

**BUDGET ESTIMATES 2015-2016  
QUESTIONS ON NOTICE TAKEN DURING THE HEARING  
EARLY CHILDHOOD EDUCATION  
ABORIGINAL AFFAIRS**

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**CHILDCARE CENTRE RATIOS**

**Ms LOBLE:** In regard to overall staff-to-child ratios in centre-based services for all States and Territories beginning this year: for birth to 24 months, it is one staff person for every four children; for two-year-olds to three-year-olds, it is one to five; and for older than 36 months and up to and including preschool age, it is one to 10 in New South Wales.

**Reverend the Hon. FRED NILE:** What was the one to four ratio previously?

**Ms LOBLE:** For 2016 that was one to four.

**Reverend the Hon. FRED NILE:** I thought the ratio had been changed.

**Ms LOBLE:** No, for babies it has been pretty consistently one to four but I am happy to take that on notice and see if there was a particular point in time it changed.

**Reverend the Hon. FRED NILE:** That is all right. I have had some complaints from childcare centres that this ratio of employees to number of children had been lowered and in order to meet that they had to increase their budget. Some of these centres are now having financial trouble because of that pressure. I am just wondering whether you are aware of that and whether there has been any response by you to those centres. Is that a realistic ratio? Are there any exceptions to it? Can a centre say, "We want to make—

**Ms LOBLE:** I am not aware of any issues being raised about babies and the ratio there, but I am happy to look into that.

**ANSWER**

New South Wales introduced a 1:4 staff to child ratio for children aged 0-2 years on 1 January 2011.

The 1:4 ratio for children aged 0-2 years was maintained when the National Quality Framework was introduced in January 2012.

There is no record of complaints about the ratio for this age group having been received following the introduction of the National Quality Framework.

**NATIONAL QUALITY FRAMEWORK**

**Ms LOBLE:** In regard to the older children, perhaps it is a question that has been raised. New South Wales has retained its longstanding ratio of one to 10. That ratio was in place before the national law, and we have kept that. For older children, the national law in some jurisdictions gives them one to 11, but in others such as South Australia, Western Australia and Tasmania it is just the same as New South Wales with one to 10.

**Reverend the Hon. FRED NILE:** Are you putting any pressure on those centres to increase that?

**Ms LOBLE:** The national law was enacted in this Parliament in 2010. There have been a number of transition times for services to get ready for different ratios, and services have been aware of those ratios since 2010.

**Reverend the Hon. FRED NILE:** Are all those figures in the National Quality Framework?

**Ms LOBLE:** Yes.

**Reverend the Hon. FRED NILE:** Is that a document you can table? Will it be a huge document? We have not seen a copy of it.

**Ms LOBLE:** I am happy to table the law and the associated regulations.

**Reverend the Hon. FRED NILE:** Particularly the National Quality Framework.

**Ms LESLIE WILLIAMS:** The National Quality Framework is accessible online as well, as is the way that the assessments, ratings and so on are done, but we can provide that.

**ANSWER**

The following documents can be found at:

- Education and Care Services National Law - <http://www.legislation.nsw.gov.au/acts/2010-104.pdf>
- Education and Care Services National Regulations - <http://www.legislation.nsw.gov.au/inforce/47670dd2-81ce-4aaf-b2a8-f4e77ad836ee/2011-653.pdf>
- Guidance material on Assessment and Rating under the National Quality Framework (from the National Authority website - Australian Children's Education and Care Quality Authority) - [http://files.acecqa.gov.au/files/OPM/2015%20JUNE/OPM-H%20Assessment%202015\\_v7.pdf](http://files.acecqa.gov.au/files/OPM/2015%20JUNE/OPM-H%20Assessment%202015_v7.pdf)

## CHICK HATCHING PROGRAMS IN PRESCHOOLS

**The Hon. MARK PEARSON:** The Minister might like to take this question on notice. Each year thousands of baby chicks are born in preschools and primary schools across New South Wales in chick-hatching programs. They deliver fertilised eggs in incubators to schools for chicks to hatch in an effort to demonstrate the miracle of life. The week-old chicks are then either returned to the supplier for disposal or given to students to take home. Obviously, nature dictates that 50 per cent of them will be born roosters, which are often unsuitable or illegal to be kept in suburban backyards. Due to the growing numbers of these programs, it is becoming increasingly difficult for roosters to be taken into shelters or rehomed. Technology and innovation has led to the development of more humane methods of addressing this learning outcome in curricula, such as excursions to farms, video documentaries, online apps that show students the stages of development of the chicks, and by providing cross-sectional eggs that can be opened and explored. Given these issues, as well as the inherent biosecurity and disease risk of exposing young children to pathogens carried by chickens, will the Minister prohibit the use of live animals in early childhood learning initiatives in favour of other methods in this experimental approach?

