

QUESTION ON NOTICE

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Mr GARETH WARD: Before you do, I advise you that the Treasurer and I have instructed our department to review indexation for NGO grants.

The Hon. PENNY SHARPE: When is the review of that expected to be finalised?

Mr COUTTS-TROTTER: It is an urgent matter. We acknowledge that. I just need to confirm that and advise the Committee on notice.

ANSWER:

I am advised Government grants to non-government organisations (NGOs) in the social and community services sector are escalated each year through the state budget process. The escalation factor for most grants is determined by the Sydney Consumer Price Index (excluding tobacco), which reflects changes in the economy. There was no change to the indexation methodology applied to these grants for 2019-20.

I can advise that the Government has approved additional funding to support an increased level of indexation for grants to NGOs paid by the Department of Communities and Justice in 2019-20. The indexation rate for these grants in 2019-20 will now be 2% and payments will be adjusted in October 2019.

The Treasurer and I have also asked our respective departments to review the indexation methodology applied to these grants, with a view to informing the indexation of grants for the next financial year, as part of the budget process.

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The Hon. PENNY SHARPE: — and there are issues in relation to Federal funding of grants programs.

I point to the NDIS as being one that could be a problem there too. Minister, what is your commitment to equal pay for community workers and ensuring that they get the pay that they have been ordered to receive?

Mr GARETH WARD: Moving forward we are incorporating the ERO once this agreement has expired in a year and a half's time.

The Hon. PENNY SHARPE: All of it?

Mr GARETH WARD: I will take that on notice.

The Hon. PENNY SHARPE: That would be good. Obviously it is very important.

Mr GARETH WARD: It is important.

The Hon. PENNY SHARPE: Your Government is trumpeting the equal pay case that you have just given your school assistants, which is fantastic and very welcome. That was very important but we cannot let equal pay be abandoned because we are not funding the grants to those community organisations.

Mr GARETH WARD: I appreciate your concern. I will take that on notice because I want to give the right information to the Committee.

ANSWER:

I am advised Government grants to non-government organisations (NGOs) in the social and community services sector are escalated each year through the state budget process. The escalation factor for most grants is determined by the Sydney Consumer Price Index (excluding tobacco), which reflects changes in the economy. There was no change to the indexation methodology applied to these grants for 2019-20.

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The Hon. PENNY SHARPE: I am interested in a couple of things. I am interested in what has caused the increase in the percentage of Working With Children Checks being approved within 24 hours. What change has been put in place? You can take it on notice if you are not sure.

Mr GARETH WARD: We will take that on notice. It is a very good question. Thank you.

ANSWER:

I am advised the Office of the Children's Guardian's 2016-17 Annual Report notes that, overall, 80% of applicants with no records or non-relevant records were cleared within 24 hours. The 2017-18 Annual Report notes that, overall, 81% of applicants with no records or non-relevant records were cleared within 24 hours.

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The Hon. PENNY SHARPE: Are you are also able to provide to me the issue in relation to the efficiency dividend affecting staffing levels at the Children's Guardian?

Mr GARETH WARD: We will take that one on notice as well.

ANSWER:

I am advised the Office of the Children's Guardian, like other government agencies, is subject to the government's labour expense cap budget control measure. The application of the efficiency dividend will not impact on frontline service delivery.

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The Hon. PENNY SHARPE: And you can provide a figure. While I am there, why does the Children's Guardian not appear in your executive structure of the department?

Mr GARETH WARD: Because it is an independent statutory office.

The Hon. PENNY SHARPE: Yes, but you have a whole bunch of other independent statutory offices on there.

Mr COUTTS-TROTTER: I will take that on notice, I am sorry.

Mr GARETH WARD: Yes, we will take that on notice.

ANSWER:

I am advised the Children's Guardian is not represented in the department's executive structure given the statutory nature of her appointment and her regulatory role with regard to the department.

The DCJ Annual Report discloses related entities and this includes the Children's Guardian.

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The Hon. PENNY SHARPE: I want to know what processing changes have been put in place. There seems to have been new processes to target and properly resolve more simple matters. Again, I am interested in the detail of what has changed in relation to that.

Mr GARETH WARD: I will take that on notice, too, just to make sure I get the right information for you.

ANSWER:

I am advised in 2018, amendments to the *Child Protection (Working with Children) Act 2012* further defined 'risk to the safety of children' as risk that is 'real and appreciable'. This threshold is in accordance with the well-established concept enunciated in *Commission for Children and Young People v V [2002] NSWSC 949* and adopted by NSW Civil and Administrative Tribunal (NCAT). The threshold requires an applicant to present a risk that is a 'real and appreciable' risk as opposed to any risk. By real and appreciable is meant risk that is not theoretical or fanciful, but one that is real at the time of assessment and one that is supported by the available evidence to be more than "a risk", but one that raises real concerns about safety to children today.

I am further advised these legislative changes enabled the Office of the Children's Guardian to make practice improvements and streamline decision making. This has enabled some of the people who require a risk assessment to be assessed faster.

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The Hon. PENNY SHARPE: There have been some changes in the reporting as well. I want to know why the Children's Guardian started to combine the number of automatically disqualified Working With Children Check applications with the numbers of applications sent for risk assessment in the annual reports. Obviously this is very important. There are people who clearly apply and either withdraw or need to be sent for assessment and then there are some who are automatically disqualified. I do not understand why that is being combined. Are you able to explain that?

Mr GARETH WARD: I can take that on notice but there is also an appeal process in the NSW Civil and Administrative Tribunal [NCAT] if you are disqualified, as you would be aware.

ANSWER:

I am advised this change was made to streamline reporting to represent the total number of people who are deemed to pose a risk to the safety of children, if allowed to work in child-related employment.

As the Honourable member has pointed out, this total number is made up of people who have been automatically barred as a result of a Schedule 2 disqualifying offence under the *Child Protection (Working with Children) Act 2012*, and people who the Children's Guardian has determined are not appropriate to work in child-related employment.

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The Hon. PENNY SHARPE: Can you also take on notice the numbers in relation to backlog of applications waiting to be risk-assessed?

Mr GARETH WARD: Yes, we can. We will take that on notice.

ANSWER:

I am advised the risk assessment process is often complex, and assessments can take varying lengths of time to complete. The Office of the Children's Guardian relies on external agencies such as NSW local and district courts, the Department of Communities and Justice and interstate records to provide information to inform the assessment process. Complex applications can take many months.

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The Hon. PENNY SHARPE: Some applications are automatically disqualified. I understand that means people who do not get the check. A number of applications are sent for risk assessment. Something comes up in the assessment, they are flagged and then sent to the team that has to make some pretty tough decisions about whether this person should be able to work with children or not.

Mr GARETH WARD: Yes.

The Hon. PENNY SHARPE: Those numbers seem to have been combined and not de-aggregated. I am interested in why that is. I would like them de-aggregated so that we can understand that.

Mr GARETH WARD: We will take that on notice.

ANSWER:

I am advised the Office of the Children's Guardian represents the data in this way as it represents the total number of people the *Child Protection (Working with Children) Act 2012* and/or the Children's Guardian has determined are not appropriate to work in a child-related role.

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Mr GARETH WARD: I will take that on notice, too, just to make sure I get the right information for you.

ANSWER:

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The Hon. PENNY SHARPE: Would you be concerned that staff are raising allegations in relation to the clearance of people who should not be cleared?

Mr GARETH WARD: Of course I would be concerned if that were the case.

The Hon. PENNY SHARPE: You are not aware, so there is no action that you are aware of in relation to these matters?

Mr GARETH WARD: If you want to provide any evidence to me, of course, I would be more than happy to investigate.

The Hon. PENNY SHARPE: My understanding is that people have written to you, Minister.

Mr GARETH WARD: I understand you were briefed yesterday on this issue but I will—

The Hon. PENNY SHARPE: Not on this issue, no.

Mr GARETH WARD: I will have a further look into those issues if you like.

The Hon. PENNY SHARPE: Thank you. Can you report back to the Committee on what action you will be taking?

Mr GARETH WARD: I will take that on notice for the purposes of Hansard.

ANSWER:

I am advised the Office of the Children's Guardian undertakes reviews of decisions with regard to the Working With Children Check as part of its standard practice. My office has discussed the allegations referred to above with the Children's Guardian and a review of these matters will be undertaken.

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Mr DAVID SHOEBRIDGE: Just to clear up one issue that was raised in questioning by the Opposition: Mr Coutts-Trotter, you said the shortfall between 1.75 per cent—which is the current indexation rate for community organisations—and the 2 per cent that had happened last year was between \$6 million and \$7 million.

Mr COUTTS-TROTTER: I think it was about 2.3 per cent last year—and I should take this on notice to make sure I am accurate—but from memory it was around \$6 million a year on, I think, a level of grant expenditure of close to \$1.3 billion or \$1.4 billion.

ANSWER:

I am advised that Government grants to non-government organisations (NGOs) in the social and community services sector are escalated each year through the state budget process. The escalation factor for most grants is determined by the Sydney Consumer Price Index (excluding tobacco), which reflects changes in the economy. There was no change to the indexation methodology applied to these grants for 2019-20.

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Mr DAVID SHOEBRIDGE: The sector is required to meet a 3 per cent wage increase so the real shortfall in terms of their funding is significantly greater than that. The shortfall between the 1.75 per cent that has been offered and the 2½ per cent to 3 per cent that they are required to meet is in the tens of millions of dollars, is it not? That is the realistic shortfall the sector is facing.

Mr COUTTS-TROTTER: The Minister reminds me that we have asked for some modelling on that. It is a very complicated area. As you would recall in 2012 the Government committed, from memory, \$1.33 billion in additional top-up to NGO grants funding over the course of the operation of the equal remuneration order. That was available through contracts in place at that time. Subsequently, grant funding contracts that have been entered into, in the full knowledge that there are ERO increases, do not attract some of that additional ERO top up. Then you have got the complication of mapping within each individual service, the seniority level of roles from the old world to the new world. It really does play out in a very complex way and in a very different way, depending on the services you are talking about.

Mr DAVID SHOEBRIDGE: Secretary, that is a very bureaucratic answer but the—

Mr COUTTS-TROTTER: Thank you.

Mr DAVID SHOEBRIDGE: —sector is saying this: They are meeting the 3 per cent wage increase effective 1 July. They cannot afford it. They are cutting services. They need more than the 1.75 per cent. Is that the feedback you are getting from the sector?

Mr COUTTS-TROTTER: Yes, absolutely.

Mr DAVID SHOEBRIDGE: If you could take it on notice what the modelling is showing.

ANSWER:

I can advise that the Government has approved additional funding to support an increased level of indexation for grants to NGOs paid by the Department of Communities and Justice in 2019-20. The indexation rate for these grants in 2019-20 will now be 2% and payments will be adjusted in October 2019.

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Mr COUTTS-TROTTER: No, because the numbers of children in alternative care change literally day by day. We had 30 children leave alternative care arrangements last month. We might get a group of five or six siblings come in to alternative care arrangements the next day. It changes day by day. So if you look at the number of kids who spend time in alternative care during the course of the year, that is a better measure.

Mr DAVID SHOEBRIDGE: Well, I would invite you to give us that.

ANSWER:

As at 30 June 2019, 98 children and young people case managed by the Department of Communities and Justice were in an alternative care arrangement.

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Mr DAVID SHOEBRIDGE: Is it true that the average age of children in alternative care is 12 years? Is it still an average age of 12 years?

Mr GARETH WARD: I will take that on notice.

ANSWER:

I am advised the average age of children and young people in alternative care arrangements varies due to entries and exits from week to week.

