

**22 JUNE 2001**

(GENERAL PURPOSE STANDING COMMITTEE NO. 3)

**PORTFOLIO**

JUVENILE JUSTICE & YOUTH AFFAIRS

**QUESTIONS TAKEN ON NOTICE**

1. **Ms Rhiannon asked the Minister for Juvenile Justice, Minister Assisting the Premier on Youth, Minister Assisting the Minister the Minister for Environment, the Hon Carmel Tebbutt, MLC—**

*(Relevant area in Hansard: pp 5 – 6)*

Of the people in Juvenile Justice Centres detected with drugs or drug implements by passive alert dogs, how many were repeat offenders?

**Answer:**

Only one detainee was detected with a water pipe on more than one occasion.

2. **Mr Ryan asked the Minister for Juvenile Justice, Minister Assisting the Premier on Youth, Minister Assisting the Minister the Minister for Environment, the Hon Carmel Tebbutt, MLC—**

*(Hansard, p 8)*

- (1) How many times have sniffer dogs been used for drug detection in juvenile justice centres and on how many instances have drugs been detected (as opposed to the number of times bongs have been found)?

*(Hansard, p 22)*

- (2) Is the Department of Juvenile Justice's submission to the Community Services Commission (concerning state wards) a public document, or can it be made public?

*(Hansard, p 23)*

- (3) What is the incidence of people who are state wards being remanded in custody because there is a lack of satisfactory accommodation options?

*(Hansard, p 27)*

- (4) How many hostel beds are funded by the Department of Juvenile Justice through its community grants scheme?

- (5) In What regions are they located?

**Answer:**

- (1) In the last financial year 92 searches were conducted across the nine juvenile justice centres in NSW. On 31 separate occasions drugs and/or other contraband were located as a result of those searches. There were 61 searches that did not discover drugs and/or contraband.
- (2) In July 2000 the Community Services Commission (CSC) produced a paper outlining an overview of the critical issues of their inquiry into the practice and provision of Substitute Care in NSW. The Inquiry examined the provision of services to all children and young people in out-of-home care. This examination was inclusive of, but not limited to service provision for Wards.

The Department of Juvenile Justice (DJJ) provided a submission to the inquiry. This submission is not a public document.

The DoCS / DJJ Project, previously known as the Wards Project, is an initiative between the Department of Community Services and DJJ targeted to children and young people in out-of-home care and in the juvenile justice system. The DoCS / DJJ Project Action Plan has encapsulated many of the issues raised in the submission to the CSC, as they relate to children and young people for whom the Minister of Community Services has parental responsibility. DJJ will focus on implementing the DoCS / DJJ Project Action Plan.

- (3) The experience of DJJ Community and Centre based staff indicates that the number of young people for whom the Minister of Community Services has parental responsibility who have, on occasions, been remanded in custody due to a lack of appropriate accommodation is small. Both departments work co-operatively to resolve these issues as soon as possible. See also the answer to 6(1) & (2).
- (4) The department provides funding to the Jai-Biah Aboriginal Corporation Inc. to operate the Jai-Biah Bail Support Program in Western Sydney.

The Jai-Biah Bail Support Program provides bail support, residential, and re-integration programs for Aboriginal & Torres Strait Islander juvenile offenders as an alternative to incarceration in juvenile justice centres. The program assists Aboriginal people who would have otherwise been refused bail due to a lack of appropriate accommodation. Up to six young people can be accommodated at this service.

The department also funds ten other agencies to provide accommodation related support services to young people in contact with the criminal justice system.

These accommodation programs enable the development and maintenance of innovative accommodation services and programs not currently available to meet the identified support needs of juvenile offenders.

These accommodation programs assist young people who are at risk of sexual exploitation, homelessness or are at risk of further progression into the justice system.

Accommodation programs receive in excess of \$1 million annually.

- (5) The Ja-Biah Bail Support Program is located in Dean Park and services clients in the Western Sydney area.

