

PORTFOLIO COMMITTEE NO. 8 – QUESTIONS ON NOTICE

31 OCTOBER 2023

QoN1 – Transcript Page 3

The Hon. AILEEN MacDONALD: Minister, were you able to spend the whole allocation?
Mr JIHAD DIB: I think so. I can get back to you if it's within a couple of thousand or something, but I think it was the full amount.

ANSWER

This question was answered in the next sentence.

QoN2 – Transcript Page 5

The Hon. AILEEN MacDONALD: Minister, could you provide a list to the Committee of the projects that have been cut? Could you do that on notice?
Mr JIHAD DIB: I am happy to take that on notice.
The Hon. WES FANG: Or if you know now, Minister.
The Hon. AILEEN MacDONALD: No, no, it's okay.
Mr JIHAD DIB: I am happy to take that on notice. I am conscious that you will also have the public servants here later in the afternoon. They may give it to you, but I'm happy to take it on notice today.

ANSWER

I am advised:

The change in Budget allocation between 2022/23 and 2023/24 reflects completion of projects, savings in government advertising and the government's stated agenda to address the inherited fiscal deficit from the former government through measures such as reducing expenditure on consultants.

QoN3 – Transcript Page 8-9

The CHAIR: You were talking about the fact that you've got an open door and that you're happy to meet with different organisations. One organisation, or one key body, the Public Interest Advocacy Centre, I believe, has reached out to meet with you but hasn't been able to meet with you yet. Correct me if that's wrong. Are they a body that you are planning to meet with in the future very soon?

Mr JIHAD DIB: Sorry, the Public—

The CHAIR: The Public Interest Advocacy Centre. They do a lot of work with young people in the justice system.

Mr JIHAD DIB: I'm happy to talk to you offline with that because I've got a feeling that there was someone who I met with a while ago. But, of course, we'll try to do as much as we possibly can. But I'm not aware of any meeting request. I'm more than happy to follow it up and to fill you in on it as well. If I can just reface it with—sometimes it may not be straightaway. But I'm more than happy—and outside of this session just double-check with me. I'll follow that up for you and find out. If we haven't heard from them, we'll reach out and, if we have, we'll get to them again.

ANSWER

I have since met representatives of the Public Interest Advocacy Centre.

QoN4 – Transcript Page 9

The CHAIR: I wanted to ask specifically about one of the recommendations from that inquiry that called for a review of the Young Offenders Act, which you have joint responsibility for with the Attorney General. Is there any work happening on a review in that space?

Mr JIHAD DIB: Yes.

The CHAIR: Yes? Can you tell us more about that?

Mr JIHAD DIB: It's currently being considered by the Government. But it has been—that recommendation has been enacted on.

The CHAIR: You can't give us any more information on that at the moment?
Mr JIHAD DIB: Hopefully at the next one.

ANSWER

There was no undertaking to take the question on notice.

QoN5 – Transcript Page 10-11

Dr AMANDA COHN: Is there any data available about what proportion of fires this season have come from escaped burn-offs?

Mr JIHAD DIB: I don't have that data. I'm more than happy to take that on notice.

Dr AMANDA COHN: I understand there is community concern about escaped burn-offs. I'm interested to understand what's being done to reduce this and if that's included consideration of bringing forward the bushfire danger period.

Mr JIHAD DIB: We can take that on notice.

ANSWER

I am advised:

From 1 July to 31 October 2023, 7,958 bush and grass fires have been recorded across NSW. A total of 1,036 illegal and careless fires have been recorded, including illegal burn offs, escaped hazard reduction, escaped pile burn and escaped fires with a permit.

The *Rural Fires Act 1997* provides for a statutory Bush Fire Danger Period (BFDP) starting on 1 October and ending on 31 March the following year. During the BFDP, landowners and managers are required to obtain permits before lighting fires for land clearance or fire breaks.

Other initiatives include District Ignition Prevention Plans, which are developed by Bush Fire Management Committees and contain localised strategies to prevent deliberate, suspicious, careless and illegal fires. Fires deemed suspicious or careless are investigated by trained RFS Fire Investigators to determine their cause and origin. Where appropriate, the RFS may take action against a landowner or manager, which can include a formal warning, a penalty notice or referral to Police.

QoN6 – Transcript on Page 12

The Hon. WES FANG: Minister, how have you allowed your RFS trucks to not be able to even fill up on their cards? What would happen in an emergency?

Mr JIHAD DIB: I think, Mr Fang, what you are talking about here is a particular issue. This is the first time that I've seen it. I'm more than happy to look into it and come back to you.

ANSWER

This question was answered on page 48 of the transcript.

QoN7 – Transcript on Page 13-14

ROB ROGERS: Thank you. I haven't seen this either. I've never seen this before. So I'm happy to look into it. I will speculate to you though that this is a council card. Because councils have—the trucks are vested in council, so the councils normally will have those fuel accounts and issue the cards. I am happy to check it out, but that's why I wouldn't probably know about it, because it's a local government issue because the assets are vested in them.

ANSWER

This question was answered on page 48 of the transcript.