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Mr DAVID SHOEBRIDGE: Is there still an average stay of five months in alternative accommodation?

Mr GARETH WARD: I will take that on notice.

Mr DAVID SHOEBRIDGE: Mr Coutts-Trotter seems to have a number of figures to hand.

Mr COUTTS-TROTTER: I do not have that number. I just have a breakdown of the cohort of children who experienced alternative care arrangements and the time they spent. As I say, on that measure around two-thirds of children are in and out within 90 days. But I will take that question on notice.

ANSWER:

I am advised that average length of stay varies; entries and exits contribute to this variation.

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Mr COUTTS-TROTTER: On that measure the number of children in this placement type has been falling and, as I say, the time they spend in this placement type is falling because everyone is working really hard to have an exit plan for kids that offers them the prospect of stability, safety and permanency.

Mr DAVID SHOEBRIDGE: Minister, I invite you on notice to provide us the data over the last 12 months that evidences what the secretary has asserted.

ANSWER:

I am advised that the 'as at' data for 2018-19 shows a downward movement in the number of children and young people in alternative care arrangements during the course of the year; however, this data typically fluctuates from period to period.

I am also advised that in 2018/19 approximately two in three children (62%) exiting an ACA placement had been in the placement for less than three months.

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Mr DAVID SHOEBRIDGE: You do not have five-month emergencies. What is the longest that a child has stayed in alternative care? Currently what is the longest period a child has been in alternative care as of tonight?

Mr COUTTS-TROTTER: I will take that on notice.

Mr GARETH WARD: I will happily take that on notice.

Mr DAVID SHOEBRIDGE: It would be more than 12 months, though, would it not, Minister?

Mr GARETH WARD: I am not going to make assumptions about things that I am happy to provide to the Committee on notice.

ANSWER:

Yes

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The Hon. ROSE JACKSON: I wanted to follow on from some of the questions from my colleague Mr Shoebridge in relation to temporary accommodation but turn to the issue of temporary accommodation due to the issue of domestic violence. How many women and children were provided with temporary accommodation in the 2018-19 year due to domestic violence?

Mr COUTTS-TROTTER: I am not sure we do. We have 24,000—

Mr VEVERS: There were 24,000 households provided with temporary accommodation but I do not have that figure broken down here.

The Hon. ROSE JACKSON: Family and Community Services [FACS] does have that figure available but you do not have it on you right now? Could you take it on notice and provide it later?

Mr GARETH WARD: We would happily do that, Ms Jackson.

ANSWER:

I am advised that information on the number of households accessing temporary accommodation due to domestic and family violence is published at

<https://public.tableau.com/profile/facs.statistics#!/vizhome/DomesticandFamilyViolence/Dashboard>.

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The Hon. ROSE JACKSON: Thank you. Has the department received complaints about the practice of mixing detainees of varying age and crime in the same centres?

Mr GARETH WARD: We will take that on notice.

ANSWER:

I am advised that Youth Justice is not aware of any formal complaints of this nature.

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The Hon. ROSE JACKSON: That is right. And the right thing to do is to ensure that Australia is meeting its international human rights obligations under the United Nations Convention for the Rights of the Child to ensure that adults are not detained with children, potentially young children, in Youth Justice facilities. How many detainees above the age of 18 are currently in a youth detention facility?

Mr GARETH WARD: I will take it on notice. I am happy to provide the right advice, unless Ms Czech has it?

Ms CZECH: No, I do not have that at hand, but we can take that on notice.

Mr GARETH WARD: Yes. Happy to get that for you, Ms Jackson.

ANSWER:

I am advised that on 4 September 2019 there were 58 young people aged between 18 and 21 years 6 months in Youth Justice custody.

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The Hon. ROSE JACKSON: Is it true that at the Frank Baxter centre prior to the riot, staff shortages had meant that offenders were locked in their cells longer than usual and that they had in fact alerted officers to the fact that they were dissatisfied with that?

Mr GARETH WARD: I will take that on notice.

ANSWER:

I am advised that Youth Justice can confirm that there were no staff shortages the night of 21 July 2019 at the Frank Baxter Centre on that night. All shifts were filled.

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Mr DAVID SHOEBRIDGE: What proportion of children, across both NGO and FACS in out-of-home care, have a case plan?

Mr COUTTS-TROTTER: I will take it on notice just to give you an exact figure.

ANSWER:

Annual case planning is a requirement of all accredited out of home care providers.

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Mr DAVID SHOEBRIDGE: I have put to you the figure that suggests that of the children who are in NGOs only 3 per cent have a case plan goal of restoration. I am asking you, across the sector, this is one of the key issues about restoration, you must have some handle on the proportion of case plans that have restoration as a goal.

Mr COUTTS-TROTTER: We do, but I do not have it to hand unless my colleagues Simone Czech has it.

Ms CZECH: No, I do not have it to hand, but I would like to—

Mr DAVID SHOEBRIDGE: Is it 5 per cent, 10 per cent, 20 per cent?

Mr GARETH WARD: We will take it on notice.

ANSWER:

Annual case planning is a requirement of all accredited out of home care providers. Case plan goals change depending of the needs of the child.

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Mr DAVID SHOEBRIDGE: Could you please give a breakdown between, if you have it and I assume you do, the proportion with the case plan goal of restoration for those in NGO care as opposed to those in—

Mr GARETH WARD: Yes. Very good question. We will take that on notice.

Mr DAVID SHOEBRIDGE: And lastly, if you could break it down by Aboriginal and non-Aboriginal—

Mr GARETH WARD: Absolutely. Yes, that is fine.

ANSWER:

Information on the number of case plans broken down by plan goal in 2018-19 has not been finalised.

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Ms CZECH: I would like to make an additional comment to the secretary and it goes back to 2012 and I think it is an important point because in 2012 when we commenced the out-of-home care transition, the bulk of the children that we transferred from the then Family and Community Services care across to the non-government sector were children who were in very stable and long-term placements; long-standing placements where for the majority of those placements restoration was not going to be suitable. Now that then means that we look at other permanency options including guardianship, open adoption and for some children actually staying in out-of-home care, but it is a different proportion. What we could take on notice is children coming into care post that period, what proportion of them are subject to a restoration.

Mr DAVID SHOEBRIDGE: By all means give that additional figure, but I would like my actual question answered. And then, to be quite frank, Ms Czech, the idea that you can rely upon a cohort that was in care in already long-term placements in 2012, that is seven years ago, that you can rely upon that cohort, many of whom will have left care to justify a 3 per cent, 3 per cent of children in NGOs having care plans, I do not accept that argument and I do not think the numbers support your argument.

Ms CZECH: Okay.

Mr GARETH WARD: We will take that on notice, Mr Shoebridge.

ANSWER:

I am advised information on the number of case plans broken down by plan goal in 2018-19 has not been finalised.

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Mr COUTTS-TROTTER: Only that this was, at the request of a previous Minister, the subject of an

internal audit report that has been published on the website, which concluded that actually what happened during the 2017-2018 financial year was our recruitment of caseworkers rose very significantly year on year. And when you are recruiting caseworkers, the caseworkers who arrive need preparatory training and they need closer supervision. The internal auditor concluded that the one-off drop in that year's number of children seen was a function of the organisation bringing so many more caseworkers into the workplace. We have now got a vacancy rate in child protection caseworkers of zero, which actually understates that in many areas we have more caseworkers temporarily than we have budget for. What we have seen in preliminary data for the 2018-2019

financial year is around 30,000 or 30,500 children who received a face-to-face response from us, which is about a 16 per cent increase year on year, which is an extraordinary achievement of our child protection practitioners and their leaders.

Mr DAVID SHOEBRIDGE: You have jumped into my next question. Can you give me the data as best you can for the most recent financial year? And also can you provide the committee with a clear link to that audit report or a copy?

Mr COUTTS-TROTTER: Yes, and I am happy to do the latter. We have preliminary data for

2018-2019 and the moment I am advised by our data custodians that it is exact we can make it available to the committee.

ANSWER:

I am advised the June Quarter 2019 Caseworker Dashboard reports that 30,278 children were seen by caseworkers for the 12 month period ending 31 March 2019. This is 15.6% or 4082 more children than the number of children seen in the 2017-18 financial year (12 month period ending 30 June 2019).

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Mr GARETH WARD: I refer you to Section 165 of the Children and Young Persons (Care and Protection) Act, which allows us to keep supporting children who have left care up to the age of 25. I am aware of the Home Stretch campaign and I have met with people who are advocating that position. I am also aware of the work of the South Australian Government in this particular regard. But we do have the capacity and I am aware of many cases where we have supported people after leaving care with packages of support to make sure that they maintain a good life trajectory.

Mr DAVID SHOEBRIDGE: Minister, perhaps you can provide on notice the number of children aged 18, 19, 20 and 21 who were in receipt of one of these care packages and what the funding was for those.

Mr GARETH WARD: Yes, we will take that on notice.

ANSWER:

I am advised preliminary data shows that over 1300 young care leavers received aftercare payments to support them with a range of activities including pursuing education.

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QUESTION:

Mr DAVID SHOEBRIDGE: Following the release of the Forecasting Future Outcomes: Stronger Communities Investment Unit—2018 Insights Report, the Government announced that two initial priority population groups have been endorsed for targeting cross-government investment—

Mr GARETH WARD: Yes—vulnerable young children, zero to five, and children who have had an interaction with the mental health system.

Mr DAVID SHOEBRIDGE: What funding has the Government allocated?

Mr GARETH WARD: To both of those groups? We have a variety of programs that I will ask Mr Coutts-Trotter or Mr Groves to comment on.

Mr DAVID SHOEBRIDGE: First, is there any additional or fresh funding—not repurposed funding— allocated to those target groups?

Mr GARETH WARD: Just to be clear, as you are aware, all of this work came out of the Tune review that said out-of-home care is crisis-driven and we need an evidence-based, whole-of-government approach. As Minister, I announced that we would establish the Stronger Communities Investment Unit. A number of years ago we announced \$190 million for TFM. They are driving these responses, together with other programs that we have across Government. Through the Stronger Communities Investment Coalition they will seek to address the funding that we have to repurpose those funds through the social investment model.

Mr DAVID SHOEBRIDGE: I will put my question clearly: What funding has the Government allocated to support cross-government investment to address the needs of the two priority population groups identified in the insights report?

Mr COUTTS-TROTTER: I should take it on notice unless my colleague, Gary Groves, has something

ANSWER:

I am advised a range of services across government is committed to support work with the cohorts. In addition, \$553000 is allocated in 18/19 to enhance this work.

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Mr GARETH WARD: Every Aboriginal child in that situation should have the opportunity to have the matter heard in court. Obviously, additional criteria are required in Aboriginal adoptions in relation to cultural planning. I accept that you have a view on this. I am happy to continue to listen but the policy remains unchanged.

Mr DAVID SHOEBRIDGE: Was the adoption to an Aboriginal or non-Aboriginal family?

Mr COUTTS-TROTTER: I need to take that on notice.

ANSWER:

I am advised that the Secretary is the person delegated to approve the commencement of adoption action relating to an Aboriginal child, and to give consent to the adoption of an Aboriginal child under 12. In giving approval, the Secretary must be satisfied that adoption is preferable to any other care order.

Adoption is pursued after exploring and exhausting other permanent placement options according to the Aboriginal Placement Principles. It offers a lifelong home and a sense of 'felt security' to otherwise highly vulnerable children.

The decision-maker which is the Supreme Court of New South Wales must be satisfied that adoption is clearly preferable to any other action that may be taken by law.

