

# **PORTFOLIO COMMITTEE NO. 5 - LEGAL AFFAIRS**

**Wednesday, 4 September 2019**

**Examination of proposed expenditure for the portfolio area Families, Communities and Disability Services**

**UNCORRECTED**

## **BUDGET ESTIMATES 2019-2020**

**The Committee met at 9:30**

### **MEMBERS**

The Hon. Robert Borsak (Chair)

The Hon. Lou Amato

Ms Abigail Boyd

The Hon. Rose Jackson

The Hon Trevor Khan

The Hon. Natasha Maclaren-Jones

The Hon. Penny Sharpe

Mr David Shoebridge

The Hon. Natalie Ward

### **PRESENT**

The Hon. Gareth Ward, *Minister for Families, Communities and Disability Services*

## **CORRECTIONS TO TRANSCRIPT OF COMMITTEE PROCEEDINGS**

**Corrections should be marked on a photocopy of the proof and forwarded to:**

**Budget Estimates secretariat  
Room 812  
Parliament House  
Macquarie Street  
SYDNEY NSW 2000**



**The CHAIR:** Welcome to the public hearing for the inquiry into the budget estimates for 2019-2020. Before I commence I would like to acknowledge the Gadigal people, who are the traditional custodians of this land. I would also like to pay respect to the elders past and present of the Eora nation and extend that respect to other Aboriginals present. I welcome Minister Gareth Ward and accompanying officials to this hearing. Today the Committee will examine the proposed expenditure for the portfolios of Families, Communities and Disability Services. Today's hearing is open to the public and is being broadcast live via the Parliament's website.

In accordance with broadcasting guidelines, while members of the media may film or record Committee members and witnesses, people in the public gallery should not be the primary focus of any filming or photography. I would like to also remind media representatives that you must take responsibility for what you publish about the Committee's proceedings. I note that a table has been allocated specifically for the media and no media have taken it up yet. Unless it gets used we may remove it.

**Mr GARETH WARD:** Do not encourage them, Mr Chair.

**The CHAIR:** That was an initiative of the Deputy Chair. You are in trouble now.

**Mr DAVID SHOEBRIDGE:** I thought it would be a grander looking table.

**The CHAIR:** The guidelines for the broadcast of proceedings are available from the secretariat. All witnesses in budget estimates have a right to procedural fairness according to the procedural fairness resolution adopted by the House in 2018. There may be some questions that a witness could only answer if they had more time or with certain documents to hand. In these circumstances witnesses are advised that they can take a question on notice and provide an answer within 21 days.

Any messages from advisers or members' staff seated in the public gallery should be delivered through the Committee secretariat. Minister, I remind you and the officers accompanying you that you are free to pass notes and refer directly to your advisers seated at the table behind you. Transcripts of this hearing will be available on the web from tomorrow morning. Finally, could everyone please turn their mobile phones to silent for the duration of the hearing. All witnesses from departments, statutory bodies and corporations will be sworn prior to giving evidence. Minister, I remind you that you do not need to be sworn as you have already sworn an oath to your office as a member of Parliament. I also remind Mr Coutts-Trotter, Mr Vevers and Ms Walker from the Department of Communities and Justice that you do not need to be sworn as you have been sworn at an earlier budget estimates hearing. For all other witnesses I ask that you each in turn state your full name and position title and swear either an oath or an affirmation.

**GARY GROVES**, Executive Director, Stronger Communities Investment Unit—Their Futures Matter, Department of Communities and Justice, sworn and examined

**SIMONE CZECH**, Acting Deputy Secretary, Child Protection and Permanency, District and Youth Justice Services, Department of Communities and Justice, affirmed and examined

**MICHAEL COUTTS-TROTTER**, Secretary, Department of Communities and Justice, on former oath

**PAUL VEVERS**, Deputy Secretary, Housing, Disability and District Services and Emergency Management, Department of Communities and Justice, on former oath

**SIMONE WALKER**, Deputy Secretary, Strategy Policy and Commissioning, Department of Communities and Justice, sworn and examined, on previous oath

**The CHAIR:** Before we commence the hearing I advise witnesses that Government members will not ask questions during the morning session. For that reason, the first session will conclude at 11.30 a.m. As there is no opportunity for the Minister to make an opening statement the budget estimates inquiry will commence.

**The Hon. PENNY SHARPE:** Welcome, Minister. I want to talk about the employee-related expenses in this year's budget papers. Under the old structure and the new structure there appears to be around \$74.5 million less for staff over this financial year. Could you explain to me what staff are going, where and under what circumstances?

**Mr GARETH WARD:** Firstly, Ms Sharpe, can I say how proud I am of our hardworking staff across our department and can I say to you that we have made a very strong commitment that no frontline staff will be removed because we believe in backing our front line. What I might do is just ask the Secretary to provide any further comment in relation to that.

**Mr COUTTS-TROTTER:** Thank you. I would have to refer to the point of comparison that you are making to last year's budget employee-related expenses and this year's. This is a particularly difficult budget to draw comparisons from because of the creation of the new department, the new cluster structure.

**The Hon. PENNY SHARPE:** Can I just explain that I am referring to *Budget Paper No. 3*, pages 6-9 and 6-45, so it does compare the old structure with the new structure and includes Justice.

**Mr COUTTS-TROTTER:** We have about \$174 million of savings to deliver within the department's budget. The department's budget in total is about \$9,800 million. So that equates to about 2 per cent of the principal department's budget. We have got employee growth among child protection caseworkers. We have 72 additional caseworkers arriving this year. We will look first and foremost to every area of expenditure other than employee-related expenses as a way to reduce costs. Legal services, we spend two-fifths of budget on consultants but we will look at that. We will look at travel, we will look at legal services, we will look at contingent labour, we will look at energy consumption—a whole range of things before we look at staffing costs. But I think inevitably, given the budget we have to deliver, that there will be some positions lost in support and central functions. We are in the process now of working to determine what kind of saving we need to deliver from employee-related costs.

**The Hon. PENNY SHARPE:** Can I just confirm that all over your savings target is \$140 million.

**Mr COUTTS-TROTTER:** The department is \$174 million.

**The Hon. PENNY SHARPE:** Obviously I am less interested in the Justice and Corrections part of it. Are you able to isolate that to the Family and Community Services and Disability Services? I suppose the parts under Minister Ward.

**Mr COUTTS-TROTTER:** The department has a single budget. The savings are of course a result of new efficiency savings and previous efficiency savings.

**The Hon. PENNY SHARPE:** Can I just confirm that you did not meet your efficiency targets, efficiency savings in the last financial year and that is partly why they have accumulated?

**Mr COUTTS-TROTTER:** No, we did meet our efficiency savings targets last year. Previous budgets had allocated efficiency savings that modestly accumulated over time. Each new year comes with a decision that was made a few years ago plus any new decision the Government makes. We have delivered our budget year on year on year. It is always a bit of a challenge. It always seems at the start of the year, "How are we going to get there". By the end of the year we have always managed to get there.

**The Hon. PENNY SHARPE:** But you are not denying that this year's budget has almost \$75 million less for employee-related expenses than it did last year?

**Mr COUTTS-TROTTER:** I have not looked closely at that part of the budget paper but I am explicitly rejecting the notion that we have decided already to make \$80 million in staffing savings because we have not.

**The Hon. PENNY SHARPE:** I was not accusing you of that. I am simply asking you to explain the budget papers that shows that \$75 million less.

**Mr COUTTS-TROTTER:** We are working to a savings target of \$174 million for the whole agency, around 2 per cent, looking to things other than staffing costs. But as I have communicated to my colleagues and as the Treasurer made clear in his own budget papers, there are going to be some job losses in central and support functions.

**The Hon. PENNY SHARPE:** When you say "central and support functions", obviously there is a huge role to be played by commissioning and grants.

**Mr COUTTS-TROTTER:** Yes.

**The Hon. PENNY SHARPE:** There is a massive issue with relation to the number of grants coming, due at the end of June next year, and trying to transition around all of your reform agenda. How are you going to do that if that is obviously the place that you are going to have to be losing staff?

**Mr COUTTS-TROTTER:** We are going to have to do it really carefully. A very considerable amount of the work we do in the community is actually done through funded third parties, as you have point out. Our commissioning teams who are responsible, through my colleague Simone Walker—

**The Hon. PENNY SHARPE:** Your commissioning teams are not quarantined from staffing cuts?

**Mr COUTTS-TROTTER:** No, they are not.

**The Hon. PENNY SHARPE:** I have a question for the Minister relating to indexation for the community organisations. I know that the Minister is very aware of this issue.

**Mr GARETH WARD:** Yes, I am.

**The Hon. PENNY SHARPE:** All community organisations that are funded usually get indexation to help them cover the cost of delivering what we ask them to deliver in the community. This year they are getting indexation of 1.75 per cent when their costs are at least 3 per cent, particularly as a result of the equal pay decision. Minister, why is this the case and will you reverse that indexation decision?

**Mr GARETH WARD:** Thank you very much. I appreciate your advocacy on the issue. You would be aware that the Equal Remuneration Order [ERO] is imposed as a result of the Fair Work Commission's decision in relation to the Social and Community Services Award.

**The Hon. PENNY SHARPE:** Yes, it is imposed, but it is also a decision of Government to support equal pay for community workers and you are committed to that, Minister?

**Mr GARETH WARD:** I am committed to ensuring that we deliver the services that we need to deliver in partnership with non-government organisations.

**The Hon. PENNY SHARPE:** Are you committed to equal pay for community workers? Implementing that order, which was long fought for and well received, is not being done by the grants that you are providing to those organisations.

**Mr GARETH WARD:** Yes. This was an agreement, as you know, that was struck many years ago and we are in the last year and a half, I believe, of this particular agreement.

**Mr COUTTS-TROTTER:** That is right.

**Mr GARETH WARD:** I have raised these matters with the Treasurer and will continue to do so. I have been speaking at length with many of the organisations that I know you speak with as well and they have raised the impacts of that decision with me and I have faithfully relayed them to the Treasurer.

**The Hon. PENNY SHARPE:** That is great, Minister, but this is actually your responsibility.

**Mr GARETH WARD:** Absolutely.

**The Hon. PENNY SHARPE:** Community organisations all over the State are going to be cutting services as a result of this decision.

**Mr GARETH WARD:** Yes.

**The Hon. PENNY SHARPE:** Have you done any modelling or has the department done any modelling of what the impact will be as a result of this decision?

**Mr COUTTS-TROTTER:** I think the difference between the 1.75 per cent indexation and the 2 per cent, or a bit more than 2 per cent that was paid last year across our funded services, is about \$6.5 million or \$7 million for the year. That is the impact of the difference between those two numbers.

**The Hon. PENNY SHARPE:** It is a cut to community services. As you know, many of them are quite small and even a \$20,000 cut for them means that a worker goes from three days a week to two days a week. Are you comfortable with that, Minister?

**Mr GARETH WARD:** One of the reasons why I have faithfully relayed all of the concerns to the Treasurer is because of the concerns that have been raised with me.

**The Hon. PENNY SHARPE:** You are in Government. I know that you are faithfully relaying those but is there going to be a change? For example, Health is paying its community organisations 2.5 per cent indexation. Do you want to explain the difference in relation to that?

**Mr GARETH WARD:** If you have got questions for the health Minister I suggest you put them to him.

**The Hon. PENNY SHARPE:** I have questions about why the health Minister has been able to get 2.5 per cent and you have only been able to get 1.75 per cent.

**Mr GARETH WARD:** The indexation figure was gifted as part of the budget. I have raised concerns with the Treasurer about that based on genuine feedback I have received. I have had lengthy conversations with people like Nicky Sloan, people like Narelle Clay from Southern Youth and Family Services, who are incredibly passionate about the work that they do. I want to make sure that they continue to deliver that work and that is why I will continue to raise these concerns.

**The Hon. PENNY SHARPE:** Minister, they are telling you they cannot deliver. They are telling you that their wage costs are between 70 and 80 per cent of what they provide. It is entirely around staffing. All of their bills and other costs are going up. The Government is imposing more legal obligations on them, yet we are actually cutting their funding.

**Mr GARETH WARD:** Yes.

**The Hon. PENNY SHARPE:** What that means is that vulnerable people across New South Wales will not get access to the services that are there. What are you going to do? You cannot go to the Treasury for \$6.5 million? We have a surplus of \$802 million.

**Mr GARETH WARD:** Indexation decisions are made by Treasury. I have raised issues with the Treasurer because of the concerns that have been raised with me post that figure being announced on budget day.

**The Hon. PENNY SHARPE:** Is there any room for change here?

**Mr GARETH WARD:** I do not tend to trade in expectations. I trade in results.

**The Hon. PENNY SHARPE:** We will wait and see. There are a number of organisations that have talked about the impact of this. I want to put some case studies to you, Minister.

**Mr GARETH WARD:** Before you do, I advise you that the Treasurer and I have instructed our department to review indexation for NGO grants.

**The Hon. PENNY SHARPE:** When is the review of that expected to be finalised?

**Mr COUTTS-TROTTER:** It is an urgent matter. We acknowledge that. I just need to confirm that and advise the Committee on notice.

**The Hon. PENNY SHARPE:** Obviously it is a long time since the equal pay decision was made. As I have previously said, it was hard-fought. I know that some of this is also driven at the Federal level—

**Mr GARETH WARD:** Yes, correct.

**The Hon. PENNY SHARPE:** —and there are issues in relation to Federal funding of grants programs. I point to the NDIS as being one that could be a problem there too. Minister, what is your commitment to equal pay for community workers and ensuring that they get the pay that they have been ordered to receive?

**Mr GARETH WARD:** Moving forward we are incorporating the ERO once this agreement has expired in a year and a half's time.

**The Hon. PENNY SHARPE:** All of it?

**Mr GARETH WARD:** I will take that on notice.

**The Hon. PENNY SHARPE:** That would be good. Obviously it is very important.

**Mr GARETH WARD:** It is important.

**The Hon. PENNY SHARPE:** Your Government is trumpeting the equal pay case that you have just given your school assistants, which is fantastic and very welcome. That was very important but we cannot let equal pay be abandoned because we are not funding the grants to those community organisations.

**Mr GARETH WARD:** I appreciate your concern. I will take that on notice because I want to give the right information to the Committee.

**The Hon. PENNY SHARPE:** Fantastic. I want to ask some questions about the Working With Children Check. I understand that the Children's Guardian is not here so some of those questions may need to be taken on notice, but I would like to ask them. Minister, can you explain the way that the Working With Children Check is operating?

**Mr GARETH WARD:** In what respect?

**The Hon. PENNY SHARPE:** Who goes in? Who goes out? How does it work? Who gets referred? All of those things in brief terms.

**Mr GARETH WARD:** People can apply for a Working With Children Check if they are working with children. There are mandatory reporters and there is a Reportable Conduct Scheme that is administered by the NSW Office of the Children's Guardian, as you mentioned earlier. You would be aware that I introduced into Parliament some changes to the Reportable Conduct Scheme that come from either recommendations or discussions that form part of the report of the Royal Commission into Institutional Responses to Child Sexual Abuse.

**The Hon. PENNY SHARPE:** Minister, are you aware that Working With Children Check applications have been growing over time? Importantly, there appears to have been a new process and more applications are being cleared within 24 hours. Can you explain to me the changes that have been made in relation to that?

**Mr GARETH WARD:** I think it is good that applications for Working With Children Checks have been growing. We want to make sure that all children are safe, particularly when people are working with children. That is one of the reasons why we are making amendments to the Reportable Conduct Scheme, to catch more organisations, including—

**The Hon. PENNY SHARPE:** I am across that. I have been looking closely at the number of clearances. Obviously, the Working With Children Check is a very important safety net.

**Mr GARETH WARD:** Absolutely. It is one of the safety nets.

**The Hon. PENNY SHARPE:** Yes, but a very important one.

**Mr GARETH WARD:** Yes.

**The Hon. PENNY SHARPE:** It should be making sure that people who should not be working with children are not allowed to do that.

**Mr GARETH WARD:** Correct.

**The Hon. PENNY SHARPE:** I am interested in a couple of things. I am interested in what has caused the increase in the percentage of Working With Children Checks being approved within 24 hours. What change has been put in place? You can take it on notice if you are not sure.

**Mr GARETH WARD:** We will take that on notice. It is a very good question. Thank you.



**The Hon. PENNY SHARPE:** I want to know what processing changes have been put in place. There seems to have been new processes to target and properly resolve more simple matters. Again, I am interested in the detail of what has changed in relation to that.

**Mr GARETH WARD:** I will take that on notice, too, just to make sure I get the right information for you.

**The Hon. PENNY SHARPE:** There have been some changes in the reporting as well. I want to know why the Children's Guardian started to combine the number of automatically disqualified Working With Children Check applications with the numbers of applications sent for risk assessment in the annual reports. Obviously this is very important. There are people who clearly apply and either withdraw or need to be sent for assessment and then there are some who are automatically disqualified. I do not understand why that is being combined. Are you able to explain that?

**Mr GARETH WARD:** I can take that on notice but there is also an appeal process in the NSW Civil and Administrative Tribunal [NCAT] if you are disqualified, as you would be aware.

**The Hon. PENNY SHARPE:** Yes, I know that. I will be asking you—not at this hearing—supplementary questions on notice about the numbers that have been appealing and those kinds of things. You are not able to tell me why these two numbers have been combined?

**Mr GARETH WARD:** So that I am clear for the question on notice, which particular numbers are you referring to?

**The Hon. PENNY SHARPE:** There is a whole lot of data provided which is very good.

**Mr GARETH WARD:** Yes, in the annual report.

**The Hon. PENNY SHARPE:** Some applications are automatically disqualified. I understand that means people who do not get the check. A number of applications are sent for risk assessment. Something comes up in the assessment, they are flagged and then sent to the team that has to make some pretty tough decisions about whether this person should be able to work with children or not.

**Mr GARETH WARD:** Yes.

**The Hon. PENNY SHARPE:** Those numbers seem to have been combined and not de-aggregated. I am interested in why that is. I would like them de-aggregated so that we can understand that.

**Mr GARETH WARD:** We will take that on notice.

**The Hon. PENNY SHARPE:** Can you also take on notice the numbers in relation to backlog of applications waiting to be risk-assessed?

**Mr GARETH WARD:** Yes, we can. We will take that on notice.

**The Hon. PENNY SHARPE:** Are you also able to provide to me the issue in relation to the efficiency dividend affecting staffing levels at the Children's Guardian?

**Mr GARETH WARD:** We will take that one on notice as well.

**The Hon. PENNY SHARPE:** And you can provide a figure. While I am there, why does the Children's Guardian not appear in your executive structure of the department?

**Mr GARETH WARD:** Because it is an independent statutory office.

**The Hon. PENNY SHARPE:** Yes, but you have a whole bunch of other independent statutory offices on there.

**Mr COUTTS-TROTTER:** I will take that on notice, I am sorry.

**Mr GARETH WARD:** Yes, we will take that on notice.

**The Hon. PENNY SHARPE:** Minister, are you confident that those who have been cleared in relation to Working With Children Checks are safe to do so?

**Mr GARETH WARD:** The Children's Guardian is responsible for undertaking its functions. I would certainly hope it would do all the appropriate checks.

**The Hon. PENNY SHARPE:** Are you aware of bullying allegations made by staff of the Children's Guardian?

**Mr GARETH WARD:** I am not aware of those. It would be appropriate for them to be referred in accordance with our department's behavioural management policy.

**The Hon. PENNY SHARPE:** Would you be concerned that staff are raising allegations in relation to the clearance of people who should not be cleared?

**Mr GARETH WARD:** Of course I would be concerned if that were the case.

**The Hon. PENNY SHARPE:** You are not aware, so there is no action that you are aware of in relation to these matters?

**Mr GARETH WARD:** If you want to provide any evidence to me, of course, I would be more than happy to investigate.

**The Hon. PENNY SHARPE:** My understanding is that people have written to you, Minister.

**Mr GARETH WARD:** I understand you were briefed yesterday on this issue but I will—

**The Hon. PENNY SHARPE:** Not on this issue, no.

**Mr GARETH WARD:** I will have a further look into those issues if you like.

**The Hon. PENNY SHARPE:** Thank you. Can you report back to the Committee on what action you will be taking?

**Mr GARETH WARD:** I will take that on notice for the purposes of *Hansard*.

**The Hon. PENNY SHARPE:** Thank you. Minister, we have had a lot of toing and froing in relation to issues of domestic violence and who is actually responsible for domestic violence in the Government. A range of questions were put to Attorney General Speakman, who flicked them back to you. Can you explain to the Committee who is responsible for addressing domestic violence, the structure of that within the new cluster and the way in which this is going to operate to actually try and protect women and children in this State?

**Mr GARETH WARD:** Thank you for the question. It is a very important question. Obviously domestic violence is everybody's business. In terms of ministerial responsibility—the question you have asked—the Attorney is the Attorney General, and the Minister for the Prevention of Domestic Violence. However, there are—

**The Hon. PENNY SHARPE:** What is his role in that? He has got the title but what does he actually do?

**Mr GARETH WARD:** If you have got questions about the administration of his portfolio—

**The Hon. PENNY SHARPE:** We did; he flicked them back to you, so I am asking you for your understanding. If you cannot answer then perhaps Mr Coutts-Trotter can because he is the secretary who is responsible for everything.

**Mr GARETH WARD:** Can I just make clear: Undoubtedly, as I am sure you can appreciate, there are many reasons why people come into contact with the ministry that I hold. Some of those will be as a result of domestic violence. Obviously there are services that I operate that come into contact with people who are in that tragic situation, but the Attorney is the Attorney General, and Minister for the Prevention of Domestic Violence.

**The Hon. PENNY SHARPE:** Yes, okay. Obviously all of the funding sits in your responsibility and the movement of the funding and the way in which we are trying to address this issue is greatly your responsibility. Where do you provide advice? What are you in charge of in terms of funding decisions? How do you liaise with the Attorney General? As I said, we asked these questions earlier this week and he flicked them all to you so it is on you, Minister.

**Mr GARETH WARD:** We frequently have discussions about this issue. It may be homelessness services—

**The Hon. PENNY SHARPE:** How frequently?

**Mr GARETH WARD:** If I can answer the question, that may be as a result of women who have experienced domestic violence and programs like Staying Home Leaving Violence, which relate to keeping people in tenancies. They are a couple of the programs that we run. I think it is about \$390 million—

**Mr COUTTS-TROTTER:** It is \$431 million over four years.

**Mr GARETH WARD:** —\$431 million that we are spending on domestic violence programs.

**The Hon. PENNY SHARPE:** We are spending? Is that across the entire—

**Mr GARETH WARD:** Across the cluster, yes.

**The Hon. PENNY SHARPE:** Across the cluster. As I said, understanding your responsibility—obviously domestic violence features greatly within child protection reports.

**Mr GARETH WARD:** Yes, it does.

**The Hon. PENNY SHARPE:** In fact, it is present in almost all of them. I am still failing to understand how all of this hangs together: If you have got a Minister who is responsible for it—most of the work in your portfolio is actually driven by the reality of domestic violence in our community—how is that actually being addressed? I am also unclear about where women fit into that.

**Mr GARETH WARD:** We have a women's Minister.

**The Hon. PENNY SHARPE:** Yes, she also flicked it to you yesterday and said it was not her responsibility.

**Mr GARETH WARD:** I take responsibility for services like homelessness services. Obviously I also have housing clients. In respect of the services that I operate that relate to domestic violence, I take responsibility for those issues. However, the cluster is collectively responsible for the prevention of domestic violence.

**Mr DAVID SHOEBRIDGE:** Welcome, Minister. Welcome back, Mr Coutts-Trotter and others.

**Mr GARETH WARD:** Thank you, Mr Shoebridge.

**Mr COUTTS-TROTTER:** Thank you.

**Mr DAVID SHOEBRIDGE:** Just to clear up one issue that was raised in questioning by the Opposition: Mr Coutts-Trotter, you said the shortfall between 1.75 per cent—which is the current indexation rate for community organisations—and the 2 per cent that had happened last year was between \$6 million and \$7 million.

**Mr COUTTS-TROTTER:** I think it was about 2.3 per cent last year—and I should take this on notice to make sure I am accurate—but from memory it was around \$6 million a year on, I think, a level of grant expenditure of close to \$1.3 billion or \$1.4 billion.

**Mr DAVID SHOEBRIDGE:** The sector is required to meet a 3 per cent wage increase so the real shortfall in terms of their funding is significantly greater than that. The shortfall between the 1.75 per cent that has been offered and the 2½ per cent to 3 per cent that they are required to meet is in the tens of millions of dollars, is it not? That is the realistic shortfall the sector is facing.

**Mr COUTTS-TROTTER:** The Minister reminds me that we have asked for some modelling on that. It is a very complicated area. As you would recall in 2012 the Government committed, from memory, \$1.33 billion in additional top-up to NGO grants funding over the course of the operation of the equal remuneration order. That was available through contracts in place at that time. Subsequently, grant funding contracts that have been entered into, in the full knowledge that there are ERO increases, do not attract some of that additional ERO top up. Then you have got the complication of mapping within each individual service, the seniority level of roles from the old world to the new world. It really does play out in a very complex way and in a very different way, depending on the services you are talking about.

**Mr DAVID SHOEBRIDGE:** Secretary, that is a very bureaucratic answer but the—

**Mr COUTTS-TROTTER:** Thank you.

**Mr DAVID SHOEBRIDGE:** —sector is saying this: They are meeting the 3 per cent wage increase effective 1 July. They cannot afford it. They are cutting services. They need more than the 1.75 per cent. Is that the feedback you are getting from the sector?

**Mr COUTTS-TROTTER:** Yes, absolutely.

**Mr DAVID SHOEBRIDGE:** If you could take it on notice what the modelling is showing. I think the Minister took on notice responding about the review and the time frame for the review.

**Mr GARETH WARD:** The Treasurer and I have asked for that, Mr Shoebridge. I think you make a very good point; it is one that I want some answers to as well.

**Mr DAVID SHOEBRIDGE:** If we could go now to the question of alternative accommodation.

**Mr GARETH WARD:** Yes.

**Mr DAVID SHOEBRIDGE:** Minister, what is the most up-to-date figure you have on the number of children who are in "alternative accommodation"? By that I mean, as you know, motels or hotels or serviced apartments.

**Mr GARETH WARD:** Yes. Mr Shoebridge, can I just thank you firstly for your advocacy on this issue. I will ask the secretary to comment in a moment. I think the latest figures—as you can appreciate, the nature of the arrangements is that they change very rapidly. There are around 200 children who are in alternative care arrangements at any one time. I make the observation that those figures have been falling for a long time. They are quite low historically when you compare them to previous years.

Can I perhaps pre-empt a question, if I may? Some of the things I have been doing in this space relate to not just meeting with NGOs like the Key Assets Group and examining their Pathways to Stability program and the work that they are doing. I have also funded a position in partnership with the Association of Children's Welfare Agencies [ACWA] to be able to work with NGOs to find some of those vacancies, particularly in intensive therapeutic care and residential care, so that we can better respond to needs and incidences where alternative care arrangements should not be being used. Previous Ministers have sat where I do now and have said that alternative care arrangements are unacceptable—and they are, as you have rightly pointed out. Since becoming the Minister I have not only raised this issue with NGOs but also it is a standing item on my weekly agenda with the secretary to be able to see these figures reduced as much as possible.

**Mr DAVID SHOEBRIDGE:** Minister, before we go to Mr Coutts-Trotter, you said the numbers have been decreasing yet your evidence today is that there are approximately 200 children in alternative care now. Is that right?

**Mr GARETH WARD:** Split between the Department of Communities and Justice and the non-government sector, yes.

**Mr DAVID SHOEBRIDGE:** So it is about 200 children?

**Mr GARETH WARD:** It is around that.

**Mr COUTTS-TROTTER:** It is 195 children as at 26 August—113 children and young people in care places supported by us and 82 in care places supported by non-government organisations.

**Mr DAVID SHOEBRIDGE:** Minister, far from falling, the data as at 15 October last year—a year ago—had 161 children and young people in alternative care. We are now at 195—that is, a 20 per cent increase in the last 12 months. It is directly contrary to your proposition that the numbers are falling; it is a 20 per cent increase.

**Mr GARETH WARD:** I will refer that to the secretary.

**Mr COUTTS-TROTTER:** The period that young people spend in alternative care arrangements has been falling. The total number of children who experience alternative care arrangements in the course of the year has been falling. Two-thirds of children and young people who are in an alternative care arrangement are in it for less than 12 weeks, 80 per cent are in an alternative care arrangement for less than six months and 94 per cent are in an alternative care arrangement for less than a year. We are not happy about this. We are trying to reduce the number of children for whom this is the only available placement option.

The fundamental thing we need to do is to help carers stabilise the placements of traumatised kids who typically in early adolescence really find it very, very difficult to deal with their history of abuse and neglect. They begin behaving in ways that are really stressful for carers and caring families. That is the fundamental reason children come into alternative care arrangements. It explains about 60 per cent of those who do. So the Government has invested in a specialist psych service to provide trauma response to those children and young people.

Through my colleague Gary Groves and Their Futures Matter we have commissioned a service to provide support for carers and kids in care to a capacity of about 1,500 people a year so that carers are better equipped to both anticipate and respond to children whose trauma emerges in their behaviour, particularly in early adolescence. We are trying to recruit carers. We are working with the non-government sector. We are making sure that the quality of support that we provide to children in alternative care arrangements for our caseworkers is of the highest quality.

**Mr DAVID SHOEBRIDGE:** Mr Coutts-Trotter, you can never have high-quality care in alternative care. Every single time you put a child in a motel or an Airbnb or a serviced apartment that is substandard care.

**Mr COUTTS-TROTTER:** I would have to challenge that. Some of these care arrangements are one-on-one care arrangements where you have children receiving speech pathology, psychological support—

**Mr DAVID SHOEBRIDGE:** Living in a motel.

**Mr COUTTS-TROTTER:** And in some cases they are there because—and I will not go to individual cases—the view of the carers, the view of my colleagues on the front line is, for example, children have got friends in their local school and maintaining that friendship connection is really important while we work towards restoration with the family, but restoration with the family is not going to be possible until the children's trauma and medical needs are attended to.

**Mr DAVID SHOEBRIDGE:** Well, everybody supports restoration but the concept that a child needs to be warehoused in a motel while you are working towards restoration is where you and I differ, Mr Coutts-Trotter.