Joint Tenancy Accommodation Program (Centacare) (JTAP): Up to six young people can be accommodated at this service. The service is located in the inner Sydney Metropolitan area.

Juvenile Justice Accommodation Support Service (Marist Community Services), (JJAS): JJAS provides financial assistance and support to young people who have difficulty in securing safe and secure accommodation. The service is provided to clients in Western Sydney Metropolitan area.

Triple Care Farm (Mission Australia) (TCF): Funding is provided to assist the program to provide accommodation to young people at risk, including juvenile offenders. The program is located in Robertson, and takes referral from all areas of New South Wales.

Impact (Centacare): Impact provides four bed-sitter units to departmental clients at any one time. The units are located in the inner Newcastle area.

Supported Housing for Youth (SHY) Central Coast Community Homeless Youth Committee: SHY provides six units. The size of the unit differs according to the client's needs. At times they provide accommodation for a family and at other times individual accommodation may be needed.

RAILS Wollongong Youth Accommodation and Support Association: The program provides financial assistance in securing private rental accommodation and living skills support. The program is located in Wollongong.

Albury/Wodonga Youth Emergency Accommodation Services (AWYES):

The program provides financial assistance in securing private rental accommodation and living skills support. The program is located in Albury.

Penrith Streetwork Project: The program provides financial assistance in securing private rental accommodation and living skills support. The program is located in Penrith.

Getting It Together Scheme (GITS) Marist Community Services: The program provides financial assistance in securing private rental accommodation and living skills support. The program is located at Blacktown.

Steppin Out (SO) Bega Valley Shire Council: The program provides accommodation to 4 young people supported by a Youth Support Worker. This is a joint project between DJJ, DOH and Bega Council. The program is located in Bega.

**3. Mr Harwin asked the Minister for Juvenile Justice, Minister Assisting the Premier on Youth, Minister Assisting the Minister the Minister for Environment, the Hon Carmel Tebbutt, MLC—**

*(Hansard, p 8)*

- (1) How many incidents of self-harm have occurred in the newer juvenile justice centres?
- (2) Do newer centres have a higher incidence of self-harm incidents than the older centres

*(Hansard, p 14)*

- (3) Has the percentage of indigenous staff within the Department of Juvenile Justice risen?

*(Hansard, page 23)*

- (4) What strategies does the department have in place to deal with the needs of clients of Juvenile Justice who identify themselves as gay and lesbian?
- (5) Have there been any homophobic attacks on self-identified gay and lesbian detainees in the last financial year?
- (6) What strategies are in place to deal with homophobic attacks on self-identified gay and lesbian detainees?

*(Hansard, p 25)*

- (7) What Juvenile Justice Centre is the most expensive to operate on a per capita basis, and which is the cheapest?

**Answer:**

- (1) Ninety four (94).

- (2) No. As a percentage of the total number of clients, the average rate of self-harm in the newer centres is lower than the average rate of self-harm in the older centres.
- (3) The percentage of Aboriginal and Torres Strait Islander staff within the Department of Juvenile Justice has increased significantly.

The department has increased the number of established identified positions resulting in a 25% increase in identified positions between 1997 and 2001.

Aboriginal staff also fill non-identified positions and the overall numbers of Aboriginal staff within the department between 1997 and 2001 has increased by over 50%.

The department employs approximately one thousand and ninety permanent staff (1090) of which eighty nine (89), or 8.1% are of Aboriginal and Torres Strait Islander background.

- (4) The department has in place a Case Management Policy and system that identifies the specific needs of individual clients and coordinates the delivery of appropriate supports and services to address those needs.

The needs of clients of Juvenile Justice who identify themselves as gay and lesbian are addressed as part of the case management system.

- (5) An assault on a young person would be reported as part of the department's 'incident report' processes. The department's 'incident' data system does not specifically record details of detainees' sexuality.

