

## **GENERAL PURPOSE STANDING COMMITTEE NO. 3**

**Monday 24 June 2002**

**Examination of proposed expenditure for the portfolio area**

### **JUVENILE JUSTICE**

**The Committee met at 9.30 a.m.**

#### **MEMBERS**

The Hon. Helen Sham-Ho (Chair)

The Hon. John Hatzistergos  
The Hon. Greg Pearce  
Ms Lee Rhiannon

The Hon. Henry Tsang  
The Hon. Ian West  
The Hon. John Ryan

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#### **PRESENT**

**The Hon. Carmel Tebbutt**, *Minister for Juvenile Justice, Minister Assisting the Premier on Youth, and Minister Assisting the Minister for the Environment*

**Department of Juvenile Justice**

**Mr D. Sherlock**, *Director-General*

**Mr P. Muir**, *Director of Operations*

**Mr S. O'Malley**, *Acting Manager of Management Services*

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**CHAIR:** I declare the meeting open and I welcome everyone to this public meeting of General Purpose Standing Committee No. 3. I thank the Minister, the Hon. Carmel Tebbutt, and the departmental officers for their attendance today. At this meeting the Committee will examine the proposed expenditure for the portfolio area of Juvenile Justice. Before questions commence some procedural matters need to be dealt with. Paragraph 4 of the resolution referring the budget estimates to the Committee requires evidence to be heard in public. The Committee has previously resolved to authorise the media to broadcast sound and video excerpts of its public proceedings. Copies of the guidelines for the broadcast of proceedings are available from the attendants. I point out that, in accordance with Legislative Council guidelines for the broadcast of proceedings, only members of the Committee and witnesses may be filmed or reported. People in the public gallery should not be the primary focus of any filming or photos. In reporting the proceedings of this Committee the media must take responsibility for what they publish or what interpretation they place on anything that is said before the Committee.

There is no provision for members to refer directly to their own staff while at the table. Witnesses, members and their staff are advised that any messages should be delivered through the attendants on duty or the Committee clerks. For the benefit members and Hansard I ask that the departmental officials identify themselves by name, position and department or agency before answering any question referred to them. Where a member is seeking information in relation to a particular aspect of a program or subprogram it would be helpful if the program or subgroup is identified. I declare the proposed expenditure open for examination. Minister, would you like to make an opening statement?

**The Hon. CARMEL TEBBUTT:** Thank you, Madam Chair. I will make some brief introductory comments about the budget provided for the Department of Juvenile Justice in the year 2002-03 as well as some details of what has happened in the past year. The budget provided to the department of \$123.2 million is an increase on our previous year's budget of just under 5 per cent. This is the fourth year in a row in which the Department of Juvenile Justice has been provided with an increased budget. That has allowed the department to expand services generally, particularly in light of the diversionary options that are now available. Young people coming into custody are increasingly presenting with difficult issues that require specialist attention from the department and extra training for our staff to deal with.

The primary reason for the increase in the current financial year is to allow for the implementation of the COCQOG review of the department that I mentioned to the estimates committee last year. Without going into a lot of detail, that review and restructure will allow for increased staff-detainee ratios, improved career prospects for staff of the department as well as an increased emphasis on casework, particularly for front-line custodial staff. That is a key part of the COCQOG reforms. The department is in the process of finalising negotiations with the PSA to allow those reforms to be implemented in the very near future. The department has received \$4 million for Drug Summit initiatives in the 2002-03 year. The rehabilitation units at Dubbo and Coffs Harbour are now on line. The Pre-employment Skills Training Program, which provides assistance to young people with drug and alcohol issues either in the community or exiting custody, is being recurrently funded in the year 2002-03. So it forms part of the department's base range of programs.

I am happy to talk about the range of youth justice initiatives in more detail if the Committee is interested. This is the broad range of programs that assists young people in the community to address issues such as accommodation, post-release support, employment and skills training. I particularly draw the attention of the Committee to the expansion of post-release support services in the past year to three areas that were not previously covered, including Dubbo and Grafton, where the recently opened juvenile justice centres are operating. I also flag for the Committee that the department is about to commence an accommodation review to look at issues of accommodation as they relate to clients of Juvenile Justice. The Aboriginal open representation plan was launched at the end of last year and is in the process of being implemented. As the Committee would be aware, there is a significant overrepresentation of indigenous young people in custody and amongst the department's client base in general.