A cultural plan is developed and attached to the Registered Care Plan for any Aboriginal child placed for Adoption. The Cultural Plan requires thorough Aboriginal consultation and sets out the ways in which the child will remain connected to their culture and community.

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The Hon. PENNY SHARPE: You expect we would see it then. The disability inclusion plans—the last report I could find was October 2017. Is there an updated report on the disability inclusion plans across Government?

Mr GARETH WARD: While the secretary is for looking that answer, as you rightly identify we have in the Disability Inclusion Act disability inclusion plans for all of our government departments and our 128 councils.

Mr COUTTS-TROTTER: I am just looking for it. Here we go.

The Hon. PENNY SHARPE: The last update I have got is October 2017. I accept that I may have missed it. I am just wondering whether there is an update.

Mr COUTTS-TROTTER: I can confirm that the Sax Institute is coordinating a review of the Disability Inclusion Action Plan [DIAP] 2015-19. We received a draft report in March 2019 and it is being considered by the New South Wales Disability Inclusion Plan implementation committee. I am sorry, I am looking to see if I have got a more direct answer to your question and I do not.

Mr GARETH WARD: We might take that on notice, if that is alright.

ANSWER:

I am advised that in June 2018, the former Department of Family and Community Services commissioned the SAX Institute to coordinate a review of the NSW Disability Inclusion Plan and cluster and Council Disability Inclusion Action Plans.

The NSW DIP covered a four-year period from 2015-18. Disability Inclusion Action Plans were rolled out in the NSW Government clusters by December 30, 2015 and in local councils by June 30, 2017.

There are the 138 Disability Inclusion Action Plans across State and Local Governments; 10 NSW Government Departments and 128 NSW local councils.

The Minister for Disability Services tabled the report in Parliament on 17 August 2019.

The final report can be found at;

https://www.facs.nsw.gov.au/__data/assets/pdf_file/0005/676688/SAX-NSW-DIP-Report-17-06-2019-FINAL.pdf

QUESTION ON NOTICE

BUDGET ESTIMATES

QUESTION: TRANSCRIPT pg 59

The Hon. PENNY SHARPE: The service closes—that is what community see at the end of the day. Minister, where is the review of the Disability Inclusion Act 2014 up to?

Mr GARETH WARD: I might ask the secretary to answer that question.

Mr COUTTS-TROTTER: It is underway. I am just looking to see whether my colleagues Ms Simone Czech or Ms Simone Walker have got something of a timetable. If we cannot find it quickly we are happy to take it on notice.

ANSWER:

I am advised that the review of the Disability Inclusion Act 2014 is underway. A report on the outcome of the review is to be tabled in each House of Parliament.

QUESTION ON NOTICE

BUDGET ESTIMATES

QUESTION: TRANSCRIPT pg 60-61

The Hon. PENNY SHARPE: There is a dearth of adult lay-down change facilities, making it very difficult for people—particularly carers of people with disability—to drive and to travel. One, are you aware of the issue; and, two, is this something that—

Mr GARETH WARD: Absolutely. In fact, I have even advocated for one in my own electorate of Kiama. I would encourage people who are needing lift and change facilities to come to Kiama because we have a facility available.

The Hon. PENNY SHARPE: Who provided that facility?

Mr GARETH WARD: It was partly funded—we will take that question on notice. I know that it was part of Minister Williams' portfolio at the time.

The Hon. PENNY SHARPE: So you still have some responsibility for this? The reason why I am asking is I am unclear. It seems to me that these facilities are sometimes provided by local council, sometimes provided by Roads and Maritime Services [RMS] in relation to truck stops. Truck stops seem to be quite a good place for them to be going but it is unclear who is responsible and where you get the funding for it.

Mr GARETH WARD: It is a good question. Generally they are part of disability inclusion plans that are funded by State agencies. If you are asking me what was previously funded and what is funded now, I will take that specific question on notice.

The Hon. PENNY SHARPE: If we are serious about inclusion it seems to me your Government talks about funding a lot of infrastructure. I want to know is anyone taking the lead on this. Is there any planning going on? What role does your department have in relation to this and how can we improve it?

Mr GARETH WARD: Thank you for raising it, Ms Sharpe. I will take those on notice and get back to you.

ANSWER:

I am advised that the majority of facilities have been funded as part of the disability inclusion agenda of local government or other organisations.

QUESTION ON NOTICE

BUDGET ESTIMATES

QUESTION: TRANSCRIPT pg 64

Ms ABIGAIL BOYD: Given that you have agreed about the important role played by the independent disability advocacy organisations and the value of their services, have you met with any of them? Can you not remember whether you have met with any of those?

Mr GARETH WARD: It is not up to me to do your research for you. I have met with many disability advocacy organisations. They have all been disclosed in accordance with my obligations with the Ministerial Code.

Ms ABIGAIL BOYD: I will take that as my understanding that you have not met with any is correct.

Mr GARETH WARD: That is actually not true and if you want to deliberately mislead the Committee that is a matter for you.

Ms ABIGAIL BOYD: Will you take it on notice?

The Hon. PENNY SHARPE: Correct the record.

Mr GARETH WARD: I will take it on notice quite happily.

ANSWER:

Minister Ward's meetings are publicly available at:

<https://www.dpc.nsw.gov.au/publications/ministers-diary-disclosures/> in accordance with the Ministerial Code of Conduct.

QUESTION ON NOTICE

BUDGET ESTIMATES

QUESTION: TRANSCRIPT pg 67

Mr GARETH WARD: Thank you, Mr Chairman, and thank you for the job you have done today. I would like to correct the record in relation to two matters. The Treasurer and I have agreed to instruct our departments to review the indexation of NGO grants, and the Department of Communities and Justice has initiated some modelling on the impact of different indexation rates. My office is working on this issue with the department and we will be responding to the Committee, as we have taken this question on notice, and provide an update on where the review and the indexation is up to. That is dealing with that one correction. In relation to Working With Children Checks, I can confirm that my office received correspondence on 28 August 2019 in relation to bullying concerns and the Office of the Children's Guardian. This matter has been allocated to my director of policy and strategy for review. I am happy to provide an update on the actions taken in response to this matter to the Committee.

ANSWER:

I am advised that the Children's Guardian is undertaking a review of the issues raised and will provide my office and the Committee on Children and Young People with advice on the outcome of the review.

QUESTION ON NOTICE

BUDGET ESTIMATES

QUESTION: TRANSCRIPT pg 68

Mr COUTTS-TROTTER: Yes, certainly. I will answer that but the issue you raised earlier about the change in employee-related expenses in the budget, we will give you an answer on notice but the explanation is essentially the movement of Land and Housing Corporation, Aboriginal Housing Office, and Births, Deaths and Marriages from our cluster to another one and taking their employee-related expenses with them.

ANSWER:

I am advised that the movement in employee-related expenses between the two former clusters and the new Stronger Communities cluster is mainly due to the transfer of the Land and Housing Corporation, Aboriginal Housing Office and NSW Registry of Births, Deaths and Marriages from the Stronger Communities cluster to other clusters.

In addition, the change in employee-related budget is impacted by the Stronger Communities cluster's commitment to deliver whole of government savings, including a 10% reduction in public service senior executive expenses each year and through natural staff attrition, over the next four years from 1 July 2019.

QUESTION ON NOTICE

BUDGET ESTIMATES

QUESTION: TRANSCRIPT pg 69

The Hon. PENNY SHARPE: Thank you for that. That is helpful. What is the reporting that you are required to do to the Government in relation to your savings target? What is the process?

Mr COUTTS-TROTTER: I should take it on notice to be exact, but I think through the finance Minister there is a request for agencies and clusters to report to a subcommittee of Cabinet on our progress in delivering savings.

ANSWER:

I am advised that Treasury have advised that savings updates will be reported to Expenditure Review Committee on a quarterly basis.

QUESTION ON NOTICE

BUDGET ESTIMATES

QUESTION: TRANSCRIPT pg 70

The Hon. PENNY SHARPE: I touched on this this morning as well and I think it may have been Ms Walker who gave me the details. How many of the contracts being held to June next year are coming out? I have heard different figures. Around 1,200 is what I am told.

Mr COUTTS-TROTTER: Yes.

The Hon. PENNY SHARPE: Can you confirm that for me?

Ms WALKER: Approximately 1,400.

The Hon. PENNY SHARPE: How many organisations is that?

Ms WALKER: I would have to get that. I will give that to you on notice.

The Hon. PENNY SHARPE: Could you also provide a list of all of the different programs that they are attached to?

Ms WALKER: Yes. Well, certainly there are the large programs that you would be aware of, the Specialist Homelessness Services, the targeted early intervention as well as some of our preservation services and intensive family-based services and Aboriginal services. There is a variety. It is 800 NGOs that are contracted through those.

ANSWER:

I am advised information about funded services can be found at :

https://www.facs.nsw.gov.au/data/assets/pdf_file/0007/637243/2017-18-Volume-3-Funds-granted-to-non-government-organisations.pdf

QUESTION ON NOTICE

BUDGET ESTIMATES

QUESTION: Transcript pg 74

Mr DAVID SHOEBRIDGE: But are you meeting with them and sharing the information with them?

Ms WALKER: Yes, absolutely.

Mr DAVID SHOEBRIDGE: Perhaps you can give some details on notice about—

Ms WALKER: Sure. About our regular meetings with the peaks? We have a number of opportunities where we get together with the peaks, where we share data, where we are highly engaged. They are very engaged in the dataset that sits with Their Futures Matter. We can provide evidence of that for you.

Mr DAVID SHOEBRIDGE: Particularly when it comes to smaller service providers, many of them are super anxious about being able to comprehend and meet the requirements in the Human Services Agreement.

Ms WALKER: Sure.

ANSWER:

I am advised that the Department of Communities and Justice (the Department) regularly engages with the 14 housing, homelessness, child and family and community services peaks on a range of matters, including the Human Services Agreement Standard Terms. These peak bodies represent the views of their member agencies.

QUESTION ON NOTICE

BUDGET ESTIMATES

QUESTION: TRANSCRIPT pg 75

Mr DAVID SHOEBRIDGE: Are you going to be providing suggested options to small providers of where they may come together to share key resources to respond to either reporting or risk analysis?

Mr COUTTS-TROTTER: We can provide on notice the funding in the partnership we have with peak organisations to do that for their membership. Quite a number of the peak organisations are funded to provide that kind of support and development, for smaller organisations particularly. As Ms Walker talked about, we can provide you with information about the local level discussions that are happening as well.

ANSWER:

I am advised that 14 Housing, Homelessness, Child and Family and Community peaks are funded approximately \$11.9 million 2019/2020¹ by the Department of Communities and Justice (the Department) to support service providers through advocacy, advice and capacity building.

¹ Source: Internal Contracting and Payment System (COMS) data output as at 17 September 2019.

QUESTION ON NOTICE

BUDGET ESTIMATES

QUESTION: TRANSCRIPT pg 75

Mr DAVID SHOEBRIDGE: Thank you, Secretary. Moving to the budgeted early intervention provisions, as I read it, the 2018-19 budget committed I think \$149½ million for early intervention services, \$95 million to providing parenting, youth and family support programs and \$54½ million for community development and strengthening programs. What was the actual spend in 2018-19?

Mr COUTTS-TROTTER: I would need to take that on notice, Mr Shoebridge.

Mr DAVID SHOEBRIDGE: In the current budget there was a fact sheet produced by the department announcing a commitment of \$160.2 million to targeted early intervention [TEI] services. The sector had previously advised there was \$135 million being put on targeted earlier intervention services. Can you provide some clarification of what the \$160.2 million is delivering?

Mr COUTTS-TROTTER: I am not sure I can do it right now but we absolutely can reconcile those two figures.

