

Inquiry into the adequacy of youth diversionary programs in NSW
Additional questions

QUESTION

1. The Law Society has raised concerns about recent increased powers of the Education Minister to issue a non-attendance directive where a young person's behaviour at school is deemed 'serious violent conduct' (See submission 26, Law Society, p13).
 - What is your response to the Law Society's statements that the non-attendance directive captures a wide range of conduct; gives the student a limited opportunity to respond to allegations, and could have a deleterious impact on children, especially those from disadvantaged backgrounds?

ANSWER:

These new powers are not intended to be used to address minor risks to health and safety or student behaviour that has occurred at school. The vast majority of student behaviours and wellbeing support needs are managed through the department's Student Discipline policy and will continue to be managed and supported through this policy.

The new powers are intended to be used where the Minister (or delegate) in conjunction with the department assesses the risk to health and safety of a student's potential behaviour at a school to be significant, until appropriate assessment, management and support strategies can be put in place.

The issue of a non-attendance direction is not a punitive step. The non-attendance direction is not a disciplinary tool but is intended to provide time to allow for the risk assessment and management process to occur. It is understood that the more time a student is absent from school, the greater the risk of their disengagement from learning and the greater the risk of the student engaging in further inappropriate behaviour.

The guiding principle is that the risk assessment process is given a high priority so as to minimise the time the student is away from school.

A customised support plan is developed for each student subject to a non-attendance direction in consultation with key stakeholders (including parents, carers and other government and non-government agencies). The plan will document the focus areas for the student and assign responsibility for the strategies to assist behaviours.

During the non-attendance period, the student must still receive coursework from a school to continue their studies, and the school principal and relevant Director, Educational Leadership will attempt weekly contact with the student and their parents.

Inquiry into the adequacy of youth diversionary programs in NSW
Additional questions

QUESTION

2. Some stakeholders have argued for the adoption of the Victorian Education Justice Initiative in NSW (see Submission 19, President Children's Court, p16; submission 18, Macarthur Legal Centre, p3; Submission 20, Advocate for Children and Young People, p6; and submission 26, Law Society, p13).
 - What is your response?

ANSWER:

The Department is receptive to adopting a model similar to the Victorian initiative. Following approaches by the President of the Children's Court the Department organized a multi-agency conference in mid-2017 which involved representatives from a number of agencies with a stake in youth justice, including Justice, Legal Aid and the Ombudsman's Office.

The conference focused on developing a range of early intervention strategies around school non-attendance and the link to young people being exposed to criminal activity. Discussions around the need for better communication between agencies to facilitate early identification took place, with a follow-up meeting planned for later this year. This group presents an ideal platform to introduce such an initiative.

The Department introduced a program at Campbelltown Children's Court, in 2015 in which a field officer attended the criminal list day at the court to assist the Magistrate when dealing with young people who had disengaged from school.

The focus of the program was to ensure the educational needs of the young people appearing before the court were being properly met, and if necessary developing links between the agencies involved and appropriate education settings. The Children's Court has requested that a similar program be initiated at Parramatta Children's Court and the Department is currently considering various options and models to facilitate such a trial.

Again, this program has potential to play a key role in the adoption of an initiative along the Victorian lines.

Inquiry into the adequacy of youth diversionary programs in NSW
Additional questions

QUESTION

3. Youth Action has called for an increase in the number of student support officers in NSW schools, and centralised training, support and coordination for them (Submission 9, Youth Action, pp12-13).
- What is your response?

ANSWER:

381 schools with greater need are receiving \$51.5 million in flexible funding for wellbeing services over the three years 2016-2018. The funding is equivalent to 200 student support officers and has enabled school communities to choose the mix of wellbeing services to best meet the needs of their students.

Inquiry into the adequacy of youth diversionary programs in NSW
Additional questions

QUESTION

4. Some stakeholders have recommended training for NSW teachers to address gaps in their knowledge about adolescents, risk factors for engagement with the criminal justice system, and the support services that they can access (Submission 9, Youth Action, pp9-10; and submission 12, Mission Australia pp14-15).
- What training is currently provided to teachers in this area?
 - Is there room for improvement?

ANSWER:

Schools decide the training needed for staff based on identified need. Training for their staff can be accessed through a range of avenues including the school support teams, other schools with expertise in working with youth at risk and external providers.

Tailored support to government schools across NSW is managed at the local level through school services teams. Members of these teams include positions such as

- Specialist Centre Facilitators
- Learning and Wellbeing Coordinators, officers and advisers
- Disability Consultants
- Home school Liaison Officers
- Aboriginal Student Liaison Officers
- Aboriginal Community Liaison Officers.

The department is committed to supporting the work of schools through appropriate and relevant advice and training. As additional training needs are identified by schools, the department will support schools in accessing appropriate training.