This year \$800,000 will be provided to the department so that it can take over transport of Juvenile Justice clients from police in the Hunter region. In the metropolitan area the department undertakes the majority of transport of Juvenile Justice clients but in regional and rural areas police

undertake that function. The department has changed the method of calculating a couple of output outcomes measures. If the Committee wants more detail I am happy to provide it. It is somewhat difficult to actually reflect that in the budget papers with footnotes. There has been a change in the method of calculation of remands in custody, the percentage of presentence recommendations adopted and the average length of committals. I will leave my opening comments there and take questions from the Committee.

**CHAIR:** Thank you, Minister. You are the Minister Assisting the Premier on Youth but you have no budget for the youth affairs portfolio. Is there any way that I can scrutinise the youth affairs portfolio in this budget hearing?

**The Hon. CARMEL TEBBUTT:** I did not raise that in my opening comments as I normally do because I thought this year the issue would be absolutely resolved, but in previous committees it has been made clear that I do not have budgetary responsibility. The Premier is the Minister for Youth. He has budgetary responsibility. So questions on youth affairs would have to be directed to the Premier.

**CHAIR:** I wrote to the Premier specifically on this issue on 19 November 2001. I stated that I was concerned that the youth affairs portfolio is not properly scrutinised during budget estimates hearings as it is not stated as one of his portfolios. Can you inform the Committee how youth affairs can be properly scrutinised in budget estimates hearings when you have no budgetary responsibility and youth affairs is not stated as one of the Premier's portfolios?

**The Hon. CARMEL TEBBUTT:** I would be happy to take that up with the Premier and try to resolve it. The reality is that most programs that are available to young people in New South Wales fall under the responsibility of a range of different agencies that would be scrutinised by budget estimates committees, whether it be Health, Community Services, Education and, of course, Juvenile Justice. New South Wales does not have a department of youth affairs as such that runs programs; nonetheless, there may well be issues that need to be followed through that relate broadly to co-ordination of youth services that could not necessarily be addressed to any one agency. That would be appropriately addressed to the Premier.

I am happy to pursue that matter with the Premier and see if there is a different way of handling it. It has been my advice to date that the Premier has budgetary responsibility for those issues. The Office of Children and Young People is a Cabinet office and falls under the direct responsibility of the Premier. Those questions need to be dealt with through the Premier's estimates committee process.

**CHAIR:** This has been a concern of mine for years. You referred to the expansion of the release program. I refer to Budget Paper No. 3, Volume 2, page 10-2, which states:

The Department's community based services for young offenders will be further developed and refined. These services include supervision and support of young offenders in the community including accommodation options, mentor programs and post-release support.

What community-based programs currently exist to prevent recidivism amongst young offenders? How much is given in grants annually to non-government community organisations to help young offenders?

**The Hon. CARMEL TEBBUTT:** The department makes available a range of programs to address offending by young people. The programs operate for both young people who are under the supervision of the department in the community and young people who are exiting custody. That is the expansion of the post-release support program that I referred to in my introductory comments. With regard to general programs that are available to assist young people who are under the supervision of the Department of Juvenile Justice, we have mentors, both Aboriginal and general, and a range of community-based organisations that are funded to provide services to Juvenile Justice clients.

We also have a youth accommodation program that was initially funded under the Wood royal commission initiatives. It provides direct accommodation but it is more common for the department to make available funding to a community-based organisation; it is used in a brokerage

way. We also fund a range of programs such as at Purfleet at Taree that work with young, indigenous people. While the department is specifically funded to deal with young people under the department's supervision, who are court-ordered in some way or otherwise caught up with Youth and Justice conferencing, the reality is that some programs offered by the department provide support to at-risk young people who might not be direct clients of the department but are potentially likely to become clients of the department.

For example, in the last school holidays the department was involved in a vacation support program at Dubbo in conjunction with police and a number of other agencies in Dubbo. It was recognised that school holidays are a particularly difficult time for young people. Most had time on their hands and during school holidays there was a lot of petty offending. The program put together by the department would have picked up some clients of the department; it also targeted at-risk young people. The pre-employment skills training program was funded under the Drug Summit initiative. That program operates in nine locations across the State. The aim of that program is to address employment and provide education and training to young people who have drug and alcohol problems for recognising that that is a significant factor in their being able to make a u-turn away from juvenile offending. You have asked for a figure of how much is spent. Do you want to know how much is spent on the broad range of Youth and Justice initiatives?

**CHAIR:** What grants have been given to non-government community organisations. I am aware that accommodation is provided for Vietnamese juvenile offenders, post release.

**The Hon. CARMEL TEBBUTT:** In 2001-02, \$3.6 million was provided for the Community Funding Program, which falls under the banner of Youth Justice initiatives and refers to grants to non-government organisations.