Mr DAVID SHOEBRIDGE: Can you give us the detail of all of the programs and the funding attached to each of those programs under the targeted early intervention services?

Mr COUTTS-TROTTER: Yes.

Ms WALKER: Absolutely.

ANSWER:

I am advised that information regarding 2017-18 funding of for targeted earlier intervention is available in the Department's Annual report.

https://www.facs.nsw.gov.au/data/assets/pdf_file/0007/637243/2017-18-Volume-3-Funds-granted-to-non-government-organisations.pdf

QUESTION ON NOTICE

BUDGET ESTIMATES

QUESTION: TRANSCRIPT pg 76

Mr DAVID SHOEBRIDGE: How much was spent last year on Their Futures Matter? What is the change?

Mr GROVES: Last year was \$68 million.

Mr COUTTS-TROTTER: Was that the actual, though? Anyway, we can confirm on notice what the actual expenditure was if you would like.

Mr DAVID SHOEBRIDGE: It has gone from \$68 million to \$58 million, is that right?

Mr GROVES: Yes.

ANSWER:

I am advised the answer given at Budget Estimates was correct.

QUESTION ON NOTICE

BUDGET ESTIMATES

QUESTION: TRANSCRIPT pg 76-77

Mr DAVID SHOEBRIDGE: How much was the Taylor Fry work then?

Mr COUTTS-TROTTER: Happy to take—

Mr DAVID SHOEBRIDGE: Does that explain the \$10 million difference?

Mr COUTTS-TROTTER: No, it would not. It is not that amount. But we are happy to take it on notice and respond to you so you can see the movements between years and hopefully we can give you a clearer explanation.

Mr DAVID SHOEBRIDGE: And if you could, when it comes to Their Futures Matter for this year's budget and for last year's budget, provide the allocation for family preservation and restoration, including but not limited to—and I know you addressed some of these in your answer then, secretary—functional family therapy, multisystemic therapy for child abuse and neglect, and the Intensive Family Preservation program?

Mr COUTTS-TROTTER: Yes.

ANSWER:

Implementation and phasing of new services resulted in variance of expenditure.

QUESTION ON NOTICE

BUDGET ESTIMATES

QUESTION: Transcript pg. 78

The Hon. ROSE JACKSON: Yes, that is right. I suppose what I am trying to get at—and we may not have this information here today—as I said, I have information that describes 273 young people placed in confinement as a result of misbehaviour. I am not clear whether that is individual young people or 273 incidents of confinement, but putting that aside what percentage of those were for assaults and therefore what percentage is for other forms of misbehaviour?

Mr COUTTS-TROTTER: Yes, I understand.

The Hon. ROSE JACKSON: I am trying to dig down into why young people in Youth Justice are

being put in confinement.

Mr COUTTS-TROTTER: I think we can respond on notice and provide information about the number of episodes of confinement, the number of young people subject to confinement and a breakdown of the reasons for that.

The Hon. ROSE JACKSON: Yes, that would be useful, because I suppose there are concerns that have been raised in relation to perhaps an overreliance on confinement as a behavioural management tool that potentially exacerbates complex behavioural problems that young offenders already have. It would be useful to have that information but we can look at that later.

Mr COUTTS-TROTTER: Sure. I will get that. Yes.

ANSWER:

I am advised that in 2018-19 there were 5212 episodes of confinement involving 646 young people, for 11,390 misbehaviours.

A young person can have more than one misbehaviour per episode of confinement.

A breakdown on types of confinement is below.

2018-19 Number and percentage of misbehaviour type for confinements in descending order

Misbehaviour Type	Number	Percentage	Cumulative Percentage
Disobedience	3459	30.4%	30.4%
Bad language	1845	16.2%	46.6%
Subversive behaviour	1680	14.7%	61.3%
Harassment	1669	14.7%	76.0%
Fighting	1275	11.2%	87.2%
Damage to property	570	5.0%	92.2%
Possession of unauthorised articles	212	1.9%	94.03%
Lying	159	1.4%	95.43%
Refusal to work / participate in activities	157	1.4%	96.80%
Unauthorised use of equipment	141	1.2%	98.04%
Unauthorised entry to prohibited areas	96	0.8%	98.88%
Unauthorised telephone calls	62	0.5%	99.43%
Smoking	27	0.2%	99.67%
Refusal to submit to Search	23	0.2%	99.87%
Stealing	11	0.1%	99.96%
Conditions of Leave	2	0.02%	99.98%
Tattooing & body piercing	1	0.01%	99.99%
Refusal to submit to A&OD test/s	1	0.01%	100.00%
Total	11390	100.0%	

Source: DCJ/YJ RPELive. 10 Sep 19. As this is taken from a live database, figures are subject to change.

QUESTION ON NOTICE

BUDGET ESTIMATES

QUESTION: Transcript pg. 79

The Hon. ROSE JACKSON: How many staff that are not frontline staff in Youth Justice will be cut as a result of the impact of the efficiency dividend on that part of the department?

Mr COUTTS-TROTTER: We have not focused any of our time or attention on identifying savings from Youth Justice. We have focused our time and attention on responding to recent incidents—most recently Frank Baxter—and then we will focus our time and attention on digesting and responding to the recommendations coming out of the Lee Shearer review. I am happy to take on notice what, if any, plans we have to consider elements of the Youth Justice budget, but for colleagues who work as youth officers I would just offer people this assurance: They are absolutely critical frontline staff of the agency.

ANSWER:

I am advised that there are no plans to cut positions as a result of the efficiency dividend.

QUESTION ON NOTICE

BUDGET ESTIMATES

QUESTION: Transcript pg. 79

The Hon. ROSE JACKSON: Thank you, Mr Coutts-Trotter. Has there been an increase in the number of casual youth officers?

Mr COUTTS-TROTTER: I think there has actually been a decrease because we have recently engaged people on an ongoing basis. I think 49 roles that were formally not ongoing roles have been made ongoing roles.

Ms CZECH: Yes, they have.

Mr COUTTS-TROTTER: I think the answer to that is no, but I will doubly confirm that on notice.

The Hon. ROSE JACKSON: Looking at Frank Baxter in particular, I understand from information that was provided by your department, Youth Justice, that there are 108 total ongoing full-time equivalent permanent staff there, 27 temporary staff and 62 casual staff. Of the 197 staff there, almost 50 per cent are casual or temporary staff. Would that concern you in relation to —

Mr COUTTS-TROTTER: I would want to talk to—if we accepted that that is the balance between different types of employment, first up I would not accept that that is necessarily an inappropriate mix, and I would want to talk to the operational leaders to understand why staffing is configured in that way. But we have recently made changes to put more people on to ongoing employment. I just wanted to double-check the data.

Ms CZECH: Yes, we will double-check the data but I can also confirm that literally in the last week or two we have converted 49 temporary staff to ongoing positions. That is across the majority of our centres but mostly concentrated on Frank Baxter and Cobham.

ANSWER:

I am advised that Youth Justice has confirmed the above information is correct.

QUESTION ON NOTICE

BUDGET ESTIMATES

QUESTION: Transcript pg. 80

The Hon. ROSE JACKSON: How many counsellors and psychologists are employed by Youth Justice?

Ms CZECH: I will have to take that on notice to get you the actual figures. We do have that but I would prefer to take it on notice.

Mr DAVID SHOEBRIDGE: The last two years.

ANSWER:

I am advised that in 2017/18 and 2018/19 there were:

- A total of 46 FTE psychologist roles across Youth Justice, working both in the community and in custody.

QUESTION ON NOTICE

BUDGET ESTIMATES

QUESTION: Transcript pg. 79

The Hon. ROSE JACKSON: So all staff have access to ongoing training?

Ms CZECH: That is my understanding.

The Hon. ROSE JACKSON: Including casual staff?

Ms CZECH: I would need to take that on notice. My colleagues just behind me are saying yes.

The Hon. ROSE JACKSON: I could see that. How many staff—youth officers, to be specific—working in Youth Justice facilities are doing double shifts?

Ms CZECH: We would have to take that on notice.

Mr COUTTS-TROTTER: Take that on notice.

ANSWER:

I am advised that Youth Justice confirms that all staff, including casual staff receive ongoing training.

With regard to double shifts, Youth Justice is unable to provide aggregated data as this information is manually recorded at each Centre.

QUESTION ON NOTICE

BUDGET ESTIMATES

QUESTION: Transcript pg. 81

The Hon. ROSE JACKSON: My understanding is that the Riverina Juvenile Justice Centre was without a mental health practitioner for an extended period of time. Does it have one now?

Ms CZECH: I would have to take that on notice.

Mr COUTTS-TROTTER: On my advice, yes. We are happy to find out what happened if there was not a mental health practitioner available to young people in that centre.

ANSWER:

I am advised that from the 12th of December 2018 until 6th February 2019 the Justice Health psychiatrist supervising Riverina Youth Justice Centre was away on planned sick leave.

During this period Mental Health support was provided by the Justice Health Mental Health Nurse and covering psychiatrist via Audio Visual Link.

QUESTION ON NOTICE

BUDGET ESTIMATES

QUESTION: Transcript pg. 81

The Hon. PENNY SHARPE: What specific supports are in place for those young people who are in detention and are harming themselves at this level? Some of them are coming in and out of detention, I am assuming. It is just such a small number who are contributing. They are obviously seriously disturbed young people. I am just wanting to know what supports there are for them?

Mr COUTTS-TROTTER: A number of them were referred to intensive psychiatric support in a facility called Austinmer. We can provide some more information about that.

ANSWER:

Young people in Youth Justice custody who require inpatient psychiatric and mental health treatment and care, are referred by visiting psychiatrists to the Hospital's Clinical Director Adolescent Mental Health for admission.

Following assessment, and if deemed clinically appropriate, young people are admitted to the Austinmer Acute Adolescent Unit as *correctional patients* under relevant mental health legislation.

While in the unit young people are engaged in a range of therapeutic programs, including stabilising and optimising medication, anger management, counselling sessions, education and art therapy.

QUESTION ON NOTICE

BUDGET ESTIMATES

QUESTION: Transcript pg. 82

Mr DAVID SHOEBRIDGE: How many children are in remand because they have breached bail— they have had a technical breach of bail?

Mr GROVES: I would have to take that on notice.

Mr COUTTS-TROTTER: We have to take that on notice, yes.

ANSWER:

I am advised that in 2018-19 there were 497 remand admissions for breach of bail conditions only, which represented 15.2 per cent of all remand admissions.

QUESTION ON NOTICE

BUDGET ESTIMATES

QUESTION: Transcript PG. 82

Mr DAVID SHOEBRIDGE: The changes that were made some four or five years ago to allow for bail conditions to be varied in chambers, how often have they been used?

Mr COUTTS-TROTTER: I would need to provide a response on notice.

Mr DAVID SHOEBRIDGE: On a subjective level, has it been a useful part of reducing the number of children on remand?

Mr COUTTS-TROTTER: I do not know, so I would need to seek advice.

ANSWER:

I am advised that the Bureau of Crime Statistics and Research does not hold information on variations made to bail conditions. Similarly, the Bureau of Crime Statistics and Research has no information on whether changes to the ability to vary bail conditions has had an impact on the juvenile remand population.

QUESTION ON NOTICE

BUDGET ESTIMATES

QUESTION: Transcript PG. 83

We also have the Aboriginal Reintegration and Transition Program, which is based in Nowra. That is an initiative that provides intensive support for young Aboriginal people after they leave custody or community supervision. That commenced in 2017 and aims to build resilience and wellbeing and reduce the risk of reoffending.

