

GENERAL PURPOSE STANDING COMMITTEE No. 3

Friday 17 October 2008

Examination of proposed expenditure for the portfolio areas

JUVENILE JUSTICE, VOLUNTEERING, YOUTH

The Committee met at 4.15 p.m.

MEMBERS

The Hon. A. R. Fazio (Chair)

The Hon. J. G. Ajaka
The Hon. C. E. Cusack
The Hon. G. J. Donnelly

Ms L. Rhiannon
The Hon. R. A. Smith
The Hon. M. S Veitch

PRESENT

The Hon. G. J. West, *Minister for Juvenile Justice, Minister for Volunteering, and Minister for Youth*

Department of Juvenile Justice

Mr P. Muir, *Director General*

Ms V. Ruisis, *Deputy Director General (Operations)*

Mr K. Hogan, *Acting Deputy Director General (Management Services)*

Department of Premier and Cabinet

Mr T. Wiseheart, *Project Director, Volunteering Unit, Office of Strategic Operations*

Commission for Children and Young People

Ms G. Calvert, *Commissioner*

Department of Community Services

Ms J. Mason, *Director General*

Ms S. Stewart, *Executive Director, Communities Division*

CHAIR: I declare this hearing of the inquiry into the budget estimates 2008-09 open to the public. I welcome Minister West and accompanying officials to this hearing. Today the Committee will examine the proposed expenditure for the portfolios of Juvenile Justice, Volunteering and Youth. We have two substitutions we need to notify: the Hon. Catherine Cusack for the Hon. Trevor Khan and the Hon. Mick Veitch for the Hon. Helen Westwood.

Before we commence I will make some comments about procedural matters. In accordance with Legislative Council guidelines for the broadcast of proceedings, only Committee members and witnesses may be filmed or recorded. People in the public gallery should not be the primary focus of any filming or photos. In reporting the proceedings of this Committee you must take responsibility for what you publish or what interpretation is placed on anything that is said before the Committee. The guidelines for the broadcast of proceedings are available on the table by the door. Any messages from attendees in the public gallery should be delivered through the Chamber and support staff or the Committee clerks. Minister, I remind you and the officers accompanying you that you are free to pass notes and refer directly to your advisers whilst at the table. Everyone is reminded to turn off their mobile phones.

The Committee has agreed to the following format for the hearing: we will have 1¼ hours on Juvenile Justice first and then we will have half an hour on Youth and Volunteering. The House has resolved that answers to questions on notice must be provided within 21 days, and the Committee has not resolved to change that. The transcripts of the hearing will be available on the web from tomorrow morning. All witnesses from departments, statutory bodies or corporations will be sworn prior to giving evidence. Minister, I remind you that you do not need to be sworn as you already swore an oath when you took your office as a member of Parliament.

KEVIN HOGAN, Acting Deputy Director General (Management Services), Department of Juvenile Justice,

PETER JAMES MUIR, Director General, Department of Juvenile Justice, and

VALDA JUDITH RUSIS, Deputy Director General (Operations), Department of Juvenile Justice, sworn and examined:

CHAIR: I declare the proposed expenditure for the portfolios of Juvenile Justice, Volunteering and Youth open for examination. As there is no provision for a Minister to make an opening statement before the Committee commences questioning we will commence with questions from the Opposition. The Committee will allocate a time of 25 minutes to the Opposition, the crossbench and then the Government.

The Hon. CATHERINE CUSACK: Juniperina Detention Centre has been operating for about three years now. The cost of construction was originally meant to be \$12.4 million but it blew out to more than \$30 million. Have there been any problems on the physical side or the layout of the infrastructure at that facility?

Mr GRAHAM WEST: I might allow our Deputy Director General of Operations to answer that question.

Ms RUSIS: Yes, it was opened in August 2005. It has 46 beds but currently we have open 36 beds. I am not aware of any reasons why the budget has gone up. Operationally there are no difficulties with it; it actually works very well. It works a bit differently to the boys centres because the units are smaller—there are 12 beds rather than 15 beds—and with the three units open there it gives the staff and the girls an opportunity to have pathways through so they can go through units depending on their level of privileges. I am not aware of any budget blow-out.

The Hon. CATHERINE CUSACK: That was in relation to the construction cost. Are there any physical problems at the centre now?

Mr MUIR: The only area that I have been aware of since we have opened has been the sail in the common area was too large and that caused some of the pillars to sag and that has been replaced. When we designed the centre we looked at whether we were going to have toughened security glass or Lexan. Because of the problems with scratching of Lexan, we chose in the design phase to go with toughened security glass around

some of the doors. That has not proved successful but we have simply replaced the security glass with Lexan. But I am aware of no other design or major structural difficulties.

The Hon. CATHERINE CUSACK: Are there problems with the sewerage system at all?

Mr MUIR: I am not aware of any.

The Hon. CATHERINE CUSACK: I understand the school has four classrooms but only three of them are open at the moment?

Mr MUIR: We will take that on notice. Neither Ms Ruis nor I are aware of that. The last time I was there every classroom was open. I walked around the school area. The school area is broken up into two areas, one for the young women who come in and immediately are on assessment and they do not mix with the other school area. But I went through the school, I met the school staff and nothing was raised with me on my last visit.

The Hon. CATHERINE CUSACK: So no problems with the sewerage system?

Ms RUSIS: Not that I am aware of.

Mr MUIR: We will take that on notice to be doubly sure and we will give you an answer on that.

The Hon. CATHERINE CUSACK: Is Juniperina still accommodating boys as well as girls?

Mr MUIR: No.

The Hon. CATHERINE CUSACK: When did that cease?

Ms RUSIS: For a short period earlier this year the girls numbers were very low and the boys numbers were higher. What we did—and to the best of my knowledge it was not for more than four weekends—we brought the boys to sleep over for the weekend only because there was a high demand for beds at Cobham. The boys were hand-picked; there was an astute assessment criteria. They were bussed over and were kept totally separate and they would then return on the Monday morning. It was for the weekends. It was a short-term accommodation strategy.

The Hon. CATHERINE CUSACK: When did that finish?

Ms RUSIS: I will take on notice the actual dates, but it was early this year. I would be speculating it was probably around March, April, but I will get back to you with the actual dates.

The Hon. CATHERINE CUSACK: In terms of the number of beds that are operating in the system at the moment can you just run by centre the number of beds?

Mr MUIR: Acmena has 30 beds, Broken Hill has 8, Cobham has 74, we are in the process of bringing Emu Plains on line with 50, Frank Baxter has 120, Juniperina has 46, Keelong has 23 but is in the process of upgrade to 30, Orana has 30, Reiby has 60, Riverina has 33 and is in the process of being upgraded to 45.

The Hon. CATHERINE CUSACK: What is the total number of funded beds in the system at the moment?

Mr MUIR: Every bed in the system is funded; we have funding for the total capacity of the system. We can provide the total number.

The Hon. CATHERINE CUSACK: Can you give me that number, because some of them are beds coming on line?

Mr MUIR: The additional beds are also funded.

The Hon. CATHERINE CUSACK: When will Emu Plains Correctional Centre open?

Mr MUIR: We have commenced taking young people into Emu Plains in stage one. At this stage it is very low key because we want to test the facility and the routines. We are still finishing construction. We are keeping numbers low until we finish construction, but we started taking detainees last week.

The Hon. CATHERINE CUSACK: How many are there at the moment?

Mr MUIR: Six.

The Hon. CATHERINE CUSACK: How many staff are there?

Ms RUSIS: It is not open 24/7 at the moment. We are opening only for the afternoon and evening shift because we want to test the routines and procedures to ensure that it works and to see whether anything needs to be changed. We have four on each shift.

The Hon. CATHERINE CUSACK: Is anyone sleeping at the facility?

Ms RUSIS: They come from Cobham Juvenile Justice Centre of an afternoon and an evening and they go back in the morning. They are not there for the bulk of the day. They go in after dinner.

The Hon. CATHERINE CUSACK: They are coming from Cobham and sleeping over.

Ms RUSIS: Yes, and they go back in the morning.

The Hon. CATHERINE CUSACK: It is like an overflow facility for Cobham.

Ms RUSIS: The difference between Emu Plains and our centres is that it was a Department of Corrective Services facility and it has shared toilets and bathrooms. We wanted to test the routines because our centres do not have that. We have them there for the evening and during the day they go back to Cobham. On 23 October we will be operating for 24 hours, but again with only six.

The Hon. CATHERINE CUSACK: I refer to overcrowding in the system. Is it true that detainees have been sleeping in the gym at the Baxter Juvenile Justice Centre?

Mr MUIR: No, that is not true.

The Hon. CATHERINE CUSACK: What is happening with the overflow from Baxter?