**CHAIR:** Are those programs specifically targeted at preventing recidivism?

**The Hon. CARMEL TEBBUTT:** Yes, that is one of the specific aims.

**CHAIR:** Is there any evidence that the mentoring program for Aboriginal people prevents reoffending by indigenous juvenile offenders? What incentives are there for the Aboriginal community to be involved as mentors?

**The Hon. CARMEL TEBBUTT:** I cannot refer to a particular study that reflects a degree in reoffending by indigenous young people as a result of being linked to a mentor. Broadly speaking, research reflects on reducing reoffending amongst young people when they are connected with their community and when they have community support. Very much the aim of the mentoring program is to provide community support to young people when support might not be available from within their own family or, perhaps, when their family needs added assistance and support to provide that connection for the young person. Recently the department reviewed its mentoring program. If you want more detail the director-general will be happy to provide it. The department has had that program for quite sometime.

**CHAIR:** Since 1996.

**The Hon. CARMEL TEBBUTT:** That is correct. Perhaps there is a need to look at how we can make sure that it is most effectively targeted to support young people who are at risk of reoffending. The department aims to recruit mentors from the indigenous community along with other communities.

**CHAIR:** Have other non-English speaking communities adopted that program? How effective is it?

**The Hon. CARMEL TEBBUTT:** We use mentoring for young people from a non-English speaking background, and we have some mentors from a range of different communities. It is my understanding that we have not been as successful in recruiting the number of mentors as we would like, particularly for non-English speaking background communities. That is one of the reasons why the department has reviewed the mentoring program and is now looking at that review.

**CHAIR:** Do you have any figures for the Committee on the number of mentors?

**The Hon. CARMEL TEBBUTT:** I do not have the figures in front of me, but they are in the annual report. I can provide the figures to the Committee. Do you want the figures broken up between the numbers of indigenous mentors?

**CHAIR:** Yes, that would be helpful in understanding the mentoring program as a whole, how effective it is and how much it costs.

**The Hon. CARMEL TEBBUTT:** Updated figures can be provided. The last figures I have show that 36 Aboriginal clients were supported and assisted by Aboriginal mentors, 28 young offenders from a non-English speaking background were supported by mentors from appropriate cultural backgrounds, and 86 other young offenders were supported by mentors.

**CHAIR:** Are the mentors paid or are they recruited as volunteers?

**The Hon. CARMEL TEBBUTT:** We pay our mentors. I will ask the director-general to give more details.

**Mr SHERLOCK:** We do pay our mentors; although, in a sense, that is not the traditional concept of a mentor. As the Minister indicated, the department did a very thorough review of our program and as a justice agency we need our mentors to work in ways that link very closely to the department's work. There are some constraints around the ways in which a mentor can work in a Justice agency. The concept of a mentor in every other sense is very much the traditional concept of one who works with young persons generally after hours on a whole range of activities which could include recreation, or employment seeking.

**CHAIR:** Are the mentors accountable and supervised?

**The Hon. CARMEL TEBBUTT:** Young people who are under the supervision of the department have a Juvenile Justice officer who is responsible for their case management. The mentor would usually work in with the Juvenile Justice officer. Those issues are being addressed through the review of mentoring. I will ask the director-general to address that.

**Mr SHERLOCK:** As a result of that review the department is drawing up some clear guidelines for the program. The program developed in a way that operated differently in different parts of the State. The department feels that there should be a consistent approach to that program. At the moment we are developing very clear policy guidelines and operational procedures for the program. Those mentors will work very closely with departmental staff, and link with them on case plans for young people. The work they do with young people will be consistent with the case plans.

**CHAIR:** How do you recruit mentors? What is the criteria to recruit mentors?

**Mr SHERLOCK:** Mentors are recruited by the department generally through an advertisement for people who are interested in that area of work. The people who are attracted to that work come from a wide range of backgrounds. Essentially we look for an understanding and an interest in working with young people, preferably some experience in those areas and obviously some personal qualities of compassion and a desire to help young people. Mentors come from a wide range of backgrounds and we do not have a narrow view about the types of people who might take on the work. As the Minister mentioned earlier, people are selected to work with young people of non-English-speaking backgrounds and Aboriginal young people. In recruiting people to work with them obviously we look for people with appropriate cultural backgrounds who could bring an understanding and interest in that area.

**The Hon. JOHN RYAN:** Minister, does a program operate for the payment of accommodation of family members of inmates who are housed at Kariong? Does the department provide accommodation for people to stay nearby while visiting inmates?

**The Hon. CARMEL TEBBUTT:** The department provides families with assistance for accommodation and transport. The department is mindful of maintaining links with a young person's

family while the person is in custody. That is very important to the young person's stability whilst in custody and also for his or her rehabilitation. Eventually the young person will leave custody and more than likely go back with his family. We want to make sure that the young person feels that family connection throughout his time in custody. It is particularly an issue in Juvenile Justice.