The Hon. PENNY SHARPE: When is that funded until?

Ms CZECH: I may have to take that question on notice: 30 June 2020.

Mr DAVID SHOEBRIDGE: If 59 per cent of the children entering juvenile detention are identified as having substance abuse—which I think was a figure earlier. Is that right?

Mr COUTTS-TROTTER: Yes.

Mr DAVID SHOEBRIDGE: Are they guaranteed drug and alcohol services? I think it was 59 per cent of substance abuse and 34 per cent with alcohol abuse. I am assuming that since it is a Venn diagram there is probably significant overlap so let us deal with the 59 per cent on substance abuse. Are they guaranteed, once you have identified them and you have collected the data and you have identified a child is having substance abuse, alcohol and drug services in juvenile detention?

Mr COUTTS-TROTTER: Good question that I do not have an answer for but we will confirm that.

ANSWER:

I am advised that the Ngudjoong Billa Aboriginal Transition and Reintegration Program based in Nowra is funded until 30 June 2020.

Youth Justice advises that when a young person enters custody referrals are made to Justice Health & Forensic Mental Health Network (JH&FMHN) if an Alcohol or Other Drug (AOD) issue has been identified by admissions staff. Assessment and management of withdrawal is supervised and managed by JH&FMHN, in collaboration with Youth Justice.

Young people who have been in custody on a control order or on remand for two weeks or more are eligible for the AOD module of Changing Habits and Reaching Targets (CHART).

All young people under community supervision are eligible for this program.

Aboriginal young people with a history of offending under the influence of AOD may be referred to Dthina Yuwali, a specific AOD program based on reinforcing identity and connection to culture.

Young people may also be referred to Youth Justice psychologists and counsellors to further address their AOD use.

Young people 13 to 18 years old who are clients of Youth Justice and who have a history of significant alcohol and other drug use related to their offending behaviour may also be referred to one of two Rural Residential Rehabilitation Adolescent AOD Services upon leaving custody. These services are funded by Youth Justice and delivered by Mission Australia in Dubbo and Coffs Harbour.

QUESTION ON NOTICE

BUDGET ESTIMATES

QUESTION: Transcript pg. 84

Mr DAVID SHOEBRIDGE: Would it be fair to say that your observation of the Juvenile Justice system is that you are seeing this kind of inevitability on return: A child being detained, maybe for property crime because of an addiction problem, being held on remand for 15 days or in detention 414 days, being put out into the community, being returned to a regional town, and then coming back, and that there is almost a degree of inevitability because of the absence of services?

Mr COUTTS-TROTTER: No. I would not allow characterisation of the comments in those terms. I think, obviously, if you are young person with a drug or alcohol addiction that makes you very vulnerable to a lot of things, including self-harm and crime. We as a community should do everything we can to respond to that risk and where young people reach a point in their lives where they are prepared to reach out and seek some help in an ideal world it would be available to them at the point they need that.

Mr DAVID SHOEBRIDGE: But we will get some data on that?

Mr COUTTS-TROTTER: Yes.

ANSWER:

I am advised that data on reoffending for both adults and juveniles is provided by the Bureau of Crime Statistics and Research (BOCSaR). There is currently no data available from BOCSaR correlating reoffending with Alcohol and Other Drug (AOD) issues.

QUESTION ON NOTICE

BUDGET ESTIMATES

QUESTION: Transcript pg. 84

Mr DAVID SHOEBRIDGE: Are they guaranteed drug and alcohol counselling and services once they leave?

Ms CZECH: We also fund a range of services in the Communities space, including a rural residential adolescent alcohol and other drug rehabilitation service, a Joint Support Program, a Veterans Young Offender Mentoring Program—

Mr DAVID SHOEBRIDGE: Ms Czech, I am sure you can give me a list of programs. I am not denying that. What I am asking you about is that commitment to young people with substance abuse. At a minimum I would have thought there should be a guaranteed commitment they will get the services they need when they are in detention, but I am asking as well are they getting the services they need when they leave. How many of those children with a substance abuse are getting the services once they leave detention?

Ms CZECH: Maybe we could take that on notice and come back with a response.

ANSWER:

Youth Justice has strategies in place to address some of these issues, including caseworker support to provide continuous delivery of service and support to all young people transitioning from custody to community by:

- providing access to support staff and services, including Youth Justice psychologists, to assist young people with AOD issues to prepare for reintegration into the community
- providing discharge and exit planning with a Youth Justice caseworker in custody, including relapse prevention planning
- transitioning to Youth Justice case management in the community for those who are continuing on a supervised order, including offering AOD programs when a young person transitions to community supervision, the same as those provided in a custodial setting
- making referrals to appropriate community support services

Young people (both male and female) 13 to 18 years old who are clients of Youth Justice and who have a history of significant alcohol and other drug use related to their offending behaviour may be referred to one of two Rural Residential Rehabilitation Adolescent AOD Services upon leaving custody.

Youth Justice also collaborates with the Justice Health & Forensic Mental Health Network Community Integration Team. The CIT coordinates care for young people who have mental health problems and/or problematic drug use, commencing when they are in custody and extending three months after their release.

QUESTION ON NOTICE

BUDGET ESTIMATES

QUESTION: Transcript PG. 85 - 86

Mr DAVID SHOEBRIDGE: What proportion of the children in out-of-home care have a care plan?

Mr COUTTS-TROTTER: I will confirm the latest figures for you, but we measure and capture that data and, of course, the Office of the Children's Guardian, as the regulator and accrediting agency, looks to the presence of care plans and good quality care planning as one of a series of things it uses to assess whether a care organisation is providing care to at least minimum standards.

Mr DAVID SHOEBRIDGE: The data will be on notice?

Mr COUTTS-TROTTER: Yes.

Mr DAVID SHOEBRIDGE: There is repeated concerns about the proportion of children in out-of-home care who exit between the ages of 16 and 17 and either enter into incarceration or into homelessness. Do you have data on that, tracking the children living in care between the ages of 16 and 18 who either move into incarceration or move into homelessness?

Mr COUTTS-TROTTER: We have done a lot of data work in working on the Government's recent Homelessness Strategy. I do not have that to hand, but I am pretty confident we can respond to you on notice.

Ms WALKER: Yes. Absolutely.

Mr DAVID SHOEBRIDGE: What about those who move into public housing? I assume that that can be also provided on notice? One of the other concerns is there was data produced about five years ago that shows that once a child goes into care that they were 10 times more likely to have their child removed when they had a child. Has there been any further data provided on that?

Mr COUTTS-TROTTER: I remember that figure as well. I do not know whether the most recent work by Their Futures Matter on the dataset and modelling has updated that, but we can check.

Mr GROVES: We can come back to you on that one.

ANSWER:

I am advised that all children in statutory out-of-home care (OOHC) have a care plan. Care plans are filed as part of Children's Court proceedings.

The Stronger Communities Investment Unit – Their Futures Matter (TFM) has not updated the analyses presented in 2018 around people leaving OOHC and the likelihood that their children would enter OOHC.

Finalised data for use in reporting for the 2018-19 financial year will not be available until 31 October 2019. The data required to respond to this question is not part of the core set of data regularly reported and hence will need to be extracted separately.

It will be possible to report on the number of children aged 16 to less than 18 years who have exited to a youth justice placement during the year.

If a young person finds themselves without accommodation when leaving care they are able to seek support up until the age of 25. The department works with children and young people in out of home care from the age of 15 years to plan and support their transition to independence and leaving care. This includes planning and exploring housing options, including social housing pathways, Rent Choice Youth and the Premier's Youth Initiative that prioritise young people who have been in care, depending on their circumstances.

Premier's Youth Initiative program provides services to young people aged 16 to 17 years, leaving statutory OOHC and identified as being at risk of homelessness to permanently divert them from the homelessness service system. Through the Premier's Youth Initiative care leavers have access to a personal advisor, education and employment mentoring and help in finding and maintaining long-term affordable accommodation.

Data showing whether children aged 16 to less than 18 years who exited OOHC and entered social housing before they turned 18 is not readily available.

QUESTION ON NOTICE

BUDGET ESTIMATES

QUESTION: Transcript PG. 85

Mr DAVID SHOEBRIDGE: How many children are currently in out-of-home care in New South Wales?

Mr COUTTS-TROTTER: The preliminary number is 16,880—a preliminary number for 30 June 2019.

Mr DAVID SHOEBRIDGE: Sixteen thousand eight hundred and eighty.

Mr COUTTS-TROTTER: Yes, which is about a 3 per cent fall on the number of children that were in care the year before.

Mr DAVID SHOEBRIDGE: What proportion of those are Aboriginal children and how many as well?

Ms CZECH: About 40 per cent.

Mr COUTTS-TROTTER: About 40 per cent. I will just double-check. I am sorry: I am just seeing if my colleagues can get there ahead of me. It is very close to 40 per cent, Mr Shoebridge. I am just confirming that. I will have to confirm that figure. It is broadly 40 per cent but my note tells me that the preliminary data, people just want to work on it a little bit more to make sure it is accurate. We will have it for you on notice.

ANSWER:

I am advised that preliminary data for 2018-19 shows that as at 30 June 2019, there were around 6,800 Aboriginal children in care, representing approximately 40% of the total NSW out-of-home care population.

QUESTION ON NOTICE

BUDGET ESTIMATES

QUESTION: Transcript PG. 86

Mr DAVID SHOEBRIDGE: Can you provide us on notice with the policy documents or the data or whatever material is being provided to caseworkers to help inform those decisions?

Ms WALKER: Absolutely. There is considerable information on our casework practice site that is available to all our caseworkers and we will provide that for you.

ANSWER:

I am advised that extensive information is available to caseworkers on the DCJ intranet and through the Child Safe Standards for Permanent Care. These include policy, practice and guidelines to support caseworkers in their roles.

https://www.kidsguardian.nsw.gov.au/ArticleDocuments/449/ChildSafeStandards_PermanentCare.pdf.aspx?Embed=Y

<https://www.facs.nsw.gov.au/search?q=children+at+risk>

QUESTION ON NOTICE

BUDGET ESTIMATES

QUESTION: Transcript PG. 87

The Hon. PENNY SHARPE: I will give you a specific example. I do not know the name of the youth service so I cannot give it to you, but there is a youth service working with clients with complex needs, particularly kids who have been in and out of Juvenile Justice NSW. It reckons that there is a gap of about \$400,000 per client, compared to some of the work that is going into the Juvenile Justice models. How is that possible?

Mr COUTTS-TROTTER: I do not know. I am happy to take the specific example and pursue it and see what issues there are there and what, if anything, we can do about it.

ANSWER:

I am advised that Youth Justice requires further specific information about the service provider in order to respond.

QUESTION ON NOTICE

BUDGET ESTIMATES

QUESTION:

The Hon. PENNY SHARPE: That leads me to pilots. I do not expect you to be able to answer my question today but I am keen to flag that I will probably be asking it every year for the next few years: I would like a list of the number of pilot projects that were commenced in the last 12 months—those that are ongoing and those that will conclude over time. I just want the raw information but, ideally, I would like it by program and how much it costs. There is an awful lot of pilot programs where we learn a lot. Communities invest a lot of time and energy in engaging with those programs. I remain concerned about when and if and how they are ever integrated back into practice, rather than the funding running out and all of the good work going out the door until the next round and the next person turns up with a great new idea.

Mr COUTTS-TROTTER: Sure.

The Hon. PENNY SHARPE: I am just trying to get a handle on the number of projects that you consider pilots. It would be really useful if you could take that on notice.

Mr COUTTS-TROTTER: Yes, sure.

