

# **PORTFOLIO COMMITTEE NO. 2 – HEALTH AND COMMUNITY SERVICES**

**Tuesday, 5 September 2017**

**Examination of proposed expenditure for the portfolio area**

## **FAMILY AND COMMUNITY SERVICES, SOCIAL HOUSING, PREVENTION OF DOMESTIC VIOLENCE AND SEXUAL ASSAULT**

**UNCORRECTED PROOF**

**The Committee met at 9.00 a.m.**

### **MEMBERS**

The Hon. Greg Donnelly (Chair)

The Hon. Wes Fang

Dr Mehreen Faruqi

The Hon. Paul Green

The Hon. Courtney Houssos

The Hon. Mark Pearson

The Hon. Dr Peter Phelps

The Hon. Penny Sharpe

Mr David Shoebridge

The Hon. Bronnie Taylor

### **PRESENT**

**The Hon. Pru Goward**, *Minister for Family and Community Services, Minister for Social Housing, and  
Minister for Prevention of Domestic Violence and Sexual Assault*

## **CORRECTIONS TO TRANSCRIPT OF COMMITTEE PROCEEDINGS**

**Corrections should be marked on a photocopy of the proof and forwarded to:**

**Budget Estimates secretariat  
Room 812  
Parliament House  
Macquarie Street  
SYDNEY NSW 2000**



**The CHAIR:** Welcome to the public hearing for the inquiry into the budget estimates 2017-18. Before I commence I would like to acknowledge the Gadigal people, who are the traditional custodians of this land. I would also like to pay respect to elders, past and present, of the Eora nation, and extend our respects to other Aborigines present or who may be joining us on the web. I welcome Minister Goward and accompanying officials to this hearing. Today the Committee will examine the proposed expenditure for the portfolios of Family and Community Services, Social Housing, and Prevention of Domestic Violence and Sexual Assault.

Today's hearing is open to the public and is being broadcast live by the Parliament's website. In accordance with the broadcasting guidelines, while members of the media may film or record Committee members and witnesses, people in the public gallery should not be the primary focus of any filming or photography. I would also remind media representatives that they must take responsibility for what they publish about the Committee's proceedings. The guidelines for the broadcast of proceedings are available from the secretariat.

There may be some questions that a witness could answer if only they had more time, or with certain documents to hand. In these circumstances, witnesses are advised that they can take a question on notice and provide an answer within 21 days. Any messages from advisers or members of staff seated in the public gallery should be delivered through the Committee secretariat. Minister, I remind you and the officers accompanying you that you are free to pass notes and to refer directly to your advisers seated at the table behind you.

Transcripts of this hearing will be available on the web from tomorrow morning. Finally, I ask everyone please to turn their mobile phones to silent for the duration of the hearing. All witnesses from departments, statutory bodies or corporations will be sworn prior to giving evidence. Minister, I remind you that you do not need to be sworn as you have already sworn an oath to office as a member of Parliament.

**SHANE HAMILTON**, Chief Executive, Aboriginal Housing Office, Department of Family and Community Services, affirmed and examined

**PAUL VEVERS**, Deputy Secretary, Southern and Western Cluster, Department of Family and Community Services, sworn and examined

**DEIDRE MULKERIN**, Deputy Secretary, Commissioning, Department of Family and Community Services, affirmed and examined

**MICHAEL COUTTS-TROTTER**, Secretary, Department of Family and Community Services, sworn and examined

**ANNE SKEWES**, Deputy Secretary, Land and Housing Corporation, Department of Family and Community Services, affirmed and examined

**SIMONE WALKER**, Acting Deputy Secretary, Operations, Northern Cluster, Department of Family and Community Services, sworn and examined

**The CHAIR:** I declare the proposed expenditure for the portfolios of Family and Community Services, Social Housing, and Prevention of Domestic Violence and Sexual Assault open for examination. The questioning of the portfolios of Family and Community Services, Social Housing, and Prevention of Domestic Violence and Sexual Assault will run for a two-hour period from now until 11.00 a.m. As there is no provision for a Minister to make an opening statement before the Committee commences questioning, we will begin with questions from the Opposition.

**The Hon. PENNY SHARPE:** Minister, have you read the Joint Child Death Review into the death of Braxton Slager-Lewin?

**Ms PRU GOWARD:** Every death of a child is a tragedy and of course I am saddened by Braxton's death. My heart goes out to his parents and I have conveyed my condolences to Braxton's father. The Coroner is currently undertaking an inquest and I have been monitoring the reports of that inquest. I am deeply saddened and of course I await the Coroner's findings. The Department of Family and Community Services [FACS] has advised me that significant steps and improvements to practice have been made since 2014, but of course we will not stop there. If the Coroner finds that FACS needs to do more and makes recommendations for further improvement, I absolutely give my commitment to this Committee today that I will instruct the department to do exactly that.

**The Hon. PENNY SHARPE:** That is great, Minister. Have you read the report?

**Ms PRU GOWARD:** Yes. The department is taking further steps to improve how we work with families—

**The Hon. PENNY SHARPE:** That is terrific; I would expect the department to do that. My question is: Have you read the Joint Child Death Review report?

**Ms PRU GOWARD:** Yes, and I said yes. I have read the report that was submitted to the Coroner by the department.

**The Hon. PENNY SHARPE:** Minister, why did your department try to not have that report released publicly?

**Ms PRU GOWARD:** I think it needs to be understood that the privacy of children is very important. But I will ask the Secretary to expand on that answer.

**Mr COUTTS-TROTTER:** That is an internal deaths review report that has been a practice of the agency for about 12 years; it has changed slightly over time, but essentially it is a mechanism by which we seek to learn from tragedy. It is similar to the root cause analysis reviews that take place in the health system. At every period in that 12 years where those reports have been sought for publication the department has resisted that for two reasons. Firstly, we want to run an internal review process where our staff feel able to be completely honest about what they did, what they did not do, and what we could have done better. Secondly, those reports contain untested hearsay and people's views. We do provide them routinely to the Ombudsman and we do provide them to coronial inquests as a matter of course, but we have sought on every occasion—including in relation to little Braxton—to have the report available to the Coroner but not available for publication.

**The Hon. PENNY SHARPE:** Minister, you are aware that that report contains serious allegations from FACS staff about the difficulties that they face every day having to either not allocate or close cases where

there is a significant risk of harm to children. Is that a serious factor in why you sought to have this report suppressed?

**Ms PRU GOWARD:** I think Mr Coutts-Trotter has given you the answer. It is to do with the privacy of children and the importance of encouraging staff to be as confident as they can be.

**The Hon. PENNY SHARPE:** Minister, you have indicated that you have spoken to the parents of Braxton. Can you let the Committee know how you got the contact details for the father?

**Ms PRU GOWARD:** My office obtained the contact details.

**The Hon. PENNY SHARPE:** Do you know where they got that number from?

**Ms PRU GOWARD:** My office. I will ask Mr Coutts-Trotter if he can advise you.

**Mr COUTTS-TROTTER:** I am sorry, I do not know. I am happy to take it on notice though.

**The Hon. PENNY SHARPE:** You are not able to say how you got Mr Slager's mobile number?

**Ms PRU GOWARD:** I would have to take that on notice.

**The Hon. PENNY SHARPE:** You are aware that there was someone that the family allocated as a contact point in relation to this matter?

**Ms PRU GOWARD:** I will have to take that on notice.

**The Hon. PENNY SHARPE:** Did any of your staff attend the inquest?

**Ms PRU GOWARD:** I believe that departmental staff attended the inquest.

**The Hon. PENNY SHARPE:** Anyone from your office?

**Ms PRU GOWARD:** No.

**The Hon. PENNY SHARPE:** There has been a concern that the family were approached by someone purporting to be a journalist on 29 August to obtain the private phone number of Mr Slager. Are you aware of that?

**Ms PRU GOWARD:** I am not aware of that.

**The Hon. PENNY SHARPE:** Are you able to guarantee that that was not someone from either the department or your office?

**Ms PRU GOWARD:** Obviously, I will have to take that on notice. This is the first time I have heard an allegation of that kind.

**The Hon. PENNY SHARPE:** Obviously, there are serious privacy issues here and some concerns. I understand that the media reported that you had spoken to the family. Did your office tell the media that you had spoken to the family?

**Ms PRU GOWARD:** I am not aware of the details of that. I will have to take that on notice.

**The Hon. PENNY SHARPE:** Do you agree that it is a concern if the numbers of parents are obtained unethically?

**Ms PRU GOWARD:** If it is unethical.

**The Hon. PENNY SHARPE:** So you are going to come back to us in relation to that?

**Ms PRU GOWARD:** Yes.

**The Hon. PENNY SHARPE:** I want to go to the David Tune independent review of the out-of-home care system. My understanding is that that independent review was finalised in November 2015. Why has this report not been released in full?

**Mr COUTTS-TROTTER:** A summary of the report was released but the full report was submitted to Cabinet and, from memory, the work was led by the Department of Premier and Cabinet and I think the report was—

**Ms WALKER:** It was commissioned by the Premier and presented to the Cabinet. That was the nature of the report.

**Mr COUTTS-TROTTER:** Sorry. My colleague Ms Walker was involved.

**The Hon. PENNY SHARPE:** You are hiding behind Cabinet in confidence so that you do not release the full report.

**Ms PRU GOWARD:** That is the nature of the report. It was commissioned by the Premier's office.

**The Hon. PENNY SHARPE:** Just to be clear: You have no intention of releasing the full report because it is Cabinet in confidence. Is that correct?

**Ms PRU GOWARD:** The summary of the report is available.

**The Hon. PENNY SHARPE:** Yes, I am aware of the summary. I am asking you about the report in full.

**Ms PRU GOWARD:** And we are instituting many of his recommendations and we will be revolutionising the way we deliver services to vulnerable children and families as a result of it. I think that is what is important.

**The Hon. PENNY SHARPE:** If you are happy to continue the veil of secrecy in relation to these matters that is fine, but I just wanted to be clear: You are not going to be releasing the full report?

**Ms PRU GOWARD:** It is Cabinet in confidence.

**The Hon. PENNY SHARPE:** In last week's coronial inquest into the death of Braxton Slager-Lewin there were reports of caseworkers receiving only three days training prior to inspecting a home where Braxton was placed. Do you agree this is a shockingly inadequate level of training for someone looking after such a vulnerable young child in the system?

**Ms PRU GOWARD:** Family and Community Services [FACS] advises me that significant steps and improvements to practice have been made since then. We certainly, as I say, will not stop there. If the Coroner has further recommendations that have not yet been instituted obviously we will—

**The Hon. PENNY SHARPE:** But three days training, really, it is absolutely inadequate.

**Ms PRU GOWARD:** This was some time ago. I see it as a very unfortunate legacy issue, and I invite Mr Michael Coutts-Trotter to tell you what we are doing.

**The Hon. PENNY SHARPE:** I am not asking you about that. I am asking you about the level of training that your department is entrusting to whether it be non-government organisations [NGOs] or the department of the people who are going into homes and inspecting them to make sure that they are adequate for the placement of vulnerable children. Three days training is seriously inadequate, is it not, Minister?

**Ms PRU GOWARD:** That is why we are taking these further steps to improve how we work with families and support them through early intervention and restoration. That is why we are investing \$90 million over four years to implement two new family preservation and restoration models to further reduce children entering and increasing exits from out-of-home care.

**The Hon. PENNY SHARPE:** That is terrific; I am actually asking you about training though. Minister, if the training is so important for caseworkers—and you said that things are getting better, things were supposed to get better under your reforms. We have had caseworkers with three days experience placing children who subsequently died. Why has the Learning and Development Branch within Family and Community Services been cut back so significantly?

**Ms PRU GOWARD:** I will ask Mr Coutts-Trotter to answer that question. It is an operational matter and I am sure he can answer it.

**Mr COUTTS-TROTTER:** Training and preparation for FACS child protection caseworkers is extensive, with the exception of Aboriginal applicants. Applicants, to come and join us as caseworkers, need to hold degrees in social work, psychology, welfare or related disciplines. It might include early childhood and the like.

**The Hon. PENNY SHARPE:** But how is it possible that a caseworker with three days experience ticked off on the placement of Braxton Slager-Lewin?

