

BUDGET ESTIMATES 2019-2020

Questions taken on notice

Portfolio Committee No. 5 – Legal Affairs

FAMILIES, COMMUNITIES AND DISABILITY SERVICES
--

Hearing: Tuesday, 17 March 2020

Answers due by: 5.00 pm Monday 13 April 2020

MINISTER WARD - BUDGET ESTIMATES 2019-20 FURTHER HEARINGS
QUESTION ON NOTICE

Care packages to isolated vulnerable

TRANSCRIPT PAGE 5

The Hon. PENNY SHARPE: No, but can we ask you, given those are vulnerable people—the Victorian Government has been providing care packages for people who are self-isolating or very prudently self-distancing, particularly older people; the group you were just talking about—what support in terms of care packages and making sure that isolated people are getting the support they need is being provided through your department?

Mr GARETH WARD: I might ask Mr Vevers to answer that.

Mr VEVERS: That support is not actually provided through us. It is provided through the Office of Emergency Management. I am speaking on their behalf but they have had some referrals of people who are not able to provide for themselves and have been assisting in providing with food and other goods for them. I do not know the numbers, I am afraid.

The Hon. PENNY SHARPE: Would you be able to come back and tell us? On notice, obviously?

Mr VEVERS: On notice, yes.

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

ANSWER:

I am advised the Office of Emergency Management provides assistance in support of NSW Health for those who are required to go into self-isolation in direct relation to COVID-19. This assistance includes the purchase of essential grocery items where the isolated or quarantined household is unable to meet the cost, is unable to access finances or online shopping, or cannot access family and friends to assist with resupply of essential grocery items.

Provisions will cover either the period of required self-isolation (14 days), or for individuals who have tested positive for COVID-19 but do not require hospitalisation, the length of required self-isolation until they no longer have the virus.

This support also extends with the provision of accommodation if required for a self-isolated person who does not have the financial means to do so. Support for both provisions will be up to a 14-day period or as directed by NSW Health.

As at 6 April 2020, there have been 291 requests for groceries with 275 hampers and 12 phone orders delivered to all parts of the state. There have been 39 requests for accommodation completed.

Specific questions concerning these welfare services provisions are best directed to Minister for Emergency Services as the responsible Minister.

MINISTER WARD - BUDGET ESTIMATES 2019-20 FURTHER HEARINGS
QUESTION ON NOTICE

Social housing tenant evictions during coronavirus crisis

TRANSCRIPT PAGE 5

The Hon. PENNY SHARPE: Minister, would you consider actually making public statements in relation to asking landlords not to evict people, ensuring that people who are about to be evicted are aware that there is that support, and perhaps loosening criteria?

Mr GARETH WARD: Well, I would certainly encourage everyone to be as sympathetic and generous during this period as possible.

The Hon. PENNY SHARPE: It is nice of you to tell us that, Minister. Would you consider saying that publicly?

Mr GARETH WARD: Let me take that on notice and I will come back to you.

Mr DAVID SHOEBRIDGE: Quickly, Minister. It is urgent. Just taking it on notice for 21 days is hardly an answer.

Hon. NATALIE WARD: Point of order: With respect, it is not for one member but for this Committee to determine when matters taken on notice are to be returned to the Committee. It is not for one member to assert that unilaterally in the course of the Committee hearing. It is a matter for resolution of the Committee when matters are returned.

The Hon. PENNY SHARPE: If he takes it on notice, he will come back in 21 days anyway.

Mr GARETH WARD: Can I just add—

The Hon. PENNY SHARPE: Us urging him to do it quicker is—it is up to him whether he chooses to comply.

The Hon. NATALIE WARD: I am sure he will. It is the process.

Mr DAVID SHOEBRIDGE: I think he has something to say.

Mr GARETH WARD: I was just simply going to say that a lot of this, too, requires a whole-of-government response. It is not just about residents, obviously, in our State who, obviously, we are interested in here. But we have to work through all these things together and it will require, potentially, the national Cabinet making a decision on that. I acknowledge it is an important point.

The Hon. PENNY SHARPE: On that basis, Minister, the Premier is now in the national Cabinet in relation to these matters. Will you agree to raise these issues with her and make sure they are raised at the Federal level?

Mr GARETH WARD: I am always raising matters with the Premier. As I have said, I will take it on notice.

ANSWER:

I am advised the Department of Communities and Justice (DCJ) will not seek to evict social housing tenants for rental arrears, if they agree to an affordable repayment plan and automatic rent deduction for future payments.

MINISTER WARD - BUDGET ESTIMATES 2019-20 FURTHER HEARINGS
QUESTION ON NOTICE

Social housing tenant evictions during coronavirus crisis

TRANSCRIPT PAGE 7

Mr DAVID SHOEBRIDGE: Minister, you say that you will need to have a national response before you can progress a policy of no evictions across the board. Is that my understanding? You will need to workshop that—

Mr GARETH WARD: No, I was simply making the observation that if this is a problem in one State, it will be an issue across all States.

Mr DAVID SHOEBRIDGE: Yes, but is it something that is on your agenda—a no-evictions policy across the board while we have this health crisis in front of us and so many people are losing the capacity to pay rent because of precarious employment? Is that on the agenda?

Mr GARETH WARD: I think it is fair to say I am prepared to consider all reasonable options but this is evolving quickly, Mr Shoebridge. I cannot give you an answer right now in relation to things that are happening at a rapid, rapid rate. Obviously, I want to do everything I can to protect and preserve vulnerable people but I do not have an answer for you on that question right now, right today.

Mr DAVID SHOEBRIDGE: I understand that you will take it on notice and you will consider it for the private rental market, but can you give a commitment now that you will not be evicting any public housing tenants for the duration of this health crisis? Can you give that commitment?

Mr GARETH WARD: Look, I will take that on notice, unless Mr Vevers wanted to add anything further?

ANSWER:

Please refer to answer on page 3.

MINISTER WARD - BUDGET ESTIMATES 2019-20 FURTHER HEARINGS
QUESTION ON NOTICE

Social housing tenant evictions during coronavirus crisis

TRANSCRIPT PAGE 8

Mr DAVID SHOEBRIDGE: One thing you could do, Minister, is you could send a letter to every single public housing tenant and say, "Rest assured, during this public health crisis, if you are in severe financial difficulties and unable to pay your rent we will not evict you during this public health crisis." Will you send that letter and tell public housing tenants that?

Mr GARETH WARD: Look, I am considering all options at the moment, Mr Shoebridge. I think that is a very good option to consider. Let me consider it and I will come back to you.

ANSWER:

Please refer to answer on page 3.

MINISTER WARD - BUDGET ESTIMATES 2019-20 FURTHER HEARINGS
QUESTION ON NOTICE

Accessibility of Coronavirus testing clinics for people with disability

TRANSCRIPT PAGE 12

The Hon. PENNY SHARPE: Minister, can you guarantee that all of the clinics providing testing and services for COVID-19 are accessible for people with disability?

Mr GARETH WARD: Can I take that on notice, Ms Sharpe? Obviously a lot of clinics are being set up. I think there was one set up in Wollongong yesterday. It is a good question. I will take it on notice.

The Hon. PENNY SHARPE: Minister, it is an essential question. We had this problem during the bushfires where there was no access to adequate toileting facilities in the Bega showground, for example. We have actually learnt these lessons. People with disability are extremely anxious. They are also extremely vulnerable, given underlying health conditions. We need to make sure that they are all completely accessible. It worries me that you cannot just say, "Yes."

Mr GARETH WARD: I would like to be able to. I just want to take the question on notice if I can. Obviously a lot of the tests are happening at hospitals, at pathology centres, and generally those are disability accessible but I cannot be sure until I check absolutely everyone. I am happy to take the question on notice.

ANSWER:

I am advised all COVID-19 clinics are intended to be accessible. Where this is not possible, the NSW Health emergency department is the alternate testing centre. All emergency departments are accessible.

MINISTER WARD - BUDGET ESTIMATES 2019-20 FURTHER HEARINGS

QUESTION ON NOTICE

Caseworker numbers

TRANSCRIPT PAGE 14

The Hon. PENNY SHARPE: Can we go through those caseworker numbers too? Because I have had a look at those as well. Essentially, you have got the same number of caseworkers you have always had. In September 2018 you actually had more in place than were funded, but it is actually the same number—2,250. You have had a 12,000 increase in the number of reports and you have got the same number of caseworkers.

Mr GARETH WARD: I might ask Ms Czech to comment further if she wishes to.

Mr COUTTS-TROTTER: Please.

Ms CZECH: Yes, sure. Thank you. The caseworker numbers for 2019-20 are actually 2,333.

The Hon. PENNY SHARPE: They are not publicly available so I do not have access to those. I can only go by what is publicly provided.

Ms CZECH: Sure. That is an extra 72, compared to the financial year before. We are in the process of recruiting to those 72.

The Hon. PENNY SHARPE: How many of those are filled?

Ms CZECH: I will have to take that on notice, Ms Sharpe. I can provide that to the Committee on notice.

ANSWER:

Further information regarding the number of DCJ Caseworkers can be found at the Caseworker Dashboard:

https://public.tableau.com/profile/facs.statistics#!/vizhome/FACS_Caseworker_Dashboard/DCJCaseworkerDashboardVersion3?publish=yes

MINISTER WARD - BUDGET ESTIMATES 2019-20 FURTHER HEARINGS
QUESTION ON NOTICE

Caseworker numbers

TRANSCRIPT PAGE 15

The Hon. PENNY SHARPE: It is now March, and then you are saying that they are not all full. But you are saying you have no caseworker vacancies. How does that work?

Ms CZECH: On the dashboard there is the number of caseworkers from 2018-19, which was the number you quoted earlier, and then the additional 72 is on the dashboard. You will see it below the line. I have not got the dashboard right in front of me but it is on there.

The Hon. PENNY SHARPE: No, don't worry, I have seen it but you are saying that there is the extra 72. A lot has been made of this 72. I want to know how many are actually in place.

Ms CZECH: Yes, sure. So the 72 have been allocated—the actual positions—out to community services centres across the State. There was some work that had to happen at the beginning of the financial year once those numbers were confirmed, using a resource allocation model to determine where the greatest need was to distribute the 72 caseworkers. Once we completed that, we have moved into a recruitment phase to those 72 and any other vacancies that might come up over time as normal attrition occurs.

The Hon. PENNY SHARPE: Is there anyone in place of those 72?

Ms CZECH: There is but I will come back to the Committee on notice with the actual numbers.

ANSWER:

Further information regarding the number of DCJ Caseworkers can be found at the Caseworker Dashboard:

https://public.tableau.com/profile/facs.statistics#!/vizhome/FACS_Caseworker_Dashboard/DCJCaseworkerDashboardVersion3?publish=yes

MINISTER WARD - BUDGET ESTIMATES 2019-20 FURTHER HEARINGS
QUESTION ON NOTICE

Caseworker numbers

TRANSCRIPT PAGE 15

The Hon. PENNY SHARPE: In terms of the allocations, your worst performers in terms of seeing kids at risk of harm are the Central Coast, Hunter New England and Murrumbidgee. Are they getting extra caseworkers and does your model pick up the fact that they are getting to a lower percentage than other areas in relation to kids at serious risk of harm?

