



THE CABINET OFFICE

7 JUN 1996

NEW SOUTH WALES

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The Hon Ann Symonds MLC
Chairperson
Standing Committee on Social Issues
Legislative Council, Parliament of New South Wales
Parliament House
Macquarie Street
SYDNEY NSW 2000

Dear Ms Symonds

The Premier has asked me to forward the *NSW Government Response to A Report into Youth Violence in New South Wales* by the Legislative Council Standing Committee on Social Issues, tabled in Parliament on 26 June 1996.

Yours sincerely

A handwritten signature in black ink, appearing to read 'R. Wilkins'.

Roger B Wilkins
Director General
The Cabinet Office



NSW GOVERNMENT RESPONSE

TO

***A REPORT INTO YOUTH VIOLENCE
IN NEW SOUTH WALES***

**BY THE LEGISLATIVE COUNCIL
STANDING COMMITTEE ON SOCIAL ISSUES**

NSW GOVERNMENT RESPONSE

TO

***A REPORT INTO YOUTH VIOLENCE
IN NEW SOUTH WALES***

**BY THE LEGISLATIVE COUNCIL
STANDING COMMITTEE ON SOCIAL ISSUES**

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Overview

The recent horrific events in Tasmania have focused the nation's mind on violence to an unprecedented extent. All Australian Governments are now acting to tighten their gun laws. But clearly, the roots of violent behaviour are complex ones. The use of firearms is but one symptom of violence in society. Restricting their availability and use is an important method of violence prevention but other measures will also be necessary.

The issue of youth violence was referred to the NSW Legislative Council Standing Committee in April 1993 and the Committee reported in September 1995. The Committee's terms of reference were to:

- collect and analyse data on the occurrences of youth violence, and its underlying causes, including violent incidents in schools
- examine the policies, actions, research and proposals of relevant government agencies and the impact of racial tensions, unemployment, family breakdown, media portrayal of violence and any other relevant factors in relation to youth violence and
- make recommendations to the NSW Parliament to assist all relevant government agencies in developing the most effective strategies to deal with youth violence.

During a two year inquiry period the Standing Committee performed detailed research and analysis, conducted public hearings, visited schools and received written submissions. The result of that investigative process was a major report of almost 400 pages in length, with 181 recommendations, seven of which the Committee considered to be key ones.

The Government welcomes the Report's recommendations. They provide a major contribution to making New South Wales a safer place to live. This Government is committed to addressing the problems and issues identified in the Report.

The Standing Committee noted the difficulties in conclusively mapping the incidence of, and trends in, youth violence. It did conclude, however, that there is no youth violence 'crime wave'. The vast majority of young people are responsible members of our community, of which we can be proud.

It is important that our community recognises that our young people are more often victims rather than perpetrators of violence, as illustrated by the recent child abuse allegations arising from the Woods Royal Commission. Violence is often perpetuated through generations of learned behaviour and those young people who do commit acts of violence have often been victims themselves.

The Standing Committee's terms of reference were broad. As a result, the Report touches on a range of diverse issues, including the role that family breakdown, unemployment and the media play in contributing to youth violence.

The Government supports the Standing Committee's holistic approach which emphasises prevention, increased safety measures for the community and effective and integrated responses to young offenders to tackle the problems that do exist.

Responsible Ministers and agencies have carefully examined recommendations of the Standing Committee's report.

The Government is acting to address the great majority of the Standing Committee's recommendations as part of mainstream policy and program development, and to implement initiatives which support young people - delivering services to those who have 'fallen through the cracks', to maximise their opportunities and ensure they have an effective springboard into adult life.

This overview highlights the Government's response to this comprehensive report, chapter by chapter, and identifies key initiatives of the Government which respond to its recommendations.

Chapter 1 of the Committee's report provided a theoretical overview, cataloguing various explanations for the violence committed by some young people. It discussed crime prevention, an issue the Government takes very seriously.

The Government is committed to preventing juvenile crime before it occurs. For example, it is developing a *Juvenile Crime Prevention Strategic Plan* for NSW and has instituted juvenile crime prevention grants for pilot projects such as one which helps young people in danger of committing violent crimes to explore alternatives to violence.

Chapter 2 of the Report reviewed data on the incidence and characteristics of youth violence and Chapter 3 examined the incidence and characteristics of violence in schools. Significantly, the Committee highlighted the fact that the family home is a more dangerous place for children than their school grounds. The Committee was concerned, however, to ensure the best possible data is available on the incidence of violence in schools and that the obligation to report violent incidents is clear.

The Department of School Education began collecting more comprehensive statistics on suspensions in Term 3, 1995 and these are already yielding information which will provide a valuable framework for the development of effective strategies against school violence.

Chapter 4 looked at the relationship between family breakdown and youth violence. It examines pressures on families which may contribute to youth violence.

Services for children and families remain a top priority for the Government. Some recent achievements which respond to recommendations of the Standing Committee in this area include:

- a \$13 million 'rescue package' for abused children and those in care
- the establishment of a Women's Equity Bureau in the Department of Industrial Relations which will help implement the Committee's recommendation that workplace reform continue to provide more flexible working arrangements to support families.

Chapter 5 took a 'big picture' look at how unemployment, poverty and homelessness may contribute to youth violence. The Government is deeply concerned about these problems. They cannot be ignored by any government. A key recommendation of this chapter was that the Government give priority to job creation schemes in areas of high youth unemployment.

Labour market programs and employment subsidies are traditionally a Commonwealth responsibility. To avoid duplication, the NSW Government is working to maximise quality vocational training opportunities as a way of tackling high youth unemployment and its associated problems.

For example, as part of the 1996/97 Budget the Government allocated \$6,862 million to fund programs which assist disadvantaged young people by improving their literacy, numeracy and self esteem - to help them stay in education and training, and to better access jobs. Further, the Government has put a proposal to the Prime Minister for the establishment of a Joint Commonwealth/NSW Taskforce on Youth Training and Work.

Chapter 6 of the Standing Committee's report looked at young people's use of public space for recreation, what recreational options were available and problems associated with drug and alcohol misuse.

As recognised by the Committee, better planning for the use of public space by our young people is required in recognition of their right to socialise in shopping centres or on their neighbourhood streets. The presence of young people in a public space must not automatically bring a presumption of criminal behaviour. To this end the Government:

- has funded a pilot project to do qualitative research in the Parramatta city centre on the relationship between young people and public space
- is consulting with the Youth Action Policy Association about a Young People and Public Space research project.

The Committee also addressed the problems of illicit drug and alcohol misuse and abuse by young people. The Government is currently developing a strategic policy framework for drug and alcohol policies and programs for young people, and will be informed by an across Government audit of existing policies and programs.

In response to a key recommendation in Chapter 6, which focused on measures to limit violence on licensed premises, the Government has introduced amendments which place a harm minimisation objective into relevant legislation that strengthens provisions relating to the responsible service, promotion and consumption of liquor.

In addition, a joint initiative has been undertaken by the Departments of Gaming and Racing, Police and Health to educate liquor licensees, club managers and their staff about the responsible serving of alcohol, to promote a safer environment on licensed and club premises.

The Government also recently introduced legislative amendments so that hotels and clubs can provide alcohol-free entertainment for young people under 18 to increase the availability of entertainment and recreational opportunities for young people across NSW.

Chapter 7 examined the relationship between violence in the media and youth violence. This matter was recently taken up by the Federal Government in response to events in Tasmania - it has convened a Committee of Ministers to examine studies on links between violent behaviour and the availability of violent material on television, film, video and video and computer games.

The Government considers this to be primarily an area of Commonwealth responsibility. However, it is similarly concerned about the possible impact of violence in the media on young people and will carefully consider the findings of the Commonwealth Committee when they are available.

In the meantime, the Government is looking at violent material on the Internet, a communication tool now openly available to young people. The Government is currently considering proposals to create an offence for the transmission and retrieval of objectionable material on the Internet, including matters which 'promote, incite or instruct' in matters of crime and violence.

Chapters 8, 9 and 10 reviewed the Department of School Education's policies and actions to combat youth violence. Chapter 8 took a broad brush approach to the issue, looking at the role and nature of schools, their relationship to the community and parents and anti-violence strategies. Chapter 9 considered anti-violence initiatives in New South Wales schools, including programs and curricula.

The Government has acted decisively in relation to the Committee's recommendation that the Government ensure sufficient resources are available to schools to enable them to function as models of co-operative, tolerant and non-violent communities.

The Minister for Employment and Training will release a package of material addressing the key issues of discipline and student welfare during Term 3, 1996. The package will include:

- a new *Student Welfare Policy*
- a Ministerial Statement on *Good Discipline and Effective Learning*, released in December 1995, which makes it clear that no violence, discrimination, harassment or bullying will be tolerated in government schools and which requires all schools to prepare a new School Discipline Policy by the beginning of 1997
- teacher support materials to assist schools in the implementation of the policy and the Ministerial Statement
- revised procedures relating to suspension, exclusion and expulsion of students from school and the declaration of place vacant.

The Government has:

- established a new *Student Welfare Directorate* in which the Behaviour and Attendance and Student Counselling and Welfare units will provide more focused support for schools in the area of suspensions, exclusions and expulsions
- revised the *Teaching Against Violence* kit for use in schools to assist in implementing programs which aim to prevent violence, discrimination, harassment and bullying. The kit received an *Australian Violence Prevention Award* and is being distributed to schools in 1996
- passed legislation which restricts the right of teachers to use corporal punishment as a disciplinary method
- implemented the *Strategies for Safer Schools* program - a school development program designed to extend the skills of teachers and members of the school community in managing student behaviour
- developed a *Dispute Resolution Project*, involving collaboration between the Department of School Education and Community Justice Centres to trial a peer mediation program for secondary students
- and promoted the *Personal Development, Health and Physical Education syllabuses* which canvass a range of issues such as power in relationships, conflict resolution, violence in the family, child sexual assault, vandalism, homophobia, equity and discrimination and sex based harassment.

In Chapter 10 the Committee looked at how the Department of Education deals with the causes of violence in schools and factors which underlie it. Key initiatives of the Government in these areas include:

- the development of a *Gender Equity Strategy*, as recommended by the Standing Committee, to ensure boys and girls are not disadvantaged in education in any way
- strategies to address bullying, a particular concern of the Committee, detailed in the resource documents *Strategies for Safer Schools* and *Teaching Against Violence* and to be further progressed as a result of the Minister's Statement, *Good Discipline and Effective Learning*

- strategies to address racism, through the development of the *Whole School Anti-Racism Project Resource Materials*
- establishment of a conduct disorders program for high school students
- the development of a project on student homelessness to determine prevention and early intervention strategies.

Chapter 11 reviewed the role of the NSW Police Service in relation to youth violence. Key achievements which respond to concerns of the Committee include:

- a successful guns and knives amnesty, with over 9,600 weapons surrendered or confiscated to date
- the development of a proposal to discourage young people from carrying knives, involving Police and the Department of School Education
- the development of a Police Service *Youth Policy Statement Action Plan 1995-2000*
- a soon to be finalised *NSW Police Service Implementation Plan for the Charter of Principles for a Culturally Diverse Society* and an accompanying *Statement of Intent*
- the establishment of an *Aboriginal Complaints Unit* and appointment of a *Youth Liaison Officer* within the Ombudsman's Office.

In Chapter 12 the Committee examined issues relevant to young people who have committed violent crimes and, as a result, have become involved in the juvenile and adult correctional systems. Many of the principles which informed the recommendations of the Standing Committee in this Chapter have already been adopted by this Government.

The Government is working to ensure young offenders are held accountable, while offering appropriate intervention, supervision and management to maximise the potential for their successful reintegration into society and to break the crime cycle.

A range of strategies have been put into place to provide for violent young offenders. For example the Department of Juvenile Justice is developing a *Violent Offenders Program* for repeat violent offenders in detention which is due for implementation by August this year. It is also conducting a *Sex Offender Program* where juveniles are taught to recognise and manage their cycle of offending.

The Department of Corrective Service is working on new programs to alter the behaviour of sexual and violent offenders. As part of the Government's announced restructure of the adult correctional system, the 1996/97 Budget provided \$1.2 million for sex offender programs, with the redevelopment of Long Bay to offer special therapeutic treatment units. Young sex offenders are identified as a sub group of sex offenders and their particular requirements will be addressed.

Finally, Chapter 13 examined the role of a range of Government agencies whose services and policies impact upon the problem of young people and violence. It focuses on Government provision of community services, housing and public transport. Of particular note in this context are:

- the Government's significant reform initiatives in the substitute care and child protection areas, including the establishment of a *Child Protection Enforcement Agency* within the NSW Police Service

- the negotiation by NSW for a national research project on children in the *Supported Accommodation Assistance Program*
- the establishment of the *Transport Safety Bureau*, responsible for ensuring the highest practicable levels of passenger security are maintained
- the development of a *Good Neighbour Policy* by the Department of Housing to help tackle anti-social behaviour and work with local communities and tenant groups to establish a safer environment for tenants, their families and neighbours.

In summary, the Standing Committee produced a thorough and comprehensive report on this very important issue. Its work was a valuable stimulus to across-Government action. The Government response documents the detailed actions being taken to address each of the recommendations made by the Standing Committee. The Government is committed to continuing to actively work to unravel the causes of, and find solutions to, the complex problem of youth violence.

CHAPTER 3 - THE NATURE AND EXTENT OF SCHOOL VIOLENCE

Examines the incidence and characteristics of school-related violence.

RECOMMENDATION 1 - SUSPENSION RECORDS

Recommendation:

That the Minister for Education ensure that records relating to the suspension of students include

- the sex of the student and
- the reason for the suspension

so that information on suspensions for violent behaviour can be obtained, trends monitored and appropriate intervention strategies developed.

Government response:

The Government supports the recommendation to collect data on the sex of students and reason for the suspension. The Department of School Education has been collecting this data from schools since Term 3, 1995. Additional data is also being collected on grade, Aboriginal and Torres Strait Islander and NESB status. This will enable the development of effective strategies and the related targeting of Departmental resources. This process will be completed by the end of 1996.

The information collected to date shows that secondary school males are more likely to be suspended than any other group and that some cultural groups appear to be disproportionately represented. The collection of this additional data will provide a valuable framework for the development of effective strategies.

RECOMMENDATION 2 - REPORTING OF SUSPENSION, EXCLUSION & EXPULSION DATA

Recommendation:

That the Minister for Education ensure that suspension, exclusion and expulsion data are published in the Department of School Education's Annual Report.

Government response:

The Government supports the recommendation.

While a small amount of information on suspensions was published in the Department of School Education's Annual Report for 1994, a much more comprehensive statement on suspensions, exclusions and expulsions was included in the 1995 Annual Report. In particular, the statement drew attention to the backgrounds of students being suspended and the reasons for their suspensions.

RECOMMENDATION 3 - DEFINITIONS OF VIOLENT BEHAVIOUR

Recommendation:

That the Minister for Education ensure that information is distributed to all government schools which

- contains a comprehensive definition covering the types of violent behaviour which should be the subject of a Critical Incident Report

- includes examples of these types of violent incidents and
- advises that the degree of malice and the nature of injuries incurred should be considered in decisions on completing Critical Incident Reports.

Government response:

The Government supports the recommendation.

Critical Incident Reports are required for a range of serious matters involving the disruption to the work of schools. These include fires, gas leaks and major damage to property in addition to violence and threats of violence against staff and students.

Critical Incident reporting has traditionally been organised through regional offices. With the phasing out of ten regions and establishment of 40 district offices, action is being taken to shift responsibility for Critical Incident reporting to districts. In this context guidelines are being prepared which address, among other things, the matters referred to by the Committee.

RECOMMENDATION 4 - REPORTING OF VIOLENT INCIDENTS TO POLICE

Recommendation:

That the Minister for Education

- amend the guidelines on suspension, exclusion and expulsion to clarify the parameters of the discretion of principals regarding the reporting of violent incidents to the police and define cases in which reporting is essential
- require schools to review procedures for decisions relating to reports to police when judgment must be exercised, with appropriate input by the school community and
- require schools to lay down a set of clear guidelines on the reporting of violent incidents to police that apply both to cases in which reporting is essential and cases in which the exercise of judgment is required.

Government response:

The Ministerial Statement on *Good Discipline and Effective Learning*, issued in December 1995, clarifies the role of the principal in managing school discipline and gives specific direction on the circumstances in which police should be called to schools.

The Department of School Education and the Police Service are collaborating at operational level to ensure better co-ordination between portfolios.

CHAPTER 4 - THE FAMILY

Examines the relationship between the family unit and violence among young people.

RECOMMENDATION 5 - DEVELOPMENT OF AWARENESS CAMPAIGN AND TRAINING STRATEGIES TO ASSIST FAMILIES WITH VIOLENCE PROBLEMS

Recommendation:

That the Ministers for Community Services and Health develop an awareness campaign and training strategies to assist those working with families where violence by young people towards parents or other family members is occurring.

Government response:

The Government recognises the problem of violence in families and notes the recommendation.

A range of strategies which address this recommendation are now underway.

The Department of Community Services:

- provides training to field staff on violence, including issues relating to youth violence against other family members
- funds a number of services that provide support to families where youth violence occurs. Identifying such families and providing relevant support services is an integral part of service delivery and will receive greater focus as part of the Department's move towards a preventive and early intervention approach.
- The NSW Health Department has recently released a Youth Health Discussion Paper, *Caring for Young People*, which examines the training needs of those working with young people with special needs.
- Youth health centres provide in-reach services to young people in Juvenile Justice Centres and links are being developed to co-ordinate services for young people being discharged from custody. These links extend into the violent offenders' program run by the Department of Juvenile Justice.
- The Departments of Community Services and Health are represented on the Violent and Disruptive Youth Interdepartmental Committee chaired by the Department of School Education.

The Government does not fully support the recommendation for an awareness campaign on this issue. It prefers a more focussed strategy, incorporating prevention and early intervention initiatives, which are supported by evidence-based literature. Some current approaches and strategies are detailed below.

- Early identification of young people at risk of developing disruptive behaviour disorders and the provision of mental health services during early childhood has been demonstrated to be an effective intervention strategy for disruptive behaviour. The Centre for Mental Health within the Department of Health sees prevention and early intervention as a priority in dealing with mental health problems and has identified children and young people as priority populations. The Health Department will be developing a set of early intervention programs of proven effectiveness, targeting young people from early childhood through to adolescence and young adulthood. These programs will involve not only families and schools but the wider community.
- Enhancements have been provided to the Adolescent Mental Health course, run by the Institute of Psychiatry, to increase the availability of appropriate adolescent mental health training for rural workers.

- The Department of Community Services funded the Adolescent-Parent Mediation Project as a pilot under the Community Services Grants Program. The aim of the project was to prevent breakdown of family relationships and to avoid premature, permanent parent-adolescent separation. An independent evaluation of the project was conducted, the results of which are now with the Minister's office.
- The *Parent Help Line* is funded as a pilot program under the Community Services Grants Program (for more detail on this initiative see the Government's response to Recommendation 12 below).
- The issue of 'early intervention' for young people aged from 12 to 15 years is also being considered by Youth Ministers through the Ministerial Council on Education, Employment, Training and Youth Affairs. Terms of reference for this project including recording and highlighting best practice in regards to 'early intervention' and 'prevention' strategies and considering the supplementation of the early intervention policy and program responses to the needs of young people at risk.

RECOMMENDATION 6 - TRAINING FOR SCHOOL COUNSELLORS AND TEACHERS

Recommendation:

That the Minister for Education appoint sufficient specialist officers to ensure school counsellors and teachers are appropriately trained to recognise and provide support to children experiencing violence in their homes and meet their mandatory reporting obligations.

Government response:

Action is being taken to achieve appropriate training for teachers and school counsellors using student welfare consultancy support within the Department of School Education. With the support of the Departments of Community Services and Health, the Department of School Education consultants in student welfare and other relevant officers, can organise appropriate professional development for teachers and school counsellors.

Forty newly appointed student welfare consultants will receive training to support schools to fulfil their obligations in child protection in the context of student welfare.

The Department of School Education's kit, *Resources for Teaching Against Violence*, contains a section on domestic violence. It has been updated and has been provided to all schools.

RECOMMENDATION 7 - PEER REVIEW EDUCATION PROJECTS ADDRESSING FAMILY VIOLENCE

Recommendation:

That the Attorney General direct the Juvenile Crime Prevention Unit to review peer education projects that address family violence, such as the Victorian Young People in Need project, and consider supporting the development of a New South Wales equivalent.

Government response:

The Juvenile Crime Prevention Division, Attorney General's Department, is in the preliminary stages of reviewing peer education projects that address family violence, such as the Victorian Young People in Need project. The Division has met with the convenor of the Victorian project and sought information on a number of other peer education programs operating in both New South Wales and interstate. The Division aims to prepare a paper reviewing academic literature and programs. Subsequently, the Division will prepare advice on the merits of a project based on peer support.

RECOMMENDATION 8 - RESOURCES FOR CHILD ABUSE WORK

Recommendation:

That the Minister for Community Services ensure that sufficient resources are provided for adequate investigation and follow-up of reports of child abuse received in response to campaigns.

Government response:

This Government has announced a comprehensive package of measures to help overcome the human problems caused by child abuse:

- a \$13 million rescue package for abused children and those in care, including:
 - \$300,000 p.a. additional funding to the Department of Health's Physical and/or Emotional Abuse and Neglect of Children (PANOC) Services. Additional PANOC co-ordinators will be appointed to increase access to health services for young people in Broken Hill, Taree, Bourke and Moree. Aboriginal metropolitan PANOC workers will be appointed in the South-West and Central Area Health Services
 - closed circuit television systems will be installed over the next 3 years at a cost of \$2.5 million in courts in all major locations across NSW and in children's courts
 - an independent information, referral and counselling service will be funded for the six months from May 1996 for people who have experienced abuse while previously in substitute care, with the service being incorporated into the 'After-Care Centre' once it is established (see the Government's response to Recommendation 23)
- the establishment of a Child Protection Enforcement Agency within the NSW Police Service
- a review of the recruitment and screening of staff of the Department of Community Services, its funded services and other agencies involved in the care of children
- following on from the decision in 1995/96 to appoint 60 new child protection specialists, 45 additional field staff will be appointed during 1996/97 to provide child protection services at the point of notification of abuse.

The Government recognises the importance of providing a comprehensive child protection response. This approach is outlined in the draft document, *Strategic Directions in Child Protection*. In light of this, the Government has provided \$2 million per annum for family initiatives to develop individual service packages to strengthen families, thus reducing the risks to children and the likelihood of statutory intervention. This represents an investment in early intervention for families.

RECOMMENDATION 9 - NON-VIOLENT DISCIPLINARY METHODS

Recommendation:

That the Minister for Community Services develop and implement community education campaigns to discourage the physical punishment of children and provide information about non-violent disciplinary methods.

Government response:

The Government supports the development and implementation of community education campaigns to discourage the physical punishment of children and provide information about non-violent disciplinary methods. To this end the Government:

- provides funds for and supports the Association for the Prevention of Child Abuse and Neglect which actively promotes community education and awareness of non-violent disciplinary methods and alternatives to physical punishment

- funds the Child Protection Council which raises community awareness regarding the protection of children and changing community attitudes towards child abuse. The Government provided an additional \$100,000 for the Child Protection Council in 1995/96 for prevention strategies.

RECOMMENDATION 10 - FLEXIBLE WORKING ARRANGEMENTS TO SUPPORT FAMILIES

Recommendation:

That the Minister for Industrial Relations ensure the continuation of workplace reform to provide more flexible working arrangements to support families.

Government response:

The Government is working to ensure more flexible working arrangements to support families.

The Women's Equity Bureau (WEB) of the Department of Industrial Relations will continue to develop, promote and assist in implementing work and family policies. WEB is currently finalising a *NSW Work and Family Strategy*. The document will promote principles to help balance work and family, through Government initiatives and the encouragement of co-operation between business and flexible work practices and community services.

The Government's principles in relation to promoting a balanced work and family life are as follows. Its underlying aims are to:

- define family responsibilities in a way which reflects the diversity of today's society, which includes the caring needs of the young, the old, people with disabilities and family members
- eliminate barriers which impede the full and equitable participation of workers with family responsibilities
- enable workers to make a more effective economic contribution to assist the achievement of workplace efficiency
- recognise the importance of all key parties involved in the process of assisting workplaces and workers with family responsibilities and in developing solutions to overcome problems. Key parties include the government, employers, trade unions and employees in the public, private and community sectors.

The proposed objectives are to effect:

- attitudinal and behavioural change
- workplace reform
- fairness and equity in the workplace
- equitable access to vocational education and training
- flexible, responsive and accessible community services and resources.

Emerging issues identified are to:

- develop material and assist in training to demonstrate the cost and benefit to business of having effective work and family policies
- identify and respond to the specific needs of small business in relation to work and family policies
- identify and respond to the specific needs of rural and remote areas in relation to work and family policies
- provide material to analyse and promote the need for, the meaning of, and the impact of flexibility in the workplace
- ensure a focus on, take into account the demands of, private life which incorporates care for older people, people with disabilities, children and partners.

Initiatives being developed responding to these areas include:

- developing equity provisions in the *Industrial Relations Bill 1996*
- a Community Services reference and resource booklet to assist employees with family
- developing a 'Business Case' to explain to business the benefits of balancing work and family responsibilities
- appointment of a trade union equity officer, responsible for promoting pay equity among trade unions and employees.

A Work and Family Taskforce of Senior Government Officers, chaired by the Director General of the Department of Industrial Relations, has been established to finalise and drive the Government's policies and programs to assist workers balance their work and family lives. It is planned the Government will launch its work and family platform of policies and programs towards the end of 1996.

KEY RECOMMENDATION 11 - OUTSIDE SCHOOL HOURS CARE FOR 12-15 YEAR OLDS

Recommendation:

That the Ministers for Community Services, Sport and Recreation and Education collaborate on the expansion of outside school hours programs specifically designed to meet the needs of 12 to 15 year olds.

Government response:

The Government supports this key recommendation which aims to ensure appropriate leisure activities for 12 to 15 year olds outside school hours and acknowledges the essential role of child care in supporting families.

It notes the existing collaborate effort between the Departments of Sport and Recreation and School Education and the Australian Sports Commission in the area of sports development programs outside school hours, through 'Aussie Sports'. Several program elements, eg Sport Leadership programs, are tailored to meet the needs of this age group. They emphasise the development of leadership skills such as communication, decision making, problem solving, team building, organisation and innovation.