ANSWER:

A pilot is a small-scale test of a program or initiative that helps DCJ learn how a large-scale project might work in practice. A pilot does not guarantee implementation, it is an opportunity to trial test and learn. Below are details of current DCJ pilots:

Pilot	Target group	Duration
SafeCare – an evidence-based coaching program to help parents raise healthy and thriving children.	Families with a child at risk of significant harm aged 0-5	Funding to 30 June 2021
Voices and Choices – testing a new practice model for vulnerable families being delivered by Brighter Futures service providers to improve service delivery	Families with child at risk of significant harm aged 0-9	Funding to 30 June 2021
Youth Hope - a family preservation pilot, for families with children aged 9-15 years	Families with child at risk of significant harm aged 9-15	Funding to 30 June 2020
Aboriginal Guardianship Support Model – testing provision of supports to children and young people on a guardianship order	Aboriginal children and young people on Guardianship Orders	Funding to 30 June 2021

Pilot	Target group	Duration
NNSW/Helpline - Streamlined Response Pilot - partnership approach involving Child Protection Helpline, Ballina and Tweed Heads CSCs, Education and Health CWUs and The Family Centre (NGO)	Children and young people at risk of significant harm (ROSH) and non ROSH who received a service response	October 2018 to April 2019
Collaborative Support Pathways - Pilot with South West Sydney DCJ focussing on 3 CSCS- Bankstown, Liverpool and Fairfield	All children and young people at risk of significant harm	Commenced in September 2018 and is current with funding until 30 June 2020
A Place to Go - aims to improve supports and deliver a better response for 10-17 year olds entering and exiting the juvenile justice system, with a focus on young people in remand.	10-17yr olds entering and exiting the Juvenile Justice system, with focus on young people in remand	November 2018 – June 2020
Thriving Families NSW - Provides targeted support to meet the needs of vulnerable young parents aged 25yrs and under, and their children (aged 0-5yrs) to navigate service system and access services.	Vulnerable young parents aged under 25yrs and their children 0-5yrs	November 2018 – June 2020
ID Know Yourself – Culture mentoring program for Aboriginal young people	Aboriginal young people 15 years and over in OOHC due to leave care	July 2019 – June 2020
Nabu Demonstration Project – Family preservation program for Aboriginal children and families	Aboriginal children and families (non-statutory)	July 2019 – June 2020
OurSPACE promotes placement stability for children and young people accepted into the program through positive developmental outcomes for children and young people who have experienced trauma.	Children and Young people aged 15 and under in statutory kinship or foster care who have experienced two or more placements in the last 6 months	January 2019 – June 2020
Pathways to Stability model – run by Key Assets, is a 12 month program using a specialist carer model to transition children and young people to more permanent placement options.	Children and young people in alternative care arrangements.	12 month pilot
Professional Individualised Care (PIC) is a professional foster care model, providing a professional carer in a stable, home environment.	Children with very complex issues who have experienced placement breakdowns.	1 March 2018 to 28 February 2020
Newpin Social Benefit Bond - an intensive centre-based therapeutic program that works with parents and child/ren where the child/ren are in statutory	Parents and their child/ren - where the child/ren are in statutory OOHC and have a case plan goal of restoration and at least one child is under the age of six	Seven year pilot, currently in its sixth year of operation, ending June 2020

Pilot	Target group	Duration
OOHC and have a case plan goal of restoration.	To a lesser extent, parents with a goal of Family Preservation and at least one child is under the age of six	
Sustaining Tenancies in Social Housing The program delivers tenancy support through local strategies that provide community outreach and case management to address a range of complex needs that place tenancies at risk of failure.	Social housing tenants with tenancies considered to be at risk	1 March 2019 to 30 June 2021
Universal Screening and Supports (USS) Place-based model that screens for risk factors associated with educational disengagement and homelessness and connects students with supports using a Community of Schools and Services (COSS) model	Students across years 7-12 in the participating pilot schools in Albury (3 high schools) and Mt Druitt (5 Chifley Colleges) who may be at risk of leaving school early and/or entering into homelessness.	January 2019 to 30 June 2021
Assertive Outreach Outreach to rough sleepers using a multi-disciplinary team (housing, health and NGOs).	People sleeping rough in Tweed Heads and Newcastle	August 2019- June 2022
Outcome Based Commissioning Pilot	Homeless persons aged 12+ accessing Specialist Homeless Services	January – August 2019
Australian Services Excellence Standards (ASES)	Homelessness Services and their clients	5 years from October 2018
Rent Choice Assist Private rental subsidy that aims to support households to maintain and/or access safe and affordable housing in the private rental market.	Clients who have experienced an unplanned event that has temporarily destabilised the household's finances, placing them at risk of homelessness.	September 2018 – June 2020

QUESTION ON NOTICE

BUDGET ESTIMATES

QUESTION: Transcript PG. 88

The Hon. PENNY SHARPE: Resilient Families is finished. I am told that they are going to stop taking families from September—this month.

Mr COUTTS-TROTTER: It is on a performance-based contract, picking up the lessons learnt from the bond. I am happy to take on notice the concern that they will not be taking any families from September and speak to BenSoc.

The Hon. PENNY SHARPE: Yes, it would be good if you could. You do not need to provide it now, but I would welcome information about whether any more of these kinds of bonds are planned.

ANSWER:

I am advised that the current contract with The Benevolent Society for Resilient Families assures funding for service provision until June 2020. Families referred to the program will continue to receive intervention and support through to June 2020.

QUESTION ON NOTICE

BUDGET ESTIMATES

QUESTION: Transcript PG. 90

The Hon. PENNY SHARPE: Where did the commitment come from?

Mr COUTTS-TROTTER: Which one?

The Hon. PENNY SHARPE: The history of the 30 per cent, the funds. What is the history of that commitment?

Mr COUTTS-TROTTER: That was the department's commitment to the community through AbSec.

The Hon. PENNY SHARPE: But when was that made?

Mr COUTTS-TROTTER: I would need to confirm and respond on notice.

ANSWER:

I am advised:

The 30% Aboriginal investment target reflects projections for increased investment in Aboriginal organisations and service delivery to Aboriginal people by Aboriginal staff in mainstream organisations over a five year period, to 2021.

QUESTION ON NOTICE

BUDGET ESTIMATES

QUESTION: Transcript PG. 92

Ms ABIGAIL BOYD: Okay. What is the current waiting list for people who are eligible for public or community housing in New South Wales?

Mr VEVERS: The waiting list up to 30 June is 52,932 people, of which approximately 4,600 are priority and the others are general waiting list. We have not yet published the waiting list for 30 June 2019 quite an extensive process of data cleansing goes on before that is published.

Ms ABIGAIL BOYD: Okay. So that is numbers of people not numbers of applications?

Mr VEVERS: Sorry, that is households.

Ms ABIGAIL BOYD: Numbers of households. Do you know numbers of people as well?

Mr VEVERS: If you multiply that roughly by 2.2 you would get the number of people.

Ms ABIGAIL BOYD: Is that something you could take on notice to give the exact figure?

Mr VEVERS: Yes, I can get you the exact number.

Ms ABIGAIL BOYD: Also, and again you might need to take this on notice, how many of them are children who are on the waiting list?

Mr VEVERS: I definitely have to take that on notice.

Ms ABIGAIL BOYD: And how many people are with disabilities?

Mr VEVERS: Roughly 25 per cent of our tenants and applicants have a disability, but to give you a precise number I would need to take that on notice too.

Ms ABIGAIL BOYD: Okay. Do you know how many of those people are currently homeless?

Mr VEVERS: People are at immediate risk of homelessness are always priority approved. I would have to look up the number of that 4,595 who are homeless, but being priority approved means you wait very significantly less time than if you are not, and the average waiting time for people who are priority approved is 2.7 months.

ANSWER:

Information on the number of social housing applicants on the NSW Housing Register as is publicly available at

<https://public.tableau.com/profile/facs.statistics#!/vizhome/Objective4-Breakingdisadvantagewithsocialhousingassistance/Dashboard3>.

QUESTION ON NOTICE

BUDGET ESTIMATES

QUESTION: Transcript PG. 94

Ms ABIGAIL BOYD: What is the average wait time to complete the police check?

Mr VEVERS: I would have to take that on notice. It is not lengthy.

ANSWER:

I am advised that the average waiting time communicated to the business is between 8 to 10 days.

QUESTION ON NOTICE

BUDGET ESTIMATES

QUESTION: Transcript PG. 94

Ms ABIGAIL BOYD: It would be great if you could take it notice. I think that is all for that part of things. Now we are looking at out-of-home care. In the last financial year what number or proportion of young people reaching 18 while in out-of-home care remained with their carer under the policy on provision of financial support?

Mr COUTTS-TROTTER: I do not think we have that information to hand. I do not recall it in any of the material, but we can get it for you on notice.

Ms ABIGAIL BOYD: That would be great, thank you. What provisions are in place to enable a young person who is not in full-time study due to medical health or other reasons to remain with their foster carer after the age of 18?

Mr COUTTS-TROTTER: Do either Simone Walker or Simone Czech want to take that?

Ms WALKER: I think we should take it on notice just to get the policy position, but there is absolute discretion for the Minister to make decisions, particularly about ongoing support, because we do support people after 18 as per the legislation, but what that support needs to look like would absolutely be decided by the Minister.

The Hon. PENNY SHARPE: If you are going to provide that information could you tell us how many foster carers continue to be paid after 18?

Ms WALKER: Yes, we should have that information. Certainly for young people doing their HSC, that sort of thing, we have those numbers.

Ms ABIGAIL BOYD: What is the total funding allocated for the out-of-home care Permanency Support Program in the 2019-2020 budget?

Mr COUTTS-TROTTER: I am sure we have that. It is around \$630 million or \$640 million. I am just looking for the exact figure.

Ms ABIGAIL BOYD: Also how it compares to the year before would be useful.

Mr COUTTS-TROTTER: It would be a modest increase, I think, but I will confirm that as well. Colleagues, do we have a figure?

Ms CZECH: I am just looking for it.,

Mr COUTTS-TROTTER: I am sorry. I thought we—

Ms WALKER: We have just about every other figure.

Mr COUTTS-TROTTER: I am sorry. I do not think we have that figure, but we will confirm the figure for 2019-2020 and confirm the actual expenditure in 2018-2019 for you

ANSWER:

I am advised

Verified data is not available, preliminary data shows that over 1300 young care leavers received aftercare payments to support them with a range of activities including pursuing education.

Part six of the *Children and Young Persons (Care and Protection) Act 1998* requires the Minister to provide or arrange such assistance for care leavers aged 15 and over that the Minister considers necessary for their safety, welfare and well-being. Assistance is provided until the young person reaches 25 years with discretion to continue providing assistance beyond that age.

The total funding allocated for the out-of-home care Permanency Support Program in the 2019-2020 budget is \$664.6 million

The budget for 2018/2019 was \$639 million (source: 2018-19 NSW budget factsheet https://www.facs.nsw.gov.au/data/assets/pdf_file/0007/591388/FACS000C1_BUDGET_ChildProtection_2018_Final_WEB.pdf).

QUESTION ON NOTICE

BUDGET ESTIMATES

QUESTION: Transcript pg. 94-95

Ms ABIGAIL BOYD: That would be great, thank you. What is the total funding allocated for Intensive Family Preservation and Restoration Plan programs in the 2019 budget?

Mr COUTTS-TROTTER: I do not want to sound obtuse about this, but there is something of a definitional question here. For example, the Permanency Support Program includes us buying family restoration services from non-government organisations. One of the service packages might be working with a family for two years to help a family resolve a set of issues that makes it potentially risky for children to stay at home. There is elements of the Permanency Support Program, there is a particular program called Intensive Family Support and then there are other programs that really do the same thing.