QoN8 – Transcript on Page 19

Ms SUE HIGGINSON: Good morning, Minister. I just wanted to ask you, firstly, about the recent move to abolish the—and this is clearly a cross-portfolio issue for you, but it's incredibly important in Youth Justice. You saw the suspect target management plans by police on young people. That has recently been abolished. The findings from the Law Enforcement Conduct Commission were

incredibly alarming. Perhaps not too many of us are working in that field and paying large attention to that field, but the LECC said that it constitutes "agency maladministration", "serious misconduct", and that the use of that program on young people was "unreasonable, unjust, oppressive or improperly discriminatory in its effect on children and young people" and has resulted in police acting unlawfully. In particular, it has had an incredibly oppressive impact on First Nations young people. Can I ask you, Minister, firstly, are you aware of the program? Are you aware that it has been abolished? Are you going to be advocating for some form of redress program for young people in New South Wales?

Mr JIHAD DIB: I am trying to remember most parts of the question. Obviously, I have seen some media reports about that, and I will have a closer look into it.

Mr JIHAD DIB: Ms Higginson, if I could just have a bit of a chance to have a look at that report and to understand it a little bit more and to also work with my colleagues across the different portfolios.

ANSWER

There was no undertaking to take a question on notice.

QoN9 – Transcript on Page 20

Ms SUE HIGGINSON: Could you please tell me how many people under the age of 18 are currently incarcerated in New South Wales right now?

Mr JIHAD DIB: Right now? I might ask—if I could just hand over to the secretary, if that's okay.

MICHAEL TIDBALL: From memory, 231.

Ms SUE HIGGINSON: We can clarify after the break, too. How many of those are First Nations people, children and young people?

Mr JIHAD DIB: Would you prefer that we take that on notice and come back to you in the afternoon or—

Ms SUE HIGGINSON: Or if Mr Tidball wants—

MICHAEL TIDBALL: I have all the figures here, and I am anticipating going through them—

Ms SUE HIGGINSON: I can come back this afternoon.

ANSWER

This question was answered on page 21 of the transcript.

QoN10 – Transcript on Page 22

Dr AMANDA COHN: The Mount Wilson and Conjola communities are certainly some of the communities that have reached out to myself, but I just wanted to clarify for my own understanding that, at this point, it's not actually reflected in protocols that that community engagement has to happen across the board moving forward.

ROB ROGERS: Can I take that on notice? I just need to check 100 per cent. I do believe there is that level of requirement, but I just want to confirm that, if I can.

ANSWER

This was answered on page 48 of the transcript.

QoN11 – Transcript on Page 23

Dr AMANDA COHN: What impact is the lack of maintenance of those fire trails expected to have on responses this summer?

ROB ROGERS: There are some critical fire trails that we've identified. We're authorising work to go forward on those. I don't have a list of all the critical ones and what the status of them are, but I can certainly provide an answer on notice as far as the critical trails and the work that's being done to rectify them.

Dr AMANDA COHN: Thank you. I think the communities we represent would be interest in having that answer on notice.

ANSWER

I am advised:

Progress continues to be made on the Fire Trail maintenance and upgrade program, despite the prolonged wet weather and flooding in recent years.

More than \$10 million was spent in 2022/23 to upgrade fire trails. Work was undertaken on trails in the Cessnock, Port Macquarie, Coffs Coast, Clarence Valley, Albury, Lake Macquarie, Blue Mountains, Hawkesbury, Cabonne, The Hills, Hawkesbury, Bellingen and Nambucca Local Government Areas.

In addition, the National Parks and Wildlife Service has reported that it invested more than \$45 million on fire trail upgrades and routine maintenance to its fire trail network in 2022/23, with more than 1500km of fire trails upgraded to the new standards. Another 730km is planned in 2023/24.

QoN12 – Transcript on Page 29

The Hon. SAM FARRAWAY: I have one more question; I have very limited time. Minister, it is so important for the communities, of Eugowra and Canowindra in particular, that an updated flood study is done. There are concerns on the ground that this is being delayed because the State Government has committed funding towards preparing and completing these flood studies but to date the funding hasn't been forthcoming from the New South Wales Government. Can you commit that the New South Wales Government will fund the updated flood studies for both Eugowra and Canowindra?

Mr JIHAD DIB: What I'll do with that answer—because obviously I was going to refer to the CEO, but we've just heard the bell ring. I'm happy for him to answer that in the afternoon for you, if you like?

The Hon. SAM FARRAWAY: But do you have an answer? Do you know, Minister?

Mr JIHAD DIB: I will defer that to the CEO.

ANSWER

I am advised:

Funding for Councils to complete flood studies is available under the Floodplain Management Program, which falls within the portfolio of the Minister for the Environment.

Cabonne Shire Council has applied for grant funding under the 2023-24 program. Applications for the 2023-2024 program are currently under consideration.

QoN13 – Transcript on Page 30-31

The CHAIR: I just want to move over to Emergency Services. You recently announced that disaster assistance will be made available to the Bega Valley shire local government area following the severe bushfires there. Some of the eligible groups for this assistance include primary producers. In the case of animal agriculture producers, is the assistance available, are you aware, for veterinary treatment as part of that?

Mr JIHAD DIB: Can I take that one on notice and just get back to you? I know that the support that's provided is one for—I don't know if it's about veterinary. I'm not sure if the CEO has anything? I could take that one on notice. Some of the support measures—I think that was the natural disaster declaration. It is also in partnership with the Commonwealth. I'm happy to take that one on notice if you're fine with that and get back to you on that, if that's okay?

The CHAIR: Yes, that would be really useful.

Mr JIHAD DIB: We will try for this afternoon. If we can't get it to you this afternoon, we'll put it down as one on notice.

ANSWER

This question should be directed to the Minister for Regional NSW.