**Mr COUTTS-TROTTER:** I am just challenging your characterisation of the nature of these care places. We would so much prefer a family environment for these children but there are reasons why that is not possible immediately. As I say, two-thirds of children move through this placement type in less than 90 days. No child in—

**Mr DAVID SHOEBRIDGE:** Less than 90 days is still up to three months being warehoused in a motel, almost always—not uniformly but almost always—missing school, having no family that they come home to, not even having basic things like a kitchen or a lounge room or a family place to come back to.

**Mr COUTTS-TROTTER:** Most children are accommodated in serviced apartments that contain a kitchen and a lounge room and we do our very best to create as stable, safe and family-like an environment as possible. But there is a limit to how much of that can be done in an inherently impermanent placement and so we are desperate to try to find a permanent home for these kids either back with their families with a loving carer or, for older children, into supported independent living—those that are essentially transitioning to adulthood.

**Mr DAVID SHOEBRIDGE:** Minister, the basic indicator here is that a year ago there were 175 children in alternative accommodation. Sitting here today, we have 195 children in alternative accommodation. Those numbers are going the wrong way, aren't they?

**Mr GARETH WARD:** I do not want to see any kids in alternative care arrangements and I know you do not either. As I said, that is why Steve Kidman, who I know you know well, and I have been working together to try to see those numbers fall. I am happy to work with—

**Mr DAVID SHOEBRIDGE:** But they are not falling is what I am putting to you. They are going the wrong way.

**Mr GARETH WARD:** We can always do better, Mr Shoebridge, and I want to do better. That is why since becoming the Minister I have made sure that at the top of my agenda with the secretary is this issue. We have just recently engaged Susan Revalle to work with ACWA to work with the non-government organisations that are providing supports to see this number reduced. This has been a problem that has not just happened, as you know.

**Mr DAVID SHOEBRIDGE:** Minister, I am not solely blaming you and that would be wrong to do. I am not suggesting that. You inherited a wicked problem.

**Mr GARETH WARD:** It is a wicked problem.

**Mr DAVID SHOEBRIDGE:** But I am suggesting to you the wicked problem has got worse because the numbers indicate that.

**Mr COUTTS-TROTTER:** No, because the numbers of children in alternative care change literally day by day. We had 30 children leave alternative care arrangements last month. We might get a group of five or six siblings come in to alternative care arrangements the next day. It changes day by day. So if you look at the number of kids who spend time in alternative care during the course of the year, that is a better measure.

**Mr DAVID SHOEBRIDGE:** Well, I would invite you to give us that.

**Mr COUTTS-TROTTER:** On that measure the number of children in this placement type has been falling and, as I say, the time they spend in this placement type is falling because everyone is working really hard to have an exit plan for kids that offers them the prospect of stability, safety and permanency.

**Mr DAVID SHOEBRIDGE:** Minister, I invite you on notice to provide us the data over the last 12 months that evidences what the secretary has asserted.

**Mr GARETH WARD:** I am certainly happy to provide that, Mr Shoebridge.

**Mr DAVID SHOEBRIDGE:** Is it true that the average age of children in alternative care is 12 years? Is it still an average age of 12 years?

**Mr GARETH WARD:** I will take that on notice.

**Mr DAVID SHOEBRIDGE:** Is there still an average stay of five months in alternative accommodation?

**Mr GARETH WARD:** I will take that on notice.

**Mr DAVID SHOEBRIDGE:** Mr Coutts-Trotter seems to have a number of figures to hand.

**Mr COUTTS-TROTTER:** I do not have that number. I just have a breakdown of the cohort of children who experienced alternative care arrangements and the time they spent. As I say, on that measure around two-thirds of children are in and out within 90 days. But I will take that question on notice.

**Mr DAVID SHOEBRIDGE:** As at November last year the average stay for children in motels in alternative care was five months. Do we agree that that is an appalling figure? The thought that we are putting, on average, kids taken by the State in a motel or serviced accommodation for five months is just fundamentally wrong, is it not?

**Mr GARETH WARD:** You and I agree on this, Mr Shoebridge. There is no doubt that I want to work with you and others with a keen interest in this to try to reduce that figure. I appreciate you acknowledging this has been a historical problem but I also want to make sure for every one of those children that we provide better outcomes than we are currently seeing. You are right to raise it. As I say, I will do everything that I possibly can to see those figures fall.

**Mr DAVID SHOEBRIDGE:** Amongst the many things that I find impossible to understand is the cost that the department is spending on this for such a substandard outcome. The average cost per child is \$177,000 for that five-month stay—over \$420,000 per child for 12 months in this accommodation. How on earth is the department thinking that that is a sensible allocation of funds given the alternatives you could produce with half a million dollars per child per year?

**Mr COUTTS-TROTTER:** Mr Shoebridge, 99 per cent of children in care are not in alternative care arrangements because for 99 per cent of children in care we are able—

**Mr DAVID SHOEBRIDGE:** I am not talking about those 99 per cent. I am talking about the children who are having the worst form of care.

**Mr COUTTS-TROTTER:** And if we were able to provide an alternative to that we would provide it immediately. We are able for two-thirds of those kids to provide a better alternative within 90 days and, as the Minister said, this is something we do not want to be doing but we only do it because we lack the carers, we lack the ability to restore to a family, a placement of a child that worked well for a number of years has broken down because a child enters adolescence and their behaviour changes and it is too hard for the carer. We are working in every way we can with every partner we can find. There is additional investment in trauma support, in support for carers. The Minister is on us not merely weekly, but daily about this.

The Minister is meeting with my colleagues Simone Czech and Simone Walker and their teams regularly. Everybody feels appropriate pressure to try and solve this problem. If we could solve it today we would. We are making progress on it and we will continue to make progress on it because the organisation is locked onto it. It is something that every one of my senior colleagues in child protection knows about. They have the figures for their own area, they know what they are doing about it. It is just a very complicated problem to solve.

**Mr DAVID SHOEBRIDGE:** It is complicated but if you have five siblings in alternative care for six months there is more than a million dollars allocated to that. Surely with a million dollars alternate placements, supported foster care, appropriate housing could be found.

**Mr COUTTS-TROTTER:** Yes.

**Mr DAVID SHOEBRIDGE:** But instead we spend a million dollars putting a family of five kids in an apartment for six months. I have to say I find it incredible, given the resources that are allocated to this appalling outcome, that there are not better alternatives. You cannot find foster carers that you provide with domestic help, counselling assistance in their house with the kind of money you are talking about?

**Mr COUTTS-TROTTER:** We are doing precisely that. Through the Their Futures Matter [TFM] program we have adopted evidence-based supporters, essentially professional carers from out of the United States. We are trying everything on every front. We have made good progress but we are not there yet.

**Mr DAVID SHOEBRIDGE:** Is it true that between one-third and 40 per cent of the kids in alternate care are Aboriginal kids?

**Mr COUTTS-TROTTER:** Are those 26 August figures? I think a bit under 40 per cent of the children in alternative care arrangements are Aboriginal, which unfortunately reflects the share of Aboriginal children in out-of-home care generally.

**Mr DAVID SHOEBRIDGE:** Aboriginal communities that I speak with talk about the tragedy of having their kids ripped out of their homes by the State and then placed in motels. Then if they get their kids back they are seriously damaged. They are having trouble re-engaging with school, they are having trouble re-engaging with families. The department is damaging Aboriginal kids through this process, seriously damaging them. Families and parents are in tears about the damage being done to their kids.

**Mr COUTTS-TROTTER:** Ninety per cent of children never experience this care type. I think your characterisation of it is unfair and inaccurate. There is psychological support, there is regular casework, there is working towards restoration with families.

**Mr DAVID SHOEBRIDGE:** I could point you towards a series of cases like this, a series of cases.

**Mr COUTTS-TROTTER:** Sure. I deal with the reality of the work every day. There are awful circumstances faced by some children but every effort is being made and great progress is being made to eliminate this type of care.

**Mr DAVID SHOEBRIDGE:** It is not being eliminated. The actual number of kids in alternative care tonight is more than it was a year ago. Far from being eliminated, there is marginal improvement at best. I do not put all of that on this Minister because the previous Minister made commitments to end it and it did not happen. Do you have a target for the number of kids to be in alternative care that we can hold you to account to 12 months from now, Minister?

**Mr GARETH WARD:** Yes, if you are asking me I just want to see lower than it is, Mr Shoebridge. I do not have a target because, as you realise, these alternative care arrangements are for emergency situations where other alternative arrangements cannot be found.

**Mr DAVID SHOEBRIDGE:** You do not have five-month emergencies. What is the longest that a child has stayed in alternative care? Currently what is the longest period a child has been in alternative care as of tonight?

**Mr COUTTS-TROTTER:** I will take that on notice.

**Mr GARETH WARD:** I will happily take that on notice.

**Mr DAVID SHOEBRIDGE:** It would be more than 12 months, though, would it not, Minister?

**Mr GARETH WARD:** I am not going to make assumptions about things that I am happy to provide to the Committee on notice.

**Mr DAVID SHOEBRIDGE:** If the average is five months this is not an emergency, this is chronic.

**Mr GARETH WARD:** As I said to you in my opening remarks earlier, Mr Shoebridge, you are right to raise it. I am concerned about it. That is why I have outlined the things that I am doing at the moment. If there are other suggestions that you have that would help address the problem I am more than happy to hear from you to make sure that we do that.

**Mr DAVID SHOEBRIDGE:** We will probably explore that in a later round of questioning.

**Mr GARETH WARD:** Yes, sure.

**Mr DAVID SHOEBRIDGE:** But surely it starts with not taking the kids in the first place and investing in families, particularly Aboriginal families, so that they do not fall into the dysfunction and we do not have kids being taken from families and being put in motels. Surely that is where it starts.

**Mr GARETH WARD:** Obviously we have processes you would be aware of—the Safety and Risk Assessments, the SARAs—that are done in relation to children that are at risk. If they are determined that they are at risk of significant harm, then there is a reason why decisions are made in relation to this.

**Mr DAVID SHOEBRIDGE:** They are at risk of significant harm if they are taken from their families and then put in motels. We can agree that is significant harm that is being done to children by the department.

**Mr GARETH WARD:** I do not want to see any harm done to children by anybody but we have statutory obligations to protect children. We take them seriously. But, as I say, I want to see these numbers reduced. I want to see the time that children are in alternative care arrangements reduced. I do not want to see alternative care arrangements being used but for a long time they have been a reality where there are no other arrangements. But I accept there are improvements that should be made and I will be seeking to do that.

**The Hon. ROSE JACKSON:** I wanted to follow on from some of the questions from my colleague Mr Shoebridge in relation to temporary accommodation but turn to the issue of temporary accommodation due to the issue of domestic violence. How many women and children were provided with temporary accommodation in the 2018-19 year due to domestic violence?

**Mr COUTTS-TROTTER:** I am not sure we do. We have 24,000—

**Mr VEVERS:** There were 24,000 households provided with temporary accommodation but I do not have that figure broken down here.

**The Hon. ROSE JACKSON:** Family and Community Services [FACS] does have that figure available but you do not have it on you right now? Could you take it on notice and provide it later?

**Mr GARETH WARD:** We would happily do that, Ms Jackson.

**The Hon. ROSE JACKSON:** Excellent. Do you have any sense of what percentage of the total amount of temporary accommodation provided women and children fleeing domestic violence accounts for?

**Mr VEVERS:** I would only be guessing.

**Mr COUTTS-TROTTER:** The best data source that comes to mind is the Australian Institute of Health and Welfare [AIHW] collects data from specialist homeless server systems, including ours. I think around 60 per cent of the 13,000 women who approached a specialist homeless server system were deemed to be in need of emergency accommodation—60 per cent of them. The system recorded that domestic violence was a primary or a secondary factor. It is a massive social problem.

**The Hon. ROSE JACKSON:** It is significant. Minister, would you be concerned to hear that the percentage of temporary accommodation provided to women and children fleeing domestic violence has increased significantly since 2013-14?

**Mr GARETH WARD:** I think anyone that is seeking services because of domestic violence issues is a concern. If that is increasing, of course I would be concerned about that.

**The Hon. ROSE JACKSON:** The reason that I ask is because in some ways whilst the issues raised by my colleague Mr Shoebridge are particularly problematic and wicked, as they were described, one of the issues here is that there is in fact an alternative to temporary accommodation being used to house women and children fleeing domestic violence and that is specialist domestic violence refuges.

**Mr GARETH WARD:** That is right, women's refuges. Yes, there are.

**The Hon. ROSE JACKSON:** What work is the Government doing to ensure that specialist domestic violence refuges are a meaningful option for women and children fleeing domestic violence so that they do not end up in temporary accommodation, which is often small, one-room motels, no specialist domestic violence support?

**Mr GARETH WARD:** I can tell you we have more women's refuges than ever before—83 across the State. That is part of our \$1 billion that we are spending—a record amount—on homelessness services in New South Wales.



**The Hon. PENNY SHARPE:** Those women's refuges are not specifically for women escaping domestic violence. They do not always take children, do they?

**Mr GARETH WARD:** That is correct, yes.

**Mr VEVERS:** I wonder if I could add to the Minister, when we place people escaping domestic violence in temporary accommodation we do link them up with support. We have out-of-hours services that we can turn to, and our Link2home line always refers women escaping domestic violence to those services and also always offers women escaping domestic violence a referral to the Domestic Violence Line.

**The Hon. ROSE JACKSON:** Is it true that women who are accessing temporary accommodation due to domestic violence for, say, a few nights often have to check out at 10.00 a.m. and then recheck in at 2.00 p.m. and just wander the streets with their children for four hours because they are unable to access the accommodation for that period?

**Mr VEVERS:** No. What we ask people who we place into temporary accommodation to do is to link up with their local Housing Office so that we can start to make a long-term plan for them to get into stable accommodation. They are not asked to wander the streets for four hours because our office is open at nine o'clock in the morning.

**The Hon. PENNY SHARPE:** But women staying in a motel with their kids have to check out at 10.00 a.m. and then go back to the motel at 2.00 p.m. Are you denying that that occurs?

**Mr VEVERS:** I am saying they do not have to wander the streets for four hours.

**The Hon. PENNY SHARPE:** So they can go and hang out in the local Housing Office with their kids when they have just escaped a domestic situation? You are not negotiating with temporary accommodation that they can actually stay where they are?

**Mr VEVERS:** We do do that.

**The Hon. PENNY SHARPE:** Why do we have reports that women are wandering the streets?

**Mr VEVERS:** People are offered temporary accommodation the first time that they approach Link2home until the housing office opens, and then we want to start the process of long-term planning with them. In some cases we may be able to get them into a specialist homelessness service and that is what we would like to do, rather than have them in a motel. That does require some engagement between us and them. If there is no place for them in a specialist homelessness service, then we will give them many nights of temporary accommodation in the same place.

**The Hon. ROSE JACKSON:** I think this is what you are referring to: For example, at the Penrith Housing NSW office, in order to access more than two nights of temporary accommodation—this is after a woman and her children have fled a violent household situation—they have to show evidence that they have applied for at least six houses. Immediately after leaving a potentially extremely violent situation, you are forcing them to check out at 10.00 a.m., come to the Penrith office with their children and show evidence they have applied for six houses in an extremely difficult housing market in order to access more than two nights of temporary accommodation.

**Mr VEVERS:** No, that is not the policy or the practice that we adopt. The two nights is given by Link2home, which is out-of-office hours. So when people approach us in a crisis, they are initially given two nights' temporary accommodation. Other people do come straight into our offices and we then start to work a longer-term plan with them. What you are referring to is part of that longer-term plan, which is asking people to try to house themselves in the private rental market. We would never expect someone who is escaping domestic violence to do that in two days. So they come into the office and we then explain to them what they need to do and we then give them a longer time in temporary accommodation or, preferably, if we can find a vacancy in a specialist homelessness service, we will place them in there.

**Mr GARETH WARD:** Can I add something to that? There are two programs, for the Committee's information, that you may be interested in: Staying Home Leaving Violence and Rent Choice Start Safely. They are the two main housing programs that respond directly to households affected by domestic and family violence. In addition, households affected by domestic and family violence may be able to access the full range of housing assistance options that are available through the State Government.

**The Hon. ROSE JACKSON:** Minister, you mentioned earlier your Government's record number of women's refuges that are operating—

**Mr GARETH WARD:** No, it is a fact, Ms Jackson: 83.

**The Hon. ROSE JACKSON:** Would you accept that specialist women's domestic violence refuges are an integral part of the framework for supporting women and their children who are leaving violent relationships?

**Mr GARETH WARD:** Absolutely, as I am sure we all would.

**The Hon. ROSE JACKSON:** Absolutely. Would you be concerned, then, to hear that, for example, Jenny's Place—a domestic violence resource centre in Newcastle—is due to close imminently because of funding shortfalls from the New South Wales Government?

**Mr GARETH WARD:** I would just simply say, as I said to your colleague the Hon. Penny Sharpe earlier, that these matters are matters for the Attorney General. What I would say—

**The Hon. PENNY SHARPE:** Funding is you, Minister, as the Attorney General was quick to tell us.

**The Hon. ROSE JACKSON:** We asked the Attorney General.

**Mr GARETH WARD:** Not for domestic violence centres.

**The Hon. ROSE JACKSON:** So you fund temporary accommodation for domestic violence.

**Mr GARETH WARD:** Yes.

**The Hon. ROSE JACKSON:** You fund Link2home homelessness support for domestic violence, but you do not fund women's domestic violence refuges?

**Mr GARETH WARD:** Ms Jackson, you and I have known each other for a long time. There is no need to shout at me. I would simply say to you that what I said earlier was accurate: I deal with specialist homelessness services, which include refuges, but domestic violence services are a matter for the Minister for the Prevention of Domestic Violence.

**The Hon. ROSE JACKSON:** On homelessness services generally, then, in June 2018 when the Government announced the NSW Homelessness Strategy, you announced investment of \$1 billion over four years.

**Mr GARETH WARD:** That is right.

**The Hon. ROSE JACKSON:** Then, in June 2019, within the budget papers there was an investment of \$1 billion over four years.

**Mr GARETH WARD:** Correct.

**The Hon. ROSE JACKSON:** What is the time frame for the investment of \$1 billion on homelessness?

**Mr GARETH WARD:** Over the course of the budget cycle.

**The Hon. ROSE JACKSON:** So when you announced it in June 2018, the \$1 billion was actually not allocated? It only started in 2019?

**Mr GARETH WARD:** No, that is how budgets work: You allocate money over the forward estimates.

**The Hon. ROSE JACKSON:** In June 2018 when you announced \$1 billion, in fact, none of that money was going to come online until the start of the 2019-20 financial year?

**Mr GARETH WARD:** I will take responsibility for matters that fall under my ministry from when that started on 2 April. You are referring to matters previous. But we have made a \$1 billion commitment to homelessness services, as you point out.

**The Hon. ROSE JACKSON:** Does that \$1 billion include the \$30 million that the Commonwealth contributes under the National Housing and Homelessness Agreement?

**Mr GARETH WARD:** Yes, that is right. The national housing and homelessness strategy is a national agreement, as you point out, and it makes contributions towards both homelessness and housing.

**The Hon. ROSE JACKSON:** I would like to ask a few questions now about Juvenile Justice. Are you the Minister responsible for managing the Juvenile Justice portfolio?

**Mr GARETH WARD:** No, I am the Minister responsible for the Youth Justice portfolio.

**The Hon. ROSE JACKSON:** Does that mean that you have carriage of the Young Offenders Act?

**Mr GARETH WARD:** Yes, it does.

**The Hon. ROSE JACKSON:** Why do you not appear, then, on the New South Wales Justice cluster Ministers website?

**Mr GARETH WARD:** I appear in the list of administrative orders in the allocation of Acts.

**The Hon. ROSE JACKSON:** So you are responsible for taking matters for consideration to Treasury?

**Mr GARETH WARD:** That is a matter for the cluster lead, who is the Hon. Mark Speakman.

**The Hon. ROSE JACKSON:** So you have responsibility for Youth Justice, you have responsibility for the Young Offenders Act, but you do not have responsibility for actually ensuring proper funding for any of those areas within your responsibility?

**Mr GARETH WARD:** I make representations to the Treasurer whenever required, and I am responsible for the Acts as outlined and as distributed.

**The Hon. ROSE JACKSON:** What steps are you taking to ensure that detainees aged above the age of 18 are not in the same areas with those under the age of 18?

**Mr GARETH WARD:** That is a very good question. We have a number of facilities—we have six facilities. Can I just make the observation that as of my latest figures, I think we have 252 people in our Youth Justice facilities either on remand or on detention orders, which is, I think the lowest in 15 years—down 40 per cent.

**The Hon. PENNY SHARPE:** Can you give a breakdown, on notice, of how many of those are on remand?

**Mr GARETH WARD:** I can actually give you those numbers. If you give me one moment I can actually give you those numbers. The total number in custody as at September—midnight 2 September—is 252 in custody. The total number in remand on custody is 150. Male is 232 in custody; Aboriginal and Torres Strait Islander is 119. In the different categories, which might be of interest—for category A1 (b), 47, which is high; high A1 (o) is four; medium A2 is 68; medium B1 is 104; low to medium B2 is 14; low B3 is 11; and unclassified is four.

**The Hon. ROSE JACKSON:** Thanks, Minister, but drawing you back to Australia's obligations under the United Nations Convention on the Rights of the Child, what are you doing to ensure that adults over the age of 18 are not detained with children under the age of 18 in Youth Justice facilities?

**Mr GARETH WARD:** We have six facilities and generally adults are being kept at either Cobham or Baxter. Can I just make the observation, because I think the elephant in the room—if I can put it that way—is the incident at Frank Baxter. There were a number of 18-year-olds that were involved in serious acts of violence against staff and against other detainees. I have the opportunity to transfer or request that they be transferred, with agreement of the Commissioner for Corrections, to adult prisons. Every single one of those over the age of 18 involved in that outrageous incident have been transferred because I am not going to put up with bad behaviour. We run these centres, not the detainees.

**The Hon. PENNY SHARPE:** That is great, Minister. You had an opportunity to do a Dixier but the Government has given up its time. Our interest is what you are doing with the 18-year-olds who are not being transferred to adult facilities.

**The Hon. ROSE JACKSON:** It took a crisis, hundreds of thousands of dollars' worth of damage and a number of people being stabbed for you to do anything about this problem at Frank Baxter, where, I understand, as you say, around one-quarter of detainees are over 18. What steps are you taking in general to ensure Australia meets its international obligations to ensure that adults are not detained with children?

**Mr GARETH WARD:** Following Baxter, I asked Lee Shearer, former assistant police commissioner, to do an investigation into the Baxter incident. I have received that report.

**The Hon. ROSE JACKSON:** Will you make it public?

**Mr GARETH WARD:** I cannot make all of it public because there would be security implications, particularly the maps of the prison. You would understand that I cannot make all of that public for obvious reasons. But what I can, I will, because I think it is important that people see the work that we have done in relation to Youth Justice. Can I just say there are a lot of great programs that we have to keep kids out, and I think that as much as possible everyone would want to ensure that young people are not entering Youth Justice. So we are doing a review of the Young Offenders Act shortly. Programs that Mr Groves runs, like A Place to Go, are about children leaving or entering Youth Justice. We have programs like Youth on Track to divert children from ever

being involved. The Youth Justice conferencing programs, which are about restorative justice—keeping kids out of the Youth Justice system—and the Bail Assistance Line are examples of what we are doing to try to keep kids out. As you would have seen from the figures I quoted earlier, we are seeing lower numbers of kids in detention which is obviously what I want to achieve.

**The Hon. ROSE JACKSON:** Has there been a change in senior management at the Frank Baxter facility since the riot?

**Mr GARETH WARD:** Given the fact that the report is still subject to consideration, I do not want to make any comment. However, I would say that I am very grateful that my friend and colleague and your colleague the shadow Minister is coming with me tomorrow to Frank Baxter to meet the staff. Can I tell you when it comes to this topic there just is not a Liberal thing to do or a Labor thing to do; there is just a right thing to do. I am looking forward to having Mr Dib with me to meet the staff and to thank them for their bravery on that night. In fact, on the night in question there were some extraordinary acts of bravery from staff and also from detainees, so I am looking forward to being there with him. I have been up there once myself and I am looking forward to being with the shadow Minister because this should be a bipartisan effort.

**The Hon. ROSE JACKSON:** That is right. And the right thing to do is to ensure that Australia is meeting its international human rights obligations under the United Nations Convention for the Rights of the Child to ensure that adults are not detained with children, potentially young children, in Youth Justice facilities. How many detainees above the age of 18 are currently in a youth detention facility?

**Mr GARETH WARD:** I will take it on notice. I am happy to provide the right advice, unless Ms Czech has it?

**Ms CZECH:** No, I do not have that at hand, but we can take that on notice.

**Mr GARETH WARD:** Yes. Happy to get that for you, Ms Jackson.

**The Hon. ROSE JACKSON:** Thank you. Has the department received complaints about the practice of mixing detainees of varying age and crime in the same centres?

**Mr GARETH WARD:** We will take that on notice.

**The Hon. ROSE JACKSON:** It is my understanding, but correct me if I am wrong, that in fact the infrastructure exists right now to ensure that children and adults are not detained together if indeed it was the Government's wish that they were not, but because of action that you are not taking we still do have adults as old as 20 being detained with young children potentially aged 14 and 15 and with varying seriousness of offence.

**Mr GARETH WARD:** That is not my understanding but if you are suggesting we should go back to the Chisholm unit or the Kariiong model, I would strongly counsel you against that.

**The Hon. ROSE JACKSON:** You mentioned the Frank Baxter issue but, as you know, there have been other incidents. How regularly are violent incidents occurring in Juvenile Justice facilities? Is it every day, every week?

**Mr GARETH WARD:** Too often. Any incident involving a very dedicated staff is unacceptable and they do occur in correction facilities across the State, across country and across the world. It does not make them any less acceptable. That is one of the reasons why in this very building, following the Frank Baxter incident, I met with representatives from the Public Service Association [PSA] and I have spoken to Stewart Little numerous times about changes that we can make. I know that Ms Shearer, as part of her independent review, also consulted with frontline staff.

**The Hon. ROSE JACKSON:** After the incident, I think at the Orana Juvenile Justice Centre in Dubbo—

**Mr GARETH WARD:** Yes.

**The Hon. ROSE JACKSON:** —you instructed Youth Justice to conduct safety audits of all centres.

**Mr GARETH WARD:** Can I just correct you there? Not just there. Mr Little and the PSA asked if I would engage Mr John Harris in Corrections to undertake a safety audit of all facilities.

**The Hon. ROSE JACKSON:** All facilities, yes.

**Mr GARETH WARD:** And that is in the process of being completed.

**The Hon. ROSE JACKSON:** When do you think that might be complete?

**Mr GARETH WARD:** I think it should be done this month, is it?

**Ms CZECH:** Yes, Minister.

**Mr GARETH WARD:** I am hoping for the end of this month but do not quote me on that. But it will be done. It will be done.

**The Hon. ROSE JACKSON:** In July 2017 prison officers at Juvenile Justice facilities indicated that they would consider walking off the job after a string of violent assaults. There were incidents then in January this year—I think, Steven Southgate.

**Mr GARETH WARD:** I was not the Minister then, but yes.

**The Hon. ROSE JACKSON:** The point that I am making is that this is not a new issue. It is not a new issue, as you say—

**Mr GARETH WARD:** Absolutely.

**The Hon. ROSE JACKSON:** —that there are violent incidents in Youth Justice facilities. Why did it take the incidents in Dubbo and the incidents in Frank Baxter for you to actually act on the issues that have been raised as far back as July 2017 about safety and security in Youth Justice facilities?

**Mr GARETH WARD:** Since becoming the Minister in April, I have visited five of six facilities with plans to visit the sixth shortly. I have revived the memorandum of understanding with the Special Operations Group. You reference Orana, quite rightly, and I understand that less than 20 minutes went past once the Special Operations Group arrived to address that incident. They have done a very good job in resolving those incidents when they arise. I have exercised the opportunity to shift violent offenders when I do not believe there is an opportunity to rehabilitate them in our centre who are over the age of 18 and who have engaged in acts of violence against staff or other detainees. In addition, I have been able to commission a very good piece of work by Ms Shearer, which I hope to act on.

**The Hon. ROSE JACKSON:** Is it true that at the Frank Baxter centre prior to the riot, staff shortages had meant that offenders were locked in their cells longer than usual and that they had in fact alerted officers to the fact that they were dissatisfied with that?

**Mr GARETH WARD:** I will take that on notice. Did you have one more question?

**The Hon. ROSE JACKSON:** I have many more.

**Mr DAVID SHOEBRIDGE:** There is another round.

**The Hon. ROSE JACKSON:** Yes. Thank you, Minister.

**Mr DAVID SHOEBRIDGE:** Minister, I know that the Opposition was putting to you as though there is a stark obligation to move a detainee once they go from ages 17 to 18 from juvenile detention to adult prison, but there are often very good reasons why a young person would serve out the balance of their term in juvenile detention and not be automatically transferred to an adult prison. Is that not right?

**Mr GARETH WARD:** There may well be. Section 28 of the Act provides for the secretary to make that decision based on a number of factors. But I am sure you would agree, Mr Shoebridge, that if a child poses a serious risk to other offenders or staff and they can be better rehabilitated—it is not as if their rehabilitation stops—and managed in an adult prison, then I think that bad behaviour has to have some consequences.

**Mr DAVID SHOEBRIDGE:** This is not a question about bad behaviour. The proposition being put from the Opposition was that there is a hard-and-fast international norm that as soon as a young person turns 18 they have to be separated from juvenile detainees.

**Mr GARETH WARD:** I think they are referring to the Beijing rules, yes.

**Mr DAVID SHOEBRIDGE:** Indeed. The way that norm operates in practice in detention centres across the planet is that there is a transition phase.

**Mr GARETH WARD:** Correct.

**Mr DAVID SHOEBRIDGE:** There is a case-by-case assessment.

**Mr GARETH WARD:** Correct.

**Mr DAVID SHOEBRIDGE:** I do not know; maybe Ms Czech might be able to identify how that works in practice in juvenile detention.

**Mr GARETH WARD:** Well, you are quite right. We keep young offenders up to the age of 21½. It was interesting when I was talking about the Frank Baxter matter more publicly than we normally talk about Youth Justice. It came as a shock, I think, to some people that we keep young offenders to that age. But, look, can I just defend that position because if we can rehabilitate young people as they are moving through the system and make sure they never come back, that is what we should be seeking to do. Sometimes that means recognising a range of challenges being faced by that young person—notwithstanding their crimes, which are serious because if young people have ended up in Youth Justice they have done some serious things—but if we can rehabilitate them and make sure that they live better lives and make good contributions to the community, then I am totally, and so is the Government, committed to that.

