragmentation in this already fragmented sphere.

Three of the six areas identified for further action in the COAG strategy relate to community child health services, and plans for their implementation are to be considered by COAG in 2010. These areas are:

1. *Strengthen maternal, child and family health service delivery as a key plank of a strong universal service platform.*
2. *Improve support for vulnerable children and their families through improved service response and accessibility.*
3. *Improve early childhood development infrastructure to support maternal, child and family health service delivery, increased access to quality early childhood education and care, and improved service response for vulnerable children.*<sup>13</sup>

I believe this COAG strategy has accurately identified the most pressing priorities and I am supportive of its focus on early childhood. There is an urgent need now for the Western Australian Government to turn this strategy into action. Clear leadership is required to support community child health services (and the education and care sectors) to achieve these commendable goals and make a real difference in outcomes, particularly for our Aboriginal children.

Although it has agreed to the COAG strategy, as yet there has been no indication from the Western Australian Government that these areas will receive increased funding, focus or resources. If this rare opportunity presented by COAG is not taken, and if community child health continues to be cut, there is no question that Western Australia will be guilty of ‘widening the gap’ and will suffer later the significant social and financial consequences of not investing in children.

*...delayed interventions end up being more costly for government, as it extracts a greater demand on future health services to provide therapy and treatment requirements. In*

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<sup>13</sup> Ibid, p27.



*addition, many of these delays may exacerbate a child's behavioural conditions and social dysfunction, which ultimately places added pressures on other public agencies, such as the education and justice departments.<sup>14</sup>*

An Office of Early Childhood would be best placed to provide the necessary leadership and manage this agenda.

**Recommendation 2: That Western Australia undertake necessary structural reform to establish an Office of Early Childhood bringing together the key elements of early childhood health, childcare and education.**

#### 4. Realignment of service areas

I have outlined my view that structural reform is required in the area of early childhood to prevent duplication and streamline service delivery. In a similar vein, I believe that a realignment of responsibility for youth justice is required to improve accountability, outcomes and prevent excessive, and unnecessary, Government expense.

Since my appointment as Commissioner for Children and Young People youth justice issues have been a strong area of priority for me, particularly addressing Western Australia's high rates of detention and the overrepresentation of Aboriginal young people in the justice system.

In youth justice there remains a concerning trend of implementing options that are the most expensive and the least effective. For example, accommodating a child or young person in detention costs the Government almost \$500 per day,<sup>15</sup> and the total cost reduction realised by diverting young people from court and using detention as a last resort would be close to \$9 million per year.<sup>16</sup> Research has shown the more frequently a young person is in contact with the justice system and the more serious this contact is, the more likely they are to continue to offend into adulthood.<sup>17</sup>

Despite knowing that detention is the most expensive option and is not demonstrated to be the most effective in terms of rehabilitation, Western Australia continues to have one of the highest rates of incarceration of children and young people in the country with, as yet, no dedicated, strategic approach to reversing that trend through diversion.

I have been working closely with government and non-government agencies to promote a new strategic direction for youth justice in Western Australia. Despite the level of activity occurring across agencies, however, I remain concerned that this has not yet translated to

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<sup>14</sup> *Future Directions for Western Australian Child Development Services*, Report of the Review by the Health Reform Implementation Taskforce, 2006 cited in: Education and Health Standing Committee, *Healthy Child – Healthy State: Improving Western Australia's Child Health Screening Programs*, Western Australian Parliament, 2009, pxx.

<sup>15</sup> Advice from Department of Corrective Services, 18 June 2009.

<sup>16</sup> Auditor General of Western Australia, A Cost Benefit Analysis of Proactive Redirection Measures in The Juvenile Justice System, (Supporting paper for Auditor General's performance examination *The Juvenile Justice System: Dealing with Young People under the Young Offenders Act 1994*, Volume 2, June 2008), p9.