The Department of Community Services is currently developing the Community Services Grants Program (CSGP) Reform Strategy, to evaluate and restructure services funded under CSGP. The program will be divided into two discrete programs — an Individual and Family Support Program and a Community Resources Program. Adolescents are identified as target groups in each of these programs and their special needs will be actively considered in the development of the two programs. The reform strategy will proceed over three years (commenced January 1996).

There is also potential for more innovative Out of School Hours projects provided by the Department of Community Services. For example, a number of pilots have recently been funded for activities for children with disabilities (including older children aged up to 15 years) and two projects which separate children under 12, with those over, so as to provide more age appropriate activities.

The Government recognises that the inability of young people with a disability to access mainstream programs, such as after school hours care, increases their isolation and marginalisation, reinforces negative perceptions of difference and increases the likelihood of them becoming targets for harassment and violence.

Impediments facing young people with a disability in accessing out of school hours programs and care are identified in a report by the Network of Community Activities, *We Care Too!* While innovative pilot programs for young people with a disability, discussed above, are useful, the

preferred option is for children to participate in mainstream services. Discussions are underway between the Commonwealth and State Governments about resourcing out of school hour services for young people with a disability.

KEY RECOMMENDATION 12 - FAMILY SUPPORT PROGRAMS

Recommendation:

That the Minister for Community Services and Minister for Health ensure that family support programs are fully evaluated and coordinated and successful programs offered state-wide, especially to parents of children in the crucial first three years of their life.

Government response:

The Government supports this key recommendation.

An extensive range of family support services are piloted, co-ordinated and evaluated in an ongoing way by the Department of Community Services, the Ageing and Disability Department and the Department of Health. These include:

- a *Parent Help Line*, funded as a pilot program under the Community Services Grants Program. It is a telephone counselling service aimed at preventing family problems turning into major crises by providing professional information and support at an early stage. It is widely advertised through schools, baby health centres, churches and clubs for parents and children. Following initial contact, written information is sent out where appropriate and referrals made for specialist counselling and treatment when necessary. Because of its anonymity and 'non-welfare' image, it encourages contact from parents who may normally not feel it appropriate to seek help
- the Department of Community Services' *Community Services Grants Program (CSGP) Reform Strategy* will include the development of service standards, program outcomes and the evaluation of Family Support projects. The strategy promotes service delivery aimed at prevention and early intervention
- the Department of Health's extensive range of services for parents with children, providing a range of parenting support programs, from prevention and early intervention to treatment and referral. A major program is the development of appropriate antenatal and postnatal education programs aimed at improving the level and quality of the wide range of educational programs and support services available free to enhance parenting skills
- the Centre for Mental Health, Department of Health has as a priority strategy the development of prevention and early intervention initiatives, particularly those for children and young people and their families. For example, it is currently facilitating the enhancement of improved mental health service parenting initiatives, e.g. examining a Queensland model called 'Triple P' - Positive Parenting for Preschoolers and initially targeting rural NSW
- the Department of Health established a Volunteer Home Visiting Research Working Group because it was apparent several home visiting programs were established without a clear purpose of effectiveness. Its role was to examine the national and international literature to determine the most effective models and evaluate the existing programs against a standard evaluation criteria. This involved the co-ordination of a pilot home visiting program using volunteers, targeting families with additional needs and the development of an evaluation tool for this program. An important outcome of this initiative has been the convening of two national forums to identify the components of a home visiting program, to establish inter-sectoral networks within Australia and develop appropriate standards
- the Departments of School Education, Health and Community Services are piloting a two year program to establish four interagency family community services, designed to develop and trial models of effective and efficient interagency co-ordination to support families with children under five years
- the Ageing and Disability Department is currently developing a policy on children with a disability and substitute care. It is addressing the issue of children with disabilities entering substitute care and the needs of families to have access to preventative services to meet the needs

of the family as a whole so that the child can remain at home. Where family breakdown is unavoidable, the Department is examining the need for a range of out-of-home placement options, based on permanency planning principles, which aim to ensure the best interests of the child are safeguarded.

In the 1996/97 Budget the Government announced the provision of \$2 million per annum for family initiatives to develop individual service packages to strengthen families, thereby reducing the risks to children and the likelihood of statutory intervention, representing an investment in early intervention for families.

RECOMMENDATION 13 - SUPPORT FOR ABORIGINAL PARENTS

Recommendation:

That the Minister for Community Services ensure that pilot programs to assist Aboriginal parents are fully evaluated and successful programs are offered Statewide.

Government response:

The Department of Community Services is taking action to ensure that pilot programs to assist Aboriginal parents are fully evaluated and successful programs are offered Statewide. The Government is committed to solutions devised and implemented at a local level, after consultation and negotiation with Aboriginal organisations and communities.

The Department of Community Services' *Community Services Grants Program (CSGP) Reform Strategy* will evaluate and develop CSGP funded services and place a greater emphasis on the evaluation of Aboriginal services. Area based needs analysis will better identify needs and gaps in service provision for Aboriginal people. Relevant pilot programs include:

- an Intensive Family Based Service operating on the Far North Coast of NSW, specifically designed to support Aboriginal families to maintain the care of their children and to reduce risk factors so that the child's safety in the home can be assured. Families are referred to the service when a child is at risk of being removed from the family as a result of abuse or neglect. The final evaluation report is due in December 1996
- a *Parent Help Line* which has an Aboriginal identified position (see the Government's response to Recommendation 12 above).

CHAPTER 5 - SOCIO-ECONOMIC FACTORS

Investigates the links between socio-economic status and levels of violent crime.

RECOMMENDATION 14 - EXTENSION OF YOUTH STRATEGY ACTION GRANTS PROGRAM

Recommendation:

That the Minister for Industrial Relations encourage the Federal Minister for Employment, Education and Training to extend the Youth Strategy Action Grants Program to ensure funding continues beyond the establishment grant.

Government response:

The Youth Strategy Action Grants Program was discontinued by the Commonwealth Government in the May 1995 Budget.

The Government has no plans to re-establish the program or develop a program with similar objectives.

KEY RECOMMENDATION 15 - JOB CREATION SCHEMES FOR YOUTH

Recommendation:

That Government Agencies, in partnership with community organisations and the private sector, give priority to job creation schemes in areas of high youth unemployment.

Recommendation:

Job creation schemes are funded and managed by the Commonwealth through the Department of Employment Education and Training. To avoid duplication, the NSW Government seeks to focus its efforts on providing vocational education and training for young unemployed people.

In the 1996/97 Budget the Government provided nearly \$16m to youth employment initiatives. This includes \$6.8m for programs such as *HELP* (Helping Early Leavers Program), *Circuit Breaker* and the *Koori Youth Program* which are aimed at assisting disadvantaged young people to stay in education and training and to access jobs.

The Government is also progressing towards its target of 5,000 additional State funded TAFE student places in 1997. These places will be allocated to regions experiencing increased student and industry demand to ensure students have access to quality education and training opportunities in the areas of the State where they are needed most.

The Government has put a proposal to the Prime Minister for the establishment of a Joint Commonwealth/NSW Taskforce on Youth Training and Work.

RECOMMENDATION 16 - PART TIME WORK AND JOB SHARING

Recommendation:

That the Minister for Industrial Relations act to ensure that appropriate opportunities are provided for part-time work and job sharing to increase the availability of employment options.

Government response:

The Government is working to ensure that appropriate opportunities are provided for part-time work and job sharing to increase the availability of employment options.

The Department of Industrial Relations is currently reviewing its role in this area with a view to establishing a workplace reform unit to assist NSW workplaces to introduce more effective, productive and flexible working arrangements.

Two Work and Family Advisers - one at the Labor Council of NSW and another at the NSW Chamber of Manufactures - successfully completed their projects and reported at the end of 1995 (the projects commenced in 1994). The Advisers provided support, information and advice about flexible work practices and enterprise bargaining and promoted the inclusion of flexibility and flexible working arrangements through enterprise agreements.

The Department of Industrial Relations is currently reviewing and developing a future project which will be to appoint a trade union Equity Officer, responsible for promoting pay equity and workplace reform among trade unions and employees.

With the assistance of the Department of Industrial Relations, the Officer will work on a rotational basis, between unions, to provide advice on equity matters and to encourage workplaces to implement flexible work practices and employment conditions.

RECOMMENDATION 17 - TRAINING AND EMPLOYMENT TO MAXIMISE ONGOING EMPLOYMENT OPPORTUNITIES FOR YOUNG PEOPLE

Recommendation:

That the Minister for Industrial Relations ensure, in consultation with the federal counterparts, that all training and employment initiatives are structured to maximise the likelihood of on-going employment for young people.

Government response:

The Government is working with the Commonwealth to ensure that training and employment initiatives are structured to maximise the likelihood of on-going employment for young people.

Changes to anti-discrimination laws relating to age discrimination in employment, and the implementation of a national training reform agenda, have led to the involvement of the Department of Industrial Relations in two reviews:

- a review, managed by the Australian Industrial Relations Commission (AIRC), aiming to reach agreement on issues related to the national training reform agenda and changes to federal age discrimination legislation. The Steering Committee comprises representatives from the Commonwealth, various State governments, ACCI, ACTU and the Retail Council of Australia
- a New South Wales tripartite Working Party on Junior Employees is reviewing the current exemption for junior rates under the *Anti-Discrimination Act 1977*.

The Department is also represented on the Australian Vocational Training System (AVTS) Implementation Task-force which is establishing the framework within which the AVTS initiatives are implemented in NSW.

The NSW Government believes that youth and training wage arrangements should promote broad-based skills formation for young people, while at the same time being flexible in operation and relatively simple to administer. These arrangements should recognise that skills can be acquired through a number of pathways (eg employment-based, institution-based, on-the-job/off-the-job training and vocational placements).

In NSW, amendments to the *Anti-Discrimination Act* exempt wages prescribed for people under 21 years of age from age discrimination provisions until June 1996. Subsequently the exemption *may* be revoked by proclamation, but the Government has no immediate plans to do so.

To ensure that there are no adverse consequences for youth employment, reforms to youth rates should not occur unless suitable wage models can be developed that protect youth employment.

Conversion of age-based and training wage arrangements should be carefully managed within a timetable that allows industrial parties to develop suitable skill and experience-based replacements.

The Government has given assurances to employer groups that the protection afforded to age-based junior rates in NSW will not be removed until the industrial parties and relevant industry tribunals have had a realistic opportunity to develop an adequate alternative to age-based rates.

RECOMMENDATION 18 AND 19 - COMMONWEALTH DEVELOPMENT EMPLOYMENT PROJECT

Recommendation 18:

That the Minister for Industrial Relations consult appropriate Federal Ministers to ensure that taxation penalties against Aboriginal workers in CDEP (Commonwealth Development Employment Project) programs are removed.

Recommendation 19:

That the Minister for Industrial Relations, in consultation with appropriate Federal counterparts, consider the expansion of the CDEP (Commonwealth Employment Development Project) scheme to non-Aboriginal unemployed young people in selected communities.

Government response:

The Government notes that employment programs are the responsibility of the Commonwealth Government. The Government will raise the matters referred to in Recommendations 18 and 19 with the Commonwealth Government.

KEY RECOMMENDATION 20 - LEARNING AND RECREATIONAL ACTIVITIES FOR UNEMPLOYED YOUTH

Recommendation:

That the Government, in partnership with community organisations, sponsor the development of learning and recreational activities for unemployed youth. As one means of advancing this process, the Minister for Community Services should seek expressions of interest and fund the development of a pilot scheme providing training for unemployed young people to develop anti-violence programs and workshops to educate their peers.

Government response:

The Government has put a proposal to the Prime Minister to establish a Joint Commonwealth/NSW Taskforce on Youth Training and Work. The Government will act to ensure that this recommendation is considered by the Taskforce once it is established.

The Department of Community Services, through the Community Services Grants Program (CSGP), funds youth projects and has recently funded a series of seminars focussing on anti-violence to raise awareness and understanding of the issue.

Department of Training and Education Co-ordination programs, such as *HELP* and *Circuit Breaker*, also aim to improve employment prospects for unemployed youth.

RECOMMENDATION 21 - VOLUNTEER PROGRAMS FOR THE UNEMPLOYED

Recommendation:

That the Minister for Industrial Relations, in consultation with his federal counterparts and community groups, ensure that unemployed young people are given information on alternative ways of contributing to the community through volunteer programs.

Government response:

The Government will consult with the Commonwealth Government regarding the proposed *Green Corps* program. This program proposes that volunteers be trained to assist in emergency and natural disaster situations, mainly in non-urban areas.

The Government will also examine programs run for young unemployed people by the New Zealand Ministry of Youth Affairs, for example the Conservation Corps and Youth Service Corps.

RECOMMENDATION 22 - WORK PREPARATION TRAINING FOR YOUNG PEOPLE WITH BEHAVIOURAL DISORDERS

Recommendation:

That the Minister for Community Services ensure that adequate funding is allocated to programs attempting to develop work preparation skills in behaviour-disordered young people.

Government response:

The Government supports the recommendation in principle.

The issue requires careful co-ordination among several Departments, including Ageing and Disability, Community Services, Health, School Education and TAFE Commission, Juvenile Justice and the Police Service. The Commonwealth also has a significant role as the major provider of employment and training programs. This matter could be referred to the proposed Youth Work Task Force for consideration.

The Department of School Education has established a Conduct Disorders Program for high school students. Eight projects have commenced across the state for young people who have been diagnosed as conduct disordered. The types of projects range from schools for specific purposes, units attached to high schools, wilderness projects and tutorial centres.

See also the Government's response to Recommendation 103.

RECOMMENDATION 23 - WARDS

Recommendation:

That the Minister for Community Services closely monitors the delegation of accommodation, care and maintenance of wards to the non-government sector to ensure his statutory obligation to provide adequate support is met.

Government response:

The Government is committed to ensuring its obligation to provide adequate support to wards is met, and that delegation of responsibilities to the non-government sector is monitored. A range of mechanisms to achieve this end are in place. These include:

- release of *Strategic Directions for the Substitute Care Program* in March 1996 to explain future directions for the Department of Community Services in the care of wards by public and private sector service providers
- continuation of the review by the Interim Review Committee, an inter-agency committee of representatives from the government and non-government sectors with expertise in substitute care issues, of outcomes for children and young people currently in foster and residential care
- consolidation of the statewide planning model for future services and the implementation of area substitute care plans
- completion of the closure of the Department's large residential centres and the continued provision of area based residential services to replace closed institutions
- an allocation of an extra \$300,000 per annum to the State-wide Network for Young People in Care to act as an advocate for children in care, run holiday camps, and involve children in decision-making processes which affect them
- the review of the circumstances of all children in foster and residential care to ensure their care is appropriate and that their individual needs are being met
- establishment of an After-Care Centre and the appointment of Leaving Care Workers to provide support, advice and initial follow-up for young people who are leaving care or who have been in care
- the funding of an independent information, referral and counselling service for the six months from May 1996 for people who have experienced abuse while previously in care, with the service being incorporated into the After-Care Centre once established
- establishing a Substitute Care Ministerial Advisory Committee, to be chaired by Father John Usher, to provide advice on an appropriate permanent independent monitoring mechanism for substitute care which is to be set up by 1997
- undertaking a review of the recruitment and screening of staff of the Department of Community Services, its funded services and other agencies involved in the care of children
- the development of key policy and practice documents on topics including assessment and decision making, intensive care services and standards (implementation of Standards for Substitute Care Services in NSW is occurring in 1996)
- for foster carers:
 - providing \$300,000 annually to provide stronger peer support and improved information services to the 4,000 approved foster carers in New South Wales
 - increasing, in the 1996/97 Budget, the Standard Age Related Fostering Allowance for children aged 12 to 17 years, to help rectify the shortage of foster carers for adolescents.

A significant proportion of wards have disabilities and interface problems exist between disability and care and protection/substitute care service systems. The Government will ensure that the Ageing and Disability Department is included on the Advisory Committee reviewing substitute care, to ensure the review involves an examination of both children with disabilities who are wards and those who are in care on a 'voluntary' basis in a range of government and non-government services.

RECOMMENDATION 24 - PLACEMENT FOR YOUNG PEOPLE WITH ACTING-OUT BEHAVIOURS

Recommendation:

That the Minister For Community Services ensure that appropriate placements are available to young people with severe acting-out behaviours, and that these placements minimise risks to other residents and staff.

Government response:

The Government recognises the need for young people with severe acting-out behaviours to have available to them appropriate placements.

The Department of Community Services' facilities, known as Ormond and Minali, continue to provide intensive support services to children and young people with complex needs. The intensive support strategy aims to improve the quality of services and help the exit of children from these services to more appropriate arrangements as quickly as possible. An ongoing review of intensive support services is already providing different and more appropriate outcomes for children receiving those services and data to develop service models which respond to young people with complex needs.

An outreach service, the Intensive Support and After Care Service (ISACS), with responsibility for assessment, planning and casework for young people needing to exit intensive support services commenced in 1996.

RECOMMENDATION 25 - SAFETY IN SUPPORTED ACCOMMODATION SERVICES

Recommendation:

That the Minister for Community Services ensure that staff of supported accommodation services are provided with information on best practices in intervening in violent incidents, to reduce risks to themselves and other residents, and on appropriate strategies for encouraging residents to deal with anger and aggression in non-violent ways.

Government response:

The Government supports the recommendation.

Safety and security emerged as a major issue for the Supported Accommodation Assistance Program (SAAP) in 1994 following the murder of a youth refuge worker by service users and several other very serious incidents. Five strategies have been developed, with consultative input from service management, staff, union and employer interests, occupational health and safety professionals, academics and experienced trainers. The strategies aim to:

- assist management of SAAP services meet their employer obligations and responsibilities in providing safer work places
- offer SAAP staff relevant training
- examine the resourcing measures needed to manage SAAP workplaces from an occupational health and safety perspective.
- The strategies are:
 - a safety and security audit of NSW SAAP services piloted with youth SAAP services, the findings of which will be incorporated into the SAAP Program Development Implementation Plan 1995/7
 - the development of health safety and welfare guidelines for manager of SAAP services
 - continuing SAAP training courses on safety and security/occupational violence for staff and management which, subject to successful evaluation, will become a regular component of the NSW SAAP training agenda
 - ensuring future SAAP Funding Agreements include check lists/benchmarks for safety and security
 - a review of Assessment and Referral Procedures, to be implemented in late 1996.

RECOMMENDATION 26 - STAFFING OF SUPPORTED ACCOMMODATION ASSISTANCE PROGRAM (SAAP) FUNDED SERVICES

Recommendation:

That the Minister for Community Services ensure that

- services funded under the Supported Accommodation Assistance Program which target young people with behaviour disorders are provided with adequate resources to ensure two staff members are on duty at any one time and
- the additional staffing be used to provide further services, especially training for residents in the management of violence.

Government response:

The Government notes the recommendation.

The Department of Community Services considers that it would be more appropriate to focus on flexible staffing, such as being able to call on a second staff member at peak or crisis times. The Department will further examine this issue in the context of work currently underway to develop the SAAP Program Development Plan 1996/7. Training for SAAP workers in management of violent behaviour has been designed and implemented. Reports from participants are positive and the training will be ongoing.

RECOMMENDATION 27 - ADEQUATE SAAP SERVICES

Recommendation:

That the Minister for Community Services urge his Federal counterpart to ensure that adequate services are available through the Supported Accommodation Assistance Program to provide needy young people in all areas with appropriate accommodation services.

Government response:

The Government reports that the new SAAP agreement has been signed and the outcomes from the last National Review of SAAP have been consulted upon. There are no SAAP growth funds for the term of the current agreement. The Department of Community Services is currently finalising strategies to implement new program directions under the term of the third, five year agreement signed in 1995. The Department is working to ensure that funds are as efficiently targeted as possible. For example it is examining benchmarks, standards and funding formulas, issues of access, referral and assessment and is closely monitoring services that are refusing referrals.

RECOMMENDATION 28 - YOUNG HOMELESS ALLOWANCE & MEDIATION SERVICES

Recommendation:

That the Minister for Community Services urge Federal counterparts to develop further mediation services for families of children applying to receive the Young Homeless Allowance.

Government response:

It is understood that a major feature of the Commonwealth's Youth Homelessness Pilot Program is an emphasis on mediation, and where possible, family reconciliation for those young people applying for the Young Homeless Allowance.

In NSW the Department of Community Services funded the Adolescent-Parent Mediation Project as a pilot under the Community Services Grants Program (Family and Child Support). The aim of the project was to prevent breakdown of family relationships and to avoid premature, permanent parent-adolescent separation. An independent evaluation of the project was based on comparative data collection which involved the mediation service, Adolescent Family Counsellors and District Officers from the Department of Community Services. Workshops, focus groups and interviews were conducted with all the stakeholders. This evaluation is now with the Minister's Office.

CHAPTER 6 - RECREATION AND LEISURE

Examines the use of public space by young people as a recreational outlet and recreational options.

KEY RECOMMENDATION 29 - YOUTH PLANNING GUIDELINES

Recommendation:

That the Minister for Planning review state planning provisions to develop guidelines which ensure the needs of young people are considered in:

- public places, parks and recreation areas
 - the planning and development of new housing estates
 - the development of commercial premises involving public access
- to contribute to the safety and enjoyment of the entire community.

Government response:

The needs of young people in relation to these issues are currently considered by the Department of Urban Affairs and Planning in the following ways:

- the development of Regional Environmental Plans and regional strategies which focus on the needs of the region as a whole and issues such as housing, employment, transport and recreation
- working with the Commonwealth Government in the promotion of *AMCORD - A National Resource Document for Residential Development*, during the period from November 1995 and over the next two years. *AMCORD* is a manual of best practice for residential development in Australia. Youth issues are treated as part of the broader social imperatives which guide neighbourhood and housing design
- preparing and promoting good residential design through guideline documents such as the *NSW Performance Code for Multi-Unit Housing*. The code, currently in preparation, will facilitate improvements in the quality and choice of housing and residential environments to suit the diversity of people's needs. It will also ensure that the detailed design of housing considers issues such as safety and security
- funding community organisations and local governments to increase services to disadvantaged groups through the Area Assistance Scheme which aims to improve the co-ordination and planning of services at local and regional levels. Whilst the Scheme is not specifically designed to meet youth needs, a number of youth programs have been funded across the Western Sydney, Illawarra, Hunter, Macarthur, Central Coast and North Coast Regions.

Guidelines are being developed by the Department of Urban Affairs and Planning to assist councils and developers to use s94 of the *Environmental Planning and Assessment Act* contributions for community services to provide adequate and appropriate facilities for young people in public places.

Leichhardt and Hurstville Councils are running pilot projects in shopping centres to redesign them to take into account the fact that young people will use the centres. Youth centres and youth workers are located on site and the need for appropriate training for security and police services is recognised.

The Juvenile Crime Prevention Division of the Attorney General's Department has funded a 12 month research project to examine how young people use public space in the Parramatta CBD. The project aims to minimise future conflict between commercial owners of public space and young people.

Discussions are underway between the Youth Action Policy Association (YAPA) and the Government regarding a *Young People and Public Space* research project being conducted by YAPA.

The *Neighbourhood Improvement Program* run by the Department of Housing has been allocated increased resources over the next two years. The program aims to improve both the standard of housing and the living environment of large housing estates by giving tenants more control of their housing and neighbourhoods and improving access to community facilities. There is also a *Good Neighbour Policy* which will ensure better handlings of disputes and complaints and ensure a co-ordinated approach between the agencies dealing with crime, drug abuse and people with serious behavioural problems.

RECOMMENDATION 30 - SCHOOLS AND AFTER HOURS SPORTING AND RECREATIONAL FACILITIES

Recommendation:

That the Minister for Education encourage principals and School Councils to ensure that school sporting and recreation facilities are available to young people after hours.

Government response:

The Government supports the recommendation.

The Department of School Education facilitates the use of school premises through departmental policies such as *Community Use of School Facilities*. It will actively encourage principals to ensure facilities are made available. Schools meet local demands to use their facilities subject to availability.

RECOMMENDATION 31 - LOCAL GOVERNMENT AND AFTER HOURS SPORTING AND RECREATIONAL FACILITIES

Recommendation:

That the Minister for Local Government, in consultation with the executives of the Local Government Association and Shires Association, encourage local government agencies to ensure that sporting and recreation facilities are accessible for extended hours.

Government response:

The Government supports the recommendation.

The *Local Government Act 1993* contains provisions requiring adequate services and facilities to meet the needs of the community. It is intended that all local councils will be surveyed by the Government in the near future in relation to their service provision to young people.

In January 1996, following the release of the Committee's Report, the Department of Local Government included an article in its publication, 'Perspectives in Local Government', noting relevant recommendations of the Committee's report. The publication is distributed to all NSW local councils and to peak local government industry bodies. The Department urged councils to consider making sporting and recreational facilities accessible for extended hours.

RECOMMENDATION 32 - INFORMATION ABOUT LOCAL YOUTH FACILITIES AND RECREATIONAL OPTIONS

Recommendation:

That the Minister for Local Government, in consultation with the executives of the Local Government Association and Shires Association, encourage local government agencies to consult with youth service providers and allocate appropriate resources to developing campaigns informing young people of the range of youth facilities and recreational options available to them.

Government response:

The Government supports the recommendation.

Youth Week is held in April each year to publicise youth services, facilities and recreational options available through local councils and other community organisations. The Department of Training and Education Co-ordination organises and funds Youth Week. In 1996 over \$110,000 was provided to 96 councils for Youth Week promotions.

It is understood that many councils already provide this information through regular reports to the community, local newspaper advertisements and Annual Reports.

In January 1996, following the release of the Committee's Report, the Department of Local Government included an article in its publication, 'Perspectives in Local Government', noting relevant recommendations of the Committee's report. The publication is distributed to all NSW local councils and to peak local government industry bodies. The Department urged councils to target their information campaigns with a youth audience in mind, to increase their awareness of available recreational options.

RECOMMENDATION 33 - PLANNING AND DEVELOPING YOUTH FACILITIES

Recommendation:

That the Minister for Local Government, in consultation with the executives of the Local Government Association and Shires Association, encourage local government to:

- ensure that young people are actively consulted regarding planned youth facilities
- seek sponsorship in developing youth facilities and
- encourage retail shopping centre management to develop youth facilities on their premises.

Government response:

The Government supports the recommendation.