**Ms CZECH:** Can I just add that there might be circumstances in which the detention order is expiring shortly after a young person's eighteenth birthday.

**Mr GARETH WARD:** Correct.

**Ms CZECH:** In those circumstances, it may be best for them to stay in the centre in which they are actually located.

**Mr DAVID SHOEBRIDGE:** Indeed, it would be extraordinarily disruptive to send a person who has just turned 18 and has two months left on their sentence—

**Ms CZECH:** It may well be.

**Mr DAVID SHOEBRIDGE:** —extraordinarily and pointlessly disruptive to send them to an adult prison.

**Ms CZECH:** True. The other thing that happens on a regular basis with all detainees is regular risk assessments from point-of-entry date of admission to a centre but then on a regular basis depending on risk but to develop plans that are both therapeutic and risk management plans for all detainees.

**Mr DAVID SHOEBRIDGE:** Minister, I am sure elements of this have been considered in the review about Baxter.

**Mr GARETH WARD:** Yes.

**Mr DAVID SHOEBRIDGE:** Can you give a time frame for your response to that review?

**Mr GARETH WARD:** Very soon. Very soon.

**Mr DAVID SHOEBRIDGE:** Do I take that as weeks rather than months?

**Mr GARETH WARD:** Look, as you can appreciate, these decisions are being ventilated at the moment and I hope to have a response very shortly.

**Mr DAVID SHOEBRIDGE:** So you are clarifying "very soon" by saying it is will be "very shortly"? Is that how I am to understand the answer?

**Mr GARETH WARD:** It is a very interesting threshold, Mr Shoebridge.

**Mr DAVID SHOEBRIDGE:** Alright. Do you agree that wherever possible, consistent with the best interests of a child, if a child has been removed the case plan for that child should aim for restoration with family—wherever possible and consistent with the best interests of the child?

**Mr GARETH WARD:** Not only consistent with that but the permanency placement principles—which, as you know, are a feature of our legislation—start with restoration. Then we move to guardianship and then on to adoption and then the very last resort being into the care of the Minister.

**Mr DAVID SHOEBRIDGE:** I was astounded when I saw the data from earlier this year that said of the children in the care of NGOs for which there is a case plan goal, only 3 per cent of those children have restoration as the case plan goal—only 3 per cent. How can you explain that figure given that restoration is meant to be the first and the primary goal?

**Mr GARETH WARD:** I might ask the secretary to comment further, but can I just make an observation? In New South Wales we are seeing fewer children entering care than ever before. In fact, we have the lowest rate

of children entering care in Australia. We have seen a 44 per cent reduction in children entering out-of-home care and a 42 per cent reduction of Aboriginal children—

**Mr DAVID SHOEBRIDGE:** Yes, but Minister I was not asking about that.

**Mr GARETH WARD:** I know. I know.

**Mr DAVID SHOEBRIDGE:** As the Opposition said before, your opportunity for Dixers has been removed.

**Mr GARETH WARD:** Yes, but if I could just finish. Because we are seeing the rate of children entering care fall, the corresponding result is that we are seeing less numbers of children in the system, which means a reduction in the rate that you highlighted.

**Mr DAVID SHOEBRIDGE:** No, Minister. This is 3 per cent of the children who have a case plan; 3 per cent of the children in care that have a case plan goal of restoration and that means 97 per cent do not. How do you possibly explain that?

**Mr GARETH WARD:** I will ask the secretary to comment.

**Mr COUTTS-TROTTER:** I think this is explained by the transition of children on long-term care orders from FACS supportive care to the non-government sector in the years following 2013. We know that 50 per cent of successful restorations happen within the first year of a child coming into care. The population of children in care supported by non-government organisations disproportionately includes children who have been in stable foster care places for a long period of time. In other words, they are not reflective of the population of kids recently arriving in care for whom we would expect to see restoration being explored with urgency and as a priority.

**Mr DAVID SHOEBRIDGE:** What proportion of children, across both NGO and FACS in out-of-home care, have a case plan?

**Mr COUTTS-TROTTER:** I will take it on notice just to give you an exact figure.

**Mr DAVID SHOEBRIDGE:** Do you have any sort of ballpark figure?

**Mr GARETH WARD:** I do not think we will give ballpark figures. We will give accurate figures. We will take that on notice

**Mr DAVID SHOEBRIDGE:** Do the majority have a case plan?

**Mr COUTTS-TROTTER:** Yes.

**Mr GARETH WARD:** Can I say, I read the summaries of leaving care plans when those children leave care and I sign each of those letters and I have to say they make for very sobering reading.

**Mr DAVID SHOEBRIDGE:** But I am not talking about the leaving care plan, I am talking about a case plan while a child is in out-of-home care.

**Mr GARETH WARD:** Case plans, yes.

**Mr DAVID SHOEBRIDGE:** Minister, you must have some handle on the proportion of case plans that have restoration as their case plan goal.

**Mr GARETH WARD:** The average length of stay, as you know, for a child in care is 12½ years and restoration of these children may not always be appropriate. There are other options, as you are aware.

**Mr DAVID SHOEBRIDGE:** I have put to you the figure that suggests that of the children who are in NGOs only 3 per cent have a case plan goal of restoration. I am asking you, across the sector, this is one of the key issues about restoration, you must have some handle on the proportion of case plans that have restoration as a goal.

**Mr COUTTS-TROTTER:** We do, but I do not have it to hand unless my colleagues Simone Czech has it.

**Ms CZECH:** No, I do not have it to hand, but I would like to—

**Mr DAVID SHOEBRIDGE:** Is it 5 per cent, 10 per cent, 20 per cent?

**Mr GARETH WARD:** We will take it on notice.

**Ms CZECH:** I would like to make an additional comment to the secretary and it goes back to 2012 and I think it is an important point because in 2012 when we commenced the out-of-home care transition, the bulk of the children that we transferred from the then Family and Community Services care across to the non-government sector were children who were in very stable and long-term placements; long-standing placements where for the majority of those placements restoration was not going to be suitable. Now that then means that we look at other permanency options including guardianship, open adoption and for some children actually staying in out-of-home care, but it is a different proportion. What we could take on notice is children coming into care post that period, what proportion of them are subject to a restoration.

**Mr DAVID SHOEBRIDGE:** By all means give that additional figure, but I would like my actual question answered. And then, to be quite frank, Ms Czech, the idea that you can rely upon a cohort that was in care in already long-term placements in 2012, that is seven years ago, that you can rely upon that cohort, many of whom will have left care to justify a 3 per cent, 3 per cent of children in NGOs having care plans, I do not accept that argument and I do not think the numbers support your argument.

**Ms CZECH:** Okay.

**Mr GARETH WARD:** We will take that on notice, Mr Shoebridge.

**Mr DAVID SHOEBRIDGE:** Could you please give a breakdown between, if you have it and I assume you do, the proportion with the case plan goal of restoration for those in NGO care as opposed to those in—

**Mr GARETH WARD:** Yes. Very good question. We will take that on notice.

**Mr DAVID SHOEBRIDGE:** And lastly, if you could break it down by Aboriginal and non-Aboriginal—

**Mr GARETH WARD:** Absolutely. Yes, that is fine.

**Mr DAVID SHOEBRIDGE:** Minister, I have not yet seen the data for the most recent financial year on risk of significant harm [ROSH] reports, children identified as at risk of serious harm and children who are actually seen by caseworkers. But the data I have for 2016-2017 and 2017-2018 shows that, despite there being 75 additional caseworker roles in the 2017-2018 budget and despite there being an increase in the number of children identified as at risk of serious harm increasing from a 86,424 to 92,007, the number of children actually seen decreased from 27,793 to 26,196. How does that happen? More children at risk of harm, more risk of serious harm reports, more caseworkers, but less children seen.

**Mr GARETH WARD:** I think that is one of the reasons—

**The Hon. PENNY SHARPE:** If you are in out-of-home care, removed.

**Mr GARETH WARD:** I think that is one of the reasons why we need to make sure that we invest in more targeted early intervention programs to try to make sure that kids never even reach that and we have a number of permanency support packages that are delivering great results—

**Mr DAVID SHOEBRIDGE:** Minister, again, this is not an opportunity to talk about unrelated programs or unrelated matters. This is about responding to that stark fact. More kids are identified as at risk of serious harm, more risk of serious harm reports, more caseworkers, but less children being seen by caseworkers.

**Mr GARETH WARD:** I might ask the secretary to make some comments.

**Mr COUTTS-TROTTER:** Only that this was, at the request of a previous Minister, the subject of an internal audit report that has been published on the website, which concluded that actually what happened during the 2017-2018 financial year was our recruitment of caseworkers rose very significantly year on year. And when you are recruiting caseworkers, the caseworkers who arrive need preparatory training and they need closer supervision. The internal auditor concluded that the one-off drop in that year's number of children seen was a function of the organisation bringing so many more caseworkers into the workplace. We have now got a vacancy rate in child protection caseworkers of zero, which actually understates that in many areas we have more caseworkers temporarily than we have budget for. What we have seen in preliminary data for the 2018-2019 financial year is around 30,000 or 30,500 children who received a face-to-face response from us, which is about a 16 per cent increase year on year, which is an extraordinary achievement of our child protection practitioners and their leaders.

**Mr DAVID SHOEBRIDGE:** You have jumped into my next question. Can you give me the data as best you can for the most recent financial year? And also can you provide the committee with a clear link to that audit report or a copy?



**Mr COUTTS-TROTTER:** Yes, and I am happy to do the latter. We have preliminary data for 2018-2019 and the moment I am advised by our data custodians that it is exact we can make it available to the committee.

**Mr DAVID SHOEBRIDGE:** Minister, pretty much everybody in the sector thinks it is appropriate for there to be an increase in the age for which children leave care from 18 to 21 and extending the age of State care to 21. What is your position?

**Mr GARETH WARD:** I refer you to Section 165 of the Children and Young Persons (Care and Protection) Act, which allows us to keep supporting children who have left care up to the age of 25. I am aware of the Home Stretch campaign and I have met with people who are advocating that position. I am also aware of the work of the South Australian Government in this particular regard. But we do have the capacity and I am aware of many cases where we have supported people after leaving care with packages of support to make sure that they maintain a good life trajectory.

**Mr DAVID SHOEBRIDGE:** Minister, perhaps you can provide on notice the number of children aged 18, 19, 20 and 21 who were in receipt of one of these care packages and what the funding was for those.

**Mr GARETH WARD:** Yes, we will take that on notice.

**Mr DAVID SHOEBRIDGE:** Minister, you are not suggesting that the current arrangements adequately respond to the concerns raised about leaving care, are you? You are not saying, "We are just going to rest with the current arrangements," which, I think it would be fair to say, the sector thinks are inadequate.

**Mr GARETH WARD:** As you say, I have met with organisations that are engaged in this campaign and I have listened to them. The current legislation does provide the opportunity to provide supports up to the age of 25.

**Mr DAVID SHOEBRIDGE:** Is there any internal review anywhere in the department about the age of leaving care in response to those demands in the community?

**Mr GARETH WARD:** No, not that I am aware of.

**Mr DAVID SHOEBRIDGE:** Following the release of the *Forecasting Future Outcomes: Stronger Communities Investment Unit—2018 Insights Report*, the Government announced that two initial priority population groups have been endorsed for targeting cross-government investment—

**Mr GARETH WARD:** Yes—vulnerable young children, zero to five, and children who have had an interaction with the mental health system.

**Mr DAVID SHOEBRIDGE:** What funding has the Government allocated?

**Mr GARETH WARD:** To both of those groups? We have a variety of programs that I will ask Mr Coutts-Trotter or Mr Groves to comment on.

**Mr DAVID SHOEBRIDGE:** First, is there any additional or fresh funding—not repurposed funding—allocated to those target groups?

**Mr GARETH WARD:** Just to be clear, as you are aware, all of this work came out of the Tune review that said out-of-home care is crisis-driven and we need an evidence-based, whole-of-government approach. As Minister, I announced that we would establish the Stronger Communities Investment Unit. A number of years ago we announced \$190 million for TFM. They are driving these responses, together with other programs that we have across Government. Through the Stronger Communities Investment Coalition they will seek to address the funding that we have to repurpose those funds through the social investment model.

**Mr DAVID SHOEBRIDGE:** I will put my question clearly: What funding has the Government allocated to support cross-government investment to address the needs of the two priority population groups identified in the insights report?

**Mr COUTTS-TROTTER:** I should take it on notice unless my colleague, Gary Groves, has something he wants to add.

**Mr GROVES:** Some of the reinvestment purposes come from the Keep Them Safe dollars that were invested in programs a few years ago. We are looking at the evidence that sits behind those programs and where they can be repurposed to meet the zero to five and the children and young people with mental health issues.

**Mr DAVID SHOEBRIDGE:** In the afternoon we will probably come back to individual programs and the like. Minister, since last year's amendments to the Children and Young Persons (Care and Protection) Act about adoption and guardianship, how many children in New South Wales have been adopted?

**Mr GARETH WARD:** Last financial year, 134, seven of which were Aboriginal. I will pre-empt your question by saying that one of those was contested. That was the first contested Aboriginal adoption in more than 10 years.

**Mr DAVID SHOEBRIDGE:** Given the history we have had of First Nations children being stolen by the Government, do you think, as Minister, that the Government should ever run a case in the Supreme Court of New South Wales against an Aboriginal parent to forcibly adopt a child?

**Mr GARETH WARD:** I think you and I and everyone around this room shares a genuine passion for reconciliation, but it is wrong to categorise the Stolen Generation tragedy, which was about young people being taken because of their Aboriginality, with a Supreme Court decision with respect to adoption which is available to all other children and which should also be available to Aboriginal children. As I have already outlined, seven Aboriginal children were adopted last year, with both parental and child consent. One adoption in the last 10 years was contested—a decision made by the Supreme Court of New South Wales, the highest court in the land.

**Mr DAVID SHOEBRIDGE:** Was that decision made in the last 12 months?

**Mr GARETH WARD:** That is correct.

**Mr DAVID SHOEBRIDGE:** Following the changes to the law—and I put this to you, ignorant of the collective trauma that First Nations people still suffer from decades of the State stepping in and stealing their children—the fact that it is happening once or twice, but even once, is re-traumatising for the Aboriginal community. Isn't that the fundamental problem with what is happening?

**Mr GARETH WARD:** I do not agree with you on this particular point—that you can compare the Stolen Generation atrocity with a right that is available to every other child and is a decision for the highest court in the State.

**Mr DAVID SHOEBRIDGE:** Not all communities are equal on this. The Aboriginal community saw decades of lawful actions by the State Government, stealing their children against the wishes of the parents. Even just one case in the Supreme Court where an Aboriginal parent's will is being overrun by the law of the State to forcibly adopt their child is one too many.

**Mr GARETH WARD:** Every Aboriginal child in that situation should have the opportunity to have the matter heard in court. Obviously, additional criteria are required in Aboriginal adoptions in relation to cultural planning. I accept that you have a view on this. I am happy to continue to listen but the policy remains unchanged.

**Mr DAVID SHOEBRIDGE:** Was the adoption to an Aboriginal or non-Aboriginal family?

**Mr COUTTS-TROTTER:** I need to take that on notice.

**Mr GARETH WARD:** We will take that on notice.

**The Hon. PENNY SHARPE:** Thank you. Minister, before I start talking about disability inclusion, I will ask one final question about child protection, with a crossover: How many kids are currently detained or in out-of-home care?

**Mr GARETH WARD:** That is a very good question. I think it is 22.

**Ms CZECH:** Yes.

**Mr GARETH WARD:** I think it is 22 off the top of my head. Let's just see—

**The Hon. PENNY SHARPE:** If we can get the number. I have not got a lot of time. I am happy for you to take it on notice. It is just a follow-on from Mr Shoebridge's question.

**Ms CZECH:** I think it is 22.

**The Hon. PENNY SHARPE:** More broadly, I am also interested in how many of those on non-custodial orders are also—

**Mr GARETH WARD:** My eyesight might not be pretty good but my memory is not too bad. I think it is 22.

**The Hon. PENNY SHARPE:** Can you also give us the figures for the number of kids on non-custodial orders who are also in out-of-home care?

**Mr GARETH WARD:** Just give me a moment. I might be able to get that for you. Bear with me for one second. There were 1,620 offenders on 5,312 community-based orders. Hours of community service—

**The Hon. PENNY SHARPE:** That is okay. I do not need all of those. I just want to know the number in out-of-home care.

**Ms CZECH:** Twenty-two.

**Mr GARETH WARD:** Twenty-two. I was right there.

**The Hon. PENNY SHARPE:** That is in detention or is that all—

**Mr GARETH WARD:** We will take that on notice.

**The Hon. PENNY SHARPE:** Yes. That is what I asked. Minister, you are familiar with the Ability Links NSW program?

**Mr GARETH WARD:** I am, and I am very familiar with the fact that we made a \$11.6 million commitment to fund that. I am familiar with the fact that the Commonwealth also agreed to fund the program.

**The Hon. PENNY SHARPE:** Is the program being defunded at the end of October?

**Mr GARETH WARD:** We have met our component of the funding. Can I take this opportunity to call on—

**The Hon. PENNY SHARPE:** No, you cannot. I am asking you. You can go outside and do a press conference. I know you like the cameras.

**Mr GARETH WARD:** They do not like me very much.

**The Hon. PENNY SHARPE:** I am asking you questions. As I understand it, \$40 million was allocated between Commonwealth and State funding and that funding is going to run out at the end of October. Is that correct?

**Mr GARETH WARD:** I will answer that, but do you mind if I answer your last question. So, 122 children and young people in contact with Youth Justice are on orders of parental responsibility to the Minister. Of 122, 22 were in custody—that is 8.1 per cent of all young people in custody on 13 May—and 100 were in the community under Youth Justice supervision—9 per cent of all young people under supervision on 13 May. That answers the previous question.

**The Hon. PENNY SHARPE:** Thank you.

**Mr GARETH WARD:** In relation to that, the Commonwealth has an obligation to fund \$28.5 million. We made a commitment of \$11.6 million. We have fully funded that in the budget.

**The Hon. PENNY SHARPE:** Yes, but is it the case that the program, which employs 400 people and has been given a Premier's award and has been reviewed as enabling genuine, evidence-based disability inclusion to work, is closing its doors across the State at the end of October?

**Mr GARETH WARD:** We have funded our commitment.

**The Hon. PENNY SHARPE:** Yes, I understand that. You can fund your commitment all you like but it is still closing its doors at the end of November. Is that not the case?

**Mr GARETH WARD:** They are non-government organisations but we have funded the commitment that we made fully.

**The Hon. PENNY SHARPE:** And the \$11 million you provided before—

**Mr GARETH WARD:** \$11.6 million, which was announced prior to the election.

**The Hon. PENNY SHARPE:** Yes, I saw Ray Williams' press release—I can read. Where is the Commonwealth money then?

**Mr GARETH WARD:** You would need to ask the Commonwealth.

**The Hon. PENNY SHARPE:** I know you do not want to say it in front of the cameras, but basically this program is going to close at the end of October. Is that correct?

**Mr GARETH WARD:** We have fully funded our commitment to Ability Links.

**The Hon. PENNY SHARPE:** Yes, I can hear you. I understand what you are saying. I have a quote from some of the services that are very concerned here. Families across the State are extremely concerned. By all accounts this program has been outstanding. It actually fills a gap between the NDIS and what the transition to the NDIS is, and it provides beyond therapy and direct care for people with a disability. It actually provides them pathways into genuine social inclusion and involvement. That is going to disappear at the end of October this year. One of the workers in Ability Links has been quoted as saying, "Family and Community Services have not talked about anything you normally do when a program ends and what we do with our participants, about what we do about referring them on. There has still been very unclear messaging from FACS and it looks like they are expecting the local area coordinators through the NDIA to pick that up." Minister, is that your expectation?

**Mr GARETH WARD:** Ms Sharpe, as the first disabilities Minister to have a disability I am incredibly passionate about this area, and rightly so.

**The Hon. PENNY SHARPE:** I am not doubting your passion but the program is about to close, Minister.

**Mr GARETH WARD:** If I can answer your question? This month the Information, Linkages and Capacity Building [ILC] funding—which is what Ability Links does—is open for people to apply. That is through the National Disability Insurance Agency which, of course, we part fund—\$3.3 billion both in cash and in kind.

**The Hon. PENNY SHARPE:** Yes, I am very aware of that.

**Mr GARETH WARD:** I am aware that a number of those providers currently providing Ability Links will be seeking ILC funding grants.

**The Hon. PENNY SHARPE:** How long will that take?

**Mr GARETH WARD:** That is a matter for the NDIA. I do not administer the NDIA.

**The Hon. PENNY SHARPE:** Minister, you are flicking it off as you flicked off domestic violence to everyone else.

**Mr GARETH WARD:** I do not agree with that.

**The Hon. PENNY SHARPE:** You are flicking off the Ability Links—well, let's see the tape.

**Mr GARETH WARD:** I am not the Commonwealth—

**The Hon. PENNY SHARPE:** The question here is that we are about to lose a program that has been funded by FACS for a long time and has been incredibly successful. It has delivered for families across this State in a way that the NDIS currently cannot do.

**Mr GARETH WARD:** Are you suggesting we have not met the obligation that we said we would provide?

**The Hon. PENNY SHARPE:** I am asking you to confirm that the doors are shutting. I am asking you to confirm whether you would consider keeping it going until at least June of next year, as I know that the Aboriginal Ability Links is doing.

**Mr GARETH WARD:** Which is fully funded.

**The Hon. PENNY SHARPE:** What are you going to do in this transfer? Everyone is supportive of the NDIS. Everyone wants to see it work. However, there are gaps emerging, very clear gaps. This is a clear one. You have got a whole system set up on evidence-based—this has got more evidence around it, it has been in place, it has been working and it is closing its doors in October. You will not admit that. You just keep saying, "Well, that has got nothing to do with it—that is the Feds." There is this \$40 million allocated to it—

**Mr GARETH WARD:** Ms Sharpe—

**The Hon. PENNY SHARPE:** There is a \$55 million—no, you will not accept that they are closing their doors. I want to know, one, do you confirm that that is happening; and, two, what are you doing about it other than saying, "We have provided our money but the doors are shutting anyway"?

**Mr GARETH WARD:** Well, I can tell you—

**The Hon. PENNY SHARPE:** You are not going to spend all of the \$11.6 million, so what is that going to do—go back into consolidated revenue?

**Mr GARETH WARD:** You have asked me—

**The Hon. PENNY SHARPE:** Explain what is happening with that?

**Mr GARETH WARD:** You have asked me what I am doing. I actually wrote to Mr Robert—before he was sworn in and after he was sworn in—in relation to this matter. I am continuing to lobby the Commonwealth for its share of funding because we have provided our full share of funding.

**The Hon. PENNY SHARPE:** Can I confirm the Feds committed to \$40.1 million? Have they not provided that?

**Mr GARETH WARD:** No, that is not correct. They committed to \$28.5 million.

**The Hon. PENNY SHARPE:** And so the \$11.6 million is where we get to on that.

**Mr GARETH WARD:** That is the State money, yes.

**The Hon. PENNY SHARPE:** They are not providing that money?

**Mr GARETH WARD:** They have provided \$8½ million.

**The Hon. PENNY SHARPE:** They have not provided what they committed to providing?

**Mr GARETH WARD:** That is correct.

**The Hon. PENNY SHARPE:** Given that they are going to be closing in eight weeks' time, what happens to the \$11.6 million of State money? Is it going to Ability Links?

**Mr GARETH WARD:** Yes, absolutely.

**The Hon. PENNY SHARPE:** All \$11.6 million will go there?

**Mr GARETH WARD:** Correct. Yes, absolutely.

**The Hon. PENNY SHARPE:** We will see. Families across the State are very distraught about this.

**Mr GARETH WARD:** No, we will not "see"; we have provided the money. It is fully funded in the budget.

**The Hon. PENNY SHARPE:** If you want to give those kinds of bureaucratic answers—you are a new Minister, it did not take long for you to get into this. This service employs 400 people. It helps tens of thousands of families. It is extremely well received. If you are serious about disability inclusion, Ability Links is where it is at—and it is going under.

**Mr GARETH WARD:** I think it is extraordinary that you would accuse the first disabilities Minister to have a disability of not being serious about disability inclusion. Perhaps you might want to think about that.

**The Hon. PENNY SHARPE:** I am happy to do this, because you are very happy to—

**The Hon. NATALIE WARD:** Can we get to some questions, please? Some policy questions?

**Mr GARETH WARD:** That is an extraordinary statement.

**The Hon. PENNY SHARPE:** No.

**The Hon. NATALIE WARD:** Chair, this is a personal—I do not think this is helpful to the Committee. Why don't we just move on.

**The Hon. PENNY SHARPE:** It is not a personal attack. I am asking the Minister on behalf of the Government that it is allowing—

**The CHAIR:** Order!

**The Hon. NATALIE WARD:** I did not interrupt, but I do think that this is not helpful.

**The Hon. PENNY SHARPE:** I take offence that he is trying to take personal offence about this. It has got nothing to do with that. It is about his responsibilities—

**The CHAIR:** Ms Ward, if you want to take a point of order you need to. No arguing.

**Mr GARETH WARD:** Can I make clear that I accept, obviously, my responsibilities quite willingly. I have tried to answer your questions. I have told you exactly what we are doing.

**The Hon. PENNY SHARPE:** The service closes—that is what community see at the end of the day. Minister, where is the review of the Disability Inclusion Act 2014 up to?

**Mr GARETH WARD:** I might ask the secretary to answer that question.

**Mr COUTTS-TROTTER:** It is underway. I am just looking to see whether my colleagues Ms Simone Czech or Ms Simone Walker have got something of a timetable. If we cannot find it quickly we are happy to take it on notice.

**The Hon. PENNY SHARPE:** It is due this year. Are we going to see it this year?

**Mr COUTTS-TROTTER:** Yes.

**Mr GARETH WARD:** Yes.

**Mr COUTTS-TROTTER:** Yes, absolutely.

**The Hon. PENNY SHARPE:** It will be in the Parliament this year?

**Mr GARETH WARD:** No, the review will commence this year. Is that right?

**Mr COUTTS-TROTTER:** The review is underway.

**The Hon. PENNY SHARPE:** I think the review is supposed to have been completed.

**Ms WALKER:** The Department of Communities and Justice will be conducting the public forums throughout 2019-20. That will enable the key stakeholders in the community who have interests affected by the operation of the Disability Inclusion Act to express their views. A report on the outcome is to be tabled in each House of Parliament within 12 months. That will be early 2020.

**The Hon. PENNY SHARPE:** You expect we would see it then. The disability inclusion plans—the last report I could find was October 2017. Is there an updated report on the disability inclusion plans across Government?

**Mr GARETH WARD:** While the secretary is for looking that answer, as you rightly identify we have in the Disability Inclusion Act disability inclusion plans for all of our government departments and our 128 councils.

**Mr COUTTS-TROTTER:** I am just looking for it. Here we go.

**The Hon. PENNY SHARPE:** The last update I have got is October 2017. I accept that I may have missed it. I am just wondering whether there is an update.

**Mr COUTTS-TROTTER:** I can confirm that the Sax Institute is coordinating a review of the Disability Inclusion Action Plan [DIAP] 2015-19. We received a draft report in March 2019 and it is being considered by the New South Wales Disability Inclusion Plan implementation committee. I am sorry, I am looking to see if I have got a more direct answer to your question and I do not.

**Mr GARETH WARD:** We might take that on notice, if that is alright.

**The Hon. PENNY SHARPE:** My understanding is we were due to get an update last year and we still have not got one, so that is where I am going with this.

**Mr GARETH WARD:** I will make sure that we do.

**Mr COUTTS-TROTTER:** Yes.

**The Hon. PENNY SHARPE:** It is pretty important.

**Mr GARETH WARD:** It is very important.

**The Hon. PENNY SHARPE:** Minister, can I ask you about the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability. What role is your department playing in relation to that?

**Mr GARETH WARD:** We are making a submission.

**The Hon. PENNY SHARPE:** Are you playing any other role in relation to support for advocacy and other organisations or support for victims?

**Mr COUTTS-TROTTER:** Obviously the Government does have transitional advocacy funding in place. There is a team being created in the department to support the work of the royal commission. We will, of course, respond to whatever requests the royal commission makes of us. To the best of my knowledge at this point in time—as was the case with the McClellan royal commission—support for the wellbeing of witnesses, anything that people need in order to be able to provide their testimony to the commission or deal with the consequences of that is funded from an provided by the royal commission itself; however, I am happy to confirm that.

**Mr GARETH WARD:** I actually confirmed that in writing to your colleague Sophie Cotsis during her time as the shadow Minister.

**The Hon. PENNY SHARPE:** That is good. Have you made any representations to your Federal colleagues in relation to concerns around this issue?

**Mr GARETH WARD:** I have had several conversations with Anne Ruston, who is the Federal Minister.

**The Hon. PENNY SHARPE:** Minister, you are aware that there are concerns from the sector in relation to some of the commissioners and their participation, given their previous involvement with delivery of services there. Do you have any concerns about that?

**Mr GARETH WARD:** No.

**The Hon. PENNY SHARPE:** You are quite happy with that? You do not accept that there is any conflict of interest in relation to that?

**Mr GARETH WARD:** I accept that there have been some concerns raised but I do not agree with the concerns.

**The Hon. PENNY SHARPE:** Minister, can I ask you about lay-down change facilities across New South Wales?

**Mr GARETH WARD:** Yes.

**The Hon. PENNY SHARPE:** There is significant concern amongst people with disability wanting to get out and about and be part of tourism and travel—

**Mr GARETH WARD:** Yes.

**The Hon. PENNY SHARPE:** —in relation to being able to participate.

**Mr GARETH WARD:** Absolutely.

**The Hon. PENNY SHARPE:** There is a dearth of adult lay-down change facilities, making it very difficult for people—particularly carers of people with disability—to drive and to travel. One, are you aware of the issue; and, two, is this something that—

**Mr GARETH WARD:** Absolutely. In fact, I have even advocated for one in my own electorate of Kiama. I would encourage people who are needing lift and change facilities to come to Kiama because we have a facility available.

**The Hon. PENNY SHARPE:** Who provided that facility?

**Mr GARETH WARD:** It was partly funded—we will take that question on notice. I know that it was part of Minister Williams' portfolio at the time.

**The Hon. PENNY SHARPE:** So you still have some responsibility for this? The reason why I am asking is I am unclear. It seems to me that these facilities are sometimes provided by local council, sometimes provided by Roads and Maritime Services [RMS] in relation to truck stops. Truck stops seem to be quite a good place for them to be going but it is unclear who is responsible and where you get the funding for it.