QoN14 – Transcript on Page 32

Dr AMANDA COHN: While I appreciate that these events took place before your Government came to be in power, I have some questions about the engagement of the consulting firm Critical Management Group Pty Ltd by Fire and Rescue between 2017 and 2021. How much in total did Fire and Rescue NSW pay to CMG to assist in creating their 2018 to 2021 corporate plan?

Mr JIHAD DIB: As you prefaced, this is an issue that's arisen well before my time as the Minister, and also before we came into government. We've also had changes in terms of leadership with Fire and Rescue NSW as well. I will take this opportunity to congratulate the new commissioner, Jeremy Fewtrell, on his appointment. I can take that question on notice if you like, in terms of the specific funding.

ANSWER

This was previously answered in Budget Estimates on 2 September 2022 at QoN 14. The engagement was overseen by the former Commissioner as detailed at page 38 of the transcript.

QoN15 – Transcript on Page 32

Dr AMANDA COHN: I understand that a 2021 ICAC investigation had sufficient evidence to say that there was a decision made by Fire and Rescue NSW to engage CMG, somewhere between May and June 2017. Can that contract be made publicly available?

Mr JIHAD DIB: The contract that you're referring to is—yes, it was referred to ICAC. We're talking 2017, so quite some time ago. ICAC has also asked Fire and Rescue to investigate as well— independently investigate. What I might do is, to give you a more fulsome answer, if I could that on notice, and that way I can provide you with the steps that were taken and what's happening there?

Dr AMANDA COHN: Thank you. Whether or not there was a contract, do you know who authorised the payment to CMG?

Mr JIHAD DIB: I don't and said that I don't.

Dr AMANDA COHN: You don't know or you're taking it on notice?

Mr JIHAD DIB: I could take it on notice. I don't know. You're asking me a question from six years before I became a Minister.

ANSWER

Please refer to the answer to QoN14.

QoN16 – Transcript on Page 33

Dr AMANDA COHN: I appreciate this part may need to be taken on notice, but are you aware of any new or upgraded Neighbourhood Safer Places in the Hawkesbury local government area?

ROB ROGERS: No, I might have to take that on notice if I can, please.

ANSWER

I am advised:

The Bell Rural Fire Brigade station has been renovated to provide a Neighbourhood Safer Place. Clearing works are being undertaken at Bilpin Hall, Horrie Eley Hall and Colo Heights Rural Fire Brigade station to enable these locations to be used as Neighbourhood Safer Places.

QoN17 – Transcript on Page 33-34

Dr AMANDA COHN: I appreciate the answer that's been provided in the context of our formal agencies and formal volunteers. Does that support also extend to, for example, the VRA or to spontaneous or informal volunteers in disaster situations?

Mr JIHAD DIB: The formality in terms of what?

Dr AMANDA COHN: In terms of the PTSD support.

Mr JIHAD DIB: I can find out if there's a formal arrangement, but I do know that the VRA and all the other volunteers do an incredible amount of work, but the support will be there. We're also doing a number of things at the moment, particularly in how we support spontaneous volunteering. It's really important for us, as I said in one of the points earlier, that if anybody—especially those who are volunteering and giving up their time for community, their mental health and wellbeing is paramount. We'll make sure that we continue looking after them as best we can.

Dr AMANDA COHN: I'd appreciate the answer on notice to that part of the question about the volunteers outside of our formal agencies.

Mr JIHAD DIB: So volunteers outside of formal?

Dr AMANDA COHN: Outside of the RFS and SES.

Mr JIHAD DIB: Sure. Okay.

ANSWER

I am advised:

The NSW Government is supporting non-government emergency service organisations with record operational funding of \$165 million over four years, including for the provision of mental health assistance to members and volunteers through peer support, chaplaincy, and other wellbeing and support programs.

The NSW Government is also supporting the delivery of services to non-government emergency services workers through partnerships with Government agencies. For example, the NSW Rural Fire Service supports the provision of Critical Incident Support Services (CISS) via 1800 049 933, to both Marine Rescue NSW and VRA Rescue NSW. This service is available 24/7 and can support members of these services who may be experiencing traumatic or stressful reactions following their operational duties. NSW RFS area-based psychologists are available to support VRA Rescue NSW members under an agreement between these agencies.

QoN18 – Transcript on Page 34

The Hon. AILEEN MacDONALD: In November last year the Parliament passed legislation which gave the Registrar General greater enforcement powers. Will they be used to keep the reforms on track?

Mr JIHAD DIB: The reforms are incredibly important and they're required, but what comes with that is also an ability to enforce what it is. So, yes, the Registrar General will have those. It's important too. We won't be walking back from that.

The Hon. AILEEN MacDONALD: So you've got some deadlines—

Mr JIHAD DIB: And enforcement, so that will take place. Also, the other one that I think we should be proud of as a State is that we're leading it across the nation. We're hosting. I could be wrong, but this may be the

first time all Ministers and Territory leaders are coming together. It's a really important point. It's a really good reform about interoperability. Also, ultimately too, this will lower the cost of conveyancing, which is so important. It comes down to what's good for the community.

The Hon. AILEEN MacDONALD: So cost of living?

Mr JIHAD DIB: Yes.

The Hon. AILEEN MacDONALD: You will put those dates, on notice?

Mr JIHAD DIB: I think they're public.

EMMA HOGAN: We can take it on notice.