It is currently working on a number of relevant legislative initiatives:

- a proposal to amend the *Local Government Act 1993* to introduce a requirement that councils promote, provide and plan for the needs of children
- a proposal to introduce regulations requiring councils to include in their annual reports details of programs undertaken to develop and promote services and programs which provide for the needs of children. This will highlight the issue for both the community and councils and will ensure that children's needs are incorporated into councils' strategic planning processes

- a regulatory reform proposal to require councils to include in their annual reports details of performance in access and equity for all residents and other users of council services to better focus on the needs of groups such as Aboriginals and people from non-English speaking backgrounds.

The Government believes planning for children's needs and access and equity policies should be made an integral part of council management plan requirements in the future.

The *Local Government Act 1993* contains provisions intended to influence councils to undertake community consultation to more accurately gauge service and infrastructure needs. The Local Government and Shires Association's existing policy encourages councils to consult young people and many councils do have consultative mechanisms in place.

It is also increasingly common for youth facilities to be incorporated at the development phase of shopping centres, although there is some developer resistance in this regard. Innovative projects to encourage consultation between local authorities, youth representative organisations and shopping centre management have been initiated by Leichhardt, Hurstville, Baulkham Hills and Parramatta Councils. The Government will also support research by the Youth Action Policy Association on Young People in Public Places.

In January 1996, following the release of the Committee's Report, the Department of Local Government included an article in its publication, 'Perspectives in Local Government', noting relevant recommendations of the Committee's report. The publication is distributed to all NSW local councils and to peak local government industry bodies. The Department urged councils to:

- consult with young people when planning youth and recreational options
- consider if any projects may benefit from sponsorship
- encourage shopping centre management to consider the problem of youth violence when operating their business.

RECOMMENDATION 34 - YOUTH PARTICIPATION IN YOUTH PROGRAMS

Recommendation:

That NSW Government agencies funding youth programs encourage the participation of young people in the planning and operation of these programs.

Government response:

The Government values the continued input and participation of all relevant youth related bodies in the planning and operation of youth programs, including the Youth Action Policy Association (YAPA) and the Youth Accommodation Association (YAA). Regular consultation occurs between senior government officers and these peak youth organisations.

The Youth Advisory Council (YAC) reports direct to the Premier on matters pertaining to youth affairs, with support provided through the Youth Branch of the Cabinet Office. YAC advises the Premier direct on issues affecting young people. In addition, its representatives sit on a variety of Government committees such as:

- the NSW Committee on Underage Drinking
- the NSW Youth Alcohol Strategy Advisory Committee
- the Statewide Health Ethics and Confidentiality Committee and
- the Advisory Group on the Review of the NSW Higher School Certificate.

YAPA representatives sit on a number of Government committees, including:

- the NSW Committee on Underage Drinking

- the Working Party of the NSW Draft Policy for Health Services of Young People
- the Juvenile Crime Prevention Advisory Committee and
- the Evaluation Committee for the *Children (Parental Responsibility) Act*.

YAA is represented on the Supported Accommodation Assistance Program/Crisis Accommodation Program Ministerial Advisory Committee and is regularly consulted with by the Department of Community Services.

Government seeks to liaise with young people across the range of programs and services it provides to them. Examples of this include:

- the *Hunter Region Co-ordination Model* which aims to improve the effectiveness of services and programs for the benefit of young people in the Hunter region of NSW. This program is characterised by consultation with young people and strong community support
- a Government commitment to ensuring that young people are provided with genuine opportunities to participate in health decision making. The Youth Health Discussion Paper, *Caring for Young People*, has recommended that Area and Districts Health Services develop appropriate consultation mechanisms with young people and that consideration be given to appointing a young person to Area and District Boards
- programs for disadvantaged youth funded by the Department of Training and Education Coordination (eg Helping Early Leavers, Circuit Breaker and Time Out programs) which are designed by individual project operators in consultation with participants
- local government Youth Week sponsors are required to consult with, and involve young people in, activities for Youth Week
- programs run from the Outreach section of TAFE NSW emphasise the participation of students in course planning and operation
- youth representatives are being involved in initiatives of the *Police Service Youth Policy*.

RECOMMENDATION 35 - ALCOHOL-FREE EVENTS IN HOTELS

Recommendation:

That the Minister for Gaming and Racing ensure that hotels be permitted to hold alcohol-free events in closed-off areas while allowing alcohol to be served in other areas.

Government response:

The Government fully supports the recommendation.

The Government's *Liquor and Registered Clubs Legislation Amendment (Minors Entertainment) Bill 1996* will increase the availability of entertainment and recreational opportunities for young people across New South Wales.

The current liquor legislation allows hotels to stage alcohol-free entertainment. However, the restrictions over this type of entertainment - including the requirement to stop normal liquor trading prior to, during and immediately following alcohol-free functions - has led to very few hotels being willing to conduct these functions.

The Government's amendments will allow alcohol-free entertainment to be held in a separate and distinct enclosed area of a hotel's premises - subject to strengthened supervision conditions. This will bring hotels into line with the requirements for alcohol-free functions in registered clubs. In addition, the proposed legislative amendments will require authorities granted for alcohol-free entertainment to include provisions to ensure safe conduct of patrons in the vicinity of the premises.

The Bill was outlined in the 1995 Liquor Policy document and, at the date of publication, had passed through the Lower House of Parliament during the Budget Session 1996.

RECOMMENDATION 36 - MEMBERSHIP OF NON-SPORTING CLUBS AS JUNIOR MEMBERS

Recommendation:

That the Minister for Gaming and Racing amend the Registered Clubs Act to allow young people to join non-sporting clubs as junior members.

Government response:

The Government supports the recommendation. The Government's *Liquor and Registered Clubs Legislation Amendment (Minors Entertainment) Bill 1996* will enable a broader range of registered clubs to offer junior membership, where that membership is for the purpose of participating in established and bona fide sporting activities. At the date of publication the Bill had passed through the Lower House of Parliament during the Budget Session 1996.

RECOMMENDATION 37 - DEFINING RESTRICTED AREAS IN CLUBS IN TERMS OF PHYSICAL SEPARATION

Recommendation:

That the Minister for Gaming and Racing ensure that restricted areas can be defined in terms of "physical separation" from the rest of the clubhouse to enable smaller clubs to allow access for junior members and encourage their integration.

Government response:

The Government supports the recommendation and has addressed this within the context of the *Liquor and Registered Clubs Legislation Amendment (Minors Entertainment) Bill 1996*.

The long standing policy of the Licensing Court is to require barriers between restricted and non-restricted areas to consist of material which prevents uncontrolled access between the areas. In 1993 the policy was altered to permit see through barriers, however barriers must still be permanent and provide adequate controls over access to restricted areas. The current requirement for restricted areas is to be physically separated from other areas of a clubhouse.

The Government's Liquor Policy referred to the problem of junior members accessing small, one-room clubhouses for the purposes of participating in sports and prize giving ceremonies associated with those sports.

The Government proposes to change the legislation so that junior members of smaller and one room clubs can gain access to the club premises for the purposes of participating in sports and prize giving ceremonies subject to strict controls. This will provide benefits to young people who are members of small registered clubs and who have, until now, not been legally allowed to be on the club premises. The aim of this is to provide more recreational opportunities for young people - particularly in isolated and rural communities.

RECOMMENDATION 38 - VIOLENCE, SPORT AND THE ELECTRONIC MEDIA

Recommendation:

That the Attorney General urge the Standing Committee of Attorneys General to request the Federal Government to pressure media organisations to develop tighter controls to reduce violence in the advertising and promotion of sport in the electronic media.

Government response:

The Government acknowledges the importance of ensuring that media organisations exercise tighter controls to reduce violence in the advertising and promotion of sport in the electronic media.

This kind of regulation is, however, a Commonwealth responsibility. The Government considers the Commonwealth effectively regulates television content, through industry self-regulation and control by the Australian Broadcasting Authority (ABA). Commercial television stations are expected to adhere to the Federation of Australian Commercial Television Stations (FACTs) Code which is registered by the ABA.

RECOMMENDATION 39 - SPORTING PROGRAMS

Recommendation:

That the Minister for Education and Minister for Sport and Recreation ensure:

- that sporting programs offered to young people encourage the positive aspects of health and team-building
- increased emphasis is placed on non-competitive sport in schools and
- the establishment of a code of ethics to apply to the conduct of contact sports.

Government response:

That Government supports the recommendation.

Various programs and initiatives are in place which implement these goals:

- the Board of Studies develops the K-10 Personal Development Health and Physical Education (PDHPE) curriculum. Syllabuses emphasise the importance of participating in a range of individual and cooperative activities. PDHPE programs emphasise sport and physical activity in terms of positive health and social outcomes
- the Department of School Education's *Sport Policy* requires that schools emphasise participation rather than winning or losing. Schools are also required to avoid placing excessive physical and psychological demands on competitors so that enjoyment, learning and positive attitudes are promoted at all times. The Policy incorporates Codes of Behaviour for school sport which highlight the principles of enjoyment, satisfaction and safe play in sport
- AUSSIE SPORT programs promote the development of sporting skills, fun and enjoyment. They encourage across the board participation, fair play and emphasise 'sport for all' while discouraging a 'win at all cost' mentality. A pamphlet entitled 'Codes of Behaviour' outlines recommended practices of those involved in sport.

RECOMMENDATION 40 - AMATEUR AND PROFESSIONAL BOXING

Recommendation:

That the Minister for Health, in liaison with his federal counterparts, consider a strategy to phase out amateur and professional boxing.

Government response:

The Government does not consider there is a demonstrated need to phase out amateur and professional boxing.

Boxing is a significant sport in the community and an Olympic sport. The *NSW Boxing and Wrestling Control Act 1986* strictly controls and sets conditions to ensure the safest possible conditions exist for boxers, eg medical examination prior to registration and pre and post contest and setting a minimum age for professional boxing of 18 years.

The NSW Boxing Authority controls and regulates professional boxing. Permits from the Department of Sport and Recreation are required for amateur tournaments, subject to any conditions that the Minister wishes to impose.

RECOMMENDATION 41 - KICK-BOXING INQUIRY

Recommendation:

That the Minister for Health conduct an Inquiry into the health aspects of kick-boxing.

Government response:

The Government does not support an inquiry into kick-boxing at this time. Professional kick-boxing is controlled and regulated under the *Boxing and Wrestling Control Act 1986*. Permits from the Department of Sport and Recreation are required for amateur kick-boxing tournaments, subject to any conditions that the Minister wishes to impose.

KEY RECOMMENDATION 42 - VIOLENCE CONTROL ON LICENSED PREMISES

Recommendation:

That the Minister for Gaming and Racing review the Liquor Act to ensure it clearly indicates the responsibilities of licensees to limit the likelihood of violence on their premises by measures including:

- ensuring appropriate hotel management and design practices affecting alcohol consumption and the safety of patrons are a condition of licence renewal
- requiring all licence applicants to undertake a course on strategies to minimise such violence and
- ensuring the Licensing Court can compel attendance at training courses for licensees who fail to meet these standards.

Government response:

The recommendation is supported in principle.

The *Liquor and Registered Clubs Legislation Amendment Bill 1996* introduced a harm minimisation object into the legislation that strengthens provisions relating to the responsible service, promotion and consumption of liquor. The effect of these amendments will be to strengthen the public interest provisions in the licensing laws in recognition of the level of alcohol-related harm in the community and the potential for the licensing laws to be applied to better address alcohol-related harm resulting from alcohol misuse and abuse.

The Bill provides for a regulation making power in both Acts to allow the staged introduction of compulsory training for liquor licensees, secretary managers of registered clubs, and for the relevant staff of those premises, in the responsible service of alcohol. There is no licence renewal in this State. However, the Licensing Court can impose various conditions on licences, including as a result of complaints. The requirement to undertake formal training in responsible alcohol serving practices has been imposed in some instances.

The legislative amendments will require the Court to refuse to grant an application for a new liquor licence unless satisfied that practices will be in place at the premises, as soon as the licence is granted, to ensure as far as reasonably practicable that liquor is sold, supplied and served responsibly on the premises and that those practices will remain in place.

In addition, the *Liquor and Registered Clubs Legislation Amendment (Minors Entertainment) Bill 1996* will require authorities granted for alcohol free entertainment to include provision to ensure safe conduct of patrons in the vicinity of the premises.

At the date of publication, both Bills had passed through the Lower House of Parliament during the Budget Session 1996.

In addition to these proposed legislative amendments, a joint initiative has been undertaken by the Department of Gaming and Racing, the NSW Police Service and the Department of Health to educate liquor licensees, club managers and their staff about the responsible serving of alcohol. The aim of the initiative has been to promote a safer environment on licensed and club premises.

RECOMMENDATION 43 - TRAINING FOR DOORMEN OF LICENSED PREMISES

Recommendation:

That the Minister for Police, together with the liquor industry and relevant trade unions, review the training pre-requisites for the issue of Class 1 Security Licences to ensure that doormen of licensed premises have appropriate training in interpersonal skills, non-violent restraint and conflict resolution.

Government response:

The Police Service Security Industry Consultative Committee has reviewed the training requirements for Class 1 Security Licences and recommended changes in line with competency based standards which have been developed by the industry, including specific training for crowd controllers (doormen).

Action to introduce legislation to allow for these changes has been suspended pending the outcome of the Industrial Commission's Inquiry into the transport and delivery of cash and other valuables expected to be finalised in July 1996.

RECOMMENDATION 44 - ABUSE OF DRUGS & ALCOHOL AND HARM MINIMISATION

Recommendation:

That the Minister for Health ensure that appropriate resources are allocated to:

- prioritise the reduction of alcohol and drug abuse by young people as a primary objective
- continue publicity campaigns on the dangers of steroid use to target young people and
- monitor prescription practices to minimise the abuse of prescription drugs by young people.

Government response:

The Government is strongly committed to the prevention and reduction of the harms associated with drug and alcohol use and misuse, particularly by young people.

It has a wide range of policies and programs across a range of Government agencies which target the problems and harms arising to young people from drug and alcohol use and misuse, involving considerable expenditure.

The Government has commenced development of an overall strategic policy framework for Government policies, programs and projects which addresses the problems associated with the use and misuse of illicit drugs, alcohol and tobacco by young people. An integral part of this

development will involve the undertaking of a comprehensive audit, by each portfolio, of all policies, programs and projects.

Prioritising reduction of alcohol and drug abuse

The NSW Health Department has strategies in place which aim to reduce alcohol and drug abuse by young people.

- *Youth Alcohol Strategy.* This strategy aims to reduce alcohol abuse. It gives examples of strategies for implementation, including community and school-based education on alcohol issues, responsible serving practices, the development and provision of alcohol and other drug services for young people and support for specific local initiatives that prevent alcohol-related harm in young people and further research into the issues around youth alcohol use. The focus of the Strategy is now the *Drink Drunk the Difference is U* campaign (mentioned in the Committee's report). The campaign evaluation indicates that it has achieved some success in modifying young people's attitudes to, and participation in, binge drinking. In 1995/96 the focus of the campaign is on alcohol-related violence among young people and binge drinking among Aboriginal and Torres Strait Islander young people.
- *Education and Training.* The Health Department funds the development and delivery of drug education programs to school students. The NSW Government in 1995 doubled its commitment to drug and alcohol education in the school system by allocating \$10 million over 5 years to combat drug use by young people. The additional \$1 million this year will go towards:
 - drug education information and awareness materials for parents and care givers
 - evaluation resources for teachers to assist them better measure the effectiveness of the drug education lessons and to determine the drug education needs of students
 - resources support for teachers to ensure they are familiar with and effectively using the resources available to them and to provide a reference and guide on drug issues
 - inservice provision for teachers in harm minimisation (a one day training course will be provided for two teachers from each secondary school in NSW)
 - training courses to ensure effective support to students experiencing problems with harmful drug use
 - provision of culturally appropriate preventative programs to Aboriginal and Torres Strait Islanders and NESB students and
 - a wide range of other activities to target special groups.

Funding is allocated for school based drug education through the Department of School Education, the Catholic Education Commission and ancillary services which provide education to schools on drugs such as the Life Education Program and the Peer Support Foundation. Drug education forms part of the mandatory Personal Development, Health and Physical Education Key Learning Area for years K to 10 in NSW Schools.

- *Community education.* Funding is also provided to organisations providing community education and information resources, including the Centre for Education and Information on Drugs and Alcohol (CEIDA), the Alcohol and Drug Information Services (a 24 hour telephone information and counselling service) and the Health Education Unit at Sydney University. CEIDA and the Health Education Unit produce information resources for youth people and parents. Health provides nearly \$3m through the Drug and Alcohol Directorate to 16 non-Government organisations which run drug and alcohol programs specifically targeting young people.
- *Prevention Grants.* The Department's Prevention Grants Program funds health sector and community organisations to provide innovative projects to prevent drug-related harm, some specifically targeting young people.
- *Other Inter-Agency projects.* Recent and ongoing activities of the Drug and Alcohol Directorate include: assessing the provision of drug and alcohol services to young people, implementing relevant recommendations of the Alcohol and Violence Task Force, working with the Commonwealth Government's National Initiatives in Drug Education project and working with

other government departments on policies and strategies aimed at addressing problems arising from the misuse of alcohol and other drugs (eg Gaming and Racing, Roads and Traffic Authority and the NSW Police Force).

- *Aboriginal and Torres Strait Islander people.* The Aboriginal Justice Advisory Committee (AJAC) has resolved that an independent review be established to evaluate and monitor the effectiveness of existing and prospective Aboriginal and Torres Strait Islander substance abuse and rehabilitation programs in New South Wales, whether community based or within custodial detention facilities (adult or juvenile). This proposal is under consideration.

Publicity campaigns on steroid use dangers

The 1992 School Survey of Drug Use by NSW Secondary School Students, conducted by the Drug and Alcohol Directorate, found that fewer than 4% of young males (aged 12 to 17) have ever used steroids and that the rate of regular use is even lower. The Directorate has developed, or is supporting, a number of strategies to address the issue of steroid use:

- education on steroid use is included as part of the mandatory Key Learning Area Personal Development, Health and Physical Education in schools
- a Steroid Clinic at St Vincent's Hospital gives health advice to steroid users
- a 24 hour telephone advisory service for health professionals requiring expert advice on drug and alcohol issues can assist health professionals dealing with steroid users
- funding the production of a resource booklet on steroid use, targeted particularly at General Practitioners. Information from the booklet has been distributed to population groups at risk of harm from steroid use, including young people, and has been included in educational material produced by the Australian Sports Drug Agency for use in schools
- an education campaign for doctors on the provisions of the *Poisons Act* which regulates the supply of steroids for reasons of body image or sporting performance
- funding a Drugs in Sport Education Project, run by the NSW Academy of Sport, which deals with steroid use and sporting performance
- working with the Commonwealth Government to reschedule testosterone products normally used in veterinary practice to ensure that they will be available only to primary producers on a veterinary prescription.

The Ministerial Council on Drug Strategy, consisting of all Australian Health and Police Ministers, endorsed a National Anabolic Substances Strategy in June 1995 with young people one of the Strategy's three priority groups.

Monitoring prescription practices to minimise abuse by young people

The Pharmaceutical Services Branch of the Health Department regularly prepares articles to be published in the professional press to alert doctors and pharmacists to the inappropriate prescribing of drugs liable to abuse. These articles alert pharmacists to be aware of forged prescriptions. Pharmacists are encouraged to check with a prescriber that prescriptions are genuine. Narcotic drug supplies are randomly monitored to detect excessive prescribing. Sales of other drugs known to be abused may be checked when necessary, to assess the need to start an investigation into the prescribing of those drugs. Where a practitioner is found to be over prescribing, education and counselling to correct the practice is undertaken. Where this is not successful, a medical practitioner may be referred to the Health Care Complaints Commission.

CHAPTER 7 - MEDIA VIOLENCE

Explores the relationship between violence in the media and youth violence.

RECOMMENDATION 44* - COMMISSIONING OF A NATIONAL RESEARCH PROJECT

Recommendation:

That the Attorney General urge the Standing Committee of Attorneys General to commission a national research project to examine the effects of television, film and video game violence on the learning outcomes and behaviour of Australian children.

Government response:

The Government notes the recommendation.

The NSW Government, together with all other Australian jurisdictions, has enacted legislation to establish a national approach to the issues of censorship of films, video tapes, publications and computer games.

A revised national censorship regime came into operation on 1 January 1996. All jurisdictions agreed to enact legislation setting out offence provisions enforcing classification decisions made under the Commonwealth *Classification (Films, Publications and Computer Games) Act 1995* and the *National Classification Code* set out in the Act. The Act also establishes classification authorities such as the Classification Board and the Review Board. The NSW Act giving effect to the Federal Act is the *Classification (Films, Publications and Computer Games) Enforcement Act 1995*.

The national classification system is subject to ongoing monitoring and review by all Governments through regular meetings of Censorship Ministers which are held as part of the Standing Committee of Attorneys General.

The Office of Film and Literature Classification, within its role of monitoring community attitudes, has commissioned a number of studies which look at attitudinal aspects of this issue. They include:

- regular research sessions to provide feedback to those making classification decisions and to gauge current community standards and attitudes to film and video material (1994/95 sessions focused on the views of parents with children under 15 years)
- a nationwide survey to investigate community awareness and attitudes towards R classifications for films and video
- a research project investigating how families use electronic entertainment at home
- a literature review on interactive computer games and their effect on young people
- a project on computer games and Australians today, including an investigation of young players' perceptions and experiences of aggressive content during gameplay.

The Government appreciates the concern that exists about the correlation between media violence and violent behaviour. However it also notes that research empirically determining the effects of media violence on children presents methodological problems. It is very difficult to isolate the effect of one particular phenomenon on a group of children.

The National Committee on Violence undertook studies on the impact of violence shown on film and television, with inconclusive findings. The Committee's report, the *National Committee on Violence Report (1990)*, noted that there was no direct causal link between television behaviour and aggressive behaviour. The Committee concluded that in terms of investing limited resources for the prevention

* Numbering error in original report. There are two Recommendations 44.

and control of violence, media depictions of violence are a relatively low priority and can be substantially neutralised by family support initiatives.

In the circumstances, the Government considers that it is appropriate that the National Classification Code has taken a precautionary approach in relation to depictions of violence in the media, film and related technologies by attaching appropriate restrictive classifications limiting or refusing access to portrayals of violence.

The Government understands that the Federal Government has established a Committee of Ministers on the Portrayal of Violence to examine studies on links between violent behaviour and the availability of violent material on television, film, video, and video and computer games. The findings of this Committee will be carefully considered, when provided, by the NSW Government in the context of the National Censorship Scheme and by the Standing Committee of Attorneys General.

RECOMMENDATION 45 - RESTRICTED ACCESS TO MA AND R-RATED MATERIAL

Recommendation:

That the Attorney General consider legislation requiring video outlets to prevent access to MA (Mature Accompanied) and R-rated (Restricted) material by underage children by displaying such material in restricted areas.

Government response:

The Government notes the recommendation.

The sale or hire of these videos is already legally restricted, with offences for their sale or hire to young people. Video outlets also commit an offence if they do not obtain satisfactory proof of age.

R and MA videos may be sold anywhere (eg video stores, supermarkets, newsagents and petrol stations). It simply may not be feasible to impose a requirement to store these videos separately when total stocks may be very small in number.

RECOMMENDATIONS 46, 50 AND 51- CENSORSHIP LAWS AND POLICE MONITORING

Recommendation 46:

That the Minister for Police act to:

- monitor cinemas to ensure that they adhere to the law and not admit underage children to MA and R rated films and
- monitor video outlets in regard to access and hiring of R-rated material by underage children.

Recommendation 50:

That the Minister for Police act to monitor retail outlets selling classified video games and computer software to ensure that the demonstration and sale of games and software rated MA is restricted to adults and children under 15 who have parental or guardian consent.

Recommendation 51:

That the Minister for Police act to monitor video game parlours to ensure that access to games rated MA (15+) is appropriately restricted.

Government response:

The Police Service regularly conducts a combination of high profile and covert policing operations around major cinema complexes and video game parlours. Priority is given to prevention and detection of street crime as well as monitoring unaccompanied minors for welfare purposes (truancy, unsolicited approaches by strangers etc).

High profile policing by Beat Police ensures a suitable response to specific complaints regarding patrons of cinema outlets, retail outlets and video parlours.

RECOMMENDATION 47 - PROMOTING NON-VIOLENCE IN THE MEDIA

Recommendation:

That the Attorney General encourage the Standing Committee of Attorneys General to call on the Federal Government to:

- pressure television networks to eliminate television violence during children's viewing hours
- monitor the televising of MA material after 9.00 pm and consider extending it to 9.30 pm
- pressure the media to review its code of conduct to ensure that material that condones, glorifies or promotes violence is appropriately recognised and restricted
- review the effectiveness of the complaints process in responding to community concerns
- levy a fee on commercial television networks to be allocated to the Australian Children's Television Fund for the production of prosocial programs encouraging non-violence and
- develop programs to educate parents and other adults to assist children to become more discerning media consumers.

Government response:

The Government notes the recommendation.

As recognised by the report, television content does not fall within the ambit of responsibility of the State. It is a Commonwealth matter. The television industry is self-regulated and is oversighted by the Australian Broadcasting Authority (ABA).

Commercial television stations are expected to adhere to the Federation of Australian Commercial Television Stations Code (the FACTS Code), which is registered with the ABA. It is understood that the FACTS Code is due to be reviewed and revised later this year.

All material shown on television, other than news, current affairs and live sport, must be classified and shown in a suitable timeframe, under the FACTS Code guidelines. It is understood that extensive research commissioned by the Office of Film and Literature Classification indicates that the current classification guidelines and decisions reflect general community standards.

Censorship Ministers raised a number of concerns with the Federal Government about the content of television, including the elimination of television violence during children's viewing hours, in late 1995. The Australian Broadcasting Authority responded by detailing, for example, how the Authority is monitoring community responses to MA material and the time at which it is shown.

RECOMMENDATION 48 - MEDIA STUDIES

Recommendation:

That the Minister for Education review the K-6 syllabus and Year 7-10 English syllabus to ensure that students are equipped with adequate media criticism skills to facilitate a responsible approach to their media diet.

Government response:

The Government considers that the K-6 syllabus and Year 7-10 English syllabus are appropriate to ensure that students are equipped with adequate media criticism skills to facilitate a responsible approach to their media diet.

