

Question 1 – page 56

Mr DAVID SHOEBRIDGE: Do you have any data about how many times that has successfully happened in the last, say, two years compared with how many times the lease has been lost or the house has been lost?

Response:

DCJ allows people to be away for up to six months (including for incarceration reasons) before asking them to relinquish their tenancy.

DCJ data indicates that there has been one application that has been approved as a custodian of children where the sole parent has been incarcerated when the absence is for longer than six months for the period 1 July 2019 to 31 May 2021.

Further analysis of DCJ's data outlines that there were another three applications approved and four applications declined for succession of tenancy from 1 July 2019 to 31 May 2021, none of these applications had children in the household.

Question 2 – page 57

Mr KARPIN: I could not comment on the data, sorry. I am not familiar with it. I could see what we could obtain.

Response:

Data from the NSW Bureau of Crime Statistics and Research (BOCSAR) shows that in the 15 months after the community-based sentencing reforms were introduced in September 2018, the volume of short sentences (those under 12 months) decreased compared to the 15 month prior to the reform. Table 1 shows that custodial sentences of:

- 6 months or less **decreased** by 5% (or 235 fewer prison sentences) from 4280 to 4045
- More than 6 months but less than 12 months **decreased** by 13% (or 801 fewer prison sentences) from 5962 to 5161
- More than 12 months but less than 3 years months **decreased** by 3% (or 152 fewer prison sentences) from 4424 to 4272
- More than 3 years **increased** by 12% (or 184 additional prison sentences) from 1561 to 1745

Table 1: Prison sentence (head sentence duration) for Adult offenders, change from pre and post reform periods

Head sentence duration	15 month pre-reform (Jul 17 to Sept 18)	15 month post-reform (Oct 18 - Dec 19)	Change	
			Volume	%
6 mths or less	4280	4045	-235	-5.5%
More than 6 mths to 12 mths	5962	5161	-801	-13.4%
More than 12 mths to 3 yrs	4424	4272	-152	-3.4%
More than 3 yrs	1561	1745	184	11.8%
Total	16227	15223	-1004	-6.2%

Please note that data from March 2020 has been excluded from this analysis. BOCSAR does not consider that data during this period is representative of the general operation of the courts due to the impact of the COVID-19 pandemic.

Question 3 – page 58

The Hon. GREG DONNELLY: Sure. And for an individual like me, who is not a governor—in other words, someone who does not have that degree of password access—is this reportable generally back to the Minister or the department, or made publicly available?

Response:

The Key Performance Indicator (KPI) results are collated and assessed by Corrective Services NSW. Individual correctional centre KPIs are not publicly reported.

Question 4 – page 58

The Hon. GREG DONNELLY: Perhaps on notice. I would understand clearly that it would be in some aggregated, de-identified form, but as much detail would be valuable if we could have a look at that. In particular, what is assessed against the KPIs associated specifically with the terms of reference of this inquiry; that is, dealing with matters to do with the issue of children and incarcerated parents. Specifically on that matter of improving matters broadly between children and children of incarcerated parents, are there KPIs in a general sense that are used or required to be met in respect of those specifically?

Response:

The benchmarking of NSW correctional centres includes two key components: performance targets and resourcing.

Key Performance Indicators are set against four outcome areas:

- safety and security;
- rehabilitation and reintegration;
- decency and respect; and professionalism and
- accountability.

There are no specific KPIs that deal with issues relating to children.

Question 5 – page 61

Ms SMITH: We can tell you how many adults in custody have children. However, they could have multiple children. I could give you a percentage of how many inmates currently in custody have children, but they may have more than one child. I cannot give you the reverse percentage. Can you understand what I am saying there?

Mr DAVID SHOEBRIDGE: And that is purely from self-reporting.

Ms SMITH: That is correct; it is from self-reporting.

Mr DAVID SHOEBRIDGE: And there is no checking if that is accurate and there is no cross-matching with any other department or dataset. So it is highly problematic data, is it not, Ms Smith?

Ms SMITH: I would have to take that on notice. I am not sure if it is double-checked with another organisation. I cannot answer that. I would have to take that on notice.

Response:

The Intake Screening Questionnaire is undertaken at the point of entry into custody to collect critical personal information to address any immediate risks to the safety and health of an inmate. As part of this process, inmates are asked if they have any children and if they have any safety concerns for those children.

CSNSW does not cross check the information provided by inmates on children with other data.

CSNSW liaises with other departments and within DCJ where it is necessary to do so.

Question 6 – page 62

Ms JODIE HARRISON: Do you know of any reviews that have occurred into the implementation of the recommendations in that report?

Response:

The recommendations from the 1997 inquiry have assisted the department to develop and enhance policies, practices and procedures in the areas of child protection, out of home care, housing, youth justice, and the criminal justice system as a whole as they intersect with parents who are incarcerated.