**Mr COUTTS-TROTTER:** In relation to the coronial inquest, the matter is still before the court. As the Minister said, we wait on the Coroner's findings and recommendations. I am happy to talk generally about the preparation of caseworkers, if you like.

**The Hon. PENNY SHARPE:** There should never have been any expectation of a caseworker in any situation. You are talking about people with degrees and diplomas, which are obviously very important and should be the standard we use for people who are looking after children. But is it not the case that under the system that you are currently presiding over, Minister, that there are caseworkers doing assessments and working in the system with far less training than that?

**Ms PRU GOWARD:** I will ask Mr Coutts-Trotter to explain to you why that is not true.

**The Hon. PENNY SHARPE:** I think it is true.

**Mr COUTTS-TROTTER:** No caseworker should be ill-prepared for the job they are asked to do on behalf of the community. It is a critical job and, yes, that is about what people know, their university study or their postgraduate study, but it is also about what they can do, their practical skills. We invest very considerably in developing the practical child protection practice skills of our caseworkers. We do a lot of on-the-job, essentially vocational education and coaching with precisely that aim in mind to equip people to be effective on behalf of the community.

**The Hon. PENNY SHARPE:** Minister, the Executive Director, Office of the Senior Practitioner, is responsible for the provision of training and skill development for frontline caseworkers. Minister, are you aware that in September last year Ms Alexander stated to the parliamentary inquiry on child protection:

We are looking at redesigning our entry-level training and our management training to base it around skill development and staff needing support, and then developing their competencies in practice before they can graduate up through the system. That is the work of the child protection academy that we are working on.

Are you familiar with the child protection academy?

**Ms PRU GOWARD:** Would you like to provide me with a copy of that statement, please?

**The Hon. PENNY SHARPE:** I can do that. Minister, are you familiar with the work of the child protection academy?

**Ms PRU GOWARD:** I would like to read Kate Alexander's comments.

**The Hon. PENNY SHARPE:** I am happy to provide that to you but I am asking you about the child protection academy.

**Ms PRU GOWARD:** I will ask Mr Coutts-Trotter to answer you.

**Mr COUTTS-TROTTER:** We are proceeding with that. We are proceeding first with it in the Hunter, New England and Central Coast districts. I am more than happy, if the Committee is comfortable, to invite my colleague Simone Walker, who leads that team, to talk about it.

**The Hon. PENNY SHARPE:** Before you do that, I will ask one question: Is it the case that the child protection academy was not funded in the 2017-18 budget?

**Mr COUTTS-TROTTER:** We put a proposal forward. I am a bit cautious, a bit old school, about talking about Cabinet processes. We have a pilot of the child protection academy taking place in the Hunter-Central Coast.

**The Hon. PENNY SHARPE:** Can I clarify that? What you are saying is that the child protection academy, which previously your department has been relying on to provide the entry level caseworkers and the caseworkers throughout that, has not been fully funded by the Government. Is that what you are saying?

**Mr COUTTS-TROTTER:** No. We would like to continue to improve the professional development that we offer caseworkers. We are not relying on the academy to do that.

**The Hon. PENNY SHARPE:** Is not that the evidence that Ms Alexander gave to the child protection inquiry that looked deeply into this? You are obviously not familiar with that evidence?

**Mr COUTTS-TROTTER:** Ms Alexander was saying that we wanted to change the focus of our professional development to really focus on the practical skills that caseworkers need to do the work. That is precisely what we are doing. First and foremost, we are doing it in the Hunter and Central Coast.

**Ms WALKER:** In the Hunter-Central Coast over the next six months will be a rollout of particular modules of study for workers who are already on the ground.

**The Hon. PENNY SHARPE:** Is it being called the child protection academy?

**Ms WALKER:** At this stage we are calling it Academy at Work.

**The Hon. PENNY SHARPE:** So it has a different name, because basically the child protection academy has been cut or not supported by the Government?

**Ms WALKER:** No, it is a component of the work of the academy and this is a rollout in the area of the Hunter where they have some of the most difficult cases and because of the volume of cases that are coming in. It is an area where we can get significant improvement, and caseworkers welcome the opportunity to do that. We are also aligning it with a further rollout of our group—

**The Hon. PENNY SHARPE:** I am just trying to be clear about the money. There was a proposal for a child protection academy but that has not been supported. I hear you that there are currently two pilots in the Central Coast and the Hunter. Can you confirm whether they are being done from existing resources, given that the child protection academy was not funded in the budget?

**Mr COUTTS-TROTTER:** No, there are additional resources that were made available in the 2017-18 budget. I am happy to take the detail of that on notice and respond to the Committee.

**Ms PRU GOWARD:** I think the Committee needs to note that this is a record investment this year of \$1.9 billion in child protection and out-of-home care. We have a legacy left by Labor of a portfolio that was in a complete mess.

**The Hon. PENNY SHARPE:** Minister, you have been in Government since 2011.

**Ms PRU GOWARD:** Yes.

**The Hon. PENNY SHARPE:** You have been the Minister. We have more kids in out-of-home care than we have ever had before.

**Ms PRU GOWARD:** You doubled the number of children in out-of-home care.

**The Hon. PENNY SHARPE:** We have a massive increase in the number of kids at risk of harm and fewer kids being seen—68 per cent. You can talk about record budgets all you want but you have allowed caseworkers—

**The Hon. BRONNIE TAYLOR:** Point of order: We need a clear question and the Minister needs to be allowed the courtesy to respond to the question. People are speaking over one another. We need to hear the answers.

**The Hon. PENNY SHARPE:** To the point of order: My question is about training and the training academy. The Minister clearly does not want to speak about this because the proposal has not been supported by her Government.

**The Hon. BRONNIE TAYLOR:** No, your question was asked and you got an answer and maybe you did not like the answer that the funding can increase.

**Ms PRU GOWARD:** Yes, you got the answer; you do not like it. Let's move on.

**The CHAIR:** Order! The ruling is that the question will be put to the Minister and the Minister can respond. The Hon. Penny Sharpe was moving toward putting the precise question.

**The Hon. PENNY SHARPE:** You claim that you have a record budget, but is it the case that FACS staff were recently advised that there is a further \$113 million budget reduction? Is that the case, and are there further cuts occurring in your department?

**Ms PRU GOWARD:** I remind the Committee that there is a record budget, \$1.9 billion, and that has enabled us to see—

**The Hon. PENNY SHARPE:** Is there a \$113 million cut, Minister?

**Ms PRU GOWARD:** —to actually see 10,000 more children since we have been in Government. The response to children at risk of significant harm has risen from one in five, which is what we inherited from you, to one in three. It is not enough but it is moving in the right direction.

**The CHAIR:** Minister, my ruling was that a specific question be put. A specific question was put in terms of an amount of money. It is incumbent upon you to give an answer to that question.

**Ms PRU GOWARD:** I will ask Mr Coutts-Trotter to answer that.

**Mr COUTTS-TROTTER:** Ms Sharpe, in the 2017-18 financial year the department's budget in total was about \$6,200 million, I think. Along with every other agency, we have an efficiency saving. It is a \$20 million task in 2017-18. I have been heading agencies now since 2004. In each and every year, by one means or another, there is a productivity offset or an efficiency saving; agency leaders are asked to find efficiencies in their budget. We will do that but we will not do it by taking a dollar from the front line.

**The Hon. PENNY SHARPE:** You have just confirmed to the Committee that on top of the \$113 million budget reduction there is also a \$20 million efficiency dividend being sought from the Government. Is that correct?

**Mr COUTTS-TROTTER:** No, I did not, and I am clear about the \$113 million figure, to be honest. We have a \$20 million additional efficiency saving in 2017-18, as I say, in the context of a \$6,200 million budget. We have to do it. We will find a way of doing it and we will do it without cutting the front line.

**The Hon. PENNY SHARPE:** There have been some reports about kids being held overnight, sometimes for extended periods of time, in hotels, costing a lot of money. My concern is the people who are providing supervision for those children. Obviously they have to stay with them, particularly if the children are small. So they are in one room with no kitchen and such matters. Is it the case that there are agencies that are providing this support who have not been accredited for out-of-home care but somehow are accredited to stay with kids in motels?

**Ms PRU GOWARD:** The decades-long practice of utilising motels and serviced apartments departments I think does need to end. It is unacceptable for children. It has been going on for a long time. I have instructed the department to look at it and to present me with some solutions. I have to reiterate though that I will not be building institutions for children.

**The Hon. PENNY SHARPE:** That is not my question. My question is that you are relying on NGOs to provide the supervision and placement of very vulnerable children who have just been removed from their families. They are staying in hotels that are not family-like scenarios. In fact, they are quite awful and some of the motels, everyone will accept, are not the most salubrious places for anyone to stay. My concern is that it is not okay for them to provide out-of-home care but it is okay for them to stay in dodgy motels with very vulnerable children.

**Mr COUTTS-TROTTER:** We are authorised under the care Act to assess the suitability of staff to do this work, while we rely on third party organisations to help identify people who would become our contractual employees to do this work. I acknowledge these arrangements are second best.

**The Hon. PENNY SHARPE:** More than second best.

**Mr COUTTS-TROTTER:** Third best. Those people are assessed by us. They have to hold a current Working With Children Check, we need to see a national criminal history check, and we are responsible for assessing them as proper and suitable to do the work.

**The Hon. PAUL GREEN:** What qualifications are required for these people? Do they need to have a kitchenette in the motel room? Is that a qualification for them to move into emergency care?

**Mr COUTTS-TROTTER:** In every case we try to move children out of these motels into serviced apartments so we can create something approximating a home-like environment and wherever possible we accommodate people in motels with kitchenettes. I do acknowledge that it is second or third best. We would so much prefer these children to be with a short-term carer in a home.

**The Hon. PAUL GREEN:** It is obvious that the workers or non-government organisations [NGOs] have workers with a Working With Children Check but the person living next door could be a paedophile or a paroled person who may have other challenges. I can say that as a lived experience as mayor of the Shoalhaven where the department in the previous Government had that complex issue. We do not have much emergency care. There are very few hotels or caravan parks that can offer the emergency needs the department is looking for.

**Mr COUTTS-TROTTER:** Yes.

**The Hon. PAUL GREEN:** What is the answer? There is no easy solution. What will you do in regional areas? In Sydney there may be a plethora of opportunity to get kids out of that situation but in regional areas you do not have options.

**Mr COUTTS-TROTTER:** That is true.

**The Hon. PAUL GREEN:** What is the Government going to do about it?

**Mr COUTTS-TROTTER:** The best response is to keep more children safe at home or safe with their extended family so that they do not come into care. If they come into care, we need more short-term and emergency carers. We need them employed by us for our own out-of-home care services and we need the non-government organisations to do that. We need to be a lot smarter about the kind of people we approach to become carers. We have largely exhausted the population of people who traditionally have been asked to provide care and we need to look into some culturally and linguistically diverse [CALD] groups, single people and same-sex couples. You are beginning to see our advertising for carers being a lot more targeted on those groups. The Minister has asked us to provide options to her to eliminate the need to put children into motels. That would mean looking at our social housing stock and potentially buying or leasing homes in some of these centres.

**The Hon. PAUL GREEN:** These systems are exhausted. We have 60,000 people waiting for public affordable housing in regional areas. There is no stock out there, otherwise we would not be putting these kids in these situations. What is the Government doing to review where those kids are situated to ensure that there are no situations that may arise where there are persons on parole for paedophilia?

**Mr COUTTS-TROTTER:** We, as members of the committee would know who followed the issue, have a list of hotels and motels that we rely on to provide temporary accommodation for people who would otherwise be homeless. A subset of that list contains a list of motels that have been assessed by local domestic violence [DV] services and police to be appropriate for women and children fleeing violence. If we are putting a child in a motel as opposed to a serviced apartment, we would first and foremost look to place that child in one of those motels so that they are vetted, in a sense, by local DV services and police.

We try to reduce the risk in the situation you are describing. There are one, usually two workers with children at all times, 24 hours a day. If there is a case where someone who is a registered offender approaches us for temporary accommodation, we make sure we do not place that person in a motel where we have a child in emergency accommodation in the care system. We do try to prevent the extreme scenario you are describing. We do try and make sure that we use motels vetted by local DV services and police. There are occasions where we do not. We are conscious of that and we have staff with children 24 hours a day.