**Mr GARETH WARD:** It is a good question. Generally they are part of disability inclusion plans that are funded by State agencies. If you are asking me what was previously funded and what is funded now, I will take that specific question on notice.

**The Hon. PENNY SHARPE:** I am and I am also interested in the disability inclusion plans across departments whether laydown change facilities have been included and to what degree. My concern, for example, is from Wagga Wagga to Sydney there is one facility and it is in Campbelltown. We have got adults with disability having to get changed on the floor with their carers. It is completely unacceptable.

**Mr GARETH WARD:** Absolutely.

**The Hon. PENNY SHARPE:** If we are serious about inclusion it seems to me your Government talks about funding a lot of infrastructure. I want to know is anyone taking the lead on this. Is there any planning going on? What role does your department have in relation to this and how can we improve it?

**Mr GARETH WARD:** Thank you for raising it, Ms Sharpe. I will take those on notice and get back to you.

**The Hon. PENNY SHARPE:** Thank you. I want to ask a question about where we are up to with Universal Medicine and the issues related to them in Lismore coming out of the Lismore FACS office. Mr Coutts-Trotter might know.

**Mr COUTTS-TROTTER:** Yes, I am aware of concerns raised in relation to one of our staff in Lismore. I am also aware that those concerns have been considered and there is nothing that staff member has done that has caused local management to need to respond. In other words, we have a code of conduct, we have expectations of how people behave within the workplace and on the advice I have got that person has met all of those requirements.

**Mr GARETH WARD:** Can I just add that I am aware of the allegations published in the media. The Department of Community and Justice takes all allegations of abuse of harm against children and young people seriously. The Department of Community and Justice will investigate matters where risk of significant harm allegations for children are made and we will take appropriate action to ensure the safety and wellbeing of children. But I cannot comment on individual cases, I am sure you can appreciate.

**The Hon. PENNY SHARPE:** I am not actually asking about individual cases. I am wanting to know what the department is doing. There has been a call for a judicial inquiry made by my colleague Janelle Saffin. What is the response to that?

**Mr GARETH WARD:** My office has met with the member for Lismore on these issues.

**The Hon. PENNY SHARPE:** Yes, and I am not asking you to disclose the nature of those discussions. I am asking—

**Mr GARETH WARD:** I would not do that to any colleague.

**The Hon. PENNY SHARPE:** No, but I am asking what your response is to the call for a judicial inquiry.

**Mr GARETH WARD:** I am not going to comment at this time.

**The Hon. PENNY SHARPE:** This issue came to light late last year. At the time the then Minister gave an order in relation to whether kids in care or in contact with the department are being referred to Universal Medicine for any services or activities. That appeared to be banned. Is that still the case?

**Mr GARETH WARD:** No, they are not being referred.

**The Hon. PENNY SHARPE:** That directive is still in place.

**Mr GARETH WARD:** Yes.

**The Hon. PENNY SHARPE:** Thank you.

**Ms ABIGAIL BOYD:** Good morning.

**Mr GARETH WARD:** Good morning, Ms Boyd.

**Ms ABIGAIL BOYD:** Forgive me if some of my colleagues or other members have asked some of these questions because I was in the Education hearing.

**Mr GARETH WARD:** That is totally fine.

**Ms ABIGAIL BOYD:** I want to talk to you first about something that is not quite within your responsibility—

**Mr GARETH WARD:** Well, I cannot answer it then.

**Ms ABIGAIL BOYD:** It is something I hope you would still be well aware of and helping to change. I understand from talking to Minister Constance that the disability standards for accessible public transport guidelines are not going to be met by New South Wales. There are two key deadlines there. The first one is that all public transport other than trams and trains—and I think that includes light rail, although the problems are not with light rail and metro necessarily—be fully accessible for people with disability by 2022 and then that we have



trains and trams and the rest of it being fully accessible by 2032. Has your department had any discussions with the Transport department in relation to complying with those 2004 guidelines?

**Mr GARETH WARD:** Yes, and I have spoken with the Minister's office about these issues.

**Ms ABIGAIL BOYD:** I asked, "What is the plan? When will the deadlines be met if they will not be met by 2022?" and I was told that an audit had only just begun to work out what was not accessible. So not only do we not have a plan for when these things will be made accessible but 15 years down the track we have only just—

**Mr GARETH WARD:** What I can tell you is we are spending more than \$800 million on transport accessible programs across the network, which is a major boost. In 2019-20 the budget provided more than \$300 million to improve accessibility for rail customers, part of an \$890 million spend on transport access programs over four years, taking the New South Wales Government's total investment to \$2 billion, and almost 90 per cent of customer journeys are now accessible for locations across the State.

**Ms ABIGAIL BOYD:** Does it concern you that New South Wales agreed to these guidelines—they were introduced and passed in 2002 and they came into force in 2004—and the New South Wales Government has not even got to the point of completing an audit into what needs to be done to comply with those guidelines?

**Mr GARETH WARD:** As someone whose own lived experience knows all too well that sometimes you cannot do things, I can tell you that I understand all too well what disability accessibility means, particularly on public transport, as I do use public transport. The current tranche of work is focused on accessibility upgrades to comply with the Disability Discrimination Act and the Disability Standards for Accessible Public Transport. More than 470 projects are completed or underway and I am advised that Transport for NSW works closely with peak bodies and key disability groups to ensure we are delivering accessible and inclusive services and improvements across the network.

**Ms ABIGAIL BOYD:** Fine. It is just really not quick enough though, is it?

**Mr GARETH WARD:** We can always do better, Ms Boyd, I am sure you would agree. I certainly know that all too well.

**Ms ABIGAIL BOYD:** Given the delays in things like that from the New South Wales government—and I understand that during that 15-year period, from when we would have thought we might have done an audit into the accessibility of transport, it has not been your party that has been in government the whole time—but given that those sorts of things are still falling through the gaps for people with a disability, would you agree that the independent disability advocacy organisations are quite critical in representing people with a disability in New South Wales?

**Mr GARETH WARD:** As I have said in the Parliament on several occasions and as you would recall the first thing I asked the Ageing and Disability Commissioner to do was an amendment to the Ageing and Disability Commissioner legislation to do an independent inquiry into advocacy organisations, which is something the advocacy organisations themselves have been calling for for some time. As you would also be aware, following the carriage of the legislation—and can I thank all honourable members who did support that legislation for their support—we have appointed Robert Fitzgerald, who is a man of enormous experience and immense character, to head up that organisation. He has a great extent of experience, be it in the institutional responses to child sexual abuse inquiry or the Productivity Commission. His work with disability and ageing groups is phenomenal. He is a great person to head up this agency, which is an independent agency that has real teeth to provide advice to Parliament not only by way of annual report but this particular report as well, which is due by the end of the year.

**Ms ABIGAIL BOYD:** You were right that these organisations were calling for an inquiry into funding but they wanted it a long time ago.

**Mr GARETH WARD:** Well, I have only become the Minister on 2 April and I have ensured that there was one in a matter of months.

**Ms ABIGAIL BOYD:** Given that the one that is now happening by the end of this year will happen at a time when a lot of these organisations—due to the lack of guaranteed funding because it only goes until, as I understand it, 1 July 2020 or 30 June 2020—are in the process of having to let staff go and having to give up leases of premises because they do not have that guaranteed funding, has your department considered giving them some temporary funding to give them that security so they can participate in that inquiry effectively?

**Mr GARETH WARD:** We currently have funded disability advocacy organisations to provide for this period in which we are transitioning to the NDIS. As you know, and as I mentioned earlier in response to questions

from the Hon. Penny Sharpe, ILC funding applications will be open this month, which means that people will be able to make applications for funding through the NDIS. But the Government acknowledges that there will be gaps. I have said that repeatedly. That is why I look forward to the outcome of the independent review so that we can make the appropriate assessments and funding moving forward.

**Ms ABIGAIL BOYD:** These 16 advocacy organisations that form the peak or contribute to the peak organisation for disability advocacy, they will not get any of that funding under ILC because they are not eligible, so we know that they are going to lose their funding on 1 July. Sorry, I keep saying that; I mean 30 June 2020. Do you accept that, as for any service or any business, those organisations will now be in a position where they have to begin to wind down their operations? Having a review that does not happen until the end of December does not really give them any comfort in a way that allows them to extend leases and keep staff on.

**Mr GARETH WARD:** You have asked me do I believe that there is a place for advocacy organisations. Yes, I obviously do. I have seen the good work that advocacy organisations do. There is a new funding environment which we are now in with the NDIS which obviously presents opportunities, and we need to make sure that both pre- and post-full scheme and pre- and post-maturity that all of those things work together. I am looking forward to seeing the outcome of the independent review. Can I tell you what is not helpful is figures being pulled from the air of \$20 million without any particular reasoning behind why that money might be made available. Hence why I said let's get an independent person, which is the new Ageing and Disability Commissioner, to do a proper assessment, which was eventually determined by the Parliament. The Parliament made this pronouncement, Ms Boyd, that they want this investigation. That is what both Houses voted for and that is the situation we are currently in.

**Ms ABIGAIL BOYD:** I think it was a compromise position that was reached. But, in any event, it does not really answer the question.

**Mr GARETH WARD:** Most people agreed.

**Ms ABIGAIL BOYD:** But it does not answer the question as to how these organisations are supposed to continue even if the Ageing and Disability Commissioner came back and said, "Yes, these organisations do need to be funded". We would be at a point where a lot of those organisations have already had to close their doors. What is the point of that review and that investigation if that is the end result?

**Mr GARETH WARD:** The Parliament determined that. I am the Minister and I am responsible to Parliament and therefore because Parliament has directed as such, I look forward to the outcome of that investigation.

**Ms ABIGAIL BOYD:** That is not a decision of yours? Had that amendment not gone through to the bill, are you saying that instead you would have guaranteed that funding for a longer period of time?

**Mr GARETH WARD:** The reality is there was an amendment, which was supported, which I introduced, which was carried by both Houses.

**Ms ABIGAIL BOYD:** So devolving responsibility to Parliament?

**Mr GARETH WARD:** I actually did what advocacy organisations had been calling for and provide for an independent review.

**Ms ABIGAIL BOYD:** Have you spoken with those advocacy organisations since?

**Mr GARETH WARD:** All of my meetings are publicly available in accordance with the Ministerial Code of Conduct.

**Ms ABIGAIL BOYD:** It is my understanding that those organisations have been trying to get in to speak with you and that those meetings have not happened as yet.

**Mr GARETH WARD:** Which particular organisations? Would you like to name them?

**Ms ABIGAIL BOYD:** Tell me one that you have met with.

**Mr GARETH WARD:** All my meeting disclosures are subject to the Ministerial Code, and I have met with many organisations.

**Ms ABIGAIL BOYD:** I am not aware that you have met with any of those 16.

**Mr GARETH WARD:** All my ministerial meetings are subject to the Ministerial Code and are published accordingly.

**The Hon. PENNY SHARPE:** Do you remember or not, Minister?

**Mr GARETH WARD:** Sorry?

**The Hon. PENNY SHARPE:** You would think you would know who you have met with.

**Mr GARETH WARD:** I have met with so many people, Ms Sharpe.

**The Hon. PENNY SHARPE:** You cannot remember?

**Mr GARETH WARD:** I have been working so hard and doing so many meetings that it is impossible to take up the Committee's valuable time naming all of the things that I have done because you said I could not do Dixers.

**The Hon. PENNY SHARPE:** You have been trying to do that all morning so I do not know what has changed.

**Mr GARETH WARD:** Obviously not succeeding.

**Ms ABIGAIL BOYD:** Given that you have agreed about the important role played by the independent disability advocacy organisations and the value of their services, have you met with any of them? Can you not remember whether you have met with any of those?

**Mr GARETH WARD:** It is not up to me to do your research for you. I have met with many disability advocacy organisations. They have all been disclosed in accordance with my obligations with the Ministerial Code.

**Ms ABIGAIL BOYD:** I will take that as my understanding that you have not met with any is correct.

**Mr GARETH WARD:** That is actually not true and if you want to deliberately mislead the Committee that is a matter for you.

**Ms ABIGAIL BOYD:** Will you take it on notice?

**The Hon. PENNY SHARPE:** Correct the record.

**Mr GARETH WARD:** I will take it on notice quite happily.

**Ms ABIGAIL BOYD:** Thank you. We have not got anywhere with actually providing any sort of disability advocacy funding.

**Mr GARETH WARD:** We funded it in this budget.

**Ms ABIGAIL BOYD:** Until June.

**Mr GARETH WARD:** You just made a claim that we have not funded disability advocacy services.

**Ms ABIGAIL BOYD:** Long-term funding that would allow them to actually keep their doors open.

**Mr GARETH WARD:** The claim that you made before was wrong. As I have said, we have established a process by which the Ageing and Disability Commissioner will report. I look forward to reading that report.

**Ms ABIGAIL BOYD:** Are you aware of the Stand By Me campaign that was run prior to the election?

**Mr GARETH WARD:** I attended a launch in this very room.

**Ms ABIGAIL BOYD:** Very good. Are you aware of where that \$20 million figure came from?

**Mr GARETH WARD:** Your \$20 million figure?

**Ms ABIGAIL BOYD:** It is not mine, it is the sector's. It is the one that they were asking for during the Stand By Me campaign.

**Mr GARETH WARD:** I am not aware in detail, no.

**Ms ABIGAIL BOYD:** As I mentioned—and you could look at the debates in *Hansard* in relation to the bill for the Ageing and Disability Commissioner—that \$20 million figure was a small rounding up from about 19 point something, which represented the \$13.7 million I think that the organisations currently get, lifted by 50 per cent to cover the fact that they were turning away at least 50 per cent of all people who are coming to their doors. That was the basis that they made that \$20 million claim. I understand that was something that was very clearly communicated to you and your office. Do you dispute that those organisations do not require that uplift in funding?

**Mr GARETH WARD:** Organisations have made representations to me and I have met with organisations like the Disability Alliance, the Physical Disability Council, Family Advocacy, Ability LinksNSW, to name a few. They have made their position clear. Just to clarify, they are some of the people I have met with.

**Ms ABIGAIL BOYD:** We are funding nothing past 2020 so far for these organisations—

**Mr GARETH WARD:** Just to clarify, we have established the first Ageing and Disability Commissioner ever in this State—

**Ms ABIGAIL BOYD:** So let us talk about that.

**Mr GARETH WARD:** I am happy to talk about that because we have given them extraordinary powers—a bill introduced by me, the first bill into this House, which speaks volumes about this Government's commitment to protecting the vulnerable.

**Ms ABIGAIL BOYD:** We are going from funding for independent disability advocacy organisations of over \$13 million a year and we are scrapping that. Instead we have an Ageing and Disability Commissioner that gets only \$4.1 million a year. Can you tell us how that \$4.1 million for the Ageing and Disability Commissioner will be spent?

**Mr GARETH WARD:** It is an independent statutory office. The total figure is \$13.9 million, as you would see in the budget papers.

**Ms ABIGAIL BOYD:** Over four years?

**Mr GARETH WARD:** Over four years. As the commissioner is an independent person, he has every opportunity to come back to the House and seek further funding for the programs that he wishes to run. But as the commissioner has said to me in meetings, it is hard to gauge the level of supports he needs until he can understand the supports that are required and the caseload that he will be managing.

**Ms ABIGAIL BOYD:** Does the commissioner have premises?

**Mr GARETH WARD:** Yes.

**Ms ABIGAIL BOYD:** Are they in Sydney?

**Mr GARETH WARD:** Yes.

**Ms ABIGAIL BOYD:** Is there any consideration given to having premises outside of Sydney?

**Mr GARETH WARD:** The commissioner has a website and I know that there is also a phone line—1800 622 281 I think is the number. I will correct the record if that is wrong.

**Ms ABIGAIL BOYD:** During the upper House inquiry into the bill—we had that short, sharp inquiry run by the Social Issues committee—a number of witnesses were looking forward to having a commissioner that would have a presence in regional areas. That was at a time when we thought that the commissioner would actually be funded to a substantial extent.

**Mr GARETH WARD:** As a regional MP and someone who lives in regional New South Wales I would simply say to you that we have what used to be the Elder Abuse Helpline, which people can use, there is a website interface that is available, which I would commend to you, and the casework needs to be done from somewhere. As I understand at the moment that is at Parramatta.

**Ms ABIGAIL BOYD:** If you are in a regional area and you do not have access or do not find it easy to access—

**Mr GARETH WARD:** A telephone?

**Ms ABIGAIL BOYD:** —the web or telephone, there are no plans to have any face-to-face contact for people like you would have, for example, through an independent disability advocacy organisation?

**Mr GARETH WARD:** What particular impediments are you suggesting? As someone with a disability, if I was to contact the commissioner I would Google his name, find the website, use the phone line or access the email.

**Ms ABIGAIL BOYD:** As you are aware there are disabilities that are not only physical. There are many individuals who have intellectual disabilities who do find it very difficult.

**Mr GARETH WARD:** It is 1800 628 221 to correct the record, by the way.

**Ms ABIGAIL BOYD:** We do not have any visibility then over the spending of that \$13.9 million over four years?

**Mr GARETH WARD:** He is an independent statutory officer.

**The Hon. ROSE JACKSON:** We tried to invite him to the Committee but were told that he would not be available to attend and that you would be able to answer questions.

**Mr GARETH WARD:** He is an independent statutory officer, Ms Jackson. It is a matter for him as to whether or not he appears.

**The Hon. NATALIE WARD:** Why do you not seek a meeting with him?

**The CHAIR:** We could actually compel him.

**Ms ABIGAIL BOYD:** We might have to compel.

**The Hon. NATALIE WARD:** You could seek a meeting with him at any time.

**Ms ABIGAIL BOYD:** The Commissioner has the benefit of a very broad and representative advisory board. Has that advisory board been established yet?

**Mr GARETH WARD:** Not yet but in the final phases as I understand.

**Ms ABIGAIL BOYD:** Do you know when that will be completed by?

**Mr GARETH WARD:** As you voted on the bill and you know well, the commissioner is an independent statutory officer. It is not for me to direct him. In fact, you took that power away from me.

**Ms ABIGAIL BOYD:** We will need to ask the commissioner about that. As I said, we did invite him.

**Mr GARETH WARD:** As an independent statutory officer—have you met with him? Have you made an appointment to meet with him?

**Ms ABIGAIL BOYD:** No, actually. Not yet.

**Mr GARETH WARD:** Really? That is interesting. You should do that.

**Ms ABIGAIL BOYD:** I will if I can.

**Mr GARETH WARD:** I think you should. If you need any assistance there, as I mentioned the 1800 number, I would refer you to *Hansard*.

**Ms ABIGAIL BOYD:** I will let him know that you have suggested that he meet with me.

**The CHAIR:** Minister, I would have thought you should have asked her to contact you.

**Mr GARETH WARD:** As an independent statutory officer, I cannot direct him, because you voted to take that power away from me.

**The CHAIR:** But you could pass the phone number over. I am sure you will have his private number.

**Mr GARETH WARD:** I would be more than happy to connect the honourable member.

**Ms ABIGAIL BOYD:** Are you aware as to what payments might be in place for people on that board? Or is that, again, something completely at the discretion of the commissioner?

**Mr GARETH WARD:** No, there is a pre-agreed set of rates, I believe—a daily allowance—for people who are on those sorts of boards.

**Ms ABIGAIL BOYD:** Hopefully the representative of the independent disability advocacy organisations will be paid for their time on that. Is there any funding in place to allow those independent advocacy organisations to contribute to the review?

**Mr GARETH WARD:** Yes, they are able to contribute to the review. Can I just interrupt. I want to correct the record at the end of the Committee meeting on two matters, if that is all right?

**Ms ABIGAIL BOYD:** The question was whether they are getting funded for that additional work.

**Mr GARETH WARD:** You would need to ask them. I am not aware of additional funding.

**Ms ABIGAIL BOYD:** The answer is no, unfortunately. I guess there are no plans to give them any funding so that they can contribute to that review in a meaningful way?

**Mr GARETH WARD:** They have been calling for an independent review for some time.

**Ms ABIGAIL BOYD:** Years ago, when they were not having to close their doors.

**Mr GARETH WARD:** So I suspect they will be able to make a contribution to that review.

**Ms ABIGAIL BOYD:** I have only got 11 seconds left.

**The CHAIR:** We can give you an extra 11 seconds, Minister.

**Mr GARETH WARD:** Thank you, Mr Chairman, and thank you for the job you have done today. I would like to correct the record in relation to two matters. The Treasurer and I have agreed to instruct our departments to review the indexation of NGO grants, and the Department of Communities and Justice has initiated some modelling on the impact of different indexation rates. My office is working on this issue with the department and we will be responding to the Committee, as we have taken this question on notice, and provide an update on where the review and the indexation is up to. That is dealing with that one correction. In relation to Working With Children Checks, I can confirm that my office received correspondence on 28 August 2019 in relation to bullying concerns and the Office of the Children's Guardian. This matter has been allocated to my director of policy and strategy for review. I am happy to provide an update on the actions taken in response to this matter to the Committee.

**The CHAIR:** Thank you very much, Minister, for attending the hearing today. We are finished with your questioning. The Committee will now break for lunch and will return at 2.00 p.m. for further questions of government officers.

**(The Minister withdrew.)**

**(Luncheon adjournment)**

**The CHAIR:** We will begin questioning, or should I say examination—that might be a better term.

**Mr COUTTS-TROTTER:** It sounds more medical.

**The CHAIR:** That is right—more forensic.

**Mr COUTTS-TROTTER:** More intrusive.

**The CHAIR:** But hopefully not as painful.

**Mr COUTTS-TROTTER:** No.

**The CHAIR:** Questions from the Opposition.

**The Hon. PENNY SHARPE:** Thank you for coming back.

**Mr COUTTS-TROTTER:** Dr Sharpe.

**The Hon. PENNY SHARPE:** Nice to see you. I do not know how many hours you have done so far this week but it would be a few.

**The CHAIR:** Mr Coutts-Trotter is the secretary for the whole Government.

**The Hon. PENNY SHARPE:** Apparently so. I am interested in drilling down a little more about the impact of the efficiency dividends.

**Mr COUTTS-TROTTER:** Yes, sure.

**The Hon. PENNY SHARPE:** You said earlier this morning that it is going to be \$174 million just for this year. Is that correct?

**Mr COUTTS-TROTTER:** Yes, that is right.

**The Hon. PENNY SHARPE:** I am just wondering if you could talk me through the process that you are going through to meet that. Where are you looking?

**Mr COUTTS-TROTTER:** Yes.

**The Hon. PENNY SHARPE:** Given that there are constraints. Start and I will try not to talk.

**Mr COUTTS-TROTTER:** Yes, certainly. I will answer that but the issue you raised earlier about the change in employee-related expenses in the budget, we will give you an answer on notice but the explanation is essentially the movement of Land and Housing Corporation, Aboriginal Housing Office, and Births, Deaths and Marriages from our cluster to another one and taking their employee-related expenses with them.

**The Hon. PENNY SHARPE:** Essentially that was not factored in: That is not part of the savings.

**Mr COUTTS-TROTTER:** No, and that movement is because of a change in the scope of the department.

**The Hon. PENNY SHARPE:** Yes. Thanks for that.

**Mr COUTTS-TROTTER:** That is fine. As the Government has made clear, it has identified areas of expenditure that it wants to prioritise for savings and I am sure we are all familiar with those advertising consultancy to the extent the agency uses consultants, travel, legal services, contingent labour—I will come back to that one—plus a whole range of operating expenses that are subject to either whole-of-government or multi-agency contracts: for example, fleet services, energy, other utility services. First and foremost we are having a look within our department and our cluster to see between the old Family and Community Services [FACS] and the old Justice essentially who has the best deal for those kind of things.

The first thing we do is try to move to the best deal and then we are working with NSW Procurement in the Department of Customer Service on some of these whole-of-government arrangements. But as I touched on before we cannot deliver our budget without going beyond those kind of areas of expenditure to actually look at our employee-related expenses. In central and support functions—and you touched on them earlier—we are talking policy, strategy, commissioning and corporate services—

**The Hon. PENNY SHARPE:** Can I just stop you there?

**Mr COUTTS-TROTTER:** Yes.

**The Hon. PENNY SHARPE:** Are they all located in metropolitan areas? There is also this commitment from the Government—

**Mr COUTTS-TROTTER:** Yes.

**The Hon. PENNY SHARPE:** Nothing out of rural and regional, excluding Newcastle and the Illawarra.

**Mr COUTTS-TROTTER:** Yes.

**The Hon. PENNY SHARPE:** And you have no front line.

**Mr COUTTS-TROTTER:** That is right. Actually, as it happens, most of the corporate and central support—most but not all of the corporate and central support—for the new agency is located either in Sydney or in the Wollongong or Newcastle local government areas [LGAs] which are, for the purposes of the Government's approach to protecting regional jobs, considered to be metropolitan areas.

**The Hon. PENNY SHARPE:** Yes.

**Mr COUTTS-TROTTER:** We have to go through the task of seeing where we can reduce duplication as a result of the organisation coming together. That has meant already we have shared, I think, 28 executive roles—many of those in corporate functions because when you bring the two departments together you end up with two very similar functions that are genuinely duplicative, certainly at a leadership level—and we have to go through the task of trying to redesign those functions so that, first, they support the department, the department's front line and the services we provide through non-government partners, but, second, we are looking for every opportunity where we can sensibly reduce our operating costs.

That is a challenge for us because our central and support costs as a proportion of our total costs are below 9 per cent. There is crude rule of thumb in these things that if you are above 10 per cent, that is probably too heavy, but if you are below 10 per cent you are coming close to a pretty efficient level of operation.

**The Hon. PENNY SHARPE:** It is pretty hard to find savings if they are only 9 per cent of your costs, if all the savings have been found within that. Is that what you are saying?

**Mr COUTTS-TROTTER:** We are going to have to face up to some difficult choices and we will do that as openly as possible with staff and we will do that subject to commitments to—either informally, or, if it is the case of a restructure, formally—consult with staff and industrial parties.

**The Hon. PENNY SHARPE:** Thank you for that. That is helpful. What is the reporting that you are required to do to the Government in relation to your savings target? What is the process?

**Mr COUTTS-TROTTER:** I should take it on notice to be exact, but I think through the finance Minister there is a request for agencies and clusters to report to a subcommittee of Cabinet on our progress in delivering savings.

**The Hon. PENNY SHARPE:** Are you considering things like offshoring some of your information technology [IT] services?

**Mr COUTTS-TROTTER:** No. No.

**The Hon. PENNY SHARPE:** There will no offshoring as part of the—

**Mr COUTTS-TROTTER:** I suppose this is a bit of a hardy perennial and when you look at global information, communication and technology [ICT] firms, there are some of their functions that are done offshore. If you are receiving ICT services from Salesforce or Accenture or other firms, when you are buying a service, some of that service is provided offshore. We have no plans to look to move functions offshore to deliver savings but along with a whole range of other government agencies who buy software as a service, somewhere within that service are functions that are performed offshore. But the first point of contact for people who need ICT support and obviously anyone who has to be here to help are jobs that are done from New South Wales and we have no plans to change that.

**The Hon. PENNY SHARPE:** Depending on how you amalgamate those two, there could be some—

**Mr COUTTS-TROTTER:** No. I am sorry—

**The Hon. TREVOR KHAN:** The longbow.

**The Hon. PENNY SHARPE:** I am not trying to be tricky. You don't have to get all huffy. I am just trying to—that answer was not that clear to me.

**Mr COUTTS-TROTTER:** Okay, sorry. So many of the services we have already contain a small component that is provided offshore. That is the nature of the globalised ICT industry. We have no plans to look to save money by replacing local jobs with offshore jobs. We will not do that. In my experience, looking at other people who have tried to do that, it ends up being a terrible shemozzle anyway.

**The Hon. PENNY SHARPE:** Have you done costings in relation to the changes in clusters—costs associated with now having to amalgamate all of these new departments, the new IT systems? Are there figures available on how much that will cost, or are they set by the—

**Mr COUTTS-TROTTER:** So all of the work to deliver on this program of change we are doing with staff of the department; we are not bringing people to do it. Colleagues, in addition to their day jobs, have taken on roles to deliver through the program management office doing all this stuff. We are not speeding to change business cards. I am still the Secretary of the Department of Family and Community Services as far as my business card goes. When we do make that change we will look to use Corrective Services industries to do the print work. I have just become aware of what a great service they offer.

We will only make those kind of changes where we absolutely have to. We will not do them ahead of when we would have to replace things, so we are not going to bring on any additional costs. Our budget simply does not allow it and you cannot in good conscience turn to senior executive colleagues who you have had to make redundant and at the same time be less than unbelievably stingy on the work inside of the department. We owe it to the taxpayer and we owe it to our colleagues.

**The Hon. PENNY SHARPE:** I appreciate that. My interest, though, is presumably Justice, Corrections and others have different IT systems.

**Mr COUTTS-TROTTER:** They do.

**The Hon. PENNY SHARPE:** Surely that cannot all be brought together at no cost?

**Mr COUTTS-TROTTER:** Taking Justice, they have a range of IT systems including some that are absolutely in need of replacement.

**Mr DAVID SHOEBRIDGE:** Collector items.

**Mr COUTTS-TROTTER:** Some of them are collector items. In the ordinary course of events, at some point in time there has to be an investment made to replace those systems. What we are doing in the current year,



because we really have no investment capital to do anything major, is working out how best to get from where we are to a set of ICT platforms and supports that are suitable and effective for the new organisation and then charting the least-cost way to get there. This is a feature of parliamentary terms. It is a feature of government generally that you are constantly having to make organisational changes.

By and large we now have systems and supports that make that a lot easier. If you are buying your enterprise resource planning system as a service, then you do not have to make a whole lot of changes, other than say, "We've got 100 new people that need to be supported by that payroll system. Please turn them on." A lot of the sort of problems you had 10 or 15 years ago in doing this stuff have gone away. Some of them have not gone away but we are going to be really careful about how we work our way through it.

**The Hon. PENNY SHARPE:** I touched on this this morning as well and I think it may have been Ms Walker who gave me the details. **How many of the contracts being held to June next year are coming out?** I have heard different figures. Around 1,200 is what I am told.

**Mr COUTTS-TROTTER:** Yes.

**The Hon. PENNY SHARPE:** Can you confirm that for me?

**Ms WALKER:** Approximately 1,400.

**The Hon. PENNY SHARPE:** How many organisations is that?

**Ms WALKER:** I would have to get that. I will give that to you on notice.

**The Hon. PENNY SHARPE:** Could you also provide a list of all of the different programs that they are attached to?

**Ms WALKER:** Yes. Well, certainly there are the large programs that you would be aware of, the Specialist Homelessness Services, the targeted early intervention as well as some of our preservation services and intensive family-based services and Aboriginal services. There is a variety. It is 800 NGOs that are contracted through those.