Students of English K-6 develop skills in reading, writing, talking and listening and in the process explore media texts to which they are taught to respond and critically evaluate. K-6 students, therefore, are taught not only to read literature and information books but also the media. The Years 7-10 English syllabus has a section dealing explicitly with the mass media which aims to provide students with media criticism skills. In addition, the Board of Studies is currently developing the senior English syllabus (Years 11-12). Media studies is a core activity and optional studies are planned for an indepth study of media and multi-media.

RECOMMENDATION 49 - INFORMATION CAMPAIGN ON RATINGS AND PENALTIES

Recommendation:

That the Government develop a campaign explaining ratings and penalties for retailers selling classified video games and computer software.

Government response:

The Government supports the recommendation in principle and undertakes to carefully examine the issue to assess the need for such a campaign. It notes that because of the two tiered system that exists for the classification and enforcement of material subject to the revised national censorship regime there is no central agency formally responsible for dissemination of information on the classification system and the penalties retailers incur for non compliance.

The Government understands, however, that there is a general high awareness that a classification scheme exists in Australia and that certain obligations exist to adhere to the scheme. With particular reference to this recommendation it notes the following:

- during the development of the new classification regime the Office of Film and Literature Classification consulted widely with the video and computer game industry to alert them to the inclusion of computer games under the new scheme. The industry was also notified of the penalties that would be incurred for non-compliance
- distributors of video and computer games must submit material for classification. Once a game is classified, the distributor must properly label all material with the classification code given, before it is distributed to retailers. It is through this requirement that retailers are provided with information on classification codes and obligations on them to comply
- the Australian Software Distributors Association liaises with the Australian Video Retailers Association to widely inform those they respectively represent about the operation of the classification scheme.

RECOMMENDATION 52 - LIMITING OF GAME MACHINES

Recommendation:

That the Minister for Local Government, in consultation with the executives of the Local Government Association and Shires Association, encourage local government agencies to limit the number of game machines in local business establishments where this is considered appropriate for the community.

Government response:

The Government notes the recommendation and is acting to encourage a response from local government agencies.

In January 1996, following the release of the Committee's Report, the Department of Local Government included an article in its publication, 'Perspectives in Local Government', noting relevant recommendations of the Committee's report. The publication is distributed to all NSW local councils and to peak local government industry bodies. The Department urged councils, as part of their obligation to local communities, to consider the possible social implications of allowing these machines on premises when exercising their planning powers.

RECOMMENDATION 53 - VIOLENCE AND THE ELECTRONIC VISUAL MEDIA

Recommendation:

That the Attorney General urge the Standing Committee of Attorneys General to develop national strategies to reduce violence in the electronic visual media, including Bulletin Board Systems accessed through computers.

Government response:

The Attorney is actively pursuing the regulation of the content of on-line information services through the Standing Committee of Attorneys General. Model offence provisions for inclusion in censorship legislation are presently being developed and the Attorney is promoting liaison with the industry with the aim of establishing an industry code of conduct and an independent complaints mechanism.

The Government plans to create an offence for the transmission and retrieval of objectionable material on the Internet, including matters which 'promote, incite or instruct in matters of crime and violence'.

RECOMMENDATION 54 - VIRTUAL REALITY TECHNOLOGY

Recommendation:

That the Attorney General urge the Standing Committee of Attorneys General to review interactive virtual reality technology and assess policy options that could ensure appropriate restrictions on violent materials are introduced and enforced.

Government response:

'Interactive virtual technology' comes under the current censorship regime and is regulated accordingly, as it falls within the definition of computer games (usually) or films (depending on the format). Classification of computer games currently only goes up to MA 15+. This means that a computer game that would attract an 'R' rating if it was a film would be refused classification and could not be sold.

RECOMMENDATIONS 55 - POWERS TO RESTRICT AUDIO AND COMPACT DISC SALES

Recommendation:

That existing powers to restrict the sale of audio and compact discs that contain violent lyrics be investigated by:

- the Commissioner of Police reporting to the Attorney General on the reasons police are reluctant to act on complaints relating to the sale and distribution of such materials considered by the Attorney General's Department to be indecent articles under the provisions of the

Indecent Articles and Classified Publications Act and, if considered necessary following this report

- the Attorney General reviewing the provisions of the *Indecent Articles and Classified Publications Act* to ensure that provisions relating to indecent articles extend to audio tapes and compact discs.

Government response:

The *Indecent Articles and Classified Publications Act* was repealed by the *Classification (Publication, Films and Computer Games) Enforcement Act (1995)*. Section 578C of the Crimes Act makes it an offence to publish 'indecent articles', which include audio tapes and compact discs.

RECOMMENDATION 56 - CLASSIFICATION OF AUDIO MUSIC

Recommendation:

That the Attorney General urge the Standing Committee of Attorneys General to

- support and encourage the introduction of State and Federal legislation to classify audio music
- prohibit the sale of restricted material to minors and
- refuse classification to material that promotes violence.

Government response:

The Standing Committee of Attorneys General (SCAG) has considered the issue and has decided not to legislate for the compulsory classification of audio material. It considers it not justified because of the small volume of problematic material.

SCAG has requested the industry, through the Australian Record Industry Association (ARIA), to develop an effective system of self regulation for offensive audio material. At the SCAG meeting of March 1996 ARIA gave a progress report on a regulatory code. ARIA has received submissions on the draft code and has consulted with retailers who have agreed to co-operate with the code. ARIA's proposal includes the establishment of a public complaints handling function and publicising the code's existence.

The code is due to be presented to Ministers for approval at the next SCAG meeting of 11 July 1996. If the industry response is inadequate the Government undertakes to consider legislating in the area.

RECOMMENDATION 57* - PUBLIC EDUCATION CAMPAIGN ON ILLEGALITY OF INCITEMENT TO VIOLENCE

Recommendation:

That the Attorney-General develop a public education campaign outlining the illegality of incitement to violence, as provided in the Crimes Act and anti-vilification legislation.

Government response:

The Government notes the recommendation which is designed specifically to respond to the issue of violent lyrics in music that young people may identify with.

* Numbering error in original report. There is no Recommendation 58.

There is no legislation in NSW which makes incitement to violence illegal, although it is so at common law.

The Government notes that the industry is currently developing a regulatory code for offensive audio material. (See the Government's response to Recommendation 56).

CHAPTER 8 - DEPARTMENT OF SCHOOL EDUCATION: SCHOOLS, STAFF & STUDENTS

Reviews the Department's policies and actions on violence.

RECOMMENDATION 59 - USING SCHOOLS FOR COMMUNITY BASED PROGRAMS AND SERVICES

Recommendation:

That the Minister for Education encourage the extension of the use of schools for community-based programs and services, especially for initiatives providing support, training and leisure activities for young people.

Government response:

The Government supports the recommendation.

Schools are encouraged to make their facilities available to community groups and organisations. The Department of School Education has a policy statement and implementation procedure for this purpose called *Community Use of School Facilities (1994)*. Initiatives include:

- the establishment of Community Centres located in schools in Redfern, Curran (Macquarie Fields), Chertsey (Central Coast) and Coonamble as part of the Inter-Agency School Community Centres Pilot Project
- parenting programs run from various schools (parent meetings, video reference libraries on child development, toy libraries)
- schools working with the Department of Training and Education Co-ordination to refer students to community based programs such as the *Time Out* and *Circuit Breaker* programs
- community languages schools having free access to school facilities from 1996.

RECOMMENDATION 60 - YOUTH WORKERS AND SCHOOL BASED STRATEGIES

Recommendation:

That the Minister for Education authorise and encourage school administrators and teachers to involve youth workers in the development of school based strategies to prevent and respond to violence at school.

Government response:

The Government notes that NSW schools are at liberty to involve youth workers in the development of school based strategies to prevent and respond to violence at school, if considered appropriate.

The Department of School Education Welfare Directorate and the Department of Community Services work together as necessary to ensure schools have access to Department of Community Services resources.

RECOMMENDATION 61 - SCHOOLS AND PARENTING PROGRAMS

Recommendation:

That the Minister for Education continue and extend the Department of School Education's involvement in parenting programs, both within the Department and in conjunction with other government departments.

Government response:

The Department of School Education is actively involved in the management and developing parenting programs, both within the Department and in conjunction with other government departments.

Initiatives include:

- the *Parents and Teachers* program, expanded in 1995 and now operating in ten schools across NSW. The program is designed for families with children from 0 to 3 years of age
- joint collaboration between the Departments of School Education, Health and Community Services to fund a two year pilot project to establish four community centres as part of the *Inter-Agency School Community Centres Pilot Project*. The project will develop and trial models of inter-agency coordination to support families with children under 5 years of age, with a view to promoting a positive start to school and to prevent disadvantage on school entry
- the *Talk to a Literacy Learner (TALL)*, which 23 schools implemented in 1995, designed to provide specific training sessions to raise parent participation in children's literacy activities and to change the nature of the interaction parents have with children as they read and write
- HAYSS (Helping All Young Students Succeed) focuses on prevention and early intervention for students at risk of developing conduct disorders
- TAFE NSW also offers specially designed parenting programs, run through Outreach, and a range of Child Studies modules which would be of assistance to young people.

RECOMMENDATION 62 - SCHOOL VIOLENCE POLICIES, PROTOCOLS AND RESOURCE MATERIALS

Recommendation:

That the Minister for Education, in consultation with other relevant agencies:

- develop interagency policies and protocols on dealing with school violence and violent students and
- produce resource material outlining the roles and responsibilities of all agencies that have a role in confronting and addressing youth violence.

Government response:

The Government supports the recommendation.

Examples of existing interagency initiatives include:

- a protocol for the provision of educational services to students in substitute care developed by the Department of School Education and the Department of Community Services
- several interagency programs being established as part of the *Juvenile Justice White Paper*, including cross agency training and development programs and an Education Advisory Committee (comprising Departments of School Education, Community Services and Juvenile Justice) that supports the introduction of a new model of education and training in Juvenile Justice Centres
- the development of Crime Prevention Workshops by NSW Department of School Education and the Police Department, for students in Years 9 and 10, aiming to develop a better understanding between the school community and police. The Workshops bring together students, police, teachers and community members to establish constructive relationships, discuss how to prevent and reduce juvenile crime and to implement mutually agreed strategies. The program was launched in August 1995 and is being actively implemented in NSW schools

- liaison by the Board of Studies with agencies and organisations such as the Anti-Discrimination Board to ensure a shared understanding of this area
- instituting of a process of collaboration by the Minister for Police and the Minister for Education, at both policy and operational levels, to ensure better co-ordination between portfolios
- an inter-departmental taskforce which is working on a report on *Services for Children and Adolescents with Psychiatric Illness and Mental Health Problems* which seeks to optimise existing mental health services offered by government departments.

RECOMMENDATION 63 - INVOLVING OUTSIDE EXPERTS ON VIOLENCE

Recommendation:

That the Minister for Education encourage education regions to consider the involvement of outside experts working in the areas of youth programs, youth education and violence prevention in the development and implementation of programs addressing youth violence.

Government response:

The Government supports the recommendation.

Outside experts already make a significant contribution through input on committees, working parties, research projects and so on. For example:

- the Department of School Education and the Police Department work together on Crime Prevention Workshops. They also jointly chair a Police and Schools Working Party which is developing contact protocols and policies to encourage liaison between schools and the Police Service
- the Department of School Education's Welfare Directorate and the Department of Community Services co-operate as necessary
- the Government's new Police Youth Crime Intelligence Unit will develop an information package on youth crime for schools, to be delivered by local police.

For further details see the Government's response to Recommendation 62.

The development of strategies should also include consultation with and the involvement of disability organisations, families and carers and the Government will consider how to better facilitate this access.

While acknowledging that outside expertise has much to contribute to programs within schools the Government also considers that care must also be taken to ensure that programs are not fragmented and that they remain consistent with Department of School Education priorities.

RECOMMENDATION 64 - SCHOOL LEADERSHIP

Recommendation:

That the Minister for Education ensure that schools establish and disseminate procedures for decision-making, with clearly delineated areas of responsibility and with a view to improving opportunities for teacher, student and parent input.

Government response:

The major vehicle for encouraging teacher, parent and student input into decision-making and school governance is the school council and student representative council. Departmental guidelines have been issued which clarify the role of school councils in school governance and decision-making and the mechanisms by which the various components of the school community can contribute to school decision-making.

Revised school discipline codes and student welfare policies will make clear the nature of student, parent and teacher input in these areas of school policy.

RECOMMENDATION 65 - INCREASING SCHOOL HOMEWORK CENTRES

Recommendation:

That the Minister for Education increase the number of homework centres in schools.

Government response:

Consistent with the NSW Government commitment to provide additional homework centres for disadvantaged students, the equivalent of an additional seven full-time teaching positions will be allocated to schools with significant Aboriginal enrolments. This will enable schools to provide coaching for students preparing for the HSC, either during school time or after school hours.

RECOMMENDATION 66 - PEER SUPPORT PROGRAMS LINKING PRIMARY AND SECONDARY SCHOOLS

Recommendation:

That the Minister for Education ensure that the Department of School Education support, encourage and extend peer support programs linking Year 6 students to secondary schools for all Year 6 students.

Government response:

The Government notes that support, encouragement and the extension of peer support programs linking Year 6 students to secondary schools is consistent with the direction already taken in many NSW schools where peer support programs during transition years are being implemented. A module on transition programs is planned for Phase 3 of *Strategies for Safer Schools*, a professional development resource for schools.

RECOMMENDATION 67 - COMMUNITY PARTICIPATION IN SCHOOLS

Recommendation:

That the Minister for Education encourage the involvement of parents on matters relating to student welfare and discipline, and ensure that schools:

- develop effective processes in their management plans which guarantee genuine community participation and
- inform parents of their rights, responsibilities and opportunities for involvement in the school community.

Government response:

That Government supports the recommendation.

The NSW school discipline policy, *Good Discipline and Effective Learning*, released by the Minister for Education and Training in December 1995, emphasises the need to inform and consult with parents. Also, recent moves to encourage more active and representative school councils has increased parental involvement in this area.

The Government will ensure that the revised *Student Welfare Policy* supports such community participation. It will ask schools to review practices to ensure that they are consistent with this policy.

RECOMMENDATION 68 - ANTI-VIOLENCE RESOURCES FOR SCHOOLS

That the Minister for Education require the Department of School Education to review, on a regional basis, existing policies for non-violent schools and produce a resource for schools that outlines standards of best practice and encourages student involvement in developing such a policy, including an outline of their rights and responsibilities.

Government response:

The Government has acted to implement this recommendation.

The Department of School Education has recently completed a systematic statewide program of review of anti-violence initiatives enabling consolidation of the most successful practices.

The Department of School Education has a *Teaching Against Violence* resource kit which received an Australian Violence Prevention Award and is being distributed to schools during 1996.

The Minister will release a package of material addressing the key issues of discipline and student welfare during Term 3, 1996. The package will include:

- a new *Student Welfare Policy*
- a Ministerial Statement on *Good Discipline and Effective Learning*, released in December 1995, which requires that schools continue to revise their discipline policies every 3-4 years
- teacher support materials to assist schools in the implementation of the policy and the Ministerial Statement
- revised procedures relating to suspension, exclusion and expulsion of students from school and the declaration of place vacant.

The Government notes that students, through their student representative councils, are already encouraged to be involved in developing school decision making. Indeed, many Student Councils have joint meetings with School Councils.

RECOMMENDATIONS 69 - 72 - SCHOOL COUNSELLOR SERVICES

Recommendation 69:

That the Minister of Education undertake a review of the school counsellor service to examine

- the adequacy of counsellor numbers in each region
- the basis upon which the allocation of counsellors occurs and
- the services provided by school counsellors.

Recommendation 70:

That the Minister for Education allow the appointment of selected experienced psychologists without teaching diplomas to the position of school counsellor.

Recommendation 71:

That the Minister for Education:

- introduce a policy regarding the operations and protocols of the school counselling service
- ensure students are advised of the availability of school counsellors and support teachers and

- ensure that all students have access to appropriate guidance and counselling and that, if necessary, this be enshrined in legislation.

Recommendation 72:

That the Minister for Education ensure that school counsellors have access to:

- telephones with sufficient privacy to deal with student issues in schools, in accordance with the registered psychologists' Code of Conduct and
- accommodation within schools which ensures privacy and confidentiality.

Government response:

The Government has a policy of providing school counsellors to schools on the basis of need.

The Department of School Education established a new Student Welfare Directorate in 1996. This Directorate has a Student Counselling and Welfare Unit which will review the processes for allocation of school counsellors. Each of the Department of School Education's 40 District Offices will have a student welfare consultant as well as a senior education officer and student services and equity officer.

The purpose of requiring school counsellors to have teaching qualifications is to ensure they have an understanding of student needs in a school context.

The Government will ensure that school counsellors are provided with appropriate accommodation and access to telephones consistent with their need for privacy and confidentiality.

While it is not financially-feasible to provide counsellors with a telephone line for their exclusive use, they have adequate access to telephones to carry out their duties effectively.

RECOMMENDATION 73 - PRE-SERVICE TEACHER TRAINING ON VIOLENCE

Recommendation:

That the Minister for Education bring the issue of adequate pre-service teacher training in strategies to deal with violence, including behaviour management, to the attention of University Vice-Chancellors.

Government response:

The Government recognises the need for adequate pre-service teacher training in strategies to deal with violence, including behaviour management.

From the start of 1994 people obtaining education qualifications from NSW universities have been only employed as teachers with the Department of School Education if their teacher education courses include mandatory studies in special education. An outline of the recommended areas of competence for inclusion in the pre service special education component were provided to all NSW universities. A major area of competence in the course content includes classroom strategies for behaviour management and the management of disruptive behaviour.

The Minister for Education and Training has established the Ministerial Advisory Council on the Quality of Teaching, with a particular focus on teacher education, comprising representatives of employers, teacher unions, universities, parents and the community. Membership includes a nominee of the NSW Vice-Chancellors Conference and the Teacher Education Council (comprising all Deans of Education of NSW universities).

The Council's initial agenda includes the task of 'reviewing training requirements to give student teachers the capacity to assert, maintain and restore classroom discipline as well as strategies to cope

with bullying and playground violence'. The work of the Council should have a significant influence in increasing the capacity of teacher education programs to address these issues.

The Director-General of School Education is advised on the quality of teacher education courses and teacher qualifications by the Teacher Qualifications Advisory Panel, which comprises representatives of the Department of School Education, NSW Teachers Federation, NSW Teacher Education Council, principals and the Migrant Skills Qualification branch.

RECOMMENDATION 74 - RECRUITING MATURE AGE STAFF

Recommendation:

That the Minister for Education examine the feasibility of recruiting mature age persons with appropriate skills into the teaching profession.

Government response:

The Government appreciates the concerns behind examining the feasibility of recruiting mature age persons with appropriate skills into the teaching profession.

In 1994, 47 per cent of primary teachers and 37 per cent of secondary teachers were 30 years or older when recruited. The average age of Department of School Education teachers is currently 42 years. The Department of School Education has several recruitment programs through which mature aged persons with appropriate skills can be employed, including the *Target Casual* program and the *Graduate Reeruitment Program*.

The Ministerial Advisory Council on the Quality of Teaching will be addressing the issue of selection and recruitment of suitable persons to the profession during its first four year term. It has the task of 'identifying appropriate selection procedures to ensure suitable candidates enter the teaching profession' and will consider the recommendation as part of this process.

RECOMMENDATION 75 - STUDENT PARTICIPATION IN DECISION MAKING

Recommendation:

That the Minister for Education:

- review student involvement in decision-making in schools
- urge schools to ensure that students are consulted in the development of anti-violence initiatives and
- produce information on standards of best practice regarding student participation for dissemination to all schools.

Government response:

The revised *Student Welfare Policy* will encourage schools to include their Student Representative Councils in decision making. Materials produced to support the policy will include examples of ways in which student participation in decision making can be an effective anti-violence strategy.

The Minister for Education and Training issued a new school discipline policy, *Good Discipline and Effective Learning* in December 1995. This requires all public schools to prepare their own school discipline policy in time for the 1997 school year. This work is to be undertaken collaboratively involving the whole school community - students, staff, parent organisations and the school councils.

RECOMMENDATION 76 - PEER MEDIATION PROGRAMS

Recommendation:

That the Minister for Education

- ensure that education regions develop in-service courses for teachers to provide them with the skills for developing peer mediation programs and offering training to students and
- trial and evaluate the New Zealand model of mediation involving mediators from outside the school system.

Government response:

A range of mediation programs are already available to schools and schools training and development funds can be used for this purpose. Peer mediation is an elective part of *Strategies for Safer Schools*.

The Department of School Education has developed and trialed a peer mediation based on the NSW Community Justice Centres model. This involved training secondary school teachers as mediators and coordinators of the peer mediation program in their school. Research included examining the New Zealand model and similar programs in Canada and the USA. A report has been prepared on the pilot. The program and its evaluation will continue throughout 1996.

RECOMMENDATION 77 - ABOLISHING CORPORAL PUNISHMENT IN SCHOOLS

Recommendation:

That the Minister for Education amend the Department of School Education's Fair Discipline Code to remove corporal punishment as a disciplinary option in government schools.

Government response:

The Government has acted to remove corporal punishment as a disciplinary option in government schools. In December 1995 the Government passed the *Education Reform Amendment (School Discipline) Act* restricting the right of teachers in both government and non-government schools to use corporal punishment as a disciplinary method. The provisions apply in government schools now and will apply in private schools from 1997.

RECOMMENDATION 78 - SUSPENSION, EXCLUSION AND EXPULSION PROCEDURES

Recommendation:

That the Minister for Education amend the suspension, exclusion and expulsion procedures to

- include definitions of the type of violent behaviour that should lead to suspension, while maintaining the discretionary power of principals and
- ensure that the welfare and behavioural needs of such students are met through means such as informing school counsellors of all short suspensions and involving them in discussions on appropriate actions to be taken.

Government response:

The 1994 procedures for *Suspension, Exclusion and Expulsion of Students from School* are being revised and this recommendation will be considered in the review. Revised procedures are to be issued during Term 3, 1996.

The new school discipline policy issued by the Minister in December 1995, *Good Discipline and Effective Learning*, defines unacceptable behaviour, including violence, outlines punishments and refers to counselling and special behaviour programs.

RECOMMENDATION 79 - ALTERNATIVE EDUCATION STRATEGIES

Recommendation:

That the Minister for Education ensure that appropriate alternative education strategies are introduced in all regions for students displaying inappropriate and aggressive behaviour, and that these strategies include

- tutorial centres offering in-school suspension programs and
- pre-suspension programs offered at off-campus facilities.

Government response:

The Department of School Education offers a variety of alternative education strategies including:

- in-school supervision of students, isolation or "time out" rooms and special behaviour support teams. Isolated schools can be provided with access to support teams
- for students whose behaviour is unable to be managed within the school, referral may be made for placement in a specialist class, unit or school. These include support classes for short term placement for students with severe and persistent behaviour problems, schools for specific purposes for students with emotional disturbance and segregated conduct disorder programs and tutorial centres for secondary aged students
- the *Time Out Program*, sponsored by the Department of Training and Education Co-ordination, aims to provide young people at risk of becoming alienated from the school education system with assistance to develop self-esteem and improve basic literacy, numeracy and social skills. In the 1996/97 Budget, \$830,000 was allocated to this program.

Support for students on suspension is already required under current guidelines.

RECOMMENDATION 80 - EXCLUSION FROM SCHOOL

Recommendation:

That the Minister for Education ensure that:

- students excluded from schools for violent behaviour are offered behavioural or social skills programs that assist in addressing that behaviour and facilitate placement in an alternative school and
- schools in isolated areas have access to appropriate strategies to provide alternatives to exclusion to deal with aggressive and violent students.

Government response:

Students can currently access the services of an Itinerant Support Teacher (Behaviour) and, under some circumstances, an outreach teacher. These teachers offer support in behavioural and social skills programs which should ideally be presented in the receiving school and should incorporate that school's programs and procedures.

Strategies for Safer Schools - Phase 3 will address the area of working with very disruptive or anti-social behaviour and include a section on the teaching of social skills.

The Department of School Education's current procedures on *Suspension, Exclusion and Expulsion of Students from School* refer to alternative education programs. Exclusion takes place when it is

considered that a student could develop self-discipline and cooperative behaviour in a suitable alternative school.

The Department of Training & Education Co-ordination *Time Out Program*, for truanting and 'at-risk' students, runs ten-week courses and provides activities to assist literacy, numeracy and personal development.

RECOMMENDATION 81 - EXPULSION PROCEDURES

Recommendation:

That the Minister for Education ensure decisions to recommend the expulsion of students are made by the principal in consultation with school welfare and discipline committees and parents/care-givers.

Government response:

The Committee's recommendation that decisions to recommend the expulsion of students are made by the principal in consultation with school welfare and discipline committees and parents/care-givers is consistent with existing practice.

The existing procedures on *Suspension, Exclusion and Expulsion of Students from School* require full consultation through each stage leading to expulsion. This requirement will be retained in the current revision of procedures, due to be completed in July 1996. The Minister for Education will also ensure that the recommendation of the NSW Ombudsman's 1995 report on the suspension of a student at The Entrance High School is taken into account in the review of NSW procedures. This recommendation relates to appeal mechanisms.

RECOMMENDATION 82 - EDUCATION OPPORTUNITIES POST EXPULSION

Recommendation:

That the Minister for Education recognise the right of students to receive an education by ensuring:

- appropriate alternative education options for those students expelled from the state education system who are less than 15 years of age and
- appropriate liaison with agencies offering education and training options to inform young people expelled from the state education system who are aged 15 years or over of their options.

Government response:

Expulsion of a student is a very rare event. No student has been expelled from state education since Term 1, 1994. Expulsion is an absolute last resort which involves complete removal from the Government school system. Alternatives then available include home-schooling, enrolment in non-government schools or enrolment in TAFE for older students. See also the Government's response to Recommendation 85.

RECOMMENDATION 83 - DECLARATION OF PLACE VACANT OPTION

Recommendation:

That the Minister for Education commission an independent review of the declaration of place vacant option, including the reasons underlying such declarations, to assess the appropriateness of this option.

Government response:

In the context of the abolition of Department of School Education regions and the establishment of 40 district offices, the opportunity exists to monitor the application of the Declaration of Place Vacant policy across districts. Such monitoring is already underway.

RECOMMENDATION 84 - SUSPENSION PROCEDURES IN PLAIN ENGLISH AND COMMUNITY LANGUAGES

Recommendation:

That the Minister for Education ensure procedures for suspension, exclusion and expulsion are:

- written in plain English
- distributed widely to students and parents and
- available in community languages.