Mr MUIR: There was a media report stating that detainees were sleeping on the floor in the gymnasium. We contacted the media outlet before the report was published to indicate that that was incorrect. We are accommodating a very small number of young people in the visits area. That is additionally staffed; we have not staffed that from within the complement of Baxter. We have supplied additional resources for that. To put that in context, particularly with regard to Baxter, many of these young people are in for only very short periods. In fact, of the young people who enter the system bail refused, about 65 per cent leave within 24 hours. Many of these cases involve young people who are staying for very short periods—very often literally only overnight.

The Hon. CATHERINE CUSACK: How many can be accommodated in the visits area?

Mr MUIR: Up to eight. If it exceeds that, we notify the police that we cannot take any more admissions that night.

The Hon. CATHERINE CUSACK: Have detainees been sleeping over in police cells?

Mr MUIR: We have had some. However, we have an arrangement with the New South Wales Police Force. We have set up a number for police officers to contact at the local centre. If we cannot admit a detainee to one of our centres, we will fund additional police resources until we can take them the next day.

The Hon. CATHERINE CUSACK: How often has that occurred?

Mr MUIR: I cannot provide the exact number, but I can take the question notice.

The Hon. CATHERINE CUSACK: How much do you pay per night?

Ms RUSIS: We should take that question on notice because there is no set cost. It depends on how long they have had them and if there is transport. If we take the question on notice we can provide an itemised list. All of the bills are slightly different depending on the circumstances—whether it is a regional area—

The Hon. CATHERINE CUSACK: Is that a written agreement?

Mr MUIR: Yes.

The Hon. CATHERINE CUSACK: Can we have a copy of that?

Mr MUIR: Yes.

Ms RUSIS: If one centre is full, we advise the police and tell them if a neighbouring centre has capacity.

Mr MUIR: The aim of that is to ensure that operational police are not being taken off the roads. We have negotiated with senior police to ensure that community safety is not compromised.

The Hon. CATHERINE CUSACK: And hopefully that detainees are not spending nights in police cells.

Mr MUIR: I am aware of it exceeding overnight on only one occasion. We will provide that detail.

The Hon. CATHERINE CUSACK: What is happening in the overflow from Acmena Juvenile Justice Centre?

Ms RUSIS: We have an agreement with the union and all centre managers. We risk assess with regard to the capacity of the centre. We vary it depending on the mix of the kids and the stability. Often it is easy to put an additional bed into a room. If for whatever the centre says it has an unstable group or some association issues, we will then adjust it. We are guided by what the centre manager and the regional director advise us.

The Hon. CATHERINE CUSACK: What is the capacity in each centre once you have expanded? For example, what is the extra capacity at Acmena?

Mr MUIR: We have gone to great pains not to set numbers because it will vary.

The Hon. CATHERINE CUSACK: What about the agreement with the union?

Mr MUIR: It is a risk-based agreement. To be honest, there might be some nights when the mix of young people in a centre would render it unsafe at 31. However, there might be another time when we could go to 35 or 36 if the mix of detainees was right. Our emphasis is looking at the safety issues rather than having an absolute number. There are some nights when we will close off at lower numbers if the centre manager advises that the stability of the centre would be compromised.

The Hon. CATHERINE CUSACK: So, you are making a final decision on the advice? That is how the process is?

Ms RUSIS: Through the centre manager and the regional director.

The Hon. CATHERINE CUSACK: Do they advise you when they consider themselves to be full?

Ms RUSIS: Yes.

The Hon. CATHERINE CUSACK: So that is a proactive thing, that they cannot take any more admissions?

Ms RUSIS: That is right.

The Hon. CATHERINE CUSACK: What system is that? Do you keep a record?

Ms RUSIS: Daily. Yes, daily I receive from our transport placement and drug intelligence unit capacity numbers from all the centres. They tell me what it is and when a decision has been made. For instance, as Mr Muir says, to close it if the centre has less numbers even, but it is an unsettled environment. We have it that the centre is closed and we advise the police, should they try to bring in another young person there. It varies. It is within certain limits but it varies.

The Hon. CATHERINE CUSACK: Do you produce a report every month?

Ms RUSIS: They are sent to me daily. Every afternoon at 4 o'clock I receive it daily. Sometimes beds have to go offline. For instance, last week at Keelong there was a plumbing problem so two beds had to go offline until the plumbing was fixed. Our capacity is always changing every day on lots of variables, but within a range.

The Hon. CATHERINE CUSACK: It sounds very stressful?

Ms RUSIS: I guess it has to be flexible. We are a downstream agency. We have to respond to demands but also we have to respond to our environment, to what we can safely do. We will not compromise our staff or the young person's safety.

The Hon. CATHERINE CUSACK: What has this done to the budget for the transport branch?

Ms RUSIS: Two things have happened. Audiovisual links, as you would be aware, have increased. So, they should have given us some transport things but even though that has happened and we thought it would reduce our transport movements, it has not reduced because we do move young people through the system depending on where the beds are. There are a lot of movements.

Mr MUIR: In the past financial year, for example, our audiovisual appearances increased by 320 per cent on the year before. So, we have had a substantial uptake in the past financial year in the use of audiovisual.

The Hon. CATHERINE CUSACK: The problem is the country courts. Do they all have them now?

Ms RUSIS: The majority do, and use of them is varied. For instance, places like Bourke use it very frequently, but you cannot use them for all matters.

The Hon. CATHERINE CUSACK: No, but that must have been a big saving? What about in Broken Hill?

Ms RUSIS: We are trying to get our young people out to Broken Hill, to stay in the centre there, not only so they can access visits from their families but they can also attend court in person. The take-up has been patchy across the courts. Mr Muir has spoken to the Chief Magistrate about that. Some courts have embraced it more than others.

The Hon. CATHERINE CUSACK: Is it that they do not have the facility or they are not using the facility?

Ms RUSIS: They do not always use the facility.

The Hon. CATHERINE CUSACK: Also in relation to Broken Hill, do you have a new centre at Broken Hill?

Ms RUSIS: It is the new one that has been refurbished and it now has eight beds in it.

The Hon. CATHERINE CUSACK: I cannot imagine it with eight beds.

Mr MUIR: We have double bunks in some. I think the figure we spent on Broken Hill in the past year is \$773, 000, in the past financial year, to upgrade Broken Hill. We only use it for short periods and, apart from the court appearances, young people are wanting to go out there because they get to see their family far more

frequently than they would if they were in Dubbo or Wagga Wagga, where they would otherwise be. So, it has been quite a positive move for those young people. A lot of work has been done. Ms Rusis and I were out there a couple of months ago and it is certainly a much better facility.

The Hon. CATHERINE CUSACK: Apparently it is very positive for them to be held there. I just cannot imagine, it is like in a residential street.

Ms RUSIS: We are also developing the outside area for the detainees too. They go for a week at a time and then go back to, normally, Orana or Riverina.

The Hon. CATHERINE CUSACK: Will the Committee be able to have one of your were daily reports on the capacity of the system, I suppose, for today, being Friday?

Ms RUSIS: Yes.

The Hon. CATHERINE CUSACK: In relation to Kariong, can we get some statistics on the movement of young people?

Mr MUIR: I can give it to you right now. Last financial year 76 young people were transferred from the department to Kariong under section 28, and 13 were returned under section 10.

The Hon. CATHERINE CUSACK: I am a bit rusty on section 28. Does that mean they are over the age of 18?

Mr MUIR: Section 28 is the facility that covers both a transfer to Kariong and a transfer to the adult correctional system. So they are different sections. One section allows us to transfer 16 to 18-year-olds only to Kariong, and that is the provision we use.

The Hon. CATHERINE CUSACK: Can I get the breakdown of over 18, under 18 being transferred to Kariong?

Ms RUSIS: Yes.

The Hon. CATHERINE CUSACK: Do you have that?

Mr MUIR: I do not have it here with me today.

The Hon. CATHERINE CUSACK: Do you have the funding for the detention centres?

Mr MUIR: Yes.

The Hon. CATHERINE CUSACK: Can you give us those figures for the centres? If we could have the actual figure for 2007-08 and the budgeted figure for 2008-09?

Mr MUIR: For Cobham/Emu Plains, the 2007-08 figure was \$12.779 million; \$24.144 million for this financial year. That is including Emu Plains. Juniperina, \$7.264 million for last financial year; this financial year \$8.691 million. Frank Baxter, last financial year \$21.042 million; this financial year at \$20.348 million. Reiby, \$11.677 million and \$11.275 million. Keelong, \$5.683 million and \$5.666 million. Orana, \$5.873 million and \$5.658 million. Riverina, \$6.635 million and \$7.529 million. Broken Hill, \$299,000 and \$459,000. Acmena, \$5.819 million and \$5.688 million. The total figures, \$77.061 million and \$89 458 million.