Question 7 – page 63

Ms CZECH: If it is helpful for the Committee, we are happy to take that on notice and provide some information about that dataset, but also what the plans are for future work around data linkage. I do know my colleagues inside the strategy, policy and commissioning division within DCJ have work underway in this area. I think that would be helpful for the Committee, if that is okay?

Mr DAVID SHOEBRIDGE: You might deal, if you are doing that, with the Auditor-General's deep critique of the failure of any part of the system to do anything useful with that data or to have an actual program to do anything useful with the data.

Response:

The Human Services Dataset (HSDS) includes all individuals born on or after 1 January 1990 who have received a service from at least one of the NSW services included in the HSDS, as well as their parents, other family members, guardians or carers. Data available is up to 30 June 2020, and provides comprehensive coverage of service streams, outcomes and life events including child protection, justice, housing, health/mental health, education, alcohol and other drugs, welfare, income and taxation, and Census data.

The 2019 HSDS, containing data up to 30 June 2019, is currently being linked with the Commonwealth data on the Multi-Agency Data Integration Project (MADIP). This includes Personal Income Tax, Census, DOMINO Centrelink Administrative Data, Medicare Benefits Schedule, Pharmaceutical Benefits Scheme, Australian Early Development Census, Apprenticeships/Trainees and higher education datasets. This linked data asset is currently being used to update the Insights Report produced in 2018 by modelling social outcomes and future service use pathways.

Currently the HSDS is updated annually. However, more frequent updates are being scoped to support the Investment Approach Implementation Strategy.

Question 8 – page 63

What, if any, insights from the analysis have been shared to deal with this issue of children who have parents in jail?

Ms CZECH: I am happy to provide that information to the Committee.

Response:

An updated Insights Report based on modelling using data up to June 2019 will be delivered in early 2022. This will be based on the 2019 HSDS, containing data up to 30 June 2019, which is currently being linked with the Commonwealth data on the Multi-Agency Data Integration Project (MADIP).

No specific analysis using the HSDS has been undertaken to look at children who have parents in jail however this may be undertaken in the future.

Question 9 – page 65

Mr DAVID SHOEBRIDGE: I want to be clear. I am sure you are all coming here to try and help. It is directed at the system, not at any individual. Do we have any data at all about children who have become homeless or are accessing homelessness services because their parents have been incarcerated? Do we know at least that subset of vulnerable children?

Mr VEVERS: I do not have it here, but there is data collection carried out by homelessness services. It is actually quite a comprehensive dataset. If I could take it on notice to look at how that relates to your question—I just do not know precisely what questions are asked. But specialist homelessness services gather a lot of data about the people who need their help and we aggregate that data.

Mr DAVID SHOEBRIDGE: I suppose I would also be interested to know if families have become homeless because a breadwinner has been imprisoned and whether or not that is also picked up in the homelessness data. If you are making the inquiry, Mr Ververs, you could do that.

Response:

Information on people experiencing, or at risk of, homelessness is collected as part of the Specialist Homelessness Services Collection (SHSC) managed by the Australian Institute of Health and Welfare. The SHSC collects information about all people who are referred to, or seek assistance from, specialist homelessness services (SHS) agencies and has two elements, the Client collection and the Unassisted Person collection.

The Client collection element of the SHSC captures information on adults and children who receive a service from a SHS agency. The data collected includes basic socio-demographic information and the services required by, and provided to, each client and client circumstances before, during and after receiving support from an agency. In the SHSC, children and young people under 18 are clients in their own right if they receive a direct service.

There are no data items in the SHSC that elicit information on the parental circumstances of children and young people who present unaccompanied to SHS agencies.

Information on data collected as part of the SHSC is available at <https://www.aihw.gov.au/getmedia/47792815-cce2-4ebd-858c-68f7c639ff0a/SHS-collection-manual-2019.pdf.aspx>

Question 10 – page 66

Dr HAYSOM: Yes. Where we interface with young people at court it is certainly recorded there, and we have data that we can provide to you. In custody it is part of our reception process to determine that status and on release from custody, if they are being followed up by our community clinicians, it is certainly being recorded at that point.

Response:

[Justice Health to answer]

Question 11 – page 66

Mr DAVID SHOEBRIDGE: Will you give us some data about the number of homeless children who have been in care?

Mr VEVERS: I can take that on notice.

Response:

In 2019-20, 2,402 children and young people with care and protection orders were assisted by specialist homelessness services in NSW.

Source: Australian Institute of Health and Welfare (AIHW) Specialist Homelessness Services data tables 2019-20; Table CPO.2: Table CPO.2: Children with a care and protection order, by state and territory, 2019–20 available at: <https://www.aihw.gov.au/reports/homelessness-services/specialist-homelessness-services-annual-report/data>

Note: A client is identified as being under a care or protection order if they are aged under 18 and have provided any of the following information in any support period (any month within the support period) during the reporting period (either the week before, at the beginning of the support period or during support).