<sup>17</sup> Chen et al, cited in: The Western Australian Auditor General's performance examination *The Juvenile Justice System: Dealing with Young People Under the Young Offenders Act 1994*, 2008, p18.



notable improvement 'on the ground' and there are fundamental challenges to be addressed in Western Australia, as highlighted by the following statistics:

- The daily average population of people aged 10-17 years in juvenile detention in WA is 132. In Victoria it is 48.<sup>18</sup>
- Aboriginal children and young people represent over 75% of the total population in juvenile detention.<sup>19</sup> (In Banksia Hill, at times this proportion has been as high as 90%).<sup>20</sup>
- Western Australia has the worst record in the country for the detention of Aboriginal male young people in comparison with non-Aboriginal male young people.<sup>21</sup>
- More than 60% of the young people in Banksia Hill Juvenile Detention Centre are there on remand.<sup>22</sup>
- Approximately 80% of young people on remand will not receive a custodial sentence when they return to court.<sup>23</sup>

I understand that planning is underway to meet the Government's election commitment to build a new prison for male offenders aged 18-22 and that the intention is for Banksia Hill Juvenile Detention Centre to be extended to accommodate young males, females, remandees and those on a custodial sentence.

The decision to expand Banksia Hill is an example of where the most expensive, least effective option is being implemented. It is a prudent financial decision to examine alternatives to the expansion of Banksia Hill and, more generally, encourage smarter, more considered approaches to youth justice that will achieve the greatest gains at the lowest cost.

I believe the 'correctionalisation' of youth justice in Western Australia has prevented agencies from addressing the broader social and economic disadvantage of many children and young people which continues to result in higher levels of offending, especially among Aboriginal children and young people.<sup>24</sup>

The same factors that lead a child into the justice system are largely the same as those that can cause a child to need to be placed into care (for example, dysfunction at home, alcohol and drugs, violence, disadvantage and poverty). As the NSW Minister for Juvenile Justice has commented: "we know that the map of juvenile custody is actually a map of poverty."<sup>25</sup> It is a fallacy to expect clear demarcation of justice and welfare issues.

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<sup>18</sup> *Report on Government Services 2009*, Productivity Commission, 2009, p.15 55 (2006-07 data).

<sup>19</sup> Snowball, L, "Diversion of Indigenous Juvenile Offenders", in *Trends & Issues in Crime and Criminal Justice*, No.355, Australian Institute of Criminology, June 2008, p1.

<sup>20</sup> *Report of an Announced Inspection of Banksia Hill Juvenile Detention Centre*, Report No. 58, Office of the Inspector of Custodial Services, December 2008, p19.

<sup>21</sup> *Overcoming Indigenous Disadvantage: Key Indicators 2007*, Productivity Commission, 2007, p132

<sup>22</sup> *Report of an Announced Inspection of Banksia Hill Juvenile Detention Centre*, Report No. 58, Office of the Inspector of Custodial Services, December 2008, p6.

<sup>23</sup> Information from Department of Corrective Services, meeting, 10 July 2009.

<sup>24</sup> *Bridges and Barriers' Addressing Indigenous Incarceration and Health*, National Indigenous Drug and Alcohol Committee, 2009, p6.

<sup>25</sup> NSW Minister for Juvenile Justice, Graham West, reported on ABC Four Corners 'Kids Doing Time', broadcast on 24 August 2009.



Presently, the Department of Corrective Services (DCS) has responsibility for juvenile offenders which has resulted in them being 'swamped' by the management of adult offenders, who are larger in number, approached with a different philosophy, and generally require greater risk management.<sup>26</sup> Many of these children are receiving, or require, the services of the Department of Child Protection (DCP).

It is important to recognise that a large proportion of the children in the justice system are there only because of very minor crimes and their punishment is disproportionate because of both their family circumstance (for example, not having a responsible adult to be bailed to) and because of the government department dealing with them. The DCS cannot reasonably be expected to provide the necessary supports and welfare assistance to these children who are vulnerable, at risk and in great need, so – instead – they are detained in the DCS facility. This is a direct contravention of the principles of the *Young Offenders Act 1994* which requires that detention must be a last resort for children and young people.