The Hon. CATHERINE CUSACK: Do you have a central component as well?

Mr MUIR: Sorry, a central office?

The Hon. CATHERINE CUSACK: Yes.

Mr MUIR: Mr Hogan might know the total amount for the central office.

Mr HOGAN: I do not have a break-up for the central office. I will have to take it on notice.

The Hon. CATHERINE CUSACK: In efficiency savings, I assume you have to make the 1.5 per cent and you also have the 2.5 per cent salary cap, is that correct?

Ms RUSIS: We have to find the extra 1.5 per cent for the wages claim.

The Hon. CATHERINE CUSACK: How much is that in dollar terms?

Mr MUIR: We are budgeting for the 2.5 per cent on approximately \$1.8 million to \$1.9 million, and the efficiency dividend for this financial year is \$1.318 million.

The Hon. CATHERINE CUSACK: What measures are you looking at to achieve those savings?

Mr MUIR: For the current financial year we have reduced our motor vehicle fleet. We are looking at continuing our energy efficiency programs and trying to reduce the consumption of energy in our centres.

The Hon. CATHERINE CUSACK: Sorry, do you have the figures for that?

Mr MUIR: We will provide the figures on notice. I do not have the exact figures. We have provided the figure to Treasury, so we have them. There is our increased use of audiovisual links. We have reviewed and revised our air charter for transport movements. For example, Ms Rusis not going to Broken Hill so many times saves us a fair bit of money. We have rationalised staff on our Ellipse, which is our corporate information system.

We have looked at information communication technology savings and contracting Fox. That is our savings plan for the current financial year. We have not finalised or presented to Treasury yet our plan for the 2.5 per cent. We are well advanced but I am not in a position because we have to present those parameters to the Department of Premier and Cabinet before we can go ahead and have discussions on the 2.5 per cent. We are confident of meeting them in that we are mindful of preserving front-line services. We have to date been very successful at preserving the integrity of our front-line services.

The Hon. CATHERINE CUSACK: Over the top of that you have to cut 20 per cent of senior executive service staff [SES]. How many SES staff does the department have?

Mr MUIR: We have eight, and we have two currently substantively vacant, but my understanding is that those savings are across government and we are yet to have any communication from the Department of Premier and Cabinet on that issue as yet.

The Hon. CATHERINE CUSACK: They told me the same thing in the Education estimates the other day. I was at the Premier's estimates and he said he was asking each Minister to make 20 per cent cuts. It will be interesting to see the fallout of that. How many officers were placed under investigation in the last financial year?

Mr MUIR: In the last financial year there were 71 finalised disciplinary investigations involving 141 employees.

The Hon. CATHERINE CUSACK: What were the outcomes of those?

Mr MUIR: One resulted in annulment, one caution, 10 dismissal, 11 fines, three reductions in salary, 11 reprimands, two dispensations with services for casuals, three resignations, 36 proving false, one proved misconceived, 18 not sustained, insufficient evidence, three sustained with no further action, one vexatious, seven remedial with counselling, 29 remedial with a formal warning, two remedial with training and development and two remedial for warning for casuals and temporaries.

The Hon. CATHERINE CUSACK: What was the range of incidents that were investigated?

Mr MUIR: Sitting in the director general's chair only since March, it is a range. There is reportable and non-reportable; some involving allegation of excess use of force, some involving alleged corrupt conduct of varying natures but most—I hesitate to use the term "minor" but of a lesser value—some regarding staff interpersonal relationships, and we probably could categorise them if that is something you want.

The Hon. CATHERINE CUSACK: We are more interested in the serious ones. What were the most serious ones?

Mr MUIR: The ones I have dealt with, the most serious ones I have dealt with have been assaults on detainees where they have resulted in dismissal of the staff. And one where there was a fairly serious allegation of harassment against a staff member towards a female manager.

The Hon. CATHERINE CUSACK: Have any involved sexual assault?

Mr MUIR: I will take that on notice. I have no recollection of any sexual assaults and I have either been in the director general's chair or sat on the professional conduct committee. I have no recollection of any sexual assaults between staff members.

Ms RUSIS: No.

CHAIR: That draws to a conclusion the time available for the Opposition. We will now go to the crossbench.

Ms LEE RHIANNON: Minister, can you provide for us the increase in the number of juveniles in detention on remand since the changes to the New South Wales Bail Act came into force in 2007?

Mr GRAHAM WEST: Remand admissions have increased by about 40 per cent from 3,623 in 2005-06, which is before the section 22, to 5,081 in 2007-08, which is post-section 22.

Ms LEE RHIANNON: Can you also provide an estimate in this increase in cost compared to the previous year of detaining young people on remand before this came in?

Mr GRAHAM WEST: Can I take that on notice? I do not have the 2005-06 budget figures.

Ms LEE RHIANNON: Yes. I just want to see how the trend is going. Minister, are you aware of several cases where young people have been detained on remand because they have not been able to meet conditions of bail which require the Department of Community Services or the Department of Juvenile Justice to provide care and housing in the community? What steps will you take to ensure that young people are not held in detention simply because the Department of Community Services cannot provide appropriate community-based care and housing?

Mr GRAHAM WEST: Identifying housing contact with other community members is a significant issue in bail matters. The department does not have any statutory responsibilities in the area of bail but given that it is an important part of increasing the number of in-house centres, we are working with courts to provide information to courts regarding bail applications, and trying to connect detainees with families or extended family members so that they actually have community links. We are talking with the Department of Housing on a centre-by-centre basis about arrangements that can be done to allow young people into housing. There are a number of strategies around that but there is about \$1.8 million to support young people released on bail around the State. That is mainly in the area of accommodation.

Ms LEE RHIANNON: You said that it is not really your responsibility?

Mr GRAHAM WEST: Statutory responsibility.

Ms LEE RHIANNON: Our worry is that it sounds like some of the cases could fall through the cracks. They have not broken any rules but through circumstances, these conditions have to be met but these conditions are beyond their control and they are often in custody.

Mr GRAHAM WEST: The overwhelming majority of the department officers at the centres that I have spoken to have deep compassion for the kids and they care about their rehabilitation—and also the community officers. A lot of them are spending extra time on top of these allocations to try to manage some of those issues and connect people up with services and with family members. If we can find a competent family member who is not part of the situation and connect the young person up with them, the courts will often look very favourably on that when they go for their bail application.

Ms LEE RHIANNON: I acknowledge that many people working in this area work incredibly hard and have great compassion. I had hoped that you would be able to take on notice to provide figures of how many young people have been detained on remand because of this problem where the Department of Community Services or Juvenile Justice have not been able to meet the conditions that have been met?

Mr GRAHAM WEST: I will take that on notice.

Ms LEE RHIANNON: Or do you have those figures?

Mr MUIR: I have some figures. If I could add: the way our data is currently structured, we would have to manually go through records. We are in the process of restructuring. I can tell you that in the last financial year, 928 young people stayed in custody unable to meet conditions of bail and they stayed on average 10 days unable to meet those conditions.

Ms LEE RHIANNON: But you are not sure why they stayed in custody?

Mr MUIR: It is a wide variety of reasons. Sometimes it is not just accommodation; sometimes it is drug and alcohol rehabilitation beds. To be honest, one of the ones I heard recently out at Cobham was one young person had been granted conditional bail and his parents refused to take him home, stating that he eats too much. There are a wide variety of reasons. Sometimes parents have just had enough and sometimes the episode in custody is the breaking point. There are a wide variety of reasons so to find that the answer on DOCS we would have to actually trawl manually through records. I have talked to Ms Mason, the Director General of DOCS, about having a data match between our two agencies and whilst that has been a long time coming, I acknowledge that with Ms Mason having been in this department, we will be able to reach agreement to get some firmer data. To answer your question specifically, it would take us a lot of work to trawl through the data.

Ms LEE RHIANNON: I appreciate that there is a limit to how much you can do. However, given that the Act is in force and that if the Coalition came into power we cannot see them repealing the Act, it has to be managed. We obviously think it would be a wise thing to do. It would seem as though it would be just a matter of putting another column in your database about why the conditions have to be breached. It does not sound extremely complicated to be able to collect the data.

Mr MUIR: Madam Chair, you may remember that a number of estimates ago we went through a process with the Auditor-General about the structure of our data. We are in the middle of a four-year program to rebuild that. Whilst we have a field in a database that asks people to report on whether the young person has a history with DOCS, it is not a mandatory field, and we are not confident of the data. So we could give you what data is there, but I could not tell you that that data is 100 per cent accurate. I can tell you what data staff put in, but I am not convinced that that data is accurate.

The Hon. GRAHAM WEST: We will take that on notice. Given that we will have to manually go through each one, could we have an extension beyond the 21 days?

Ms LEE RHIANNON: Yes, I am happy with that.