They reported that they were under a care and protection order and that they had the following care arrangements:

- residential care
- family group home
- relatives/kin/friends who are reimbursed
- foster care
- other home-based care (reimbursed)
- relatives/kin/friends who are not reimbursed
- independent living
- other living arrangements
- parents; or
- they have reported 'Transition from foster care/child safety residential placements' as a reason for seeking assistance, or main reason for seeking assistance.

Question 12 - page 67

The Hon. GREG DONNELLY: With respect to the Serco facility, is there any work that you can point us to—take it on notice if necessary—about how they are going with respect to any programs associated with the matter of children and incarcerated parents and how they are going in terms of their activities? They were obviously here this afternoon talking about it, and you would not expect them to talk otherwise than in generally positive terms about it. But to help us understand the assessments that might be going on and the rigour of the assessments to test all of this, is any of this being done that can be reported or seen into?

Ms SMITH: I would have to take that on notice. I am aware that they have the tablets and they obviously have increased phone calls and things like that, which allows increased contact.

Response:

While Clarence Correctional Centre has been operating for eleven months it is premature to comment on the success or otherwise of these programs. It is noted that inmates are responding well to these programs and take an active interest in the opportunity to connect with their children.

The following list outlines some of the programs and activities being undertaken at the Centre for inmates who are parents to children, these programs are in addition to the normal visit program that operates at the Centre. As you would appreciate the COVID-19 pandemic has posed several challenges to the full operation of parenting programs.

Family, Parenting and Relationships – Pre & Post release support

Clarence Correctional Centre supports the rehabilitation and reintegration of Inmates by involving families, where practicable, in the rehabilitation and pre-release planning of Inmates and highlights the importance of family ties during the development of Case Planning and pre-release planning. The Centre partners with Shine For Kids to co-deliver with Serco family and parenting programs.

The Mothering at a Distance (MAAD)

MAAD is for mothers and/or caregivers, who once released, will have significant parenting responsibility for children aged 0 to 5 years. The program aims to break the intergenerational cycle of crime by:

- enhancing the mother-and-child relationship
- increasing the mother's ability to reflect on their own and their infants' behaviours, thoughts and feelings in regard to attachment
- building on maternal strengths
- increasing the mother's knowledge and skills to care for her infant
- enhancing the positive impact of the mother's current caregiving patterns
- reducing negative (punitive) parenting practices.

Reconnecting & Educating Dads about Kids (REDAK)

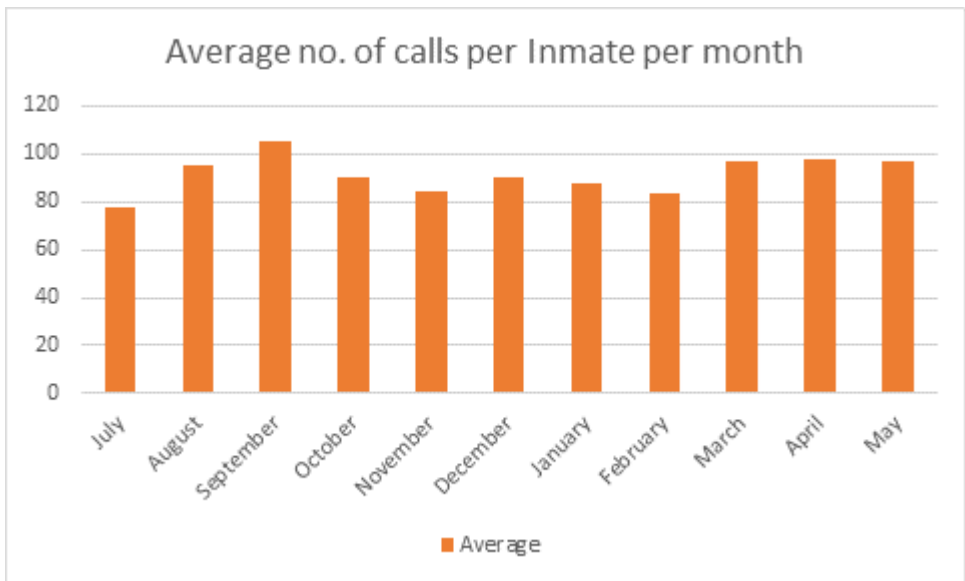
REDAK was developed in response to an identified need for the provision of parenting programs for incarcerated fathers and focused on enhancing the relationship between the father and child/young person, rather than on the mechanics of parenting.

The program is a collaborative project of Serco and the incarcerated men in the Clarence Correctional Centre. This parenting program aims to assist fathers in custody to gain skills to enhance their ability to parent in a sound and trauma informed manner. The program recognises that in most cases the fathers have experienced trauma as well as inflicting trauma on their child/ren (through grief and loss).