ANSWER

I am advised:

Interoperability in the eConveyancing market is a national reform, with the next phase of reform involving staged delivery of interoperability functionality to market over three releases. The design, build and testing of the technology is ongoing. The first release is expected to be ready for market in NSW and QLD in July 2025 and full interoperability by December 2025.

The Australian Registrars' National Electronic Conveyancing Council is currently considering stakeholder feedback on draft regulatory instruments which include these dates.

QoN19 – Transcript on Page 39

The Hon. WES FANG: No, I'm not. If I wanted one, that would be the one, but I don't. That's not how I operate. Minister, as per the recommendations, has the Government established a dedicated intelligence unit?

Mr JIHAD DIB: A dedicated intelligence unit?

The Hon. WES FANG: As per the recommendations of the flood inquiry.

Mr JIHAD DIB: Can I take that one on notice?

The Hon. WES FANG: Sure.

Mr JIHAD DIB: Thank you.

ANSWER

Please refer to the answer to Supplementary Question 34

QoN20 – Transcript on Page 39

The Hon. WES FANG: Has the Government established a planning unit to better help prepare the community?

Mr JIHAD DIB: I might refer that one to the SES, if that's okay.

The Hon. WES FANG: We can cover that off this afternoon.

ANSWER

Refer to answer to the answer to Supplementary Question 34.

QoN21 – Transcript on Page 41

The CHAIR: That's overall instances of segregation? Because what I'm looking at specifically is segregation lasting more than 24 hours, and the fact that in 2021-22 there was a rise in those really long segregation periods. Is that something you've been briefed on?

Mr JIHAD DIB: Is it okay if I refer to the secretary for the detail on that?

The CHAIR: Yes.

MICHAEL TIDBALL: Thank you, Minister. Certainly segregation and restrictive practices are both monitored, as they should be, at granular level. Clearly the oversight of those practices is also critical. Can I suggest, Chair, that through the afternoon we measure these things. They are actively discouraged, as I say. If I can work through, with support, the data this afternoon and talk about what we're seeking to do to further reduce those practices, that might be useful to the Committee.

ANSWER

I am advised:

The number of segregations over 24 hours in 2022-23 was 113. The 2022/23 financial year has the lowest number of segregations over 24 hours in six years. Youth Justice initiatives to reduce the rate of segregations over 24 hours have included:

- Working closely with oversight bodies such as the Inspector of Custodial Services (ICS), Ombudsman and Advocate for Children and Young People, to review and improve on operational practices.
- Monitoring and reporting on the use of segregation across the system to identify areas of strength and improvement. This information is forwarded to the Ombudsman for review.
- Implementing a new Behaviour Assistance Pathway to replace Detainee Risk Management Plans and utilise a strength based approach to manage high risk behaviours.
- Aboriginal Practice Officers leading cultural initiatives across custodial operations.

QoN22 – Transcript on Page 42

The CHAIR: The PIAC has also suggested that any plan that involves segregation at a mandatory minimum requires six hours of time out of cell per day, including one hour of physical activity and time outdoors. This seems very reasonable and a very basic request. Is that something that you're willing to consider or look into for New South Wales?

Mr JIHAD DIB: Can I take that on notice? Because part of that is also wanting to know exactly what it is that we're doing. I don't want to say we'll take it on notice if we're already doing it. That's one that might be for me to get back to you on, maybe even this afternoon if we have it.

ANSWER

I am advised:

If segregation exceeds 12 hours and is likely to exceed 24 hours, a Behaviour Assistance Pathway will be developed and will include details of the young person's individual daily routine and the

minimum amount of time out of room each day. For these types of segregations, Youth Justice implements a minimum standard of 6 hours out of room time per day wherever possible.

QoN23 – Transcript on Page 44

Dr AMANDA COHN: I know some work has gone on in the Hazards Near Me app recently. Has that addressed the cross-border operability issues?

Mr JIHAD DIB: Can I take that one on notice? I do know we've done some cross-border work not in the app but with the Queensland Government. But I'll take that on notice in terms of what we've done with cross-border issues with Victorians specifically the Hazards Near Me app.

ANSWER

This was answered by Commissioner Rogers on page 44 of the transcript.

QoN24 – Transcript on Page 47

Dr AMANDA COHN: I wrote to your office on 14 August asking that you use this type of communication channel for preparation for heatwave emergencies, particularly noting that many people don't have air conditioning at home or means to stay cool. Have you used those communication methods for heatwaves?

Mr JIHAD DIB: It's on our Get Ready website that I've talked about, the information for the heatwaves. We'll continue pushing different information that we can. It's on the website.

Dr AMANDA COHN: Have you used any channel other than the Get Ready website?

Mr JIHAD DIB: Can I get back to you on that one?

Dr AMANDA COHN: Please do.

ANSWER

I am advised:

The Brand, Digital and Communications (BDC) team in the Department of Customer Service supported customer communication on heatwaves across various channels. This included the Service NSW consumer eNewsletter which is sent to 5.1 million NSW customers, focused on the latest government services, news and consultations. The eNewsletter featuring heatwave messaging was distributed on 1 November 2023. A Summer Preparedness stakeholder kit was also distributed on 20 October 2023 to 3000 stakeholders, including councils.

QoN25 – Transcript on Page 51

The Hon. SAM FARRAWAY: So Transport hasn't completed an estimated cost, engineering options or anything yet?

SIMON DRAPER: Not as far as I'm aware. I can try to get some more information during the session, if you like, but I'm not aware that they have got a solution yet.