Ms CZECH: There is a range of factors that are considered as part of the resource allocation methodology. And, again, we can provide that to the Committee on notice, but that is one factor, among others, the allocation of caseworkers.

ANSWER:

I am advised that the Department of Communities and Justice (DCJ) determines the allocation of caseworkers using the Resource Allocation Model (RAM). This tool is used to optimise resource application across the state, so that families with the highest need, and children who are at the greatest risk, are prioritised to receive support.

Districts have allocated caseworker resources within and across their groupings in order to meet changing demand and ensure areas of highest need are appropriately supported/serviced.

I can confirm that Central Coast, Hunter, New England and Murrumbidgee Districts have received additional resources. Further information regarding caseworker numbers can be found at the following dashboard

https://public.tableau.com/profile/facs.statistics#!/vizhome/FACS_Caseworker_Dashboard/DCJCaseworkerDashboardVersion3?publish=yes.

MINISTER WARD - BUDGET ESTIMATES 2019-20 FURTHER HEARINGS
QUESTION ON NOTICE

Alternative Care Arrangements

TRANSCRIPT PAGE 22

Mr DAVID SHOEBRIDGE: Minister, do you know the longest period that a child who is currently in alternative care has spent in alternative care?

Mr GARETH WARD: I might ask Ms Czech to answer that question. Can I just clarify, Mr Shoebridge, 131 was at December 2019. I do not want to mislead the Committee. That was the last reporting period, just to be clear.

Mr DAVID SHOEBRIDGE: Can you provide the most up-to-date figure on notice, Minister?

Mr GARETH WARD: I certainly can, Mr Shoebridge.

Mr DAVID SHOEBRIDGE: Ms Czech, do you have that?

Ms CZECH: I am just looking for it, unless you have been able to find it, Ms Walker.

Ms WALKER: I am just looking as well.

Mr DAVID SHOEBRIDGE: Maybe we will come back to that.

Ms CZECH: We can come back to that.

ANSWER:

I am advised for the children and young people in alternative care arrangements (ACA) as at 29 February 2020, the longest length of stay to that date was 711 days.

This child entered an ACA when the placement with a grandparent broke down. The child displays complex behaviours requiring significant additional support due to a history of childhood trauma. DCJ is continuing to explore options for placement with family or foster carers to achieve permanency for this child.

MINISTER WARD - BUDGET ESTIMATES 2019-20 FURTHER HEARINGS
QUESTION ON NOTICE

Adoption of Aboriginal children and young people

TRANSCRIPT PAGE 22

Mr DAVID SHOEBRIDGE: Minister, there were seven Aboriginal children who were reported as being adopted in the last financial year under the changes to the adoption regime. How many of those children were adopted into Aboriginal families?

Mr GARETH WARD: I might ask Mr Coutts-Trotter to answer that question.

Mr COUTTS-TROTTER: I will take it on notice to be accurate for you, Mr Shoebridge, but the majority were adopted by non-Aboriginal carers.

ANSWER:

I am advised the seven children were adopted to non-Aboriginal carers.

The children and young people were aged from 5 to 17 years and three young people gave sole consent to their adoption.

All of the children had been in the care of their prospective adoptive parents from the age of 1 year old or younger.

The decision maker which is the Supreme Court of New South Wales must be satisfied that adoption is clearly preferable to any other action that may be taken by law.

A cultural plan is developed and attached to the Registered Care Plan for any Aboriginal child placed for adoption. The Cultural Plan requires thorough Aboriginal consultation and sets out the ways in which the child will remain connected to their culture and community.

MINISTER WARD - BUDGET ESTIMATES 2019-20 FURTHER HEARINGS
QUESTION ON NOTICE

Lee Shearer review of incident at Frank Baxter juvenile detention centre

TRANSCRIPT PAGE 24

The Hon. ROSE JACKSON: Thank you. I would like to ask a couple of questions about youth justice. Minister, can I just clarify: Has the Government accepted all 63 recommendations of the Shearer review? Did you accept all 63?

Mr GARETH WARD: As you know, the Shearer review was published in response to an incident at Frank Baxter that was unacceptable. I took your colleague and our mutual friend the shadow Minister through the facility with the local MP and, yes, the Government has accepted all of the recommendations.

The Hon. ROSE JACKSON: If that is the case, why, when the review itself indicated that \$50 million worth of funding would be necessary to implement the recommendations, has the Government, in fact, only committed \$3.6 million for implementation at this point?

Mr GARETH WARD: It is a good question, Ms Jackson. Good question. Look, the reason for it is we said that there would need to be consultation with staff in relation to the review and that there would also be a phased introduction but the safety of staff and young people in our youth justice centres is paramount. This was compounded, obviously, by the events that happened but we want to make sure that, in implementing the findings, we continue to communicate with staff and get the right outcomes.

The Hon. ROSE JACKSON: It was \$50 million over four years, so what you are saying is the commitment is there to provide the funding necessary for the full implementation of all 63 recommendations, albeit with a process of consultation over a number of years. But the baseline commitment—all 63 recommendations to be implemented and fully funded—is there.

Mr GARETH WARD: No, just to be clear, obviously I need to go back to Treasury for the other funding components.

The Hon. PENNY SHARPE: It is not funded.

Mr GARETH WARD: But there was the immediate response, which was the first phase, which was things like the enhanced support unit, the high-risk offenders unit and uniforms, but there are other elements that need consultation and we need to work through those.

The Hon. ROSE JACKSON: And have you approached the Treasurer for additional funding for further implementation of recommendations in this budget cycle? Is that something that we can expect to see this year—additional funding?

Mr GARETH WARD: Obviously, and I am not deliberately trying to be evasive, but I have not seen the budget yet. Obviously, I want to carry through the programs that we have started and I will be making sure, doing everything that I can to make sure, that we get the support and investments that we need to provide the responses to the review.

The Hon. ROSE JACKSON: For the implementation of the recommendations that you immediately acted on, that you referred to—so, for example, the high-risk offender unit, the security upgrades that were necessary for that, the uniforms and the incident response team—was the funding for those from existing budgets?

Mr GARETH WARD: Yes.

The Hon. ROSE JACKSON: Or were you provided with new funding for those?

Mr GARETH WARD: No, existing resources, Ms Jackson.

The Hon. ROSE JACKSON: Okay. In relation to the incident management team—am I getting my terminology correct there?

Mr GARETH WARD: Yes, you are right.

The Hon. ROSE JACKSON: That has been established, yes?

Mr GARETH WARD: My understanding is that preparation and consideration of a package involves—look, sorry, I might just hand that to Ms Czech actually if I could?

Ms CZECH: Sure. The short answer is they are not currently in place but they will be from July 2020, with the caveat that they are also part of the budget process. That said, there are existing incident response teams in place. There have been for some time and we have delivered some additional training—so, four days of incident response training—to staff, which is underway at the moment and will be complete for all staff by the end of June. That will be ongoing training as a matter of course as well as the incident response teams from July.

The Hon. ROSE JACKSON: It is good that that has occurred although, obviously, the specific establishment of this team was a recommendation of the review—

Ms CZECH: Sure.

ANSWER:

The 2020-21 Budget has not been announced and as such, I am unable to provide further information.

MINISTER WARD - BUDGET ESTIMATES 2019-20 FURTHER HEARINGS
QUESTION ON NOTICE

Frank Baxter juvenile detention centre

TRANSCRIPT PAGE 25

The Hon. ROSE JACKSON: Has the urgent work on the operations holding room at Frank Baxter been completed? That was identified as an issue in relation to extreme temperature exposure. Has that been completed?

Ms CZECH: I will take that one on notice. We have got a range of work that is underway at the moment at both Frank Baxter and some at Cobham as well, but we will come back to you with the individual works that have been completed as well as those that will be completed by the end of June this year.

ANSWER:

I am advised the work on the operations holding room at Frank Baxter Youth Justice Centre (YJC) has been completed.

Other urgent capital upgrades that have been completed or are underway to improve safety and security include:

- Units damaged during the July 2019 incident at Frank Baxter YJC have been repaired and hardened.
- An upgrade of detainee phones to a digital system to improve intelligence capability will be completed by June 2020.
- Razor wire upgrades in all exercise yards at Frank Baxter YJC are complete.
- Unit hardening work commenced at Cobham and Frank Baxter YJCs in March 2020. This includes hardening ceilings, eaves, window, staff rooms, and doorframes, lock down wing doors, various access points, gates and corridors, etc.

Scoping work has commenced on:

- Hardening work to the administration, kitchen and education buildings at Cobham YJC.
- Relocation of the garden shed to outside the perimeter of the units at Cobham YJC.

MINISTER WARD - BUDGET ESTIMATES 2019-20 FURTHER HEARINGS
QUESTION ON NOTICE

Implementation of recommendations from Lee Shearer review of incident at Frank Baxter juvenile detention centre

TRANSCRIPT PAGE 25

The Hon. ROSE JACKSON: Do you have a work plan for the full implementation of all 63 recommendations?

Mr GARETH WARD: Ms Czech?

Ms CZECH: We do.

The Hon. ROSE JACKSON: Can that be tabled for the Committee?

Ms CZECH: It can but the only caveat on that would be anything that poses a security risk—

Mr GARETH WARD: Security, yes, indeed.

Ms CZECH: —on what we would be able to provide but I think the majority of it we could provide or can provide.

The Hon. ROSE JACKSON: Yes, I understand. Obviously, some of the recommendations were redacted.

Ms CZECH: Correct.

The Hon. ROSE JACKSON: So with some redaction of the work plan to reflect that, it would be useful to see that.

Ms CZECH: And if I could just add: There is a comprehensive work plan in place addressing each of the 63 recommendations split into 22 programs of work but there are also some additional projects that were on foot prior to the Frank Baxter riot that we have actually incorporated into that program of work as well, so we can provide the Committee with that.

ANSWER:

Please see attachment A, Youth Justice NSW Custodial Reforms Program of Works Current at 20 February 2020.