Government response:

Consideration is being given to a Plain English summary of the procedures for *Suspension, Exclusion and Expulsion of Students from School*, which would then be translated into community languages.

RECOMMENDATION 85 - UNAUTHORISED REMOVAL OF STUDENTS FROM SCHOOL

Recommendation:

That the Minister for Education instruct the various regional offices of the Department of School Education to examine and report on the allegations that many young people have been removed from schools through means other than the formal mechanisms of expulsion, exclusion and declaration of place vacant.

Government response:

The Government notes the allegations in the report that many young people have been removed from schools through means other than the formal mechanisms of expulsion, exclusion and declaration of place vacant.

The Government is currently developing new procedures for dealing with suspensions and the monitoring of suspensions under the new District Office structure. These procedures will be brought to the attention of principals and District Superintendents and the need to follow formal suspension procedures will then be reiterated.

CHAPTER 9 - DEPARTMENT OF SCHOOL EDUCATION: ANTI-VIOLENCE INITIATIVES AND THE CURRICULUM

Examines a range of school anti-violence initiatives and programs developed or already introduced and considers issues relating to the school curriculum.

KEY RECOMMENDATION 86 - RESOURCES FOR ANTI-VIOLENCE PROGRAMS

Recommendation:

That the Minister for Education ensure sufficient resources are available to schools to enable them to function as models of cooperative, tolerant and non-violent communities. In achieving these goals schools are

- to provide programs which foster tolerance and acceptance
- offer integrated programs which provide skills in acceptable problem solving behaviour
- work to eliminate the destructive practices of bullying and
- support students exhibiting problem behaviours through appropriate means and environments with the well being of the student being paramount.

Government response:

The Government is firmly committed to ensuring that schools are well placed to ensure that schools foster non-violence. This commitment is expressed through existing programs. Schools are guided by the *Student Welfare and Discipline Policies*, which assist them to operate as models of tolerant, non-violent and cooperative communities. Other resources include:

- *Strategies for Safer Schools* - a K-12 school development program designed to extend the skills of teachers and members of the school community in the management of student behaviour
- the *Whole School Anti-Racism Project*, which schools can undertake to examine current practices and plan for future anti-racism strategies
- the *Dispute Resolution Project*, a collaborative project between the Department of School Education and Community Justice Centres to trial a peer mediation program for secondary students
- curriculum materials for *Teaching Against Violence*, which focus on communication, conflict resolution, alternative dispute resolution skills and cooperative learning. The resources received an Australian Violence Prevention Award.

Board of Studies' Personal Development, Health and Physical Education syllabuses specifically focus on the promotion of positive interpersonal relationships between people and the importance of recognising individual rights and responsibilities. Students are given the opportunity to develop skills of decision making, communication, interaction and values clarification. Students are encouraged to reflect on interpersonal behaviours, ways of overcoming negative behaviours, their consequences and the resolution of conflict.

The syllabus canvasses a range of issues such as power in relationships, conflict resolution, violence in the family, child sexual assault, vandalism and homophobia, equity and discrimination and sex based harassment.

The Personal Awareness strand deals with effective communication and explores socially acceptable and unacceptable ways of displaying emotions and needs. It also covers the management of stress and strategies for resolving conflict.

The Board of Studies has developed a number of teaching kits which include significant discussion of 'violence' as a sensitive social issue.

RECOMMENDATION 87- PLAYGROUND SUPERVISION AND VIOLENCE

That the Minister for Education ensure

- the Department of School Education produce and distribute to all schools standards of best practice in playground supervision and programs and
- schools review their playground supervision practices to minimise the potential for playground violence.

Government response:

The Department of School Education's resource document *Strategies for Safer Schools, Phase 2* is designed to assist schools to review their playground supervision practices to minimise the potential for playground violence. Many schools have established playground initiatives as part of anti-violence programs and initiatives to eliminate bullying.

This approach has been reinforced by the Minister in his statement, *Good Discipline and Effective Learning*, which requires all schools to consider expected standards of behaviour in their school discipline code.

RECOMMENDATION 88 - EXTENDED EDUCATIONAL PATHWAYS

Recommendation:

That the Minister for Education recognise the diverse range of abilities and talents that young people may possess and make provisions for developing such abilities within the education system, through initiatives such as extended educational pathways.

The Government already recognises the diverse range of abilities and talents that young people may possess. It makes provision for developing such abilities within the education system, through initiatives such as extended educational pathways. The Department of School Education, in consultation with other education sectors and industry, is continuing to expand the pathways available to students.

In 1995 approximately 25,000 Department of School Education students studied Industry Studies, vocational content-endorsed courses and Joint Secondary Schools TAFE courses as part of their HSC program of study.

The Board of Studies has recognised the increasing diversity of the student population. It is broadening the traditional academic curriculum to include new areas of study giving opportunities to explore vocational interests. Courses now include Computing Studies, Legal Studies, Business Studies, Classical Ballet, Dance, Drama, Aboriginal Studies, Life Management and Personal Development Health and Physical Education. Courses with a strong vocational component include the Board's *Industry Studies* syllabus with strands in Hospitality, Retail and Metal and Engineering. The Board also offers seven Content-Endorsed Courses, each with formal industry recognition, in Rural Studies, Furnishing, Building and Construction, Retail, Hospitality, Office Skills and Electronics.

Under the Board's *HSC Pathways* framework, the Higher School Certificate can be studied part-time (for up to five calendar years), allowing the flexibility to combine study with other commitments eg employment or family responsibilities. HSC study can also be combined with TAFE study and prior learning experiences can be formally recognised. Flexible progression provisions are available to School Certificate level students, with students being able to accumulate subjects over an extended period with no set time limit.

The Government has recently completed a major Review of Profiles and Outcomes in NSW curriculum. Through the implementation of its recommendations and through the work of the Board of Studies in developing curriculum for NSW schools, NSW will be able to provide an education

system which recognises and fosters the development of young people's diverse range of abilities and talents.

Access to vocational education through schooling is a high priority for the portfolio, balanced with continuing access for students to a broad, general education, equipping them to contribute to their own prosperity and to the community. The HSC in TAFE, acceleration and accumulation HSC units, and credit transfer all need to be complemented with further extended educational pathways.

The initial findings of the Government's review of the Higher School Certificate were released in May 1996. A White Paper will be released in 1997. This review is making a major contribution in identifying directions for further effective and extended pathways for young people.

RECOMMENDATION 89 - EVALUATION OF COMPETENCY ASSESSMENT

Recommendation:

That the Minister for Education ensure that the current initiatives being trialed in schools and TAFE colleges based on competency assessment are appropriately evaluated.

Government response:

Current initiatives being implemented in schools in this area include Industry Studies and Vocational Content Endorsed dual accredited HSC courses. With increasing retention rates it has become imperative to ensure properly recognised vocational pathways are available for young people. TAFE NSW has been integrally involved in developing the vocational curriculum now offered in secondary schools and in the retraining programs provided to secondary school teachers.

TAFE NSW has also been developing credit transfer agreements with the Board of Studies over the last four years, arrangements which have been enhanced with the introduction of HSC vocational courses. Students now have very extensive industry based pathways that can be followed between the secondary sector and TAFE NSW.

CHAPTER 10 - DEPARTMENT OF SCHOOL EDUCATION: RESPONDING TO CAUSES OF VIOLENCE

Examines the responses of the Department to specific forms of violence in schools, discusses factors underlying school violence and considers initiatives targeting sex-based harassment, bullying and racism.

RECOMMENDATION 90 - SEX BASED HARASSMENT RESOURCES

Recommendation:

That the Minister for Education ensure regional education offices assist schools to recognise and address sex-based harassment by

- offering appropriate information resources to schools
- developing in-service workshops for teachers and
- developing in-service workshops for school counsellors providing counselling for boys regarding their behaviour towards girls.

Government response:

The Government is acting to address sex-based harassment in schools.

Sex based harassment is now addressed by:

- Board of Studies teaching kits and support documents which give advice and a framework for school programs
- Years 11-12 Skills for Living and Life Management and Personal Development Health and Physical Education courses
- *Resources for Teaching Against Violence* which addresses sex-based harassment, offers information, provides support for training and development and includes questions and answers to assist schools in developing policies
- professional development resources which have been provided to all Gender Equity Coordinators and Student Welfare Consultants, with a copy for each District Office.

Teacher inservice workshops will continue to address this priority issue.

RECOMMENDATION 91 - ANTI-HARASSMENT POLICY DEVELOPMENT

Recommendation:

That the Minister for Education encourage schools to formulate a school anti-harassment policy, with appropriate attention to sex-based harassment by students and teachers, and appropriate input from students, teachers and parents.

Government response:

As noted in the Committee's report the Department of School Education released a resource document, *Procedures for Resolving Complaints About Discrimination Against Students*, in February 1995. This addresses sex-based harassment by students and includes a training package. It encourages schools to set up processes to resolve incidents of sex-based harassment promptly and successfully. The Government's *Gender Equity Strategy* will also assist in dealing with this issue (see Government's response to Recommendation 93).

RECOMMENDATION 92 - MENTORING PROGRAMS FOR BOYS

Recommendation:

That the Minister for Education evaluate mentoring programs for boys with a view to their possible extension as an interim measure to develop positive constructions of masculinity.

Government response:

The Government notes the recommendation.

The Department of School Education has developed a *Gender Equity Strategy* which addresses the needs of boys. Possible mentoring programs will be considered in this context (see Government's response to Recommendation 93).

RECOMMENDATION 93 - DEVELOPMENT OF A GENDER EQUITY STRATEGY

Recommendation:

That the Minister for Education develop a gender equity strategy which includes

- an acknowledgment of the gendered nature of violence
- strategies to eliminate gender stereotyping in schools
- an appropriate focus on communication and alternative conflict resolution and
- strategies to encourage alternative non-violent constructions of masculinity.

Government response:

The Government has developed a *Gender Equity Strategy*, released in May 1996, which forms part of a broader Government commitment to achieving more equitable outcomes in schools. The strategy allows for:

- development of a better understanding of the processes of gender construction as distinct from innate differences between the sexes
- development of teaching and learning programs to ensure that learning is not constrained by practices related to perceptions of gender
- development of a school culture which aims to eliminate sex-based harassment and deal with health and welfare issues from a gender perspective
- the investigation of post school options examining the nexus between school achievement, gender and post school pathways and also the nexus between gender, domestic life and the world of paid and unpaid work.

A Department of School Education Consultative Committee has advised on the preparation of the Strategy to ensure that boys and girls are not being disadvantaged in education in any way.

The Government has also appointed a gender expert to the Board of Studies to ensure school curriculums do not give particular advantage to either gender.

RECOMMENDATION 94 - BULLYING

Recommendation:

That the Minister for Education ensure regional education offices

- offer appropriate information resources to schools to assist them in identifying and intervening appropriately when bullying occurs
- develop in-service workshops for teachers to assist them in addressing bullying
- direct schools to formulate a school policy on bullying, with appropriate input from students and parents and
- develop or approve self-administered, anonymous questionnaires to offer to schools to assist them in evaluating the extent of the problem and in developing an appropriate, co-ordinated response to bullying.

Government response:

The Department of School Education resource document, *Strategies for Safer Schools*, addresses bullying. The program provides a process whereby school communities can review current practice, identify training needs and develop whole school behaviour management strategies for classrooms and playground. The Committee's recommendations on bullying, dealing with information resources, teacher in-service workshops, policy development and student questionnaires will be incorporated in the work of the newly formed Directorate of Student Welfare.

The Minister's statement, *Good Discipline and Effective Learning*, released in December 1995, requires individual schools to develop a School Discipline Policy. Prevention and appropriate handling of bullying behaviour is addressed in the Minister's statement and will be included in School Discipline Policies.

The *Teaching Against Violence* kit for the 1996 school year also includes topics on bullying.

The Government notes that no recognition appears to be given in the recommendations to that fact that young people with a disability are a significant target for bullying and harassment. Similar strategies to those identified for other specific population groups, for example young Aboriginal people and girls, need to be developed and implemented in consultation with appropriate government and non-Government agencies.

RECOMMENDATION 95 - ANTI-RACISM POLICY AND PRACTICE

Recommendation:

That the Minister for Education collate and review regional reports on the implementation of the Anti-racism policy to produce standards of best practice for distribution to all schools.

The Government supports the recommendation.

The Government has responded to racism in schools by developing *Whole School Anti-Racism Project Resource Materials* (April 1995), which provide school communities with materials to evaluate anti-racism initiatives and to help further promote racism-free working and learning environments.

In 1996 all schools are being offered opportunities to participate in training programs to help them implement the materials. The Department of School Education is collecting data on how anti-racism grievance complaints are resolved. The data will inform the development of further strategies on training and anti-racism initiatives for students, staff and school community members.

RECOMMENDATION 96 - ETHNIC COMMUNITY LIAISON OFFICERS

Recommendation:

That the Minister for Education allocate adequate resources to fund appropriate numbers of Community Liaison Officers to ensure ethnic communities are involved in the education and welfare of their young people, and potential ethnic disputes impacting on schools can be identified and addressed.

Government response:

The Government notes the Committee's support for the important work of Community Liaison Officers (CLOs) in ensuring ethnic communities are involved in the education and welfare of their young people and that potential ethnic disputes impacting on schools are identified and addressed.

The Department of School Education will review the need for CLOs and the number of positions designated to work with identified communities.

The Department of School Education currently has 15 full-time equivalent CLOs (Non-English Speaking Background) to promote the participation of NESB parents and community members in the education of their children. Because of the particular needs of certain NESB groups, some CLOs are designated to work with identified communities.

RECOMMENDATION 97 - LANGUAGE HIGH SCHOOLS

Recommendation:

That the Minister for Education support the continued development of appropriately resourced Language High Schools, in areas with high proportions of students from non-English speaking backgrounds, provided such schools continue to demonstrate the acquisition of English is also facilitated.

Government response:

Government policy is to increase the number of students undertaking continuous and sequenced study of languages throughout their schooling.

In 1996 an additional 42 community language teachers had been appointed to schools with significant enrolments of students from non-English speaking backgrounds. A further 18 teachers will be appointed each year from 1997 to 1999. The initiative will allow students to develop literacy skills in their home language.

Language high schools and other high schools with significant NESB enrolments will provide a range of language programs to further develop students' language learning from primary school community language programs.

Consideration is now being given to the most appropriate way to develop Language High Schools and in what locations. This is related to a broader strategy to meet the goal of having 25% of HSC students studying a language other than English.

RECOMMENDATION 98 - ABORIGINAL CULTURE AND COMMUNITY

Recommendation:

That the Minister for Education ensure that, in areas with significant Aboriginal populations

- strategies are in place to develop appropriate links between schools and the Aboriginal community and
- adequate numbers of both male and female Aboriginal Community Liaison Officers are employed in schools to establish and maintain these links and increase awareness of Departmental practices and policies, support at-risk students, and encourage parental involvement in programs.

Government response:

As noted by the Committee, significant work is already under way to implement the recommendation. For example, the Aboriginal Education Consultative Group acts as the peak Aboriginal organisation for liaison with schools at local and state levels. Aboriginal organisations which have sought closer links with the Department of School Education include the Department of Aboriginal Affairs, the Aboriginal Health Unit, the NW Aboriginal Land Council, the Council for Aboriginal Reconciliation and the Aboriginal and Torres Strait Islander Commission.

The Aboriginal Education Policy (AEP) was launched by the Minister for Education and Training in February 1996. \$5.7 million has been allocated to implement the policy. It aims to:

- improve educational outcomes of Aboriginal students to a level comparable with those of the population generally
- ensure Aboriginal students have high quality, culturally appropriate education
- target resources and programs to provide for the educational needs of Aboriginal students and
- ensure Aboriginal people are employed at all levels of the Department of School Education.

A comprehensive assessment of progress in achieving the goals of the AEP will take place at the end of a five year development and implementation period. The policy ensures that Aboriginal communities will be involved, through the Aboriginal Education Consultative Group (AECG), in policy and program development.

TAFE NSW is a major training provider for Aboriginal and Torres Strait Islander youth. Of the 12,400 Aboriginal and Torres Strait Islander students in TAFE NSW, some 44 percent are under 24 years. TAFE's work in this area includes

- participating in an inter-departmental trial at Keelong Juvenile Justice Centre seeking to develop a coordinated program of vocational education and training provision to young people in custody, including Aboriginal and Torres Strait Islander juvenile detainees
- responding on a needs basis to Aboriginal and Torres Strait Islander communities, individuals and organisational requests for culturally appropriate accredited courses, through a network of field officers located across the State in the 11 Institutes of TAFE NSW (the network of nine Aboriginal Development Managers and 25 Aboriginal Coordinators complements the work performed at the school level by Aboriginal Community Liaison Officers)
- Aboriginal and Torres Strait Islander specific or general Joint Secondary Schools TAFE programs (JSST) in which Aboriginal and Torres Strait Islander youth also participate, whereby Year 11 and 12 secondary students can undertake TAFE NSW studies counting towards their HSC.

The *Koori Youth Program*, sponsored by the Department of Training and Education Coordination, assists young Aboriginal people who have left school early and are unemployed or who are at risk of leaving school early. The Program provides assistance with literacy, numeracy, social skills and cultural identity through part-time courses conducted by community organisations.

The *Aboriginal Employment Strategy for the Public Sector* is designed to improve employment and training opportunities for Aboriginal people in the public sector, providing funding for a project officer in the Department of School Education. This position could have a role in the establishment of other designated positions in the Department of School Education to maintain links between schools and the Aboriginal community.

RECOMMENDATION 99 - ATTITUDES TO HOMOSEXUALS

Recommendation 99:

That the Minister for Education ensure the *Resources for Teaching Against Violence* kit continues to be reviewed, and that this review includes an analysis of attitudes towards homosexuals and lesbians among high school students.

Government response:

The Government is committed to the ongoing review of *Resources for Teaching Against Violence* kit, including an analysis of the attitude towards homosexuals and lesbians among high school students. This topic is included in the 1996 materials distributed to schools.

Teaching and learning activities are included to encourage responsible discussion of attitudes towards homosexuals and lesbians in secondary schools.

RECOMMENDATION 100 - LINKING VIOLENCE KIT TO CURRICULUM

Recommendation:

That the Minister for Education develop strategies to

- encourage the introduction of the revised *Resources for Teaching Against Violence* kit in the Personal Development, Health and Physical Education curriculum and
- monitor its use and effectiveness.

Government response:

The *Resources for Teaching Against Violence* will be promoted as appropriate use in Personal Development, Health and Physical Education (PDHPE) and its usefulness for school programs will be monitored. The Board of Studies is producing a Board Bulletin article (sent to all NSW Government and non-Government schools and systems), drawing teachers' attention to the links between the kit and the PDHPE syllabuses.

RECOMMENDATION 101 - REFERRAL SERVICES FOR STUDENTS REPORTING HOMOSEXUAL HARASSMENT

Recommendation:

That the Minister for Education ensure students identifying as homosexual or lesbian and reporting harassment are advised of appropriate agencies and counselling services.

Government response:

The Government already ensures that students identifying as homosexual or lesbian and reporting harassment are advised of appropriate agencies and counselling services. The *Procedures for Resolving Complaints About Discrimination Against Students* provide support for students who report harassment. School-counsellors have access to appropriate referrals for these students.

RECOMMENDATION 102 - COUNSELLOR AND TEACHER TRAINING ON HOMOSEXUAL ISSUES

Recommendation:

That the Minister for Education ensure

- all school counsellors are adequately prepared and receptive to handling sexual orientation inquiries from all students, and to provide support for students with HIV and
- teachers have access to in-service training to assist them in countering negative attitudes towards homosexuals and lesbians by school students, both within and outside the classroom.

Government response:

The Government notes the Committee's concerns.

Some professional development initiatives have been undertaken in this area and will be continued. *Procedures for Resolving Complaints About Discrimination Against Students* have been distributed to all schools and training is under way.

RECOMMENDATION 103 - SERVICES FOR STUDENTS WITH PSYCHIATRIC DISORDERS

Recommendation:

That the Minister for Education undertake a review of educational services for students with long-term psychiatric disorders.

Government response:

The Government notes the recommendation.

As a result of the Burdekin Report, the Department of School Education is currently developing Phase 3 of *Strategies for Safer Schools* which will include strategies for these students. Needs have been reviewed at a local level and a review involving other departments and agencies at state office level is planned.

There is no data currently available on the number of students with long term psychiatric illnesses who require educational services other than those currently offered. It is inappropriate in light of current policy directions to establish schools or programs that isolate students with psychiatric illnesses into segregated settings. These students need programs that enable them to participate in educational services within the mainstream, or as close as possible to their mainstream peers.

Specialist teachers and counsellors and professionals from Departments of Health and Community Services are available to assist in this process.

There are also existing facilities not noted by the Committee, for example the Ward for Adolescents with Psychotic Illnesses at Redbank.

See also the Government's response to Recommendation 22.

RECOMMENDATION 104 - STUDENTS WITH LEARNING DISORDERS AND DISABILITIES WHICH RESULT IN VIOLENT BEHAVIOUR

Recommendation:

That the Minister for Education review the support available in schools for students with learning disorders and disabilities which result in violent behaviour, recognising the need for a multi-disciplinary approach involving, where desirable, experts from fields other than education.

Government response:

The Government notes the recommendation.

A number of programs are already in place to address the needs of this group:

- the Department of School Education has recently developed, in conjunction with specialist medical practitioners, a resource aimed at supporting teachers and schools in the management of students with Attention Deficit Hyperactivity Disorder. This resource, *Talk, Time, Teamwork: Collaborative Management of Students with ADHD*, was released to all schools and ADHD support groups in Term 4, 1995
- the LAST (*Learning Assistance Support Teams*) program assists mainstream teachers to develop skills necessary to assist students with learning difficulties
- guidelines for supporting students experiencing difficulties with learning are currently under review and a new model for provision has been released for public comment.

The Board of Studies is responsible for the development of curriculum from Kindergarten to Year 12, credentialling students including those with special education needs and the registration of non-government schools which includes special schools. It addresses the needs of students with learning disorders and disabilities by:

- providing a range of curriculum options for students with special education needs who cannot access mainstream courses, eg courses such as Life Skills courses in each Key Learning Area in stage 5 (Years 9 & 10) and Board endorsed courses in stage 6 (Years 11 & 12) including school developed courses for students who require a specially designed course to meet their individual needs
- developing primary curriculum support materials to assist teachers to develop appropriate programs for students with special needs
- credentialling students with special education needs for the School Certificate through a special program of study.

These initiatives recognise that cross curriculum programming is an essential feature for students with learning disorders and disabilities. The Government recognises that learning will occur in a range of settings with a range of personnel involved both in the planning and the delivery of the program. The personnel involved could include teachers, teachers aides, speech pathologists, specialist counsellors, child protection workers and social workers.

The Ageing and Disability Department is developing a policy on support for people with a disability and challenging behaviour for services funded and provided under the *Disability Services Act*. The policy will be of particular relevance to issues of youth violence. It provides guidelines for the provision of services to people with a disability who have challenging (disruptive) behaviour in ways that prevent abuse and delineates non-abusive strategies or positive management practices. This will be incorporated into another policy initiative of the Government currently underway which is the development of a whole of government disability policy framework.

RECOMMENDATION 105 - SUPPORT UPON RETURNING TO MAINSTREAM SCHOOLS

That the Minister for Education ensure students entering or returning to mainstream schools from alternative education facilities are provided with appropriate support.

Government response:

The Government is committed to ensuring that students entering or returning to mainstream schools from alternative education facilities are provided with appropriate support. Specialist teachers and counsellors are available to assist such students. The Government undertakes to monitor individual schools offering alternative programs to ensure that they have extensive re-integration processes as part of their overall program. Phase Three of *Strategies for Safer Schools* will assist schools in this process.

RECOMMENDATION 106 - EXTRA PROGRAMS FOR CONDUCT DISORDERED STUDENTS

Recommendation:

That the Minister for Education and the Minister for Health ensure additional alternative day and residential programs are made available for conduct disordered students.

Government response:

The Department of School Education has established a Conduct Disorders program for high school students. Eight projects have commenced with the type of project ranging from schools for specific purposes, units attached to high schools, wilderness projects and tutorial centres.

Other programs are offered by Itinerant Support Teacher (Behaviour), school counsellors, regional behaviour/welfare teams.

Research indicates that alternative programs for conduct disordered adolescents should be provided wherever possible in regular educational settings. Removing students from their home environment for a long period of time is contrary to current, world wide behaviour management philosophies. The Government will consider replicating for widespread use pilot programs such as HAYSS (*Helping All Young Students Succeed*) which focuses on prevention and early intervention for students at risk of developing conduct disorders.

RECOMMENDATION 107 - HOMELESS YOUNG PEOPLE AND SCHOOL ATTENDANCE

Recommendation:

That the Minister for Education, in consultation with other relevant agencies, develop protocols on dealing with homeless young people attending school.

Government response:

The Government supports the recommendation.

The Department of School Education has already developed a number of related initiatives:

- in conjunction with the Department of Community Services it has developed a protocol for the provision of educational services to students in substitute care, a number of whom have been homeless at some stage
- it is developing further protocols with other support agencies as part of the *Students At Risk (STAR)* program

- it is conducting a project on student homelessness which will determine strategies for schools relating to the prevention and early intervention in relation to homelessness.

CHAPTER 11 - NEW SOUTH WALES POLICE SERVICE

Examines the role of police in relation to youth violence and considers a range of policy responses.

RECOMMENDATIONS 108 AND 109 - OFFENSIVE LANGUAGE & THE SUMMARY OFFENCES ACT

Recommendation 108:

That the Minister for Police ensure the provisions of the *Summary Offences Act 1988* dealing with offensive language are not used by police officers to harass young people.

Recommendation 109:

That the Attorney General ensure the maximum penalty for offensive language by juveniles be a formal police caution.

Government response:

The Government is currently considering matters raised by these recommendations.

RECOMMENDATIONS 110 AND 111 - DEALING WITH WEAPONS

Recommendation 110:

That the Minister for Police develop and conduct a community education campaign to discourage young people from carrying offensive implements and prohibited weapons and informing them of the law in this respect.

Recommendation 111:

That the Minister for Police conduct an education campaign to ensure all police officers are aware of their powers to act regarding offensive weapons and that knives which are clearly being carried for unlawful purposes are confiscated.