**The Hon. PAUL GREEN:** I understand it is difficult.

**Mr COUTTS-TROTTER:** Yes.

**The Hon. PAUL GREEN:** I think the answer is that you will need to build specific emergency accommodation on behalf of the Government.

**Ms PRU GOWARD:** I will ask Ms Walker to talk about the foster care campaign. The limiting factor is, as the secretary has indicated, where do you find people with homes that can take them on a temporary basis? We are trying very hard.

**Ms WALKER:** Traditionally carers are brought to caring usually by word of mouth from other carers. We have started a campaign, Fostering NSW, which a number of members will know about. We have made that campaign more sophisticated and taken a marketing approach to bringing people to care. Our biggest problem is not the stock or the physical building, it is the people required to do the caring. As Mr Coutts-Trotter said, it is taking a different targeted approach to carers. This will be a different campaign that asks people: Are you a carer who wants to help put families back together? We are looking for restoration carers. Are you a carer able to help us in the middle of the night? Are you a carer who is looking to work towards open adoption? By doing that we are changing the care conversation and we think this will radically improve our chances and put some rigor and vigour behind the caring campaign. It will be different and progressive compared to other jurisdictions.

**The Hon. PAUL GREEN:** What steps and support services have been put in place to prevent children in out-of-home care being significantly disadvantaged when they are moved into guardianship arrangements when they turn 18 and lose access to much-needed evidence-based support and therapeutic services and turn to traditional support and funding?

**Ms WALKER:** The guardianship process requires an assessment and it requires an intervention with the court. The full assessments of guardians needs to be taken. That accounts for the financial situation of carers as well as the stability of their care placement and the ability of our carers to maintain and arrange contact with a child's birth family. Guardianship is not automatic. We ensure that carers continue to receive an equivalent allowance to the care allowance that they will have received as carers. We have a very large NGO service system for children who may have been in care as well as kids at risk of significant harm and we know that system can support, through family support, guardians as well as carers through the system.

**The Hon. PAUL GREEN:** One of our great concerns is that when young adults or youth turn 18 the guardianship arrangements seem to remove all responsibility from Family and Community Services, turning FACS solely into paymaster for the carers function with no responsibility for these children and their ongoing wellbeing or protection. Can you give your thoughts on that in terms of supporting these children after they turn 18?

**Ms WALKER:** There is a range of supports. I reiterate that guardianship is a carefully considered decision. We are thinking about what the future and the vulnerability is for these children. When children are deeply vulnerable and carers will need additional support, they will not be suitable for guardianship. We do encourage our children and young people who have been involved in care to be involved with the CREATE Foundation, which is the peak body for children and young people. We actively seek opportunities for those children and young people to get engaged with the services that they need.

**The Hon. PAUL GREEN:** What is the Government doing to toughen rules to make sure that NGOs are doing leaving care plans? I think about only 30 per cent were completing leaving care plans. What are you doing to keep the NGOs accountable to ensure that they are delivering a long-term care plan for the transition into adult life?

**Ms MULKERIN:** You might be aware that we are currently in the process of recontracting foster care and Aboriginal foster care, and we are in the process of recommissioning all residential care. Part of the reforms around foster care is much clearer expectations of non-government organisations about what it is we are contracting with them. Specifically to your question about leaving care, there are a couple of different ways in which we will be monitoring that. We currently have line of sight of the compliance of NGOs across all sorts of plans that we require from them, including leaving care plans. That is data that we share across the sector. We show the sector what FACS delivered; out-of-home-care sector provides the standing standard. We show the sector what the standing standards are. We will be monitoring via contracts and by sharing performance data. It is also one of the things that the Office of the Children's Guardian has as part of its accreditation process and its ongoing monitoring program.

**Dr MEHREEN FARUQI:** I will start by asking some questions about women's refuges. In the past at budget estimates when I have asked you questions about women's refuges you have said it is a matter for the Minister for Family and Community Services, so I am delighted that you are here today as Minister for Family and Community Services, and Minister for the Prevention of Domestic Violence and Sexual Assault. I have been trying to piece together how many women's refuges have been constructed or acquired under your Government. Looking at the facts and the annual reports from 2012 to 2016, I can find only two refuges, which were acquired in 2015 or 2016. Is that correct?

**Ms PRU GOWARD:** We all acknowledge the terrific role that women's refuges play in supporting women leaving domestic violence. We contribute funding to 81 women's refuges, which is an increase.

**Dr MEHREEN FARUQI:** Sure, but I am talking about new refuges.

**Ms PRU GOWARD:** That is in that 81.

**Dr MEHREEN FARUQI:** How many of those 81 are new?

**Ms PRU GOWARD:** I have always been determined that we will get better at quantifying the capacity. The good news for you, me, and in fact the community, is that we are now able to say that we have a new online dashboard that will be available later this year that will provide information to you about refuge capacity, availability, and the outcomes that the refuges are achieving for women. It will be available for everybody to see and I believe it will drive continuous improvement in our service system and will enable us to continue to say—

**Dr MEHREEN FARUQI:** Minister, sorry, but could you answer my question and let me know how many new refuges have been constructed or acquired under this Government?

**Mr COUTTS-TROTTER:** In 2014 there was 76 refuges—13 owned by non-government organisations and 63 properties owned by government. Of course, all were operated by non-government organisations. In 2017 there are 65 properties owned by government and operated by non-government organisations and a further—

**Dr MEHREEN FARUQI:** That is two more.

**Mr COUTTS-TROTTER:** There are two more government-owned properties and 16 non-government owned and operated outlets. There were 76 in 2014 and 81 in 2017. I am happy to provide a more detailed answer on notice that shows the changes over that period of time.

**Dr MEHREEN FARUQI:** Sure. But we know that there is still not enough. We know that there are so many referrals and waiting lists. Minister, what plans do you have in this financial year, and how much budget has been allocated to acquire more government-owned refuges?

**Ms PRU GOWARD:** We are investing record amounts in a range of services accommodating women and children. There is \$4 million going to increase the capacity of women's refuges in regional New South Wales. Additional units will be available on the grounds of existing refuges to increase the capacity of the refuges and provide women and their children, of course, with greater privacy, independence, and support.

**Dr MEHREEN FARUQI:** How much money has been allocated this financial year for additional refuges?

**Ms PRU GOWARD:** That \$4 million obviously increases the capacity of those refuges. There is \$9.3 million to extend the domestic violence response enhancement, which I know you appreciate. It is very important for after-hours access to crisis accommodation. We have got a Staying Home Leaving Violence program, which is another way.

**The CHAIR:** Minister, I think the question has been very precise. The member has asked it two times. I ask you to focus on the specific question.

**Dr MEHREEN FARUQI:** Minister, just to let you know, the Victorian Government has committed \$572 million over two years, and quite a big chunk of that is for acquiring or constructing new refuges. Do you have a figure of how many refuges you are going to acquire this year, and how much money is allocated for that?

**Ms PRU GOWARD:** I will let the Secretary answer that, but I would stress that I think you need to provide a range of responses for women leaving domestic violence.

**Dr MEHREEN FARUQI:** Sure, but having a roof over people's heads is a very basic response.

**Ms PRU GOWARD:** Yes, that is one. But we have also, of course, expanded Start Safely so that people get a private rental subsidy. We have now ensured that that is open to people who are earning moderate incomes; not just people on benefits. We are trialling that through Specialist Homelessness Services, so it can directly allocate the money itself. We have invested more money in Specialist Homelessness Services. We have spent a record amount of money on those initiatives.

**Dr MEHREEN FARUQI:** Maybe you could take that on notice, Mr Coutts-Trotter? How much did the New South Wales Government allocate last year to refurbishing women's refuges? You can take that on notice if you like.

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

**Dr MEHREEN FARUQI:** Sure. I would also like to know how many refuges were refurbished, if that is okay. Minister, you just talked about rental assistance. My question is around the changes that are being made to renting in the next some time. I understand that renters in New South Wales who have been granted an apprehended domestic violence order [ADVO] or a family law injunction will soon be able to lawfully break their lease for a rental property without penalty. Of course, this is very welcome. But there have been concerns raised with me that to have a successful ADVO before being able to leave is a pretty big barrier. We both know that victims of domestic violence need to leave the situation before proceedings. How is the Government going to address this complexity?

**Ms PRU GOWARD:** I am very conscious of this problem; I have had at least one discussion with my ministerial colleagues about this. It is a bit early to say what we will do about it, but we are certainly looking at some solutions.

**Dr MEHREEN FARUQI:** Women's Legal Service has suggested that the recognition of a statutory declaration made by a competent person, such as a doctor or a social worker, might be a good idea.

**Ms PRU GOWARD:** I am conscious of that and I know it is under consideration.

**Dr MEHREEN FARUQI:** Would you advocate for something like that within Cabinet?

**Ms PRU GOWARD:** I would like to look at the proposal. As you know, all public policy proposals have unintended benefits and risks. I am very happy to look at it.

**Dr MEHREEN FARUQI:** That is good to know. I want to go back to the Going Home Staying Home program for a minute. There was a Going Home Staying Home Monitoring and Evaluation Advisory Group set up and the terms of reference of that group were last updated, as I understand it, on 11 December 2014. I have been looking and I have not been able to see any minutes of that group's meetings or any evaluation reports. Can you advise whether the group is still functioning and, if so, how often it meets?

**Ms PRU GOWARD:** I could ask Mr Coutts-Trotter to speak to you, but are you talking about the early review?

**Dr MEHREEN FARUQI:** I am talking about the Going Home Staying Home Monitoring and Evaluation Advisory Group.

**Mr COUTTS-TROTTER:** No, the group still exists under the chair, Eileen Baldry. I am happy to check to see if we can release minutes.

**Dr MEHREEN FARUQI:** How often do they meet?

**Mr COUTTS-TROTTER:** I would need to check that for you. They recently met in either May or June to deal with the early review of the specialist homeless system reforms that were conducted by the University of New South Wales and the Australian Housing and Urban Research Institute. As I understand it, that report is now published.

**Ms PRU GOWARD:** And there is a 35 per cent increase.

**Mr COUTTS-TROTTER:** I am happy to find out about the regularity of meetings to see whether minutes of those discussions can be released.

**Dr MEHREEN FARUQI:** That is one evaluation report that the group has done.

**Mr COUTTS-TROTTER:** Yes.

**Dr MEHREEN FARUQI:** Are there any other evaluations that the group has done?

**Mr COUTTS-TROTTER:** They oversaw the work done by KPMG to have a look at the quality of the implementation. There is the early review report and there is a further evaluation report on the reforms due in 2018.

**Dr MEHREEN FARUQI:** Thank you.

**Ms PRU GOWARD:** There was a 35 per cent increase across all client categories.

**Dr MEHREEN FARUQI:** Sorry, a 35 per cent increase?

**Ms PRU GOWARD:** Across all categories of clients, so that is a terrific result.

**Dr MEHREEN FARUQI:** I have heard some reports of refuges not accepting women who do not qualify for Centrelink payments due to their visa status. These are some of the most vulnerable women in our community. Unfortunately, they have no means of escaping violent and abusive relationships. It also means that some of the refuges that accept them get no support from the Government. Have you thought about that? Is there a way to help those women?

**Ms PRU GOWARD:** I want to reassure you that funding for women's shelters is not dependent on the number of women who are eligible for Centrelink payments who go to those shelters so that would not affect a shelter's ability—

**Dr MEHREEN FARUQI:** It is good to know that it does not matter if they get Centrelink payments. Thank you.

**The Hon. PENNY SHARPE:** I want to go back to the issue of when is a cut not a cut. I have a document that I believe is from a staff meeting on 22 August this year. I want to quote you, Minister. The document talks about the need for a right size and to align a future size of FACS, and it talks about the reduction in budget and the need to achieve a \$113 million budget reduction. I believe it also talks about the corporate services area, and that approximates, basically, to a cut of 50 per cent to its current size and budget. Are you stilling denying there is a \$113 million cut?