ANSWER

I am advised:

The Reconstruction Authority is aware of issues regarding two rail bridges in Molong.

The Reconstruction Authority has raised these issues on behalf of Cabonne Council with Transport for NSW and will continue to work with Transport for NSW to determine the impacts and develop potential mitigating actions.

QoN26 – Transcript on Page 53

The Hon. SAM FARRAWAY: Would you be able to take on notice, Mr Draper, breaking down the applications by LGA for the Committee?

SIMON DRAPER: We may not have to take it on notice. We may be able to get that for you during the course of the session.

ANSWER

I am advised:

As of 27 Oct 2023, the breakdown of program registrations and indicatively prioritised properties is as follows, noting a further 355 properties remain under assessment to confirm their eligibility for the Raising and Retrofit streams:

LGA	Program Registrations	Buy Back indicatively prioritised	R & R Indicatively prioritised
Ballina	880	13	18
Byron	978	34	46
Clarence	471	9	87
Kyogle	228	31	3
Lismore	2672	635	57
Richmond Valley	1234	62	40
Tweed Shire	1340	188	59
Totals	7803	972	310

QoN27 – Transcript on Page 53

The Hon. SAM FARRAWAY: We would probably want it from the 7,000 down, so in terms of where across those LGAs those 7,000 applications come from. But then if we can drill down, obviously, into the 1,100 and then the 400, I think that would be important, but by LGA across the Northern Rivers.

SIMON DRAPER: I can certainly tell you that in terms of the buybacks that have been prioritised to date, the vast majority of those are in the Lismore City Council LGA. I will use a round figure so as not to get it wrong, but I would say about 750 of the buyback offers are in the Lismore City Council. I'll just look to Mr Hendicott and check that.

The Hon. SAM FARRAWAY: I've asked for a bit of detailed information, so I'm happy for you to take it on notice if you need to.

SIMON DRAPER: I will try to get it now, but if I can't get it you to in the course of the session we will come back to you.

ANSWER

Please see answer to QoN 26.

QoN28 – Transcript on Page 54

The CHAIR: Mr Tidball, you mentioned the new financial year statistics for 2023. Are they available? Can we get a copy? Is it possible to table that one?

MICHAEL TIDBALL: Absolutely, yes, of course. They are collected by us. As I say, they are referred to the Ombudsman, but we have those and we can certainly provide those on notice. But the headline figure for 2022-23 as I said, was 113.

The CHAIR: What is that as a reduction compared with the previous year?

MICHAEL TIDBALL: It was 119, from memory, in 2021-22 and 113 in 2022-23.

The CHAIR: That, specifically, is segregation lasting more than 24 hours?

MICHAEL TIDBALL: For 24 hours plus, yes.

SIMONE CZECH: If I may, could I just add to the secretary's response on those numbers? As Mr Tidball described, we have had a significant reduction over the last six years. So 113 this year; 2021-22, 145; 2020-21, 119; 2019-20, 134; 2018-19, 152; and 2017-18, 142. We can provide those on notice, if that is helpful.

ANSWER

I am advised:

The incidence of segregations over 24 hours decreased by 22 per cent in 2022/23, compared to 2021/22. Between 2017/18 and 2022/23, the incidence of segregations over 24 hours decreased by 20 percent.

QoN29 – Transcript on Page 56-57

Dr AMANDA COHN: Fantastic. That's really good to hear. Do you have the numbers for how many registered spontaneous volunteers you've got?

CARLENE YORK: I will try to get that. I don't have them right here, but I will try to get them before the end of the day.

Dr AMANDA COHN: Thank you. I would appreciate that on notice.

ANSWER

I am advised:

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QoN30 – Transcript on Page 61-62

MICHAEL TIDBALL: Firstly, can I acknowledge the challenge. Just to deal with the headline statistics, as of 29 October there are 212 young people in custody. Sorry, I apologise, 212; 161 of those are on remand; and 64 per cent, that being 103, of those people are Aboriginal young people. So there is a very real challenge. The point to be made about the work of Youth Justice is we receive what is referred to us through the justice system and it is very much the case that the majority of young people coming into care are on remand. The practice in respect of bail refused, I have the figures in front of me now. That is a particular challenge for us. In terms of the operation of the youth justice system and the six youth detention centres across the State, a further challenge is that because bail is such a driver of those remand numbers, that very often they enter into custody for a very short period of time, which in terms of constructive intervention, care for young people, doing the work that we would want to do, that there are restrictions. But it is a function of, quite frankly, policing practice, what is determined by the courts and the various practices in relation to police bail and bail refused by courts. If I can offer, I have a trove of statistics I am happy to provide—those are review statistics—to the Committee on notice if that will assist.

The CHAIR: Yes, absolutely, thank you. Did you have something further?

SIMONE CZECH: Yes, if I could just to add to the secretary's response, we are seeing an almost 20-year low in the number of youth crime charges across the State, which is a good thing. However, we are seeing particular categories of offence increase quite significantly and I don't think anyone on this Committee will be surprised when I say motor vehicle theft has increased significantly, particularly in our regional areas and that is in the vicinity of 179 per cent increase, about a 50 per cent increase in metropolitan areas. So that is contributing to some of the numbers and certainly Aboriginal young people are overrepresented in those numbers. We have a range of predominantly place-based programs that, in particular, provide support to Aboriginal young people who are in contact with the youth justice system—they are in places like Moree, Dubbo, Tamworth—working with local Aboriginal community-controlled organisations, community-led programs, really to offer supports to those young people to try and prevent them actually coming back once they are exiting detention. We also have our flagship Youth on Track program. About 330 young people last year participated in that program and that is certainly successful for Aboriginal young people who participate in that program. And there is a raft of other programs that we could elaborate on or provide on notice if that is helpful for the Committee as well.