- (6) The department treats all incidences of assaults seriously. In the event that a detainee assaults another detainee the Operational Procedures Manual for Juvenile Justice Centres outlines the procedure to deal with the situation appropriately. This procedure sequentially deals with any immediate medical and safety needs by separating the victim and perpetrator and ensuring that the necessary staff are informed. Once the incident has been dealt with staff are required to make the appropriate reports and initiate a criminal investigation where necessary.

The policy, *Provision of a Protective Abuse-Free Environment in the Department of Juvenile Justice* clearly sets out the department's legal responsibility and ensures appropriate action is taken in the event of an abusive incident. The policy requires all departmental staff to immediately report all allegations or incidents of abuse (physical, emotional or sexual), or neglect of clients to their manager or their delegates.

The policy also outlines the process of reporting such incidents to other authorities such as the Department of Community Services and NSW Police.

Psychological services are available to all clients of the department. Victims of assault within a centre are encouraged to use these services.

- (7) Kariong Juvenile Justice Centre is the most expensive to operate on a per capita basis. Cobham Juvenile Justice Centre, located at St Marys, is the cheapest.

**4. Mrs Sham-Ho asked the Minister for Juvenile Justice, Minister Assisting the Premier on Youth, Minister Assisting the Minister the Minister for Environment, the Hon Carmel Tebbutt, MLC—**

*(Hansard, p 10)*

- (1) How many Youth Justice conference administrators are of non-English speaking background?

*(Hansard, p 19)*

- (2) How many juvenile justice officers have taken stress leave from work within the last two years?

**Answer:**

- (1) There are eighteen (18) Youth Justice Conference Administrators (now Managers).

Their cultural backgrounds are:

Five (5) Aboriginal/Torres Strait Islander

One (1) Afro-American-Australian

One (1) Macedonian

One (1) Samoan

There are also three hundred and sixty nine (369) Youth Justice Conference Conveners and a number of these are of non-English speaking background as demonstrated in the table below.

Aboriginal	38
Samoan	6
Maori	5
New Zealander	3
Indian	3
Croatian	3
Malaysian	2
Egyptian	2
Italian	2
Dutch	2
Chinese	2
Canadian	1
Burmese	1
Czechoslovakian	1
Cook Islander	1
Fijian	1
Palestinian	1
Vietnamese	1
Pacific Islander	1
Lebanese	1
Nulean	1
Maltese	1
Welsh	1
Polish	1
Finland	1
Irish	1
Bangladesh	1
German	1

- (2) The department's leave system does not capture sick leave taken for particular reasons. However, during the 1999/2000 financial year there were forty nine (49) Worker's Compensation claims for stress related conditions, and twenty two (22) during the 2000/2001 financial year.

**5. Mr Johnson asked the Minister for Juvenile Justice, Minister Assisting the Premier on Youth, Minister Assisting the Minister the Minister for Environment, the Hon Carmel Tebbutt, MLC—**

*(Hansard, p 28)*

If you receive a considerable number of questions on notice, could you make the costings available as to how much it cost to provide the answers?

**Answer:**

The estimated cost to the Department of Juvenile Justice to provide these responses was \$2,093.50.

### ADDITIONAL QUESTIONS TAKEN ON NOTICE

**6. Mrs Sham-Ho asked the Minister for Juvenile Justice, Minister Assisting the Premier on Youth, Minister Assisting the Minister the Minister for Environment, the Hon Carmel Tebbutt, MLC—**

*(Relevant area in Budget Papers; BP No3; Vol.2)*

- (1) How many young people in juvenile detention centres or other forms of alternative custody are State Wards or are in substitute care? Please give details of the number of wards in alternatives to custody, and what those alternatives are: for example: the Drug Court or Youth Conferencing?
- (2) The Department of Juvenile Justice's submission to the Community Services Commission Inquiry into Substitute Care, stated that one third of State Wards end up in Juvenile Justice. How does this correspond with your previous answer?