**The Hon. PENNY SHARPE:** So it is about 1,400 contracts and about 800 NGOs?

**Ms WALKER:** Yes, approximately.

**The Hon. PENNY SHARPE:** At this point in time what is the way in which that commissioning is going to go ahead?

**Ms WALKER:** We have some announcements that are imminent but that have not been made currently about targeted early intervention particularly and Specialist Homelessness Services, but that is due to happen.

**Mr COUTTS-TROTTER:** Basically the Government is considering options on that. Everyone is very aware that 30 June 2020 will come very soon.

**Ms WALKER:** It is coming up, yes.

**The Hon. PENNY SHARPE:** Are you confident you will be able to do that and you will not have to roll over some of those contracts?

**Mr COUTTS-TROTTER:** I am confident that we will make sure that we support our NGO partners through whatever processes.

**Ms WALKER:** The nature of the commissioning framework that we have meant that actually sometimes the good decision is to recontract the existing services, depending on performance.

**Mr COUTTS-TROTTER:** That is right.

**The Hon. PENNY SHARPE:** I am not arguing about that. I am just interested in how you are going to handle all this in less than eight months time.

**Ms WALKER:** Yes. I am confident.

**The Hon. PENNY SHARPE:** In relation to the commissioning, again we touched on this discussion this morning around covering the cost of wage increases for those that work in that sector, given that we rely so heavily on them. How is that dealt with in that commissioning process?

**Mr COUTTS-TROTTER:** That is an issue that obviously the sector and organisations within the sector have put pretty bluntly to Government. Minister Ward talked about it this morning. As part of this process of

considering options, we are making sure that Government decision-makers are aware of what the sector is saying about its rising costs to deliver public services, which is essentially what we are talking about, so that the Government can make a decision based on a full and proper knowledge of really what it takes for the sector to deliver the social services the Government seeks.

**The Hon. PENNY SHARPE:** Could you elaborate just a little bit more on the work that is being done about that? Obviously I have had people speak to me a lot about what we ask our NGO partners to deliver over time and that the pressure of their ongoing costs, but also the idea that to deliver quality services requires some basic benchmarks around costings and those kinds of things. What sort of work is happening through the commissioning process to deal with that? Is it being dealt with that way?

**Ms WALKER:** If we go back to the example of out-of-home care, so considerable work was done around the personalised support packages that have been implemented, so 9,000 packages went out with the NGOs in the last 12 months. That was an extensive piece of work around costings, looking at the existing costings of providers and thinking about taking the future view and thinking about things we want to include in costs. That work that gets done each time, we look at a commissioning process.

**The Hon. PENNY SHARPE:** I understand that, but what does that mean in terms of these contracts that are coming up? Some of these longstanding contracts have been operating for a long time. Part of the criticism is that we always have new shiny pilots and we have new shiny projects. Everyone is looking for the new evidence. They thumped, quite considerably, the odds of what some of the same services would argue they have been providing in communities for a long period of time. How is that disparity going to be dealt with?

**Ms WALKER:** I guess I would probably want to argue the toss up of whether there was disparity. What we have found with the new pilot work is the unit costing is done extensively to really narrow those costings down as much as possible. Certainly Gary Groves, who is sitting here with me—

**The Hon. PENNY SHARPE:** I have some questions for him in a minute.

**Ms WALKER:** I thought you might have. I do not think that the pilot programs are a place of largesse from a unit cost point of view.

**The Hon. PENNY SHARPE:** Would you concede, though, that in some ways the costing for them is better and probably more accurate than some of the NGO partners of older programs that we have relied upon for many years in communities that have just basically been squeezed dry over time?

**Ms WALKER:** I would not agree with "squeezed dry over time", but it is fair to say that as we get better at the commissioning process and the commissioning framework work that we do, we get better at the unit costing works.

**Mr COUTTS-TROTTER:** One point of principle to make clear is we are not looking for competition on price for their services. What we try to do is understand the cost of delivering a quality service and then, to the extent that there is innovation or competition, it is around the nature and quality of the service rather than the price of delivering.

**The Hon. PENNY SHARPE:** In relation to the 1,400 contracts that are coming up, are you able to or have you defined them as either individual services for individual families versus community-based services versus universal type services? Is there an understanding of the mix in all those contracts?

**Ms WALKER:** It is fair to say at the moment, especially for things like targeted early intervention, that going down to an individual unit costing is hard to do because of the variety of services that sit across the targeted early—it is a very broad spectrum of services so that is harder to do in that space. What you have seen again in the out-of-home care space and where we often want to move our evidence-based services is the unit cost per family service and be able to take that further.

**The Hon. PENNY SHARPE:** What I am trying to elucidate from you is you have got this bundle of contracts—1,400 across 800 or so providers—providing a diverse range of services. Some have been doing it for a very long time. I am assuming there are some that are relatively new within that mix, but what I am trying to get a handle on is the commissioned evidence-based services that we know are going to work in the community and ultimately drive down the number of people—hopefully do yourselves out of business is the plan.

**Mr COUTTS-TROTTER:** Yes.

**Ms WALKER:** That would be great.

**Mr COUTTS-TROTTER:** That would be great.

**The Hon. PENNY SHARPE:** Yes. I think we are a fair way from that, but that is okay. What I am trying to understand—maybe this is a question for Mr Groves—where is the data and the understanding around the use and value of universal services. There are the obvious ones like Health and Education but then within the 1,400 contracts, whether it is a neighbourhood centre, whether it is an intensive-based family in-home service, I am just trying to get an understanding of the nature and the mix and whether through all of the work that is being done through Their Futures Matter and those kind of things the intention through the commissioning is to restructure that and what that looks like. I am trying to understand what you have got now and where you think you are heading to in terms of the mix of universal, individual and broader community-based services.

**Mr COUTTS-TROTTER:** Yes. Gary, do you want to talk about it?

**Mr GROVES:** I think to best answer that question, especially for the community service providers such as the neighbourhood centres having access to this—

**The Hon. PENNY SHARPE:** It is not just a neighbourhood centre. They are very good lobbyists, I understand that, but it is not just about neighbourhood centres.

**Mr GROVES:** I am using them though because I met with them all last week and one of the things they said to me was we really want to see how the data informs how we work better across the service system. Using that human dataset down at a local government area level helps them identify where their focus should be, I suppose, in the future. But that is not just for them. As you said, it goes across the spectrum and they have never had access to that local government data before to better guide the types of services they should be providing. I will also say there is some work Their Futures Matter is undertaking about what are the universal services being provided in districts that community service providers do not know about because there are many universal services that need to be connected more and to be more responsive locally to get the best outcomes for our families.

**The Hon. PENNY SHARPE:** I asked you a little bit about this the other day, but how does your work connect to the work that Ms Walker is doing in relation to these contracts that are due in the middle of next year?

**Mr GROVES:** Tomorrow all the providers will get their local government area data with significant explanation about what that is telling them to better inform the contractual negotiations into the future.

**Ms WALKER:** The relationship really is hand in glove between TFM and the commissioning work because the nature of Their Futures Matter was always to take that strategic commissioning role where you have a much higher-level and broader view of the outcomes that need to be achieved across the service system and then, really, the task for us to make sure the services we are commissioning meet those outcomes.

**Mr DAVID SHOEBRIDGE:** Starting where the Opposition left off, I suppose the sector is asking now: Will there be reference points to the big data pool from TFM in the contracts that have been recommissioned between now and the end of June? Are there going to be achievable targets over time out of the data or is the data going to be used to deliver the services at the outset?

**Mr GROVES:** I think the data is going to be used to better inform about what services should be provided. A good example is the zero-to-fives and young mothers. How best would the services that FACS are about to commission better suit that type of service delivery? I would not say "targets" but it is data they have never had before. Most of them will tell you, "Yeah, we know that", but the real focus is on: How would I refer to another service if I was in a neighbourhood centre? What does that look like for me versus them having to take on everything in a contract? You cannot do everything for these families. There need to be particular service referral points.

**Ms WALKER:** I think it is early stages in having access to the data, which is actually really exciting for us. I think providers are excited about the idea that there is this dataset available to us as well. I think it is an evolving process, rather than targets from day one of the contracts.

**Mr DAVID SHOEBRIDGE:** You can understand how the data will be used to work out where government funds should go, but are there going to be reference points to the data throughout the delivery of a contract so that funding will go up or down, depending upon the impact on, maybe, nought-to-fives or vulnerable children? Is that contract design happening at the moment?

**Ms WALKER:** That is not the plan at the moment. When you talk about that going up and down, that is often service levels that you might be thinking about, but that is not the plan.

**Mr DAVID SHOEBRIDGE:** How will you be using the data throughout the course of the next round of contracts? Or is it just going to be setting up the contracts at the beginning and then reviewing the data when you recommission the contracts four years down the track?

**Mr COUTTS-TROTTER:** The insights you get from the data allow you to identify groups of people, children and young people for whom, without some change, their 40-year trajectory through life is likely to be pretty awful and needlessly expensive for the community. You then have to go: If that is the cohort and these are the risks that are likely to eventuate over the course of these children's lives, what does the evidence tell you about what intervention is likely to be effective to reduce that risk? You identify the "who". The data does not do it but—it will over time—the evidence base then tells you that these are the kinds of things that you need available to those children and families in this place at this point in their lives.

**Mr DAVID SHOEBRIDGE:** To impact upon that trajectory.

**Mr COUTTS-TROTTER:** To impact upon that trajectory. Of course, then you will discover that is not going to match with the services we are currently funding, the nature of the service or even the location of the service in some cases. If there is no additional money—and that is a possibility—then the process is how do you move money and reorientate a service system away from something that has grown up over time with the best of intent but a new, powerful way of looking into what is happening tells you is missing massive opportunities to change children's lives.

**Mr DAVID SHOEBRIDGE:** How do you do that between now and 30 June? More importantly, how do you do that between now and the end of March?

**Mr COUTTS-TROTTER:** You cannot do it fully between now and 30 June. It would be unrealistic to think that a 40-, 50-, 60-year-old service system is going to turn itself around on a dime, but what you can do is identify and agree upon what the priorities should be in relation to the kind of people we should be focusing on in particular locations, the kind of interventions that are likely to have an effect and then work with service systems to say: How are we going to develop the capabilities to deliver that through the course of this contract and how will we know if we are making a difference?

**Mr DAVID SHOEBRIDGE:** What is the intention now for the standard term of the contracts in the next round?

**Mr COUTTS-TROTTER:** That is subject to government consideration but the Government has heard loud and clear from the sector that, ideally, it wants to work on no shorter than five-year contract cycles.

**Mr DAVID SHOEBRIDGE:** If we are at a point where the data is just coming online and you have 1,400 contracts to renew, one of the options is those services that clearly meet identified needs under the data and have the capacity to deliver get a five-year contract, and those services where there are question marks or where a transition is going to happen get a shorter-term contract. Is that the kind of contracting differentiation we are looking at in the sector or is it going to be turning services off on 30 June?

**Mr COUTTS-TROTTER:** I do not think there is any intention to turn services off on 30 June unless the service says—and we have had these discussions with some service partners—"We are beginning to see what the data is telling us. We understand the nature of the services we really need in the suburb. We are really not able to provide it. We are happy to withdraw from the service system." I think that is a feasible scenario.

**Mr DAVID SHOEBRIDGE:** Can we assume that will be a very small minority?

**Mr COUTTS-TROTTER:** No. I think people who lead these services are pretty ethical about whether they think they can make a difference when confronted with good information. We have had a number of those conversations already.

**Mr DAVID SHOEBRIDGE:** So, there will be some voluntary withdrawals.

**Mr COUTTS-TROTTER:** Potentially, yes.

**Mr DAVID SHOEBRIDGE:** What is happening to services—you can think of many cases—that are unambiguously delivering a good service but just not meeting the Government's priorities? What is the intention for those services?

**Ms WALKER:** On the flipside, you would know that we have had targeted early intervention conversations with providers for a considerable period of time about future direction, about moving towards more evidence-based services. We have a large number of providers who are keen to get on and make changes to their service provision because they want to make sure they are providing the best evidence-based services for their clients.

**Mr DAVID SHOEBRIDGE:** I accept some are transitioning through and have been changing their service model over the last few years.

**Ms WALKER:** Absolutely.

**Mr DAVID SHOEBRIDGE:** But they were not the ones I was talking about.

**Ms WALKER:** There is a group at either end of the spectrum. There is the group that Mr Coutts-Trotter described that may not be able to make the transition and may come to that conclusion themselves.

**Mr DAVID SHOEBRIDGE:** I was not talking about them and I was not talking about the ones that have transitioned to a change of service that unambiguously meets government priorities. I am talking about those services that provide undoubtedly good and worthwhile service but are not meeting the priorities. That is the hard category.

**Mr COUTTS-TROTTER:** Yes.

**Mr DAVID SHOEBRIDGE:** That is what I am asking you about.

**Ms WALKER:** I think there are decisions of government around those, but it is fair to say that that middle group is the group we are highly engaged with at the moment because we want to work with people who have good service provision about what that needs to look like.

**Mr DAVID SHOEBRIDGE:** How are you engaging with the sector about this at the moment? There are so many questions coming from the sector. They do not know. At least, those who consult my office say they do not know what your plans are, nor how the data is going to inform the next round of contracts, and they want to know now.

**Ms WALKER:** The value of these services really sits at a local level. The work of the districts is strong. The engagement with the districts is strong for these providers. There will be providers who—

**Mr DAVID SHOEBRIDGE:** What about the peaks? The NSW Council of Social Service [NCOSS], the Australian Community Workers Association [ACWA]—

**The Hon. TREVOR KHAN:** Why don't you let her finish answering the question?

**Ms WALKER:** The engagement with the peaks is strong as well. There is—

**Mr DAVID SHOEBRIDGE:** Fams.

**Ms WALKER:** Sorry?

**Mr DAVID SHOEBRIDGE:** Fams, ACWA, NCOSS.

**Ms WALKER:** Fams, ACWA, NCOSS, local government—

**Mr COUTTS-TROTTER:** It is peak-peak.

**Ms WALKER:** It is peak-peak, yes, as Mr Coutts-Trotter described.

**Mr COUTTS-TROTTER:** Sorry, I do not mean to be flippant about a serious issue.

**Mr DAVID SHOEBRIDGE:** No, there is a bunch of peaks but they represent—you have got 800-plus organisations you are contracting with. You should be grateful for the peaks to help mediate some of that communication.

**Ms WALKER:** Absolutely.

**Mr COUTTS-TROTTER:** Sure.

**Mr DAVID SHOEBRIDGE:** But are you meeting with them and sharing the information with them?

**Ms WALKER:** Yes, absolutely.

**Mr DAVID SHOEBRIDGE:** Perhaps you can give some details on notice about—

**Ms WALKER:** Sure. About our regular meetings with the peaks? We have a number of opportunities where we get together with the peaks, where we share data, where we are highly engaged. They are very engaged in the dataset that sits with Their Futures Matter. We can provide evidence of that for you.

**Mr DAVID SHOEBRIDGE:** Particularly when it comes to smaller service providers, many of them are super anxious about being able to comprehend and meet the requirements in the Human Services Agreement.

**Ms WALKER:** Sure.

**Mr DAVID SHOEBRIDGE:** What are you doing to assist those smaller providers? Or are we just going to see them all gobbled up by the big, branded providers? Because that is a very real likelihood—

**Mr COUTTS-TROTTER:** No.

**Ms WALKER:** That was never the intention of the Human Services Agreement.

**Mr DAVID SHOEBRIDGE:** I am not asking if that was the intention. I am asking how we prevent that happening and what assistance you are going to be providing to those small providers.

**Ms WALKER:** This is where the engagement at the district level is incredibly important. It is those relationships that they have with our commissioning people on the ground that firstly can give them the guidance, provide them the reassurance. If you have examples where people are highly anxious who we need to engage with more, I am really happy to take that on and make that work. The Human Services Agreement really is the overarching agreement that sits across the top of some of the detail about the service provision.

**Mr DAVID SHOEBRIDGE:** Are you going to be providing suggested options to small providers of where they may come together to share key resources to respond to either reporting or risk analysis?

**Mr COUTTS-TROTTER:** We can provide on notice the funding in the partnership we have with peak organisations to do that for their membership. Quite a number of the peak organisations are funded to provide that kind of support and development, for smaller organisations particularly. As Ms Walker talked about, we can provide you with information about the local level discussions that are happening as well.

**Mr DAVID SHOEBRIDGE:** Thank you, Secretary. Moving to the budgeted early intervention provisions, as I read it, the 2018-19 budget committed I think \$149½ million for early intervention services, \$95 million to providing parenting, youth and family support programs and \$54½ million for community development and strengthening programs. What was the actual spend in 2018-19?

**Mr COUTTS-TROTTER:** I would need to take that on notice, Mr Shoebridge.

**Mr DAVID SHOEBRIDGE:** In the current budget there was a fact sheet produced by the department announcing a commitment of \$160.2 million to targeted early intervention [TEI] services. The sector had previously advised there was \$135 million being put on targeted earlier intervention services. Can you provide some clarification of what the \$160.2 million is delivering?

**Mr COUTTS-TROTTER:** I am not sure I can do it right now but we absolutely can reconcile those two figures.

**Mr DAVID SHOEBRIDGE:** Do we know what the additional \$10 million or so between the 2018-19 budget and the current budget has been for targeted early intervention? Is that new investment or is that transferring other programs and putting them under the guise of targeted early intervention?

**Mr COUTTS-TROTTER:** "Under the guise" sounds a bit pejorative. I am sure—

**Mr DAVID SHOEBRIDGE:** Well, rebadging—however you want to phrase it.

**Mr COUTTS-TROTTER:** That may be more accurately describing it. I am not sure. Budget to budget there have not, from memory, been any significant additional investments in total in what could be described as targeted early intervention. We have got the Permanency Support Program providing family preservation packages. We have got the whole Their Futures Matter [TFM] suite of programs. We have got—

**Mr DAVID SHOEBRIDGE:** Which we will come to next.

**Mr COUTTS-TROTTER:** —targeted early intervention and on and on and on. All of those just got sort of the usual year-on-year escalation rather than big additional investments.

**Mr DAVID SHOEBRIDGE:** Can you give us the detail of all of the programs and the funding attached to each of those programs under the targeted early intervention services?

**Mr COUTTS-TROTTER:** Yes.

**Ms WALKER:** Absolutely.

**Mr DAVID SHOEBRIDGE:** Is there a highlight? Is there one that is the majority of the funding that you can tell us about?

**Mr COUTTS-TROTTER:** Well TEI itself—the core targeted early intervention program—accounts for I think about \$135 million or \$136 million.

**Mr DAVID SHOEBRIDGE:** I think the budget for Their Futures Matter in the current budget, is it \$166.5 million?

**Mr COUTTS-TROTTER:** It was \$190 million over four years.

**Mr DAVID SHOEBRIDGE:** What is the budget for 2019-20 on Their Futures Matter?

**Mr COUTTS-TROTTER:** Mr Groves, do you have the figure to hand?

**Mr GROVES:** I can answer that. The budget for 2019-20 is \$58 million.

**Mr DAVID SHOEBRIDGE:** How much was spent last year on Their Futures Matter? What is the change?

**Mr GROVES:** Last year was \$68 million.

**Mr COUTTS-TROTTER:** Was that the actual, though? Anyway, we can confirm on notice what the actual expenditure was if you would like.

**Mr DAVID SHOEBRIDGE:** It has gone from \$68 million to \$58 million, is that right?

**Mr GROVES:** Yes.

**Mr DAVID SHOEBRIDGE:** Given all of the stress the Government has given to Their Futures Matter and how this is the direction of one of the core initiatives, how do you explain a 15 or 16 per cent drop in the budgeting on Their Futures Matter? What is the explanation for that?

**Mr GROVES:** Four years, \$190 million. The first two years was a slow ramp-up. In essence what we found was it took longer to develop, implement these programs in particular because they were evidence-based programs from the US. The expenditure clearly then went up over the last year to incorporate actual delivery of services.

**Mr DAVID SHOEBRIDGE:** I am sorry, I am not following that. The spending has gone down this year and you are saying the reason for that is it is taking longer to ramp up but you spent more in the first year than you did in this year. I am sorry, I am just not understanding, Mr Groves.

**Mr GROVES:** Yes, my apologies. In essence, programs are up and running right now. Where there are vacancies we pay on actuals, so the funding comes back into TFM. Part of that acknowledgement of the number of vacancies in the programs is an explanation as to why it is up and why it is down. It is quite fluid and that is the budget.

**Mr DAVID SHOEBRIDGE:** Does this mean NGOs are not able to provide the services that they have contracted for?

**Mr GROVES:** No, it all comes down to two things. One is workforce expertise. Initially to have the right workforce, which is a highly skilled workforce, it took some time to have that. Then the vacancies that come from FACS, there was a lot of work to do to have the referrals come across to the sector to then take up those referrals.

**Mr DAVID SHOEBRIDGE:** So it is vacancies in FACS that is part of the reason why the referrals have not been happening—

**Mr COUTTS-TROTTER:** No. Sorry, it is about the process of FACS caseworkers knowing about the availability of an evidence-based service, knowing it has a vacancy and understanding they can and should make a referral to that service. It is just a process of organisational development and, frankly, cultural change. When you look at the evidence-based programs that TFM funds—the blockbusters being multi-systemic therapy and family functional therapy—we are expecting to see an increase in expenditure on those programs year on year.

We are expecting to see an increase in expenditure on placement stability support services—this is the trauma treatment services for children in care and trauma support and education for carers; likewise Treatment Foster Care Oregon, which is a trial of evidence-based programs to improve placement stability; likewise LINKS treatment services and on and on it goes. The core evidence-based family preservation restoration support programs are growing in size. The pattern of expenditure through the Their Futures Matter program over four years is a little bit complicated because some of that expenditure of course was to create the Human Services dataset, build the actuarial and modelling capacity around that, so it is a little bit lumpy as we got on specialist actuaries and the like.

**Mr DAVID SHOEBRIDGE:** How much was the Taylor Fry work then?

**Mr COUTTS-TROTTER:** Happy to take—

**Mr DAVID SHOEBRIDGE:** Does that explain the \$10 million difference?

**Mr COUTTS-TROTTER:** No, it would not. It is not that amount. But we are happy to take it on notice and respond to you so you can see the movements between years and hopefully we can give you a clearer explanation.

**Mr DAVID SHOEBRIDGE:** And if you could, when it comes to Their Futures Matter for this year's budget and for last year's budget, provide the allocation for family preservation and restoration, including but not limited to—and I know you addressed some of these in your answer then, secretary—functional family therapy, multisystemic therapy for child abuse and neglect, and the Intensive Family Preservation program?

**Mr COUTTS-TROTTER:** Yes.

**Mr DAVID SHOEBRIDGE:** I do not think that is a conclusive list.

**Mr COUTTS-TROTTER:** No, it is not. There is thriving Aboriginal family cohort support packages, there is A Place To Go, which is the work we are doing with police, health, education and non-government partners to try to intervene with young people who appear before the courts—

**Mr DAVID SHOEBRIDGE:** I think one of the frustrations in the area is there are so many relatively small programs, some large ones, but then dozens and dozens of relatively small programs—and I think the Hon. Penny Sharpe was addressing this with some exasperation earlier—set up for pilot projects, obviously producing good outcomes, they do not get entrenched in long-term provisions. Who has a handle on this multiplicity of programs being delivered by FACS? Who sits and takes a helicopter view of it?

**Mr COUTTS-TROTTER:** Firstly, we do. And what we are working towards, of course, is a set of programs that is built on a sound evidence base, that has experience and implementation in our context. Our context is a variety of things, but the particular feature of our context is the experience of Aboriginal children, families and communities. Picking up programs out of the United States and introducing them into Aboriginal community contexts is something that takes time and a degree of experimentation, so it is appropriately a pilot. But what we are doing is building a base of local evidence about what works for whom in what circumstances. The Government is building a kind of register, essentially, of the strongest evidence that underpins various social investments of one kind or another so that we and the community can have a clearer idea about what works best so that we can direct our finite resources to the stuff that makes the most difference.

**The Hon. ROSE JACKSON:** I would like to ask some questions about Youth Justice. I am not sure, but perhaps if I just direct them through you, Mr Coutts-Trotter, and you might assist.

**Mr COUTTS-TROTTER:** I will direct traffic. Thank you.

**The Hon. ROSE JACKSON:** Thank you. I asked the Minister earlier how regular violent incidents were in Youth Justice facilities and he correctly answered, "Too regularly," but I was looking for a bit more in the way of actual numbers about—

**Mr COUTTS-TROTTER:** Yes. I am just looking to see if we have data. Ms Czech, are you confident of the data?

**Ms CZECH:** Yes. Can I just clarify your question?

**The Hon. ROSE JACKSON:** I would be interested at first in the overall figure—violent incidents detainee to detainee, detainee to staff.

**Ms CZECH:** If it is okay, I might break it down.

**The Hon. ROSE JACKSON:** Yes.

**Ms CZECH:** Then if you have further questions. So detainee on staff assault incidents in 2018-2019 was 217. As the Minister alluded to earlier, that is an increase from previous years.

**Mr COUTTS-TROTTER:** It was 188 the year before.

**Ms CZECH:** Yes, so a slight increase. The make-up of those incidences or assaults is primarily physical assault. So of the 217, 190 were physical assaults.

**Mr COUTTS-TROTTER:** The balance includes verbal assaults as well.



**Ms CZECH:** It does. So there were 190 physical and, as the secretary just alluded to, 17 verbal. Then we have assaults young person on young person. For 2018-2019 there were 255. Again the bulk of those assaults—so 224 of 255—were physical, again followed by verbal assault being 18 of the 255.

**Mr COUTTS-TROTTER:** One further piece of data I have I think it is important to make clear is that during the course of 2018-2019 I think 1,665 young people moved in and out of custody, remembering that broadly half of the young people in custody at any one time are on remand and many of those remand periods are quite short. So of those 1,665 individual young people 54—or 3.2 per cent of them—were identified as a perpetrator in 50 per cent of the assault incidents. I guess that is to make the point in part that most young people who are in Youth Justice are not perpetrators of violent assaults on other people.

**The Hon. ROSE JACKSON:** But even so, it is fair to say though from those figures that there are violent incidents occurring with some regularity—almost every day there would be a violent incident in a Youth Justice facility.

**Ms CZECH:** I do not have the day-by-day breakdown, but what I can say is that the Youth Justice detention population has significantly decreased over the past few years. What that has then meant is that the population that is there often has much more complex needs, often because of a result of trauma plus criminogenic behaviour, but certainly dealing with much more high-support young people who might be prone to more violent outbursts.

**The Hon. ROSE JACKSON:** Following on from the information you just provided, Mr Coutts-Trotter, my understanding—and perhaps if you have different information you could correct me—is that between 1 January 2018 and 20 July 2019 there were 273 young people placed in confinement as a result of misbehaviour. That figure is in fact higher than the number of young people in youth detention that was provided. Is that individual young people or is that some of those people who you alluded to, Mr Coutts-Trotter, being in confinement multiple times? It is not clear from the information I have.

**Mr DAVID SHOEBRIDGE:** Are they instances of confinement?

**The Hon. ROSE JACKSON:** Correct. Are they instances or are they separate individuals?

**Mr COUTTS-TROTTER:** These are instances; they are assaults. And the number of young people, as I said, 54 young people were identified as the perpetrators of 50 per cent of the assaults. Also there is a time period mismatch. We are talking about incidents of assault in financial years and I think from memory you were describing a calendar year, so the time period would be different as well.

**The Hon. ROSE JACKSON:** Yes, that is right. I suppose what I am trying to get at—and we may not have this information here today—as I said, I have information that describes 273 young people placed in confinement as a result of misbehaviour. I am not clear whether that is individual young people or 273 incidents of confinement, but putting that aside what percentage of those were for assaults and therefore what percentage is for other forms of misbehaviour?

**Mr COUTTS-TROTTER:** Yes, I understand.

**The Hon. ROSE JACKSON:** I am trying to dig down into why young people in Youth Justice are being put in confinement.

**Mr COUTTS-TROTTER:** I think we can respond on notice and provide information about the number of episodes of confinement, the number of young people subject to confinement and a breakdown of the reasons for that.

**The Hon. ROSE JACKSON:** Yes, that would be useful, because I suppose there are concerns that have been raised in relation to perhaps an overreliance on confinement as a behavioural management tool that potentially exacerbates complex behavioural problems that young offenders already have. It would be useful to have that information but we can look at that later.

**Mr COUTTS-TROTTER:** Sure. I will get that. Yes.

**The Hon. ROSE JACKSON:** Moving on, I want to ask specifically about the impact of the efficiency dividend on Youth Justice. Am I right in assuming that what are described as "youth officers"—

**Mr COUTTS-TROTTER:** Are frontline staff.

**The Hon. ROSE JACKSON:** They are frontline?

**Mr COUTTS-TROTTER:** Sure.

**The Hon. ROSE JACKSON:** How many staff that are not frontline staff in Youth Justice will be cut as a result of the impact of the efficiency dividend on that part of the department?

**Mr COUTTS-TROTTER:** We have not focused any of our time or attention on identifying savings from Youth Justice. We have focused our time and attention on responding to recent incidents—most recently Frank Baxter—and then we will focus our time and attention on digesting and responding to the recommendations coming out of the Lee Shearer review. I am happy to take on notice what, if any, plans we have to consider elements of the Youth Justice budget, but for colleagues who work as youth officers I would just offer people this assurance: They are absolutely critical frontline staff of the agency.

**The Hon. ROSE JACKSON:** Excellent. I am sure they will be very happy with that assurance.

**Mr DAVID SHOEBRIDGE:** If they are not getting an efficiency dividend.

**The Hon. ROSE JACKSON:** That is right. I am not sure about their colleagues supporting them at the back end, but anyway.

**Mr COUTTS-TROTTER:** I hope you will forgive me, I just wanted to put on the record, because I think it was something kind of left hanging in an earlier question about the leadership of Frank Baxter. The leader of Frank Baxter is a female colleague called Crosby Knight. I just wanted to put on the record the gratitude of our agency for the leadership she has shown through that incident and continues to show.

**The Hon. ROSE JACKSON:** Thank you, Mr Coutts-Trotter. Has there been an increase in the number of casual youth officers?

**Mr COUTTS-TROTTER:** I think there has actually been a decrease because we have recently engaged people on an ongoing basis. I think 49 roles that were formally not ongoing roles have been made ongoing roles.