The CHAIR: That would be great, thank you.

ANSWER

I am advised:

1,783 is the number of separate admissions of Aboriginal or Torres Strait Islander individuals remanded in custody, not the number of Aboriginal or Torres Strait Islander individuals admitted to custody. Additional statistics are available at www.nsw.gov.au/legal-and-justice/youth-justice/about/statistics.

The Department of Communities and Justice (DCJ) is working closely with the Aboriginal Legal Service to coordinate a multi-agency program of work under Closing the Gap Target 11 with the intent of permanently addressing the issue of overrepresentation. The program of work spans the youth justice system across four key action areas:

- Programs that prevent and respond early to youth offending are embedded in the service system.
- Young people are diverted from court and positive pathways are created with communities.
- Young people are diverted from detention and their needs are supported.
- Young people exiting custody are supported and given opportunities to thrive to reduce reoffending.

Youth Justice continues to work with Aboriginal Community Controlled Organisations (ACCOs) with a goal of increasing investment in Aboriginal-led, community run programs. A shift towards place-based tendering and procurement procedures is underway to align with priorities of Aboriginal-led, designed and delivered services. The short-term remand initiative in Wagga Wagga has adopted a place-based model, where local Aboriginal Elders and community members partner to develop services based on the community's priorities for their young people.

Youth Justice is taking action to embed Aboriginal-led decision making and voices in all aspects of its service, with the Youth Justice Aboriginal Strategic Advisory Committee (ASAC) comprised of Youth Justice Aboriginal staff being one of the key initiatives.

QoN31 – Transcript on Page 63

The CHAIR: What has the uptake or response to the program been so far?

CANDICE NEILSON: Of the Try a Trade specifically?

The CHAIR: Yes.

CANDICE NEILSON: I don't have those figures at hand, but we can provide some detail on notice.

ANSWER

This question was responded to on page 73 of the transcript.

QoN32 – Transcript on Page 65-66

The Hon. AILEEN MacDONALD: Who proposed the removal of occupational physicians conducting health checks to the award negotiations?

JEREMY FEWTRELL: I wasn't in the discussions, the negotiations, at that stage. It's my understanding that it was a proposal from the union, and it became a point of negotiation.

The Hon. AILEEN MacDONALD: Why do you think the health checks are important?

JEREMY FEWTRELL: Well, it is generally a bit of a problem in society, getting males to go to doctors. Apart from anything else, it's important that we do what we can to encourage people to have regular health checks and engagement with their doctors. There is, obviously, also then an occupational element related to that as well.

The Hon. AILEEN MacDONALD: Do you think that firefighters are at elevated risk of a health episode because of the stress of their work, especially now?

JEREMY FEWTRELL: There's a range of factors unique to firefighting. Obviously, the conditions that four firefighters work in are quite taxing, with the high temperatures and the loads that we carry with the equipment. So there are some unique factors to firefighting that do have some impacts on health.

The Hon. AILEEN MacDONALD: You said you weren't involved in, but do you know whether a risk assessment was done?

JEREMY FEWTRELL: No, I will take that on notice. But there was certainly extensive consideration given to the decisions around and the new format of the health checks.

The Hon. AILEEN MacDONALD: Would that be in writing? Would you be able to provide a copy to the Committee?

JEREMY FEWTRELL: As I said, I will take it on notice. It depends on what documentation we've got.

ANSWER

I am advised:

Any risks associated with the changes proposed by the Fire Brigades Employees Union, together with the recommendations provided by the Industrial Relations Commission, were identified, and considered by FRNSW before the Awards were made.

QoN33 – Transcript on Page 66

Ms SUE HIGGINSON: I suspect that's the kind of switching on of some of the newer youth conferencing procedures. But what about for longer periods? Do we have any visibility on recidivism of young people from a five- or 10-year program, accepting that those better programs weren't available?

MICHAEL TIDBALL: Ms Higginson, can I take that on notice and talk with BOCSAR?

ANSWER

I am advised:

The historical 12-month reoffending rates for young people are as follows:

Five years

1. Of young people released from sentenced custody in the 12 months ending March 2018, 58.4 per cent did not receive a subsequent custodial sentence for a new offence within 12 months of release.
2. Of young people who received a penalty of community supervision in the 12 months ending March 2018, 43.0 per cent did not have a new proven court appearance or Youth Justice Conference in the following 12 months.
3. Of young people who had a finalised Youth Justice Conference in the 12 months ending March 2018, 60.6 per cent did not have a new proven court appearance or Youth Justice Conference in the following 12 months.

Ten years

1. Of young people released from sentenced custody in the 12 months ending March 2013, 66.5 per cent did not receive a subsequent custodial sentence for a new offence within 12 months of release.
2. Of young people who received a penalty of community supervision in the 12 months ending March 2013, 45.3 per cent did not have a new proven court appearance or Youth Justice Conference in the following 12 months.
3. Of young people who had a finalised Youth Justice Conference in the 12 months ending March 2013, 60.1 per cent did not have a new proven court appearance or Youth Justice Conference in the following 12 months.