*(Relevant area in Budget Papers: BP No3; Vol.2; p 11-12)*

- (3) Budget Papers at 11-2 under the "Strategic Directions" includes community-based support services for young people from non-English speaking backgrounds.
- (a) Can the Minister give some specific examples of community-based support services for young people from non-English speaking backgrounds?
- (b) Can the Minister indicate which of these services are rehabilitative and which services are aimed at preventing crime?
- (c) Are these services provided in any particular community languages?

*(Relevant Area in Budget Papers: BP No3; Vol1; p 4-8)*

- (4) In Budget Papers 4-8 the Justice Agency Data Exchange project is described as enabling the electronic transfer of data between the Attorney General's, Police, Juvenile Justice and the DPP, "thereby saving costs and increasing community safety". Is substitute care and wardship status (either current or former) included as a category by the Data Exchange project? If not, will the Minister direct this category now be added? If not, why not?

**Answer:**

- (1) The Wards Project Final Report, of August 1999, concluded that wards comprise no more than 3.5% of the juvenile justice system at any one time.
- (2) The Department's submission to the Community Services Commission Inquiry made no such statement.

The Department of Juvenile Justice is currently undertaking a further project in co-operation with the Department of Community Services. The current "Wards Project" has been renamed the "DoCS / DJJ Project" to reflect the legislative changes for children and young people in out-of-home care under the Children and Young Person's (Care and Protection) Act, 1998. The DoCS / DJJ Project will undertake another data match of joint DoCS and DJJ clients in the first six months of the 2001/02 financial year.

- (3) (a) The department provides clients from non-English speaking backgrounds with a range of culturally and linguistically appropriate community-based services through service delivery partnerships with community agencies.

The department funds Barnardo's Australia to operate the Barnardo's Post Release Options Program which assists young offenders from South East Asian, Arabic, Pacific Islander and other cultural backgrounds by providing culturally appropriate pre and post release intervention to these young people, their families and communities. The program covers the Bankstown, Canterbury, Marrickville, Hurstville, Leichhardt, Ashfield, and Burwood local government areas.

The department also funds Anglicare Migrant Services to operate the Indo-Chinese Juvenile Offender Support Program. The program is based in Cabramatta and covers South Western Sydney area. This program provides culturally appropriate support services to young offenders of South East Asian background, their families and communities.

Another community-based program for non-English speaking background young people is the Pacific Islander Resource Service (PIRS) administered by the Penrith Streetwork Project. The PIRS works directly with Pacific Islander clients on community orders and provides cultural and intervention advice to departmental staff working with these young people. The program services Pacific Islander clients in the Western Sydney area.

The department's Mentor Program employs members of NESB communities to support NESB young offenders. These mentors assist young offenders by providing guidance, support and advocacy to encourage positive growth, facilitate community reintegration and to reduce reoffending.

- (b) The previously mentioned services aim to assist young offenders reintegrate into their communities. The services are premised on the fact that access to supportive community networks and opportunities is a key factor in preventing recidivism. Connectedness of an individual to their families, communities and support networks are protective factors which can promote positive behaviours in young people.
- (c) Where possible the agencies funded to deliver the Barnardo's Post Release Options Program, the Indo-Chinese Juvenile Offender Support Program, and the PIRS employ workers of the same cultural background and language background as the client target group.

The department also endeavours to employ mentors from the same major cultural and language backgrounds as its clients

- (4) Substitute care and wardship are not categories included in the Justice Agency Exchange project.

DJJ is continuing discussions with other members participating in the project regarding the exchange of information between departments. However, there are many items of complexity that impact on the Justice Agency Exchange project. One of the most significant issues is that of client privacy. The project will need to

ensure discussion is held with agencies such as the Department of Community Services and the Children's Guardian regarding the inclusion of client legal status in the project. Such legal status includes the child or young person being in out-of-home care or in the parental responsibility of the Minister for Community Services.