The DCP is set up to "provide for the protection of and care for children and young people, and to support at-risk individuals and families in resolving crises". The children who are in detention because there is no family with whom they can live, or no one who is prepared to take responsibility for them, are primarily a child protection responsibility. Many of the children have both the DCS and the DCP involved in their lives, leading to a duplication of government resources and unnecessary expenditure.

*One of the under-pinning strengths of any effective model of service delivery is strength of relationships... At this point it appears that many of [DCS's] relationships are, at best, under strain and at worst dysfunctional... The relationship with DCP is the most complex of them all... While the two Departments have worked to re-establish protocols around working together and planning, there is clearly still much improvement to be made.<sup>27</sup>*

Western Australia is the only State where juvenile justice is managed in the adult corrective services agency. In all other jurisdictions, with the exception of NSW, youth justice sits in the child protection or human services department.

I believe responsibility for youth justice should be transferred to the Department for Child Protection.

**Recommendation 3: Responsibility for Youth Justice should be transferred from the Department of Corrective Services to the Department for Child Protection to address more appropriately the underlying causes of children and young people offending, improve accountability for outcomes, and reduce government expenditure.**

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<sup>26</sup> *A review of structure and service delivery for the community and juvenile division*, Price Consulting Group for the Department of Corrective Services, 2009, p6.

<sup>27</sup> *A review of structure and service delivery for the community and juvenile division*, Price Consulting Group for the Department of Corrective Services, 2009, pp 12, 26 and 28.



## 5. Innovation

The *Western Australian Aboriginal Child Health Survey* identified one of the four constraints on children's optimal social and emotional wellbeing as 'chaos', and listed governments and their policies as one of the primary creators of this chaos.

*Policy development for children has become a political fashion with governments of the day formulating policies and branding, re-branding and repackaging children's services and programs for the life of government rather than for the lives of children. Governments have a responsibility to formulate, implement and evaluate coherent, sustained policies that assist and support in the development of children.*<sup>28</sup>

This was recently reinforced by Aboriginal organisations in Fitzroy Crossing:

*The current level of chaos that Aboriginal people in the [Fitzroy] Valley have to deal with in their relationship with governments is disastrous: and it is a state of dysfunction that Indigenous people struggle with throughout Australia at one level or another.*<sup>29</sup>

The lack of collaboration in Western Australia's government structures is an issue that has been commented upon frequently from a range of disciplines. The experience in the main is that government agencies have been unable to address complex social issues or achieve social policy reform where the involvement of several agencies is required.

To address this, there is a need to find new ways of doing business—rather than repeatedly calling for improved collaboration and being disappointed when it fails to happen or does not achieve shared goals. The citizens of Fitzroy Crossing, who have mobilised to such an extent as to achieve alcohol bans in their community, have approached Government asking for the opportunity to try a new, locally driven term of engagement:

*Instead of the many individual State and Commonwealth agencies providing services and making decisions without real accountability or benefit to the community, here is potential for a regional body – a partnership of community and government – to collaborate on locally determined sustainable development.*<sup>30</sup>

The formal evaluation of the effects of the alcohol restrictions in Fitzroy found:

*Significant gaps in support services that are needed to enable the social reconstruction of the Fitzroy Valley continue to hinder the community... This gap requires the resourcing of community based organisations operating at the coal face of community development, cultural health, mental health (counselling), education, community safety (Policing) and training, to build on the window of opportunity that the restriction has created.*<sup>31</sup>

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<sup>28</sup> Zubrick, S., et al., *The Western Australian Aboriginal Child Health Survey: The Social and Emotional Wellbeing of Aboriginal Children and Young People*, Curtin University of Technology and Telethon Institute for Child Health Research, 2005.

<sup>29</sup> *Joint submission to the senate inquiry on remote and regional communities*, Marninwarntikura Fitzroy Women's Resource & Legal Centre, Marra Worra Worra Aboriginal Corporation, and Nindilingarn Cultural Health Services (Fitzroy Crossing), 2009, p3.