Source: BOCSAR Reoffending Database 2023

QoN34 – Transcript on Page 66

The Hon. AILEEN MacDONALD: Are you aware of whether a risk assessment was completed by your agency in advance of the negotiations?

JEREMY FEWTRELL: No, I am not.

The Hon. AILEEN MacDONALD: You are not aware?

JEREMY FEWTRELL: I will take that on notice.

ANSWER

Please refer to the answer to QoN32.

QoN35 – Transcript on Page 72

Ms SUE HIGGINSON: Are you aware how many children received custodial sentences that were subject to the STMPs? Is that something you can take on notice?

SIMONE CZECH: We'd have to take that on notice.

MICHAEL TIDBALL: I think we'll need to take that on notice.

ANSWER

This question should be referred to the Minister for Police and Counter-terrorism.

QoN36 – Transcript on Page 73

Ms SUE HIGGINSON: Mr Draper, what is our understanding at the moment of how many tenants are facing end of tenancy through the buybacks, particularly in the regions?

SIMON DRAPER: I don't know if my one of my colleagues might have that exact number, but we do have a concern about tenants living in homes that are being bought back.

ANSWER

I am advised:

As at 30 October 2023, the NSW Reconstruction Authority (RA) was aware of 50 properties (out of 407 acceptances) that were the subject of an existing tenancy or other informal occupancy arrangement when homeowners accepted a buyback. The RA has implemented a policy that stipulates that sale contracts for buyback properties which are subject to a lease or other tenancy arrangement will include a minimum six-month settlement period. The six months will apply to tenanted/occupied properties even where the current lease or occupancy agreement requires less notice.

QoN37 – Transcript on Page 73

The CHAIR: Earlier I was asking questions about the "Try a Trade" program. I had another question for you to take on notice. I asked a question about the uptake or response to the program so far. But could I also ask you to take on notice how many women or girls have also taken up the program so far?

MICHAEL TIDBALL: Happy to so do, Chair.

CANDICE NEILSON: Sorry, just to jump in, I've got the figure for Try a Trade now. It's 160 young people to date. The program for the young women is rolling out tomorrow at Reiby, so we'll be able to provide the numbers after the fact.

ANSWER

I am advised:

The Try-a-Trade program at Reiby Youth Justice Centre was postponed to December 2023. When the program goes ahead it will include female participants.

QoN38 – Transcript on Page 74

The CHAIR: I know that online retail and training platforms have led to a proliferation of the sale of dogs and cats from unregulated and dodgy breeders. Sites like Gumtree have been identified as key enablers for that. At the same time, all companion animals must be registered in New South Wales. I appreciate that the department's not responsible for Gumtree or Facebook Marketplace, but the only point for government to have any control in this space is with digital registration. Is that something that's going to be built into the Pet Registry, or is that something there have been requests for the department to work on?

LAURA CHRISTIE: I will have to take on notice any discussions that we've been having with those providers—Facebook or Gumtree, for example.

ANSWER

I am advised:

The Department of Customer Service is the delivery partner for the Office of Local Government (OLG) for the new NSW Pet Registry.

Since July 2019, the NSW Department of Primary Industries has required cats and dogs be identified in online market places through a BIN (breeder identification number), microchip number or rehoming organisation ID.

The new NSW Pet Registry will deliver a seamless digital process that is intended to help improve compliance with breeder and owner obligations under the *Companion Animals Act 1998*.

Implementation of the new NSW Pet Registry by OLG will include an education program for pet owners, including information about how to use the pet registry services to minimise the risk of buying from a puppy farm or unregulated breeder.

QoN39 – Transcript on Page 75

The Hon. AILEEN MacDONALD: Good. That's comforting. I wondered, does the department, if the police were having an operation, say recently with operation regional Mongoose, do they let you know that something like that is happening so that you are prepared in terms of how you can do early intervention?

MICHAEL TIDBALL: I might, if I may, refer that question to Ms Czech and Ms Neilson.

SIMONE CZECH: Across the State we have very collaborative relationships with a whole range of partners, including New South Wales police. It really depends on the circumstances and whether us having that level of detail may impact on any investigation or operation that they have underway. Specifically about operation Mongoose, I might have to refer to Ms Neilson about that because I just can't recall if we knew about that one.

CANDICE NEILSON: Sorry, I'm going to also have to take that on notice. I don't know if we knew about that ahead of time.

ANSWER

I am advised:

Youth Justice works closely with NSW Police on early intervention, prevention, and diversionary initiatives and actions. Youth Justice and NSW Police also regularly discuss emerging trends and issues to ensure service delivery is proactive and early intervention opportunities are realised. Youth Justice was not advised, nor does it require prior advice of law enforcement activities, including Operation Regional Mongoose.

QoN40 – Transcript on Page 76

The Hon. AILEEN MacDONALD: And does that include access to ID? Because often times they wouldn't have birth certificates, so preparing them for getting back into education or work or those kinds of things and even opening a bank account.

CANDICE NEILSON: Yes. I can touch on that if you like. One of the programs that we fund statewide is our casework support program, which is a program designed to help make young people make that transition from a period of supervision back into the community. As part of that program, at the start the young person will sit down with their caseworker and they'll identify a whole range of goals. They're those what I'd call bread-and-butter goals, the foundation goals. They're things like, does this young person have a birth certificate? Does this person have ID? Are they connected with Centrelink? Are we getting them back into employment or education? Do they have somewhere to live? All those really foundational pieces. The other thing I would say is, several years ago we started an initiative with Births, Deaths and Marriages to provide free birth certificates for young people in contact with Youth Justice because so many of them—or some of them—have never had access to their birth certificate or they've lost them over the course of their life. We have some data that I can provide on notice about the number of people that we've connected with birth certificates.