**7. Mr Harwin asked the Minister for Juvenile Justice, Minister Assisting the Premier on Youth, Minister Assisting the Minister the Minister for Environment, the Hon Carmel Tebbutt, MLC—**

- (1) For each of your portfolio agencies, how much money was spent on advertising in 2000-01? Can you please provide a list of each campaign and cost?
- (2) For each of your portfolio agencies, how much was spent on overseas trips in 2000-01 by officials? Can you please provide a list of each trip, purpose and cost?
- (3) For each of your portfolio agencies, what is the estimate of money to be spent on overseas trips in 2001-02 by officials? Can you please provide a list of each trip, purpose and cost?
- (4) For each of your portfolio agencies, how much was spent on inter-state trips in 2000-01 by officials? Can you please provide a list of each trip, purpose and cost?
- (5) For each of your portfolio agencies, what is the estimate of money to be spent on interstate trips in 2001-02 by officials? Can you please provide a list of each trip, purpose and cost?
- (6) For each of your portfolio agencies, how much money in total was spent on Olympic-related costs? Of this amount, how much was reimbursed by additional appropriations or by assistance from Olympic agencies?
- (7) For each of your portfolio agencies, how much was spent on performance pay for public servants in 1999/00, and 2000/01? Did you personally approve these bonus payments?
- (8) In 2000/01, how much was spent on your ministerial expenses? Can you please provide a breakdown by expense, for example hotel expense, office refurbishments etc? What is the forecast amount to be spent in 2001/02?
- (9) In 2000/01, how many board appointments were made by you, or by your portfolio agencies? Of these appointments, how many were women?
  - (a) Of these appointments how many were people of non-English speaking background?
  - (b) Of these appointments, how many were of people with a disability?
  - (c) Of these appointments, how many were Aboriginal or Torres Strait Islanders?
  - (d) Of these appointments, how many were young people?
- (10) In 2000/01, for each of your portfolio agencies, how many media or public relations advisers were employed? What is the total cost of this? What is the forecast for 2001/02 for the number of media or public relations advisers to be employed and their total cost?
- (11) For each of your portfolio agencies in 2000/01, how much was spent on public opinion surveys? What was the breakdown for the cost of these surveys?
- (12) How many Ministerial Staff are currently employed by you? What is the total salary of these staff?
- (13) For each of your portfolio agencies in 2000/01, how much was spent on office fitouts and refurbishments? What is the estimated cost for 2001/02?



- (14) Did you seek or receive reimbursement, or did your government agency pay or is in the process of paying, for an “out of pocket” expense, incurred by you, as outlined in Ministerial Memorandum No 99-24, in 2000-01?
- (a) If so, what is the breakdown of these expenses?
- (b) What is the forecast amount to be spent in 2001-02?
- (15) Does your Ministerial Office have a discretionary allowance?
- (a) How was it expended during 2000-01?
- (b) What is the forecast for expenditure in 2001-02?
- (16) What was the breakdown of expenditure for the day-to-day running of your Ministerial Office in 2000-01?
- (a) What is the forecast for expenditure in 2001-02?
- (17) What is the breakdown of expenditure, as authorised by your Chief of Staff, and outlined in Ministerial Memorandum no96-28, for 2000-01?
- (a) What is the forecast for expenditure in 2001-02?
- (18) What is the total cost of salaries for your Ministerial staff in 2000-01?
- (19) What is the total cost of Ministerial motor vehicle expenses in 2000-01?
- (20) For each agency in your portfolio, what was spent in 2000-01 on media services?
- (21) How many actual journeys have been undertaken to transport detainees or remandees from other centres to Worimi for court appearances in the past year?
- (a) How many detainees did that involve?
- (b) How many staff were involved? Were most journeys under police escort?
- (c) What were transport costs?
- (d) How does that compare with the budget estimate?