YJNSW Custodial Reforms Program of Works Current @ 20 February 2020

Shearer Review - Project Register 2020

#	Project	Related Lee Shearer Recommendations
LS1	Asset & Infrastructure improvements	13 - 16, 18 -20, 22-27
LS2	Operating Model (inc. HRMU, ESU & System Logic)	1, 2, 4-11, 32, 33
LS3	Classification System Review	3 & 31
LS4	Incident / Emergency Response (inc. IRTs)	43-47, 49, 51, 52, 54, 55
LS5	Security Review	17, 21, 63
LS6	Managing young people with sexual offences	48
LS7	CSNSW transporting NSI detainees	36
LS8	Review of Aboriginal Programs	33 & 41
LS9/10	Supervision Policy	35 & 38
LS11	Staff debriefing and wellbeing	42
LS12	Review and benchmark ITAP	53
LS13	Staff Uniforms	56
LS14	Review after hours medical support	57
LS15	Review of Leaderships, Culture and Capabilities	58 & 59
LS16	Youth Officer Appointments (inc. recruitment)	58
LS17	Finalise outstanding staffing reforms	61
LS18	WHS Systems digitised	37
LS19	Review of long term workers compensation	60
LS20	External forum established	39
LS21	Protected feedback process established	62
LS22	Business Case on future YJ system developed	12 & 28

Other Associated Projects

#	Project
OA1	Radios
OA2	Arunta Phone System
OA3	Shift Handover
OA4	Work program stemming from security review
OA5	Use of Force (including Training)
OA6	Dangerous Items Policies & Procedures
QA7	Misbehaviour & Consequences
OA8	Separation & Segregation (Risk Management)
OA9	s28 Transfers to CSNSW custody
OA10	Mandatory Training
OA11	Incident Report Writing Training
OA12	Unit Log Book - statewide template
OA13	CIMS 'one report' (incidents, UOF & other events)
OA14	Young Adult Satellite Program (YASP) Pilot
OA15	Positive Behaviour Intervention (Incentives) Pilot
OA16	Finalisation of MOU with NSW Police
OA17	Stakeholder engagement and comms strategy
OA18	Incentive Scheme Enhancements
OA19	Mandatory Disease Testing (MDT)
OA20	Detainee movements

MINISTER WARD - BUDGET ESTIMATES 2019-20 FURTHER HEARINGS
QUESTION ON NOTICE

Safety audit of all Youth Justice centres

TRANSCRIPT PAGE 26

The Hon. ROSE JACKSON: And there were two other recommendations that I will specifically ask about at this point. So there was a safety audit of all Youth Justice centres recommended—

Mr GARETH WARD: Yes, that is correct. That was undertaken by John Harrison. That was at the request of Stewart Little and the Public Service Association [PSA]. I was more than happy to ask for that to be undertaken, which Corrections agreed to do. John Harrison is the director of Corrections.

The Hon. ROSE JACKSON: Has that been completed?

Mr GARETH WARD: Yes. Yes, it has.

ANSWER:

I am advised that John Harrison conducted an immediate safety audit after the incident at the Frank Baxter Youth Justice Centre in July 2019 following consultation between the Minister and the PSA. Youth Justice NSW subsequently engaged an external expert, Mark Wilson, (former Assistant Commissioner of Security and Intelligence for Corrective Services NSW) to undertake a formal security audit of the entire Youth Justice custodial network and court logistics area. This audit is now complete.

MINISTER WARD - BUDGET ESTIMATES 2019-20 FURTHER HEARINGS
QUESTION ON NOTICE

Review of how sex offenders are managed

TRANSCRIPT PAGE 26

The Hon. ROSE JACKSON: Okay. And the review of how sex offenders are managed—has that been commenced or completed? I think that was recommendation 48 of the review.

Mr GARETH WARD: I do not believe so. Ms Czech, have you got any further updates on that?

Ms CZECH: I have not got any information in front of me, so we will take that on notice.

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

ANSWER:

I am advised the review has commenced, with the project being led by the Principal Psychologist, Youth Justice.

MINISTER WARD - BUDGET ESTIMATES 2019-20 FURTHER HEARINGS
QUESTION ON NOTICE

Provision of specialist adolescent psychologists and psychiatrists

TRANSCRIPT PAGE 27

The Hon. ROSE JACKSON: Ms Czech, we talked about the provision of specialist adolescent psychologists and psychiatrists. How many of them are now available?

Ms CZECH: The actual number we will take on notice and provide that information to the Committee, but there are psychologists and mental health practitioners in each centre as well as in the community-based offices with Youth Justice. We will provide the actual numbers on notice. What I will add—and I may have actually mentioned this last time. As the Minister said, there is a range of measures in place, but screening on admission—a general health screen, but in particular a mental health screen. If that raises any risks there will be a safety plan that is developed in respect of that child and that will be reviewed by the appropriate practitioners on a regular basis.

ANSWER:

I am advised there are 19 community-based Youth Justice psychologist roles (three currently vacant with recruitment underway), and 23 custody-based roles; as follows:

- Acmena YJC: 3
- Frank Baxter YJC: 6
- Cobham YJC: 6
- Orana YJC: 2
- Reiby YJC: 4
- Riverina YJC: 2

Youth Justice also has three professional development psychologists (including the clinical manager role at the Frank Baxter YJC).

Note - the figures above do not include health professionals including psychiatrists employed by the Justice Health and Forensic Mental Health Network.

MINISTER WARD - BUDGET ESTIMATES 2019-20 FURTHER HEARINGS
QUESTION ON NOTICE

Coronavirus funding for community sector

TRANSCRIPT PAGE 28

The Hon. PENNY SHARPE: I want to go back to the coronavirus response. I have been looking for it in relation to the \$2.3 billion announced by the Government today. Minister, can you confirm that there is no additional funding in that package for either the community sector, be it refuges, women's services, family services—there is no extra money in the package announced today?

Mr GARETH WARD: No, I think there will be. The Treasurer, as I understand it—and obviously I have not been privy to this announcement. My understanding is that there will be \$47 million for Land and Housing Corporation maintenance and \$13.5 million for Aboriginal housing.

The Hon. PENNY SHARPE: Sorry, for what maintenance? For housing maintenance?

Mr GARETH WARD: Yes.

The Hon. PENNY SHARPE: That is not the question I am asking. The question I am asking—the domestic violence [DV] sector and family violence sector have made pretty strong calls over the last couple of days about fears for people essentially being locked in their home with domestic violence perpetrators, and pretty much the suspension of a lot of court processes that would protect them, and also the fact that they are at capacity. I am just wanting you to confirm that there is no extra money for the sector in what was announced overnight?

Mr GARETH WARD: Look, obviously I am not aware of those details yet. Obviously we are dealing with things that were in the previous budget, not what might be announced, so I cannot tell you things that I do not know the answer to at this point.

The Hon. PENNY SHARPE: No, no. This is the response to coronavirus. We have not had a budget to announce \$2.3 billion of stimulus, which is welcome. I am just raising the very significant issue that has been raised by women's safety experts across the country and in New South Wales specifically. I am just confirming that there does not appear to have been any extra money provided to that sector in this \$2.3 billion announced overnight.

Mr GARETH WARD: I will take it on notice, Ms Sharpe. I am sorry.

ANSWER:

I am advised this question should be referred to the Attorney General, Minister for Prevention of Domestic Violence.

MINISTER WARD - BUDGET ESTIMATES 2019-20 FURTHER HEARINGS
QUESTION ON NOTICE

Family support services and others for women and children experiencing domestic violence

TRANSCRIPT PAGE 28

The Hon. PENNY SHARPE: Okay. The other one, of course, which is causing child protection specialists quite a lot of concern is the fact that kids in families where things are not going great—being locked down or the potential for them to be locked down for a couple of weeks could be a significant issue. And I believe there is no money—I am happy for you to confirm this—for family support services and others during what could be quite a dangerous time for women and children, leaving aside the virus.

Mr GARETH WARD: I will take that on notice, unless the secretary has something to add?

Mr COUTTS-TROTTER: No. We are aware of and are trying to think through the scenario you are describing..

The Hon. PENNY SHARPE: I am not pretending it is easy but it is very dangerous. My understanding is that the report out of China, for example, is that domestic violence incidents have gone up. How we actually manage that in the normal way, in terms of apprehended violence orders and getting AVOs through the court system, I think is going to be challenging.

Mr COUTTS-TROTTER: Yes.

ANSWER:

I am advised that NSW Government in 2019-20 will invest \$2.4 billion to protect and support our most vulnerable children, young people and families.

I am advised that questions related to domestic violence should be referred to the Attorney General, Minister for Prevention of Domestic Violence.

MINISTER WARD - BUDGET ESTIMATES 2019-20 FURTHER HEARINGS
QUESTION ON NOTICE

Permanency and particularly permanent adoption for Aboriginal kids in non-Aboriginal families.

TRANSCRIPT PAGE 29

The Hon. PENNY SHARPE: Okay. I want to go back to this issue of permanency planning briefly. As you know, there is significant disagreement around permanency and particularly permanent adoption for Aboriginal kids in non-Aboriginal families. My concern—and I have had some of these through my office—is restoration plans. I am obviously not going to identify anyone but I have had people speak to me where a woman who previously had difficulties and had children removed currently has children, who she is considered safe to be with and they live with her and she has basically cleaned up her act—you know, off drugs, safe housing, and everything that has been asked of her has been done. I am finding—and Aboriginal people are raising this with me as well—that when they are seeking restoration of kids that have previously been removed that is very difficult and it is not happening. Often the excuse or the reason given for that is that the child is bonded with their current non-Aboriginal carer. How are you addressing that issue? That seems to me to be a massive problem if we are serious about restoring Aboriginal kids to Aboriginal families, particularly their biological families.

Mr GARETH WARD: Ms Sharpe, I would actually be very interested to have a discussion with you offline in relation to the cases that have been raised with you and to see if I can help.

The Hon. PENNY SHARPE: Well, I have asked and the answer has been no.

Mr GARETH WARD: Obviously our policy is a commitment to permanency as number one, but if you have particular cases I would really—

The Hon. PENNY SHARPE: I am talking about restoration. I am talking about the importance of restoration.

Mr GARETH WARD: Yes, yes.

The Hon. PENNY SHARPE: Where families have been in trouble and we have asked for a lot of them to be eligible to have their children returned to them.

Mr GARETH WARD: Yes.

The Hon. PENNY SHARPE: It seems to me that this is a problem that is raised with me often. It is a broad one, not a case-by-case question, about how we are managing restoration and whether a priority is being given to that rather than the current situation that a young child finds themselves in.

Mr GARETH WARD: It is a good question. I might just take it on notice, if you do not mind.

The Hon. PENNY SHARPE: Okay

ANSWER:

I am advised the NSW Government is committed to addressing the over-representation of Aboriginal children and young people in out-of-home care. The Permanency Support Program (PSP) aims to achieve permanent, safe, connected and culturally-rich environments for all Aboriginal children and young people with the support of their relatives, kin and community. Under the PSP, the first priority is to work intensively with families to keep children safe at home. Where it is not possible

to keep children and young people at home with their families, DCJ and funded service providers actively work to reduce the amount of time Aboriginal children and young people spend in OOHC.

Where it is safe to restore a child or young person to their family, intensive support is provided to ensure their pathway home is successful and meets their needs. It is important that all efforts are made to achieve the restoration within a two year timeframe, and as soon as possible after the situation is safe for the child.