**Ms PRU GOWARD:** Can you table that? I would like to have a look at that, please.

**The Hon. PENNY SHARPE:** I have only one copy of it. That is it.

**Ms PRU GOWARD:** I would like to see it.

**The Hon. PENNY SHARPE:** I am happy to provide it to you.

**Ms PRU GOWARD:** We do not have a copy. Ms Walker, Ms Mulkerin and Mr Coutts-Trotter should see it.

**The Hon. PENNY SHARPE:** I am trying to get to the bottom of cuts. You have your own internal documents that say you have to find a savings of \$113 million.

**Ms PRU GOWARD:** I would like to see yours.

**The Hon. PENNY SHARPE:** Sure. You can argue about it but, trust me, this document is from your department.

**The Hon. BRONNIE TAYLOR:** The Minister needs to see it.

**The Hon. PENNY SHARPE:** That is fine.

**Ms PRU GOWARD:** Thank you. We will wait until I see it.

**The Hon. PENNY SHARPE:** We can wait for you to see it, but I am not going to wait the entire time. You have said that there is a \$20 million efficiency saving. This document states that corporate services has to find a saving—that is, a cut—of \$113 million. I want you to confirm that.

**Ms PRU GOWARD:** While I am reading this, I will ask Mr Coutts-Trotter to answer.

**Mr COUTTS-TROTTER:** Forgive the history. In 2012, New South Wales was the first State to sign up to the National Disability Insurance Scheme [NDIS]. It signed up on the basis of the recommendation of the Productivity Commission and the Every Australian Counts campaign, which is that Government would stop delivering disability services directly. We account for 35 per cent of disability services in New South Wales. That is happening at the moment. We are midway through. We have transferred more than 55,000 clients and 8,000 staff to non-government employment. They have stayed in the disability services sector. As they leave the organisation, the corporate and administrative teams that support them are no longer needed. We have been open about this since 2012. Because of the transfer of disability services, the organisation reduces in size by about 55 per cent, so our corporate teams have to as well. That is what you are referring to.

**The Hon. PENNY SHARPE:** That is right. You have confirmed that. Thank you. I want to go to the problems with the out-of-home care tendering process. It is the case that the contracts between FACS and out-of-home care providers that are non-government organisations were due to expire on 30 June 2016. However, former Minister Hazzard extended those contracts by one year, to 30 June 2017. That is correct, is it not?

**Ms PRU GOWARD:** I would have to take that on—

**Mr COUTTS-TROTTER:** Yes.

**The Hon. PENNY SHARPE:** Yes, that is correct. It is the case that 30 June 2017 has come and gone and those contracts are still not in place. They are continually rolled over; they are not finalised. Is that correct?

**Mr COUTTS-TROTTER:** The new contracts for 95 per cent of the non-government delivered care system will be in place from 1 October onwards. The creation of an intensive therapeutic care component inside that, the replacement of the residential care system, is going to take longer to deliver and we are in the process of talking one on one with short-listed providers for those intensive therapeutic care services. We expect to be able to provide advice to the Minister and the Government early next year and have that up and running in 2018.

**The Hon. PENNY SHARPE:** Is it the case that the therapeutic care component was suspended on 15 May 2017 after going through this process?

**Ms PRU GOWARD:** Sorry?

**The Hon. PENNY SHARPE:** The intensive therapeutic care process deals with the most complex situations and kids with the largest difficulties. It has been one of the most important things that your department deals with concerning the kids in its care. Your secretary has just indicated that this is still not fixed. I am trying to confirm that this process started and was stopped on 15 May 2017. Is that correct?

**Ms PRU GOWARD:** As you say, these are very complex children with complex needs and we have identified that they deserve and need intensive therapeutic responses. I remind the Committee that the last competitive tender for residential care services in 2006—before we came to office—did not require agencies to demonstrate their capacity to provide a therapeutic response. This is new work for us and the transformation of residential care is part of a major change to the way that service providers will deliver care for our most vulnerable children and young people. That is why we need to ensure that if we are going to give children safe, permanent homes and minimise the amount of time they spend in residential and statutory care, they need clear pathways to permanency and intense therapeutic responses while they are in residential care.

**The Hon. PENNY SHARPE:** They are fine words, Minister, and I welcome them.

**Ms PRU GOWARD:** Thank you and I hope you share them.

**The Hon. PENNY SHARPE:** My question to you is specific. This process started but it halted on 15 May. I want you to confirm that and tell me why that process stalled?

**Ms PRU GOWARD:** The Secretary has explained the stages in that competitive tender. I will ask the Secretary—

**The Hon. PENNY SHARPE:** He has not told me why it stopped.

**Ms PRU GOWARD:** I will ask the Secretary to answer.

**Mr COUTTS-TROTTER:** And I will invite my colleague Deidre Mulkerin, who is directly in charge of this, to get into the details.

**Ms MULKERIN:** If I can be clear, as I said before, there are three different aspects of out-of-home care that we are currently in the process of recontracting and retendering, such as foster care. We are on track with those new contracts to be in place—

**The Hon. PENNY SHARPE:** They are not on track because the contracts are not in place. They have been rolled over for more than 12 months.

**Ms MULKERIN:** The new contracts have been issued to the providers and the new arrangements will be in place on 1 October.

**The Hon. PENNY SHARPE:** Not all of them. I am interested in the intensive therapeutic care component.

**Ms MULKERIN:** That is the third component of the reform for out-of-home care. It is not entirely right to say that the process was stopped in May. We called a pause, based upon feedback that we got from the non-government sector. We went through a couple of rounds of initial calling for tenders. We assessed those and then we started to have some further discussions with the non-government sector.

**The Hon. PENNY SHARPE:** Is it the case that Ernst and Young have been overseeing this contract process?

**Ms MULKERIN:** Ernst and Young has been contracted to provide us with expert advice. It is not true to say that they have overseen the process. It is an entirely FACS-run process.

**The Hon. PENNY SHARPE:** Is it the case that in May this year they did what is known as a rapid health check into the way in which this tendering process was proceeding?

**Ms MULKERIN:** They did a rapid health check on the sense from the sector about how ready they were to proceed to the next phase of the tender process.

**The Hon. PENNY SHARPE:** I know we can argue about whether it was stalled or not, but there was a rapid health check—that is, to find out what state the tender was in—by Ernst and Young. They recommended suspending it and that is what has occurred. Do you agree with that?

**Ms MULKERIN:** The decision to pause the process was a decision taken by the governance committee which I chair and which includes colleagues from Treasury and Premier's. It is an internal-to-government process.

**The Hon. PENNY SHARPE:** I have a document which is a tender addendum on intensive therapeutic care from 15 May that talks about suspension of the intensive therapeutic recruitment process. It says that FACS has considered the outcomes of the rapid health check undertaken by Ernst and Young between 8 and 10 May and FACS believes there is benefit in engaging further interaction and dialogue. It then says that in accordance with the various terms and conditions FACS is suspending the procurement process.

**Ms MULKERIN:** Yes.

**The Hon. PENNY SHARPE:** You agree that has occurred?

**Ms MULKERIN:** Yes, that was the decision of the appropriate governance committee.

**The Hon. PENNY SHARPE:** Will you provide an assessment publicly of that rapid health check conducted by Ernst and Young?

**Mr COUTTS-TROTTER:** I would need to take advice from a probity perspective, but if there are no probity concerns about it we would be happy to provide it to the Committee.

**The Hon. PENNY SHARPE:** Minister, are you able to provide advice to the Committee about how many existing agencies that provide residential care have withdrawn or have not submitted tenders for intensive therapeutic care?

**Ms PRU GOWARD:** As you know, there have been a couple of stages in this. I will ask Mr Coutts-Trotter to answer you.

**Mr COUTTS-TROTTER:** It was a two-stage process. There was an expression of interest at which eight of the applicants were not short-listed. They were eight existing providers?

**Ms MULKERIN:** Perhaps I could answer. There were 52 applicants including 26 existing providers. Of those, 26 applicants were short-listed. Eighteen were existing providers and eight were new providers. There were eight existing providers that were not short-listed to proceed to the next stage.

**The Hon. PENNY SHARPE:** I am not asking about short-listing. I would also like the figures on how many did not submit a tender at all. You can take it on notice; it is not supposed to be a test.

**Ms MULKERIN:** I can have a look at my notes. We are likely to be able to answer that before the end of the session.

**The Hon. PENNY SHARPE:** Minister, are you concerned that non-government organisations [NGOs] have spent tens of thousands of dollars in fees preparing their tenders for this process? Given that the process is in complete disarray, how do you intend to deal with them?

**Mr COUTTS-TROTTER:** Sorry, I do reject the notion that it is in disarray.

**The Hon. PENNY SHARPE:** That is fine, Mr Coutts-Trotter, but I was asking the Minister.

**Ms PRU GOWARD:** As I said, this is the first time that we have introduced intensive therapeutic care to our residential care contracts. It is something you did not do. It is something that we believe is necessary and we want to get it right. Your characterisation of it is unfair and I think inappropriate. I will ask Mr Coutts-Trotter to again go through the process with you.

**The Hon. PENNY SHARPE:** No, that is fine. When are these contracts going to be in place?

**Mr COUTTS-TROTTER:** We are looking at providing recommendations to the Government early in 2018.

**The Hon. PENNY SHARPE:** That is a very long time.

**Ms PRU GOWARD:** There are millions of dollars and very vulnerable children—

**The Hon. PENNY SHARPE:** Given the long delay, are you able to tell the Committee how many children are currently in the care of the designated agencies?

**Ms PRU GOWARD:** Yes, that is obviously something we have been very concerned to ensure is done well. I will ask Mr Coutts-Trotter to answer that. Ms Mulkerin might be best placed.

**Mr COUTTS-TROTTER:** Your question is about children who were cared for by organisations?

**The Hon. PENNY SHARPE:** That are no longer in the tender process. What is happening to them? How are you managing them?

**Mr COUTTS-TROTTER:** Those children are case managed by our Metro Intensive Support Services which specialise in supporting adolescents in care. All of those young people are in alternative placements. I am happy to provide the Committee with more detail on those if you like.

**Ms PRU GOWARD:** I guess the thrust of it is that children are being properly cared for and the thrust of your questions, Ms Sharpe, is that you do not want us to get it right. You want us to rush a new—

**The Hon. PENNY SHARPE:** Nice try, Minister. You are presiding over a system in which the out-of-home care contracts are still not complete. You have had a bungled intensive therapeutic care—

**The Hon. Dr PETER PHELPS:** Point of order—

**The Hon. PENNY SHARPE:** The Minister opened this up.

**The Hon. Dr PETER PHELPS:** This hearing is for the asking of questions, not the making of statements.

**The Hon. PENNY SHARPE:** It is a preamble.

**The CHAIR:** There was a statement made by the Minister which invited a response. The member will put a specific question to the Minister.

**The Hon. PENNY SHARPE:** The question is very clear. There are kids who are currently in agencies that are—

**Ms PRU GOWARD:** What is your question? You have made that statement. What is your question?

**The CHAIR:** Minister, you are not presiding over this meeting.

**Ms PRU GOWARD:** But we are waiting for the question.

**The CHAIR:** You are not here to ask the questions. The question can be asked and you can respond to it.

**Ms PRU GOWARD:** The question has been answered a couple of times.

**The CHAIR:** You are not presiding. You are here to provide evidence to the Committee.

**Ms PRU GOWARD:** And we have provided it.

**The CHAIR:** If that is your answer you can give that answer. A question has been presented to you. I invite you to listen to the question and answer it the way you see fit.

**The Hon. PENNY SHARPE:** Is it the case that the reason this tendering process is not working is that the amount of money you have for the needs of these children is inadequate?

**Ms PRU GOWARD:** It is absolutely not the case. This is a record budget. I remind you, Ms Sharpe, that you had residential care contracts—

**The CHAIR:** Order! It is not Ms Sharpe; it is the Hon. Penny Sharpe. She is a member of the Legislative Council.

**The Hon. PENNY SHARPE:** I am not worried about that. You are talking about something that was six years ago. You were the Minister in 2012 and you established most of these reforms. In tender processes, you try to get best value for taxpayers. What I want to know is whether you can guarantee that the most vulnerable kids in these intensive programs are not being left behind in your bungled process that is in disarray—not my quote, a quote from an NGO—and are being cared for?

