

BUDGET ESTIMATES 2008-2009
17 OCTOBER 2008, 4.15PM – 6.00PM
JUVENILE JUSTICE, VOLUNTEERING AND YOUTH

QUESTIONS TAKEN ON NOTICE

QUESTION TAKEN ON NOTICE: *I understand the school has four classrooms but only three of them are open at the moment?*

Question (pg 2):

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.

Response:

Sunning Hill School at Juniperina Juvenile Justice Centre has ten classrooms which are all currently operational.

QUESTION TAKEN ON NOTICE: *Are there problems with the sewerage system at all?*

Question (pg2):

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

Ms RUIS: 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.

Response:

At Juniperina Juvenile Justice Centre, a toilet in the Education & Training Unit - Sunninghill School - emits an odour on an irregular basis. The Department's Properties and Procurement Services unit and the Department of Commerce have investigated the odour and rectification works are scheduled for a time that will minimise disruption to detainees and staff.

QUESTION TAKEN ON NOTICE: *Is Juniperina still accommodating boys as well as girls?*

Question (pg2):

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.

Response:

Juniperina Juvenile Justice Centre accommodated young men for three separate weekend periods in February. The last being the weekend of 23rd/24th February 2008.

Question (pg 3):

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.

Response:

There are times that some of the Department's eight juvenile justice centres across NSW are at capacity, and young people in those areas need to remain in police custody. For short periods from 1 July 2008 to 24 October 2008, 131 young people remained in police custody. Of those 131, 90 young people spent less than one day in a police cell, 33 young people spent one night, six young people spent two nights and two young people spent three nights.

The Department moves detainees into a juvenile justice centre as soon as possible.

The department pays NSW Police for their time so there is no impact on front line policing.

QUESTION TAKEN ON NOTICE: *How much do you pay per night?*

Question (pg 4):

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—

Response:

The Department pays \$100.10 per hour for NSW Police staff costs and \$20.90 per hour for vehicle costs (including GST).

Question (pg 4):

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.

Response:

Attached (Attachment A & Attachment B) is correspondence between the Department of Juvenile Justice's Director General Peter Muir and Frank Mennilli, Assistant Commissioner and Corporate Spokesperson, Custody and Corrections, NSW Police Force.

Question (Pg 6):

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

Ms RUSIS: Yes.

Ms Cusack: In response to the request for a copy of the report for detention centre occupancy figures for the night of Fri 17 October 2008, will you please expand that request to give us a better appreciation of the situation, by providing copies of the 14 reports for the 14 nights leading up to and including 17 October 2008?

Response:

Attached are the Department of Juvenile Justice's daily reports for the capacity of the system from 30 September 2008 to 17 October 2008. On days that Department administrative staff are unavailable to produce daily reports (for example on weekends or public holidays), the Deputy Director General (Operations) reviews the capacity data via the Department's Client Information Management System and receives verbal reports from juvenile justice centre managers.

QUESTION TAKEN ON NOTICE: *Can I get the breakdown of over 18, under 18 being transferred to Kariong?*

Question (pg 6):

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.

Response:

In the 2007-2008 financial year, the department transferred to Department of Corrective Service's Kariong Juvenile Correctional Centre, 55 detainees under the age of 18 and 21 detainees over the age of 18. Of those 55 detainees, 16 transfers were offence-related and 39 transfers occurred as a result of the reclassification of those detainees to the highest risk classification level.

QUESTION TAKEN ON NOTICE: *Do you have a central component as well?*

Question (pg 6):

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.

Response:

The actual funding figure in the 2007-08 financial year for the Department of Juvenile Justice's Central Office was \$39.851M.

The recurrent budget for Central Office is budgeted as \$43.699M for the 2008/2009 financial year.

QUESTION TAKEN ON NOTICE: *What measures are you looking at to achieve those savings?*

Question (pg 7):

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.

Response:

The department's 2008/09 financial year includes the following strategies to achieve savings of \$1,318,000m.

2008/09 Efficiency Dividend Savings Strategies

- Additional savings from Oct 07 Organisational Restructure	\$466,000
- JJC Programs and maintenance	\$438,000
- Transport movements	\$208,000
- Central Office reforms	\$60,000
- Energy Efficiency initiatives	\$35,000
- Lease costs from amalgamating JJCS/YJC offices	\$61,000
- Rationalisation of Metropolitan Court operations	\$32,000
- Reduction in motor vehicle fleet costs	\$4,000
- Rationalisation of Specialist Crisis Team work procedures	<u>\$14,000</u>
TOTAL	\$1,318,000

QUESTION TAKEN ON NOTICE: Have any involved sexual assault?