To support the implementation of the PSP, last year DCJ published the Aboriginal Case Management Policy (ACMP) and practice guidance which were developed by AbSec in consultation with Aboriginal communities. The policy provides a framework for delivering culturally sensitive casework services, responsive to the needs of Aboriginal children, their families and communities. The Aboriginal Case Management Policy confirms the government's position that open adoption is a permanency option for Aboriginal children, although it is the least preferred option, and acknowledges that some Aboriginal people do not support the adoption of Aboriginal children.

In 2018-19, 956 Aboriginal children and young people exited OOHC, which represents an increase of 8% compared to 2017-18 (887).

Of these, restoration and guardianship account for almost all Aboriginal children who exited to a permanency outcome in 2017-18 and 2018-19.

The number of Aboriginal children and young people in care who were restored to their families increased by 13% between 2017-18 and 2018-19.

MINISTER WARD - BUDGET ESTIMATES 2019-20 FURTHER HEARINGS
QUESTION ON NOTICE

Segregation and confinement numbers

TRANSCRIPT PAGE 31

Mr DAVID SHOEBRIDGE: In answer to questions on notice in budget estimates earlier, the last session, it was advised that there were 646 young people in confinement in 2018 and 2019. Do you know how many young people were in segregation? This is in the Juvenile Justice sector.

Mr GARETH WARD: I would have to ask Ms Czech to answer that question.

Mr DAVID SHOEBRIDGE: Whilst Ms Czech is looking for the number, can somebody provide an explanation of the difference between confinement and segregation?

Ms CZECH: I can do all of that. The first question was about the numbers of segregations, is that correct?

Mr DAVID SHOEBRIDGE: Yes.

Ms CZECH: In 2018-19 there were 6,657 instances of segregation. We have a six-month period, July to December, where there were 2,810 instances of segregation.

Mr DAVID SHOEBRIDGE: Do you have the number for confinement in that six months as well?

Ms CZECH: I do. For confinement in 2018-19 there were 5,212 instances of confinement in Youth Justice centres and—

Mr DAVID SHOEBRIDGE: Sorry, did you say 5,212? The number I had here for 2018-19 was 646, given earlier.

Ms CZECH: I have definitely got—

Mr DAVID SHOEBRIDGE: That could be my transcription error.

Ms CZECH: Yes, I have definitely got 5,212. We can clarify that on notice.

Mr GARETH WARD: That is my number as well too.

Mr DAVID SHOEBRIDGE: In segregation.

Ms CZECH: No, confinement. Then, as I said, we have got some preliminary figures for July to December and those numbers at this stage are 2,466 instances of confinement in Youth Justice. Were there any other statistics or just those two that you needed?

ANSWER:

I am advised that Section 21 of the Children (Detention Centres) Act 1987 provides a range of consequences that may lawfully be applied as a consequence of misbehaviour by a detainee. These include caution, restriction from sport or leisure activities, additional duties, and exclusion from, or confinement to, a place.

Youth Justice Custodial Youth Officers are authorised to use confinement when a young person misbehaves. Youth Justice staff must continue to conduct routine checks on young people in confinement at least once every 20 minutes. Young people are able to communicate with custodial staff at all times.

Confinement is authorised for a time limited period only and must not exceed 24 hours. For young people under 16 years of age, confinement must not exceed 12 hours.

In 2018-19, there were 5,215 instances of confinement in Youth Justice Centres.
From 1 July 2019 to 31 December 2019, there were 2,472 instances of confinement in Youth Justice Centres.

Segregation is used for the safety and protection of young people and staff. It involves the segregation of a young person to a place or away from all or part of normal routines, as a result of the risk they present to others. As an example, a young person subject to segregation could be participating in an individualised program within the accommodation unit while the remainder of the young people are accessing the back oval for sport. This segregation can apply to all or part of the normal unit routine.

In 2018-19 there were 6,657 instances of segregation.

From 1 July 2019 to 31 December 2019, there were 2,810 instances of segregation.

MINISTER WARD - BUDGET ESTIMATES 2019-20 FURTHER HEARINGS
QUESTION ON NOTICE

Confinement for more than 24 hours

TRANSCRIPT PAGE 32

Mr GARETH WARD: Can I just also draw your attention, Mr Shoebridge, to the fact that the Inspector of Custodial Services released a report into the use of force, separation, segregation and confinement at Youth Justice as at November 2018. It

has some interesting observations in relation to this issue.

Mr DAVID SHOEBRIDGE: I am actually quite familiar with that report, Minister. Were there any instances where a young person was confined for more than 24 hours in 2019?

Ms CZECH: Confinement?

Mr DAVID SHOEBRIDGE: Yes, and I am asking you the same about segregation, and if so, how many?

Mr GARETH WARD: I will let you answer that, Ms Czech. We might take it on notice.

Ms CZECH: Yes, can we take that on notice, please?

Mr DAVID SHOEBRIDGE: Given it is my understanding it would be potentially unlawful to have a child in confinement for greater than 24 hours, do you know if the Act has been breached on confinement?

Ms CZECH: Not that I am aware, but we will take that on notice.

ANSWER:

I am advised in 2018-19 there were two instances of confinement for over 24 hours (one for 24 hours and 7 minutes and the other for 24h and 15 minutes).

I am advised in 2018-19 there were 153 instances of segregation that exceeded 24 hours. This figure represents 2.3% of all segregation instances (6661) in 2018-19. All instances of segregation exceeding 24 hours have been proactively reported to the NSW Ombudsman.

Segregation is used for the safety and protection of young people and staff. It involves the segregation of a young person to a place or away from all or part of normal routines, because of the risk they present to others.

As an example, a young person subject to segregation could be participating in an individualised program within the accommodation unit while the remainder of the young people are accessing the back oval for sport. This segregation can apply to all or part of the normal unit routine.

Segregation is applied for a time limited period depending on the risk.

MINISTER WARD - BUDGET ESTIMATES 2019-20 FURTHER HEARINGS **QUESTION ON NOTICE**

Paper-based processes

TRANSCRIPT PAGE 32

Mr DAVID SHOEBRIDGE: All right. In answer to a question on notice, the department said they were unable to provide the number of partially clothed searches in youth detention because that information is held in handwritten logs. You would be aware that one of the recommendations of the ministerial review into the Baxter disturbances was that those paper-based processes for safety and security practices be phased out as soon as possible. Have they been phased out and are you keeping any of the data on this?

Ms CZECH: It is still the same as what we have reported at the last budget estimates hearings. So it is a manual process. It is part of the program of work to capture that data but it is not yet complete.

Mr DAVID SHOEBRIDGE: Not yet started or not yet complete?

Ms CZECH: It is started but not complete.

Mr DAVID SHOEBRIDGE: Does that mean you have some data or does it mean the computer programming and systems are being put in place but have not yet become operational? What does that mean?

Ms CZECH: We will provide the detail of that program of work on notice.

ANSWER:

I am advised Youth Justice is developing a comprehensive IT Strategy ensure digital service needs are met as soon as possible into the future. This includes digitising paper-based custodial records.

Some records, such as search registers, require significant investment in new mobile computing hardware and software development. These items will be included in Youth Justice's IT Strategy.

MINISTER WARD - BUDGET ESTIMATES 2019-20 FURTHER HEARINGS
QUESTION ON NOTICE

Intensive therapeutic unit

TRANSCRIPT PAGE 32

Mr DAVID SHOEBRIDGE: How many people have been placed in the intensive therapeutic unit since its commencement in late 2019?

Ms CZECH: My understanding is there are currently three young people there. In terms of the total number, we will take that on notice as well. It is slightly higher than that.

ANSWER:

I am advised the number of young people in the Enhanced Support Unit since commencement (11 November 2019) through to 17 March 2020 was 16.

As at 17 March 2020, there were two young people in the unit.

MINISTER WARD - BUDGET ESTIMATES 2019-20 FURTHER HEARINGS
QUESTION ON NOTICE

High-risk management unit

TRANSCRIPT PAGE 33

Mr DAVID SHOEBRIDGE: What about the high-risk management unit?

Ms CZECH: We will take that on notice as well, thank you.

ANSWER:

I am advised the number of young people in high-risk units since 11 November 2019 through to 17 March 2020 was 56 (34 in the Frank Baxter high-risk unit and 22 in the Cobham high-risk unit).

As at 17 March 2020, there were 10 young people in high-risk units (six in the Frank Baxter high-risk unit and four in the Cobham high-risk unit).

MINISTER WARD - BUDGET ESTIMATES 2019-20 FURTHER HEARINGS
QUESTION ON NOTICE

High-risk management unit

TRANSCRIPT PAGE 33

Mr DAVID SHOEBRIDGE: Can you give the average duration in each of those units?

Ms CZECH: We will take that on notice.

Mr DAVID SHOEBRIDGE: Perhaps the median would be more useful. With the small data sample there may not be a great difference.

Ms CZECH: Sure.

ANSWER:

I am advised the average length of stay from 11 November 2019 through to 17 March 2020 was;

- 19.1 days for the Enhanced Support Unit
- 21.1 days for the Frank Baxter high-risk unit
- 12.1 days for the Cobham high-risk unit

The median length of stay from 11 November 2019 through to 17 March 2020 was;

- 3 days for the Enhanced Support Unit
- 14 days for the Frank Baxter high-risk unit
- 13 days for the Cobham high-risk unit.

MINISTER WARD - BUDGET ESTIMATES 2019-20 FURTHER HEARINGS
QUESTION ON NOTICE

Austinmer acute adolescent unit

TRANSCRIPT PAGE 33

Mr DAVID SHOEBRIDGE: Regarding the Austinmer acute adolescent unit, can you give us the numbers for that as similar to the numbers I have been requesting for the high-risk management unit?

Mr GARETH WARD: Yes, we can do that.

Mr DAVID SHOEBRIDGE: That range of data on that, if you could.

ANSWER:

I am advised the number of young people in the Austinmer Adolescent Unit since 11 November 2019 through to 17 March 2020 was six.

As at 17 March 2020, there were five young people in the Austinmer Adolescent Unit.

The average length of stay from 11 November 2019 through to 17 March 2020 was 82.2 days.

The median length of stay from 11 November 2019 through to 17 March 2020 was 104 days.

MINISTER WARD - BUDGET ESTIMATES 2019-20 FURTHER HEARINGS
QUESTION ON NOTICE

School holidays in detention centres

TRANSCRIPT PAGE 33

Mr DAVID SHOEBRIDGE: One of the recommendations from that 2018 inspector's report was to consider doing away with the concept of school holidays in juvenile detention centres for reasons that you are never on holiday if you are in jail and there were clear behaviour management benefits from doing that. Has that progressed? Where are you up to?

Mr GARETH WARD: It is certainly something we are considering and I have had conversations about this internally. Obviously there are challenges around finding teachers during this period because, obviously, it is their school holiday time as well, but it is certainly something I can see some benefits from. But keep in mind, Mr Shoebridge, the education resources that are provided are actually not provided by DCJ; they are provided by the Department of Education. So that is something we need to work through with them but it is something I am certainly open to.