**Ms CZECH:** Yes, they have.

**Mr COUTTS-TROTTER:** I think the answer to that is no, but I will doubly confirm that on notice.

**The Hon. ROSE JACKSON:** Looking at Frank Baxter in particular, I understand from information that was provided by your department, Youth Justice, that there are 108 total ongoing full-time equivalent permanent staff there, 27 temporary staff and 62 casual staff. Of the 197 staff there, almost 50 per cent are casual or temporary staff. Would that concern you in relation to—

**Mr COUTTS-TROTTER:** I would want to talk to—if we accepted that that is the balance between different types of employment, first up I would not accept that that is necessarily an inappropriate mix, and I would want to talk to the operational leaders to understand why staffing is configured in that way. But we have recently made changes to put more people on to ongoing employment. I just wanted to double-check the data.

**Ms CZECH:** Yes, we will double-check the data but I can also confirm that literally in the last week or two we have converted 49 temporary staff to ongoing positions. That is across the majority of our centres but mostly concentrated on Frank Baxter and Cobham.

**The Hon. ROSE JACKSON:** Mr Coutts-Trotter, you just noted your gratitude and the importance of youth officers as frontline staff members in the department and, as I have said, there are 62 of those at Frank Baxter alone from my understanding at 20 July 2019, so a reasonable number of youth officers are casual. Is it true that training for casual youth officers for this very challenging and complex role is only six weeks?

**Mr COUTTS-TROTTER:** I do not know. I will turn to my colleague. Do you know?

**Ms CZECH:** They get some initial training when they first come on to the job but then there is certainly ongoing training. Over the last two years, since the inspector's report, there has been about a \$1 million investment in training in various areas. It is an area that we are looking at and also considering any recommendations around training from the Lee Shearer report as well. It is an area we will do some further work on, but there is ongoing training and initial training as you mentioned.

**The Hon. ROSE JACKSON:** So all staff have access to ongoing training?

**Ms CZECH:** That is my understanding.

**The Hon. ROSE JACKSON:** Including casual staff?

**Ms CZECH:** I would need to take that on notice. My colleagues just behind me are saying yes.

**The Hon. ROSE JACKSON:** I could see that. How many staff—youth officers, to be specific—working in Youth Justice facilities are doing double shifts?

**Ms CZECH:** We would have to take that on notice.

**Mr COUTTS-TROTTER:** Take that on notice.

**The Hon. ROSE JACKSON:** I just want some information—you may have to take this on notice too. I am going to do a line of questioning about some of the conditions and the situation for staff. I am just interested in how many staff are currently on workers compensation?

**Mr COUTTS-TROTTER:** I would need to take that on notice—and we will, sorry, to be clear.

**The Hon. PENNY SHARPE:** You gave us some figures before about incidents in relation to violence. I am just wondering if you could also provide us with data in relation to self-harm incidents over the last couple of years, please?

**Ms CZECH:** Sure.

**Mr COUTTS-TROTTER:** Yes. We should do that.

**Ms CZECH:** We have that.

**Mr COUTTS-TROTTER:** Great.

**The Hon. ROSE JACKSON:** That would usefully lead on to an additional line of questioning. It would be useful to know the incidents of self-harm in Juvenile Justice centres for—do you have 2018-19?

**Ms CZECH:** I do.

**Mr COUTTS-TROTTER:** We do.

**Ms CZECH:** In 2018-19 there were 594 self-harm incidences and that involved 143 detainees. That was an increase of around 65 per cent on the year before, which had 359 incidences involving 100 young people in detention.

**The Hon. ROSE JACKSON:** Up from 206 in 2011-12. As you have noted, there are considerably fewer young people now. Yes, that may mean that the young people who are in Youth Justice facilities have more complex needs but that is a massive increase. What is the department doing in relation to those really quite alarming numbers in self-harm incidents?

**Ms CZECH:** Before I answer that question, if I could just add some further data which I think is important contextual information: 51 per cent or 303 of the self-harm incidences in 2018-19 were attributable to 17 children and young people in detention. Of those 303 incidences, 55 or 18 per cent occurred while the detainee was in confinement. A breakdown of that was: 12 were male, three were Aboriginal, three were non-Aboriginal and five were female, if that is of interest to the Committee. To answer your second question, there is a range of initiatives. We have both casework staff and psychologists in the units. They are tasked with completing therapeutic plans that go to the often-underlying trauma abuse issues that children and young people may have experienced prior to coming into detention, but also addressing any criminogenic behaviours that might be present as well.

**The Hon. ROSE JACKSON:** How many counsellors and psychologists are employed by Youth Justice?

**Ms CZECH:** I will have to take that on notice to get you the actual figures. We do have that but I would prefer to take it on notice.

**Mr DAVID SHOEBRIDGE:** The last two years.

**Ms CZECH:** The other thing we are working on is an enhanced—

**The Hon. PENNY SHARPE:** It is very disturbing to me that you have just told us that 17 detainees are responsible and have harmed themselves over 300 times and most of the time that has happened in confinement. Given the questioning around—

**The Hon. TREVOR KHAN:** No, that is not the evidence. It was not "most", I think it was 18 per cent.

**The Hon. ROSE JACKSON:** A substantial portion.

**The Hon. PENNY SHARPE:** A substantial portion. I mean, given that—

**The Hon. TREVOR KHAN:** I am awake.

**The Hon. NATALIE WARD:** Someone is.

**The CHAIR:** Surprising, yes.

**The Hon. PENNY SHARPE:** It is actually quite important.

**The Hon. NATALIE WARD:** Take it in shifts.

**The Hon. PENNY SHARPE:** What specific supports are in place for those young people who are in detention and are harming themselves at this level? Some of them are coming in and out of detention, I am assuming. It is just such a small number who are contributing. They are obviously seriously disturbed young people. I am just wanting to know what supports there are for them?

**Mr COUTTS-TROTTER:** A number of them were referred to intensive psychiatric support in a facility called Austinmer. We can provide some more information about that.

**Ms CZECH:** I do not want to minimise any self-harming behaviour by any stretch of the imagination but I do think it is important to note that it includes everything from scratching the skin with implements, for example, through to more serious self-harm attempts. I am not minimising—

**The Hon. PENNY SHARPE:** I think scratching your skin with implements is a pretty serious matter.

**Ms CZECH:** I do not necessarily mean with implements, but it could lead to that or other things. I do not want to minimise it, but it is quite a wide-ranging group of behaviours.

**The Hon. ROSE JACKSON:** How many juveniles in detention are diagnosed with a mental illness?

**Mr DAVID SHOEBRIDGE:** Or what proportion?

**The Hon. ROSE JACKSON:** What proportion? The Mental Health Commission has indicated in 2018 it was 83 per cent; that would be a useful reference point.

**Mr COUTTS-TROTTER:** I am just checking whether we have that current figure.

**Ms CZECH:** Yes, just having a look.

**Mr COUTTS-TROTTER:** If we do not, we can provide it on notice.

**Ms CZECH:** The most common disorders are attention and behavioural disorders, 59 per cent; substance-related disorders, 58 per cent; alcohol-related disorders, 34 per cent; and anxiety disorders, 25 per cent. Clearly there would be some overlap.

**The Hon. ROSE JACKSON:** I think we can agree it is a substantial portion. There is a significant overlap between young people with mental health issues and appearance in Youth Justice facilities. Do all Juvenile Justice facilities have a mental health practitioner on site?

**Mr COUTTS-TROTTER:** Yes.

**The Hon. ROSE JACKSON:** My understanding is that the Riverina Juvenile Justice Centre was without a mental health practitioner for an extended period of time. Does it have one now?

**Ms CZECH:** I would have to take that on notice.

**Mr COUTTS-TROTTER:** On my advice, yes. We are happy to find out what happened if there was not a mental health practitioner available to young people in that centre.

**The Hon. ROSE JACKSON:** Given the extraordinarily high percentage of detainees with a psychological disorder, and evidently some overlapping and very complex psychological mental health issues, are you confident that the treatment currently available to them is adequate? Particularly in light of your comments earlier about the number of repeated incidents of, for example, self-harm as just one expression of underlying mental health illness, are you confident that they are getting adequate support?

**Ms CZECH:** I am certainly confident that we have adequate resources in the centres. One example is that each of the centres has a health clinic, and access to therapeutic and clinical support. So, yes.

**The Hon. ROSE JACKSON:** I might just ask a couple of questions about diversion programs, because I understand from the Minister's answer earlier he has carriage of the young offenders, but I will have to come back to that.

**Mr DAVID SHOEBRIDGE:** Do you want to ask your question, Ms Jackson?

**The Hon. ROSE JACKSON:** No, it was a series of questions so it might be best, Mr Shoebridge. I do not want to take up too much of your time.

**Mr DAVID SHOEBRIDGE:** Staying on Juvenile Justice, the figures you provided earlier show that some 60 per cent of the children in juvenile detention are on remand. Is that right? I think it was 150 out of 252, which, if my maths is right—

**Mr COUTTS-TROTTER:** Yes, as at 2 September. That is right.

**Mr DAVID SHOEBRIDGE:** What is the average or what is the median length of stay for a juvenile on remand? How does that compare to the median length of stay across the system?

**Ms CZECH:** The average length of stay on remand for 2018-2019 was 15.4 days, which was a decrease from 18.4 days in 2016-2017. The average length on control—to answer the second part of your question, Mr Shoebridge—for 2018-2019 was 114.3 days and for 2017-2018 was 107.4 days.

**Mr DAVID SHOEBRIDGE:** First of all, I think pretty much everybody acknowledges that the reduction in the number of kids in juvenile detention has been one of the rare successes in the system and is acknowledged as a success; but a rate of 60 per cent of the children in detention being held on remand is not. There is clearly a problem if 60 per cent of the children in jail tonight have not been convicted of anything. What is the strategy to reduce that?

**Ms CZECH:** I am wondering if my colleague Mr Groves might like to talk about the initiative that is happening out in Penrith area.

**Mr GROVES:** Certainly. We have a trial going out in Penrith called A Place to Go, which looks at children and young people who are in short-term remand and how we support them to keep out of short-term remand. Part of that is looking at a full systems view of end-to-end processes—in particular, how we support young people when they come into custody with New South Wales police. One of the major findings we found was that these kids had no safe place to go and they were being placed into remand for that particular reason and being released 48 hours later.

**Mr DAVID SHOEBRIDGE:** How many children are in remand because they have breached bail—they have had a technical breach of bail?

**Mr GROVES:** I would have to take that on notice.

**Mr COUTTS-TROTTER:** We have to take that on notice, yes.

**Mr DAVID SHOEBRIDGE:** The police commissioner indicated—as, I think, did the Attorney General—support for changes that allowed multiple addresses for individuals on bail.

**Mr COUTTS-TROTTER:** Yes.

**Mr DAVID SHOEBRIDGE:** Does this agency express the same support?

**Mr COUTTS-TROTTER:** Yes.

**The Hon. TREVOR KHAN:** I think the secretary did at another hearing.

**Mr COUTTS-TROTTER:** And we also support the police commissioner and the police proposal that they be able to issue cautions without a young person admitting to an offence.

**Mr DAVID SHOEBRIDGE:** The changes that were made some four or five years ago to allow for bail conditions to be varied in chambers, how often have they been used?

**Mr COUTTS-TROTTER:** I would need to provide a response on notice.

**Mr DAVID SHOEBRIDGE:** On a subjective level, has it been a useful part of reducing the number of children on remand?

**Mr COUTTS-TROTTER:** I do not know, so I would need to seek advice.

**Mr DAVID SHOEBRIDGE:** Am I right that, on the data provided, some 47 per cent of the children in detention are Aboriginal children still?

**Ms CZECH:** It is 48 per cent.

**Mr DAVID SHOEBRIDGE:** Which is pretty much where it was last year.

**Ms CZECH:** It was 47, so it has gone up 1 per cent.

**Mr DAVID SHOEBRIDGE:** Again, what is the strategy over the next 12 months to ensure that we are not jailing Aboriginal children at, what, 20 times the rate of non-Aboriginal children?

**Mr COUTTS-TROTTER:** Several strategies, including the Youth on Track program, which is providing diversionary support for young people, but has as a target, I think, a 40 per cent or 50 per cent capacity for Aboriginal young people; the work Mr Groves was describing, which includes having commissioned, I think, MacKillop to provide supported accommodation for young people that need a place to go and some support. The work with the Premier's Priorities—Ms Walker?

**Ms WALKER:** The work with the Premier's Priorities—so reducing domestic violence [DV] offending—is we are going to take a more stratified look at the cohort group. We want to focus particularly on young offenders, knowing that their offence is not intimate partner offence, but it is against family members. So we would be looking at particular strategies for that group, because their rate of re-offence is too high.

**Mr DAVID SHOEBRIDGE:** That sounds like there may be something in the future that has not yet been identified. But the only programs that have been identified were Youth on Track, and that was being championed at last budget estimates as being one of the principal tools for reducing the rate of Aboriginal children in jail. Despite that now being fairly mature, we have found the number of Aboriginal children—the proportion of Aboriginal children in jail has largely increased. Surely this requires something more than just a small boutique program? Surely this is going to require some more fundamental system redesign? Is anybody looking at that?

**Ms CZECH:** Can I just add a couple of additional points to answer your question, Mr Shoebridge. In 2018 Youth Justice launched its Youth Justice Aboriginal Strategic Plan, and that really goes to aiming to have fewer Aboriginal children or young people in custody or on community orders; more Aboriginal young people participating in early intervention and diversion programs—and I will get to some additional programs shortly; more Aboriginal staff, particularly in senior and leadership roles, and embedding cultural practice across Youth Justice; and Aboriginal issues, needs and culture systematically addressed through policy and practice.

In terms of some services to add onto those that have already been mentioned, we do have My Journey My Life, which is an Aboriginal-specific program that aims to address violence in relationships. It was originally designed for Aboriginal men and boys but Youth Justice is currently undertaking work to adapt that for Aboriginal young women and girls. We also have the Aboriginal Reintegration and Transition Program, which is based in Nowra. That is an initiative that provides intensive support for young Aboriginal people after they leave custody or community supervision. That commenced in 2017 and aims to build resilience and wellbeing and reduce the risk of reoffending.

**The Hon. PENNY SHARPE:** When is that funded until?

**Ms CZECH:** I may have to take that question on notice: 30 June 2020.

**Mr DAVID SHOEBRIDGE:** If 59 per cent of the children entering juvenile detention are identified as having substance abuse—which I think was a figure earlier. Is that right?

**Mr COUTTS-TROTTER:** Yes.

**Mr DAVID SHOEBRIDGE:** Are they guaranteed drug and alcohol services? I think it was 59 per cent of substance abuse and 34 per cent with alcohol abuse. I am assuming that since it is a Venn diagram there is probably significant overlap so let us deal with the 59 per cent on substance abuse. Are they guaranteed, once you have identified them and you have collected the data and you have identified a child is having substance abuse, alcohol and drug services in juvenile detention?

**Mr COUTTS-TROTTER:** Good question that I do not have an answer for but we will confirm that.

**Ms CZECH:** What I can say is that every child or young person in a detention centre has a case plan. That case plan will address any particular needs, including drug and/or alcohol or any other issues. As I mentioned earlier, there is a health clinic and clinicians in the detention centres that enable access to those services.

**Mr DAVID SHOEBRIDGE:** You see, if the average stay on remand is 15.4 days and a 60 per cent of the children have a substance abuse when they come in, I think we can fairly safely assume they are not going to have substance abuse addressed within 15.4 days.

**Ms CZECH:** Correct.

**Mr COUTTS-TROTTER:** Yep.

**Mr DAVID SHOEBRIDGE:** Are they guaranteed drug and alcohol counselling and services once they leave?

**Ms CZECH:** We also fund a range of services in the Communities space, including a rural residential adolescent alcohol and other drug rehabilitation service, a Joint Support Program, a Veterans Young Offender Mentoring Program—

**Mr DAVID SHOEBRIDGE:** Ms Czech, I am sure you can give me a list of programs. I am not denying that. What I am asking you about is that commitment to young people with substance abuse. At a minimum I would have thought there should be a guaranteed commitment they will get the services they need when they are in detention, but I am asking as well are they getting the services they need when they leave. How many of those children with a substance abuse are getting the services once they leave detention?

**Ms CZECH:** Maybe we could take that on notice and come back with a response.

**Mr DAVID SHOEBRIDGE:** Do you agree the target should be 100 per cent for both criteria?

**Mr COUTTS-TROTTER:** I think it is an excellent opportunity to intervene in a way that helps a young person deal with, I guess, what I see as a significant health issue that is going to profoundly shape their life; so, yes. But I also recognise, as we are hearing in evidence before the ice inquiry that, if you are returning to a small country community, there are very few country communities where there is easy access to particularly residential drug and alcohol rehabilitation.

**Mr DAVID SHOEBRIDGE:** Would it be fair to say that your observation of the Juvenile Justice system is that you are seeing this kind of inevitability on return: A child being detained, maybe for property crime because of an addiction problem, being held on remand for 15 days or in detention 414 days, being put out into the community, being returned to a regional town, and then coming back, and that there is almost a degree of inevitability because of the absence of services?

**Mr COUTTS-TROTTER:** No. I would not allow characterisation of the comments in those terms. I think, obviously, if you are young person with a drug or alcohol addiction that makes you very vulnerable to a lot of things, including self-harm and crime. We as a community should do everything we can to respond to that risk and where young people reach a point in their lives where they are prepared to reach out and seek some help in an ideal world it would be available to them at the point they need that.

**Mr DAVID SHOEBRIDGE:** But we will get some data on that?

**Mr COUTTS-TROTTER:** Yes.

**Mr DAVID SHOEBRIDGE:** One of the recommendations from the report by the Inspector of Custodial Services was extending the school year in juvenile detention.

**Mr COUTTS-TROTTER:** Yes.

**Mr DAVID SHOEBRIDGE:** Where are you up to with the implementation of that recommendation?

**Mr COUTTS-TROTTER:** I will check with my colleagues. We are doing further work on that.

**Ms CZECH:** We are.

**Mr COUTTS-TROTTER:** That is at the request of Minister Ward.

**Ms CZECH:** That is where it is up to at the moment.

**Mr COUTTS-TROTTER:** Is that right?

**Ms CZECH:** Yes.

**Mr DAVID SHOEBRIDGE:** One of the obvious datasets would be looking at instances data, like assaults and instances of confinement, and comparing the rate of that during school term as opposed to the rate of that during school holidays. Has that basic analysis been done?

**Mr COUTTS-TROTTER:** That is being done at the Minister's request.

**Ms CZECH:** It is currently underway.

**Mr COUTTS-TROTTER:** Yes.

**Mr DAVID SHOEBRIDGE:** All right. Going back to Family and Community Services, how many children are in what I think is unsupported care but it is called voluntary informal out-of-home care?

**Mr COUTTS-TROTTER:** Temporary care arrangements?

**Mr DAVID SHOEBRIDGE:** Temporary care arrangements, thank you.

**Mr COUTTS-TROTTER:** In the last financial year, 75. It is an arrangement reached with family. The initial period is for three months. There must be a permanency goal of restoration to the family. It can be extended once by a further three months, but that is it.

**Mr DAVID SHOEBRIDGE:** All right.

**Mr COUTTS-TROTTER:** And, as I say, 75 children and young people in the last financial year, which is consistent with the year before, and I think the year before that it was about a hundred. But it is not a care type that has broad use, no.

**Mr DAVID SHOEBRIDGE:** How many children are currently in out-of-home care in New South Wales?

**Mr COUTTS-TROTTER:** The preliminary number is 16,880—a preliminary number for 30 June 2019.

**Mr DAVID SHOEBRIDGE:** Sixteen thousand eight hundred and eighty.

**Mr COUTTS-TROTTER:** Yes, which is about a 3 per cent fall on the number of children that were in care the year before.

**Mr DAVID SHOEBRIDGE:** What proportion of those are Aboriginal children and how many as well?

**Ms CZECH:** About 40 per cent.

**Mr COUTTS-TROTTER:** About 40 per cent. I will just double-check. I am sorry: I am just seeing if my colleagues can get there ahead of me. It is very close to 40 per cent, Mr Shoebridge. I am just confirming that. I will have to confirm that figure. It is broadly 40 per cent but my note tells me that the preliminary data, people just want to work on it a little bit more to make sure it is accurate. We will have it for you on notice.

**Mr DAVID SHOEBRIDGE:** On notice, all right. What proportion of the children in out-of-home care are in NGO care and what proportion are with FACS or the Office of the Children's Guardian?

**Mr COUTTS-TROTTER:** So as at 30 June on preliminary data, of 16,880 children in care, 7,970 were in care supported by NGOs. which is—

**Mr DAVID SHOEBRIDGE:** Slightly less than 50 per cent.

**Mr COUTTS-TROTTER:** Yes.

**Ms CZECH:** Yes.

**Mr DAVID SHOEBRIDGE:** What proportion of the children in out-of-home care have a care plan?

**Mr COUTTS-TROTTER:** I will confirm the latest figures for you, but we measure and capture that data and, of course, the Office of the Children's Guardian, as the regulator and accrediting agency, looks to the presence of care plans and good quality care planning as one of a series of things it uses to assess whether a care organisation is providing care to at least minimum standards.

**Mr DAVID SHOEBRIDGE:** The data will be on notice?

**Mr COUTTS-TROTTER:** Yes.

**Mr DAVID SHOEBRIDGE:** There is repeated concerns about the proportion of children in out-of-home care who exit between the ages of 16 and 17 and either enter into incarceration or into homelessness. Do you have data on that, tracking the children living in care between the ages of 16 and 18 who either move into incarceration or move into homelessness?

**Mr COUTTS-TROTTER:** We have done a lot of data work in working on the Government's recent Homelessness Strategy. I do not have that to hand, but I am pretty confident we can respond to you on notice.

**Ms WALKER:** Yes. Absolutely.



**Mr DAVID SHOEBRIDGE:** What about those who move into public housing? I assume that that can be also provided on notice? One of the other concerns is there was data produced about five years ago that shows that once a child goes into care that they were 10 times more likely to have their child removed when they had a child. Has there been any further data provided on that?

**Mr COUTTS-TROTTER:** I remember that figure as well. I do not know whether the most recent work by Their Futures Matter on the dataset and modelling has updated that, but we can check.

**Mr GROVES:** We can come back to you on that one.

**Mr DAVID SHOEBRIDGE:** In evidence given in another inquiry into child protection the President of the Children's Court said that he and the court were cognisant of the fact that simply entering a child into care significantly reduced their life chances, that it was going to have a very negative impact. Removing a child from family, removing a child from school, removing a child from community will have a very negative impact, and that somehow that was being taken into account by the court when making determinations about removals. He was invited to provide judgements where that reasoning was articulated and I have not seen any. What, if any, training does the department give its caseworkers about the impact of removal, and taking that into account when balancing up the best interests of a child and making a decision about removal? Because it is not neutral. It is not like you are moving a child into a Petri dish. There is damage by removal. Where is the training or the policy work or the guidance that you give on that?

**Mr COUTTS-TROTTER:** We do a lot of work on that.

**Ms WALKER:** Absolutely. And Kate Alexander, our senior practitioner, is heavily engaged in making sure that all of our caseworkers are absolutely cognisant of the implications for young people who come into care. What we have seen is a significant reduction in the number of entries to care, which again, you referenced an early success story, we would say the same thing about the reduction in entries to care.

**Mr COUTTS-TROTTER:** Which has been maintained on preliminary 2018-2019 data as a more than 42 per cent reduction on three years previously.

**Mr DAVID SHOEBRIDGE:** Can you provide us on notice with the policy documents or the data or whatever material is being provided to caseworkers to help inform those decisions?

**Ms WALKER:** Absolutely. There is considerable information on our casework practice site that is available to all our caseworkers and we will provide that for you.

**Mr DAVID SHOEBRIDGE:** Thank you.

**The Hon. PENNY SHARPE:** I want to go back a little bit to contracts, pilots and equivalent remuneration order [ERO] funding. Can you confirm with me the status of the standard human services contract and whether that is planning to be used in the rollout of the new contracts in June next year?

**Mr COUTTS-TROTTER:** I am just having a look to see. Are you across this?

**Ms WALKER:** Yes, again, that is one of the decisions that we are awaiting for an announcement of in relation to the targeted early intervention and the specialist homelessness services in particular.

**The Hon. PENNY SHARPE:** And they are the two that you would expect would possibly be going to be using this standard human services contract?

**Ms WALKER:** I think it is yet to be decided. Certainly the nature of the human services contract applies to a lot of the work in Communities and Justice. Less so in some of our other sister agencies just by the nature of the way we fund.

**The Hon. PENNY SHARPE:** Yes. There has been concerns raised with me that one of the clauses in the standard human services contract says that if a service raises money that it will then have to hand back the amount of money it has provided. Is that true?

**Mr COUTTS-TROTTER:** I think that is true and bearing in mind the Human Services Agreement came out of the work and recommendations of the Social Innovation Council. As I understand it, that clause and a number of other ones are subject to proposals for change that are being considered by the procurement board, which is a collection of senior public service officials, at some point this month.

**Ms WALKER:** And we have advocated for that change.

**The Hon. PENNY SHARPE:** For it to be removed. Obviously you can see where I am going with this. The perverse incentive that those who are actually raising money would lose some is just—it makes no sense in the Human Services.

**Mr COUTTS-TROTTER:** Yes.

**Ms WALKER:** Yes. Absolutely.

**The Hon. PENNY SHARPE:** Good. Thank you for that. Can I just confirm that in relation to the equivalent remuneration supplementation funding that this is not paid for new programs?

**Mr COUTTS-TROTTER:** It has been slightly more complicated than that. In terms of the calculations that were made in, from memory, 2012 when the Fair Work Commission made this decision, Government looked at existed funded services, recognised that in order to deliver on the equivalent remuneration order, over time and I think it was a 12-year time period, they would have to provide significant pay rises to many of their staff and from that information, concluded that Government needed to provide an additional \$1.3 billion to currently contracted organisations over that time frame.

At the same time, Government took a decision that if you are taking on a new contract and you do that in the full knowledge that you have to meet rising costs of the ERO you should only contract with us if either the price we are offering or the price you are bidding meets your costs over time and therefore there would not be an explicit ERO top-up for those providers. What has happened inside our service systems is there have been some organisations that have been caught between those two things and I think from memory within the Specialist Homeless Services system there was additional money provided to the service system to take account of some ERO changes.

**The Hon. PENNY SHARPE:** Was that for the Homeless Youth Assistance Program [HYAP] and the Premier's priorities initiatives?

**Mr COUTTS-TROTTER:** There was HYAP. There were some explicit additional funding amounts provided. There was Homeless Youth Assistance Program, there was domestic violence enhancement, which aim to improve the 24-hour seven-day-a-week response for domestic violence services, but I think within some of our contractual negotiations some organisations received some additional funding in respect to the ERO outside of that 2012 agreement. It is really, really complex. I have felt my brain melt and drip out of my ears on several occasions trying to backtrack it and discuss it meaningfully with funded services. The fundamental dynamic is that there are rising costs for non-government organisations to deliver public services and for some organisations in some contracts, the contract indexation does not adequately recognise that. We know that is an issue. We are advising Government accordingly. And really, the options for non-government organisations of course are to either reduce the quantity of what they do, or for Government to put more money on the table.

**The Hon. PENNY SHARPE:** Yes. I am obviously concerned about their ability to deliver the services that we ask them to do, but be paid fairly to do so. I wanted to just ask briefly, again it is an issue that has been raised and it is a bit again trying to understand how the Their Futures Matter pilots interacts with service systems that are already there, I have had it raised with me that there is concern that some of the new projects are well funded, and that is very good, and they are showing good promise and everyone is very happy about that. But if you actually compare some existing services that argue that they are doing the same amount of work, that they are obviously funded at a far less amount. How are you managing that issue? Do you accept that that is true and how are you managing that issue into the future with commissioning?

**Mr GROVES:** That has not been fed back to me so I am unaware of that. When we do go to procure new services we go out to open tender. It is very transparent about the types of services we procure. We also do encourage those smaller services to work hand in hand with some of these pilots and trials, and also look at what flexible brokerage looks like for some of those smaller services to support some of the families that are in these programs.

**The Hon. PENNY SHARPE:** I will give you a specific example. I do not know the name of the youth service so I cannot give it to you, but there is a youth service working with clients with complex needs, particularly kids who have been in and out of Juvenile Justice NSW. It reckons that there is a gap of about \$400,000 per client, compared to some of the work that is going into the Juvenile Justice models. How is that possible?

**Mr COUTTS-TROTTER:** I do not know. I am happy to take the specific example and pursue it and see what issues there are there and what, if anything, we can do about it.

**The Hon. PENNY SHARPE:** Thank you. I was very interested in the two social impact bonds that recently matured—the Newpin one and the Resilient Families one that, I think, is run by The Benevolent Society; five-year programs, very interesting model in relation to people getting outside funding, showing good results and then in finishing. I am concerned that both Newpin and The Benevolent Society [BenSoc] demonstrated and provided the evidence that we are constantly talking about concerning reduction of kids into care, a model of intensive family-based service that works, but essentially they have now come to an end and there is no pick-up from government. Everything we have learnt from that service does not seem to be being transferred into government procurement or being refunded. How does that work?

**Mr COUTTS-TROTTER:** I think both Newpin and the Resilient Families programs have been put on ongoing funding.

**Ms WALKER:** Newpin is still going as a bond. That was a seven-year bond.

**Mr COUTTS-TROTTER:** Newpin is still going as a bond, sorry

**Ms WALKER:** Resilient Families was the five-year bond.

**The Hon. PENNY SHARPE:** Resilient Families is finished. I am told that they are going to stop taking families from September—this month.

**Mr COUTTS-TROTTER:** It is on a performance-based contract, picking up the lessons learnt from the bond. I am happy to take on notice the concern that they will not be taking any families from September and speak to BenSoc.

**The Hon. PENNY SHARPE:** Yes, it would be good if you could. You do not need to provide it now, but I would welcome information about whether any more of these kinds of bonds are planned. My understanding is that there are concerns in the sector about the upfront costs for them in terms of putting them together. They are very complicated but there has been a lot of work done and they seem to have good outcomes, so I am interested in how that transfers over. I understand that up to 32 per cent fewer kids went into out-of-home care as a result of the Resilient Families program compared to the control group that was just kids with normal FACS interventions.

**Mr COUTTS-TROTTER:** Yes

**The Hon. PENNY SHARPE:** That was a pretty good outcome. Now that the program has proven itself in a way that not many programs are able to, where is that being picked up? How and when is that being rolled out? Again, is that an opportunity in terms of contracting next year? How does that come together?