Ms RUSIS: If I could add to that. We now provide a bail intake for weekend courts and during the week for the young people we have in custody. We have trained staff who assist with bail. Also, on a daily basis in my position I receive a list of young people who are in custody on conditional bail, which is sent out to all the officers as a priority to see if there is anything we can do. But often the bail conditions are very confusing and there are quite a lot of them at times, and we cannot meet them.

Ms LEE RHIANNON: Can you elaborate on that? You are finding them confusing? When you say you cannot meet them, what do you mean?

Ms RUSIS: We alone cannot. It may be that the young person needs to have a surety sign for them. We will contact their family, or we will contact a variety of people. Sometimes the parents will simply refuse to come. If it is an issue that they cannot physically get there, we will offer them assistance to come to the centre. So we try in lots of ways. Sometimes the parents say, "No, we are not interested. He needs to be taught a lesson." There may be a variety of reasons. There is not one simple answer. We have a court intake team at Parramatta Court who work to assist young people in custody, and we have the weekend bail assistance also.

The Hon. GRAHAM WEST: We can tell you that in 2006-07 the average length of stay was 11.9 days, and it increased to 13.2 days in 2007-08. But the median stay was one day.

Ms LEE RHIANNON: Ms Ruis, you mentioned that the conditions were confusing. Were you referring to the New South Wales Bail Act?

Ms RUSIS: No, not to the Bail Act. Sometimes the conditions ask for joint supervision from different agencies, so we have to make sure we abide by all the conditions.

Ms LEE RHIANNON: Was it like that previously to 2007?

Mr MUIR: In my experience, yes.

Ms LEE RHIANNON: Do you feel that that is something that needs to be tightened up? Something that is confusing would clearly increase your workload, and in your line of work the workload goes through the roof.

Ms RUSIS: As Mr Muir said, we work closely with DOCS. If the conditions come with a DOCS condition and also a Juvenile Justice condition, we have lots of partnerships in local areas so that we can work together. As you would appreciate, a lot of the young people we have are known to DOCS already. It is a matter of coordinating the services to achieve bail.

Ms LEE RHIANNON: I imagine you have all read the transcripts from the background briefing of 7 September 2008. I want to refer to one of the cases there in terms of continuing to look at this issue of young people who end up being caught up in custody for the wrong reasons. I refer to the case of a young girl who was arrested for breaching a bail condition which required her to be home by 9.00 p.m. She was arrested as she was making her way home when the train pulled in at five minutes past nine. She spent at least a month in custody, even though when convicted she did not receive a custodial sentence for the shoplifting charge. She also gave up her schooling after these events. Minister, what are your thoughts on cases such as this? Surely you would believe that that is not a successful outcome of the Bail Act?

The Hon. GRAHAM WEST: Certainly that case is not a successful outcome of the Bail Act.

Ms LEE RHIANNON: Particularly given the state of public transport in New South Wales, it seems quite extraordinary.

The Hon. GRAHAM WEST: 82 per cent of the people on remand do not receive a control order within 12 months. So the majority of kids on remand actually are not getting those control orders. We are looking at a number of initiatives going forward to work with families of the young offenders, but also to set up better resources for connecting with the police so that alternative strategies may be put in place in some of these situations. It is something that we are very cognisant of and we are working on some initiatives around it. I know that the director general has had meetings with the Commissioner of Police very recently on these subjects, and we will keep working on them.

Ms LEE RHIANNON: Minister, this might be a question for the Minister for Police. There is a whole administrative process in monitoring young people on bail. What is the cost of that, or is that something we need to ask the Minister for Police? I am interested in the cost of police hours and the administrative processes in monitoring young people on bail and arresting them for similar minor breaches of bail.

The Hon. GRAHAM WEST: If I understand your question correctly, you are asking what is the cost of a minor bail condition breach, is that correct?

Ms LEE RHIANNON: Yes.

The Hon. GRAHAM WEST: We do not have that information.

Ms LEE RHIANNON: How many juveniles have been transferred to an adult prison since the amendments to the Children (Detention Centres) Act earlier this year, and what reasons were given for these transfers?

The Hon. GRAHAM WEST: We have had five. I will ask the director general to elaborate on some of them.

Mr MUIR: There have been five who were already in adult custody and under the new provisions did not return from adult custody. None have gone from our system into the adult system since the amendments.

Ms LEE RHIANNON: Five young people were already in our prisons?

Ms RUSIS: That is right. And they had a control order, which was a couple of days, in most cases longer than their adult order. So, instead of returning to the juvenile system for a matter of days, they remained in the adult system.

Ms LEE RHIANNON: With regard to juveniles being transferred to adult prisons, is that occurring to ease overcrowding in juvenile centres?

The Hon. GRAHAM WEST: It is part of the conditions of the Act, to do with the management of the detainee, if they would be better served by being in a Department of Corrective Services facility, either because of their management issues or their age. They may have been sentenced, as was said, to a very short period of time in juvenile custody but have a longer period to serve in adult custody.

Ms LEE RHIANNON: Minister, I am not sure what the current figures are, but I remember in previous years while the figures for young people in custody were coming down, the number of young people of Aboriginal or Torres Strait Islander background in detention was increasing. Can you outline what Juvenile Justice is doing to reduce the overrepresentation of Aboriginal young people in detention?

Mr GRAHAM WEST: Of our detainees in custody control audits at the moment 56 per cent are of Aboriginal descent.

Ms LEE RHIANNON: That is a big increase, is it not?

Mr GRAHAM WEST: It was 40-odd per cent.

Ms LEE RHIANNON: I return to questions about the Bail Act. Has that figure increased since the new Bail Act came in in 2007?

Mr MUIR: No. I have the figures on the split-up of Aboriginal young people. The largest group of young people are those who are sentenced to control—that is where the growth is. I can provide the actual figures on notice, and I will do that. There has not been a substantial growth in Aboriginal young people on remand. The larger growth has actually been in sentenced Aboriginal young people.

The Hon. CATHERINE CUSACK: So the admissions have not changed?

Mr MUIR: There are more Aboriginal young people coming through but they are being sentenced. We can tell you the proportion of those in custody that are on remand and those who are sentenced. The proportion of Aboriginal young people on remand has stayed relatively stable.

Ms LEE RHIANNON: I do not know whether to say that is good news or not when you have got a figure like 56 per cent, which I am sure gives everybody pain. Minister, back to the question, what is your department doing to reduce this extraordinary overrepresentation of Aboriginal young people in detention?

Mr GRAHAM WEST: Before I comment on that part of it, I have asked the department to start putting these figures on the website. So the number of Aboriginal detainees should be on the website and a number of other—

Ms RUSIS: They are.

Ms LEE RHIANNON: Good.

Mr GRAHAM WEST: There are a couple of programs that we have commenced. Dthina Yuwali is a targeted drug and alcohol program focusing on Aboriginal young offenders. The program uses culturally appropriate programs to try and improve the likelihood of breaking the cycle of re-offending. The Journey to Respect program, is a group session for Aboriginal young males that aims to reduce the incidents of family intergenerational violence in both custodial and community settings. The Intensive Supervision program is being piloted—a \$5.5 million pilot over three years—in the Hunter and Western Sydney areas, has a family-focused approach and has proven to be successful in working with young offenders from all backgrounds. Of the families currently participating in the program, 11 of the 18 families are Aboriginal. The program also includes an Aboriginal team adviser and facilitates the engagement of Aboriginal families in the program.

There is also a report you may be interested in by the Washington State Institute for Public Policy where evidence-based public policy options reduce future prison construction, criminal justice and crime rates. It is based on a program you will find in here called multi-systemic therapy. It actually puts a figure on what they estimate the crime reduction to be and what the cost to the community in savings would be. The Targets for Effective Change program, is an offending behaviour program that takes young offenders through serious exercises on issues such as relationship skills, handling conflict, accommodation and employment and Aboriginal detainees participate successfully in that.

Ms LEE RHIANNON: You have outlined a number of programs but we do not have time to go into all of them. Considering the huge number of people from Aboriginal and Torres Strait Islander background, are you doing valuations of these programs?

Mr GRAHAM WEST: We are moving all our programs to evidence-based, including the ones that we have been funding for a number of years that we have not got evidence on. As we come up with our funding decisions we are trying to get evidence on all of them, including our community programs and some of them have been in existence for sometime. We are in the process of getting all of them evaluated. That will take sometime because of the costs of getting evaluations done and the fact that not all of our services have good data. The Intensive Supervision is being heavily evaluated as it occurs.

Ms LEE RHIANNON: It is such a difficult area. Are you anticipating that if after three years it does not work you will ditch it and move on to something else? It is good to hear that it is evidence-based, and that is incredibly important, but it is also just so painful to hear about what the situation is. It must be an extraordinary dilemma for you. How quickly do you move on when a program is not working following evaluation?