<sup>30</sup> *Ibid*, p4

<sup>31</sup> *Fitzroy Valley Alcohol Restriction Report: An evaluation of the effects of alcohol restrictions in Fitzroy Crossing relating to measurable health and social outcomes, community perceptions and alcohol related behaviours after a 12 month period*, University of Notre Dame, 2009, p130.



I put to the Committee that the identified need for support to rebuild Fitzroy Valley, and the commitment of the citizens to lead that process, presents a real chance to test a new approach, with willing participants, in a single community. Joining with the leaders of Fitzroy Crossing to explore an alternative governance mechanism, with the shared objective of achieving positive transformation in the community, is a rare and exciting opportunity for the State Government and I strongly support a pilot along these lines.

**Recommendation 4: The Western Australian Government should examine new governance and funding models and, accordingly, should accept Fitzroy Crossing's proposal to explore a locally driven governance arrangement as a pilot approach.**

In my previous submission to the Committee, I discussed the need for new and innovative funding models. I consider this to be a critical issue, where Government has the potential to positively influence service delivery without significant overhaul.

I therefore reiterate my suggestions that the Committee consider a modified approach to budget applications and funding provision in order to provide incentives and rewards for sustainable, effective cross-agency collaboration.

Although they require scoping and examination, some options to explore may be:

- Examining ways to provide funding to 'issues' rather than to departments – for example the issue of improving Aboriginal education outcomes involves a number of agencies and it may not be the most effective strategy to ring-fence funding solely to the Department for Education and Training.
- Encouraging the Department of Treasury and Finance to prioritise combined budget bids and give them preferential status - this might stimulate agencies to work together more regularly and effectively in order to secure funding for projects that cross agency boundaries.
- Requiring that departments provide combined reports/updates on collaborative projects to Ministers - this might strengthen cross-government ownership issues.
- Exploring whether Directors General could have an element of their performance agreements associated with demonstrating outcomes achieved as a consequence of collaboration - this was also a recommendation of the recent Special Commission of Inquiry into Child Protection Services in New South Wales.<sup>32</sup>

**Recommendation 5: The Western Australian Government should explore new approaches to funding provision in order to provide incentives for effective cross-agency collaboration.**

Western Australia needs to get smarter about investing in evidence-based programs, to ensure efforts are met with proportional rewards. Presently, there is a raft of programs for

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<sup>32</sup> Recommendation 24.2: "Each human services and justice agency CEO should have, as part of his or her performance agreement, a provision obliging performance in ensuring interagency collaboration in child protection matters and providing for measurement of that performance." *Special Commission of Inquiry into Child Protection Services in New South Wales* (the Wood Inquiry), 2008.



early childhood health, development and education but no high-level, strategic evaluation or collection of best-practice. Consequently, some excellent programs are discontinued, other less effective programs are expanded, and many are reinvented. An examination of the State's economic efficiency should highlight this area as one for attention, where gains could be achieved from implementing a more strategic, and scientific, approach.

In Western Australia, there is currently no systemic way of determining whether the financial investments made are having the desired impact of improving specific outcomes for children and young people (in areas such as education, health, housing, recreation, the built environment, transport, cultural identity, safety and protection).

It is my view that the development of a Western Australian Outcomes Report for Children and Young People is required. This would provide the State with a systematic approach to gathering data on specific outcomes for children and young people and would enable the State Government to determine where it should direct its limited resources to obtain the most effect.

Once again, Victoria provides a useful model in this area, reporting on the outcomes for children and young people every two years.<sup>33</sup> Victoria's *The State of Victoria's Children* is a statewide report on 35 outcomes, produced in regular cycles. Victoria also produces *A catalogue of evidence-based interventions* which informs the development of effective service delivery to improve the outcomes for children. The Victorian experience shows that this system enables governments to plan and monitor the impact of its investments and to target these investments to the outcomes that are most important and to the people who need them most.