**Answer:**

- (1) All advertising was undertaken in accordance with government guidelines for advertising.
- (2) Details regarding all official overseas travel is included in the Annual Report and in accordance with the appropriate guidelines. All official overseas travel is included in the annual report.
- (3) International travel by public servants is undertaken in accordance with appropriate guidelines. Expenditure in 2001-02 will depend on the particular issues requiring overseas travel. It is too early to provide an estimate at this stage of the financial year. However, the Annual Report for 2001-02 will contain the full list.
- (4) Interstate travel by portfolio agencies was undertaken in accordance with appropriate guidelines. Costs incurred during interstate travel was in accordance with the appropriate guidelines.
- (5) This will depend on the nature and scope of any travel undertaken in 2001-02. Costs incurred during official interstate travel will be in accordance with appropriate guidelines.

- (6) Expenditure was in accordance with Olympic-related priorities. Expenditure was in accordance with agency requirements.
- (7) On 28 August 2000 Premier's Memorandum 2000-21 was issued indicating that performance pay was not to be made available to members of the Chief and Senior Executive Services. In August 2000 details of performance payments were published in the Sydney media relating to a range of performance payments made in 2000.
- Approvals for performance payments as well as all other remuneration to members of the Senior Executive Service were made by the respective Chief Executive Officers.
- (8) Expenditure was in accordance with the relevant approvals and guidelines. The forecast amount to be spent in 2001/02 will depend on the extent and nature of requirements.
- (9) The Government provided a detailed response to Question 1312 in December 2000. In relation to the number of women appointed, refer to previous answers on the notice paper regarding this issue.
- (a) Refer to previous answers on the notice paper regarding this issue.
  - (b) Refer to previous answers on the notice paper regarding this issue.
  - (c) Refer to previous answers on the notice paper regarding this issue.
  - (d) Refer to previous answers on the notice paper regarding this issue.
- (10) Staff numbers will vary from time to time depending on leave or peak periods.
- (11) On 20 December 2000 Premier's Memorandum 2000-28 was issued indicating that under no circumstances should surveys of clients, other users of government services or citizens be used to elicit information of a political nature.
- (12) Ministerial staff are employed by the Director General of the Premier's Department in accordance with the provisions of the Public Sector Management Act 1988. All costs were in accordance with the expenditure necessary to facilitate the effective functioning of the office and within allocations to Ministerial offices.
- (13) All expenditure was in accordance with guidelines and procedures for office fit-outs and refurbishment. The estimated cost for 2001/02 will depend on the nature and extent of any changes to office fit-outs and refurbishments.
- (14) Ministerial Memorandum 99-24 provided guidelines on the policy for reimbursement of expenses related to general expenses. The expenditure must relate to expenditure on official government business.
- (15) As there is no definition of discretionary allowance it is impossible to answer this question.
- (16) Expenditure for Ministerial Offices is determined by the Budget Committee of Cabinet. Expenditure must be in accordance with the provisions of the Public Finance and Audit Act.
- (17) Approval of expenditure must be in accordance with delegations and in accordance with the Public Finance and Audit Act.
- (a) This will depend on the nature and extent of any expenditure in 2001-02.
- (18) Expenditure was in accordance with the remuneration levels determined by the Director General of Premier's Department as the employer of Ministerial staff.
- (19) Motor vehicle management is undertaken within policies administered by State Fleet Services and the Department of Public Works and Services.

- (20) As there is no definition of media services this question is difficult to answer. As was the case under the former Coalition Government all agencies undertake a range of monitoring activities and monitoring is undertaken within appropriate delegations.
- (21) In the last financial year 36 detainees were moved for court appearances at Worimi Children's Court. This totalled 161 journeys.

Police undertook 158 journeys. The Department of Juvenile Justice staff undertook 3. Police and DJJ escort to Worimi on a one to one ratio plus a driver.

It is not known by DJJ what the Police transport costs were. DJJ's estimate for the three movements undertaken by that department is \$360.40 per trip totalling \$1,081.20. This charge is within budget.