Mr GRAHAM WEST: This is a three-year funded pilot program?

Ms LEE RHIANNON: Does that mean three years for the evaluation of that program?

Mr GRAHAM WEST: It will be constantly evaluated. Also in that program because it has come out of the States—and it has been used in indigenous communities in the States as well—there is evidence there. I think it was used in New Zealand as well?

Mr MUIR: And Western Australia.

Mr GRAHAM WEST: One of the findings that came out of that was that while you make it culturally appropriate you do not try and change the fundamentals of the programs. I think they tried changing the fundamentals in one of those jurisdictions.

Mr MUIR: New Zealand.

Mr GRAHAM WEST: We have made it culturally appropriate but we are hoping that the evidence-base in those other jurisdictions will translate, including the unsuccessful use of it where they modified the basic parameters. We have also given the Youth Offenders Advisory Council a new reference, which is asking them to identify effective evidence-based options that will achieve reductions in juvenile recidivism. We are hoping that while it may not be as intensive as the report of the Washington State Institute for Public Policy they might find other programs that will work in New South Wales especially with indigenous young people.

I was in Brewarrina on Tuesday last. In addition to these programs, a lot of individual case officers are working with Aboriginal young offenders in the communities. We have a mentor in the Bourke office, for example. We also have about 10 per cent of our staff of Aboriginal and Torres Strait Islander identification,

which is a significant portion compared to many other agencies, and we believe that hopefully that will give some benefits in that regard.

Ms LEE RHIANNON: What is the Department of Juvenile Justice doing to ensure that it is participating fully in implementing the actions in the New South Wales Interagency Plan to Tackle Child Sexual Assault in Aboriginal Communities? I am talking about the 2006 to 2011 program. Including the actions that require them to fund joint initiatives and to work effectively with other agencies in and beyond their portfolio?

Mr GRAHAM WEST: The department is cooperating with that. I will let the director general give you the full rundown of where that has been going.

Mr MUIR: The department is primarily responsible for three areas in the interagency plan. The first is to look at our training for identification and notification of child sexual assault. We have now done two reviews of our training, the first following the initial release of the report. We then participated in the evaluation of the interagency guidelines of child protection and on the back of that evaluation, whilst we had a reasonable recognition of staff responsibilities in the 70 per cent range, we still think we can do better. So we are redoubling our efforts and revising our training package. That is due by December.

The second element that we are responsible for is to provide protective behaviours training to detainees. We are working with the Department of Education and Training [DET] on that. We actually already have some initiatives running in centres but I think our current weakness is because we have so many young people churning through so quickly that actually delivering the training to them in that short period of time is difficult. We have a group of officers who have been meeting regularly and I have that group reporting back to me on a monthly basis. I, in turn, report to Minister Lynch directly, with the other chief executives, on a two-monthly basis—it was as recently as yesterday that we met with Minister Lynch. So the protective behaviours training should be in place shortly. There is training there already as part of the DET curriculum. What we really are trying to do is close the gaps for young people who do not get that.

The third element is to look at the cultural appropriateness of our sex offender program. This in part goes to your previous question as well. We have rejigged our specialist services area into what is called a programs unit. We have two additional areas in that: one is an evaluation area—we actually set up an area in evaluation; and, the second is a specific Aboriginal program component of that. We have reviewed our sex offender program globally and we are now looking at it for cultural appropriateness. There is a dearth of evidence on what works with juvenile Aboriginal sex offenders in Australia and we are doing our best to look at the evidence, as well as working with Aboriginal people. We think we are close on that and we hope to have a new manual in place by around January of next year.

CHAIR: We will now go to the Government for questions.

The Hon. GREG DONNELLY: My first question to the Minister is to do with contraband. What steps has the New South Wales Government taken to prevent drugs and contraband entering juvenile justice centres?

Mr GRAHAM WEST: The New South Wales Government has initiated a number of anti-drug and contraband measures to reduce the likelihood of contraband entering juvenile justice centres. Although the focus of these measures is the prevention of contraband being brought into centres by detainees and their visitors, an appropriate regime of testing and screening of staff is also in the final stages of negotiation. We have been working on the Drug Intelligence Unit's ability to detect illicit drugs and the management of detainees with drug problems has been improved by implementing a wide range of strategies following the Drug Summit in 1999. Some of the strategies and incentives to aid in the detection and exclusion of drugs include the creation of a Drug Intelligence Unit within the Department of Juvenile Justice, the introduction of a telephone monitoring system for all centres, the introduction of random and targeted urinalysis testing, and the use of K9—drug dogs—from Corrective Services to conduct searches and screen visitors at juvenile justice centres.

We also provide alcohol and other drug training for staff and also, as mentioned, conduct searches of detainees and staff. The Drug Intelligence Unit coordinates these searches, the telephone monitoring and urinalysis testing. It is also the conduit for the exchange of information between other law enforcement agencies. The New South Wales Police undertook a review of the Drug Intelligence Unit in late 2006. The review was positive but made a number of recommendations to enhance intelligence collection activities and performance indicators. We have acted on these recommendations and will continue to work in reducing the amount of contraband entering our juvenile justice centres. In relation to telephone monitoring, which I

mentioned before, we have a computer-based telephone system that enables detainees in juvenile justice centres to make approved time-limited pre-programmed external phone calls without the need for a staff member to supervise the call. It also allows for the recording and monitoring of all detainee calls. However, calls to legal practitioners and the Ombudsman are not recorded and cannot be monitored.

Monitoring and recording of detainee calls commenced when the Drug Intelligence Unit became operational in January 2003. Telephone monitoring is primarily aimed at determining detainee access to and use of contraband, as well as addressing other security threats affecting juvenile justice centres. Telephone monitoring is currently a major source of intelligence information. It assists in the identification of both individuals involved in drug and methods of smuggling drugs and other contraband into the centres. It has also provided valuable information relating to non-drug matters, including planned escapes, violence in centres and non-drug contraband. Telephone call monitoring has had a positive impact on preventing drugs entering the centres. The interception of drugs in the possession of either visitors or detainees has often resulted from specific intelligence. Call monitoring has also provided evidence of smuggling techniques, allowing modifications to systems and procedures to minimise further risks.

Urinalysis involves testing detainees' urine samples for illicit drugs. Both random and targeted testing currently takes place. Random testing commenced in 2003 and targeted testing was first introduced in December 2005. A detainee may be targeted for urinalysis testing if observations by staff indicate that a detainee is under the influence of a drug, if a detainee is suspected of drug use or if a detainee is involved in a significant incident. Eligibility for possible targeted urinalysis testing upon return to the centre is also a condition of leave. Juvenile justice centre managers use test result information to develop appropriate case management strategies for detainees. As a result of a positive test, a centre manager can also request that the Drug Intelligence Unit to initiate telephone monitoring of a detainee's calls to establish who may be bringing contraband into a centre or how it is brought in.

Detainees returning a positive result are referred to drug and alcohol counselling and are withdrawn from programs for work release until a thorough assessment is completed. These detainees are denied access to day and overnight leave for a period of one month. There has been a significant drop in positive returns from random urinalysis with only 3 per cent of tests giving positive results in 2007-08—a 15 per cent drop in five years. Targeted urinalysis testing has also seen a dramatic decrease, with only a 13.1 per cent positive return in the 2007-08 financial year, down from 34.8 per cent in 2005-06. The results indicate the work of the Drug Intelligence Unit and the efforts of staff at juvenile justice centres having a positive impact on reducing drug use within juvenile justice centre populations.

In relation to the searching of detainees, the New South Wales Government has search procedures in place for all juvenile justice centres. The searching of detainees involves two types of searching procedures—wand clothed body searches and strip searches. The purpose of a wand clothed body searches is the possession of unauthorised contraband or dangerous items. These types of searches occur frequently in custody and are generally utilised when detainees are moving from one area of the centre to another. There are three categories under which strip searches can be authorised. Non-routine, one-off strip searches may be authorised by a senior officer when a clothed body search has failed to find an object detected during a wand search or there is a reasonable belief following a wand clothed body search that a detainee possesses contraband. A series of random strip searches may be authorised by an assistant manager or centre manager at a juvenile justice centre for a brief, indefinite period of time on the basis of a detainee being found with contraband in custody. The use of force in strip searches must be authorised by the regional director or the Deputy Director-General, Operations, and only approved in extreme circumstances that relate to immediate security or safety issues of the detainee or others.