**Mr COUTTS-TROTTER:** I will offer some broad observations and then allow Ms Czech to get to some detail. A social impact bond is a way of discovering what great performance could look like. Resilient Families or the Newpin bond identifies the difference between bog-standard performance and really good performance. Through our Permanency Support Program, for example, where one of our service packages is restoration, that then enables you to go: How do we refine the value of that package and what we expect by way of performance, based on the experience of the social impact bond?

If social impact bonds work, the problem with them is you learn something but then you do not want to provide investors with another round of 7 per cent to 11 per cent returns on it because you have learnt it, you know how to do it and you can articulate it as good practice. In the absence of the bond, you do not know what great performance is and you do not know what you should pay for it and, equally, non-government providers do not know what risks they should take on in trying to achieve it. The bonds make all this really transparent and enable organisations to go, "I understand what BenSoc has done there. I am prepared to commit to that level of family preservation for that price."

It is a process of discovery of what is possible. As I say, it is a bit of a problem because once you have learnt something you want to then do more of it, but you do not want to do more of it while paying 11 per cent returns. You want to do more of it and have some kind of performance arrangement payment but something less elaborate than a bond and something of larger scale. We hope to incorporate what we have learnt through working with BenSoc and Newpin into our Permanency Support Program and use that stream of funding that is about \$630 million a year from memory, as the fundamental source of how we try and scale up what is clearly great practice.

**The Hon. PENNY SHARPE:** That leads me to pilots. I do not expect you to be able to answer my question today but I am keen to flag that I will probably be asking it every year for the next few years: I would like a list of the number of pilot projects that were commenced in the last 12 months—those that are ongoing and those that will conclude over time. I just want the raw information but, ideally, I would like it by program

and how much it costs. There is an awful lot of pilot programs where we learn a lot. Communities invest a lot of time and energy in engaging with those programs. I remain concerned about when and if and how they are ever integrated back into practice, rather than the funding running out and all of the good work going out the door until the next round and the next person turns up with a great new idea.

**Mr COUTTS-TROTTER:** Sure.

**The Hon. PENNY SHARPE:** I am just trying to get a handle on the number of projects that you consider pilots. It would be really useful if you could take that on notice.

**Mr COUTTS-TROTTER:** Yes, sure.

**Ms WALKER:** Can I take us back to the social benefit bonds question because there has been concern expressed about the level of energy and effort required for agencies to participate. There has been considerable work occurring in Treasury. When we did the Newpin bond, it literally took two years to come to fruition, which was a massive investment by Newpin and everyone involved.

I understand that time has come down considerably and we could get some information for you on that, but there are other bonds in the mix. One of the ones I am thinking of is the one referring to homelessness. It was actually a question that came up yesterday by Ms Jackson about people leaving hospital and becoming homeless. There is a bond that is going to look at addressing that. I want to get on the record that people leaving hospital, becoming homeless and becoming rough sleepers is something that we want to address. A bond is a good opportunity to get people involved. Bonds can be complex but it is a great opportunity if we can learn some good lessons and then incorporate them.

**The Hon. PENNY SHARPE:** That is good. I have some questions around Aboriginal strategies. Again, it is a bit of a theme here. There are an awful lot of programs, small and large, and a lot of strategies. We have the Aboriginal Outcomes Strategy and the NSW Aboriginal Child, Youth and Family Strategy. I think that Ms Czech talked about the NSW Aboriginal Justice Plan. How is all of this coming together under this new structure and what is the status, particularly, of the outcomes framework and the child, youth and family strategy?

**Ms WALKER:** As Simone Czech was talking about before, a number of the programs that she has mentioned are in the Youth Justice NSW space. I guess that goes to the opportunities that the Machinery of Government changes provide for us—that we have a range of programs that sit both across Justice and the old Family and Community Services, that we want to see where the synergies are, where are we possibly piloting some of the same things, where are the programs that we are doing actually servicing the same clients. That is one of the first pieces of work that we want to do. In the programs that Ms Walker listed, there are a number of things there that absolutely are services for FACS clients as much as for Youth Justice clients. That is the first part.

**The Hon. PENNY SHARPE:** Where is the outcomes framework up to?

**Ms WALKER:** The broad outcomes framework? The NSW Human Services Outcomes Framework guides all of our work because, ultimately, what we are looking to is to make sure that we commission for outcomes and that we are all aiming for the same—

**The Hon. PENNY SHARPE:** Specifically within that is there not an Aboriginal outcomes framework?

**Ms WALKER:** Yes.

**The Hon. PENNY SHARPE:** Yes, that is what I am asking about.

**Ms WALKER:** That is some of the work that is underway at the moment for the Aboriginal child and family investment strategy that we are doing. We are doing that with our Aboriginal peak agencies. We are currently establishing a task force led by the Aboriginal Outcomes directorate. It will be preparing the evidence base—

**The Hon. PENNY SHARPE:** Where does the Aboriginal Outcomes directorate sit?

**Ms WALKER:** That sits with my area. It is actually a directorate that sat in the old Family and Community Services but now sits in the broader group of strategy, policy and commissioning. There are two Aboriginal directorates in my area: One is the Aboriginal Outcomes directorate. What we have is a core group and then a number of those members of staff seeded across the different areas of work—across child and family, across housing. What we have currently on the Justice side of the work is an Aboriginal Services unit, which has staff in both regional areas and based in courts. It does a lot of specific work about addressing Aboriginal over-representation, just to give you the picture.

**The Hon. ROSE JACKSON:** We are just looking at the executive structure. Which executive director is responsible then?

**Ms WALKER:** The Aboriginal Outcomes directorate? Its primary responsibility is to the Executive Director for Inclusion and Early Intervention.

**The Hon. PENNY SHARPE:** Melanie Hawyes.

**Ms WALKER:** Yes, Melanie Hawyes. The Aboriginal Services unit sits under the acting executive director, Carolyn Thompson.

**The Hon. PENNY SHARPE:** The Megan Davis review, where is that up to?

**Mr COUTTS-TROTTER:** It is due to be delivered to the Minister imminently, if it has not been already. If it has been delivered it would have been in the last 24 hours. The information I got through my colleague Kate Alexander, who has been in touch with Professor Davis, was that it was expected imminently.

**The Hon. PENNY SHARPE:** You would be aware it is quite late. My previous understanding is that there have been commitments made around either percentage of funds or percentage of contracts going to Aboriginal-controlled organisations. Is that correct?

**Mr COUTTS-TROTTER:** We are committed to a target of 30 per cent investment through the targeted early intervention program directed at Aboriginal children and families by 2020. There are specific targets for multi-systemic therapy [MST] and functional family therapy [FFT] places for Aboriginal children and families. From memory it is 50 per cent across those two programs.

**The Hon. PENNY SHARPE:** They are currently being met, are they?

**Mr COUTTS-TROTTER:** Very close to being met.

**Mr GROVES:** Close to.

**The Hon. PENNY SHARPE:** I thought they were. Yes, okay.

**Mr COUTTS-TROTTER:** There are other Their Futures Matter programs that have an expressed target for providing support to Aboriginal people.

**The Hon. PENNY SHARPE:** Where did the commitment come from?

**Mr COUTTS-TROTTER:** Which one?

**The Hon. PENNY SHARPE:** The history of the 30 per cent, the funds. What is the history of that commitment?

**Mr COUTTS-TROTTER:** That was the department's commitment to the community through AbSec.

**The Hon. PENNY SHARPE:** But when was that made?

**Mr COUTTS-TROTTER:** I would need to confirm and respond on notice.

**The CHAIR:** We will take a break for 10 minutes and return at ten to four.

**Mr COUTTS-TROTTER:** Thank you.

**(Short adjournment)**

**Ms ABIGAIL BOYD:** Can I start off by asking you—and apologies; it is still a little bit confusing as to who has responsibility for what—

**The Hon. TREVOR KHAN:** For you.

**Ms ABIGAIL BOYD:** For me.

**The CHAIR:** That was a cheap shot.

**The Hon. TREVOR KHAN:** I'm good at them.

**The CHAIR:** I know that.

**The Hon. NATALIE WARD:** It is late afternoon.

**Ms ABIGAIL BOYD:** Maybe you want to answer the question.

**The Hon. TREVOR KHAN:** No.

**The Hon. NATALIE WARD:** No, he is fasting. Don't ask him anything.

**The Hon. TREVOR KHAN:** No, I will never get to sit there.

**Ms ABIGAIL BOYD:** Is your department responsible for public housing maintenance?

**Mr COUTTS-TROTTER:** No, so—

**Ms ABIGAIL BOYD:** Which department—

**The Hon. ROSE JACKSON:** If you live in the house, they are responsible.

**The Hon. PENNY SHARPE:** It is Melinda Pavey.

**The Hon. ROSE JACKSON:** They are not responsible for the house.

**The Hon. PENNY SHARPE:** For the people, not the building.

**Ms ABIGAIL BOYD:** The people—ah!

**Mr COUTTS-TROTTER:** The Public Housing portfolio is owned by the Land and Housing Corporation headed by our good colleague Anne Skewes. That now reports to Minister Pavey and sits in the planning and industry cluster.

**Ms ABIGAIL BOYD:** Okay, so public housing maintenance is Pavey.

**Mr COUTTS-TROTTER:** Yes.

**Ms ABIGAIL BOYD:** Tenant safety?

**Mr COUTTS-TROTTER:** That would be a combination of Mr Vevers who is spring-loaded in the can-do position and desperate for questions and Ms Skewes, but please, if you have some questions on it we can take it, I am sure.

**Ms ABIGAIL BOYD:** In relation to fire and safety audits and ensuring that they are conducted and actioned, is that—

**Mr COUTTS-TROTTER:** I am sorry, I have overpromised and underdelivered. That is actually the Land and Housing Corporation. As the asset owner that is its responsibility.

**Ms ABIGAIL BOYD:** Responsible to Minister Pavey?

**Mr COUTTS-TROTTER:** Yes.

**Ms ABIGAIL BOYD:** Okay. Good. The Waterloo public housing redevelopment?

**Mr COUTTS-TROTTER:** Is the responsibility of the Land and Housing Corporation, although Mr Vevers and his teams of housing staff provide support to that. Obviously a lot of this is about maintaining relationships with often quite socially isolated and anxious public housing tenants who need good support and communication to be clear about what is happening on what time frame and what the choices are available to people. But the redevelopment itself is led by the Land and Housing Corporation.

**Ms ABIGAIL BOYD:** Thank you. So let me get this straight: Public housing maintenance is Minister Pavey?

**Mr COUTTS-TROTTER:** Yes.

**Ms ABIGAIL BOYD:** Transfer requests?

**Mr COUTTS-TROTTER:** That would be us.

**Ms ABIGAIL BOYD:** Okay. Good.

**The CHAIR:** You have struck gold.

**Ms ABIGAIL BOYD:** Are you able to provide details on the number of transfer requests that are related to maintenance concerns?

**Mr COUTTS-TROTTER:** Mr Vevers?

**Mr VEVERS:** I can tell you how many requests for transfer there are, but we cannot break that down to maintenance. There are 5,892 transfer requests in the system, but, bar going through each individual case, we would not know which of those is related to maintenance.

**Ms ABIGAIL BOYD:** Okay. On that basis you would not be able to tell me how many are as a result of lack of accessibility and disability related needs.

**Mr VEVERS:** No.

**Ms ABIGAIL BOYD:** Okay. There is no data taken on that?

**Mr VEVERS:** Correct. There is data, but it is in individual files as opposed to something that you could accumulate.

**Ms ABIGAIL BOYD:** It is not collated. Right. Okay. Understood. That was all very useful. Let's go back to waiting lists. And apologies if this is something that my colleagues have already touched on.

**Mr COUTTS-TROTTER:** No.

**Ms ABIGAIL BOYD:** No? Good.

**Mr VEVERS:** Unfortunately no questions so far on housing.

**Ms ABIGAIL BOYD:** Okay. What is the current waiting list for people who are eligible for public or community housing in New South Wales?

**Mr VEVERS:** The waiting list up to 30 June is 52,932 people, of which approximately 4,600 are priority and the others are general waiting list. We have not yet published the waiting list for 30 June 2019 quite an extensive process of data cleansing goes on before that is published.

**Ms ABIGAIL BOYD:** Okay. So that is numbers of people not numbers of applications?

**Mr VEVERS:** Sorry, that is households.

**Ms ABIGAIL BOYD:** Numbers of households. Do you know numbers of people as well?

**Mr VEVERS:** If you multiply that roughly by 2.2 you would get the number of people.

**Ms ABIGAIL BOYD:** Is that something you could take on notice to give the exact figure?

**Mr VEVERS:** Yes, I can get you the exact number.

**Ms ABIGAIL BOYD:** Also, and again you might need to take this on notice, how many of them are children who are on the waiting list?

**Mr VEVERS:** I definitely have to take that on notice.

**Ms ABIGAIL BOYD:** And how many people are with disabilities?

**Mr VEVERS:** Roughly 25 per cent of our tenants and applicants have a disability, but to give you a precise number I would need to take that on notice too.

**Ms ABIGAIL BOYD:** Okay. Do you know how many of those people are currently homeless?

**Mr VEVERS:** People are at immediate risk of homelessness are always priority approved. I would have to look up the number of that 4,595 who are homeless, but being priority approved means you wait very significantly less time than if you are not, and the average waiting time for people who are priority approved is 2.7 months.

**Ms ABIGAIL BOYD:** So 2.7 months for someone on the priority list; and the expected waiting time for someone who is not on the priority part of the list?

**Mr VEVERS:** It varies. We do publish the waiting lists. We have about 100-odd zones across the State and we publish the expected waiting time for those. If you are in a high-demand area like Tweed Heads you would easily expect to wait more than 10 years. If you are in a low-demand area such as the far west you might be housed very quickly.

**Ms ABIGAIL BOYD:** Thank you. How much has the waiting list either reduced or increased in terms of numbers of applications or people in the past year?

**Mr VEVERS:** I am doing this from memory—I think it was 55,000 the year before.

**Ms ABIGAIL BOYD:** So it is decreasing.

**Mr VEVERS:** Yes.

**Ms ABIGAIL BOYD:** And in the past six months?

**Mr VEVERS:** We only publish that figure annually.

**Ms ABIGAIL BOYD:** Of course. So we do not have that from the end of December to—

**Mr VEVERS:** No.

**Ms ABIGAIL BOYD:** Okay. Are there any plans or what actions are being taken to reduce the waiting list, the time or the number?

**Mr VEVERS:** We have quite a number of products and programs to assist people to rent privately. Those apply particularly to people who are in urgent need. So, for example, if you have a disability that is putting you at risk in your current accommodation we have a program called Private Rental Subsidy where we will subsidise you to live in the private sector and pay the same rent that you would have paid in public housing until you get an offer. For people who are escaping domestic violence we have a program called Start Safely where we give the same benefit, that people rent in the private sector, only the aim with that program is to help people to rent sustainably in the private sector such that in due course—after a three-year period of the subsidy—that subsidy gradually tapers down in the hope that those people would be able to manage that tenancy without having to move.

**Ms ABIGAIL BOYD:** Thank you. How many public housing properties have been sold in the past year?

**Mr VEVERS:** I would have to refer that to the Land and Housing Corporation I am afraid.

**Ms ABIGAIL BOYD:** Okay, so that is Minister Pavey.

**Mr VEVERS:** Yes.

**Ms ABIGAIL BOYD:** Okay. Of course, because it is the property.

**Mr VEVERS:** Yes.

**Ms ABIGAIL BOYD:** So new public housing would be in the same category.

**Mr COUTTS-TROTTER:** Similarly a question for Minister Pavey, yes.

**Ms ABIGAIL BOYD:** Okay—very good. And the local allocation strategy, is that part of your responsibility?

**Mr COUTTS-TROTTER:** Yes.

**Ms ABIGAIL BOYD:** Is the Inner City Local Allocation Strategy still in place?

**Mr COUTTS-TROTTER:** Yes.

**Ms ABIGAIL BOYD:** Has it been expanded from its initial scope?

**Mr VEVERS:** No. We said that we would review the local allocation strategy at the end of the first year, which would have taken us to the end of last year. Unfortunately we had some failures in counting and collecting data during that period of time. So we have decided to wait until we have a sufficient body of data, which should be at the end of this month, before we review it. So it still covers four of the 24, I think it is, suburbs in the inner city. But we will then review it to assess what impact it has had.

**Ms ABIGAIL BOYD:** Then you will work out whether to expand it?

**Mr VEVERS:** Yes, expand it or contract it.

**Ms ABIGAIL BOYD:** Yes, of course. Do we know how many people have been prevented from receiving accommodation?

**Mr COUTTS-TROTTER:** Yes, we do.

**Mr VEVERS:** Yes, we do. These figures are as at July of this year. So 10 applicants have been declined housing; seven of them because they consented to a criminal record check and it was confirmed that they had a criminal record for dealing in drugs in the past five years, and three of them refused to provide—

**Ms ABIGAIL BOYD:** Did you say dealing?



**Mr VEVERS:** Yes, dealing. This does not exclude people for using drugs, it is only for dealing in drugs. Three of them declined to give consent—offer us to check their criminal history. Those people are still entitled to be housed in the inner city, in what we call our Sydney District, bearing in mind there are 24 suburbs within that zone. They are not excluded from being housed in the inner city, they are just excluded from being housed in those four suburbs.

**Ms ABIGAIL BOYD:** Did any of those 10 applicants withdraw their application altogether as a result of that?

**Mr VEVERS:** I do not believe that any of them did. The rate of withdrawal has been absolutely consistent before and during the operation of that. It was a question that was raised: Would this lead to people simply withdrawing their application? Between 10 and 13 applications get withdrawn from the inner city every month, and that pattern has not changed.

**Ms ABIGAIL BOYD:** Do you know for those particular applicants?

**Mr VEVERS:** I do not.

**Ms ABIGAIL BOYD:** What is the average wait time to complete the police check?

**Mr VEVERS:** I would have to take that on notice. It is not lengthy.

**Ms ABIGAIL BOYD:** It would be great if you could take it notice. I think that is all for that part of things. Now we are looking at out-of-home care. In the last financial year what number or proportion of young people reaching 18 while in out-of-home care remained with their carer under the policy on provision of financial support?

**Mr COUTTS-TROTTER:** I do not think we have that information to hand. I do not recall it in any of the material, but we can get it for you on notice.

**Ms ABIGAIL BOYD:** That would be great, thank you. What provisions are in place to enable a young person who is not in full-time study due to medical health or other reasons to remain with their foster carer after the age of 18?

**Mr COUTTS-TROTTER:** Do either Simone Walker or Simone Czech want to take that?

**Ms WALKER:** I think we should take it on notice just to get the policy position, but there is absolute discretion for the Minister to make decisions, particularly about ongoing support, because we do support people after 18 as per the legislation, but what that support needs to look like would absolutely be decided by the Minister.

**The Hon. PENNY SHARPE:** If you are going to provide that information could you tell us how many foster carers continue to be paid after 18?

**Ms WALKER:** Yes, we should have that information. Certainly for young people doing their HSC, that sort of thing, we have those numbers.

**Ms ABIGAIL BOYD:** What is the total funding allocated for the out-of-home care Permanency Support Program in the 2019-2020 budget?

**Mr COUTTS-TROTTER:** I am sure we have that. It is around \$630 million or \$640 million. I am just looking for the exact figure.

**Ms ABIGAIL BOYD:** Also how it compares to the year before would be useful.

**Mr COUTTS-TROTTER:** It would be a modest increase, I think, but I will confirm that as well. Colleagues, do we have a figure?

**Ms CZECH:** I am just looking for it.,

**Mr COUTTS-TROTTER:** I am sorry. I thought we—

**Ms WALKER:** We have just about every other figure.

**Mr COUTTS-TROTTER:** I am sorry. I do not think we have that figure, but we will confirm the figure for 2019-2020 and confirm the actual expenditure in 2018-2019 for you.

**Ms ABIGAIL BOYD:** That would be great, thank you. What is the total funding allocated for Intensive Family Preservation and Restoration Plan programs in the 2019 budget?

**Mr COUTTS-TROTTER:** I do not want to sound obtuse about this, but there is something of a definitional question here. For example, the Permanency Support Program includes us buying family restoration services from non-government organisations. One of the service packages might be working with a family for two years to help a family resolve a set of issues that makes it potentially risky for children to stay at home. There is elements of the Permanency Support Program, there is a particular program called Intensive Family Support and then there are other programs that really do the same thing.

**Ms WALKER:** Intensive Family Based Services.

**Mr COUTTS-TROTTER:** Then we have the Functional Family Therapy, we have multisystemic therapy. If the thrust of your question is what is the amount of money and effort spent trying to support families to keep kids safe at home, we could give you an answer on that that would cut across a few programs that would include Intensive Family Based Services.

**Ms ABIGAIL BOYD:** That would be very useful. If you could tell me obviously which programs it covers, but also how it compares to the funding allocated for the programs last year?

**Mr COUTTS-TROTTER:** Yes, certainly.

**Ms ABIGAIL BOYD:** What is the total funding for early intervention programs relating to child protection and wellbeing, again, looking at how early intervention programs have been defined?

**Mr COUTTS-TROTTER:** To be as helpful as we can we will take it on notice. We will define early intervention in response to your questions and then identify the programs, the budget and the year-on-year changes.

**Ms ABIGAIL BOYD:** Moving on to Family action plans, I suspect you may need to take some of this on notice. How many family action plans—preservation ones—were made in 2017-2018? How many of them resulted in family preservation, as opposed to guardianship, adoption, care of the Minister or split between those three, I presume?

**Mr COUTTS-TROTTER:** This is where we have had—sorry, I am just looking for Simone Czech to remind me of the explicit terminology Family Action Planning.

**Ms CZECH:** Family Action Planning is one part of the suite of structured decision-making tools that we use in the Child Protection program, which is possibly slightly different from the question you are asking.

**Ms ABIGAIL BOYD:** To be honest I am not 100 per cent sure because this is something that I have taken on from Mr David Shoebridge but I presume it is—

**The Hon. TREVOR KHAN:** You ask it much nicer than Mr David Shoebridge does.

**Ms ABIGAIL BOYD:** It is looking at family action plans and it has in brackets "preservation" so I presume this is the Family Preservation Package. We can put that in as a supplementary question once I have clarified that.

**Mr COUTTS-TROTTER:** Yes, please do.

**Ms ABIGAIL BOYD:** How many care applications have been made to the court since 4 February 2019?

**Mr COUTTS-TROTTER:** Which is from memory the date of the proclamation of the new legislative changes. I do not know that we have that data to hand, but we can absolutely get it.

**Ms ABIGAIL BOYD:** How many case reviews in 2018-2019 have considered the potential for successful restoration? We are particularly interested in looking at the numbers of Aboriginal children versus non-Aboriginal families.

**The Hon. PENNY SHARPE:** He asked that before.

**Ms ABIGAIL BOYD:** He is sick and so he has not written his notes as well as possible.

**The Hon. PENNY SHARPE:** I just wanted to know how we are going with foster care recruitment. How many foster carers have been recruited this year? I understand that some of it is done through NGOs and what, if any, is done through the department?

**Mr COUTTS-TROTTER:** We fund an organisation called My Forever Family to undertake segmented campaigns to recruit foster carers. I know that My Forever Family has accumulated, pre-screened and passed on to non-government organisations, I think, 440 people who—

**The Hon. PENNY SHARPE:** Is that over the last 12 months?

**Mr COUTTS-TROTTER:** I think that is over the last 12 months.

**Ms WALKER:** Yes, 2018-19.

**Mr COUTTS-TROTTER:** Who have an interest in becoming carers. Of course, non-government organisations undertake their own recruitment as well and are actually paid as part of the permanency support packages to do that, so we can try and see if we can capture data from the non-government sector as well.

**The Hon. PENNY SHARPE:** Is your department doing its own recruitment for its own carers anymore?

**Mr COUTTS-TROTTER:** We do some limited carer recruitment. As an accredited agency, we have an obligation to deliver an accredited service. It varies between different areas. So where we have got a well-established network of non-government providers, they tend to be the organisations recruiting carers. Where there is not that network of non-government providers—for example, western New South Wales—we are recruiting carers because, as we discussed through the alternative care arrangements discussion, part of the problem here is not having an adequate number of carers. So we have to be out there doing it.

**The Hon. ROSE JACKSON:** I might ask a few more questions in relation to housing and homelessness. Specifically, I will start with the Link2home program. How many occasions of service were provided by Link2home in the last financial year?

**Mr VEVERS:** I would have to take that on notice. They deal with over 100,000 calls in a year, but how many of those actually result in accommodation I would need to take on notice.

**The Hon. ROSE JACKSON:** You may have to take some of these additional questions on notice too. I would be interested to know how many calls to Link2home went unanswered, if that information is available.

**Mr VEVERS:** Yes, that would also be available.

**The Hon. ROSE JACKSON:** How many requests for accommodation assistance were not able to be met? Obviously we are keen to know about the occasions for service, but also how many requests for assistance were not able to be met. And how many requests for accommodation were due to domestic violence?

**Mr VEVERS:** I would have to check if that latter figure is available; the others are. The number of accommodation requests not met by Link2home is very small indeed.

**The Hon. ROSE JACKSON:** Good news.

**Mr VEVERS:** It tends to be very late at night calls, where we do not have a provider who is actually open at that time. But the temporary accommodation budget is not limited, so Link2home has no limits on the number of people that it can place in temporary accommodation. They obviously do try always, first, to place someone in a specialist homelessness service. The service has developed such that we can order transport for people as well. So whereas previously we would have been limited in some small towns, we now no longer are. So we can arrange transport for people—I mean, within reason; we probably would not take a taxi for 200 kilometres, but we would be reasonably generous in making sure that people can get to accommodation.

**The Hon. ROSE JACKSON:** It would still be good to get that figure, though.

**Mr VEVERS:** Yes, totally.

**The Hon. ROSE JACKSON:** Following up from your comment about domestic violence, you are unsure that that figure would be available because that data is not recorded when people call Link2home? That information is not necessarily given at the time—that that is the reason for the request—or it is?

**Mr VEVERS:** It would always be recorded on an individual's file, without exception, that they were escaping domestic violence. Whether we can aggregate that data is the only question in my mind. To be technical, if it is in a free text field in a computer system, it is not possible to aggregate it. If there is a box that is ticked, it is possible. I would just need to investigate that.

**The Hon. ROSE JACKSON:** It would be good to have that information. Even if the answer is that it is not able to be provided because of some of those issues, that would be useful information as well.

**Mr VEVERS:** Yes.

**The Hon. ROSE JACKSON:** Interested next to know the 2018-19 departmental expenditure for the operation of the Homelessness Outreach Support Team [HOST].

**Mr VEVERS:** Yes. The HOST team is six very passionate people who work for a very passionate department. It is frankly incredible that such a small team of people—so their funding would be well under \$1 million.

**The Hon. ROSE JACKSON:** Have you put in any requests for the expansion of that team to a larger team of passionate people?

**Mr VEVERS:** Yes, in both Newcastle and Tweed Heads we have replicated that team. They are both areas where we know there are a lot of people sleeping rough. Both of those services have just started in the last month and they replicate government staff going out on the streets, as we know that has been the critical difference in Sydney. We have for some years had NGOs going out on the streets, but what we can bring is immediate access to temporary accommodation and then fast-track access into permanent accommodation. So we know that it is actually having our staff on the streets, often alongside non-government organisations, that makes the difference.

As part of the Premier's Priorities, we also have just gone out to all our local teams right across the State and asked them, within existing resources, what outreach could they do that mirrors the outreach. So Sydney, Tweed Heads and Newcastle all have some funding associated with them. We are also challenging our staff to say, "In other smaller towns and locations, what outreach could you do?" We are entering into dialogue with the specialist homelessness services, saying, "What follow-up could you do from people that we have housed?"

**The Hon. ROSE JACKSON:** "Within existing resources" is a challenging proposition for your staff, who are already doing a lot of work within those existing resources.

**Mr VEVERS:** Yes.

**The Hon. ROSE JACKSON:** Is there no proposition that because it is, indeed, a Premier's priority—and quite a lot has been made of the homelessness Premier's Priorities—that there might be additional resources for this work, considering, as you have said, that you think it in fact makes the critical difference or a critical difference in terms of the support that is able to be provided?

**Mr VEVERS:** I will be the first person to put my hand up for extra funding, providing that we can demonstrate that outside of Sydney—we have definitely demonstrated in Sydney that we can make a difference, because the number of people sleeping rough with the City of Sydney street count has gradually come down. I think we would be able to make a case that says, "Look what we can do within existing resources; how much more could we do if there were additional resources available?" But I think we have to demonstrate what we can do first.

**The Hon. ROSE JACKSON:** And the intention from your team would be to do that for the next budget round—to gather that information from your teams for a proposition for the next budget for those additional resources?

**Mr VEVERS:** I cannot be that specific. Whilst I would love to have extra resources, we all would love to have extra resources. So we also would love to have extra resources in many other areas of our activity too. So at the end of the day it has to be a Government decision.

**The Hon. ROSE JACKSON:** A final question in relation to this before I move back to Juvenile Justice: Other than the, I think, 400 people who were in the Martin Place rough-sleeping community in 2017, how many people were housed by the Sydney district office in that period?

**Mr VEVERS:** There were not actually 400.

**The Hon. ROSE JACKSON:** Apologies.

**Mr VEVERS:** At any one time there were between 40 and 50 tents there. Since that time up to yesterday, we have housed just over 500 people and I am counting that only—

**The Hon. ROSE JACKSON:** In the Sydney district?

**Mr VEVERS:** Yes, and I am counting only people that our staff have engaged with directly and immediately who are sleeping rough. In the same district in the same time period—so that is from 2017 to this week—we have housed just over 3,000 people who were homeless in that same geography. Of those, 500 were people sleeping rough that we have come across; 2,500 of them would be living in shelters or experiencing some other form of homelessness.

**The Hon. ROSE JACKSON:** It does sound like it has been a successful program, so I hope we can talk more about it in an expanded form in future years. But just back onto Youth Justice, I just wanted to ask, as I

initiated before, a couple of questions about diversion programs, specifically in relation to young people. I think, Ms Walker, you mentioned in an answer to a question from my colleague Mr Shoebridge that one of the things that you were looking at for reducing the number of Indigenous young people in custody was under the Premiers Priority around domestic violence reoffending and whether that was a framework that might provide an avenue to address that chronic problem. Would that include potentially looking at whether diversion programs for young offenders should be available under the family violence Act? I ask because my understanding is that there are no diversionary programs available under that piece of legislation. It does not differentiate between juveniles and adults.