**The Hon. WALT SECORD:** Come on, break new ground, Leslie.

**The Hon. MARK PEARSON:** It is a new horizon for the Animal Justice Party.

**Ms LESLIE WILLIAMS:** I will take the question on notice.

## ANSWER

The Early Years Learning Framework describes the principles, practices and outcomes that support and enhance young children's learning from birth to five years of age, as well as their transition to school.

The Framework states "An integrated, holistic approach to teaching and learning also focuses on connections to the natural world. Educators foster children's capacity to understand and respect the natural environment and the interdependence between people, plants, animals and the land".

It is expected that early childhood education services develop an approach to implement the Framework.

**LONG DAY-CARE CENTRE ENROLMENTS**

**Reverend the Hon. FRED NILE:** I have more questions. Approximately how many children are in long day-care centres?

**Ms LESLIE WILLIAMS:** I do not have an approximate figure. As I said, we know that approximately 70 per cent of children access long day-care centres, and that is the preference of the parents. Much of the time that decision is made by working parents because the centres offer extended hours that are not provided by community preschools.

**Ms LOBLE:** I cannot give a precise number because the Commonwealth Government holds that data. It is not collected at the State level because the Commonwealth makes determinations about the eligibility of children to receive the childcare benefit and the childcare rebate. I am happy to take that question on notice so that I can provide a more accurate response.

**ANSWER**

The NSW Department of Education does not hold information on enrolments in services, only the maximum number of approved places for a service. Information on enrolment numbers is held by the Commonwealth Department of Education and Training.

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**COMMUNITY-BASED PRESCHOOL ENROLMENTS**

**Ms LOBLE:** There are approximately 19,000 children enrolled in community-based preschools in New South Wales.

**Reverend the Hon. FRED NILE:** What are the figures for each category?

**Ms LOBLE:** As I said, the difficulty is that actual enrolment figures are held by the Commonwealth Government. I am happy to take that question on notice.

**ANSWER**

In March 2016, there were 19,161 children enrolled in Community Preschools for 600 hours in New South Wales.

The NSW Department of Education does not hold information on enrolments in other forms of child care. Information on enrolment numbers is held by the Australian Government's Department of Education and Training.

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**ABORIGINAL LEGAL SERVICE**

**Ms LESLIE WILLIAMS:** Not about this specific matter. To my recollection I have met with the Aboriginal Legal Service. I can take that on notice with regard to the specific date.

**The Hon. WALT SECORD:** When was the last time?

**Ms LESLIE WILLIAMS:** I just said that I do not have the specific date of when I last met with the Aboriginal Legal Service. I am happy to take that on notice.

**The Hon. WALT SECORD:** Can you give me a time frame then? Was it this year or last year?

**The Hon. SARAH MITCHELL:** Point of order: The Minister has just said she will take on notice. She cannot make up an answer for you, Walt.

**The Hon. WALT SECORD:** I am trying to speed up the process. Was it this year?

**Ms LESLIE WILLIAMS:** I do not have that specific date. I will take it on notice.

**The ACTING CHAIR:** Order! The Minister has answered the question. She will take that on notice.

**The Hon. WALT SECORD:** Minister, I will rephrase that. Did you meet the Aboriginal Legal Service last year—yes or no?

**Ms LESLIE WILLIAMS:** I do not have the specific date. It could have been earlier this year. It could have been last year. I will take the question on notice.

**ANSWER**

Yes

## ABORIGINAL CHURCH IN LA PEROUSE

**Reverend the Hon. FRED NILE:** I met recently with some Aboriginal leaders from La Perouse, who shared with me their concern over the future of the Aboriginal church and who has the responsibility to care for the building or repair it. The church is quite historical—a heritage building—which is now falling into decay. Do you have any interest in or involvement with those buildings? Most of those reserves were what they call missions and there is usually a common wooden church in the centre of it somewhere. Maybe there is now a gap in the system as to who is responsible for that, the land council, or your department. Do you have any thoughts on that?

**Ms LESLIE WILLIAMS:** I am not aware of the specifics of that particularly. I am happy to take that question on notice if it is in regard to a specific church in La Perouse. I am happy to seek further advice on that for you.

**Reverend the Hon. FRED NILE:** I was just inquiring whether it was possible for a grant to be made from that area to that building in La Perouse.

**Ms LESLIE WILLIAMS:** With regard to that specific building, as I said, I will take that question on notice and seek further advice.