In relation to the drug detector dogs, in 2006-07 the drug detector dog unit conducted 186 searches across the eight juvenile justice centres, resulting in 14 contraband finds. During this period 1,109 visitors were screened, of whom 20 were refused entry on the basis of a positive indication by the drug detector dogs. The unit conducted 1,615 cell searches in the same period, resulting in 90 positive identifications for contraband. In the first eight months of 2008 the K9 unit conducted 858 visitor searches, with 12 visitors denied access for suspected contraband. The K9 unit conducted 1,456 cell searches to August 2008. In 27 cases passive alert dogs detected the presence of a contraband odour. In the same period the K9 unit conducted 1,951 detainee searches in 2008, with 19 detainees identified for further searches.

The Department of Juvenile Justice contracts the Drug Detection K9 Unit, which is a unit of the Department of Corrective Services, to deliver drug services to juvenile justice centres. Since June 2000 drug

detector dogs have been used to search centre grounds and to screen detainees and visitors for drugs. All eight juvenile justice centres are searched on a regular basis by the K9 unit, which is engaged on a fee-for-service basis by the department. Like urinalysis, their use can be either random or targeted. The presence of drug dogs has a dramatic effect on some visitors, with a large quantity of anecdotal evidence suggesting that some potential visitors choose to abandon their visits after seeing drug dogs or drug dog unit vehicles in the boundaries of the centre.

All drug finds are referred to the New South Wales Police for investigation and determination of appropriate legal action. The New South Wales Government also implemented procedures to ensure that all staff members at juvenile justice centres have lockers. Staff members take into the secure area of the centre only those items approved by the centre manager and all items are carried into centres in clear plastic bags. Current juvenile justice centre procedures detail staff responsibilities in relation to contraband and strictly control the items that can be taken into the secure area of a centre.

The Hon. MICHAEL VEITCH: Minister, in relation to the detainee incentive program, what strategies has the Government developed to assist in the management of behaviour in detention centres?

Mr GRAHAM WEST: The New South Wales Government is rolling out a statewide incentive scheme at juvenile justice centres. The incentive scheme allows staff at the centres to work with a detainee to set weekly goals that focus on pro-social behaviours and program participation. The process is very interactive and allows for a young person to reflect on their behaviour and identify required actions. The incentive scheme was piloted at Juniperina juvenile detention centre and has since been introduced at Orana, Riverina, Acmena and Juniperina juvenile justice centres. As part of the incentive scheme, the detainee works towards meeting individual goals and is rewarded for their efforts by achieving later bedtime. At the end of the week staff and the detainee meet to review—called client assessment meetings—the previous week and discuss their achievements.

They look at the areas they need to work on and they set out new or amended goals for the coming week. In weekly assessment meetings the detainee is required to discuss and reflect on their behaviour and identify how they can work towards addressing their behavioural issues. I have got a copy of one of the weekly client assessment sheets here, which I am happy to provide a copy to the Committee. It asks the young person, for example, the best thing they did—their achievement in the centre; "the best behaviours I showed"—that is pro-social; and "my behaviours that held me back the most". They will do this in discussion with their caseworker and take ownership. They will also then get asked the following question, "How will I manage the behaviours that hold me back?" which is about taking responsibility. They will ask, "What are the good things about the behaviour? What things are holding you back?" and, "What will I do to reduce the problem behaviour over the next week?" So it invites part of the setting of the goals.

They will then draw up a list of three strategies and also against that they put target behaviours. They indicate also whether or not they will get access to the incentives as a result of whether they completed it and whether they move to the next stage of the program—it is a graduated program. They sign up that and at the end of it it is assessed. In the number of centres I have seen the boys go up and look at their charts and see whether or not they are going to get the extra goodies that come out of it, such as a later bed-time. It has been quite a popular system with the detainees as well as with the staff I have spoken to. It is a very practical approach and it not only enables young people to accept responsibility for their behaviour but it enables staff to have an effective management tool, and it seems to be working.

The Hon. GREG DONNELLY: Minister, I want to ask you for some further information about the Emu Plains Juvenile Justice Centre, which I think has been raised this afternoon. What has been done to make the Emu Plains Juvenile Justice Centre suitable for juvenile detainees and when will further detainees be placed there and how will Emu Plains help to alleviate the problem?

Mr GRAHAM WEST: Some of it has been canvassed earlier. It is a 50-bed juvenile justice centre in Emu Plains in Sydney's west. It was formerly used as a periodic detention centre, operated by the Department of Corrective Services. It is undergoing significant renovations to bring it up to the department's standards and successfully operates as an extension of the Cobham Juvenile Justice Centre. I was out there a couple of weeks ago looking at some of the work that is underway: making modifications from its traditional uses to a young person's environment and making sure it provides a safe as well as secure environment.

From 7 October 2008, as I said, phase one of the new centre plan was rolled out with six detainees from Cobham. To transform Emu Plains, \$4.3 million is being spent on a complete refurbishment—that includes

CCTV cameras, a five-metre high fence and various security measures such as anti-climb measures, the removal of security risks—which is also important—such as hanging points, and the installation of grilles on windows. The facility also has a new air-conditioning system—Sydney's west can have extreme temperatures and it can be quite cold in winter and quite hot in summer; a new kitchen/laundry; a complete office fit-out; fixed furniture, a recreation area; dining room; courtyard; basketball court; gym; a visitors area with no-contact booths; and a new search room.

Moving in detainees at the completion of phase one allows us to test the site, as I already indicated, and also refine procedures, such as the procedures involved in transferring detainees from Cobham Juvenile Justice Centre and an admissions process for staying at Cobham Juvenile Justice Centre. The expected completion date for capital works is December 2008. The new centre ensures we have the capacity to deal with any potential spike in detaining numbers over the next three years. We have had a high number of detainees come into the system as a result of targeted policing activities and changes to the State's bail laws. The new centre provides an additional capacity to address increased remand numbers, and we are also examining the possibility of the centre being used to house pre-release detainees. The group could access educational and vocational resources in the community to enhance their prospects of successful reintegration following their release.

While I was inspecting the site, detainees were actually being used on some of the sites and maintaining some of the grounds. There was a young bloke I met there from a Pacific island background who was approaching release and he was doing a lot of landscaping work. As a result of the training he got in juvenile justice he had been able to get certificates—I think he has also got a forklift certificate and one for horticulture. He was then lined up work with a landscaping firm. He was quite positive about the educational opportunities that he was given within juvenile justice and said he had been a bit wild in his younger days but had learnt the error of his ways and was looking forward to getting back into society and contributing in a different way. For him it was a very positive experience. There are many other stories like his that come out of the centre.

The Hon. MICHAEL VEITCH: Minister, can you outline how increased commitment and funding to community-based services will help to reduced reoffending?

Mr GRAHAM WEST: The one I would like to touch on most is the one that I gave a brief discussion on before about the intensive supervision program centres based on a multi-systemic model, which is a great term. I am not sure that the intensive supervision program is any clearer, but it is one of the most successful intervention models in the world with serious young offenders. As I outlined before, it is being used in a number of jurisdictions—the United States of America, Canada, New Zealand and Western Australia. In the United States it is used in 30 States. So there is a fair body of evidence around that. If we pull out the Washington State Policy Institute figure, they estimate that that program alone may have an effect on crime outcomes—a percent change in crime outcomes—and they estimate that it will lead to a reduction in crime of 10.5 per cent. It is a very effective and serious program. There have been 10 studies into this program in different jurisdictions, so there is a large body of evidence.

We are introducing the program in Western Sydney and Newcastle as a first stage. It is a \$5.5 million pilot program launched in May this year and it will roll out over the next four years—I said three years before but it is actually four years. It will tackle factors that maintain a person's reoffending behaviour, and I think that is the key to it. It is not just about providing educational opportunities while they are in the centre but working at some of the factors that create problems when they return. So it looks at not only individual factors but family issues, peer and group pressures, the school situation—often it is difficult for detainees to return to a normal school environment—as well as the vocational and community areas. So it goes into homes, schools and also in the suburbs, interestingly enough, of serious young offenders, because there have been quite a lot of situations where suburbs have more than one offender coming in—there are some suburbs that are overrepresented as far as offending behaviours. So working in the suburbs is part of helping that offender, but also hopefully reducing the number of other offenders that will come into juvenile justice centres in the future.

The program promotes behavioural change in the young person's family, peer and school environment; it identifies problems in the family and it works on a plan to specifically target them; the team members also identify the strengths of the family of a young offender. It is very important when you are trying to bring about change that you identify strengths to work with people. I spoke to Ken Nunn, who is one of the leading child psychiatrists. He works in the juvenile justice centres. One of the things he is clear about is that you have got to find the thing that a child is excellent about as well. When you are managing problem behaviours, you have to identify the positives and try expand them as well as the reduce the negatives. Interestingly, he also identified

the fact that before he can start working with an offender about their mindset, he needs to look at their physical issues. That is, before he can talk to them about their mental health issues he has to deal with their ingrown toenail.