Across Western Australia, I have met non-government organisations that are struggling to establish where to apply for government funding or how to manoeuvre through the process. Then, if they do manage to achieve financial support, it is usually for a pilot period, or for a 1-3 year timeframe, rendering ongoing evaluation, strategic planning and sustainability virtually impossible.

I posit that this is not a strategic use of Government funding, and that, instead, evaluation of programs should be built in from the outset, and then programs that demonstrate effective outcomes (not outputs) become eligible for longer-term funding. This enables us to build on 'things that work', expand them to other areas of need, and prevents reinvention. As mentioned above, I believe Western Australia could then develop and manage a catalogue of evidence-based interventions that would inform policy and planning.

**Recommendation 6: Outcomes monitoring should be undertaken so that evidence-based programs can be offered long-term funding, thereby maximising potential for positive outcomes, sustainability, and strategic planning.**

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<sup>33</sup> Reported in: *The State of Victoria's Young People: A report on how Victorian young people aged 12-24 are faring* (<http://www.eduweb.vic.gov.au/edulibrary/public/govrel/Policy/children/sovcreport07.pdf>)



## 6. Conclusion

In the economic climate in which we currently find ourselves, it is increasingly important to invest wisely. The need to be more strategic and prudent with the State's finances in fact provides an opportunity to concentrate funding in areas that will have the most effect, be the most sustainable and contribute to a future society that can handle the environmental, social and economic challenges that will need to be faced.

*Investing in early years programs is good economic policy. If society intervenes early enough it can affect cognitive and social emotional abilities and the health of disadvantaged children... [Early] interventions are estimated to have high benefit-cost ratios and rates of return... and have much higher returns than other later interventions such as reduced pupil-teacher ratios, public job training, convict rehabilitation programs, tuition subsidies or expenditure on police.<sup>34</sup>*

There is little doubt that an investment in children, especially early childhood, is a smart investment: delivering positive social outcomes as well as extensive economic gains. Western Australia is ripe for change in this area, where services are currently duplicated and fragmented and other States are progressing ahead at speed.

I believe that significant positive change and economic efficiencies can be realised through:

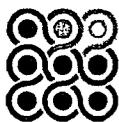
- Structural reform: establishing an Office of Early Childhood to bring leadership and cohesion to the fragmented early childhood sector.
- Realignment of areas: transferring youth justice from DCS to DCP to improve accountability and outcomes.
- Innovation: developing new governance and funding models to encourage collaboration, and piloting such a model in Fitzroy Valley, and establishing longer-term funding models for evidence-based programs.

While these recommendations relate primarily to achieving outcomes for children and young people, I believe they would bring broader, widespread change for the community, including a cessation of the existing financial wastage in these areas and improved supports for families.

I urge the Committee to consider that smarter, strategic investment in our future generations and in the areas I have discussed in this submission would move Western Australia into a strong and prosperous future.

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<sup>34</sup> Cunha, F., 'Investing in Disadvantaged Young Children Is Good Economics and Good Public Policy', presentation to Business Leadership for America's Youngest Citizens: The Economic Promise of Investing in Early Childhood, April 2008.



## **7. Summary of recommendations**

Recommendation 1: Increase the priority Western Australia places on early childhood, understanding the significant impact the early years has on later outcomes, including impacting significantly on the economic and social costs to the Western Australian community.

Recommendation 2: That Western Australia undertake necessary structural reform to establish an Office of Early Childhood bringing together the key elements of early childhood health, childcare and education.

Recommendation 3: Responsibility for Youth Justice should be transferred from the Department of Corrective Services to the Department for Child Protection to address more appropriately the underlying causes of children and young people offending, improve accountability for outcomes, and reduce government expenditure.

Recommendation 4: The Western Australian Government should examine new governance and funding models and, accordingly, should accept Fitzroy Crossing's proposal to explore a locally driven governance arrangement as a pilot approach.

Recommendation 5: The Western Australian Government should explore new approaches to funding provision in order to provide incentives for effective cross-agency collaboration.