Ms WALKER: Intensive Family Based Services.

Mr COUTTS-TROTTER: Then we have the Functional Family Therapy, we have multisystemic therapy. If the thrust of your question is what is the amount of money and effort spent trying to support families to keep kids safe at home, we could give you an answer on that that would cut across a few programs that would include Intensive Family Based Services.

Ms ABIGAIL BOYD: That would be very useful. If you could tell me obviously which programs it covers, but also how it compares to the funding allocated for the programs last year?

Mr COUTTS-TROTTER: Yes, certainly.

Ms ABIGAIL BOYD: What is the total funding for early intervention programs relating to child protection and wellbeing, again, looking at how early intervention programs have been defined?

Mr COUTTS-TROTTER: To be as helpful as we can we will take it on notice. We will define early Intervention in response to your questions and then identify the programs, the budget and the year-on-year changes.

ANSWER:

Information about funded services is available in the Annual Report.

https://www.facs.nsw.gov.au/data/assets/pdf_file/0007/637243/2017-18-Volume-3-Funds-granted-to-non-government-organisations.pdf

QUESTION ON NOTICE

BUDGET ESTIMATES

QUESTION: Transcript pg. 95-96

Ms ABIGAIL BOYD: How many care applications have been made to the court since 4 February 2019?

Mr COUTTS-TROTTER: Which is from memory the date of the proclamation of the new legislative changes. I do not know that we have that data to hand, but we can absolutely get it.

ANSWER:

I am advised that there have been approximately 623 initiating care applications filed in the NSW Children's Court since 4 February 2019.

QUESTION ON NOTICE

BUDGET ESTIMATES

QUESTION: TRANSCRIPT pg 95-96

The Hon. PENNY SHARPE: I just wanted to know how we are going with foster care recruitment. How many foster carers have been recruited this year? I understand that some of it is done through NGOs and what, if any, is done through the department?

Mr COUTTS-TROTTER: We fund an organisation called My Forever Family to undertake segmented campaigns to recruit foster carers. I know that My Forever Family has accumulated, pre-screened and passed on to non-government organisations, I think, 440 people who—

The Hon. PENNY SHARPE: Is that over the last 12 months?

Mr COUTTS-TROTTER: I think that is over the last 12 months.

Ms WALKER: Yes, 2018-19.

Mr COUTTS-TROTTER: Who have an interest in becoming carers. Of course, non-government organisations undertake their own recruitment as well and are actually paid as part of the permanency support packages to do that, so we can try and see if we can capture data from the non-government sector as well.

ANSWER:

I am advised that My Forever Family NSW referred 390 pre-screened people for further assessment and training between 1 July 2018 - 30 June 2019.

The Permanency Support Program incorporates funding for NGOs to run their carer recruitment programs and the department encourages collaboration with My Forever Family NSW.

QUESTION ON NOTICE

BUDGET ESTIMATES

QUESTION: Transcript pg. 96

The Hon. ROSE JACKSON: I might ask a few more questions in relation to housing and homelessness. Specifically, I will start with the Link2home program. How many occasions of service were provided by Link2home in the last financial year?

Mr VEVERS: I would have to take that on notice. They deal with over 100,000 calls in a year, but how many of those actually result in accommodation I would need to take on notice.

The Hon. ROSE JACKSON: You may have to take some of these additional questions on notice too. I would be interested to know how many calls to Link2home went unanswered, if that information is available.

Mr VEVERS: Yes, that would also be available.

The Hon. ROSE JACKSON: How many requests for accommodation assistance were not able to be met? Obviously we are keen to know about the occasions for service, but also how many requests for assistance were not able to be met. And how many requests for accommodation were due to domestic violence?

Mr VEVERS: I would have to check if that latter figure is available; the others are. The number of accommodation requests not met by Link2home is very small indeed.

The Hon. ROSE JACKSON: Good news.

Mr VEVERS: It tends to be very late at night calls, where we do not have a provider who is actually open at that time. But the temporary accommodation budget is not limited, so Link2home has no limits on the number of people that it can place in temporary accommodation. They obviously do try always, first, to place someone in a specialist homelessness service. The service has developed such that we can order transport for people as well. So whereas previously we would have been limited in some small towns, we now no longer are. So we can arrange transport for people—I mean, within reason; we probably would not take a taxi for 200 kilometres, but we would be reasonably generous in making sure that people can get to accommodation.

The Hon. ROSE JACKSON: It would still be good to get that figure, though.

Mr VEVERS: Yes, totally.

ANSWER:

I am advised that Link2home received 179,914 calls, of which 85,131 callers agreed to complete a Link2home assessment. 21,244 calls were abandoned by the caller.

I am advised that 3,892 requests for accommodation assistance were not able to be met. Factors that contribute to Link2home not meeting a client's accommodation needs include:

- Callers who present as intoxicated
- Clients who have refused a reasonable offer of alternative accommodation
- Clients who were provided with temporary accommodation in the last twelve months who damaged property or engaged in antisocial behaviour during the assistance.

I am advised that 8,571 calls where a Link2home assessment was completed were related to domestic violence.

QUESTION ON NOTICE

BUDGET ESTIMATES

QUESTION: Transcript pg. 97-98

The Hon. ROSE JACKSON: It does sound like it has been a successful program, so I hope we can talk more about it in an expanded form in future years. But just back onto Youth Justice, I just wanted to ask, as I initiated before, a couple of questions about diversion programs, specifically in relation to young people. I think, Ms Walker, you mentioned in an answer to a question from my colleague Mr Shoebriidge that one of the things that you were looking at for reducing the number of Indigenous young people in custody was under the Premiers Priority around domestic violence reoffending and whether that was a framework that might provide an avenue to address that chronic problem. Would that include potentially looking at whether diversion programs for young offenders should be available under the family violence Act? I ask because my understanding is that there are no diversionary programs available under that piece of legislation. It does not differentiate between juveniles and adults.

Ms WALKER: I would need to take it on notice for the specifics, but we are certainly looking at what else is it that we need to do because we think we have a whole range of activities that we have pursued in the earlier stages of the priority. What we know is that we need to look at the cohorts, look specifically at the groups that are most impacted—and we know that juveniles has probably been a group that we needed to look at more— so I am really happy to take that on notice and see what we can do in that space, and also what the limitations have been to date about doing that.

ANSWER:

The Government is undertaking a review of the *Young Offenders Act 1997* in line with recommendations made by the 2018 Parliamentary Inquiry into the adequacy of youth diversionary programs in NSW.

QUESTION ON NOTICE

BUDGET ESTIMATES

QUESTION: Transcript pg. 98

The Hon. ROSE JACKSON: That would be great. Just in relation to diversionary programs generally, and particularly conferencing, has there been any effort made to increase the number of Indigenous people who are available for youth conferencing?

Ms WALKER: I might have to hand that over to my colleague.

Ms CZECH: Do you mean in terms of facilitators?

The Hon. ROSE JACKSON: Yes, excuse me, in terms of facilitators. Sorry, Ms Czech.

Mr COUTTS-TROTTER: We are just having a quick look.

Ms CZECH: If we cannot find it quickly, we might need to take it on notice.

The Hon. ROSE JACKSON: The other thing I would be interested in is whether there has been any consideration to offering paid training in order to increase the number of Indigenous people who are available and who are properly trained as facilitators for youth conferencing.

Ms CZECH: Okay. We will take that on notice as well.

ANSWER:

I am advised that Youth Justice recently undertook a targeted recruitment campaign to increase the numbers of Aboriginal Youth Justice Conference Convenors. A total of 65 Aboriginal applicants responded.

QUESTION ON NOTICE

BUDGET ESTIMATES

QUESTION: Transcript pg. 98

The Hon. ROSE JACKSON: The other thing that it would be useful to know is whether the option under the Young Offenders Act of other people—specifically I am thinking about Indigenous elders—being available to either give or be involved in giving cautions. This is something, from my understanding, that has been floated relatively consistently, so I wonder whether that is something that the department has investigated or—

Mr COUTTS-TROTTER: Not to my knowledge, but I am a new arrival so we are happy to check that out and respond on notice.

Ms CZECH: We will come back to you on that one.

The Hon. ROSE JACKSON: Just a final question then: In the budget estimates hearing that we held in Police last week, Commissioner Fuller made the comment, "We are having these conversations in relation to the removal of the limits on cautions under the Young Offenders Act."

Mr COUTTS-TROTTER: Yes.

The Hon. ROSE JACKSON: I just wonder if this is an opportunity to have a more specific look at the departmental officials who have carriage of that particular legislation, if there could be any more detail on these conversations the commissioner alluded to.

Mr COUTTS-TROTTER: The work on that with police and other agencies is led by the Justice policy team who report to my colleague Kathrina Lo, so I think I have to take that on notice and provide you with more detailed comment.

ANSWER:

I am advised that under section 27(2) of the *Young Offenders Act 1997*, a caution may be given by a respected member of the Aboriginal community if:

- the child is a member of that community, and
- requested by a police officer or specialist youth officer authorised by the Commissioner of Police to give cautions under the Act.

In addition, under section 28 of the Act, a respected member of the community chosen by the child (where considered appropriate by the person arranging the caution), can be present when a caution is given to the child.

The Government has committed to review the *Young Offenders Act 1997* in line with recommendations made by the 2018 Parliamentary Inquiry into the adequacy of youth diversionary programs in NSW.

QUESTION ON NOTICE

BUDGET ESTIMATES

QUESTION: Transcript pg. 99

The Hon. ROSE JACKSON: Are there any provisions made for young people on short-term remand? I mean, not very short-term remand. Obviously not the one-or-two-night short-term remand, but as we have heard previously 60 per cent of people in these facilities are on remand.

Mr COUTTS-TROTTER: Yes.

The Hon. ROSE JACKSON: I am just wondering because, even though it is often a relatively short period of time, the disruption to education and losing that link to education facilities can make it much more difficult to re-engage, so I am just wondering about those provisions.

Ms CZECH: My understanding, and we can certainly come back with more detail on notice, is that children and young people, regardless of the length of time they are in a detention centre, have access to those education programs.

ANSWER:

I am advised that young people of compulsory school age must attend school while in custody. Each Youth Justice Centre has a school staffed by teachers from the Department of Education.

QUESTION ON NOTICE

BUDGET ESTIMATES

QUESTION: Transcript pg. 99

The Hon. ROSE JACKSON: Finally—I think I am probably about to run out of time—how many strip searches were conducted in New South Wales Youth Justice centres in the past year?

Mr COUTTS-TROTTER: Happy to get that and I do not want to sound like I am quibbling, but, as someone new to this, I had an image in mind of what a strip search entails. Then of course when I looked at the operating procedures, at no point is a young person ever completely naked. It is managed in a way that, hopefully, preserves a degree of respect and dignity for the young person who is being searched.

The Hon. ROSE JACKSON: But you do not have the overall number of strip searches figure?

Ms CZECH: No. We will come back as a question on notice for that.

ANSWER:

In order to detect or prevent contraband from entering a centre or court, Youth Justice staff may need to search young people, under well-defined circumstances and conditions.

Youth Justice does not undertake searches in a manner that requires a young person to be completely naked during a search.

I am advised that Youth Justice is unable to provide aggregated data regarding the number of partially clothed body searches as this information is manually entered into log books located within each Centre.

Clause 11A (9) directs that a partially clothed body search of a young person must not be conducted as part of the general routine of a centre, except in the case of a young person being newly admitted to a centre or returning to a centre following day leave or overnight leave.