It is like the Intensive Supervision Program, which recognises that you cannot simply not tell a young offender not to reoffend if the environment they are going back to makes it extremely difficult. This deals with some of those underlying issues and that is why it is also family based. The families of many of our offenders also need assistance. The map of juvenile justice offenders in New South Wales is a map of social disadvantage. Suburbs that are high on that list tend to have significantly higher numbers of young offenders. Similarly, areas that have high numbers of Aboriginals are also very highly represented on the list. It is important to work with those families and in those communities.

That picks up the question about what we are trying to do to change the bail issues. We are going one step further to get programs in place to change the offending behaviours in the first place by working in the community. We are hopeful that this pilot will work. Given the evidence, it will. As I said, we have also asked the Young Offenders Advisory Council to look at some of the other programs. Other programs are listed in the institute report that have even higher levels of crime reduction capabilities. However, they do not tend to have as much evidence about their effectiveness. This program is one of the most evidence based. Others have been the subject of a small number of studies. I am happy to provide the report.

The Multidimensional Treatment Foster Care Program has a greater effect on crime outcomes, but it has been the subject of only three studies. It is not used as widely and we do not believe that has an acceptable evidence base. We want to develop that area and establish whether we can apply those programs in the Australian environment. Some of them might be very particular to the structure in which they are operating. They might also address particular cultural issues that are not necessarily appropriate for many of our offenders. We are looking at these things. Hopefully we will get a report from the council within 12 months. We will look at that and continue to assess those programs.

As part of the Intensive Supervision Program model we have specially trained workers who are available 24/7 to young offenders and their families. They work with each family for up to six months. That is not the traditional model of seeing someone for a hour and leaving them. The workers go into homes and have meetings around kitchen table or at the school, whatever is appropriate. If the family or the offender is reaching a trigger point, they can contact the service to try to address some of the problems that leads kids into offending.

I am very hopeful about this program. At the moment we have 18 families enrolled—nine in Western Sydney and nine in the Hunter. We plan to increase that number to 25 by the end of this year, at which time three families will have graduated. As I said, it is a six-month program. We will then have some early evidence on how successful it has been. As I said, 11 of the families are Aboriginal, which is in line with the number of Aboriginal offenders we have. The initial response from families has been very positive. I have a letter that was recently sent to a clinician. The person who wrote the letter has requested that they remain anonymous, but is happy for us to use the letter, which states:

To whom it may concern,

I'm writing this letter to thank you for allowing the Intensive Supervision Program to go ahead here in Australia. Since the clinician has been involved with our family, things have made a complete turn around. He is teaching us ways to handle different situations and is helping me regain my self-confidence.

My husband and I were going through a lot of tough times with our son for two years, feeling there was absolutely no help. But with the help from the clinician, he is becoming a better person. I think it's a great program which I believe will help the community, as there's not much help out here. We felt like we were hitting our heads against a brick wall until now.

Once again, thank you.

That is a start and I am hoping that it will be a great program that will reduce the number of people offending in the first place and certainly reduce the amount of recidivism.

CHAIR: That concludes the time allocated for the Juvenile Justice portfolio. I thank Mr Hogan, Mr Muir and Ms Ruis for appearing.

(The witnesses withdrew)

TONY WISEHEART, Project Director, Volunteering Unit, Office of Strategic Operations, and

GILLIAN CALVERT, Commissioner for Children and Young People, sworn and examined:

JENNIFER MASON, Director General, Department of Community Services, and

SONJA STEWART, Executive Director, Communities Division, Department of Community Services, affirmed and examined:

CHAIR: I declare the Youth and Volunteering portfolio area open for examination.

The Hon. JOHN AJAKA: It is reported that every night in New South Wales 11,000 young people are homeless and many suffer or go on to suffer mental health problems. I am sure you would agree with me that these vulnerable youths need the Government's attention. Minister, what action have you taken or had a chance to take to address the problems of youth homelessness and mental health since you were appointed as Youth Minister?

The Hon. IAN WEST: I can only agree that 11,000 sleeping in the street, couch surfing or dealing with other forms of homeless is too many. The Premier has said that he wants that figure reduced. However, this situation will not be solved only by the Youth portfolio. A multi-disciplinary approach is needed. The member has identified mental health issues as a significant factor. Mental illness often emerges during adolescence. That can make it difficult for young people to stay with their families. For example, if they have violent tendencies their family might not support them. They might not be supported in taking the medication which can often lead to homelessness, and the homelessness itself is also a negative impact on one's mental health. So, mental health services are a significant side of that and the Government has increased the amount of mental services available, including specific adolescent facilities. We are also working with the community sector to try to reduce some of the problems before they get to that stage.

The Hon. JOHN AJAKA: On that point, Minister, as I understand it, at least one-third of young people have had an episode of mental illness before the age of 25. However, your Government allocated less than a quarter of its new mental health funds in the last budget to young people. It is something you will see being remedied in the new mini-budget?

Mr GRAHAM WEST: I am not sure of the figure you have there. You said it was one in—

The Hon. JOHN AJAKA: At least one third.

Mr GRAHAM WEST: I am not sure of the definition of mental health used in that, as well, whether that includes Aspergers, for example, which can often be quite simply managed, or if it is schizophrenia. I would need a bit more information.

The Hon. JOHN AJAKA: But looking at the Government budget, it appears that only one quarter of the new mental health fund is in relation to young people. Do you feel that is a sufficient amount or is that something, when you have a chance to look at it, you will try to see if it can be remedied in the mini-budget?

Mr GRAHAM WEST: Can I take that question on notice, because I do not have the full facts around that issue?

The Hon. JOHN AJAKA: I understand you are aware the Coalition today held a summit to bring together experts in youth homelessness and mental health at Bondi Junction. Will you agree to meet with a delegation from today's summit with the aim of listening to recommendations and agreeing to, maybe, a statewide summit that will ensure that youth homelessness is given priority at a State government level once and for all?

Mr GRAHAM WEST: I would be delighted to meet with the delegation. As a community, it is one of the issues that deserves to be bipartisan. I would be delighted to meet with a delegation and hold a further forum around these issues, especially if that forum is being led and driven by young people. As we identified, not only are they aware of the issues but they probably will come up with some innovative solutions that may not have crossed our minds. It is a worthwhile and exciting thing to do.

The Hon. JOHN AJAKA: I am sure the shadow Minister, Mike Baird, will get the details to you and I am pleased to hear that you are delighted to meet with them. I am sure they will be too. If I could go to the Port Macquarie area, you would agree with me that skate parks are popular leisure facilities for youth. Why has the Government done nothing to stop the Switch Skate Park in Port Macquarie from closing down?

Mr GRAHAM WEST: Can I take that one on notice? I am not familiar with the Switch Skate Park. You are certainly right, they are phenomenally popular. I have opened a number myself in country areas and most areas are crying out for more even when they have one.

The Hon. JOHN AJAKA: We were talking about youth homelessness, mental health, et cetera. I have been a great advocate of the PCYC but I was stunned to hear that the Government closed the PCYC in Port Macquarie.

Mr GRAHAM WEST: As you know, the PCYC movement is a non-government movement supported through the New South Wales Police. I know of a number of new centres that have opened. I am not familiar with the particular one in Port Macquarie. I am happy to take it on notice and get some information back to you. We have been involved in opening a new one in Walgett, for example. There are discussions underway to open a new one in Brewarrina. One was recently opened in Bourke. So there is certainly a commitment to the PCYC concept.

The Hon. JOHN AJAKA: I understand it is government-owned property and that is why I was raising it. I was a bit surprised that it was closed. Maybe it is something you can take up with the police Minister to ascertain why?

Mr GRAHAM WEST: I will take that on notice.

The Hon. JOHN AJAKA: Almost three years ago your government increased the powers of the Commission for Children and Young People so it could audit employers that worked with children and check their compliance with the Act. Are you aware since November 2005 how many audits have been carried out to check the compliance of employers that work with children?

Mr GRAHAM WEST: I might let the Commissioner for Children and Young People give you the exact figure.

Ms CALVERT: Could I have the date again?

The Hon. JOHN AJAKA: Well, almost three years ago the Government increased the powers of the commission so it could audit employers. So we are talking about November 2005. I was wondering how many audits have been carried out on employers over the three-year period.

Ms CALVERT: The powers were to audit certain things around employers. I will get the exact figure for you. We have tended to take the view we will audit if there is some evidence of a problem rather than just random auditing or target auditing. We have conducted some audits when we have identified there is a problem and we have tried to use the audit to try to resolve the issue.

The Hon. JOHN AJAKA: So, you wait for a complaint to be made as opposed to spot audit checks?

Ms CALVERT: Yes, that is exactly right.

The Hon. JOHN AJAKA: Is the problem that there is a need for additional funds to undertake more of an audit role?