Mr DAVID SHOEBRIDGE: Well, do you have a deadline for when that consideration will be concluded and either implemented or rejected?

Mr GARETH WARD: Oh, look, as soon as possible. I am happy to take that question on notice as well as take that up with you personally.

ANSWER:

I am advised Youth Justice is exploring options with the Department of Education to extend the school year where appropriate.

MINISTER WARD - BUDGET ESTIMATES 2019-20 FURTHER HEARINGS
QUESTION ON NOTICE

Cost of family functional therapy more broadly and FFT-CW

TRANSCRIPT PAGE 35

Mr DAVID SHOEBRIDGE: Can you provide on notice how much the department has spent in the 2017-18, 2018-19 and 2019-20 financial years to date on both family functional therapy more broadly and FFT-CW, or family functional therapy-child welfare?

Ms WALKER: Absolutely.

Mr DAVID SHOEBRIDGE: Can you provide those two separate figures?

Mr COUTTS-TROTTER: Yes.

ANSWER:

I am advised the Stronger Communities Investment Unit – Their Futures Matter expenditure (SCIU-TFM) for FFT-CW in NSW, 2017-18 2018-19 2019-20 was;

- 2017-18 Actuals (\$) \$16,757,595
- 2018-19 Actuals (\$) \$15,950,214
- 2019-20 Budget (\$) \$14,712,694
- 2019-20 Year to date (Jan 2020) \$11,704,619

MINISTER WARD - BUDGET ESTIMATES 2019-20 FURTHER HEARINGS
QUESTION ON NOTICE

Review of family functional therapy

TRANSCRIPT PAGE 36

Mr DAVID SHOEBRIDGE: Will you, Mr Coutts-Trotter, commit to making that FACSIAR review of family functional therapy public?

Mr COUTTS-TROTTER: Absolutely, it is a public good.

ANSWER:

I am advised an evidence review of Functional Family Therapy Child Welfare (FFT - CW®) is available on the California Evidence-Based Clearinghouse for Child Welfare website <https://www.cebc4cw.org/program/functional-family-therapy-child-welfare/>. In addition, an independent evaluation of FFT-CW in NSW involving process, outcomes and economic components is being led by the National Drug and Alcohol Research Centre.

This evaluation will be finalised by 30 June 2020 and following finalisation and approval it will be publically available.

MINISTER WARD - BUDGET ESTIMATES 2019-20 FURTHER HEARINGS
QUESTION ON NOTICE

Rejected adoption proposals

TRANSCRIPT PAGE 36

Mr DAVID SHOEBRIDGE: Mr Coutts-Trotter, were there any proposals for adoptions that came to your desk—and I assume you have delegation for this, is that right?

Mr COUTTS-TROTTER: Yes, I do.

Mr DAVID SHOEBRIDGE: That you rejected?

Mr COUTTS-TROTTER: Yes, I rejected one. I did not support one proposal going to the Supreme Court.

Mr DAVID SHOEBRIDGE: Can you provide details? Was it an Aboriginal family? Was it a non-Aboriginal family?

Mr COUTTS-TROTTER: No, sorry, I am only involved as a decision-maker with proposals—

Mr DAVID SHOEBRIDGE: That involve Aboriginal families?

Mr COUTTS-TROTTER:—that involve Aboriginal children.

Mr DAVID SHOEBRIDGE: I understand.

Mr COUTTS-TROTTER: It is an Aboriginal child.

Mr DAVID SHOEBRIDGE: That was one of how many that came across your desk?

Mr COUTTS-TROTTER: I would need to check how many came across my desk. Seven adoptions were effected within the year but, as you would know, most of those have a long history, a multi-year history, in the process.

Mr DAVID SHOEBRIDGE: Perhaps you can give some data on notice about how many are pending?

Mr COUTTS-TROTTER: Yes, sure.

ANSWER:

I am advised the Secretary is the person delegated to approve the commencement of adoption action relating to an Aboriginal child, and to give consent to the adoption of an Aboriginal child under 12. In giving approval, the Secretary must be satisfied that adoption is preferable to any other care order.

Adoption is pursued after exploring and exhausting other permanent placement options according to the Aboriginal Placement Principles. It offers a lifelong home and a sense of 'felt security' to otherwise highly vulnerable children.

The decision maker which is the Supreme Court of New South Wales must be satisfied that adoption is clearly preferable to any other action that may be taken by law.

A cultural plan is developed and attached to the Registered Care Plan for any Aboriginal child placed for Adoption. The Cultural Plan requires thorough Aboriginal consultation and sets out the ways in which the child will remain connected to their culture and community.

During the 2019-20 financial year, as at 19 March 2020, the Secretary has declined to approve the commencement of adoption action on one occasion.

As at 19 March 2020, there are three Aboriginal children whose adoption application is currently before the Supreme Court after receiving Secretary consent.

MINISTER WARD - BUDGET ESTIMATES 2019-20 FURTHER HEARINGS
QUESTION ON NOTICE

Restoration policy

TRANSCRIPT PAGE 36

Mr DAVID SHOEBRIDGE: My final question is: Does the department have a restoration policy? And if so, can you table a copy with the Committee?

Mr COUTTS-TROTTER: We have a range of practice materials on restoration, yes.

Ms WALKER: Including a restoration tool that we can table, which is effectively across funded services.

Mr DAVID SHOEBRIDGE: I ask this because there have been previous commitments to table a restoration policy—

Mr COUTTS-TROTTER: Oh, I am sorry.

Mr DAVID SHOEBRIDGE: —in previous years and it has never yet been tabled. So I ask again

Mr GARETH WARD: I think we should absolutely table that and present that to the Committee.

Mr COUTTS-TROTTER: Terrific.

Mr GARETH WARD: I will personally take that on notice to ensure that it is tabled.

Mr DAVID SHOEBRIDGE: Thank you

Mr COUTTS-TROTTER: Thank you

ANSWER:

I am advised that the document was tabled at the hearing on Tuesday 17 March 2020 as requested.

MINISTER WARD - BUDGET ESTIMATES 2019-20 FURTHER HEARINGS
QUESTION ON NOTICE

ChildStory

TRANSCRIPT PAGE 39

The Hon. PENNY SHARPE: As you know, it has been very expensive. I do not know whether you can tell me how much ChildStory has cost all up?

Mr COUTTS-TROTTER: I think it has not changed since we were last on the record with it but I will double-check the figure and provide a response on notice.

ANSWER:

I am advised the cost of the design, testing, implementation and initial training was \$131 million till the end of June 2018.

In June 2018, ChildStory completed the project / build phase and moved to business as usual.

MINISTER WARD - BUDGET ESTIMATES 2019-20 FURTHER HEARINGS
QUESTION ON NOTICE

ChildStory

TRANSCRIPT PAGE 40

The Hon. PENNY SHARPE: Does that cost every time you want to change?

Ms CZECH: There is a cost associated with making a change.

Mr COUTTS-TROTTER: Not always, it depends. Sometimes ChildStory as a platform improves itself, because it is built fundamentally on a Salesforce platform, which gets constantly upgraded.

The Hon. PENNY SHARPE: Yes, it regulates—

Mr COUTTS-TROTTER: In terms of why this and not the KiDS system. KiDS was owned and operated by us and there was real expense involved in keeping it current, whereas the benefit of software as a service is that it solves some of that, but there has been—

The Hon. PENNY SHARPE: That is not really my concern.

Mr COUTTS-TROTTER: We have identified those things that are the highest priority for child protection practitioners. Ms Czech and her team have been really, really clear that it is about identifying the things that stand in the way of either efficient or high-quality practice and making those changes in the system. I am happy to provide on notice a list of the functions and a plain language explanation of the problem that each one of those changes has solved, but I do not think we have any really significant issues identified by the child protection workforce that have yet to be resolved in ChildStory. I think the last few months have seen the final fixes.

ANSWER:

I am advised there are costs associated with enhancements and improvements that are made to ensure ChildStory remains contemporary, in line with legislative change and broader sector reforms. These costs are incorporated in business as usual costs.

There have been and will continue to be enhancements made to ChildStory in 2019-20 and beyond, to ensure the platform continues to assist caseworkers to complete their work in a more effective and efficient manner. This allows caseworkers to use their time providing quality casework to vulnerable children, families and their carers.

The following projects have already been delivered or are in progress in 2019-20:

1. Improved functionality for OOHC casework to better align with the Permanency Support Program
2. Improvements to funded service providers data to provide better oversight – due for completion by April 2020
3. Improvements to the efficiency and timeliness of approvals in line with legislative and financial delegations
4. Increased annual reporting abilities and improved information visibility for staff.

5. Improved recording of events and the ability to add multiple parties – due for completion in June 2020.
6. A number of usability and efficiency improvements have been completed and are planned to improve service delivery and enhance user experience.
7. Increased visibility by DCJ of children managed by funded services providers. This supports improved service delivery for children and young people in OOHC. This is planned for completion in June 2020.

MINISTER WARD - BUDGET ESTIMATES 2019-20 FURTHER HEARINGS
QUESTION ON NOTICE

ChildStory

TRANSCRIPT PAGE 40

The Hon. PENNY SHARPE: But how do you measure the time in front of the computer entering data? Again, these are real examples; I am not just making this up. I do not have any way to verify them, so that is why I am asking you. There has been some suggestion that the original business case for ChildStory suggested you would be able to get caseworkers to an 80-20 split in relation to working directly with people, rather than sitting behind the desk. Is that realistic?

Mr COUTTS-TROTTER: I would need to go back to the original business case. Of course, the aim is to spend less time in front of a computer, certainly a computer in an office, and more time with children and young people, carers and families. As I say, I think at the highest level the massive increase in the number of children seen—in other words, time out of the office working with children and families—is a reasonable measure that there has been a profound change in the system.

ANSWER:

I am advised while in the initial stages of ChildStory implementation there were some users who reported it took longer to undertake work on ChildStory. It is acknowledged that initial implementation was challenging, which is not unexpected with an IT reform of this size and the difference between the KIDS and ChildStory platforms.

ChildStory continues to provide state-wide enhanced and specialised support from the ChildStory Support Team who are local experts in the system and caseworkers, based in offices with practitioners. User confidence and competence in ChildStory is increasing and with ongoing system enhancements being made, the system potential is being realised. This is evidenced by the increase in number of children seen by caseworkers and improved data quality.

MINISTER WARD - BUDGET ESTIMATES 2019-20 FURTHER HEARINGS
QUESTION ON NOTICE

ChildStory

TRANSCRIPT PAGE 40

The Hon. PENNY SHARPE: Can you address specifically this idea that there are allocations made for caseworkers to spend an additional five hours in relation to cases working on ChildStory?

Ms CZECH: I am not aware of that.

The Hon. PENNY SHARPE: You can come back to me.