ANSWER

I am advised:

Between 1 January and 31 October 2023, Youth Justice has assisted 298 young people to access their birth certificate.

QoN41 – Transcript on Page 77

The Hon. AILEEN MacDONALD: Just turning now to the bail assistance line. It may have changed its name. Do you know how often that is used or the police are able to access that, or is that not in your area?

CANDICE NEILSON: That is in our area. It has renamed itself to the Bail Accommodation and Support Service, yes, you are correct. There is probably data in this pack somewhere that speaks to utilisation rates, but I can certainly provide detail of that on notice.

ANSWER

This question was answered on page 87 of the transcript.

QoN42 – Transcript on Page 80

The Hon. WES FANG: I want to get to the pod villages. How many people are living in the pod villages? How many are children, do you know?

SIMON DRAPER: I don't have that figure with me. Do you have that number?

KIERON HENDICOTT: I will just look it up, if you can bear with me.

SIMON DRAPER: Mr Hendicott might look that up for you.

The Hon. WES FANG: How many people are being housed out of their own home town or region? Before my time runs out, can you also provide if there are issues of violence or of concern that are occurring in these pod villages? Is this only for flood victims, or do you see this as an opportunity to be rolled out for other people that are at risk of being able to access housing? What's your plan to actually transition people out of pod villages and what support are you providing them?

SIMON DRAPER: I take it that you don't want us to try to answer those now?

The Hon. WES FANG: If I've got any more time left, I'll come back to it. I just wanted to get those on the record. If we're not able to get back to it, I'm sure you'll take it on notice.

ANSWER

I am advised:

1. Approximately 1,000 people live in the pod villages at any one time.
2. Approximately 350 children live in the pod villages.
3. Of the 507 households currently living in the villages, 388 households live in a village that is located within the LGA they lived in prior to the floods.
4. The safety of residents and staff is a key priority for the NSW Reconstruction Authority (RA) and Community Housing Providers. The majority of residents do the right thing, and any incidents are dealt with appropriately. The RA is updating breach and eviction processes and connecting residents with appropriate supports outside of the village when needed.
5. Across the 11 temporary housing sites, leases have been established for 2-3 years. The sites have been established under emergency management provisions in the State Environmental Planning Policy (Housing) 2021, which determines that the sites are to be temporary in nature and for no longer than five years. It is a requirement of the leasing agreements that the sites be returned to the previous condition and in consultation with the landowner.
6. Community Housing Providers and Recovery Support Services ensure that housing is a compulsory component of case management plans for residents in their second year of living in the villages.

QoN43 – Transcript on Page 80

Ms SUE HIGGINSON: I have one more question, Mr Tidball. I think it might be something to take on notice. It relates to the previous question taken on notice. Could you please get me the figure of how many of the 212 young people currently in custody were subject to any suspect target management plan?

MICHAEL TIDBALL: I'll attempt to provide that.

Ms SUE HIGGINSON: Thank you.

MICHAEL TIDBALL: Can I just say up-front, I don't know that we'll be able to capture that, but we'll do what we can.

ANSWER

This question should be referred to the Minister for Police and Counter-terrorism.

QoN44 – Transcript on Page 80

The Hon. WES FANG: Are you? I'm not getting answers, though. It must be frustrating you as well. I will just come back to the pod village questions. We were talking about the number of people living in the pod villages. Are we able to get some answers there?

SIMON DRAPER: There are about 1,000 residents living in the temporary pod villages at the moment.

The Hon. WES FANG: Do you know how many are housed in or out of their own home region or villages?

SIMON DRAPER: I don't have that to hand. We probably can get that. We might have to take that on notice.

ANSWER

Please refer to the answer to QoN 42.

QoN45 – Transcript on Page 81

The Hon. WES FANG: Yes, I appreciate that. Do you know the number of children out of that thousand?

SIMON DRAPER: I didn't get the number since you asked the question a moment ago, I'm sorry. We can provide that on notice.

ANSWER

Please refer to the answer to QoN 42.

QoN46 – Transcript on Page 83

The Hon. WES FANG: Do you have a date of when the Commonwealth made their recommendations as to who they wanted to fill the positions on the board?

SIMON DRAPER: I don't have that with me, but I'm sure we could find out for you.

The Hon. WES FANG: You'll take that on notice?

SIMON DRAPER: Sure.

ANSWER

I am advised:

Recommendations were received on 8 August 2023.

QoN47 – Transcript on Page 84

The Hon. WES FANG: The Commonwealth put their people forward months ago, you said.

SIMON DRAPER: I said I'd check the date for you. I took it on notice.

The Hon. WES FANG: So it wasn't months ago. Did they—

SIMON DRAPER: No, you asked me what date they were proposed. I said I would take it on notice. That's my answer.

ANSWER

Please refer to the answer to QoN 46.

QoN48 – Transcript on Page 86-87

The Hon. WES FANG: My colleague has some quick questions. If you could take on notice how many homes have been lost in 2023 so far to bushfire, I'd appreciate that.

SIMON DRAPER: Happy to do that.

ANSWER

I am advised:

Rural Fire Service Damage Assessment Teams assessed 1459 properties between 1 July and 15 November 2023 and confirmed 20 houses had been destroyed and another 18 damaged.