**Ms PRU GOWARD:** It is not an issue of money or resources. This is about getting it right for our most vulnerable children in out-of-home care, and that is what you would expect us to do. That is what taxpayers would expect us to do.

**The Hon. PENNY SHARPE:** Can you guarantee that kids who are in this transition as a result of your tendering process are not being put into motels?

**Ms PRU GOWARD:** I will ask Michael Coutts-Trotter to answer you.

**Mr COUTTS-TROTTER:** I would need to take that on notice to confirm the placement details of each of those children. I want to be accurate about that.

**The Hon. PENNY SHARPE:** Could you come back to the Committee? Lots of fine words have been spoken and we understand these kids are difficult, no-one is saying they are not, but they are in a transition period not of their own making. At the very least, given that these are the most high-risk kids, they should not be put into motels, and if they are I want to know about it.

**Mr COUTTS-TROTTER:** I am happy to confirm it. I add that the peak body, the Australian Children's Welfare Association, asked us to pause the procurement process.

**The Hon. PENNY SHARPE:** They did, but there was also a problem with the Ernst and Young report too, was there not?

**Mr COUTTS-TROTTER:** But from talking to providers, people are very happy that we have adopted the approach that we have.

**The Hon. PENNY SHARPE:** Minister, it is the case that you have outsourced some of the work in recruiting foster carers?

**Ms PRU GOWARD:** Ms Walker has described how we are recruiting foster carers.

**The Hon. PENNY SHARPE:** I have seen some information that says some advertising went out, there was about 1,000 hits on the website and we got down to about 100 people who wanted some follow-up. How many foster carers were actually recruited and are currently providing foster care?

**Mr COUTTS-TROTTER:** That was a campaign that we did with the *Daily Telegraph*?

**The Hon. PENNY SHARPE:** Yes.

**Mr COUTTS-TROTTER:** The number of people actually recruited was relatively low. It really illustrated that if we are trying to draw people to care in a broad and general way then we have exhausted the number of people who are prepared to come forward. We have to be a lot more focused on what motivates people in different circumstances and at different points in their lives to become carers. I think that is the lesson we take out of that campaign.

**The Hon. PENNY SHARPE:** What sorts of targets have you set for foster care recruitment in the coming 12 months?

**Mr COUTTS-TROTTER:** From memory, based on our assessments, we need about 600 carers.

**The Hon. PENNY SHARPE:** Given how difficult it is, is that your target?

**Mr COUTTS-TROTTER:** I will double check but that is my recollection.

**Ms WALKER:** Six hundred carers is the number that we need.

**Ms MULKERIN:** Relatives and family are the other really important part of caring for children. Over the past couple of years we have significantly increased our efforts in doing what we call "family finding". It is particularly important for Aboriginal children that we expand the net wide so that children can be cared for, if at all possible, within their own family group and we can see from the data we have that those efforts are really paying off. So whilst we absolutely have to pay attention to recruiting foster carers probably, equally important—if not more important—are the efforts to find extended family. Many children in out-of-home care are actually cared for by their grandparents, aunts, uncles and cousins.

**The Hon. PENNY SHARPE:** Do they get the same level of financial support?

**Ms MULKERIN:** Yes, they do.

**The Hon. PENNY SHARPE:** In every case?

**Ms MULKERIN:** Yes, they do.

**The Hon. PENNY SHARPE:** You are 600 short?

**Mr COUTTS-TROTTER:** No, that is an estimate based on carers leaving and our estimates about the number of children coming into care.

**The Hon. PENNY SHARPE:** You have got 150 kids in hotels and you are at least 600 short. I am not trying to be tricky here. I am genuinely trying to understand how you are going to get that number of people to care for these kids, otherwise they will end up in hotels—as they currently are.

**Mr COUTTS-TROTTER:** By recruitment campaigns and as part of the contractual arrangements Ms Mulkerin was talking about that come into effect from 1 October, we will be providing incentives to non-government organisations to hold a surplus of short-term carers.

**The Hon. PENNY SHARPE:** Are there any penalties if they fail to meet targets?

**Mr COUTTS-TROTTER:** We are looking at penalties, either financial or otherwise, for organisations that are not prepared to step up and accept children coming into care for the first time.

**The Hon. MARK PEARSON:** I do not in any way mean to minimise the priority of the safety of women and children but it is well known that animal abuse is extremely common in homes where there is domestic violence. A 2014 study by Domestic Violence NSW and Dr Tong, Faculty of Veterinary Science, University of Sydney, concluded that around 70 per cent of women escaping violent homes also reported cat abuse. Often women and children will return to try to get their companion animal. That places them at risk again and is more common than first thought. Unfortunately, the NSW Domestic and Family Violence Blueprint for Reform 2016- 2012 is silent on this issue. What government funding, if any, could be made available for emergency accommodation services to provide facilities or at least pay boarding fees for the companion animals of victims?

**Ms PRU GOWARD:** I acknowledge the very important role that pets play in the lives of many families. For many people experiencing domestic violence or who are at risk of homelessness, the bond they share with their companion animal or pet can be one of the most important bonds in their lives. The importance of those bonds is recognised—and I acknowledge that victims of domestic and family violence may be less likely to leave an abusive relationship if they are fearful about what will happen to their animals if they leave them behind or they are not able to accommodate them safely—in improving people's self-esteem, overall mental health and general wellbeing.

**The Hon. MARK PEARSON:** It has been found in America and Europe, where such funding is available, that the instance of domestic violence has significantly decreased because there is less reason to return to a dangerous situation.

**Ms PRU GOWARD:** The Specialist Homelessness Services Practice Guideline, funded by the department, requires providers to accommodate family pets or to assist clients to find a safe alternative for them if they are at risk of or experiencing homelessness, and they are required by law to accommodate companion animals. Increasingly, we are attempting to improve the capacity to accommodate pets. If unable to accommodate a family pet, refuge services may work with local veterinary services such as the RSPCA Pets in Need, Living Ruff and Safe Beds for Pets to temporarily house pets when people are at risk of experiencing homelessness. Safe Beds for Pets has been specifically designed for people experiencing domestic violence.

**The Hon. MARK PEARSON:** How long has that been in place?

**Ms PRU GOWARD:** I will see if I have that advice.

**The Hon. MARK PEARSON:** You can take it on notice.

**Ms PRU GOWARD:** When required, FACS staff do work with women in accessing services like our Start Safely Private Rental Subsidy to help them find accommodation that is also suitable for their companion animal or a pet where required. We are also working with the NSW Health Education Centre Against Violence to increase the capability of the sector in responding to domestic and violence within Specialist Homelessness Services. More than 500 staff will have received additional training by the end of the year. In our \$20 million Domestic and Family Violence Innovation Fund one of the successful projects was Safe Families—that is, RSPCA New South Wales in partnership with Dignity, developing and piloting the Safe Families package to support an additional number of refuges to accommodate victims of domestic and family violence together with

their pets. The package includes pet enclosures, food, veterinary support and training for refuge staff in basic pet care.

**The Hon. MARK PEARSON:** Good news. Minister, you are probably aware of the cycle of violence—and police are being trained in it—which shows that cruelty or harm to animals is often an early marker of child abuse or domestic violence.

**Ms PRU GOWARD:** One of the markers, yes.

**The Hon. MARK PEARSON:** Are FACS staff trained to recognise and report the state or condition of animals—whether they have been harmed—as part of their overall assessment?

**Ms PRU GOWARD:** For child abuse reports?

**The Hon. MARK PEARSON:** Child abuse and domestic violence.

**Ms PRU GOWARD:** I will ask Mr Coutts-Trotter to answer but I just reiterate that there are training packages out there.

**Mr COUTTS-TROTTER:** Perhaps my colleague Simone Walker can respond.

**The Hon. MARK PEARSON:** Because this is something that police are taking far more seriously.

**Ms WALKER:** Looking at the reports that come across my desk, it is a regular feature of what is commented on when our caseworkers go into houses—the nature of the animals in the house, how they are kept, whether the houses are clean and tidy in relation to the animals as well, and whether that puts children at additional risk. I would probably have to take on notice specific training about the welfare of animals.

**The Hon. MARK PEARSON:** And asking particular questions?

**Ms WALKER:** Absolutely.

**The Hon. PAUL GREEN:** What funding has been allocated to increase the opportunity for men to be resited at men's refuges whilst seeking treatment, rather than moving women and children out of their homes?

**Ms PRU GOWARD:** You are referring to male perpetrators?

**The Hon. PAUL GREEN:** Yes.

**Ms PRU GOWARD:** First of all, we have to accept that violence is a crime and it needs to be treated as such. That is why we are committed to holding perpetrators to account as well as supporting them to both change and address their violence-related problems. We will be investing more than \$350 million over four years to tackle domestic violence by supporting both victims of violence and perpetrator accountability. The NSW Police Force is doing outstanding work in improving perpetrator accountability. We have three specialist police teams targeting repeat high-risk offenders, as well as the Suspect Target Management Plan. For some perpetrators it is enough just to recognise that the police are alert to their behaviour. These teams complement the significant work that is already being undertaken by the police, I have to add.

In addition to that, we have trialled some other initiatives as part of the Premier's priority. We have trialled initiatives to reduce apprehended domestic violence order breaches through SMS messages to increase court attendance and compliance; plain English ADVOs to help offenders understand their obligations; and for Aboriginal client and community support officers we are trialling What's Your Plan, which involves defendants who volunteer for What's Your Plan meeting with an Aboriginal client and community support officer to develop a tailored strategy to comply with their ADVO. They will also be offered SMS reminders.

That is background but, as I say, often I think that is enough for a perpetrator to choose to change, but that will often not be all that is required. Under the blueprint we do have commitments to increase and improve behaviour change interventions, to expand non-government community-based men's behaviour change interventions, and develop the capacity of the community-based men's behaviour change sector. We improved behaviour change interventions in last year, 2016-17, for high-risk offenders by employing 30 additional facilitators to deliver the EQUIPS program. There were 29 programs delivered with 174 participants completing EQUIPS, and this budget we are investing \$10 million for behaviour change interventions for high-risk offenders to continue this work.

We are also investing almost \$5 million in non-government organisations to lead community-based perpetrator interventions. These programs, which are delivered by non-government organisations, assist men to

take responsibility for and to stop using violent, controlling or abusive behaviours and they also provide contact and safety planning and support for women and their children. So we continue our investment.

**The Hon. PAUL GREEN:** I know you have got a plethora.

**Ms PRU GOWARD:** Yes, we do.

**The Hon. PAUL GREEN:** I looked through the blueprint recently and there are lots of good initiatives. Can you specifically, though, indicate how many men's refuges there are in New South Wales?

**Ms PRU GOWARD:** This is for male victims of domestic violence?

**The Hon. PAUL GREEN:** Yes, and, secondly, the men's shelters where perpetrators would be able to go? Given the fact that we are trying to get in most cases women being able to stay home with their children, where do the men go and what is the Government doing to address those sorts of facilities—what I would call men's shelters or men's refuges?

**Ms PRU GOWARD:** We invest \$13.3 million to provide support to male victims through Safer Pathways, and I am advised that FACS funds 18 refuges that provide crisis accommodation specifically for men who are homeless or at risk of becoming homeless. In this budget \$2.8 million has been allocated to fund initiatives for all male victims suffering family violence, which supports Safer Pathways for male victims and a number of local support services. Men are able to access a range of services. We can accommodate people in temporary accommodation, we can provide access to private rental subsidies, we can give them access to transitional accommodation, and we can also support men with access to Rentstart bond loans. Much of this, of course, is part of ensuring all our victims are safe. Men are also supported through Cross Target homelessness services. If you would like me to describe—

**The Hon. PAUL GREEN:** No, that will be okay, thank you. I have only got five minutes to ask questions because I donated five minutes to the Animal Justice Party. Minister, you would be aware that a domestic violence advocacy service for women is in place and plays a vital role for women. What is available for men in that same role—hurt people hurt people, and given the fact that it is normally a modelled behaviour in some cases? I refer to men going for the first time before the court for an incident. What is there to support those men to ensure that they get the care and access they need to attend to the behavioural modification that they need to get?