Government response:

The Government introduced a well publicised Guns and Knives Amnesty on 1 July 1995. A comprehensive marketing campaign has been promoting the amnesty with success and over 9,600 weapons have been surrendered or confiscated so far.

Following the Australasian Police Minister's Council Meeting in May 1996 it was agreed to introduce a National Firearms Amnesty. The National Amnesty will be accompanied by another publicity campaign and the Commonwealth Government has undertaken to contribute funding.

Further, a proposal is currently being developed, involving Police and School Education, to discourage young people from carrying knives. This program is likely to involve theatre advertising.

The Police Service has included material on knives and firearms in the *Police Service Weekly*. Commissioner's Circulars and Notices are also issued to police when appropriate.

RECOMMENDATION 112 - PROHIBITED WEAPONS

Recommendation:

That the Minister for Consumer Affairs and Minister for Police

- survey and review the local manufacture and sale of cutting weapons to determine whether a broader range of knives and weapons should be prohibited under the *Prohibited Weapons Act 1989* and, if so
- support a ban on the import of such weapons in the Ministerial Council for the Administration of Justice.

Government response:

The Government notes the recommendation.

A range of knives are currently prohibited, including flick knives and sheath knives, which have no legitimate use except as weapons. Products which have legitimate uses, such as knives, should not be banned simply because they might be used as weapons.

The Government continues to monitor weapons, including knives, and will act to take appropriate action to ban or include the item in prohibited weapons legislation where appropriate.

The Government will raise matters relevant to the import of such weapons with the Commonwealth.

RECOMMENDATIONS 113-117- ETHNIC DIVERSITY AND ANTI-RACISM STRATEGIES IN THE POLICE SERVICE

Recommendation 113:

That the Minister for Police introduce positive recruitment strategies to ensure an increasingly representative membership of the New South Wales Police Service and to reflect the State's ethnic diversity.

Recommendation 114:

That the Minister for Police develop a Police Service Anti-Racism Policy and Prevention Plan as a matter of priority.

Recommendation 115:

That the Minister for Police ensure anti-discrimination and anti-racism modules are key components in police training and extend these as in-service modules for senior officers.

Recommendation 116:

That the Minister for Police develop initiatives that encourage better relations and facilitate communication between local police and ethnic communities.

Recommendation 117:

That the Minister for Police establish additional positions of Ethnic Community Liaison Officer to enhance community relations.

Government response:

The Government supports initiatives designed to ensure that the ethnic diversity of NSW's population is represented within the Police Service, racism is eliminated and good relations between police and ethnic communities are fostered.

The soon to be finalised *NSW Police Service Implementation Plan for the Charter of Principles for a Culturally Diverse Society* and its accompanying *Statement of Intent* plus the revised *Police Service Aboriginal Policy Statement* and *Strategic Plan* will reiterate anti-racism policy.

The *Implementation Plan for the Charter of Principles for a Culturally Diverse Society* will contain strategies to ensure that all members of the Police Service receive appropriate training and current information on community related matters. A lecturer has been appointed to the Police Academy specifically for education on multicultural issues.

Education in race relations and cross cultural training is required to ensure that officers perform their duties and responsibilities with the highest degree of professionalism. This policy will be implemented through compulsory training and education programs for all members in the areas of attitudes, beliefs, values and behaviour.

The Police Service is committed to the principle that police officers should reflect as closely as possible, without compromising professional standards, the cultural and linguistic composition of Australian society. 10% NESB recruits per class for the last 5 classes has been achieved. This will continue to be monitored, with a target of at least 20% to be achieved.

The Police Service will ensure that all recruitment policies, practices and standards are equitable and free from any racial or cultural bias.

In addition, the Police Service is currently undertaking lateral recruitment of 26 Asian crime investigators with appropriate language skills. A senior officer of the Ethnic Affairs Commission is on the selection panel.

The Police Service has 9 Ethnic Community Liaison Officer (ECLO) positions. The Implementation Plan proposes that ECLO positions reflect linguistic and cultural balance and are located in areas of significant populations of NESB people. Police Officers also carry out ethnic liaison roles in the community.

In March 1996, the Minister for Police launched the *NSW Police and Community and Training Project (PACT)* which will forge closer ties between police and local communities. This is a joint initiative developed by Police and the Ethnic Affairs Commission to help local communities work together to solve cross cultural problems. Rockdale and Marrickville patrols, have been chosen as initial trial sites for PACT.

PACT is one of a number of initiatives involving police and ethnic communities. These include the establishment of a Police and Ethnic Community Advisory Council and the recent appointment of a Police Policy and Project Officer for Ethnic Affairs.

RECOMMENDATION 118 - CONSULTATION WITH ABORIGINAL COMMUNITIES

Recommendation:

That the Minister for Community Services and the Minister for Police ensure Aboriginal communities are consulted on policing practices, and a report on the outcome of these consultations is prepared. The report should include strategies for the recruitment of Aborigines to the Police Service.

Government response:

Consultation, and as importantly, negotiation with the Aboriginal communities in relation to policing and the active recruitment of Aboriginal people are recommendations of the *Royal Commission into Aboriginal Deaths in Custody* which this Government supports.

A Police Service *Aboriginal Employment Training and Career Development Strategy 1995-2000*, released in December 1995, provides a strategic framework for enhancing recruitment, vocational training and career development opportunities for Aboriginal and Torres Strait people. It aims to increase the numbers of indigenous people employed and represented in all levels across the Police Service.

The Police Service *Aboriginal Policy Statement and Strategic Plan* is currently being reviewed. The Plan, released in November 1993, is focussed on reducing the number of Aboriginal people entering the criminal justice system as victims or offenders.

The *Police Aboriginal Council*, established in 1992, has remained as the peak body for consultation between the Police Service and Aboriginal community on policing policies.

The Government has established an Aboriginal Complaints Unit within the Ombudsman's Office as recommended by the *Interim Report of the Royal Commission into the NSW Police Service*. A key function of the Unit will be to assist in establishing better liaison between the Police Service and Aboriginal people, particularly in remote areas.

The Ombudsman's Office has agreed to assist the Police Service in a twelve month research project to evaluate the implementation of the *Police Service Aboriginal Strategic Plan*, subject to the availability of a research grant from the Australian Research Council. Communication is one of the key result areas of the Plan.

The joint evaluation will be conducted in full consultation with Aboriginal people. It will be of vital importance in determining the overall effectiveness of the Plan. It is anticipated that the evaluation should provide useful information for any necessary amendment or refinement of both the Plan and its implementation strategy.

RECOMMENDATION 119 - ABORIGINAL COMMUNITY LIAISON OFFICERS

Recommendation:

That the Minister for Police:

- increase the number of positions of Aboriginal Community Liaison Officers to make the service provided by them available to more communities and
- develop and implement strategies to encourage more Aboriginal women to take up positions as Aboriginal Community Liaison Officers.

Government response:

The Government supports the recommendation.

Last year the Police Service launched the *Aboriginal Employment, Training and Career Development Strategy 1995-2000*. The strategy aims to increase the numbers of Aboriginal and Torres Strait Islander staff in permanent positions to a minimum level of 2%.

In relation to Aboriginal Community Liaison Officers (ACLOs), the Police Service will be establishing a number of additional ACLO positions in key locations across NSW over the next 5 years.

The Government appointed 10 additional ACLOs in 1995/96 and a further 16 ACLO positions have been targeted over the next 4 years. As part of this employment strategy the Police Service will target and actively encourage the recruitment of Aboriginal and Torres Strait Islander women.

The employment of ACLOs is consistent with Recommendation 232 of the *Royal Commission into Aboriginal Deaths in Custody* that different jurisdictions pursue their chosen initiatives for improving relations between police and Aboriginal people.

RECOMMENDATION 120 - ALTERNATIVES TO ARREST FOR YOUNG ABORIGINAL PEOPLE

Recommendation:

That the Minister for Police encourage police to use alternatives to arrest, such as court attendance notices and summons, when dealing with young Aboriginal people.

Government response:

The Government is pursuing the aim of utilising alternatives to arrest, such as court attendance notices and summons, when dealing with young Aboriginal people as part of its work implementing the *Juvenile Justice White Paper*.

RECOMMENDATION 121 - MEDIA REPORTING OF GANGS

Recommendation:

That the Minister for Police inform media organisations that stories on gangs risk creating the problem they purport to reveal.

Government response:

The Government is supportive of responsible media reporting.

Negative media reporting may in fact result in increased levels of gang activity. Sensational media reports about gang activity can cause unnecessary fear to be held by members of the community.

Where appropriate, factual material available about gang activity will be provided to the media in an effort to encourage accurate reporting.

RECOMMENDATION 122 - POLICE AND SCHOOLS

Recommendation:

That the Minister for Police ensure police liaise with school personnel in patrols in which extortion is identified as occurring against young people.

Government response:

The NSW Police Service has become more involved with school and public educational inputs following on from the school based Crime Prevention Workshops. Police are also involved with reducing violence, crime and fear in the school environment and with individual problems in specific areas, eg such as providing school breakfasts to combat truancy.

A Police and Schools Working Party, jointly chaired by the Police Ministry and the Department of School Education, was established in late 1995. The committee is developing contact protocols and policies to encourage liaison between Patrol Commanders and School Principals at a local level.

It is envisaged that this area will also be a key responsibility for Police Youth Liaison Officers.

RECOMMENDATION 123 - POLICE YOUTH LIAISON OFFICERS

Recommendation:

That the Minister for Police ensure positions of one or more Police Youth Liaison Officer are established in every police patrol where there is a significant youth population.

Government response:

The Police Service is working on a range of initiatives in this area.

The Police Service *Youth Policy Statement Action Plan 1995-2000* provides for the deployment of Youth Liaison Program Officers as a foundation initiative. It is proposed that the development of these officers will be prioritised to areas of greatest need.

A Youth Liaison Officers Forum is scheduled for July 1996 to forge the future of policing services for young people. This Forum will reinforce the Youth Policy Statement and update police officers interested in working with youth on current juvenile justice issues.

RECOMMENDATION 124 - POLICE TRAINING

Recommendation:

That the Minister for Police:

- ensure police training emphasises non-violent policing methods
- introduce Youth Violence Studies into the Police Academy curriculum and
- implement in-service training for police on the needs of special groups, including young women, young Aborigines and young people from a non-English speaking background.

Government response:

The Executive Director, Education and Training, has established a Working Party at the Police Academy to develop youth specific courses, youth specialist skills training, youth awareness training and to consider other relevant education and training issues.

It is proposed that youth issues will be included in all specialist skills training courses conducted at the Police Academy.

The Youth Liaison Officers Forum, being held at the Policy Academy, will include an information exchange between current Youth Officers and Academy staff from the Education and Training Command who are responsible for the development of a Youth Liaison Officer's course.

Youth organisations, such as the Youth Action Policy Association and the Youth Justice Coalition will be attending the Forum and will be consulted on police training and education issues.

RECOMMENDATIONS 125 AND 126 - POLICE/YOUTH CONSULTATION

Recommendation 125:

That the Minister for Police encourage appropriate youth representation on Community Consultative Committees and Customer Councils.

Recommendation 126:

That the Minister for Police establish Police-Youth Liaison Committees as a pilot project in selected patrols.

Government response:

The Government is committed to consultation between the community and Police.

As part of the *Juvenile Justice White Paper*, Police are committed to involving young people in community crime prevention initiatives, including Youth Crime Prevention Committees and Community Consultative Committees and Customer Councils. It will expand Patrol Customer Council guidelines to ensure adequate youth representation.

The *Police Service Youth Policy Statement Action Plan* also sets out a number of proposals to ensure that all community consultation involves youth.

KEY RECOMMENDATION 127 - SAFETY AUDIT

Recommendation:

That the Minister for Police ensure all patrols of the New South Wales Police Service collaborate with government and community agencies to

- undertake a Safety Audit in their Local Government Area to identify potential, perceived, and/or actual locations of violent activity
- devise appropriate strategies to deal with such violence and ensure public environments are conducive to community safety.

Government response:

NSW Police Service trials of the Community Safety and Crime Prevention Program took place in seven local government areas, from March 1994 to October 1995. The results confirmed that local results depend on local support. This evaluation will assist in further developing effective mechanisms for liaising with Councils on community safety issues.

The Council on Crime Prevention provides an opportunity for the Police Service to work with Local Government bodies in developing the safety audit aspects of crime prevention through environmental design.

The Minister for Local Government is also developing best practice guidelines for local councils on crime prevention which will cover a range of crime prevention issues including local alcohol management strategies and the design and management of public places.

Several local councils have installed, or are in the process of installing Closed Circuit Television (CCTV) monitoring in business precincts in order to curb street-crime and other violent and anti-social behaviour. CCTV is an initiative promoted by the NSW Police Service.

Further, the Police Service and the Department of Local Government are working together to ensure dance (or 'rave') parties are safe venues for the entertainment of young people.

RECOMMENDATION 128 - COMMUNITY POLICING WITHIN SPECIFIC COMMUNITIES

Recommendation:

That the Minister for Police establish and enhance high profile community policing activities within specific communities where youth violence is identified.

Government response:

Community based policing is a key practice area of the Police Service. Beat policing is fundamental to the philosophy of community based policing. The visible presence of police officers on the street directly addresses issues of crime and increases perceptions of community safety.

At a Patrol level, Police intelligence identify trouble spots within each patrol and allocate resources accordingly. At a District level, intelligence is gathered and specific operations are undertaken to address matters, such as youth violence.

The *Police Service Youth Policy Statement* also addresses the need to reduce the incidence of alcohol related crime and anti-social behaviour among young people.

RECOMMENDATION 129 - POLICE HARASSMENT OF YOUNG PEOPLE

Recommendation:

That the Government commission an independent state-wide review examining the extent of police violence against young people and developing strategies to deal with incidents of violence against young people.

Government response:

The Government intends to carefully consider the report by the NSW Youth Justice Coalition, *Nobody Listens - the Experience of Contact between Young People and Police*, the findings of which help to inform this recommendation of the Committee. The Government will examine Recommendation 129 in this context.

The Government also notes that:

- the whole area of investigations of complaints against police is being considered in the light of the recommendations of the Royal Commission Interim Report and the establishment of the Police Integrity Commission
- additional resources have been provided to the Ombudsman's office to help upgrade investigations of police complaints. This will enable the Office to conduct more direct investigations of police complaints and greater monitoring of Police Service investigations of such complaints
- a Youth Liaison Officer will be appointed to the Ombudsman's Office in July 1996 to implement a program to improve access to, and awareness of, the Ombudsman's Office among young people.

For further details of these initiatives see the Government's response to recommendations 130 and 131 below.

RECOMMENDATION 130 - OMBUDSMAN'S ROLE IN INVESTIGATING COMPLAINTS

Recommendation:

That the Premier ensure the Office of the Ombudsman has sufficient resources to:

- monitor the investigation of complaints of police violence referred to the Police Internal Affairs Branch when the complainant is 17 years of age or younger and where desirable
- deal directly with these complaints, and refer appropriate cases to the Director of Public Prosecution for suitable action.

Government response:

The whole area of investigations of complaints against police is being considered in the light of the recommendations of the Royal Commission Interim Report and the establishment of the Police Integrity Commission. Legislation is being introduced which will clearly set out the role of the Ombudsman and the Police Integrity Commission in dealing with complaints against police.

The Government has also announced the provision of additional resources to the Ombudsman's office to help upgrade investigations of police complaints. This will enable the Office to conduct more direct investigations of police complaints and greater monitoring of Police Service investigations of such complaints.

RECOMMENDATION 131 - CHILDREN'S OMBUDSMAN

Recommendation:

That a position be created in the Office of the Ombudsman, with the status of Deputy Ombudsman, responsible for the coordination of complaints made by children and young people, including those in the Juvenile Justice system, and that

- adequate resources be made available to assist in the creation of this position and
- an information campaign for children and young people about the role of the Ombudsman be conducted.

Government response:

The Government notes the recommendation.

To assist young people, a Youth Liaison Officer will be appointed to the Ombudsman's Office in July 1996 to implement a program to improve access to, and awareness of, the Ombudsman's Office among young people. The Youth Officer will:

- liaise with peak groups which are involved in providing advice and services to young people to educate them about the Ombudsman's services
- be involved in visits to juvenile justice centres
- develop strategies and materials for the Office to use to communicate with young people, including the conduct of a communications audit of the Ombudsman's current procedures and practices to make them more user friendly for young people.

The Government also notes that the Legislative Standing Council on Social Issues is currently conducting a comprehensive Inquiry into Children's Advocacy. Its terms of reference are to inquire and report on the adequacy of:

- advocacy for children in health, education, law and justice and care and protection areas
- the organisation and co-ordination of existing agencies responsible for children's advocacy
- current grievance mechanisms for young people.

The Government will give careful consideration to the Committee's recommendations when it reports to Parliament.

CHAPTER 12 - THE JUSTICE SYSTEM, SENTENCING AND CORRECTIONS

Considers issues relevant to young offenders in the justice system and examines penalties and deterrence, community based sentencing options and counselling programs for violent offenders.

KEY RECOMMENDATION 132 - RESOURCES FOR YOUNG VIOLENT OFFENDERS

Recommendation:

That the Government provide adequate resources to ensure

- effective intervention at the time young violent offenders first come in contact with the justice system
- the multiplicity of problems of incarcerated young violent offenders, such as alcohol and drug abuse, are adequately addressed and
- effective preventative strategies are developed to break the cycle of recidivism among young violent offenders.

Government response:

The Government supports the recommendation and a variety of strategies and resources have been initiated.

The Department of Juvenile Justice offers a range of services to violent clients, for those convicted of violent offences and those exhibiting violent behaviour against others or themselves while in custody. Services include:

- the *Robinson Program* - a purpose allocated unit to which boys under 16 years in detention are referred to stabilise their behaviour, to allow time to identify the problem behaviours to both the boy and staff, teach them more effective ways of handling these and then to oversee their re-integration into mainstream detention
- the *Sex Offender Program* - juveniles are taught to recognise and manage their cycle of offending
- the *Crisis Service Team* - a team of psychologists which offers a crisis service in detention centres to clients experiencing a crisis of severity needing professional help outside normal business hours
- the *Juvenile Justice Collaborative Research Unit* - initially set up in April 1995, in conjunction with the University of New South Wales. Its purpose is to provide a site for research into the incidence, aetiology and treatment of violence and sexual violence among young offenders. It will research outcomes of the Violent Offender and Sex Offender programs. It offers an educational base for Department of Juvenile Justice staff, as well as a site for visiting professorial staff and students who can add to the knowledge base of the Department. The unit is currently investigating the characteristics of the past client group of the sex offender program. Ongoing evaluations of the client groups received into the sex offender and violent offender programs are planned to commence in the near future. A project comparing the alcohol and other drug use amongst male and female offenders and the role of these drugs in violent offending is also in progress.

The Department of Juvenile Justice is currently developing a *Violent Offender Program* for repeat violent offenders in detention centres. It will provide a cyclical model of intervention, using both group and individual work. Offenders will be referred for specialist assessment and a treatment intervention that is streamed for age, sex and ethnicity. This will assist diversion, sentencing and programming. The interventions address firstly the offending behaviours, look later at the juvenile's own issues which underpin this violence and conclude with relapse prevention. The program will be implemented in July/August 1996.

RECOMMENDATION 133 - CONSULTATION WITH YOUNG PEOPLE ABOUT VIOLENCE STRATEGIES

Recommendation:

That the Attorney General ensure young people are appropriately represented on and consulted by the Juvenile Crime Prevention Advisory Committee and the Juvenile Crime Prevention Division in developing strategies to prevent or reduce violence.

Government response:

The Government supports the recommendation.

The Juvenile Crime Prevention Division is committed to ensuring the input of young people in initiatives to prevent juvenile crime. The Juvenile Crime Prevention Division works closely, and consults extensively, with peak youth bodies and youth specific organisations to ensure that the Division's work remains appropriate to young people.

Current membership of the Juvenile Crime Prevention Advisory Committee gives priority to ensuring the views of young people are represented, for example it includes members of the Youth Justice Coalition and Youth Action and Policy Association. Advice provided reflects the experiences of young people themselves and youth service providers.

RECOMMENDATION 134 - PRE COURT RESOLUTION SCHEMES

Recommendation:

That the Minister for Community Services and the Minister for Police implement recommendation numbers 35 to 50 of the Standing Committee on Social Issues Report into Juvenile Justice in New South Wales, 1992.

Government response:

The Government supports the recommendation to implement a court diversion scheme in NSW, as detailed in the Standing Committee on Social Issues *Report into Juvenile Justice in New South Wales* (1992).

The Government has been trialing a scheme called Community Youth Conferencing (CYC) in six sites around NSW since February 1995. The scheme was recently independently evaluated. While the evaluation highlights various problems with CYC, on the whole it supports diversionary conferencing as a viable alternative to traditional processes.

The Government is also considering a form of diversionary conferencing called the 'Minor Offenders Punishment Scheme' (MOPS). The NSW Attorney General has established a Working Party to consider the results of the CYC evaluation and prepare recommendations for the expansion of police cautioning and introduction of MOPS across NSW.

RECOMMENDATION 135 - COMMUNITY BASED SENTENCING OPTIONS

Recommendation:

That the Attorney General ensure that where appropriate, courts continue to utilise community based options in the sentencing of young offenders, including young violent offenders.

Government response:

The Government supports the recommendation.

It is actively working to develop alternatives to detention, where appropriate, to steer young offenders away from detention, to avoid stigma and the possibility of reoffending.

For example:

- the NSW Law Reform Commission is reviewing sentencing laws and examining the adequacy of existing non-custodial sentencing options. It released a Discussion Paper in April 1996 concerning the general principles of sentencing law. The second phase of its inquiry will examine the sentencing of young offenders, Aboriginal offenders and offenders with an intellectual disability
- work is underway by the Department of Juvenile Justice to introduce an 'Attendance Centre Program' to provide skills based and personal development programs aimed at enhancing awareness, self-esteem and coping mechanisms to assist juveniles to avoid further offending
- legislative amendments have been introduced to increase the maximum number of hours for Community Service Orders (CSOs) from 100 to 250
- Aboriginal communities will be consulted for suitable programs to increase the sentencing options of courts.

The Judicial Commission provides new judicial appointees with comprehensive training and orientation, including sentencing workshops which discuss community based sentencing options. All judicial officers have access to information about all sentencing options contained in the *Sentencing Information System (SIS)*, an on line computerised database developed and maintained by the Commission. In the context of young offenders, the *Children's Court Information Bulletin* also provides information relevant to the sentencing options and facilities available for juvenile offenders, case digests and notes on recent legislation. The Commission has also produced a number of research monographs concerning community based sentencing options.

The Commission provides judicial officers with information concerning various sentencing services and facilities, such as the proposed Violent Offenders Program, via the sentencing facilities component of SIS. This database contains a separate directory of juvenile facilities, compiled from information obtained from a number of government agencies, including the Department of Juvenile Justice.

RECOMMENDATION 136 - SUPERVISION OF VIOLENT OFFENDERS IN THE COMMUNITY

Recommendation:

That the Minister for Community Services ensure, as a matter of priority, that adequate resources are available to Department of Juvenile Justice Offices throughout New South Wales to enable the consistent and relevant supervision and counselling of young violent offenders serving community based sentences.

Government response:

The Government supports the recommendation.

Funding has been made available to the Department of Juvenile Justice, in response to the *Burdekin Report into the Rights of the Mentally Ill* (1994), to set up a number of initiatives (known as the Burdekin Initiatives). Included in these initiatives is the Violent Offenders Program which is currently being implemented. This program is to be trialed first in the Detention Centres, and once evaluated it will be extended to the community. This will augment the counselling services already being provided in the community through the Intensive Programs Units.

RECOMMENDATION 137 - PROGRAMS FOR VIOLENT OFFENDERS IN THE COMMUNITY

Recommendation:

That in order for Juvenile Justice Officers to adequately supervise and counsel a young violent offender in the community the Minister for Community Services must ensure that there is a wide range of suitable programs within the community from which they can draw assistance. Those community organisations offering relevant services should be provided with adequate government funding so that co-operative service delivery between the government and the non-government sector can be fostered.

Government response:

The Government supports the recommendation.

The violent offender programs being developed by the Department of Juvenile Justice will offer direct services to violent offenders who are at the serious end of the offending spectrum. Other violent offenders will receive general counselling programs and skills development from a specialist Violent (Serious) Offender Counsellor.

A similar service will be available to those on supervision orders. All services will be linked with, and have access to, the services of a multi-disciplinary team which includes drug and alcohol workers, sex offender counsellors, psychologists and psychiatrists. Brokerage with mainstream services occurs as required.

A register of fee for service counsellors is being drawn up to provide services in rural areas.

RECOMMENDATION 138 - COMMUNITY WORK FOR COMMUNITY SERVICE ORDERS

Recommendation:

That the Minister for Community Services ensure that

- adequate resources are available and relevant support services able to be drawn upon to assist Juvenile Justice officers in all regions to adequately supervise and to offer a range of community work to those young offenders placed on Community Service Orders and
- counselling programs for violent offenders on Community Service Orders can be offered as part of the fulfilment of Community Service Orders in addition to other work orders.

Government response:

The Government is acting to ensure that adequate resources are available and relevant support services able to be drawn upon to assist Juvenile Justice officers in all regions to adequately supervise and to offer a range of community work to those young offenders placed on Community Service Orders (CSOs).

The Department of Juvenile Justice has recently employed Program Development Officers (PDO's) in each region. One of the key tasks of the PDOs is to foster contact with local community organisations

with a view to engaging them as CSO placement agencies. The PDOs are also responsible for maintaining support and contact with placement agencies.

The Department has also employed Sessional Supervisors in both metropolitan and rural areas to provide supervision for young people on CSOs. The employment of Sessional Supervisors has enabled the Department to expand the number, range and type of projects undertaken under the CSO scheme. A specific focus on projects of community service options has been projects of significance to local communities, especially heritage and environmental projects. The employment of Sessional Supervisors has enabled the Department to provide CSO supervision on weekends, which better suits the needs of young people who work and/or attend education/vocational courses.

The Government notes the recommendation to ensure that counselling programs for violent offenders on CSOs can be offered as part of the fulfilment of CSOs in addition to other work orders. It is not considered that counselling should form part of CSO hours, although supervision and assessments by the Department of Juvenile Justice will facilitate referrals to counselling programs where appropriate. The proposed Violent Offenders Program will eventually be expanded into the community. If violent offenders are placed on Community Service Orders by the courts they will also be offered realistic counselling services which will help them to reduce reoffending.