QUESTION ON NOTICE

BUDGET ESTIMATES

QUESTION: Transcript pg. 100

The Hon. ROSE JACKSON: Does your department, through Youth Justice, fund the Justice Reinvest program in Bourke? Some Government money was provided to that program. Where did that money come from?

Mr COUTTS-TROTTER: I would need to confirm that. I think it came through the former Department of Justice.

ANSWER:

I am advised that since 1 July 2017, the Government has provided over \$660,000 to justice reinvestment initiatives in New South Wales.

QUESTION ON NOTICE

BUDGET ESTIMATES

QUESTION: Transcript pg. 99

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QUESTION ON NOTICE

BUDGET ESTIMATES

QUESTION: Transcript pg. 101

I am wondering what, if any, planning the State Government is doing to prepare for the potential that the royal commission into aged care and the Federal Government's management of this hits crisis point and there is an acute failure, as there was in Queensland if that were to be repeated in New South Wales?

Mr COUTTS-TROTTER: I would have to take that on notice. I am not aware of any planning happening within our agency. There are some calls we receive at the elder abuse hotline that would relate to older people in aged care settings and we would refer those on to the appropriate regulator—

The Hon. ROSE JACKSON: And that is the Federal regulator, is that?

Mr COUTTS-TROTTER: I think so, yes. I would take on notice whether there are any planning taking place in the healthcare system.

The Hon. ROSE JACKSON: Just to clarify, from the department's perspective, the Ageing and Disability Commissioner has no oversight or investigatory powers in relation to claims of elder abuse at aged care facilities?

Mr COUTTS-TROTTER: I would need to take advice on that because I do not want to mislead you. The plan for the role, of course, was to complement and work closely with and have excellent collaboration with other regulators that are already on the field, including the NDIS Quality and Safeguards Commission. But I will take that explicit question on notice and respond to you.

ANSWER:

Aged Care provided to seniors in NSW is the responsibility of the Commonwealth Government, including oversight and investigatory functions. The Aged Care Quality and Safety Commission is the agency responsible for these matters and has the powers to work with service providers and make decisions as appropriate.

The Ageing and Disability Commissioner must refer allegations of abuse of seniors in aged care facilities to the Aged Care Quality and Safety Commission where that abuse is perpetrated by staff of the facility.

QUESTION ON NOTICE

BUDGET ESTIMATES

QUESTION: Transcript pg. 81

The Hon. ROSE JACKSON: How many disturbances—we are right at the end now—how many disturbances have occurred across Youth Justice in the last year? We have had the figures made available for assaults but I am talking now about disturbances that cause property damage.

Ms CZECH: We might have to come back to you on notice with the actual detail.

The Hon. ROSE JACKSON: Do you have the figure as to how much has been allocated in the budget to repair damaged infrastructure as a result of disturbances?

Ms CZECH: We can provide that information on notice.

The Hon. ROSE JACKSON: In particular I am interested to know whether this funding comes out of a general pool for infrastructure capital that also, for example, funds the general upgrade of facilities or whether there is a specific allocation made to repair damage from disturbances? If there is, for example, a large number of disturbances that cause an unexpectedly large damage bill that then pulls down on the general infrastructure capital that might be otherwise used to fund general upgrades.

Mr COUTTS-TROTTER: I think the short answer is no, because we have insurance cover through the Treasury Managed Fund and we would be drawing on insurance cover to pay for repairs. However, we are happy to get the details.

Ms CZECH: Absolutely.

ANSWER:

I am advised that in 2018/19 there were 39 incidents at its Youth Justice centres that resulted in damage to facilities. This ranged from damage to small items such as intercoms, to more substantial damage caused by young people accessing rooftops.

The cost of repairs undertaken in Youth Justice Centres in 2018/19 was \$1.1 million.

QUESTION ON NOTICE

BUDGET ESTIMATES

QUESTION: Transcript pg. 104

The Hon. PENNY SHARPE: That is good news. Are you able to provide the committee with a breakdown of which—the advice I have is that there are quite a lot of services that are shutting their doors? It is great if some are staying open. I know that the Aboriginal links ones are funded through until June next year. I am interested in the issue around current clients and the transition. Where they have been the responsibility of New South Wales, how are they going to be dealt with?

Mr COUTTS-TROTTER: I will provide whatever information we can on notice.

ANSWER:

The Ability Links NSW program is delivered with 295 linkers as well as 17 Aboriginal-specific linker organisations.

For 2019-20, both the NSW and Commonwealth Governments have publically committed funding for Ability Links, made up of:

- \$11.6 million funding from NSW;
- \$8.5 million from NDIS Information, Linkages and Capacity Building funding one off allocation to NSW;
- \$20 million from NDIS Information, Linkages and Capacity Building funding associated with the NDIS Local Area Coordinator function.

The \$8.5 million has been applied to the 17 Aboriginal-specific linker organisations and this is full year funding.

The Minister continues to liaise directly with the Federal Minister and the Disability Reform Council in relation to the full roll out of Information, Linkages and Capacity Building funding for NSW, to ensure that the people with disability in NSW are not without these important services.

QUESTION ON NOTICE

BUDGET ESTIMATES

QUESTION: Transcript pg. 104

The Hon. ROSE JACKSON: How much funding was allocated to the first volunteering strategy? If that has been taken on notice, also for the second? Perhaps I will let you find your tab. Apologies, Ms Walker.

Ms WALKER: It is one folder after another. I will take that on notice so that I get the correct figure. A million dollars was approved in the 2019-20 budget to support volunteering but, again, to get you the specific dollars about the previous years and the allocation of the strategy I will take that on notice.

The Hon. ROSE JACKSON: Do you have the figures available as to the total number of funds that have been allocated to the development of the third strategy? I am keen to know what resources have been made available in the department for the development of this strategy. We do not have a dedicated Minister anymore. We have this org chart; we are trying to figure out what sits where—

Ms WALKER: Minister Ward is the dedicated Minister for volunteering. However, what I will do is get you the resources that have been allocated to make sure that that strategy gets done.

The Hon. ROSE JACKSON: That would be good. Could you give me an answer as to how many staff within the department, within your team have been allocated to the development of the strategy?

Ms WALKER: That is the information I will get for you. The FTE will give you a clearer sense of the resources.

ANSWER:

I am advised that the first NSW Volunteering Strategy, May 2012, was approved to be delivered within existing resources. No budget was allocated to the Strategy.

The second NSW Volunteering Strategy, May 2016, was also approved to be delivered within existing resources, however, funding was sourced, and approved, from unexpended resources within Ageing Disability and Home Care. A total budget of \$1,995,000 was allocated to fund the second Strategy:

- 2015/16 - \$560,000
- 2016/17 - \$835,000
- 2017/18 - \$600,000

The third NSW Volunteering Strategy is currently under development. The budget allocated for the development and implementation of the Strategy in the current financial year is \$200,000.

Alongside the Department of Communities and Justice staff resources, collaborations with other key partners, including the Centre for Volunteering and other not-for profit organisations and government agencies, are occurring to develop the strategy and resources are being pooled for the purpose.

There are currently 2.5 FTE the Department of Communities and Justice staff currently working on the development of the strategy.

QUESTION ON NOTICE
BUDGET ESTIMATES

QUESTION: Transcript pg. 105

The Hon. ROSE JACKSON: I might ask briefly about workers compensation for Youth Justice. How many staff are currently on workers compensation?

Mr COUTTS-TROTTER: I think we would need to take that on notice.

The Hon. ROSE JACKSON: Obviously probably also on notice: Any information in relation to the breakdown?

Ms CZECH: Yes, we can provide that on notice.

The Hon. ROSE JACKSON: I think there are been some reports that there has been an increase in workers compensation claims as a result of mental stress.

Mr COUTTS-TROTTER: Within the Youth Justice system?

The Hon. ROSE JACKSON: Within Youth Justice.

Mr COUTTS-TROTTER: Okay. Yes, we will—

The Hon. ROSE JACKSON: I suppose I would be interested then, if that were the case, what if anything the department was doing to try and assist Youth Justice officers to deal with—

Mr COUTTS-TROTTER: No, of course.

The Hon. ROSE JACKSON: As we have talked about there is an increasing number of self-harm incidents with detainees. It is stressful for youth officers to manage these young people with extremely complex mental health issues; therefore, we are seeing, from what I understand, an increased reporting of mental stress issues under workers compensation. Do you know of any particular programs or work that is in place in order to try and assist staff?

Mr COUTTS-TROTTER: There is some, but I want to do it justice and give you a comprehensive response on notice, please.

ANSWER:

Youth Justice's Staff Wellbeing Strategy, is a three year action plan and commitment to addressing wellbeing and safety in its staff. The objectives of the strategy are to:

- Listen to, understand and value the wellbeing needs of staff
- Enhance commitment, accountability and capability to improve wellbeing

- Deliver quality holistic wellbeing programs and training throughout the employee lifecycle

Youth Justice encourages staff to access the Employee Assistance Program, which is available to all staff experiencing challenges that are negatively impacting their personal wellbeing and performance at work. This includes general counselling, health and nutrition advice, financial coaching, better sleep and parenting support.

QUESTION ON NOTICE

BUDGET ESTIMATES

QUESTION: Transcript pg. 106

What I am really trying to get to is how many caseworkers we are losing a year through natural attrition—that is, retirement—and how many we are losing as a result of medical, psychological or other stress.

Mr COUTTS-TROTTER: Yes, sure.

The Hon. PENNY SHARPE: How long are we keeping the new caseworkers that we are recruiting? It seems to me that the longer they stay, with the more experiences they have, the better outcomes we get. I am trying to understand that. You can take that on notice unless there is anything you can provide now.

Mr COUTTS-TROTTER: No, I think I might take that on notice. I guess what I would do is give you the overall attrition or separation rate and then something by tenure period—how long someone has been with the organisation before they leave.

ANSWER:

I am advised that the 2017/18 attrition rate for FACS Child Protection Caseworkers was 12.7%.

QUESTION ON NOTICE
BUDGET ESTIMATES

QUESTION: Transcript pg. 106

The Hon. PENNY SHARPE: Yes, that would be very useful. How many Aboriginal young people in out-of-home care are without cultural care plans?

Mr COUTTS-TROTTER: I do not have data on that. We can take that on notice and respond to you.

ANSWER:

I am advised the data for cultural plans is not available at this time.

QUESTION ON NOTICE

BUDGET ESTIMATES

QUESTION: TRANSCRIPT pg. 107

The Hon. PENNY SHARPE: Do you have figures of where that supervision is not being delivered?

Ms CZECH: I do not have any—

The Hon. PENNY SHARPE: I am not trying to be overly critical here. My concern is that offices are busy and that sometimes the promises around supervision are not delivered. I am concerned about caseworkers who are left without that and what the mechanism is to follow that up to ensure that they are getting that support when for legitimate reasons it just has not been able to be delivered.

Ms CZECH: We can certainly take that on notice and come back with some data and some further information on that point in particular.

Mr COUTTS-TROTTER: But it is the subject of a very, very structured performance review. It is a critical aspect of performance that people are held accountable for.

The Hon. PENNY SHARPE: And when people resign, the caseworkers in particular, do they get exit interviews?

Mr COUTTS-TROTTER: I will take it on notice. There was a period where we were doing this, I could be confident I could give you an absolute guarantee that was the case, and then there was a period where it was inconsistent. So I need to check on that.

ANSWER:

I am advised when an employee resigns (including caseworkers) this triggers a process of an exit interview online survey managed via an independent party. In addition to this, a former employee (including caseworkers) can also request a telephone interview conducted by the independent third party (People Pulse& TQ Solutions).