**Ms WALKER:** I would need to take it on notice for the specifics, but we are certainly looking at what else is it that we need to do because we think we have a whole range of activities that we have pursued in the earlier stages of the priority. What we know is that we need to look at the cohorts, look specifically at the groups that are most impacted—and we know that juveniles has probably been a group that we needed to look at more—so I am really happy to take that on notice and see what we can do in that space, and also what the limitations have been to date about doing that.

**The Hon. ROSE JACKSON:** That would be great. Just in relation to diversionary programs generally, and particularly conferencing, has there been any effort made to increase the number of Indigenous people who are available for youth conferencing?

**Ms WALKER:** I might have to hand that over to my colleague.

**Ms CZECH:** Do you mean in terms of facilitators?

**The Hon. ROSE JACKSON:** Yes, excuse me, in terms of facilitators. Sorry, Ms Czech.

**Mr COUTTS-TROTTER:** We are just having a quick look.

**Ms CZECH:** If we cannot find it quickly, we might need to take it on notice.

**The Hon. ROSE JACKSON:** The other thing I would be interested in is whether there has been any consideration to offering paid training in order to increase the number of Indigenous people who are available and who are properly trained as facilitators for youth conferencing.

**Ms CZECH:** Okay. We will take that on notice as well.

**The Hon. ROSE JACKSON:** The other thing that it would be useful to know is whether the option under the Young Offenders Act of other people—specifically I am thinking about Indigenous elders—being available to either give or be involved in giving cautions. This is something, from my understanding, that has been floated relatively consistently, so I wonder whether that is something that the department has investigated or—

**Mr COUTTS-TROTTER:** Not to my knowledge, but I am a new arrival so we are happy to check that out and respond on notice.

**Ms CZECH:** We will come back to you on that one.

**The Hon. ROSE JACKSON:** Just a final question then: In the budget estimates hearing that we held in Police last week, Commissioner Fuller made the comment, "We are having these conversations in relation to the removal of the limits on cautions under the Young Offenders Act."

**Mr COUTTS-TROTTER:** Yes.

**The Hon. ROSE JACKSON:** I just wonder if this is an opportunity to have a more specific look at the departmental officials who have carriage of that particular legislation, if there could be any more detail on these conversations the commissioner alluded to.

**Mr COUTTS-TROTTER:** The work on that with police and other agencies is led by the Justice policy team who report to my colleague Kathrina Lo, so I think I have to take that on notice and provide you with more detailed comment.

**The Hon. ROSE JACKSON:** No worries, thank you. I just want to turn now to the education programs run in Youth Justice centres.

**Mr COUTTS-TROTTER:** Yes.

**The Hon. ROSE JACKSON:** Are they staffed by qualified teachers?

**Ms CZECH:** They are.

**The Hon. ROSE JACKSON:** What kind of education programs are available?

**Ms CZECH:** I am just referring to my notes.

**The Hon. ROSE JACKSON:** That is okay. Sorry. We are jumping around because we are towards the end.

**Mr COUTTS-TROTTER:** I will let my colleague go to the detail, but everything from primary and secondary school education through school-level vocational to post school-level vocational training.

**Ms CZECH:** That is correct, delivered by the Department of Education in the detention centres and includes, as the secretary just alluded to, everything, depending on how old children and young people are, but through to things like the Higher School Certificate, so there is a range of opportunities for young people. In terms of the 2019 year, to date we have had 841 children enrolled in education in one of the detention centres. We also have a number of young people involved in TAFE programs, so that is 200 for this calendar year. They make up the bulk of the children and young people.

**The Hon. ROSE JACKSON:** Are there any provisions made for young people on short-term remand? I mean, not very short-term remand. Obviously not the one-or-two-night short-term remand, but as we have heard previously 60 per cent of people in these facilities are on remand.

**Mr COUTTS-TROTTER:** Yes.

**The Hon. ROSE JACKSON:** I am just wondering because, even though it is often a relatively short period of time, the disruption to education and losing that link to education facilities can make it much more difficult to re-engage, so I am just wondering about those provisions.

**Ms CZECH:** My understanding, and we can certainly come back with more detail on notice, is that children and young people, regardless of the length of time they are in a detention centre, have access to those education programs.

**The Hon. ROSE JACKSON:** What percentage of young offenders reoffend within 12 months?

**The Hon. TREVOR KHAN:** Isn't it two years for recidivism?

**The Hon. ROSE JACKSON:** Twelve months and two years.

**Ms CZECH:** I am just checking my notes.

**The Hon. ROSE JACKSON:** I will take all the data—all and any data.

**Ms CZECH:** Okay, here we go: The Bureau of Crime Statistics and Research [BOCSAR] data shows the percentage of young people with an offence in 2016-17 who have reoffended in 2017-18. Those who participated in a Youth Justice conference, 32.5 per cent; those who completed a community supervision or supervised order, 48.1 per cent; and for those who completed time in custody, it was 60.6 per cent.

**The Hon. ROSE JACKSON:** The figures are quite revealing, you would have to conclude, in terms of the extremely beneficial impact of Youth Justice conferencing in particular on likelihood of reoffending. I appreciate that there are different levels of seriousness there.

**Mr COUTTS-TROTTER:** Yes.

**The Hon. ROSE JACKSON:** They probably impact on those figures too.

**Ms CZECH:** Sure.

**The Hon. ROSE JACKSON:** Finally—I think I am probably about to run out of time—how many strip searches were conducted in New South Wales Youth Justice centres in the past year?

**Mr COUTTS-TROTTER:** Happy to get that and I do not want to sound like I am quibbling, but, as someone new to this, I had an image in mind of what a strip search entails. Then of course when I looked at the operating procedures, at no point is a young person ever completely naked. It is managed in a way that, hopefully, preserves a degree of respect and dignity for the young person who is being searched.

**The Hon. ROSE JACKSON:** I appreciate that is the case. I understand what you are referring to.

**Mr COUTTS-TROTTER:** Yes.

**The Hon. ROSE JACKSON:** Often it is T-shirt on and pants off.

**Mr COUTTS-TROTTER:** Yes.

**The Hon. ROSE JACKSON:** And then pants back on and T-shirt off.

**Mr COUTTS-TROTTER:** Yes.

**The Hon. ROSE JACKSON:** Nonetheless, there is evidence from detainees themselves that strip searching exacerbates mental health problems. As we have already seen, significant and complex mental health problems are underlying so it would be good to get that figure. It would also be good to know how many items of contraband were actually found as a result of those strip searches.

**Mr COUTTS-TROTTER:** Yes, we can—

**Ms CZECH:** Yes, we have that.

**The Hon. ROSE JACKSON:** Oh, excellent. Thank you.

**Ms CZECH:** So, 147.

**The Hon. ROSE JACKSON:** But you do not have the overall number of strip searches figure?

**Ms CZECH:** No. We will come back as a question on notice for that.

**The Hon. ROSE JACKSON:** That is fine. Apologies, Ms Czech. Yes, that is fine.

**Ms CZECH:** For 2018-2019, there were 154 incidences of contraband found compared to 147 incidences in 2017-2018. The majority of items found were weapons, prescription drugs, tobacco, or lighters or matches.

**The Hon. ROSE JACKSON:** It is difficult without the overall number of strip searches conducted to know whether that is the higher or a low number compared to the overall rates.

**Ms CZECH:** Sure.

**The Hon. ROSE JACKSON:** Is strip searching in Youth Justice facilities a routine part of the process there or is it only conducted in specific, or limited, or certain circumstances.

**Ms CZECH:** For the safety of both the young person in the centre, but also for the safety of those already detained in the centre as well as staff, it is routine for new detainees, or new entries, or new admissions to the centre to have the partially clothed search, and also any children or young people returning from leave.

**The Hon. ROSE JACKSON:** Does that include people who have left the facility to, for example, make an appearance at a court and then return to the facilities without at any point being not under supervision?

**Ms CZECH:** No. My understanding is no.

**The Hon. ROSE JACKSON:** Does your department, through Youth Justice, fund the Justice Reinvest program in Bourke? Some Government money was provided to that program. Where did that money come from?

**Mr COUTTS-TROTTER:** I would need to confirm that. I think it came through the former Department of Justice.

**Ms WALKER:** Yes. The former Justice—

**The Hon. ROSE JACKSON:** That is now in—?

**Mr COUTTS-TROTTER:** Yes.

**The Hon. ROSE JACKSON:** But do you know whether that has been moved into the Youth Justice part of the super cluster?

**Mr COUTTS-TROTTER:** No. I can confirm it has not, but it was funded by the Department of Justice so it would be sitting with—

**Ms WALKER:** Most likely myself.

**Mr COUTTS-TROTTER:** Most likely Simone Walker.

**The Hon. ROSE JACKSON:** Ms Walker, are you aware of any ongoing conversations either with the Bourke project or with potential new projects either in, for example, Moree or Dubbo to provide additional funding for Justice Reinvest projects?

**Ms WALKER:** Yes, and this was part of the conversation on Monday with the Attorney General as well.

**The Hon. ROSE JACKSON:** Apologies, I was unwell then.

**Ms WALKER:** No, that is completely fine. Certainly there are the conversations that are happening with the Maranguka reinvestment group, there is the Just Reinvest, the broader group, and some other locations have been in discussions about their own reinvest projects, so they are current discussions with Government.

**The Hon. ROSE JACKSON:** Apologies, I will check in on those comments from Monday.

**Ms WALKER:** No. That is completely fine.

**The Hon. ROSE JACKSON:** I might ask some questions in relation to seniors and volunteering, although the Hon. Penny Sharpe might want to do her disability questions.

**Mr COUTTS-TROTTER:** Seniors is Minister Sidoti.

**The Hon. ROSE JACKSON:** This might just be worth clarifying. There is no responsibility under Minister Ward for aged care at all?

**Mr COUTTS-TROTTER:** Aged care?

**The Hon. ROSE JACKSON:** Because the Ageing and Disability Commissioner is under Minister Ward.

**Mr COUTTS-TROTTER:** Indeed. But really the State Government, other than some aged care facilities, might still be—

**Ms WALKER:** The carers component sits with Minister Ward, so I am thinking about the seniors card, companion card, that type of thing.

**The Hon. ROSE JACKSON:** I suppose what I am trying to get at is I know that your response when I raise what is happening in aged care in New South Wales—for example what we have seen in Bupa is that this is a Federal Government responsibility—but as we have seen in Queensland, when the Federal Government fails in its responsibility that often falls on the State Government to pick up the pieces through, for example, the public hospital system, some crisis accommodation when facilities close, which they do, and we have seen that in Queensland. I am wondering what, if any, planning the State Government is doing to prepare for the potential that the royal commission into aged care and the Federal Government's management of this hits crisis point and there is an acute failure, as there was in Queensland if that were to be repeated in New South Wales?

**Mr COUTTS-TROTTER:** I would have to take that on notice. I am not aware of any planning happening within our agency. There are some calls we receive at the elder abuse hotline that would relate to older people in aged care settings and we would refer those on to the appropriate regulator—

**The Hon. ROSE JACKSON:** And that is the Federal regulator, is that?

**Mr COUTTS-TROTTER:** I think so, yes. I would take on notice whether there are is any planning taking place in the healthcare system.

**The Hon. ROSE JACKSON:** Just to clarify, from the department's perspective, the Ageing and Disability Commissioner has no oversight or investigatory powers in relation to claims of elder abuse at aged care facilities?

**Mr COUTTS-TROTTER:** I would need to take advice on that because I do not want to mislead you. The plan for the role, of course, was to complement and work closely with and have excellent collaboration with other regulators that are already on the field, including the NDIS Quality and Safeguards Commission. But I will take that explicit question on notice and respond to you.

**The Hon. ROSE JACKSON:** The Hon. Penny Sharpe might ask some questions on Disability. I might come back to volunteering, is that—?

**Ms WALKER:** Yes, that is us.

**The Hon. PENNY SHARPE:** I am looking at the complicated org chart that you have and I just note that you have the executive director, Disability Services as a band 2 temporary role. What does that mean?



**Mr COUTTS-TROTTER:** Yes. I will let my colleague Paul Vevers talk about this, but we remain in the direct delivery of disability services through large residential centres in the Hunter for a limited period and that role is, as a result, limited in time. That role continues until we are out of the direct delivery.

**The Hon. PENNY SHARPE:** And what is the timeframe for that transition?

**Mr VEVERS:** We would expect by the fourth quarter of 2020 that all of the 69 group homes that are currently being built will be built and that the 300 residents of the large residential centres will have transferred.

**The Hon. PENNY SHARPE:** That is Stockton and Tomaree.

**Mr VEVERS:** Stockton, Tomaree and Kanangra will all have transferred at by then.

**The Hon. PENNY SHARPE:** There will be no one left there at that time.

**Mr VEVERS:** That is what we are expecting.

**The Hon. PENNY SHARPE:** Thank you for that. That means, though, that after that there will not be an executive director role in relation to Disability within the department?

**Mr VEVERS:** That is a very operational role, so it is ultimately responsible for staffing, nurses, all the facilities management, but at a policy level I will leave my colleague Simone Walker to—

**Ms WALKER:** There will be a director role that will continue to work with the inclusion work for Disability that sits in the inclusion and early intervention space and also look at some of the ongoing work that may need to occur in relation to the NDIA and NDIS, and that will remain in my space.

**Mr COUTTS-TROTTER:** There is also an ongoing team within the Department of Premier and Cabinet that helps both coordinate and represent New South Wales interests with the National Disability Insurance Agency across a range of policy areas.

**The Hon. PENNY SHARPE:** Good. I was going to come to that. It is my understanding that of the 140,000 people eligible for NDIS packages that there are now only about 400 people without plans, is that right?

**Mr COUTTS-TROTTER:** The 140,000 people was an estimate based on the best available information at the time and I guess the point to make about the NDIS is it is not a welfare program. It is not capped. If you need reasonable and necessary supports you will receive them as a participant in the scheme. The estimate for the number of people with disability in New South Wales who would be participants in the scheme was about 140,000. I think we have 104,000 or 105,000 participants at the moment and if you look on the NDIA's website, its most recent actuary's report would provide an update on that.

**The Hon. PENNY SHARPE:** So you are not suggesting that there are 35,000 people without plans?

**Mr COUTTS-TROTTER:** No. I am suggesting that the Productivity Commission provided its best estimate over time of the number of people in New South Wales who would have functional needs as a result of their disability that would give them access to the scheme, but I am just making the point that it is not a capped welfare scheme: It is a social and economic reform that is available to people if they meet the criteria for entry.

**The Hon. PENNY SHARPE:** You referred to the Premier and Cabinet role, and my understanding is as the rollout of the NDIA and NDIS gaps are emerging or there are pressure points particularly around pricing. Could you take me through New South Wales position in relation to pricing?

**Mr COUTTS-TROTTER:** I suppose at the highest level we were very happy with the Commonwealth's most recent decisions to increase pricing and I think in fairness to the NDIA you would have to observe that it got on the front foot, did a lot of work to try to better understand the impact of its pricing on the willingness of non-government organisations to provide services, particularly in regional and rural areas. The nature of some of that, and it proactively made price adjustments, but the Commonwealth Government, through either the Minister or the Prime Minister or both, recently announced a set of price changes. That is the responsibility of the National Disability Insurance Agency. However, we are in constant contact with our colleagues at the National Disability Insurance Agency [NDIA] and the Department of Social Services. We have represented and will represent any views or concerns that we pick up from participants in the NDIS market in New South Wales about the appropriateness of pricing.

**The Hon. PENNY SHARPE:** Is it not the case that people who fall through the gaps here are going to end up in our services anyway?

**Mr COUTTS-TROTTER:** Potentially. Obviously, a reform of this scale and complexity will take time to mature. We are trying to work with the NDIA in as constructive a way as possible, which occasionally means calling out issues to them as a critical friend. Of course, Minister Ward, along with his colleagues use the most recent meeting of the Disability Reform Council—the national meeting of disability services Ministers—to advance a couple of big decisions. Some big decisions were made on the protocols for getting people out of hospital, about the NDIA funding, a range of reasonable and necessary supports to enable people, for example, to have help in administering insulin, in the case of diabetics.

Issue by issue, we are cracking through all this stuff, but, if you take two steps back, the New South Wales disability services system was funded to the tune of a bit over \$3 million a year. The value of NDIS packages in New South Wales right now is \$6.5 billion. So, yes, there are real and significant issues at the interface with universal service systems that we have to work through, but two steps back, the availability of funding to provide reasonable and necessary supports for people with disability to genuinely participate in social and economic life in New South Wales has doubled as a result of this reform. We have a way to go, but a lot of things work very well already.

**The Hon. PENNY SHARPE:** Sure. Who is watching the withdrawal/restructure/closure of services in rural and regional New South Wales through this process? I think we have thin markets, we have limited numbers. I am sure you are dealing with a lot of representations from MPs about people coming in the door where this is becoming a problem. Does New South Wales take some sort of watch over that? Is it you? Who is doing that?

**Mr COUTTS-TROTTER:** It is us in conjunction with Premier and Cabinet. Firstly, New South Wales invested about \$30 million over five years to build the capability of the sector to move from a block-funded model to a market model—the NDIS—to encourage existing providers to get ready to expand, to encourage new providers into the market and to do our very best to ready people for a very significant change in the way things work. We have pushed hard with the NDIA to have, in essence, a provider of last resort. That is not the terminology that the NDIA uses, but it has empanelled a range of disability service providers who it can call on if someone's provider withdraws services or cannot provide needed services. We are challenging the NDIA, working with it and providing it with information but, ultimately, it is its service system to manage. It has to, and does, accept responsibility for ensuring that services are provided.

A particular, explicit piece of work is going on about trying to work between the States, Territories and the Commonwealth around the workforce that is needed in the disability service system, recognising that many of those people and roles are actually at the boundary of, and substitutable with, the aged care system. We have some pretty complex issues of forecasting future demand for different types of roles and occupations and then making sure that, collectively, we are confident that we have a clear idea of what those challenges are going to be and, working both with the Commonwealth and non-government sector, that we do our bit, particularly through the vocational education and training system, to ensure that we have the kind of training and supports available to develop that workforce.

Criticisms of previous systems were that it was unclear who was accountable for what. One of the major design features advanced by the Productivity Commission and accepted by governments was that a single level of government should be accountable for this. That is the Commonwealth; that is the NDIA. There are things we do that complement its work but, ultimately, we have committed all of our resources to the scheme plus growth funding of 4 per cent a year. The scheme management, leadership, board and the Commonwealth are responsible and accountable for many of the things you are talking about.

**The Hon. PENNY SHARPE:** Thank you for that. Going back to the Ability Links issue, the doors are closing on 30 October, even though the Minister did not want to say so. What plans has FACS got in place to assist with the transition of people currently using that service?

**Mr COUTTS-TROTTER:** Just talking to a colleague who is quite close to this, I think the picture is slightly more complex than the notion that the doors are closing in October. We know that there are staff providing Ability Links services whose employer has confirmed to them that they will be funded through to the end of the financial year. It is a more complex picture than everybody shuts up shop in October. There is the Commonwealth's Information, Linkages and Capacity Building grants program underway in September.

**The Hon. PENNY SHARPE:** You do not do a tendering process in a month.

**Mr COUTTS-TROTTER:** No, but I do make the point that the information we have is that there are commitments to staff that take their employment well beyond October, so I think it is a more complex picture.

**The Hon. PENNY SHARPE:** That is good news. Are you able to provide the committee with a breakdown of which—the advice I have is that there are quite a lot of services that are shutting their doors? It is great if some are staying open. I know that the Aboriginal links ones are funded through until June next year. I am interested in the issue around current clients and the transition. Where they have been the responsibility of New South Wales, how are they going to be dealt with?

**Mr COUTTS-TROTTER:** I will provide whatever information we can on notice. I want to credit my former colleagues in FACS, most of whom have now left the agency, who created the Ability Links program. It is one of the most extraordinary examples of genuinely harnessing the capacity of communities to provide people with social inclusion. Linkers are not experts in disability. They are experts in their community and they act as absolutely critical channels by which people who are otherwise socially and economically isolated get connected to—

**The Hon. PENNY SHARPE:** Hence why I am so concerned about it.

**Mr COUTTS-TROTTER:** We have an extraordinary affection for it. We think it is one of the most significant reforms that has come out of our agency in the past five years.

**The Hon. PENNY SHARPE:** It also targets people who will not necessarily get picked up by the NDIS as well.

**Mr COUTTS-TROTTER:** That is its whole point. There is the core NDIS available to people who are participants and then there is NDIS-funded inclusion. This is NDIS-funded inclusion for people with disability who will not be participants in the scheme.

**The Hon. ROSE JACKSON:** I have a couple of questions on volunteering. My understanding is that we are in the development of the third NSW Volunteering strategy?

**Ms WALKER:** Yes.

**The Hon. ROSE JACKSON:** How much funding was allocated to the first volunteering strategy? If that has been taken on notice, also for the second? Perhaps I will let you find your tab. Apologies, Ms Walker.

**Ms WALKER:** It is one folder after another. I will take that on notice so that I get the correct figure. A million dollars was approved in the 2019-20 budget to support volunteering but, again, to get you the specific dollars about the previous years and the allocation of the strategy I will take that on notice.

**The Hon. ROSE JACKSON:** Do you have the figures available as to the total number of funds that have been allocated to the development of the third strategy? I am keen to know what resources have been made available in the department for the development of this strategy. We do not have a dedicated Minister anymore. We have this org chart; we are trying to figure out what sits where—

**Ms WALKER:** Minister Ward is the dedicated Minister for volunteering. However, what I will do is get you the resources that have been allocated to make sure that that strategy gets done.

**The Hon. ROSE JACKSON:** That would be good. Could you give me an answer as to how many staff within the department, within your team have been allocated to the development of the strategy?

**Ms WALKER:** That is the information I will get for you. The FTE will give you a clearer sense of the resources.

**The Hon. ROSE JACKSON:** How many disturbances—sorry, we are back on Youth Justice.

**Ms WALKER:** I was going to say. That is a jump away from volunteering!

**The Hon. ROSE JACKSON:** Apologies, Ms Walker.

**Ms WALKER:** I was not quite sure what note to look at.

**The Hon. ROSE JACKSON:** How many disturbances—we are right at the end now—how many disturbances have occurred across Youth Justice in the last year? We have had the figures made available for assaults but I am talking now about disturbances that cause property damage.

**Ms CZECH:** We might have to come back to you on notice with the actual detail.

**The Hon. ROSE JACKSON:** Do you have the figure as to how much has been allocated in the budget to repair damaged infrastructure as a result of disturbances?

**Ms CZECH:** We can provide that information on notice.

**The Hon. ROSE JACKSON:** In particular I am interested to know whether this funding comes out of a general pool for infrastructure capital that also, for example, funds the general upgrade of facilities or whether there is a specific allocation made to repair damage from disturbances? If there is, for example, a large number of disturbances that cause an unexpectedly large damage bill that then pulls down on the general infrastructure capital that might be otherwise used to fund general upgrades.

**Mr COUTTS-TROTTER:** I think the short answer is no, because we have insurance cover through the Treasury Managed Fund and we would be drawing on insurance cover to pay for repairs. However, we are happy to get the details.

**Ms CZECH:** Absolutely.

**The Hon. ROSE JACKSON:** How many escapes were there from Youth Justice facilities in 2018-19 and where were they from, if you have that information?

**Ms CZECH:** We do. Two.

**The Hon. ROSE JACKSON:** Do you have information as to where they were from?

**Ms CZECH:** Yes. One was a 17-year-old who absconded while he was being transported to Children's Court—that occurred in August 2018. The second instance in April 2019 was a young person at Riverina Youth Justice Centre who failed to return from authorised leave after attending TAFE.

**The Hon. ROSE JACKSON:** Were there any changes to protocols as a result of these escapes?

**Ms CZECH:** Not that I am aware of.

**The Hon. ROSE JACKSON:** I might ask briefly about workers compensation for Youth Justice. How many staff are currently on workers compensation?

**Mr COUTTS-TROTTER:** I think we would need to take that on notice.

**The Hon. ROSE JACKSON:** Obviously probably also on notice: Any information in relation to the breakdown?

**Ms CZECH:** Yes, we can provide that on notice.

**The Hon. ROSE JACKSON:** I think there are been some reports that there has been an increase in workers compensation claims as a result of mental stress.

**Mr COUTTS-TROTTER:** Within the Youth Justice system?

**The Hon. ROSE JACKSON:** Within Youth Justice.

**Mr COUTTS-TROTTER:** Okay. Yes, we will—

**The Hon. ROSE JACKSON:** I suppose I would be interested then, if that were the case, what if anything the department was doing to try and assist Youth Justice officers to deal with—

**Mr COUTTS-TROTTER:** No, of course.

**The Hon. ROSE JACKSON:** As we have talked about there is an increasing number of self-harm incidents with detainees. It is stressful for youth officers to manage these young people with extremely complex mental health issues; therefore, we are seeing, from what I understand, an increased reporting of mental stress issues under workers compensation. Do you know of any particular programs or work that is in place in order to try and assist staff?

**Mr COUTTS-TROTTER:** There is some, but I want to do it justice and give you a comprehensive response on notice, please.

**The Hon. PENNY SHARPE:** We could do a whole hour on workforce planning but we will not get the chance to do that. I am interested in the figures you have got. I was very impressed to hear that you have basically got zero vacancies in relation to caseworkers. I know that that is quite a big achievement. Well done. I am though interested in the churn in relation to caseworkers.

**Mr COUTTS-TROTTER:** Okay.

**The Hon. PENNY SHARPE:** I am not quite sure what the right thing to ask is. I suppose what I am really trying to ask—

**The Hon. TREVOR KHAN:** That is problematic, isn't it?

**The Hon. PENNY SHARPE:** Well no, not really. I am happy to seek guidance from Mr Coutts-Trotter around the right things to ask. I have learnt that if you do not ask the right question you do not always get the answer that you are seeking. What I am really trying to get to is how many caseworkers we are losing a year through natural attrition—that is, retirement—and how many we are losing as a result of medical, psychological or other stress.

**Mr COUTTS-TROTTER:** Yes, sure.

**The Hon. PENNY SHARPE:** How long are we keeping the new caseworkers that we are recruiting? It seems to me that the longer they stay, with the more experiences they have, the better outcomes we get. I am trying to understand that. You can take that on notice unless there is anything you can provide now.

**Mr COUTTS-TROTTER:** No, I think I might take that on notice. I guess what I would do is give you the overall attrition or separation rate and then something by tenure period—how long someone has been with the organisation before they leave.

**The Hon. PENNY SHARPE:** Yes, that would be very useful. How many Aboriginal young people in out-of-home care are without cultural care plans?

**Mr COUTTS-TROTTER:** I do not have data on that. We can take that on notice and respond to you.

**The Hon. PENNY SHARPE:** Is it the case that in New South Wales—sorry, back to caseworkers again—that we do not provide individual supervision for caseworkers?

**Ms CZECH:** No. There is a policy. The policy includes two components of supervision: one is group supervision, which happens with every caseworker or practitioner weekly.

**The Hon. PENNY SHARPE:** What is the ratio of people to supervision?

**Ms CZECH:** In terms of the group supervision?

**The Hon. PENNY SHARPE:** Yes.

**Ms CZECH:** Usually it is teams of six or seven caseworkers and usually a facilitator, which is usually the Manager Casework. They are a supervisor or an independent facilitator.

**Mr COUTTS-TROTTER:** You might want to explain what group supervision involves.

**Ms CZECH:** Group supervision is a discussion about particular children and families and working through—in a reflective way and in line with our practice framework—what we need to do next for that particular family to mitigate the presenting risks and opportunities that might be in our work with families. There is really a focus on preserving them in the family home if at all possible but, if not, looking at other opportunities around permanency—

**Mr COUTTS-TROTTER:** It really is an opportunity for caseworkers to offer up the child or children they are most worried about. It is a chance to share people's perspectives and share decision making. As I talk to my colleagues on the front line they learn a lot from that process because people come with different experience and different skills. Also it has the effect of supporting their wellbeing because they are sharing their proper concerns about individual children and they are then sharing responsibility for decisions that affect those kids.

**The Hon. PENNY SHARPE:** Some caseworkers have obviously been involved at various times with really quite difficult child removals. It is one of the toughest jobs in State services, I would argue. Obviously a group session like that is not really going to deal with some of those issues—

**Mr COUTTS-TROTTER:** No, no—

**The Hon. PENNY SHARPE:** What support is provided in relation to those more difficult issues?

**Ms CZECH:** Sorry, I did not quite finish my answer. As I said, this supervision policy has two components. One is the group supervision, which is weekly. Then there is a requirement that nine times a year—whenever it works out, every six weeks or so, but the policy position is a minimum nine times individual supervision, which usually consists of a Manager Casework—the direct supervisor and the caseworker sit down and talk about a range of things. A lot of that is up to the caseworker themselves in terms of the items they would like to discuss in the session.

**The Hon. PENNY SHARPE:** And how long do those sessions go for?

**Ms CZECH:** They can vary but minimum an hour usually.

**The Hon. PENNY SHARPE:** And how do you know that every caseworker is actually getting that?

**Ms CZECH:** In terms of group supervision and individual supervision?

**The Hon. PENNY SHARPE:** Yes.

**Ms CZECH:** We monitor it through a quarterly business review process. That is where the deputy secretary sits down with every district across the State and goes through a range of performance measures but including ones about supervision.

**The Hon. PENNY SHARPE:** Do you have figures of where that supervision is not being delivered?

**Ms CZECH:** I do not have any—

**The Hon. PENNY SHARPE:** I am not trying to be overly critical here. My concern is that offices are busy and that sometimes the promises around supervision are not delivered. I am concerned about caseworkers who are left without that and what the mechanism is to follow that up to ensure that they are getting that support when for legitimate reasons it just has not been able to be delivered.

**Ms CZECH:** We can certainly take that on notice and come back with some data and some further information on that point in particular.

**Mr COUTTS-TROTTER:** But it is the subject of a very, very structured performance review. It is a critical aspect of performance that people are held accountable for.

**The Hon. PENNY SHARPE:** And when people resign, the caseworkers in particular, do they get exit interviews?

**Mr COUTTS-TROTTER:** I will take it on notice. There was a period where we were doing this, I could be confident I could give you an absolute guarantee that was the case, and then there was a period where it was inconsistent. So I need to check on that.

**The Hon. PENNY SHARPE:** That is it from me.

**The CHAIR:** We will conclude questioning. I thank the witnesses very much for their attendance.

**(The witnesses withdrew.)**

**The Committee proceeded to deliberate.**