

Our ref: SGM19/1477

Legislative Assembly
Public Accounts Committee
Parliament of New South Wales
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Dear Public Accounts Committee

**Performance Audit - Managing antisocial behaviour in public housing –
Supplementary Questions**

Thank you for the opportunity to attend the public hearing on 27 July 2020 regarding the Department of Communities and Justice's response to the Audit Office of NSW performance audit of antisocial behaviour in public housing.

Please see enclosed table with our response to the supplementary questions.

If you would like to discuss anything further, please contact [REDACTED]
[REDACTED] by phone on [REDACTED] or by email
[REDACTED]

Yours sincerely,



Paul Vevers
Deputy Secretary
Housing, Disability and District Services

6 August 2020

Recommendation 3	Question	Answer
<p>The Department has changed its ASB policy to respond to the first instance of antisocial behaviour, when tenants will receive a strike if they do not seek support services.</p>	<p>What has been the outcome of issuing strikes for tenants that do not seek services?</p>	<p>In November 2019, DCJ completed an internal evaluation of the change to the Antisocial Behaviour (ASB) Management Policy to determine its effectiveness.</p> <p>The evaluation found a decrease in the number of Warning notices (Warnings) issued and an increase in the number of Strike 1s issued.</p> <ul style="list-style-type: none"> • The average number of Warnings issued every six months prior to the policy change was 389. The average post-policy change is 148. This is a 62% reduction in the number of Warnings issued. • The average number of Strike 1s issued every six months prior to the policy change was 103. The average post-policy change is 192. This is an 86% increase in the number of Strike 1s issued. <p>The evaluation concluded that the policy change had not resulted in improved outcomes for tenants;, had no impact on support services; and had created additional administrative work for staff.</p> <p>Consequently, the Minister approved a further change to the ASB policy to remove the requirement that a tenant with a first substantiated instance of minor and moderate ASB self-refer to a support service within 14 days or receive a Strike 1, whilst ensuring the positive</p>

		<p>process and system improvements made as a result of the performance audit are preserved.</p> <p>In terms of the overarching ASB policy, the ASB Dashboard data shows that the majority of tenants who receive a Warning do not progress to a Strike 1. The trend is continued through the fact that only 24% of tenants issued with a Strike 1 proceeded to a second strike.</p> <p>This indicates that the ASB policy remains effective in changing tenant behaviour, reducing minor and moderate ASB, and sustaining tenancies where it is appropriate to do so.</p>
	<p>Has it been successful in situations where services are limited or over-subscribed?</p>	<p>There has been no indication that services were over-subscribed as a result of the change which has now been reversed. Many clients did not engage with support services as they did not feel they needed to. They had understood through the mechanism of warnings and strikes that they needed to change their behaviour.</p> <p>The Ministry of Health administers the majority of support services for this cohort and is a key stakeholder. The Ministry has reported a low level of referrals to the Housing Accommodation and Support Initiative (HASI) and Community Living Supports (CLS) programs, with monthly referrals due to ASB remaining at an average of 4% (as at Dec 2019).</p>
	<p>What happens where NGO services do not accept tenants with challenging behaviours, or tenants</p>	<p>There has been no evidence of this. DCJ local offices continue to work closely with support services and make suitable referrals, taking into</p>

	have mental illness and are unable to access services?	consideration the client's needs and the support services' capacity. The Ministry of Health reports no change in the number of referrals to the HASI and CLS programs.
Recommendation 4	Question	Answer
The Audit recommended formal and regular information sharing arrangements with NSW Police, which the Department supported within the framework of its existing Memorandum of Understanding (MoU) arrangements.	Is the MoU with NSW Police sufficient for proactive information sharing between police and housing staff, including through the encouragement of participation at Safety Action Meetings or other such regular meetings?	Yes, DCJ considers the Memorandum of Understanding (MOU) is sufficient for proactive information sharing between the two agencies. Where neighbours are hesitant to advise DCJ in writing of antisocial behavioural issues, DCJ can seek information from the NSW Police Force, by using the MOU. DCJ staff with Police approval, can use this information to issue warnings or seek action at the NSW Civil and Administrative Tribunal (NCAT). The MOU does not encourage or discourage participation at meetings as it is an information sharing agreement. However, DCJ is committed to attend Safety Action Meetings.
	What is the Department's stance on information sharing, given it is permitted by the relevant Acts to prevent or lessen a serious threat to a person's life, health or safety. (Note: this refers to amendments made to the <i>Crimes Act (1990)</i> and the <i>Children and Young Persons (Care and Protection) Act</i> to permit this information sharing).	DCJ will only share information where a client has provided consent or where it is legally permissible.