Mr COUTTS-TROTTER: There are only a few points where we can really quantify some of those things. One would be at the helpline in taking and responding to reports of significant harm. More generally, it is bedevilled by changes in policies, changes in working relationships with non-government organisations and other government partners. I am not trying to turn on the smoke machine, but it is difficult to find real points of quantification. I am happy to take it on notice, but I have not heard of a five-hour impost associated with ChildStory.

Ms CZECH: Yes, it is certainly not something the department has imposed on caseworkers.

The Hon. PENNY SHARPE: No, I am not suggesting that. I am just saying that in terms of work allocation there has been some suggestion to me that that could be a problem.

ANSWER:

I am advised the Department of Communities and Justice (DCJ) has not made an allocation for caseworkers to spend an additional five hours in relation to cases working on ChildStory.

While in the initial stages of ChildStory implementation there were some users who reported it took taking longer to undertake work on ChildStory. It is acknowledged that initial implementation was challenging, which is not unexpected with an IT reform of this size and the difference between the KIDS and ChildStory platforms.

ChildStory continues to provide enhanced and specialised support from the ChildStory Support Team who are local experts in the system and caseworkers, based in offices with practitioners, across NSW.

As caseworkers confidence and competence in using ChildStory increased so did their efficiency in using the system.

MINISTER WARD - BUDGET ESTIMATES 2019-20 FURTHER HEARINGS
QUESTION ON NOTICE

Workers compensation claims - Community Services

TRANSCRIPT PAGE 41

The Hon. PENNY SHARPE: Thank you for that. I wanted to ask you about workers compensation claims for psychological injury in terms of caseworkers.

Mr COUTTS-TROTTER: Yes.

The Hon. PENNY SHARPE: I suspect some of this you will probably have to take on notice.

Mr COUTTS-TROTTER: Yes.

The Hon. PENNY SHARPE: I have asked previously around supervision and those kinds of things. I mean, how many workers compensation claims has Community Services received for psychological injury in the last—how do you measure it, do you do it as a calendar year or a financial year?

Mr COUTTS-TROTTER: We measure it on a financial year. I am happy to take that on notice. I do know that the number of psychological injury incidents and claims has remained constant, but that is not to say we are happy with the level at which people experience psychological injury, and particularly the speed at which they are able to return productively to work, because we are not happy with either of those things. We have put a whole range of things in play to try and both prevent injury, better respond to injury and then more effectively re-engage people with work.

The Hon. PENNY SHARPE: So you will give me what you have received—so it will be the last financial year?

Mr COUTTS-TROTTER: Okay.

Ms CZECH: Yes.

ANSWER:

I am advised in the financial year 2018-19, there were 68 workers compensation claims for psychological injury of caseworkers.

MINISTER WARD - BUDGET ESTIMATES 2019-20 FURTHER HEARINGS
QUESTION ON NOTICE

Caseworker staff assisted with funds

TRANSCRIPT PAGE 41

The Hon. PENNY SHARPE: Are you able then to also tell me how many caseworker staff have been directly assisted with claims—sorry, have received funds?

Mr COUTTS-TROTTER: Yes, we can do that.

The Hon. PENNY SHARPE: You can do all of that?

Mr COUTTS-TROTTER: Yes.

ANSWER:

I am advised in the financial year 2018-19, there were 68 workers compensation claims for psychological injury of caseworkers, and all 68 caseworkers received funds.

MINISTER WARD - BUDGET ESTIMATES 2019-20 FURTHER HEARINGS
QUESTION ON NOTICE

Family group conferences

TRANSCRIPT PAGE 43

Mr DAVID SHOEBRIDGE: Can I ask some specific questions about family group conferences? I think they were meant to start taking place on and from 4 February 2019. That is when the policy came into effect. I do not know if that is when they started happening.

Ms CZECH: That was the legislative change about the mandatory offering and an alternate dispute resolution which may include a family group conference.

Mr DAVID SHOEBRIDGE: I have a bunch of specific questions but I might let you respond in general terms about what has happened since that legislative change.

Ms CZECH: Sure. There are two important things to note: family group conferencing is one method of ADR, or alternative dispute resolution. It is our primary method of ADR. The family group conferencing model has been in place for a number of years prior to February last year. I could get you the actual date on notice but I think it was 2014 from memory.

ANSWER:

I am advised as part of the NSW Child Protection Legislative Reforms proclaimed in 2014, Family Group Conferencing (FGC) was implemented by DCJ through a staged roll out in all districts.

MINISTER WARD - BUDGET ESTIMATES 2019-20 FURTHER HEARINGS
QUESTION ON NOTICE

Alternative dispute resolution data

TRANSCRIPT PAGE 43

Mr DAVID SHOEBRIDGE: I accept it was the model that was suggested to be the primary model with ADR and I know it happened before. I am wondering what happened since the obligation is in place?

Ms CZECH: A couple of things. Family group conferencing is being offered to families in the child protection space but also in some instances in the out-of-home care space. I can get you the numbers on notice. We have made a change in ChildStory that enables us to extract the number of families that we work with and how many times ADR was offered and what was the outcome of that.

Mr DAVID SHOEBRIDGE: That was what I was hoping to see. Do they work? What is the anecdotal reporting, do they work?

Ms CZECH: Certainly the evidence suggests if you conduct a family group conference early in the child protection intervention it keeps children out of home—it mitigates risks that might be presenting in the family home and builds connections so that other families might be a protective factor in actually keeping that child safe or those children safe at home.

Mr DAVID SHOEBRIDGE: You will give us the data on those?

Ms CZECH: Absolutely.

ANSWER:

I am advised in 2018-19 there were in excess of 1,600 children and young people whose families were offered a Family Group Conference (FGC). Of these children approximately 46% were in out-of-home care. The remaining children were in the child protection assessment/response stage.

In 2018-19, 552 FGCs were convened comprising 1,153 children and young people (participants). 617 children and young people were not in OOHC at the time of the FGC being convened. At 20 March 2020, a total of 495 or 80% of children and young people from this cohort had not entered OOHC following the FGC convened date.

MINISTER WARD - BUDGET ESTIMATES 2019-20 FURTHER HEARINGS
QUESTION ON NOTICE

Guardianship orders

TRANSCRIPT PAGE 44

Mr DAVID SHOEBRIDGE: Could I ask about guardianship orders? Do you have any data about how many were made by consent in the last financial year and if there are any in the six months to the end of 2019?

Mr COUTTS-TROTTER: I do not think we have got data on consent or otherwise, but we can get that.

Ms CZECH: What I can add, Mr Shoebridge, is that in 2018-19, 39 children in out-of-home care exited to a guardianship order.

Mr DAVID SHOEBRIDGE: Could you just give us the breakdown for that financial year and, if available, for that six months to the end of 2019 on those by consent and those that were not, also on Aboriginality and, again, consent and without consent?

Ms CZECH: Sure.

Mr COUTTS-TROTTER: Yes.

ANSWER:

I am advised information on children on Guardianship order by consent is not available. This information is not captured in an extractable format and cannot be reported without undertaking individual case readings, which is a lengthy process.

MINISTER WARD - BUDGET ESTIMATES 2019-20 FURTHER HEARINGS
QUESTION ON NOTICE

Guardianship orders

TRANSCRIPT PAGE 44

Mr DAVID SHOEBRIDGE: Could I ask you broadly, Mr Coutts-Trotter, is there a delegation for you to sign-off on these consents?

Mr COUTTS-TROTTER: On guardianship, no. That is held elsewhere in the organisation.

Mr DAVID SHOEBRIDGE: Can you provide details about where that delegation lies and what the criteria are for it?

Mr COUTTS-TROTTER: Yes.

ANSWER:

I am advised under clauses 22.37 and 22.38 of Schedule X to the Instrument of Delegation executed by the Secretary, the Secretary has delegated power to make an application for a guardianship order and consent to an application for a guardianship order to a DCJ manager casework grade 9 to Manager Client Services 11/12 (or equivalent grade role).

The Secretary has also delegated power to apply to the Children's Court to register a care plan and seek consent orders under s.38 of the Children and Young Persons (Care and Protection) Act 1998, including guardianship orders made by consent, to a DCJ manager grade 9 to 11/12.

The Secretary's delegate would exercise those functions if satisfied that all required probity and suitability checks and assessments of the prospective guardian were satisfactory, the guardianship order was in the best interests of the child and that all other statutory requirements were satisfied, for example the child, if aged over 12, was consenting to the order.

MINISTER WARD - BUDGET ESTIMATES 2019-20 FURTHER HEARINGS
QUESTION ON NOTICE

Carers Strategy

TRANSCRIPT PAGE 44

The Hon. ROSE JACKSON: I have two questions on carers, a few on youth justice and a few on homelessness and then we are done. On carers, is there a new strategy that is being developed? Is that the plan? Where is that up to and is there a time frame?

Mr COUTTS-TROTTER: In an exercise in diversity I will ask Simone Walker to replace Simone Czech.

Ms WALKER: Interchangeable Simones. You are correct, 2014 to 2019 was the plan. We are certainly looking at what occurred during that time. The plan itself is that we are looking at the next stages of that. I can get you the detail. The strategy was being reviewed by the Social Policy Research Centre at the University of New South Wales and the findings are that the intended output in projects were to contribute to engaging and supporting carers in New South Wales. I can provide you on notice where we take the next stage of the strategy.

ANSWER:

I am advised the development of a new ten-year NSW Carers Strategy 2020-2030 is underway. DCJ undertook a comprehensive co-design process with carers and key stakeholders in late 2019 and the Strategy will incorporate learnings from the review of the previous Strategy by the Social Policy Research Centre at the University of New South Wales. The launch of the Strategy is planned for late 2020.

MINISTER WARD - BUDGET ESTIMATES 2019-20 FURTHER HEARINGS
QUESTION ON NOTICE

Carers amidst coronavirus outbreak

TRANSCRIPT PAGE 45

The Hon. ROSE JACKSON: As we know, a lot of people who are carers are elderly people caring for their loved ones. With the coronavirus outbreak I wondered whether any thought had been given to—we could have raised this with the Minister earlier—how the Government might manage support for carers who are potentially unable to provide the care they have been providing to their loved ones because they themselves get sick or because they are required to self isolate. Has any thought been given to the impact that might have on many elderly couples in particular in the community?

Mr COUTTS-TROTTER: I think within the public service where people have made clear their caring responsibilities at least to their manager and therefore have some kind of flexible pattern of work to respect and respond to those responsibilities, there is a great degree of flexibility given what is in the community. For carers who sit outside government employment, I will take that on notice.

ANSWER:

I am advised the NSW Government is working with stakeholders to develop solutions if carers are unable to provide care.

DCJ funds Carers NSW, a carer peak organisation that provides a carer line available 9am – 5pm Monday to Friday – 1800 242 636. The carer line is staffed by experienced carer support officers who offer emotional support, referrals, and distribute carer specific resources and information, to carers, service providers and community members.