RECOMMENDATION 139 - INCREASING COMMUNITY SERVICE ORDER HOURS

Recommendation:

That conditional upon the implementation of Recommendation 138 the Minister for Community Services amend the Children (Community Service Orders) Act, 1987 to allow the maximum number of hours which can be given to young offenders under a Community Service Order to be 250 hours.

Government response:

The Government has introduced legislative amendments to the *Children (Community Service Orders) Act 1987* to allow the maximum number of hours which can be given to young offenders under a Community Service Order to be 250 hours.

RECOMMENDATION 140 - COUNSELLING FOR VIOLENT OFFENDERS ON CONDITIONAL RELEASE

Recommendation:

That the Minister for Community Services ensure appropriate counselling and support is extended to violent offenders on conditional release.

Government response:

The Government is concerned to ensure appropriate counselling and support is extended to violent offenders on conditional release. One initiative which will see this occur is the Department of Juvenile Justice's Violent Offenders Program.

RECOMMENDATION 141 - ESTABLISHMENT OF THE VIOLENT OFFENDERS PROGRAM

Recommendation:

That the Minister for Community Services establish the violent offenders program as a priority and ensure that it is appropriately resourced to enable its utilisation throughout New South Wales.

Government response:

The Government is currently implementing the Violent Offenders Program for repeat offenders in detention centres.

The *Juvenile Justice Collaborative Research Unit* has been established by the Department of Juvenile Justice to conduct outcome research into the Violent Offenders Program.

These and other programs being developed by the Department of Juvenile Justice are detailed in the Government's response to Key Recommendation 132 above.

RECOMMENDATION 142 - JUDICIAL EDUCATION REGARDING VIOLENT OFFENDERS

Recommendation:

That the Attorney General and Minister for Community Services ensure that judicial education is undertaken by members of the magistracy and judiciary likely to preside over matters involving violent juvenile offenders, to facilitate such offenders being referred to the Violent Offenders Program as appropriate.

Government response:

The Government is working to ensure judicial education is undertaken by members of the magistracy and judiciary likely to preside over matters involving violent juvenile offenders, to facilitate such offenders being referred to the Violent Offenders Program as appropriate.

The importance of judicial education about the structure and content of the Violent Offenders Program has been recognised and is being addressed by the Department of Juvenile Justice with the aim of ensuring magistrates make appropriate use of this program.

The Judicial Commission provides judicial officers with information concerning various sentencing services and facilities, including the proposed Violent Offenders' Program, via the Sentencing Facilities component of the Sentencing Information System, an on-line computerised database developed and maintained by the Commission which can be accessed by all judicial officers. This database contains a separate directory of juvenile facilities, compiled from information obtained from a number of government agencies including the Department of Juvenile Justice.

RECOMMENDATION 143 - ATTENDANCE CENTRE PROGRAMS

Recommendation:

That the Minister for Community Services ensure that, having regard to the evaluation of the pilot scheme, Attendance Centres and programs are established throughout New South Wales.

Government response:

The Government is now working on an attendance centre program to provide skills based and personal development programs aimed at enhancing awareness, self-esteem and coping mechanisms to assist juveniles to avoid further offending. This program will incorporate a review of the pilot Attendance Centre program. The Metropolitan Attendance Centre programs will be conducted in Blacktown and Newtown Police Citizens Youth Clubs and are due to commence in August 1996, subject to successful recruitment of staff.

RECOMMENDATION 144 - GUIDELINES FOR THE ATTENDANCE CENTRE PROGRAM

Recommendation:

That the Minister for Community Services ensure that, in developing guidelines for the Attendance Centre orders and programs

- due regard is given to the availability of the Attendance Centre sentencing option to violent offenders, where appropriate and
- programs are developed which address violent offending behaviour.

Government response:

The Government supports the recommendation.

Assessment of young offenders will consider whether individual cases are appropriate for inclusion in the Attendance Centre Program, the Violent Offenders Program, or other programs conducted by the Department of Juvenile Justice.

The Attendance Centre Program will contain program modules which address anger, aggression, self esteem, assertiveness and associated issues. The intention of the program is to provide juveniles with information and social skills training in relation to a variety of issues which affect their daily lives. The program aims to develop awareness and coping mechanisms in young people which will assist them to avoid offending behaviour in the future.

RECOMMENDATION 145 - RECIDIVISM OF YOUNG OFFENDERS

Recommendation:

That the Minister for Community Services ensure that

- the level of recidivism among young offenders in the juvenile justice system is consistently monitored to assess the rate of graduation to more serious and violent offences and
- the impact of detention on recidivism and the nature of offending behaviour is evaluated.

Government response:

The Government is actively examining and addressing the issue of recidivism among young offenders in the juvenile justice system.

The Department of Juvenile Justice conducts an annual profile of juveniles in detention. As a series of studies, these profiles permit an examination of the nature of offences for which juveniles are incarcerated, the level of recidivism, and any trend over time in the escalation to more serious and violent offences.

A comprehensive study of the effect of detention and other court ordered sanctions on preventing juvenile re-offending has been undertaken by the Department of Juvenile Justice.

The need to monitor and to evaluate the impact of the Violent Offenders Program on recidivism has been recognised, and evaluation procedures have been built into the program. At the same time the establishment of the Centre for Research into Violence, set up in conjunction with the University of New South Wales, will provide additional information pertinent to recidivism.

The Government recognises that another significant issue is the over-representation and management of people with an intellectual disability in the criminal justice system. The Ageing and

Disability Department has convened an inter-departmental committee on people with an intellectual disability and the criminal justice system. Working groups have been formed to undertake a range of tasks, including:

- mapping the respective roles and responsibilities of agencies at each stage of the judicial process
- describing the interface between departments, so a whole-of-Government protocol may be prepared
- identifying gaps in the system
- making recommendations
- liaising with the NSW Law Reform Commission which is examining the issue of people with an intellectual disability and the criminal justice system (due to report by the end of 1996). The Law Reform Commission's recommendations will have implications for addressing issues of recidivism and the graduation to more serious and violent offences by young people with an intellectual disability.

RECOMMENDATION 146 - RESEARCH ON GRADUATION OF JUVENILES TO THE ADULT SYSTEM

Recommendation:

That the Minister for Community Services and the Minister for Corrective Services conduct research, involving the Department of Juvenile Justice and the Department of Corrective Services, that examines the graduation of juvenile offenders to the adult system.

Government response:

The Government supports the recommendation.

The Department of Juvenile Justice and the Department of Corrective Services are conducting two research studies which seek to track juvenile offenders into the adult system. The first deals with recidivism and its relationship to variables such as age at first proven offence. The second study will have a clinical emphasis and focus on the efficacy of the treatment models initially applied in sex offender rehabilitation.

The first study is in draft form and will be published in the second half of 1996. A retrospective study of 204 clients of the Sex Offender Program has been completed. This study focussed on demographic data. The research project on treatment outcomes is currently being designed.

The Police Service has established a Youth Crime Intelligence Unit. One of the roles of the new unit is to research the progression of juveniles into adult organised crime.

RECOMMENDATION 147 - ROBINSON PROGRAM FOR BOYS

Recommendation:

That the Minister for Community Services ensure that the Robinson Program for Boys addresses the underlying causes of violence, including issues relating to gender construction.

Government response:

The Robinson Program for Boys addresses the underlying causes of violence, including issues relating to gender construction.

It is premised on the need to treat the violent behaviour of young offenders. The program is multi-modal providing both individual and group work to inmates. A clinical psychotherapist is employed

to work with these boys. Staff have had special training in confronting and dealing with violence both in its physical expression and in assisting the boys to understand the nature of the violence within them. Aggression Replacement Therapy has been used. The clinical psychologist is well trained and knowledgeable about gender issues and their impact upon juveniles, together with background and lifestyle issues. Every endeavour is made to have a female staff member on each team and to address the gender issues that are part of everyday life.

RECOMMENDATION 148 - SEX OFFENDER PROGRAM

Recommendation:

That the Minister for Community Services ensure adequate resources are consistently provided to the Department of Juvenile Justice's Sex Offender Program so that the program can function effectively.

Government response:

The Government supports the recommendation. Adequate resources will be ensured by ongoing monitoring and review of the Program.

Sex Offender Counsellors are based at Reiby, Worimi and Mount Penang Juvenile Justice Centres and all metropolitan Intensive Programs Units, but they are mobile and the service offered is flexible. Country areas are serviced by using fee for service counsellors. The program includes individual and group work, as well as some family work.

RECOMMENDATION 149 - RESOURCING SEX OFFENDER PROGRAMS IN RURAL AREAS

Recommendation:

That the Minister for Community Services ensure adequate funding is provided to meet the management and treatment needs of juvenile sex offenders in rural areas.

Government response:

Current practice for the management and treatment of sex offenders in rural areas is to provide fee for service counsellors. The adequacy of resources is subject to ongoing monitoring and review.

RECOMMENDATION 150 - COMMUNITY BASED RESIDENTIAL SERVICES FOR JUVENILE SEX OFFENDERS

Recommendation:

That the Minister for Community Services assess the need for and feasibility of providing specialist, community based residential services for juvenile sex offenders who do not receive control orders or who are released into the community.

Government response:

The Government notes the recommendation.

The Department of Juvenile Justice is working towards improvement of accommodation services for juvenile offenders within the context of the *Juvenile Justice White Paper 'Breaking the Crime Cycle - New Directions for Juvenile Justice in NSW'*.

RECOMMENDATION 151 - ABORIGINAL JUVENILE BAIL SUPPORT SCHEMES

Recommendation:

That the Minister for Community Services facilitate the introduction of pilot Aboriginal Juvenile Bail Support Schemes, and evaluate the potential to extend the Scheme to other communities.

Government response:

The Government is working to facilitate the introduction of pilot Aboriginal Juvenile Bail Support Schemes, action which is consistent with recommendations of the *Royal Commission into Aboriginal Deaths in Custody*.

The current status of the Department of Juvenile Justice's program is as follows.

- *The Safehaven Program*

This assists Aboriginal young people who have committed minor offences and are likely to be refused bail on the basis of homelessness or lack of suitable accommodation. The Department of Juvenile Justice identifies suitable carers from the community who are prepared to care for young people between the ages of 10 to 18 years, who are in contact with the law. Wherever possible, the extended family of the juvenile will be the first placement option explored as the Department supports the concept of Aboriginal young people residing with their families. The Department provides training and support for carers to ensure that they are equipped to deal with issues as they arise. An allowance is paid to carers to accommodate, support and meet the daily needs of the young person. An additional one-off allowance for clothing and other incidentals is available on a needs basis. The scheme currently operates in Dubbo and Wagga. The Government is currently working to facilitate the extension of this program to other areas of need.

- *Metropolitan Bail Hostel*

The Department of Juvenile Justice is currently in the process of funding an Aboriginal organisation to establish and operate a Bail Hostel in the metropolitan area, to provide 24 hour, 7 days a week residential care with intensive supervision for up to six Aboriginal young people (male and female). The hostel will be staffed by suitably trained and skilled Aboriginal residential care workers. Admission to the hostel will be via the courts and the Juvenile Justice Community Services. During the establishment of the Bail Hostel program the Department liaised and consulted with a variety of organisations and people providing services to young Aboriginal people. The promotion of the program and the recruitment of additional staff for the hostel will increase and enhance community liaison and consultation between local juvenile justice officers and Aboriginal communities. The selected Aboriginal organisation is currently seeking suitable premises and the Bail Hostel is expected to be operational before the end of 1996.

- *Nardoola Bail Hostel*

The Community Youth Support Task Force, established in 1993, looked at a number of youth issues, including the social, economic and cultural problems in the Moree area. After extensive community consultation, the Nardoola program evolved to provide an accommodation option for up to six young Aboriginal people either on remand, community service orders or conditional discharge. All residents will undergo assessment by the Department of Juvenile Justice prior to entering the program. The service is expected to be operating by August 1996. Supervision of juveniles will be intensive, and no young person will be placed at Nardoola if considered a risk to the community or him/herself. Staffing of the hostel will include four youth workers and two houseparents who will have experience in working with young people. Two staff will be on site at all times. Programs will include:

- living skills, literacy and numeracy tuition
- alcohol and other drug education and
- group work examining violence and abuse issues.

RECOMMENDATION 152 - ABORIGINAL COMMUNITY INPUT INTO PROGRAMS FOR VIOLENT OFFENDERS

Recommendation:

That the Minister for Community Services ensure that any program developed by the Department of Juvenile Justice that targets young violent offenders both in custody and the community, and includes young Aboriginal offenders, has appropriate input from Aboriginal communities and is culturally sensitive.

Government response:

The Government supports this recommendation.

The Department of Juvenile Justice has addressed this need, in relation to the Violent Offenders Program, through consultations carried out with Aboriginal groups prior to planning the program. The need for cultural sensitivity is reinforced in staff training for the program.

More generally, the Government is committed to consultation and negotiation with local Aboriginal and Torres Strait Islander organisations, family and young people when devising and implementing programs and strategies affecting Aboriginal young people, as recommended by the *Royal Commission into Black Deaths in Custody* (recommendations 235-239). For example, the Department of Juvenile Justice has appointed nine Aboriginal program officers with responsibility for developing programs with local communities.

The Aboriginal Justice Advisory Committee (AJAC), in responding to the Recommendations of the Report, has advised the Government that the Committee's Report does not address racist violence on Aboriginal and Torres Strait Islander young people in communities throughout NSW and its relation to the perpetration of crimes of violence. The AJAC notes the report by the Human Rights and Equal Opportunity Commission arising from the National Inquiry into Racist Violence in Australia, *Racist Violence* (1991). The AJAC believes much greater emphasis is needed on the development of strategies which target law enforcement agencies and the wider community to ensure the elimination of incidences of racism and racist violence perpetrated against, and by, Aboriginal and Torres Strait Islander people.

The Government has established an Aboriginal Complaints Unit within the Ombudsman's Office. A key function of the Unit will be to assist in establishing better liaison between the Police Service and Aboriginal people, particularly in remote areas. The Office will help the Police Service to evaluate implementation of the *Police Service Aboriginal Strategic Plan* (subject to the availability of a research grant from the Australian Research Council). These initiatives will help address some of the concerns of the AJAC.

RECOMMENDATION 153 - NESB COMMUNITY INPUT INTO PROGRAMS FOR VIOLENT OFFENDERS

Recommendation:

That the Minister for Community Services ensure that any program developed by the Department of Juvenile Justice that targets young violent offenders both in custody and the community, and includes young offenders of non-English speaking background, has appropriate input from relevant ethnic communities and is culturally sensitive to the offender's background.

Government response:

The Government supports the recommendation.

As noted in the Government's response to Recommendation 152, the need for the Violent Offenders Program to be culturally sensitive to the needs of young offenders of NESB has been recognised and will be re-enforced through the training program for all new staff.

The Department of Juvenile Justice works very closely with ethnic communities in formulating policy and delivering programs and services. Consultation is aided by the work of an NESB Project Officer.

Examples of direct consultation

An extensive consultation process has been conducted to identify gaps in services to NESB clients and their families.

The Department is committed to developing partnerships with community agencies and has entered agreements to fund two initiatives aiming to improve reintegration of NESB offenders into their communities.

The Minister for Community Services recently launched the Barnardos Post Release Options Program which aims to assist young offenders by providing culturally appropriate pre and post release intervention to young offenders, their families and communities. The program focuses on young people who are over-represented in the juvenile justice system, particularly youths from Arabic, Indo-Chinese, Maori and Pacific Island backgrounds.

The Minister also launched the new Indo-Chinese Juvenile Offender Support Program to be run under the auspices of Careforce Migrant Services, part of the Anglican Home Mission Society. This program, based in Cabramatta, aims to provide pre and post release support to Indo-Chinese young offenders in partnership with the Department. Both of these post-release programs will attempt to address the specific needs of violent offenders from non-English speaking backgrounds.

Examples of indirect consultation

Program and service providers to the Department include non-government organisations. Staff of these organisations who are from non-English speaking backgrounds network with ethnic communities and actively communicate with the families of clients entrusted to the Department's care.

The NESB Project Officer is working in a consultative capacity with a large number of government and non-government community organisations.

Cross cultural training programs

In addition to these initiatives, an extensive evaluation of the needs of clients of non-English speaking background has been conducted by the Department. Training programs, aimed at improving service delivery to NESB clients are being developed for Departmental staff, eg the Department's NESB Project Officer is currently liaising with psychologists and trainers at the Adult Migrant English Service and the Transcultural Mental Health Service at Cumberland Hospital to develop training programs for departmental psychologists. Introductory training started in April and will be followed up in July 1996. The Department has also employed a senior training officer in the Specialist Programs Division to develop training for division staff. This will include specialist cross-cultural skills training for staff working with violent offenders.

Identified/specialist positions

An identified position for an Indo-Chinese juvenile justice counsellor has been created at the Liverpool Intensive Programs Unit. There is one identified Vietnamese juvenile justice officer and one identified multi-cultural officer at Fairfield Juvenile Justice Community Services. Minda Juvenile Justice Centre has one identified senior youth worker position. A co-ordinator of Vietnamese programs is based at Mount Penang Juvenile Justice Centre but also provides services to Mount Penang and other metropolitan juvenile justice centres.

Case management

The Department of Juvenile Justice has recently reviewed its assessment procedures so the particular needs of people from NESB are taken into account in assessment interviews and case management planning.

A co-ordinated approach to service provision

The Department is working with the Ethnic Affairs Commission and other government agencies to improve the co-ordination of services provided to NESB clients. For example, it is represented on the Education Advisory Committee NESB Sub Group and is co-operating with TAFE and the Department of School Education to address education and training issues for NESB juveniles under departmental control or supervision.

RECOMMENDATION 154 - PROGRAMS FOR VIOLENT YOUNG FEMALE OFFENDERS

Recommendation:

That the Minister for Community Services

- develop appropriate programs and counselling services for young female offenders in the community and in detention, that focus on violent offending among young women and
- ensure that such programs and counselling services are sensitive to the specific needs of young female offenders.

Government response:

The Government supports this recommendation.

The Department of Juvenile Justice administers a *Young Women in Custody Program*, a comprehensive plan for managing young female offenders. Each young woman in custody has an individualised case plan that addresses her special needs and provides her with skills to assist her reintegration into the community.

The Program employs a psychotherapist and a psychologist to provide appropriate counselling services, particularly to address violent offending. In addition, a Young Women's Group which addresses offending behaviour, including violence, is conducted cyclically.

Young female offenders in the community have access to gender appropriate counselling through Intensive Programs Units.

RECOMMENDATION 155 - PRE-DISCHARGE PLANNING

Recommendation:

That the Minister for Community Services ensure adequate pre-discharge units are established, and the programs offered from these units are extended into community settings and to all young offenders leaving custody.

Government response:

The Government supports the recommendation.

The Pre-Discharge Working Party, including representatives from the Department of Juvenile Justice and the Department of School Education, is in the process of closely examining pre-discharge programs and initiatives in Juvenile Justice Centres.

Funding has been provided through the *Juvenile Justice White Paper* to assist with establishing such programs. The Anglican Home Mission Society and Barnardos have been funded to provide post release support to young NESB offenders in the metropolitan area. Expressions of interest have also been sought in targeted rural areas for organisations to provide such services. These organisations are expected to be funded by 30 June 1996.

As part of a trial at Keelong Juvenile Justice Centre the Illawarra Institute of TAFE and the Principal of Keelong School are establishing formal networks for detainees leaving Keelong Juvenile Justice Centre and entering their local TAFE College.

RECOMMENDATION 156 - COMMUNITY AND FAMILY INVOLVEMENT

Recommendation:

That the Minister for Community Services ensure

- the potential for all young offenders to be reintegrated into their families is assessed prior to their release from Juvenile Justice Centres
- a family mediation project is developed for young offenders to assist in this reintegration, where desirable and
- where re-integration is not possible, the young offenders are given appropriate support in re-entering the community.

Government response:

The Government supports the recommendation. It is actively working to ensure rehabilitation of young offenders and their reintegration into the community after release from detention, with family support where possible.

The introduction of case management into the Department of Juvenile Justice has enabled a formal process of involvement of the family in the case plan of young offenders in custody. A number of points are relevant to this recommendation.

- The focus of the custodial case plan developed at the beginning of the custodial period is the reintegration of the young offenders into the community.
- The development of the case plan is based on a case conference held in the first weeks of the custodial period. In all cases, where appropriate, the family is invited to take part in the case conference and contribute to the case plan development. For example, at Mount Penang Juvenile Justice Centre during August 1995, 35 case conferences were held. Families were involved in 72% of these.
- All Juvenile Justice Centres are implementing strategies to facilitate interaction between young offenders and their families during custody. For example, at Mount Penang Juvenile Justice Centre, during August 1995, 40 bookings were made for the two flats which provide accommodation for families (particularly from rural areas) visiting their children in custody.
- On an individual basis, case management staff in Juvenile Justice Centres have implemented mediation strategies including the engagement of the Family Mediation Service.
- Pre-discharge case conferences again assist the reintegration of young offenders and outline the support strategies to be employed on release.
- Non-Government organisations are being funded to provide post-release support to assist in community reintegration.

RECOMMENDATION 157 - SPECIAL CARE UNIT

Recommendation:

That the Minister for Corrective Services ensure systematic programs such as the Special Care Unit are supported by the provision of appropriate follow-up programs for inmates when they leave the Special Care Unit and return to the mainstream prison system.

Government response:

The Government is working to ensure systematic programs such as the Special Care Unit are supported by the provision of appropriate follow-up programs for inmates when they leave the Special Care Unit and return to the mainstream prison system.

The Department of Corrective Services aims to ensure that offenders committed to its care, displaying violent or other inappropriate behaviours, are managed so as to maximise their opportunities for a successful reintegration into society by providing a range of programs specifically designed to address their needs.

The aim of the intervention program, known as the Special Care Unit, is to teach inmates skills to modify their behaviour, including appropriate coping skills. When inmates have completed the program and are returned to the mainstream centres it is planned to develop a strategy for follow-up support through the use of the case management and program pathway processes. Correctional centres will be able to maximise the utilisation of skills gained by inmates in the Special Care Unit through the development of inmate Peer Support Programs. Ongoing support by way of liaison with the Special Care Unit will assist this process. The development of these follow-up strategies at each correctional centre is part of the Department's overall response to the specific requirements of inmates.

RECOMMENDATION 158 - VIOLENCE PREVENTION UNIT

Recommendation:

That the Minister for Corrective Services

- facilitate the establishment of the Violence Prevention Unit at Long Bay Correctional Centre and
- examine the feasibility of extending the therapeutic program developed for the Violence Prevention Unit to other Correctional Centres.

Government response:

The Government supports this recommendation.

The Violence Prevention Program (VPP) is to be conducted in the recently constructed Alexander Maconochie Unit of the Special Care Centre at Long Bay Correctional Complex. The staff selection process has been completed and a four week staff training program commenced on 13 May 1996. It is anticipated that the first inmates will be received into the VPP in early June 1996.

Correctional centres that send inmates to the Special Care Centre to participate in the VPP will develop a local action plan for the ongoing case management of inmates upon their return from the program. Inmates who complete the Violence Prevention Program will also be visited by VPP staff every three months for the remainder of their sentence.

It is intended that each institution using VPP graduates will, over time, establish a Violence Prevention Committee to develop and implement a violence prevention strategy.

RECOMMENDATION 159 - CRISIS SUPPORT UNITS

Recommendation:

That the Minister for Corrective Services

- establish, as a matter of priority, a Crisis Support Program at Mulawa Correctional Centre and
- continue to establish Crisis Support Units and Programs throughout New South Wales Correctional Centres.

Government response:

The Government supports this recommendation.

The establishment of a Crisis Support Program at Mulawa is a high priority for the Department of Corrective Services and the construction of the Therapeutic Unit at Mulawa Correctional Centre is expected to be complete by August 1996.

It should be noted what was once referred to as Crisis Support Units are now called Therapeutic Units. The units provide psychologically informed programs directed at the reduction of self harm and suicide. Inmates 'in crisis' are usually provided with medical management in hospital accommodation.

RECOMMENDATION 160 - SEXUAL ASSAULT PROGRAMS

Recommendation:

That the Minister for Corrective Services develop pilot programs

- for victims of sexual assaults in prisons and
- for victims of past sexual assaults, including a program designed specifically for female inmates.

Government response:

The Government is acting to implement this recommendation.

The Director, Psychological Programs, Department of Corrective Services, is currently developing a strategy to address the needs of victims of sexual assault.

As an interim measure individual counselling is provided by psychologists to victims of sexual assault whilst in custody. Inmates participating in the Therapeutic Unit program at the Special Care Centre have access to group counselling conducted by a psychologist. Follow-up referral to community based resources on release from custody is arranged as necessary, and if appropriate, contact with specialist services can be arranged for inmates who are still in custody.

For female inmates who have suffered past sexual assault there is individual psychological counselling, with access to community based agencies arranged as necessary and follow-up referral to such agencies on release.

Male inmates who have been victims of sexual assault are also able to access the above mentioned individual psychological counselling and community based resources. Inmates participating in the Therapeutic Unit program at the Special Care Centre have access to group therapy.

RECOMMENDATION 161 - YOUNG SEX OFFENDER PROGRAMS

Recommendation:

That the Minister for Corrective Services:

- develop prison and community-based pilot programs for young sex offenders and
- evaluate the effectiveness of such programs after a reasonable time.

Government response:

The implementation of a program for sex offenders is a high priority for the Department of Corrective Services.

A prison based program for sex offenders has been developed, in which young sex offenders are identified as a sub group of sex offenders and their particular requirements addressed. It will operate at the Long Bay Correctional Complex which will be redeveloped as part of the Government's announced restructure of the NSW correctional system.

The Probation & Parole Service currently supervises sex offenders on parole or probation as a condition of their order. The Service does not offer a specific sex offender treatment program. The implementation of a community based treatment program involving the Probation and Parole Service will be considered consequent to the successful introduction of the sex offender treatment program at Long Bay Correctional Complex.

A carefully regulated community based program for intra familial offenders of all ages is being operated by the Department of Health, known as the NSW Pre Trial Diversion Program.

RECOMMENDATION 162 - ALTERNATIVES TO VIOLENCE PROJECT

Recommendation:

That the Minister for Corrective Services

- investigate the feasibility of allowing the Alternatives to Violence Project (AVP) to conduct weekend workshops in Correctional Centres
- provide appropriate premises within Correctional Centres to conduct AVP workshops and
- ensure disruptions to AVP workshops in Correctional Centres are minimised and participants are not removed during the course of the workshops.