**Ms PRU GOWARD:** As I said, we do provide now a number of behaviour change supports as well as the sorts of discussions you have as you are going through a criminal justice process. We developed the Safer Pathways process to provide integrated support for female victims—and that has been very, very successful. Under that Safer Pathways framework male victims are identified by the NSW Police Force as victims.

**The Hon. PAUL GREEN:** I am not talking about victims. I know they are probably well looked after in those terms because there are some male victims. I am talking about the perpetrators on probably a first-case basis where it is alleged that they have been involved. Who stands beside them and what services does the Government provide for those men to be able to work through the court equal to what women get in domestic violence advocacy services?

**Ms PRU GOWARD:** We have that wonderful What's Your Plan for Aboriginal perpetrators. They do have to volunteer for that but it does mean that they develop a tailored strategy to comply with their ADVO and, as part of those ongoing discussions with their client officers—

**The Hon. PAUL GREEN:** Let me put it this way: Are there any plans by the Government to have a domestic violence advocacy service for men?

**Ms PRU GOWARD:** We have 29 programs where we assist 174 participants completing EQUIPS, but your question is about a network of services—

**The Hon. PAUL GREEN:** Assisting men in court through the process.

**Ms PRU GOWARD:** I think it is a very good point. I think it is something I would discuss with the Attorney General.

**Dr MEHREEN FARUQI:** Minister, are you aware of any statistics that point to an increase in ADVOs being brought by police on behalf of men against women?

**Ms PRU GOWARD:** Anecdotally I do hear that, but I will ask the department if they have any statistical information.

**Ms MULKERIN:** No, I am not aware. We need to take that on notice.

**Dr MEHREEN FARUQI:** That would be good because I have received reports, like you might have, that in cases of mutual conflict police are often opting to favour the first caller rather than considering other factors including physical and financial power imbalances between the parties. I am just wondering if you have that on your radar, and what can be done about it from your perspective?

**Ms PRU GOWARD:** I do have it on my radar and it is something that, obviously, the police and justice authorities and ourselves need to be satisfied about to make sure that the process—it might start with a charge but where it ends up is very much about how it is managed by the police and ourselves. I would like to take it on notice, but I agree with you.

**Dr MEHREEN FARUQI:** Have you thought of any specific strategies or have you had discussions with police to look at the situation, because I understand that more women are being incarcerated and is this leading to that?

**Ms PRU GOWARD:** It is certainly something we are conscious of and it is something I will need to take up formally, as you suggest, with the police.

**Dr MEHREEN FARUQI:** I read an article in April this year in the *Macarthur Chronicle* that the Macarthur Women's Domestic Violence Court Advocacy Services were looking at setting up a refuge in Camden or Wollondilly by next year. Is this something that the New South Wales Government is involved in at all, providing support to, because I guess the rate of domestic violence is high? They are thinking of setting up a refuge. Is the Government involved in that project?

**Mr COUTTS-TROTTER:** Neither Deidre nor I are aware of it, but it does not mean that our local leadership may not be; so we will check that and confirm for you on those.

**Dr MEHREEN FARUQI:** If you would, because I am concerned that it is being left up to communities to fill in gaps where they are needed, where the Government needs to step in and provide long-term funding. Just coming back to the pets discussion that you were having earlier, Minister, you highlighted the program with the RSPCA NSW. Has that started?

**Ms PRU GOWARD:** I would have to take advice.

**Ms MULKERIN:** As the Minister outlined, last year there was the first round of the Domestic and Family Violence Innovation Fund and this particular initiative was shortlisted to be funded and they are standing up around now—the funding has begun for this financial year.

**Dr MEHREEN FARUQI:** So there are now places in refuges for pets?

**Ms MULKERIN:** I think the program is just beginning to stand up. We could take on notice the specific details about when that will start operating.

**Dr MEHREEN FARUQI:** How much funding from the Innovation Fund has been provided to that program?

**Ms MULKERIN:** I would have to take that on notice.

**Dr MEHREEN FARUQI:** Is there a plan to evaluate that program, because at the moment there is not much public information available on it. Is there a program to evaluate it and is the evaluation to be made public?

**Ms MULKERIN:** Yes, all the projects that are funded under the Innovation Fund will be evaluated. The very nature of the Innovation Fund is to try, test and learn new things.

**Dr MEHREEN FARUQI:** That is why the evaluation is even more important.

**Ms MULKERIN:** Exactly. So there will be some things that we will have funded in this first round and in the next round that may not deliver on the outcomes that we had hoped for and, of course, there will be some that will deliver. But that is the whole purpose of innovation and, of course, the evaluation—trying to build the evidence base for what else works in this space.

**Dr MEHREEN FARUQI:** Has the \$20 million from the Innovation Fund all been allocated to programs?

**Ms PRU GOWARD:** No.

**Dr MEHREEN FARUQI:** Because that was announced in last year's budget.

**Ms PRU GOWARD:** As I have described—

**Dr MEHREEN FARUQI:** Could you give me a quick run-down on what programs, what money has been allocated?

**Mr COUTTS-TROTTER:** There was \$4.8 million awarded to projects in the first round of the fund. They are available on our website, but I could run through them. There is \$10 million allocated to the second round of the fund in the current 2017-18 budget.

**Dr MEHREEN FARUQI:** Was there any more money allocated to that fund in this financial year or that just carries over, the \$20 million?

**Mr COUTTS-TROTTER:** It was a \$20 million fund but there will be three rounds of allocations and funding. Round one has happened and we have got \$10 million for round two, and there will be a third round, I think, planned.

**Ms MULKERIN:** If I can circle back and answer the question, I was not fast enough with my pieces of paper before. For the RSPCA project the funding was \$61,100.

**Dr MEHREEN FARUQI:** My last question: Do you know waiting list times for the Staying Home Leaving Violence program in different areas? Do you calculate and keep track of people on the waiting list to access that program?

**Mr COUTTS-TROTTER:** To be honest, I do not know. Perhaps Ms Mulkerin does?

**Ms MULKERIN:** No.

**Mr COUTTS-TROTTER:** We will find out what data we have got about it in the sense of unmet demand for the support.

**Ms MULKERIN:** As you might know, it is a program that has been evaluated and the evaluation feedback has come back showing women significantly reported a much higher sense of wellbeing, safety and security in housing. I think more than 80 per cent of women reported that they believed that their children were safer having been in the program. There were much greater rates of being able to keep a job or look for a job and, specifically in relation to the alarms, a much greater sense of hope about the future and a concurrent decrease in their sense of overall fear. It is a well-researched and well-regarded program and that has been expanded across the State.

**Dr MEHREEN FARUQI:** When is the evaluation being made public?

**Ms MULKERIN:** It is already.

**Dr MEHREEN FARUQI:** It is already public?

**Ms MULKERIN:** It is, yes.

**The CHAIR:** That brings us to the last tranche of questions. There are about 36 minutes so we will divide that in half, split between the Opposition and the crossbenches.

**The Hon. PENNY SHARPE:** Minister, yesterday at one of the budget estimates committee hearings it was confirmed that 4,000 social housing properties have been sold since the Coalition came to Government. Can you confirm that figure?

**Ms PRU GOWARD:** I will ask Mr Coutts-Trotter to give you a detailed answer.

**The Hon. PENNY SHARPE:** I do not really want a detailed answer, I just want a confirmation that that figure is correct.

**Ms PRU GOWARD:** I think you need to hear the detailed answer.

**Mr COUTTS-TROTTER:** I preface this by saying Brett Newman is a good colleague of mine and I was involved in recruiting him to the public sector.

**The Hon. PENNY SHARPE:** Are you thrilled about his revelation yesterday?

**Mr COUTTS-TROTTER:** Even good people make mistakes. We have not sold 4,000 social housing properties in that period.

**The Hon. PENNY SHARPE:** How many have you sold then?

**Mr COUTTS-TROTTER:** I can give the Committee that answer on notice but we were previously selling—

**The Hon. PENNY SHARPE:** Did you not think we would ask today?

**Mr COUTTS-TROTTER:** —around 800 or 900 properties a year. That has fallen to, I think, in the last year, 290 or so. Is that right, Ms Skewes?

**Ms SKEWES:** It is 282.

**Mr COUTTS-TROTTER:** I think what Mr Newman's figures might do is include, for example, properties that were funded under the Commonwealth stimulus project which began to be delivered in New South Wales in 2010, 2011 and 2012 and under the agreement with the Commonwealth were always going to be transferred to community housing providers. So we were not aware of the 4,000 figure until yesterday. We are struggling to work out how Mr Newman, good person that he is, came up with that figure.

**The Hon. PENNY SHARPE:** Can you just clarify that 4,000 properties also does not necessarily mean individual units? There are properties on one title, for example, that might have eight units on it?

**Mr COUTTS-TROTTER:** What I can confirm is we have not sold 4,000 social housing units.

**The Hon. PENNY SHARPE:** Will you provide to the Committee the list and can you also clarify whether if it is one title how many units of housing? If it is a block of six studios, I want to know that it is six studios that have gone, not just one.

**Mr COUTTS-TROTTER:** Yes, we can give you that. Over the same time period that Mr Newman was referencing?

**The Hon. PENNY SHARPE:** Yes, and I would also like to know how many units have been built.

**Mr COUTTS-TROTTER:** I am happy to do that. I should also stress that one thing that Mr Newman got bang to rights was that every cent we get from asset sales we reinvest in social housing.

**The Hon. PENNY SHARPE:** Six years in, how much social housing has been built?

**Mr COUTTS-TROTTER:** I am happy to do that but I have the figure from 2016-17 to hand: 2,016 social housing dwellings were either completed, were underway or were committed to by developers as part of the Ivanhoe—

**The Hon. PENNY SHARPE:** I want to know how many have been completed with people living in them. Can you provide that?

**Mr COUTTS-TROTTER:** I am happy to do that.

**Ms PRU GOWARD:** What is really good is that since being in office—

**The Hon. PENNY SHARPE:** I am running out of time, Minister, I would like to move on because I want to clarify those figures. Are you aware that the Rape and Domestic Violence Services Australia, better known to many as the NSW Rape Crisis Centre, has decided to withdraw from the 1800RESPECT trauma counselling service?

**Ms PRU GOWARD:** I understand that that has been one of the issues. As you are aware, it is a Commonwealth program and it is one support option available to victims.

**The Hon. PENNY SHARPE:** It is the most promoted and it has been recognised as one of the best models in the world in providing sexual assault and domestic violence counselling.

**Ms PRU GOWARD:** And Karen Willis is a fantastic person and her insight and leadership in this whole area of victim support for reducing domestic and sexual violence is unchallenged. But contractual arrangements for 1800RESPECT are a matter for the Commonwealth.

**The Hon. PENNY SHARPE:** That is right but as a result of them withdrawing from this service, which is located in New South Wales, the State is about to lose 110 specialist sexual assault and domestic violence workers who have been made redundant by October this year. Are you aware of that?

**Ms PRU GOWARD:** I just need to reiterate that our budget invests \$1.7 million for the domestic violence line to provide information, support and advice to victims 24 hours a day. So we do have a line that

takes some of that capability. Last year it received almost 22,000 calls and we were able to respond very quickly, in one minute and 46 seconds. I think the domestic violence line has been a terrific boon for women in New South Wales.

**The Hon. PENNY SHARPE:** Minister, I understand it is a Federal case and there are a lot of concerns in relation to the tendering of that and I understand that is not your issue. My concern is whether a service that has been around for 50 years and is considered to be best practice, firstly, has been lost from New South Wales. Secondly, are you aware of whether there will be any impact in relation to redundancy payments and the ability for the New South Wales Rape Crisis Centre to continue if it has to pay out all those redundancies?

**Ms PRU GOWARD:** As I have said, these are disturbing problems. The contractual matters are a matter for the Commonwealth. I know Karen Willis and have worked with her well.

**The Hon. PENNY SHARPE:** Will you raise this issue with your Federal counterparts in relation to the threats to this service?

**Ms PRU GOWARD:** Yes, of course. I will seek Ms Willis' views on what her expectations are.

**The Hon. COURTNEY HOUSSOS:** How many rugby league clubs participated in the Tackling Violence program in 2014? While you are looking for those figures, I am also interested in 2015, 2016 and 2017.