The national carer gateway website also provides carer support and advice, including resources such as an emergency care plan template to help carers capture key details, which will make it easy for someone to take over their caring role, if required.

MINISTER WARD - BUDGET ESTIMATES 2019-20 FURTHER HEARINGS
QUESTION ON NOTICE

Reducing homelessness - assertive outreach program

TRANSCRIPT PAGE 45

The Hon. ROSE JACKSON: The assertive outreach program is being extended beyond Sydney, Newcastle and the Tweed? That is where it is currently running.

Mr VEVERS: Yes, that is correct. So as from the end of this month and early next month we are expecting to increase the number of locations tenfold to around about 30. They will not be done with the same frequency as happens in Sydney; we are out 80 times a month. We are doing this within existing resources. The count has enabled us to identify fairly clearly where the big hot spots are and these are places either we or the community housing providers would expect to go every week.

The Hon. ROSE JACKSON: Are you able to provide those 30 locations on notice?

Mr VEVERS: I do not know if I can do it in 21 days because some of those locations are in the south where we have delayed the count, because of the bushfires, until the end of April. We have not yet identified all of the hot spots where we will do this. I can identify the rest of the State.

The Hon. ROSE JACKSON: That would be a useful start.

ANSWER:

I am advised:

The NSW Government has assertive outreach services currently operating in three local government areas: City of Sydney, Newcastle and Tweed Shire.

The expansion of assertive outreach to other locations is currently underway and includes planned sites in the following Local Government Areas: Albury, Ballina, Bathurst, Bayside, Bega Valley, Blacktown, Burwood, Byron, Campbelltown, Canterbury-Bankstown, Casino, Central Coast, Dubbo, Eurobodalla, Fairfield, Goulburn Mulwaree, Grafton, Inner West, Lake Macquarie, Lismore, Liverpool, Orange, Parramatta, Penrith, Queanbeyan, Randwick, Shoalhaven, Strathfield, Sutherland, Tamworth, Wagga Wagga, Waverly, Wollongong and Woollahra.

YJNSW Custodial Reforms Program of Works Current @ 20 February 2020

Shearer Review - Project Register 2020

#	Project	Related Lee Shearer Recommendations
LS1	Asset & Infrastructure improvements	13 - 16, 18 -20, 22-27
LS2	Operating Model (inc. HRMU, ESU & System Logic)	1, 2, 4-11, 32, 33
LS3	Classification System Review	3 & 31
LS4	Incident / Emergency Response (inc. IRTs)	43-47, 49, 51, 52, 54, 55
LS5	Security Review	17, 21, 63
LS6	Managing young people with sexual offences	48
LS7	CSNSW transporting NSI detainees	36
LS8	Review of Aboriginal Programs	33 & 41
LS9/10	Supervision Policy	35 & 38
LS11	Staff debriefing and wellbeing	42
LS12	Review and benchmark ITAP	53
LS13	Staff Uniforms	56
LS14	Review after hours medical support	57
LS15	Review of Leaderships, Culture and Capabilities	58 & 59
LS16	Youth Officer Appointments (inc. recruitment)	58
LS17	Finalise outstanding staffing reforms	61
LS18	WHS Systems digitised	37
LS19	Review of long term workers compensation	60
LS20	External forum established	39
LS21	Protected feedback process established	62
LS22	Business Case on future YJ system developed	12 & 28

Other Associated Projects

#	Project
OA1	Radios
OA2	Arunta Phone System
OA3	Shift Handover
OA4	Work program stemming from security review
OA5	Use of Force (including Training)
OA6	Dangerous Items Policies & Procedures
QA7	Misbehaviour & Consequences
OA8	Separation & Segregation (Risk Management)
OA9	s28 Transfers to CSNSW custody
OA10	Mandatory Training
OA11	Incident Report Writing Training
OA12	Unit Log Book - statewide template
OA13	CIMS 'one report' (incidents, UOF & other events)
OA14	Young Adult Satellite Program (YASP) Pilot
OA15	Positive Behaviour Intervention (Incentives) Pilot
OA16	Finalisation of MOU with NSW Police
OA17	Stakeholder engagement and comms strategy
OA18	Incentive Scheme Enhancements
OA19	Mandatory Disease Testing (MDT)
OA20	Detainee movements

MINISTER WARD - BUDGET ESTIMATES 2019-20 FURTHER HEARINGS
QUESTION ON NOTICE

Lee Shearer review

TRANSCRIPT PAGE 46

The Hon. ROSE JACKSON: Well I might just leave that there. I have got a number of specific questions about numbers and stuff, but I will just put them on notice. I have just a couple of questions about Youth Justice. In the Shearer recommendations there were a few that really were identified as quite urgent and needed to happen quickly. Two that I just wanted to ask about were the broad leadership culture and capability review—that was recommendation 58—that that be conducted urgently. I just wanted to inquire as to whether—

Mr COUTTS-TROTTER: Check in on that.

The Hon. ROSE JACKSON: —that had indeed commenced. One of the foundational findings of the Shearer review is that there was no one particular stressor that caused this incident, that it was in fact some broader procedural leadership failures. That urgent recommendation seems to speak to that core finding.

Mr COUTTS-TROTTER: Yes.

Ms CZECH: The work that is underway that relates to that recommendation is a review of the operating model. That encompasses everything from leadership, how we go about our business to some of the things I mentioned earlier about separation of high-risk youth and making sure appropriate supports are in place.

The Hon. ROSE JACKSON: Who is conducting that review?

Ms CZECH: That is something that is happening internally. It will be on the—we will table it at the end of today—the work program. It is on that.

ANSWER:

Please see attachment A, Youth Justice NSW Custodial Reforms Program of Works Current at 20 February 2020.

MINISTER WARD - BUDGET ESTIMATES 2019-20 FURTHER HEARINGS
QUESTION ON NOTICE

Workers compensations

TRANSCRIPT PAGE 46

The Hon. ROSE JACKSON: The other one that was identified as quite urgent was a review of policy and process for managing long-term workers compensation, particularly impediments to permanent positions being filled. I think there was some concern around the increased use of temporary or casual staff.

Ms CZECH: Correct.

The Hon. ROSE JACKSON: I wanted to ask about that recommendation.

Ms CZECH: We have made quite a bit of progress in that area. I think at last count—and we can get the accurate numbers on notice—there were 70 temporary or casual staff converted to ongoing positions, which is great. It was something that was well overdue. We have also asked each of the centres to avoid the employment on a first basis of temporary staff. We want people appointed on an ongoing basis. We know that that creates stability in the workforce and that we can manage any risks associated with attrition and whatnot better. About 70, the number is, but we can come back to you just in case I am off one or two. The other thing we have done is devolved recruitment out to centres. Prior to the Lee Shearer review it was conducted centrally. We have actually given that task back to the local managers of the centres. There are a couple of reasons for that: one, they know their centre and they know what the needs are and they can recruit the right people, but it is much more timely and less bureaucratic than someone centrally doing it as well.

ANSWER:

I am advised in September 2019 Youth Justice offered ongoing assignment to 53 long term temporary Youth Officers. Since September 2019 to date (17 March 2020), a further 26 ongoing assignments have been made.

A further 19 appointments are currently being processed.

MINISTER WARD - BUDGET ESTIMATES 2019-20 FURTHER HEARINGS
QUESTION ON NOTICE

Impact of extended remand on young people in youth justice centres

TRANSCRIPT PAGE 47

The Hon. ROSE JACKSON: One other that I wanted to ask about was recommendation 34, which related to the communication to the President of the Children's Court about the impact of extended remand on young people in youth justice centres. Has that communication occurred and what is the status of that conversation?

Ms CZECH: There is ongoing communication on that. There is actually a remand working group or a committee working through that. We are as concerned as everyone else about the number of children on remand. One of the opportunities under the DCJ coming together is the child protection components of the business working much more closely with Youth Justice NSW where we have got shared clients and brokering a solution for those children to avoid remand where we can, or minimising the amount of time on remand.

Mr COUTTS-TROTTER: Particularly very short episodes of remand—less than 24 hours.

The Hon. ROSE JACKSON: Is that working group going to come up with specific recommendations—

Mr COUTTS-TROTTER: Yes.

Ms CZECH: Correct, yes.

The Hon. ROSE JACKSON: Is that then to go to the Attorney General [AG], presumably, and Minister Ward?

Ms CZECH: Yes. They have met a few times. We can come back with the detail of when we might have some deliverables for the Committee, but we are involved, AGs, police and obviously the President of the Children's Court and—

Mr COUTTS-TROTTER: Legal Aid NSW, Aboriginal Legal Service and a range of others.

Ms CZECH: Yes. Some of the decisions, as you will appreciate, are outside of the purview of DCJ, but that is a work in progress. I am happy to provide more detail.

ANSWER:

I am advised a Short-Term Remand Project Steering Committee has been established to develop a whole of government response to the issue of reducing the volume of children and young people experiencing short-term remand.

Membership includes senior leaders from the Department of Communities and Justice, Legal Aid NSW, the NSW Police Force, the Department of Education as well as the President of the Children's Court of NSW.

The Committee has agreed on five priority work areas, each led by a discrete agency as follows:

- Legal Aid NSW - Priority Area 1: Work with Aboriginal people and communities to address the over-representation of Aboriginal children and young people experiencing short-term remand

- The Children’s Court of NSW & Police - Priority Area 2: Revise bail decision-making
- Youth Justice, DCJ - Priority Area 3: Establish more effective mechanisms to assist police and courts find suitable accommodation for children and young people who would otherwise be held on remand
- Education - Priority Area 4: Support children and young people who have been in or are at risk of contact with the justice system to engage in education
- Policy, Reform and Legislation, DCJ - Priority Area 5: Review of the Young Offenders Act 1997 to improve its effectiveness

MINISTER WARD - BUDGET ESTIMATES 2019-20 FURTHER HEARINGS
QUESTION ON NOTICE

Program of work for young people in justice system

TRANSCRIPT PAGE 47

The Hon. ROSE JACKSON: Yes, that would be useful. I do appreciate that, but I think it is one of those things of trying to turn those conversations into real action—

Ms CZECH: Absolutely.

The Hon. ROSE JACKSON: —and so if there is a plan on that, that would be useful. The Minister mentioned this in his comments and it does come up quite a bit in the recommendations around the importance of having a program of work, not necessarily in the employment sense but in terms of the activity sense—education and other things.

Mr COUTTS-TROTTER: Yes. Purposeful activity.

The Hon. ROSE JACKSON: That's right, for young people in Youth Justice. I see that there was a recommendation in relation to a program working group. Has that been established?

Ms CZECH: I will have to come back on notice as to whether there is a group established, but what I will say is there has been some work completed on what the strategy might look like really to keep young people occupied, whether it be through education—so formal education activities or vocational activities. We did trial some initiatives in the last school holidays and incorporated things like some cultural activities, because of the over-representation of Aboriginal children in the system, for example, and tried to really use every available minute, within reason, to keep kids occupied. We know when they are occupied they are less likely to do something they should not or misbehave.