## ANSWER

The La Perouse Local Aboriginal Land Council advised me on 2 September 2016 that following consultation with the La Perouse Aboriginal community, the La Perouse Aboriginal Alliance has nominated the Colebrook Memorial Church Restoration Project as a community priority under the Empowered Communities initiative with the Australian Government.

## CUSTODY NOTIFICATION SERVICE

**Mr DAVID SHOEBRIDGE:** A detained person is defined in section 111 of the Law Enforcement (Powers and Responsibilities) Act. That does not include somebody who has been arrested and detained for intoxication, as opposed to being charged. Do you agree that the law should be clarified, confirmed and improved so that if somebody is arrested by Police and held because they are intoxicated, and they are Aboriginal, that the Aboriginal Legal Service should be notified? Will you advocate for a change in the law to make that happen?

**Ms LESLIE WILLIAMS:** I will take that question on notice.

**Mr DAVID SHOEBRIDGE:** A detained person is defined in section 111 of the Law Enforcement (Powers and Responsibilities) Act. That does not include somebody who has been arrested and detained for intoxication, as opposed to being charged. Do you agree that the law should be clarified, confirmed and improved so that if somebody is arrested by Police and held because they are intoxicated, and they are Aboriginal, that the Aboriginal Legal Service should be notified? Will you advocate for a change in the law to make that happen?

**Ms LESLIE WILLIAMS:** I will take that question on notice.

## ANSWER

Any change to the *Law Enforcement (Powers and Responsibilities) Act 2002* or the *Law Enforcement (Powers and Responsibilities) Regulation 2016* would be a matter for the Attorney General.



## RED DUST HEALING PROGRAM

**Ms LESLIE WILLIAMS:** The Attorney General and the Department of Premier and Cabinet [DPC]. DPC has overall responsibility but, as you are aware, Aboriginal Affairs took responsibility for recommendation 13 and recommendation 15. We have talked about the work with regard to the memorials in recommendation 15. With regard to recommendation 13, that was related to healing. I do not have the exact wording but—

**Mr DAVID SHOEBRIDGE:** That was the Red Earth Healing Program?

**Ms LESLIE WILLIAMS:** That is right. That is the Red Dust Healing Program, actually. The Red Dust Healing Program was the actual recommendation, but discussions with the families indicated that that is not what they wanted. Aboriginal Affairs has done a lot of work in determining what they thought would be an appropriate healing program. We engaged a specialist contractor, Grant Sarra, to do some work with the family—have that conversation with them—to try to ascertain exactly what they were looking for in the healing program. He has reported back to me verbally, as he also did to the Attorney General. The families themselves are looking at that report. We are waiting for some recommendations from the families themselves.

**Mr DAVID SHOEBRIDGE:** Minister, what was the recommendation or the proposal from the consultant that you appointed?

**Ms LESLIE WILLIAMS:** There was a range of recommendations.

**Mr DAVID SHOEBRIDGE:** I am happy for you to give us more detail on notice, if that is of assistance.

**Ms LESLIE WILLIAMS:** We do not have a final report in regard to his specific view on the healing matter, but can I just make the point that he did go to Bowraville and spend a number of days with the family. What he does believe is that the healing needs to be, while specific to the family itself, broader because the Bowraville people—

**Mr DAVID SHOEBRIDGE:** There is community trauma there.

**Ms LESLIE WILLIAMS:** That is right, there is community trauma. What we are trying to do is have a look at how we will address the issues of the community trauma as well as that of the individual families. Obviously, there are lots of impacts that have been felt by the community broadly. We want to make sure that, first and foremost, the community is involved in what that might look like on the ground.

**Mr DAVID SHOEBRIDGE:** My last question was going to be: When will we see it delivered? Perhaps you can provide that on notice.

**Ms LESLIE WILLIAMS:** A specific healing program?

**Mr DAVID SHOEBRIDGE:** Yes.

**Ms LESLIE WILLIAMS:** I will take that on notice. It probably will not be a specific program. It may be for the family itself, but it certainly will not be for the community.

## **ANSWER**

Recommendation 13 relates to the ongoing healing needs of the five affected families.

Although the Standing Committee recommendation was specifically to engage Red Dust Healing, consultation with the families indicated a preference to explore a range of service providers, in addition to Red Dust Healing, to ensure the differing needs of each family are met.

As a result, Aboriginal Affairs engaged a specialist contractor to work with the families to support them to identify healing strategies that will best meet their needs.

While Aboriginal Affairs has received a report, final recommendations are still to be agreed with the families.

To address some of the broader community issues that have been identified in the report, a service delivery reform project is being co-designed in consultation with the community.

Aboriginal Affairs continues to act as the primary support for the five families in their engagement with the NSW Government and legal system.