**Ms MULKERIN:** I do not have that level of detail with me, I will take it on notice.

**The Hon. COURTNEY HOUSSOS:** Do you have the figures for 2016 and 2017?

**Ms MULKERIN:** I will take it all on notice.

**The Hon. COURTNEY HOUSSOS:** The information provided to me states there has been a decrease in the number of clubs participating in 2017 from 2016?

**Ms MULKERIN:** I do not think that is correct, but I do not want to mislead the Committee. I will take it on notice.

**The Hon. COURTNEY HOUSSOS:** Minister, are you aware of any decrease in the number of clubs participating in this program?

**Ms PRU GOWARD:** I will defer to the department's advice.

**The Hon. COURTNEY HOUSSOS:** You are not aware of any decrease in the participation by clubs?

**Ms PRU GOWARD:** No, that is why I am waiting on advice from the department.

**The Hon. COURTNEY HOUSSOS:** Which National Rugby League [NRL] players are currently involved in the program?

**Ms MULKERIN:** I will need to take that on notice.

**The Hon. COURTNEY HOUSSOS:** Are you expanding the program to new communities in 2017?

**Ms MULKERIN:** My advice is that we have expanded to nine new locations: Bathurst, Berkeley, Coonamble, Forbes, Griffiths, Kurri Kurri, Nowra, Cobar and Old Bar.

**The Hon. COURTNEY HOUSSOS:** From 2016 to 2017?

**Ms MULKERIN:** From 2016 to 2017.

**The Hon. COURTNEY HOUSSOS:** What research has been done about which communities to take it to?

**Ms PRU GOWARD:** I do not think we have that level of detail here. We will take it on notice.

**The Hon. COURTNEY HOUSSOS:** Have the young Aboriginal women workshops been delivered to schools and have they been delivered to all of the clubs that are supposed to be participating in the program?

**Ms MULKERIN:** We will take all that on notice.

**The Hon. COURTNEY HOUSSOS:** Minister, you referred in an earlier answer to the success of the It Stops Here Safer Pathway program. Do you expect that people who participate where Safer Pathway is fully

rolled out will have a better experience than places that do not have Safer Pathway or only have part of the program?

**Ms PRU GOWARD:** Yes, you would expect that. The point of Safer Pathway is to provide, rather than a patchwork of services, an integrated response for women leaving domestic violence. I am thrilled to see that it is operating in 27 sites across New South Wales.

**The Hon. COURTNEY HOUSSOS:** Are you aware of any evaluation of the Safer Pathway program?

**Ms PRU GOWARD:** Yes.

**The Hon. COURTNEY HOUSSOS:** Will you expand?

**Mr COUTTS-TROTTER:** There was the initial Bureau of Crime Statistics and Research [BOCSAR] evaluation that, in fairness, concluded that it was too early to tell whether the full five elements of Safer Pathway were more effective than three of the five.

**The Hon. COURTNEY HOUSSOS:** Are you referring to the March 2017 BOCSAR report?

**Mr COUTTS-TROTTER:** I think so.

**The Hon. COURTNEY HOUSSOS:** I have a copy and it says that the current study failed to detect any differences between the intervention and comparison groups in the measured outcomes.

**Mr COUTTS-TROTTER:** If you read on, Dr Don Weatherburn says that it was an assessment six weeks after people's involvement and my clear recollection of his conclusion was, yes, that is what they found at the six-week mark but further research was needed to form a conclusive view.

**The Hon. COURTNEY HOUSSOS:** Have you undertaken to do further research?

**Mr COUTTS-TROTTER:** He is an independent researcher, so if he says he is following up on it I am sure he is.

**The Hon. COURTNEY HOUSSOS:** Minister, have you undertaken any other evaluations of the Safer Pathway program?

**Mr COUTTS-TROTTER:** Yes, together with the Department of Justice, Women NSW will undertake a comprehensive evaluation of Safer Pathway over the next 12 months that will involve service providers, Safer Pathway clients and a review of the data and tools that currently support the program.

**The Hon. COURTNEY HOUSSOS:** When will that be publicly released?

**Mr COUTTS-TROTTER:** The results should be available in September 2018.

**The Hon. COURTNEY HOUSSOS:** We should expect a full public disclosure of that review?

**Mr COUTTS-TROTTER:** Yes.

**The Hon. COURTNEY HOUSSOS:** Excellent. Minister, do you support domestic violence leave as a measure to support victims of domestic violence?

**Ms PRU GOWARD:** Domestic and family violence leave is one measure that was raised with me by Unions NSW last year. I met with them to discuss the proposal on paid domestic violence leave.

**The Hon. COURTNEY HOUSSOS:** Minister, do you support domestic violence leave as a measure?

**The Hon. Dr PETER PHELPS:** Point of order: It is unfair to ask a personal opinion of a Minister. The Minister can comment on government policy, but to ask her personal opinion goes to the heart of Cabinet solidarity.

**Mr DAVID SHOEBRIDGE:** That is not a point of order.

**The CHAIR:** Reframe the question to the Minister in her capacity as a Minister and Government policy.

**The Hon. COURTNEY HOUSSOS:** As the Minister for the Prevention of Domestic Violence and Sexual Assault, does the Government support domestic violence leave as a measure for supporting victims of domestic violence?

**Ms PRU GOWARD:** The issue has been raised as part of the Council of Australian Governments summit in Brisbane last October. It was also discussed at the COAG meeting in Canberra last December. We are an active part of COAG. The Council of Australian Governments noted the importance of encouraging employers to provide workplace support for employees experiencing domestic violence. The Government strongly supports initiatives that enable workforce participation as well as ensuring access to leave.

I am advised that the majority of New South Wales public servants do have access to existing forms of paid leave for domestic violence as set out in the Treasury Circular 1416. Where these forms of leave are exhausted, five days of special leave per calendar year can be accessed. I am advised the Fair Work Commission recently reached a preliminary decision to dismiss an application from the Australian Council of Trade Unions to include an entitlement to 10 days paid domestic violence leave in all modern awards at this time.

**The Hon. COURTNEY HOUSSOS:** I have limited time and I would draw you back to the circular from Treasury that says sick leave and special leave must be exhausted before domestic violence leave is accessed. Minister, you would understand that domestic violence victims who are accessing this leave are not sick, they are not taking special leave; they are seeking to attend court appointments or counselling services. Why do they have to exhaust sick days before accessing domestic violence leave?

**Ms PRU GOWARD:** Because that is the current ruling for New South Wales public servants.

**The Hon. COURTNEY HOUSSOS:** As the Minister for the Prevention of Domestic Violence and Sexual Assault, do you find it acceptable?

**Ms PRU GOWARD:** It is something that needs to be considered and we will see what happens once the Fair Work Commission is concluded.

**The Hon. COURTNEY HOUSSOS:** Minister, will you advocate to allow New South Wales public servants to access their domestic violence leave without exhausting their sick and special leave days?

**Ms PRU GOWARD:** I prefer to wait for the Fair Work Commission.

**The Hon. COURTNEY HOUSSOS:** This is an opportunity for the New South Wales public service to allow their employees to access leave they are entitled to have, but instead they have to use sick leave.

**Mr DAVID SHOEBRIDGE:** They are not covered by the Fair Work Commission either.

**The Hon. COURTNEY HOUSSOS:** Let us put this in context.

**The Hon. PENNY SHARPE:** There is a very clear issue here, which is that one of the pathways for women to get out of violence—particularly if they are fortunate enough to be in the workplace—is being able to attend to the things they need to be able to remove themselves from that violence. Does the Government accept that there is a role for employers in this process to give women support in that?

**Ms PRU GOWARD:** Yes, absolutely.

**The Hon. COURTNEY HOUSSOS:** Therefore, you are saying that the New South Wales Government will be using decisions by the Fair Work Commission as the basis for its future negotiations with employees.

**Ms PRU GOWARD:** No, I think the Fair Work Commission is conducting quite an exhaustive process in looking at this issue and I will be very interested to see what its outcomes are. It needs to be said that we absolutely understand that woman escaping domestic violence need access to leave for court appearances, counselling, and other support days. This is not just an issue for me; this is an issue of the entirety of the public sector in New South Wales, and it is an issue that Cabinet will need to deal with.

**The Hon. COURTNEY HOUSSOS:** Will you be bringing it to Cabinet for discussion?

**Ms PRU GOWARD:** It is an issue that Cabinet will have to deal with and the mechanism for doing that has not been decided.

**The Hon. COURTNEY HOUSSOS:** Just to return to my question: Will you use the Fair Work Commission's decision as the basis for this?

**Ms PRU GOWARD:** No, but I would like to see the Fair Work Commission's findings. It is going to take a huge amount of evidence across the country and I think it is very useful to us in informing us on how we would develop our policies further.

**The Hon. PENNY SHARPE:** Minister, is it the case that FACS workers engage a private registered psychologist for kids with trauma therapy support needs?

**Ms PRU GOWARD:** We are doing some wonderful work in trauma informed therapy. A multi-systemic therapy is—

**The Hon. PENNY SHARPE:** The issue is the number of psychologists—

**The CHAIR:** We are going to move across to Mr David Shoebridge.

**Mr DAVID SHOEBRIDGE:** Minister, have you sought a review of the accreditation for statutory out-of-home care by Life Without Barriers?

**Ms PRU GOWARD:** The issue of NGO compliance and how we regulate NGOs deserves a rich answer. I will—

**Mr DAVID SHOEBRIDGE:** No, have you sought a review of the accreditation of Life Without Barriers for statutory out-of-home care? It is a simple question.

**Ms PRU GOWARD:** As you know, Life Without Barriers has been a provider for statutory out-of-home care for many years—well before 2011. All of our out-of-home care providers are required to have Office of the Children's Guardian [OCG] accreditation, which includes NGOs. These days, of course, FACS—

**Mr DAVID SHOEBRIDGE:** Have you sought a review?

**Ms PRU GOWARD:** I am very pleased to say that FACS has got accreditation now. I think you need to appreciate, and I will ask my department to explain, how we use contract compliance and accountability.

**Mr DAVID SHOEBRIDGE:** It is a simple question: Have you sought a review of the organisation's accreditation?

**Ms PRU GOWARD:** I will ask Michael Coutts-Trotter to address that issue because it is really an operational issue.

**Mr COUTTS-TROTTER:** I am the regulated not the regulator.

**Mr DAVID SHOEBRIDGE:** Have you referred Life Without Barriers to the Office of the Children's Guardian for a review of its accreditation?

**Mr COUTTS-TROTTER:** We regularly exchange information with the Office of the Children's Guardian and if it chooses to act on that it is the Office of the Children's Guardian's call as an independent regulator.

**Mr DAVID SHOEBRIDGE:** How many children is your department currently placing in the statutory out-of-home care of Life Without Barriers?

**Mr COUTTS-TROTTER:** I will confirm the exact number, but Life Without Barriers provides care to around 1,000 children in New South Wales, I think.

**Mr DAVID SHOEBRIDGE:** We now know that Life Without Barriers placed a 22-month-old little boy in a home that it had been placing foster children in for six years and it was not even aware that there was a pool in the foster home that it had been placing children in. Why have you not sought an immediate review of its accreditation given that basic fact, which is admitted by Life Without Barriers?

**Mr COUTTS-TROTTER:** As you know full well, this is a matter before the Coroner. The Coroner will make recommendations.

**Mr DAVID SHOEBRIDGE:** There are 1,000 children in its care. Surely you are not going to wait for the outcome of the Coroner. It has put a little 22-month-old boy in a home with a pool and it did not even know the pool was in it and the child drowned. Why are you not seeking a review of its accreditation?

**Mr COUTTS-TROTTER:** Because we have an independent regulator in New South Wales who will act as she sees fit. That is the legislative framework within which she operates.

**Mr DAVID SHOEBRIDGE:** You are the department and the Government representatives. Have you sort a review of the accreditation? You know what happened; you have got Life Without Barrier's own report. The little boy drowned in a pool that Life Without Barriers did not even know was there. Why have you not sought a review of their accreditation—1,000 kids are at stake here?