Storytime Program

This unique program enables the incarcerated parent to strengthen their bond with their children, take a role in their child’s education, while improving their own literacy and reading levels. The incarcerated parent simply reads a children’s story as it is recorded onto a CD or a recordable book. The book and/or CD are forwarded onto the child so that they can read the book while listening to their parent’s voice reading the story. Hearing their parent’s voice can be comforting for children, particularly those not able to see their parents on a regular basis. Storytime provides an opportunity to keep parents and children connected who cannot travel to prisons due to long distances.

In addition to these programs the Centre use of tablet technology allows incarcerated parents the opportunity to connect with family and children at times that are currently not readily available in other facilities in the State. Inmates at Clarence can make phone calls after the Centre lock in up to 10pm at night. This ability allows parents to contact children prior to bedtime or as they wake. This has a somewhat normalising affect as parents at the Centre can say goodnight to children that would not normally be available to them in other facilities. We have provided the following data table outlining the phone usage at the Centre.



I would also mention that due to the nature of the in-cell tablets Clarence can allow 15 minute calls.

Inmate calls		
	Before 8am	After 3pm
JUL	1047	18524
AUG	2295	42844
SEP	3038	61578
OCT	2653	58882
NOV	3164	54754

Support for Children of Imprisoned Parents in New South Wales
Department of Communities and Justice – responses to Questions Taken on Notice

DEC	2972	58602
JAN	2394	57816
FEB	2335	54008
MAR	2934	64290
APR	3493	63917
MAY	3259	63758

Question 13.

Ms JODIE HARRISON: The written submission provided by the DCJ states:

CSNSW aims to ensure that where it is in the best interest of the child, visits will be facilitated between children and their parents in NSW correctional centres.

Who makes that decision? What is the process? Who is consulted in that decision? How is the decision landed on as to whether a child will have access to their parent?

Ms SMITH: We work our best to make sure that all parents have access to their children. The only exception is obviously if there are child protection restrictions or if the inmate has— if there are security requirements. If they have unfortunately behaved in a negative way, then they cannot have visitors at that time because it is a threat to someone. But if there are none of those restrictions in place, then we work to receive those visits. We have visits, like I said, on the weekends and we also facilitate midweek visits as well, with the assistance of FACS.

Ms YOUNG: And if there are court orders or kids in out-of-home care, then we work closely with FACS to do those kind of assessments to work out how the child's needs can be met as well as any risks taken into account. That would go for court-ordered visits and also kids that are in care.

Ms SMITH: They might have supervised visits midweek, for example, in a private interview room as opposed to a visit that is on a weekend in a busier visits area so that we can have that more focused approach.

Response:

Please refer to the Department of Communities and Justice submission to the Inquiry, CSNSW Child Protection Coordination and Support Unit section.

Question 14 - page 68

Ms CZECH: In respect of children in out-of-home care, we have some guidelines or a practice mandate, as we call them, for child protection caseworkers making those decisions. I am happy to provide a copy of that to the Committee, if it is helpful. That said, we are currently reviewing that mandate to make sure that it is fit for purpose. That will be done by the end of June this year.

Response:

Please refer to the two practice mandates attached *Case planning in OOHC* (attachment 1) and *Connections and Contact for Children in Care* (attachment 2).

Question 15 – page 68

Mr DAVID SHOEBRIDGE: I was asking what additional programs have been delivered in the last 10 years. There has been a doubling of the number of women going to jail. Can anybody tell me what the funding envelope has been and what the additional programs have been to deal with those kids?

Response:

The NSW Government is investing over \$161 million in 2020-21 (\$160 million in 2019-20) in early intervention and child protection services. This includes more than 4,500 contracted places for families, which delivered services to more than 16,000 children.

These programs support families and children including where they intersect with the criminal justice system. The programs are tailored to the specific needs and circumstances of the families that they support.

There are also a range of specific programs including Beyond Barbed Wire and Shine for Kids that are specifically designed to support parents in or leaving custody.

Question 16 – page 69

Ms CZECH: Certainly. As I said earlier, resolving the issue that you have raised around data is incredibly important. As I said, we will undertake to the Committee to come back on the plans associated with that.

Response:

There were 7,591 children in OOHC as at 30 June 2020 who had a parent enter custody at any time during their OOHC episode (47 per cent of the total OOHC population in NSW).

This is a decrease compared to 30 June 2019, with 8,425 children in OOHC having a parent enter custody at any time during their OOHC episode (50 per cent of the total OOHC population in NSW).

Of the 13,822 people in custody as at 31 March 2020, less than 1% had a child start OOHC within one month of the parents' prison admission date (69). This was comparable to 31 March 2019, where of the 13,812 people in custody, less than 1% had a child start OOHC within one month of the parents' prison admission date (75).