Question (pg8):

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 being 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.

Response:

In the 2007-08 financial year, no disciplinary investigations involved allegations of sexual assault.

Question (pg8):

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.

Response:

Since the changes to the NSW Bail Act came into force in late 2007, the Department sought and was approved additional funding by the Budget Committee of \$4.35M capital funding and \$8.79M recurrent funding to meet the increasing detainee population in juvenile detention.

QUESTIONS TAKEN ON NOTICE: Has that figure increased since the new Bail Act came in 2007?

Question (pg 11):

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.

Response:

The Department of Juvenile Justice's data for 14 December 2007, when the Bail Act came in, showed that young people of Aboriginal or Torres Strait Islander background comprised 27.3 per cent of young people on control orders and 24.1 per cent of young people on remand. Data on 17 October 2008 showed that young people of Aboriginal or Torres Strait Islander background represented 23.8 per cent of all young people on control orders and 24.5 per cent of young people on remand.

Question (pg 18)

Allocation of Mental Health Funds in the last budget to young people

Response: This question should be directed to the Minister for Mental Health as the appropriate Minister.

Question (pg19):

The Hon John Ajaka MLC asked Why has the Government done nothing to stop the Switch Skate Park in Port Macquarie closing down?

Response: I am advised that Switch Sk8 Park, which is funded and operated by Coast Side Church, has closed temporarily with a view to its relocation to another site on the Oxley Highway.

Question (pg19):

The Hon. JOHN AJAKA: Port Macquarie PCYC closure

Response:

I am advised that the Macquarie PCYC currently has a Development Application before Port Macquarie council for a site located at Stuart Park.

Question (pg 20):

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?*

Response:

The Commission undertakes a quarterly audit of all employers who received high risk outcomes from the Working With Children background check. In 2007/08, the Commission audited 43 such employers to see whether they had complied with their statutory obligation to notify the Commission when they rejected applicants for child-related employment as the result of the Check outcome. In 2006/07, the Commission audited 39 such employers.

The recent amendments to the Commission's legislation provide the power to impose a penalty for non-compliance with the requirement to notify rejected applicants. The Commission has not been required to use its new penalty powers. The Commission has not conducted any audits of employers on the basis of complaints received, nor has the Commission conducted any spot audits of employers.

Question (pg 20)

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.*

Response:

Thousands of volunteers generously donate their time and expertise across the NSW health system. Volunteers make a real and enduring difference to the lives of patients, their families and NSW Health staff.

Volunteers will continue to be a valued and important part of the hospital experience. Their presence will be maintained in future retail precincts in locations which support their fund raising activities.”

Question (pg 21):

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.*

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.*

Response:

The Commission has been unable to locate any data on the numbers of suicides by gay and lesbian young people, either in the Child Death Review Team's age group of those under 18 years, or among young adults.

Sexuality is rarely mentioned in records about death. Even if it is recorded, it would be unclear in most cases whether it was a factor in a suicide death, unless there was an explicit statement in a suicide note. It may not be possible to quantify sexuality-related suicides, nor to know whether there is a change in their frequency.

This lack of data means that it is difficult to evaluate interventions, and to know what approaches or supports could be effective in reducing suicide deaths by gay and lesbian young people.

However, research undertaken in 2003/04 with the support of the Commonwealth Department of Health and Aging to find out about the experiences of same sex attracted young people [1] reports that for the 1,749 same sex oriented young people who took part:

“Perhaps the most concerning impact of abuse on young peoples health and well-being, beyond drugs and feeling safe, was the higher rate of self-harm, especially suicide attempts and cutting of those who had been abused. Thirty-five percent of young people reported hurting themselves because of their sexuality with the 14-17 years old group more likely to self-harm than the 18-21 year old groups (41% vs 31%).”

This research concludes that support services that embrace sexual diversity are used by same sex oriented young people and are important to them. They also conclude that a focus on securing funding for such services and making them more available in rural, regional and remote areas would benefit these young people.

[1] Australian Research Centre Australian Research Centre in Sex, Health and Society. (2005) La Trobe University: Victoria.