Government response:

The Government notes the recommendation.

The Department of Corrective Services' approach is based on the development of therapeutic units to conduct programs and the development of individual strategies for each correctional centre to provide support services which are a continuation of the specialist programs.

The development of correctional centre strategies will include the examination of the services provided by the Alternatives to Violence Project (AVP).

RECOMMENDATION 163 - STAFF TRAINING AND THE ALTERNATIVES TO VIOLENCE PROJECT

Recommendation:

That the Minister for Corrective Services consider including Alternatives to Violence Project workshops as a staff training option for personnel of the Department of Corrective Services.

Government response:

The Government notes the recommendation.

The Corrective Services Academy offers anger management and conflict resolution courses to correctional staff.

RECOMMENDATION 164 - PAROLE SUPERVISION FOLLOWING RELEASE FROM CUSTODY

Recommendation:

That the Attorney General amend s.27(4) of the *Sentencing Act* to ensure

- all parole involving young offenders is supervised and
- the Department of Juvenile Justice accepts responsibility for the supervision of juvenile offenders where the court has failed to specify a parole agency.

Government response:

The Government notes the recommendation.

As part of the implementation of the Juvenile Justice White Paper, the Government is reviewing the *Sentencing Act*, the *Children (Criminal Proceedings) Act* as well as other relevant legislation. This recommendation will be reviewed in that context.

RECOMMENDATION 165 - JUDICIAL EDUCATION

Recommendation:

That the Minister for Community Services and the Attorney General ensure, following the amendment of s.27(4) of the *Sentencing Act*, judicial education is provided to ensure that the changes to the legislation are understood and accepted to facilitate the use of appropriately supervised parole as a feature of custodial sentences for young offenders.

Government response:

The Government supports the recommendation.

The Department of Juvenile Justice will collaborate with the Judicial Commission to ensure this occurs. The use of parole and the nature of parole supervision is being monitored. The impact of any future legislative change will be examined and evaluated by the Department of Juvenile Justice.

RECOMMENDATION 166 - HOMOSEXUAL PANIC DEFENCE

Recommendation:

That upon the release of the report from the Criminal Law Review Division the Attorney General give priority to examining the validity and legality of the "homosexual panic defence".

Government response:

The Government supports the recommendation.

A Working Party has been convened to examine trials where the so-called 'homosexual advance defence', also known as the 'homosexual panic defence', is relied upon. The Working Party is expected to report to the Attorney General with its findings by mid 1996.

The NSW Law Reform Commission also has a reference which may be of some relevance to this issue - *Partial Defences to Murder: Diminished Responsibility, Provocation and Infanticide*. The Commission is expecting to report by the end of 1996.

CHAPTER 13 - OTHER GOVERNMENT AGENCIES

Examines the role of a range of Government agencies whose services and policies impact upon young people and youth violence.

RECOMMENDATION 167 - MAINTENANCE OF PROGRAMS AT ORMOND AND MINALI

Recommendation:

That the Minister for Community Services maintain a commitment to ensuring programs for young people at Ormond and Minali address the needs of young people with acting-out or violent behaviour.

Government response:

The Government notes the recommendation.

Within the restructure of the substitute care program there has been ongoing consideration of the need to be able to respond to the needs of young people who exhibit behaviours which are destructive within the community or to themselves. The Government is committed to ensuring that services required by these children are available.

Currently these young people's placement needs are met by intensive support services. The centres currently being used for these young people are, however, only interim arrangements until the young people are placed in an extended placement, returned to their parents/extended families or placed in some form of supported independent living situation.

Because of the special needs of these young people there is an ongoing need to develop innovative responses which meet individual needs. The large centres at Minali and Ormond do not necessarily meet the extensive needs of these people. It is well documented that congregate care for young people, who have significant behaviour problems, can exacerbate undesirable behaviour.

The Minister has supported the establishment of the Intensive Support Services Project Management Committee convened by a Senior Officer of the Department of Community Services. This Committee is ongoing and includes specialists in substitute care. The Committee has the responsibility to reform current practice and/or develop and implement alternative models for children requiring intensive care.

See also the Government's response to Recommendation 24.

RECOMMENDATION 168 - SUBSTITUTE CARE REFORMS

Recommendation:

That the Minister for Community Services

- monitor the audits conducted by the Department of Community Services to ensure that the needs of each young person currently in the Department's care will be met by future services under the substitute care reforms and
- evaluate the effectiveness of the reforms after three years to ensure these needs are being met.

Government response:

The Government, through the Case Planning and Management Strategy, is reviewing the future needs of all children currently in placement. This will be undertaken by officers of the Department

of Community Services and others co-opted externally and the review will continue throughout 1996-98.

The Interim Sub-Care Ministerial Advisory Committee will continue to monitor the outcomes of the move of children from Departmental residential institutions which were closed in recent years and develop advice for the Minister in the establishment of a permanent monitoring body. The new monitoring body, to be established in mid 1997, will oversight the quality of care for children in government and non-government services.

Ongoing evaluation will be an integral part of the monitoring of services as will the constant review of services by the Department to determine changes needed to meet developments within the substitute care sector.

The Government will establish a Substitute Care Ministerial Advisory Committee, to independently advise the Minister on the program.

The Minister for Community Services has also:

- released a Discussion Paper on the Review of Substitute Care for Aboriginal Children
- commenced the development a policy on children with a disability and substitute care. The Ageing and Disability Department is addressing the issue of children with disabilities entering substitute care and the needs of families to have access to preventative services to meet the needs of the family as a whole so that the child can remain at home. Where family breakdown is unavoidable, the Department is examining the need for a range of out-of-home placement options, based on permanency planning principles, which aim to ensure the best interests of the child are safeguarded.

RECOMMENDATION 169 - SUPPORTED ACCOMMODATION ASSISTANCE PROGRAM

Recommendation:

That the Minister for Community Services ensure the NSW Government's funding commitment to SAAP is maintained at a level enabling the program to meet the needs of young people through support services which

- provide appropriately supervised accommodation for unaccompanied children under 16 years
- assist children under 16 years accompanying their parents in other crisis accommodation facilities and
- address the long term needs of all groups of young people.

Government response:

The Minister for Community Services has signed the Supported Accommodation Assistance Program (SAAP) Agreement, thus ensuring the continuity of the program. The program currently provides a total of \$26,408,000 for youth projects.

New South Wales has negotiated a national research project on Children in SAAP to be completed in 1996/97.

The Department has prepared a Draft Protocol between the Department of Community Services and SAAP funded services which defines roles and responsibilities in regard to the placement of children under 16 years in SAAP services. The document is to be released for consultation purposes following Commonwealth agreement. After consultation, the draft Protocol will be finalised for the Minister's approval. Implementation of the Protocol is expected in late 1996.

See also the Government's response to Recommendations 25-27.

RECOMMENDATION 170 - NOTIFICATION OF CHILD ABUSE

Recommendation:

That the Minister for Community Services undertake a review of the Department's responsiveness, and adequacy of staff to respond, to notification of child physical abuse and ensure immediate action is taken to guarantee the safety of the child by

- prompt investigation and, where desirable
- removal of the child.

Government response:

In October 1995 the Department of Community Services issued *Strategic Directions in Child Protection*, a draft document which outlines the proposed reform of the Department's child protection program. The document specifically identified the need to review the Department's response to notifications, including those of physical abuse.

This process included reviewing the nature and timing of the Department's investigation of allegations of abuse. It also provided guidelines on the level of Department intervention in situations of alleged abuse. The outcome of this will be greater clarity around circumstances that require that a child be removed from his/her home. It will also broaden the perspective of child protection investigations to ensure that, where there is no ongoing role for the Department but a child and/or his/her family requires further support, that a linkage between the child/family and an appropriate service is made.

An initial review of procedures commenced in January 1996. Within six months of this date recommendations on improving Departmental practices at intake, assessment and referral will be in place for implementation.

The Department is introducing a new child protection notification classification system for child abuse notification to be in place by June 1996, based on safety and risk considerations.

Further strategies include:

- a review of 260 child protection cases to determine adequacy of several aspects of the Department's intervention, eg intake information, classification, level of Department intervention, referral pathways, interagency coordination, service gaps and decision-making and
- the introduction of a Practice Improvement Process in each Community Services Centre to implement immediate strategies to improve practice care and protection. Adolescents are identified as a special needs group.

Following on from the decision in 1995/96 to appoint 60 new child protection specialists, 45 additional field staff will be appointed during 1996/97 to provide child protection services at the point of notification of abuse. Further, 51 new District Officer positions will be created to improve the Department's response to substitute care in line with the strategic directions for the substitute care program.

Removal of children from the care of their families is a complex issue. The Department will also address the need for change through the current review of the legislation which underpins its work in child protection, the *Children (Care & Protection) Act 1987*.

RECOMMENDATION 171 - CHILD ABUSE INVESTIGATION UNIT

Recommendation:

That the Minister for Police examine the feasibility of establishing a specialist unit to be responsible for investigating child abuse cases.

Government response:

The Government has established the Child Protection Enforcement Agency within the NSW Police Service to investigate organised paedophile activity and serial sexual offences against children.

The Agency's estimated annual Budget is \$3.4 million. At present the agency has 25 staff and at full capacity it will employ 53 staff. It is expected to be fully operational by 1 July 1996.

Regional Child Protection and Investigation Teams will continue to play a crucial role in child protection. The Government also promotes Operation Paradox, which provides a means to allow members of the public to phone-in and anonymously report cases of suspected child abuse.

RECOMMENDATION 172 - PUBLIC TRANSPORT

Recommendation:

That the Minister for Transport continue to ensure

- crime prevention strategies are considered in the provision of transport services and
- pricing policies encourage young people to use public transport.

Government response:

In regard to crime prevention, this area is primarily the responsibility of the New South Wales Police Service with the principal area of concern being crime prevention on the City Rail network. City Rail continues to liaise closely with the Police so that resources can be used in the most effective manner possible.

Crime prevention strategies

Measures in place to enhance customer safety include the following.

- Patrols of stations and trains by CityRail revenue protection officers, transit and beat police on the basis of intelligence information gathered by CityRail and the Police. This enables the patrols to be targeted to specific high risk locations and/or services. In addition, random patrols are conducted of other stations and services throughout the CityRail network.
- Customer to crew communication system on all Tangara carriages. Similar systems are being progressively fitted to the other double deck suburban carriages.
- Train guards are equipped with two way radios enabling assistance to be sought when necessary.
- Blue lights on trains to indicate where the guard is located.
- Closed circuit television surveillance on many stations and security cameras randomly provided on trains.
- Security on trains and stations was further enhanced, from October 1995, with the deployment of additional security officers on trains and stations from 7 pm to 1 am. On average 1,300 train and station patrols are conducted each week.

The Minister for Police has provided an extra 44 transit police to patrol suburban stations and trains. The new transit police are based across the City Rail network at Granville, Sutherland, Lidcombe, Campbelltown, Wollongong, Hornsby and Gosford. There are plans to restore transit police to full strength in 1996.

Beat police will continue to complement the work of transit police.

In addition, in May 1995, the Minister established the Transport Safety Bureau within the Department of Transport. The Bureau is responsible for accrediting public transport operators in NSW and ensuring the highest practicable levels of passenger security are maintained. The Bureau is currently reviewing the passenger security programs of the State Transit Authority (STA) and State Rail Authority (SRA) together with the development of passenger security standards and performance indicators.

In October 1995 the Government announced the introduction of 63 Safe Stations across the CityRail network. Each station will feature remote monitored CCTV, passenger Help Points, increased staff presence, improved lighting and regular police patrols supplemented by contract security personnel.

Other strategies concerning the City Rail network that have an impact on youth violence are as follows.

- Crime Prevention Through Environmental Design (CPTED) audits of Sydney Metropolitan stations.
- A schools education program which addresses rail and personal safety issues.
- Joint operations with the NSW Police Service to target specific problem locations or services.
- Vandalism and graffiti minimisation programs.
- Extension of the two car Nightsafe accommodation on late night trains from 30 July to commence at 7 pm from outlying suburbs and at 8 pm for services from the City.

Pricing policies

The Government's pricing policy provides a number of generous concessions, including those listed below, specifically targeting young people and encouraging the use of public transport.

School Student Transport Scheme

- STA- School Bus Pass, School Ferry Pass
- SRA - School Rail Pass
- Private bus operators - School Bus Pass
- Department of Transport - School Vacation Rail Pass

TAFE Student Transport Scheme

- STA - TAFE College Rail Pass, TAFE College Ferry Pass
- SRA-TAFE College Rail Pass
- Private bus operators - TAFE College bus pass

NSW Student Identification Card

School Pupils Railway of Australia Card

Student Railways of Australia Identification Card

Apprentice 1st/2nd Year Identification Card

Australian Traineeship System Trainee Identification Card

Half Fare Entitlement Card (issued to registered unemployed people, including young unemployed)

In addition, the Department of Transport's program for the provision of improved public transport interchanges at railway stations should also assist young people to make greater use of public transport and to reduce their dependence on private motor vehicles.

Young people now have access to free carriage of accompanied bicycles during off-peak travel. To assist bicycle riders further, the Department of Transport is implementing a program by which secure bicycle lockers will be installed at 28 stations, initially, on CityRail's network.

RECOMMENDATION 173 - INTEGRATION OF PUBLIC HOUSING INTO THE COMMUNITY

Recommendation:

That the Minister for Housing pursue a policy of integrating public housing into the broader community, both in new and existing housing developments.

Government response:

The Government supports the recommendation.

The Department of Housing has maintained its efforts to pursue the integration of public housing into the broader community. The Department now aims to provide housing in a different way and avoid the kind of mass development it undertook in previous decades.

In general terms, the Department no longer acquires or builds new projects which have more than 25-30 units for any one client group (aged, single, family) which are in close proximity to other public housing projects.

Currently the Department is embarking on a *Neighbourhood Improvement Program* to ensure that public housing estates look and operate in a way comparable with other residential areas and to remove the stigma associated with those estates. Positive outcomes through its implementation will include:

- a high degree of tenant and community participation in the urban renewal process and management of estates
- a change in the balance of public and private open space
- an increase in tenant control on security of homes
- a reduction in homogeneity of public housing by the sale of at least 20% of dwellings to mix tenure
- improved asset value
- the strengthening of local neighbourhood organisations and neighbourhood based community development
- the introduction of total asset management principles
- the involvement of the private sector in redevelopment
- increased youth and community health and recreational services
- the decreasing of community isolation
- an increase in employment opportunities.

Pilot projects have already been completed on 110 houses in Macquarie Fields and Airs to follow with other similar operations in Campbelltown LGA, which will involve expenditure in the order of \$100 million over the next 13 years.

The Government's *Housing Policy Green Paper* also proposes that 'head leasing programs' (where separate privately owned dwellings are leased long-term to the Government) and 'community housing associations' (which manage a wide variety of dwellings in the broader community outside public housing estates) be expanded. Both these strategies will assist in integrating social housing into the broader community.

RECOMMENDATION 174 - PUBLIC HOUSING FACILITIES

Recommendation:

That the Minister for Housing ensure consideration is given to:

- providing access to adequate indoor and outdoor facilities for young people in housing estates and
- housing families with young people in areas with adequate facilities for young people.

Government response:

The Government notes the recommendation.

The *Environmental Planning and Assessment Act* requires the Department of Housing to publicly account for its contribution to the communities it is housing. Coupled with rising community standards this has meant extra effort by the Department to establish acceptable levels of infrastructure provision through negotiations with the local consent authority.

Apart from the provision of infrastructure during the development process, the Department has generally sought to have local government authorities use the rate revenue from the Department to fund, for example, new community centres and new playground equipment. The Department undertakes the care and control of community rooms and playgrounds where the land is not dedicated to council.

The Department's approach has always been to house people in their area of choice rather than direct them to specific areas.

The *Neighbourhood Improvement Program* is also relevant in the context of this recommendation (see the Government's response to Recommendation 173).

RECOMMENDATION 175 - ACCOMMODATION OF YOUNG PEOPLE AND PUBLIC HOUSING

Recommendation:

That the Minister for Housing examine strategies for increasing the access of young people to public housing, including special purpose-built housing for single unsupported young people.

Government response:

The Government supports the development of housing strategies for young people. Strategies which increase access to a wider range of housing options for young people are a priority and the development of these strategies will be linked to the achievement of outcomes such as:

- better identification of the needs of young people and priorities for service development
- better targeting of resources to ensure that an appropriate level and mix of service options are being developed and
- the monitoring of planning processes and implementation of service delivery strategies to ensure that objectives and outcomes are being met.

In December 1995 the Government released a *Housing Policy Green Paper* which outlines a program for reform to the system of housing provision and new directions for housing policies in NSW. The directions outlined in the Green Paper are in accord with the Government's social justice objectives and will considerably improve the delivery of housing assistance to all groups in the community, particularly people in crisis or those with special needs.

The access that young people currently have to a range of housing assistance options across the public and community housing sectors will continue to improve as services are expanded and diversified through the development of these strategies. NSW is already in the process of improving access and diversifying housing options for youth in both special housing and mainstream programs.

In special housing, this is occurring through the allocation of \$3.6m in 1995/96 for projects in the *Community Housing Program* which specifically target youth, and the allocation of \$2.317m in 1995/96 for 11 youth projects as part of the *Crisis Accommodation Program*. Youth in crisis remain one of four main target groups under the latter program.

In mainstream housing, the availability of smaller dwellings is being substantially increased to meet rising demand from single or small sized households through initiatives such as the redevelopment of existing public housing stock and headleasing arrangements. Well over 95% of housing procured in 1995/96 will be one and two bedroom dwellings.

Allocation processes have also been streamlined to ensure assistance is provided in a more timely manner and better reflects the needs of clients, particularly those with complex needs such as youth. Youth have also benefited from the funding that is allocated to the Rental Assistance Scheme, which provides access to the private rental market. Funds for this program are allocated according to demand and \$14.104m has been allocated in 1995/96.

Historically, there have been difficulties in achieving appropriate models for youth housing. The Government is investigating ways of developing purpose built low-cost housing for single young people using funds from the *Social Housing Subsidy Program* which subsidises the cost of raising funds to finance housing programs. The Commonwealth and States have agreed that the 1996/97 *Social Housing Subsidy Program* will focus on youth. NSW has established a commencement target of 246 studio, one and two bedroom dwellings during 1996/97 and 1997/98. 50% of these will be targeted to low income people aged under 25 years. Properties will be acquired through a combination of purchasing existing dwellings and procuring purpose-built dwellings designed specifically to suit the needs of youth. Properties will be leased to selected community housing associations for a period of up to 20 years and will be located in areas where there is a demonstrated high demand for single and youth housing.

The 1995/96 *Aboriginal Housing State Strategic Plan* identified young people as a high priority group for housing assistance. Aboriginal housing needs are being met by capital works strategies aimed to address the large demand from single people by acquiring more smaller-sized stock and by redeveloping stock in culturally appropriate ways. Priority is also being given to improving planning and service delivery through improved consultation processes to better understand and respond to the need and priorities of Aboriginal communities.

Homelessness is a major problem affecting young people. A number of recent reports of inquiries into youth homeless and housing programs targeting youth have made wide-ranging recommendations. The Office of Housing Policy has established a committee, with broad representation from relevant government and non-government agencies, to develop a consistent and integrated approach toward reforming services for the homeless. Areas being examined include:

- exploring long-term housing solutions for people in crisis
- addressing issues relating to the management and administration of programs
- improving service planning, including greater consultation with homeless people
- developing needs indicators and performance measures.

RECOMMENDATION 176 - COUNSELLING AT COMMUNITY HEALTH CENTRES

Recommendation:

That the Minister for Health review the availability of counselling at Community Health Centres for young people aged 18 to 24 years, particularly the perpetrators of violence.

Government response:

The health needs of young people are a key priority for the Department of Health. The recently released Youth Health Discussion Paper, *Caring for Young People*, proposes strategies to improve young people's access to health services. Strategies include positive promotion of young people, staff development and mechanisms to ensure accountability by service providers.

The Government considers that a prevention and early intervention focus on mental health issues for children and young people is the most appropriate and effective strategy for long-term gains in dealing with the development of disruptive behaviour problems, which may progress to violence. Community counsellors should recognise the need for appropriate referrals and appropriate mental health training and support to adequately meet the needs of young people.

RECOMMENDATION 177 - SUPPORT SERVICES FOR YOUNG PEOPLE

Recommendation:

That the Minister for Health ensure adequate funding levels are provided for sexual assault, drug and alcohol, mental illness and crisis and long term support services for young people.

Government response:

The Government supports this recommendation.

The recently released Youth Health Discussion Paper, *Caring for Young People*, addresses the need to provide access to health services for young people, including access to existing sexual assault, drug and alcohol, mental health and crisis and long term support services. All these services are available through the network of youth health centres.

Sexual assault services

Sexual assault services support children and young people through a network of 50 specialist services across NSW. These services provide crisis medical and counselling support, follow up counselling, group work, court preparation and court support and assistance in applying for Victims' Compensation. Services are also provided to young people through a range of non-government organisations funded by the NSW Health Department such as Dymrna House, Sydney Rape Crisis Centre and women's health services. Sexual assault services liaise with a range of youth and other community agencies through their participation in local Area Child Protection Committees.

Drug and alcohol services

The Drug and Alcohol Directorate provides funding of \$31 million per year for programs to prevent and treat drug-related harm in NSW. Of this, \$4.7 million is allocated to programs specifically targeting young people. The vast majority (\$4.3 million) is dedicated to education and prevention programs rather than treatment. This reflects the fact that proportionately few young people are drug dependent or experience significant drug-related health problems requiring treatment services.

The Government is providing additional funding for drug and alcohol education programs (\$1 million per year over 5 years) to strengthen drug education in schools, improve co-ordination of drug education services to schools and improve access to support at school for students at risk of drug abuse.

See also the Government's response to Recommendation 44.

Mental health services

Improving mental health outcomes for children and young people through the expansion of early intervention and prevention and treatment services has been identified as a key priority by NSW Health.

The Government is considering proposals to establish a Children and Young People - Mental Health Task Force. It is envisaged that the proposed Task Force would guide the development of a State wide strategic children and young people's mental health plan to address needs and establish priorities for the effective development and implementation of evidence based strategies, particularly those targeting children and young people and their families at highest risk. The issue of young people at risk of developing disruptive behaviour problems and recommendations for effective prevention and early intervention strategies would be examined by the proposed Task Force.

The 1995/96 Budget included an additional \$12 million recurrent funding to improve services for people with mental health problems. Additional resources will be focused on priority areas which include responding to the needs of young people, Aboriginal people, rural and isolated communities and those with a complex range of problems including substance abuse.

RECOMMENDATION 178 - AREA ASSISTANCE SCHEME

Recommendation:

That the Treasurer review the limitation on the availability of pick-up funding for Departments sponsoring projects under the Area Assistance Scheme.

Government response:

The Government notes the recommendation.

The Area Assistance Scheme is administered by the Minister for Urban Affairs and Planning and Minister for Housing and it was agreed that revised arrangements would apply to the scheme from 1995/96. These arrangements included an increase in funding available for ongoing projects and a requirement that funding for such projects be referred to the Budget Committee for determination.

The Department of Urban Affairs and Planning is currently reviewing the Area Assistance Scheme. The Review will examine the impact which the limitation on the availability of 'pick-up funding' (recurrent funding which other Departments are encouraged to provide to ensure projects continue) has on the Scheme. The Review will seek input from the various pick-up Departments, local government and the community. Any changes to the Scheme would be subject to the Review's findings and would be assessed in the overall budget context.

RECOMMENDATION 179 - FORMER OFFICE OF YOUTH AFFAIRS

Recommendation:

That the Premier re-establish the Office of Youth Affairs as a matter of urgency and ensure it is sufficiently resourced to meet its objectives fully.

Government response:

The Government does not support this recommendation.

The Government abolished the former Office of Youth Affairs, implementing a pre election commitment. The former Office of Youth Affairs had become a politicised body under the former Government, and was considered to be inefficient and ineffective in dealing with and resolving the important issues of concern to young people.

Its resources were heavily devoted to program management and process issues, and it had little strategic policy focus or influence across Government.

The Government has retained most important programs of the former Office which include Time Out, Circuit Breaker, Helping Early School Leavers and the Koori Youth Program. These are now run effectively by the Youth Programs Unit of the Department of Training and Education Coordination (DTEC).

Strategic youth policy responsibilities have been transferred to The Cabinet Office where a specific Youth Branch has been established to give across Government policy advice on the complex areas which concern young people. The very complexity of these interrelationships is demonstrated by the Committee's own report on Youth Violence.

The location of the Youth Branch responsible for youth policy in the key central policy agency of Government enables the issues of young people to receive far greater attention and weight than if the function were to be located as a small Office in a particular line agency.

The resources available to the Youth Branch are similar to the policy resources allocated to the former Office of Youth Affairs and are comparable to the policy resources available in other Australian jurisdictions and New Zealand.

RECOMMENDATION 180 - COMMUNITY YOUTH SUPPORT INITIATIVES

Recommendation:

That NSW Government agencies support the Community Youth Support initiatives in Moree, Walgett and Marrickville as models for interagency co-operation and, dependent on the evaluation of the operation of the initiatives, they be extended to other areas of the state.

Government response:

The Government notes the recommendation.

Community Youth Support initiatives in Moree, Walgett and Marrickville are currently being evaluated. After the evaluation is complete the Government will carefully consider its findings before deciding on the initiative's future.

RECOMMENDATION 181 - PUBLIC EDUCATION CAMPAIGNS TARGETING BOYS AND YOUNG MEN

Recommendation:

That the Attorney General ensure the responsibilities of the Juvenile Crime Prevention Unit include the development of public education campaigns targeting boys and young men and

- encouraging non-violent conflict resolution
- encouraging non-sexist and non-violent relationships and
- condemning violence against minority groups.

Government response:

The Government notes the recommendation. The Government will evaluate the funding implications for the Juvenile Crime Prevention Division as it was not envisaged at the time of its establishment that it would be responsible for the conduct of public education campaigns.

The Government also notes the Legislative Council Standing Committee on Social Issues' *Report on Sexual Violence* (Part III). Key Recommendation 6 is that the Department for Women conduct a Statewide Community Education and Awareness Campaign on sexual violence, aimed at women and men. The Department for Women has advised it will place an emphasis on young men in designing any such community education program.