Recommendation 6: Outcomes monitoring should be undertaken so that evidence-based programs can be offered long-term funding, thereby maximising potential for positive outcomes, sustainability, and strategic planning.



## Attachment 1: Case studies

The case studies below present two examples of where community need has been identified and dedicated individuals have established integrated services through extraordinary and relentless effort. Government agencies, and the current early childhood governance structures, have largely presented barriers rather than assisting or facilitating the process.

These integrated services are examples of effective community-based approaches and there is a need for close examination of how government can support and sustain these initiatives where they exist.

### **Challis Parenting and Early Learning Centre**

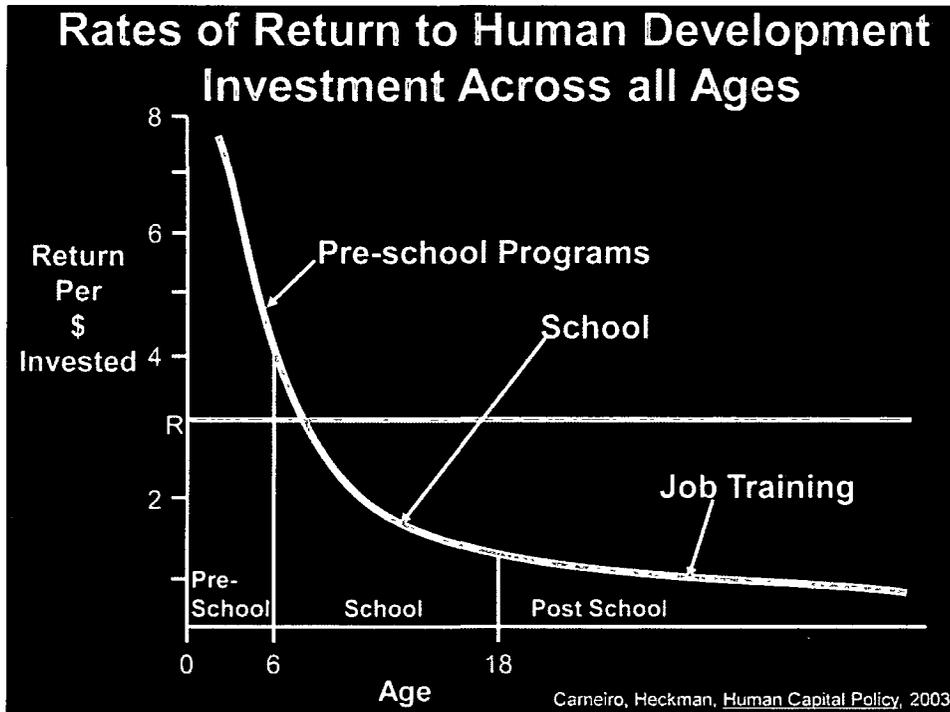
Recognising the need for local families to have a central community hub where their children's health and development needs could be addressed, Challis Parenting and Early Learning Centre has, against the odds and with considerable cost, managed to bring together various departments on one site to form an integrated centre where parents and children receive a range of advice and supports. It is accomplishing marked results and has been widely lauded as an excellent example of an integrated service. Unfortunately, due to recent budget cuts, this centre is unable to expand and has not been able to secure a much needed speech therapist. This centre exists only because a few dedicated individuals have been tireless in their pursuit, not because government has supported this evidence-based approach to addressing community need.

### **Balga Primary School**

At Balga Primary School, the Deputy Principal identified that the only way to address the large number of children entering school with developmental delays was to bring early childhood health, development and care services onto the school site for the ease and benefit of children and families in the community. Her intention was to provide assistance during the critical 0-3 age group when neurological, social and cognitive skills are being developed. She has been successful in bringing on some additional early childhood services but this has required that she enlist the support and/or funding of at least **11** different agencies (both government and non-government). It is clear this is an unsustainable model, both because of its dependence on the involvement of so many different agencies, but also because it will only remain in place for as long as the Deputy Principal retains the motivation and dedication to manage that extraordinary process. The process is in place to try and replicate this model in other school sites and government is crucial in supporting this endeavour.