The Hon. ROSE JACKSON: That is right—that was sort of the basis of the review. Certainly, culturally appropriate and specific Indigenous programs were mentioned. That is something that Youth Justice is working on, is that—

Ms CZECH: We are. There are some existing programs, but we certainly appreciate we need to do more. Again, we can provide that information on notice to the Committee.

The Hon. ROSE JACKSON: That would be useful.

ANSWER:

I am advised Youth Justice is currently reviewing a range of programs that are run in the centres, and will bring together relevant staff and other experts to ensure that the final mix of programs and interventions is evidence based and well targeted. This working group will be formed when the review has been completed and terms of reference developed.

This is being done alongside many other reform projects – as set out in attachment A, Youth Justice NSW Custodial Reforms Program of Works Current at 20 February 2020.

YJNSW Custodial Reforms Program of Works Current @ 20 February 2020

Shearer Review - Project Register 2020

#	Project	Related Lee Shearer Recommendations
LS1	Asset & Infrastructure improvements	13 - 16, 18 -20, 22-27
LS2	Operating Model (inc. HRMU, ESU & System Logic)	1, 2, 4-11, 32, 33
LS3	Classification System Review	3 & 31
LS4	Incident / Emergency Response (inc. IRTs)	43-47, 49, 51, 52, 54, 55
LS5	Security Review	17, 21, 63
LS6	Managing young people with sexual offences	48
LS7	CSNSW transporting NSI detainees	36
LS8	Review of Aboriginal Programs	33 & 41
LS9/10	Supervision Policy	35 & 38
LS11	Staff debriefing and wellbeing	42
LS12	Review and benchmark ITAP	53
LS13	Staff Uniforms	56
LS14	Review after hours medical support	57
LS15	Review of Leaderships, Culture and Capabilities	58 & 59
LS16	Youth Officer Appointments (inc. recruitment)	58
LS17	Finalise outstanding staffing reforms	61
LS18	WHS Systems digitised	37
LS19	Review of long term workers compensation	60
LS20	External forum established	39
LS21	Protected feedback process established	62
LS22	Business Case on future YJ system developed	12 & 28

Other Associated Projects

#	Project
OA1	Radios
OA2	Arunta Phone System
OA3	Shift Handover
OA4	Work program stemming from security review
OA5	Use of Force (including Training)
OA6	Dangerous Items Policies & Procedures
QA7	Misbehaviour & Consequences
OA8	Separation & Segregation (Risk Management)
OA9	s28 Transfers to CSNSW custody
OA10	Mandatory Training
OA11	Incident Report Writing Training
OA12	Unit Log Book - statewide template
OA13	CIMS 'one report' (incidents, UOF & other events)
OA14	Young Adult Satellite Program (YASP) Pilot
OA15	Positive Behaviour Intervention (Incentives) Pilot
OA16	Finalisation of MOU with NSW Police
OA17	Stakeholder engagement and comms strategy
OA18	Incentive Scheme Enhancements
OA19	Mandatory Disease Testing (MDT)
OA20	Detainee movements

MINISTER WARD - BUDGET ESTIMATES 2019-20 FURTHER HEARINGS
QUESTION ON NOTICE

Cultural programs in youth justice

TRANSCRIPT PAGE 48

The Hon. ROSE JACKSON: That would be useful. In fact, there was a group that came to Parliament and did a presentation for parliamentarians in relation to dance and music work that they were doing with a particular kind of cultural awareness focus. The feedback from that group—this was before the Shearer review—is that they were finding it difficult to secure access to youth justice centres, that that was—
Mr COUTTS-TROTTER: We are happy to—

Ms CZECH: Yes.

The Hon. ROSE JACKSON: —expensive for them, that—they were expressing that they thought that their work was very impactful and was meaningful to the young people but that they could not roll out their programs as much as they would like. That is just one example, but they did come to Parliament House and presented to MPs.

Ms CZECH: If you have got those contact details I am more than happy, as is the Executive Director of Youth Justice NSW, to talk to those people.

The Hon. ROSE JACKSON: That would be useful.

Ms CZECH: We can provide the additional information on notice about programs. It varies from one centre to the next because of the different demographic and where they are located.

The Hon. ROSE JACKSON: That would be useful. I will pass that particular one on.

ANSWER:

I am advised Youth Justice NSW (YJNSW) has a suite of offence-focused intervention programs delivered to young people in both custody and community. These programs include:

- Changing Habits and Reaching Targets (CHART)
- My Journey, My Life
- Dthina Yuwali (DY)
- X-Roads
- Act Now Together Stronger (ANTS)

The program a young person participates in is relevant to their specific risks, needs and responsivity. These programs can be delivered in both community and custody. Youth Justice caseworkers adapt program delivery to the environment and to factors specific to each young person.

YJNSW is also in the process of adapting the Corrective Services NSW Young Adult Satellite Program (YASP) for use in Youth Justice Centres. This program is specific to those young people in custody and includes adventure-based challenge initiative activities addressing trust, communication, open thinking, goal setting, and social

and personal responsibility. Youth Justice also has a range of outside support programs and partnerships that work with young people in custody, including:

- NSW Rugby League - In League in Harmony sport and wellbeing
- Australian Football league (AFL) - coaching clinics and health and wellbeing programs.
- Bell Shakespeare - drama workshops
- NSW PCYC (Police Citizens Youth Clubs) - boxing and self-development programs
- Anglicare – mentoring programs
- NSW Police RAPTOR Team – mentoring, fitness and sport program.

MINISTER WARD - BUDGET ESTIMATES 2019-20 FURTHER HEARINGS

QUESTION ON NOTICE

National Indigenous Australians Agency trial that it is running on Indigenous youth through care

TRANSCRIPT PAGE 48

The Hon. ROSE JACKSON: Finally, are you aware of the National Indigenous Australians Agency trial that it is running on Indigenous youth through care? It has been funded federally through the National Indigenous Australians Agency.

Mr COUTTS-TROTTER: I am not, but I would be—

Ms CZECH: No, I am not either.

Mr COUTTS-TROTTER:—very surprised if someone in the organisation was not.

The Hon. ROSE JACKSON: My understanding is that it is running a trial at three sites—Northern Territory, Queensland and Victoria, so not New South Wales—

Mr COUTTS-TROTTER: Right.

Ms CZECH: Okay.

The Hon. ROSE JACKSON:—of a sort of best-practice Indigenous youth through care model.

Mr COUTTS-TROTTER: Okay.

Ms CZECH: Okay, alright.

The Hon. ROSE JACKSON: References to those kinds of practices are included in the Shearer review recommendation, but if someone were able to provide some information on notice about what New South Wales is doing to engage with that, even though it is not in New South Wales—I actually do not know why it is not in New South Wales; I suspect there was not a suitable site—to ensure that those principles, which are hoped to be best practice, are adopted in New South Wales.

Ms CZECH: Yes, and if we have not made contact with those States or organisations already we will.

ANSWER:

I am advised Youth Justice NSW has strong working relationships with Aboriginal communities, organisations and representatives. Aboriginal Elders attend Youth Justice Centres regularly to provide one-on-one mentoring to young people and participate in Aboriginal programs and cultural engagement.

In partnership with the local advisory groups, all Youth Justice Centres have collaborated with respective organisations and communities to design and implement Aboriginal Learning Circles (ALCs). ALCs are cultural spaces utilised for Aboriginal cultural learning, program delivery, Aboriginal events and rehabilitation.

The National Indigenous Australians Agency trial appears to be primarily focused on adult prisoners, but Youth Justice will explore any potential opportunities of this program for the Youth Justice NSW client cohort.

MINISTER WARD - BUDGET ESTIMATES 2019-20 FURTHER HEARINGS
QUESTION ON NOTICE

Special leave for community sector staff

TRANSCRIPT PAGE 48

The Hon. PENNY SHARPE: It is coronavirus related. My question is whether there has been consideration given to providing 20 days' special leave for those in the community sector as part of the workforce planning issue. Obviously public servants have been given 20 days. Community sector organisations do not have that sort of money in their budget.

Mr COUTTS-TROTTER: I have not had a direct discussion about that with any organisations, individually or sector peaks, but I am happy to pick that up. We received correspondence through the Minister last night with some specific recommendations from the New South Wales Council of Social Service and Homelessness NSW Inc., so more than happy to do that.

ANSWER:

I am advised the NSW government is considering ways to assist service providers as COVID-19 develops.

This includes some flexibility with contractual requirements where necessary to allow for changes to service delivery as a result of COVID-19. Providers have been advised to maintain a regular dialogue with their Department of Communities and Justice contract manager regarding issues with service delivery. This includes where providers may have to change the mode of delivery, or where they are unable to maintain essential service delivery due to issues such as staff shortages.

This is a rapidly changing situation and we will continue to work closely with peaks and monitor and respond.

MINISTER WARD - BUDGET ESTIMATES 2019-20 FURTHER HEARINGS
QUESTION ON NOTICE

Coronavirus testing of individuals in youth justice

TRANSCRIPT PAGE 49

The Hon. ROSE JACKSON: Sorry, can I just ask before we close: Does Youth Justice NSW have coronavirus managements plans?

Mr COUTTS-TROTTER: Yes, it has got a very explicit coronavirus management plan.

The Hon. ROSE JACKSON: Has anyone in Youth Justice NSW—has testing occurred? Has anyone been—

Mr COUTTS-TROTTER: Yes.

The Hon. ROSE JACKSON: —any self-isolation?

Mr COUTTS-TROTTER: Sorry, testing of individuals? I would need to confirm that. I do not think so. As at this morning there was no-one in isolation. It is a joint plan together with ourselves, Justice Health, Health and Education.

The Hon. ROSE JACKSON: Great, okay. Apologies, Mr Shoebridge.

ANSWER:

I am advised in response to COVID-19 Youth Justice NSW has implemented a comprehensive Pandemic Plan across its operations. The plan is being regularly updated as the situation evolves.

The plan was designed and is being administered in conjunction with Justice Health. A Youth Justice Command Centre has been established which includes representatives from across Youth Justice, including the custodial support team, strategy and engagement, security and intelligence, training, policy and practice, court logistics classification and placements, Aboriginal strategic coordination unit, a community representative as well as the PSA. In addition, a youth justice liaison has been established on the Corrective Services Command Post, to ensure a constant flow of information between the two services.

The over-arching Youth Justice Pandemic Plan is supported by local action plans at each centre, community office and corporate office function. These are regularly being updated.

Prevention and containment measures include suspension of visits to detainees across NSW, with temperature reading equipment soon to be rolled out as an additional screening mechanism for anyone entering a Custodial Centre.

Youth Justice has also been working closely with NSW Police and the Children's Court to reduce the number of detainee transports required to take young people to and from court.

As at 6 April 2020, Youth Justice has no confirmed cases of COVID-19.