**Mr COUTTS-TROTTER:** I really cannot be drawn into comment on the tragic case that the Coroner—

**Mr DAVID SHOEBRIDGE:** Let us deal with the other 999 kids in its care. We know that it has systemic failures.

**The CHAIR:** Order! Mr Shoebridge, you have asked the question and you will let the witness answer.

**Mr COUTTS-TROTTER:** The regulator regularly reviews the quality of care provided by accredited agencies in New South Wales. The regulator has the ability to attach conditions to their accreditation in a variety of ways that limit the organisations' capacity to accept more children to their care or that require the organisations to demonstrate changes to practice and the quality of supports they provide. To my knowledge, there are no conditions attached to the accreditation of the entity you are talking about.

**Mr DAVID SHOEBRIDGE:** You are wrong. There is a whole series of conditions that were attached in May 2016, which predated the death of Braxton Slager-Lewin.

**The CHAIR:** Order! The way this works is that we ask a question of the witness and the witness must be allowed to answer the question. That is the best way to proceed. If Mr Shoebridge has a question, he will put it.

**Mr DAVID SHOEBRIDGE:** How can you not know about the conditions that are attached to Life Without Barriers, given that a child died in its care—which is currently the subject of coronial inquiry? How can you not know the basic fact that a whole series of conditions were imposed upon that organisation in May 2016 by the Office of the Children's Guardian? How do you not know that?

**Mr COUTTS-TROTTER:** Because I am not managing the Life Without Barrier contracts day to day. The people who do would certainly be aware of that. I did preface my answer by saying "I am not aware."

**Mr DAVID SHOEBRIDGE:** Minister, do you think it is fine to just sit on your hands and not proactively refer this organisation to the Office of the Children's Guardian, given the death of this little boy? Do you think it is fair to just sit on your hands and say: "There is a regulator; it is their job, not my job?"

**Ms PRU GOWARD:** This little boy died in 2014 and I am advised that there have been extensive changes and improvements to the practices of the department since then, which includes the monitoring and management of out-of-home care contracts.

**Ms MULKERIN:** Mr Shoebridge, as you have outlined, most agencies have some conditions attached to their accreditation. That is all online for anybody to read. As I said earlier, we are in the process of recontracting foster care, Aboriginal foster care, and intensive therapeutic residential care. We are going to a different regime of working with our non-government partners about their performance, their contract arrangements, the information that we require from them, and tracking outcomes for children in out-of-home care. There is a full suite of reforms that will apply to the non-government sector. Over time, it will also apply to the internal service delivery from FACS.

**Mr DAVID SHOEBRIDGE:** Ms Mulkerin, after the Joint Child Death Review found so many egregious failures by Life Without Barriers how many children were removed from that organisation's care?

**Ms MULKERIN:** I would need to take that on notice.

**Mr DAVID SHOEBRIDGE:** Is the answer none? Was the organisation just left to care for up to 1,000 other children, given their systemic failures? Would the answer be none?

**The Hon. Dr PETER PHELPS:** Point of order: The witness has already indicated that she does not have the figures available and is going to take the question on notice.

**The CHAIR:** I believe that was the answer of the witness. If you were to—

**Mr DAVID SHOEBRIDGE:** I contest the answer. As far as you know, is the answer that not one children was removed as a result of the appalling conclusions of the Joint Child Death Review?

**Ms MULKERIN:** If I could be clear about the process that actually happens, so I do not want to talk about the specifics of the case or what might trigger—

**The CHAIR:** You need to focus on the particular question that has been put to you.

**Ms MULKERIN:** Yes. When issues are raised about the care of children through to governance questions concerning NGOs, our first port of call is to actively work with our non-government partners to try to rectify whatever the issue is through to putting them on what we call a performance improvement plan, which is known within NGOs.

**Mr DAVID SHOEBRIDGE:** Is Life Without Barriers on a performance improvement plan?

**Ms MULKERIN:** There have been times when Life Without Barriers has been on a performance improvement plan.

**Mr DAVID SHOEBRIDGE:** Are they currently on one? Were they put on one as a result of the joint Child Death Review?

**Ms MULKERIN:** A performance improvement plan related to Life Without Barriers and its compliance concerning swimming pools.

**Mr DAVID SHOEBRIDGE:** Can you provide a copy of that performance compliance program to the Committee?

**Ms MULKERIN:** We would have to seek legal advice about whether there are any impediments to that. If there is not, then of course.

**Mr COUTTS-TROTTER:** Absolutely.

**Mr DAVID SHOEBRIDGE:** Are any FACS districts or special units in New South Wales not fully accredited as child safe with the Children's Guardian? If so, which ones?

**Ms PRU GOWARD:** I will ask Ms Walker to give you the detailed answer. It is fantastic that we came to office without any FACS districts being accredited to provide out-of-home care. They were providing out-of-home care without accreditation to thousands of kids. FACS has made a terrific effort to accredit itself and meet the required standards.

**Mr DAVID SHOEBRIDGE:** After a decade of being under the obligation to do so, how many are not fully accredited child safe?

**Mr COUTTS-TROTTER:** As you would know, the details of our accreditation are published by the Children's Guardian. Three districts are fully accredited for five years. A further nine are accredited for that period subject to demonstrating continued improvement and practice. Mid North Coast, Murrumbidgee and Western NSW are accredited through to December and are having their accreditation assessed at the moment. We are working to continue to demonstrate to the independent regulator that our practice is good and improving.

**Ms PRU GOWARD:** That is a big gold star.

**Mr DAVID SHOEBRIDGE:** Therefore 80 per cent are not fully accredited?

**The Hon. PAUL GREEN:** Given the Royal Commission into Institutional Responses to Child Sexual Abuse highlighted the importance of empowering children and young people to speak up, recognise and appropriately respond to threats, can you advise the Committee how your department has invested in services to ensure that services move away from a reporting culture to a responding culture to improve the safety and wellbeing of children?

**Ms PRU GOWARD:** As you say, the royal commission has been instrumental in determining why children and young people in institutional settings are at heightened risks of sexual abuse and a particular focus has been out-of-home care. Through its engagement with the royal commission, the New South Wales Government has emphasised that efforts to prevent and respond to child sexual abuse in out-of-home care need to be evidence-based, multi-faceted and system-wide. No child should suffer abuse. It is particularly abhorrent when they are in a care system, which is reflected by your question.

We are working closely with the royal commission to identify opportunities to improve practice for preventing and responding to sexual abuse in out-of-home care. You will recall in August last year, after learning the terrible details of the shocking Girl X case, the former Minister referred the matter to the royal commission, requesting its consideration of systemic issues relating to out-of-home care. That was acknowledged by the royal commission. There may well be recommendations that will be handed down that reflect that.

We also gave evidence to the royal commission about how we have made system improvements to improve the availability and quality of data for national reporting on the safety of children in out-of-home care.

This evidence also included the high number of reports received about children in out-of-home care who do not meet the risk of significant harm threshold and programs are underway to continue to educate people, including mandatory reporters about the child abuse reporting system. We will continue to work hard to ensure that all children in out-of-home care are protected.

**The Hon. PAUL GREEN:** Thank you. According to nationwide data, more than 30,000 children have been in out-of-home care for more than two years and almost 19,000 for more than five years. In the last year, we saw only 196 children adopted in Australia, which is not even 1 per cent of the children who have been in care for more than two years. How many children were adopted in New South Wales last year? In the Government's opinion, if adoption rates improve, would it have a flow-on effect of reducing the future cost to the Government?

**Ms PRU GOWARD:** The quality of the child's life is what is really important.

**The Hon. Dr PETER PHELPS:** Yes, more important than cost.

**Ms PRU GOWARD:** Children who cannot stay safely at their home with their family need a permanent and loving home for life. We should be proud that we received a record number of adoptions in 2016-17. In New South Wales, 129 out-of-home care adoption orders were made, which is an outstanding achievement. That enables us to say categorically that we lead the nation in championing adoption reform. When we came to office, there was no plan for adoption. No plan for adoption was given by the former Government. It did not have a plan for finding a permanent loving home for life for children. The achievements in adoption start from 2010-11 when there were only 45 out-of-home care adoptions in New South Wales. We have had an enormous change.

We have invested \$90 million over four years in evidence-based interventions to support parents achieve change. Ideally, we want children to remain with their birth families and grow up safely and happily. When children cannot stay safely with their parents or extended family, as Ms Mulkerin described, that is when guardianship and open adoption or a permanent placement option must be considered. To this end, the permanent placement principles were introduced and enacted on 29 October 2014. I recall many discussions with you and upper House members at that time. It elevated guardianship and adoption as the preferred long-term adoption for a child ahead of long-term parental responsibility being held by the Minister.

**The Hon. PAUL GREEN:** Can you elaborate on the adoption transformation program?

**Ms PRU GOWARD:** The adoption transformation program has many aspects to it. I will ask Ms Walker to answer.

**The Hon. PAUL GREEN:** I will get you to take that question on notice.

**Ms WALKER:** Sure. There is quite a bit of detail about the transformation.

**The Hon. PAUL GREEN:** How many domestic violence calls were made to the domestic violence hotline in 2016-17 and how many of these were followed up by police action?

**Ms PRU GOWARD:** I will see if I have that number available.

**Mr COUTTS-TROTTER:** Yes, we do.

**The Hon. PAUL GREEN:** While Mr Coutts-Trotter is looking that up, can you elaborate on how the Domestic Violence Disclosure Scheme [DVDS] is going?

**Ms PRU GOWARD:** The Domestic Violence Disclosure Scheme allows a third party who has concerns about their current or former partner to apply to a participating police station to receive information about their current or former partner and if they have a history of domestic violence or other relevant offences, because domestic violence is a crime and needs to be treated as a crime. The scheme is being trialled in four New South Wales police local area commands—Oxley in the Tamworth area; Shoalhaven in the Nowra area; Engadine, Sutherland; and St George in the Kogarah-Hurstville area.

We have based the DVDS on a United Kingdom initiative, Clare's law, which is a domestic violence abuse scheme. In April, based on this modified model, we launched a two-year pilot of the first Domestic Violence Disclosure Scheme in Australia. We know that domestic and family violence, as you have often said, is characterised by a pattern of abusive and controlling behaviours, and perpetrators will repeat those behaviours in successive relationships. We recognise that it is important to people not to be kept in the dark about the patterns and the history of abusive behaviour. Since the Government commenced this in April 2016 up until 31 July 2017 there have been 92 requests for disclosures, and that takes in both the primary person and third

parties. Of those 92, 33 disclosures were supplied during the period and 185 people have received crisis assistance in that same period.

**The Hon. PAUL GREEN:** The widening gap between the eligibility for social housing and the rising cost of the private rental market means that there is a huge demand for more affordable housing. How many people are currently on the social housing waiting list in New South Wales?

**Ms PRU GOWARD:** I might ask the Secretary to give you the accurate figures on that.

**Mr COUTTS-TROTTER:** Just under 60,000 people.

**The Hon. PAUL GREEN:** Under 60,000?

**Mr COUTTS-TROTTER:** Yes, around 60,000 people are on the wait list at the moment.

**The Hon. PAUL GREEN:** Could you briefly explain the Social Housing Management Transfer Program?

**Mr COUTTS-TROTTER:** I would be happy to, and for detail I will pass to my colleague Paul Vevers. We are in the process of transferring not the ownership but the management of around 14,000 social housing dwellings in a number of areas of New South Wales to the management of community housing providers. They will manage the properties and also support the residents and other household members. This is really the outworking of longstanding policy agreement between the Commonwealth and the States that allows States to transfer up to 35 per cent of our social housing portfolio to the community housing sector.

**The Hon. PAUL GREEN:** Can you take the rest of the question on notice? I have a follow-up question. Can you give an update to this Committee about the maintenance backlog and how it is progressing for social and affordable housing?

**Mr COUTTS-TROTTER:** We will take that on notice and respond to you.

**The CHAIR:** Thank you, Minister Goward, for coming along. I also thank all officers for making their time available today. Some questions have been taken on notice. The secretariat will liaise with you about those matters. The answers are to be returned within 21 days.

**(The witnesses withdrew)**

**The Committee proceeded to deliberate.**