Ms CALVERT: It depends what we are auditing. If we are auditing employers' general adherence to the working with children check, I think we probably should wait for some evidence before we go in and audit them. If you are talking about auditing some other aspect of the program such as prohibited employment declarations, we automatically audit, in effect, all paid employees because they get checked when they have a background check.

The Hon. JOHN AJAKA: Are you able to provide the Committee with the total number of audits you have undertaken?

Ms CALVERT: Yes.

The Hon. JOHN AJAKA: And breaking it up into, I guess, two categories: Those audits as a result of a complaint being lodged by a young person compared to the audits being undertaken in relation to a spot audit on employers?

Ms CALVERT: Yes, I will take that on notice.

The Hon. JOHN AJAKA: As I understand it, the current budget allocation for the office of children has only been increased by 0.9 per cent this year, which is well below inflation. It was increased from \$12.3 million to \$12.4 million. Is that one of the reasons you are unable to undertake spot checks on employers?

Ms CALVERT: One of the reasons I do not undertake spot checks on employers is that I think it is intrusive to go into an employer who is providing a service to children and say can we have look at what you are doing around working with children background checks. So, I wait for a complaint before I go and do that.

The Hon. JOHN AJAKA: What if these young people do not know how to complain? What if these young people do not even understand they have a right to complain? What if these children do not know they are being taken advantage of by unscrupulous employers? Surely that is the exact reason why spot audits should be undertaken if we are looking at protecting young people from being abused or taken advantage of?

Ms CALVERT: I would almost guarantee there would be no complaints from children, but there are complaints from staff or from parents who say the background check is not being conducted properly, and that is when we will investigate, often using our audit powers. Children, if they are being taken advantage of, tend to tell adults they trust, who then take action on their behalf. One of the things we are now focusing on very much is how do we make organisations child safe and child friendly. It is through that risk reduction strategy that we find we get better protection of children. That child safe, child friendly strategy will look at things like whether staff know how to respond adequately to children who raise a concern, what do you do if a child has a concern and how do you get adequate help for that child? When children complain, they do it in roundabout ways and that is why we need staff and volunteers who are receptive to hearing what children's complaints are.

CHAIR: We will now have questions from Ms Rhiannon.

Ms LEE RHIANNON: Minister, is there an annual assessment of the economic benefit of volunteer activities to New South Wales?

Mr GRAHAM WEST: These are estimates rather than a definitive figure. The estimate is that there were 1.7 million in New South Wales in 2006 and an estimated \$5 billion worth of unpaid work to the State's economy. That includes all types of volunteering, not just non-government organisations.

Ms LEE RHIANNON: That really is significant. Obviously many of them are hospital volunteers. We have seen in recent years the Government announce that it is no longer going to continue with programs that, in many hospitals, have lasted decades where volunteers have run a range of activities that have often been critical, not just to the expansion of hospitals in gaining new facilities but also in a sense of community that is so valuable, and increasingly so these days. Were you consulted prior to this policy change being announced?

Mr GRAHAM WEST: No, I was not consulted prior to the policy change but I have certainly spoken to the Minister for Health since and I understand he has given a guarantee that all those hospital volunteer workers will have accommodation at hospitals.

Ms LEE RHIANNON: When you say "accommodation", you mean people at Mount Druitt, for instance and many other hospitals who run a kiosk seven days a week, that they will be moved out of their kiosk so that they can be rented out commercially and given some other space, is that what you are saying?

Mr GRAHAM WEST: I think on the specifics of each centre, it might be better if I take that on notice and ask the Minister for Health to provide a response.

Ms LEE RHIANNON: I ask that response be quite detailed because a number of people are contacting us concerned about what is happening. We have not heard that there could be some middle ground. Progress to reduce suicide among gay and lesbian young people in terms of quantifying the data appears in very few studies, from what I can see. Could you inform the Committee if there is any quantitative data on this? I am particularly interested in the situation in rural and regional areas, not just suicides among young gay and lesbian people but also where there has been attempted suicide, people thinking about suicide and what programs have been developed to handle this?

Mr GRAHAM WEST: I am not aware of any information recorded regarding the sexuality of young people who commit suicide or attempt suicide.

Ms LEE RHIANNON: The only one I have found is in Western Australia. I do not know of any New South Wales ones. Considering that there is so much anecdotal information about how serious this is in regional and rural areas—and I sometimes think that because we live in Sydney where the gay and lesbian community has a high profile to some extent, there is often a belief that a lot of these problems have been solved, whereas this issue is quite mammoth. Therefore I am interested in what you are doing.

Ms CALVERT: The Child Death Review Team conducted a report into suicide risk taking, which we tabled two or three years ago. That study looked at children in rural and regional areas. We were unable to identify, though, children's sexuality with any certainty so the team did not report on sexuality. It did not arise in the records that we looked at either, so we do not know whether it is because the rate is low or whether it is because no-one records it and therefore we cannot find out what their sexuality is.

Ms LEE RHIANNON: Considering the lack of work that is done there—and I can appreciate how difficult it is but there is increasing anecdotal information—what is your approach to this issue because it does seem as though it is serious and there are reports that it is growing?

Ms CALVERT: I think the first step is to actually find out what the numbers are. I am happy to have a look at that for you to see if I can find any numbers. I will take it on notice.

Mr GRAHAM WEST: Ms Stewart has some additional information.

Ms STEWART: This year in Youth Week, which is a national event held in April each year, we partnered with Beyond Blue, which is a national initiative around mental health and particularly depression, and encourage young people in local government areas to do initiatives to raise the profile of youth mental health. They provide 14 local councils across New South Wales with a mix of, importantly, metropolitan and regional-rural grants worth \$2,000 each to work with young people. So in a very practical way our Government is partnering with Beyond Blue. The Youth Advisory Council the year before actually ran an online forum about mental health for a week or so where young people could log on, ask questions and seek further information. We are doing it through Youth Week, which has huge participation with around 200,000 young people participating, trying to get down at the very local level, and partnering with national initiatives like Beyond Blue is one initiative of what we are doing.

Mr GRAHAM WEST: The commissioner has provided me with the "Trends in child deaths in NSW report: 1996-2005", which showed that between the first and second half of the 10-year period in the study there was actually a 26 per cent decline in the likelihood of death by suicide.

Ms LEE RHIANNON: Amongst the gay and lesbian population?

Mr GRAHAM WEST: No, this is the general community.

Ms LEE RHIANNON: Again, I have not been able to find studies but when you talk to people, what they are suggesting is that while the overall figures show a decrease—I am not hearing that there are any particular trends in city areas—but in rural and regional areas there are these constant reports, so that is the information I would like.

The Hon. CATHERINE CUSACK: I strongly support Ms Lee Rhiannon on that. Local Government is not the right partner on that issue.

Mr GRAHAM WEST: The commissioner will be happy to investigate that.

Ms LEE RHIANNON: I understand that work is being undertaken to develop an Australian standard of volunteering. Is New South Wales involved and where is this up to?

Mr GRAHAM WEST: It is being done by Volunteering Australia. We are in regular contact with Volunteering New South Wales but I am advised that is being done by the volunteering organisations themselves.

Ms LEE RHIANNON: Is that something that you would adopt in some way or help disseminate? Obviously you would interact with them.

Mr GRAHAM WEST: Yes. If a volunteer sector comes up with comprehensive ways to help volunteers, certainly we would want to support them in doing that.

Ms LEE RHIANNON: Considering we all know the huge contribution volunteers make both economically and to the fabric of our society, what measures are you undertaking to increase the number of culturally and linguistically diverse volunteers working in the non-government sector?

Mr GRAHAM WEST: Culturally and linguistically diverse groups are particularly underrepresented in volunteering in many regards. I have been speaking to Indian communities about them wanting to get far more involved in volunteering. They are often quite heavily involved in their own communities but as far as the traditional visible forms of volunteering outside those communities, they are underrepresented. There are a couple of programs particularly around working with the State Emergency Service and the Rural Fire Service trying to get people from culturally and linguistically diverse backgrounds working in those. Because the Government is involved in those, it is much easier for us to coordinate part of that.

Certainly a lot of it will also involve us working with communities to provide them with opportunities. Quite often it is set two-way street. Those communities might not be reaching out to those traditional services but sometimes those traditional services are not reaching out to those communities as well. One of the ways we are trying to address that is to improve those communication links. We do that through many areas but also through the volunteering centres that exist around the State—Volunteering New South Wales—and we are also using the new technologies, especially around young people, trying to see if we can connect up with them through that.

CHAIR: As there are no Government questions this afternoon, I thank the Minister, Ms Stewart, Ms Mason, Ms Calvert and Mr Wiseheart for coming along this afternoon. I declare this hearing of the budget estimates closed.

(The witnesses withdrew)

The Committee proceeded to deliberate.