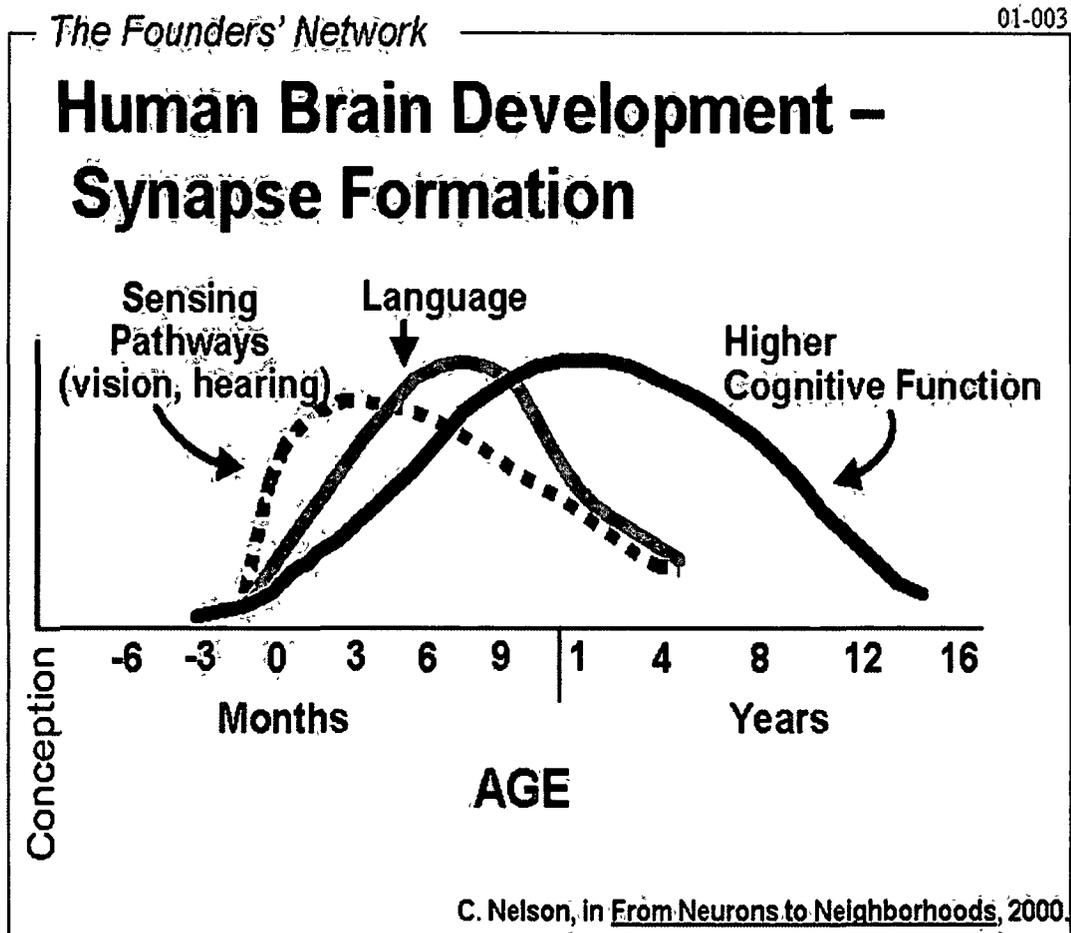
**Attachment 2: Returns on investment over time**



Source: cited in *Healthy Child – Healthy State: Improving Western Australia’s Child Health Screening Programs*, Western Australian Parliament, Education and Health Standing Committee, 2009, 163



**Attachment 3: Human brain development – synapse formation**



Source: cited in *Inquiry into the adequacy of services to meet the developmental needs of Western Australia's children*, Western Australian Parliament, Community Development and Justice Standing Committee, 2009, p10.