A small number of young people are in custody and, therefore, while we have nine detention centres it has been expressed to me very often that people would like detainees to be accommodated closer to their community. That was very much the philosophy behind building the new centres at Dubbo and Grafton and that provided an opportunity for young people detained in custody to maintain some community connection. The department makes available some accommodation and transport for families and recognises that families of young people in custody have stresses and strains to deal with and may not be able to afford those costs themselves. A line item in the budget refers to that.

**The Hon. GREG PEARCE:** What line item is that?

**The Hon. CARMEL TEBBUTT:** It refers not only to accommodation but is covered under grants and subsidies, other expenses. Was the honourable member particularly interested in what was available for parents and family of detainees in Kariong?

**The Hon. JOHN RYAN:** Yes. Would you give us some information as to what is available at, say, Kariong?

**The Hon. CARMEL TEBBUTT:** I want to clarify that accommodation is not available on site.

**The Hon. JOHN RYAN:** How do you assist parents and family members who are visiting? What are the guidelines and criteria? I imagine that people would apply for this sort of assistance. How is it allocated, what guidelines are attached to it and so on?

**The Hon. CARMEL TEBBUTT:** I will ask the Director of Operations to provide more specific information.

**Mr MUIR:** Every young person in custody has a Juvenile Justice officer allocated to him or her. It is one of the roles of those officers to liaise with the families of young people in custody. Specifically at Kariong, the parents of the young people concerned are eligible to apply on an as needs basis for assistance both with transport and accommodation costs. The department does not means test this assistance and provides it on an as flexible a basis as possible. Some people will travel by public transport, others will be assisted with motor vehicle costs. We will use motels adjacent to the Gosford sites to assist families with accommodation as necessary.

**The Hon. GREG PEARCE:** Did you say the assistance is not means tested?

**Mr MUIR:** No.

**The Hon. GREG PEARCE:** Who makes the decision to provide the assistance?

**Mr MUIR:** The Juvenile Justice officers.

**The Hon. JOHN RYAN:** How is that assistance rationed? One would imagine that you have to limit it in some ways. How do you decide how much how little is provided?

**Mr MUIR:** We have looked at the expenditure patterns and the areas from which young people come from around the State. We have provided each centre and juvenile justice location with a budget for this line item. Each location has lived within that budget. The majority of assistance is provided for young people and families from rural areas, naturally, where the distance of travel is greater.

**The Hon. CARMEL TEBBUTT:** For the benefit of the Committee, the budget for the current financial year is \$80,000 and as at the end of May it was slightly underspent.

**The Hon. GREG PEARCE:** Is that the budget for Kariong or for everywhere?

**The Hon. CARMEL TEBBUTT:** That is for everywhere.

**The Hon. JOHN RYAN:** Do you have any special arrangements with the Bella Vista motel, which is close to Kariong?

**The Hon. CARMEL TEBBUTT:** I am not aware that we have any special arrangements with the motel. We can take that on notice and provide more detail. It may well be that if it is a local motel and close by it is used, but I am not aware of any arrangement.

**The Hon. JOHN RYAN:** When parents are funded in this way, does the allocation include expenses other than accommodation? Are families given assistance for food or other needs that they may have when they are away from home?

**Mr MUIR:** I would have to get further information. Generally it would entail basic food and pre-agreed costs. There are usual parameters around what is provided and what is not provided.

**CHAIR:** Are you taking that question on notice?

**The Hon. CARMEL TEBBUTT:** We agreed to take on notice the question about whether the department has a specific arrangement with the motel referred to by the Hon. John Ryan.

**The Hon. JOHN RYAN:** Do the arrangements allow people to use the minibar and other services of that nature when they stay in a motel?

**Mr MUIR:** Absolutely not.

**The Hon. JOHN RYAN:** Are they instructed not to use those services or you do not pay the bill?

**Mr MUIR:** I would have to get further information, but it is very clear that the department does not cover minibar costs.

**The Hon. GREG PEARCE:** Do you provide them with cash or a reimbursement on receipt? How does it actually work?

**Mr MUIR:** In relation to motel costs, we would generally reimburse the motel directly. Meal costs would be determined on the availability of appropriate services.

**The Hon. GREG PEARCE:** Do you give them cash?

**Mr MUIR:** In some cases, yes.

**The Hon. GREG PEARCE:** What sort of quantum do you pay?

**Mr MUIR:** I would not be able to answer that.

**The Hon. GREG PEARCE:** Would you let us know?

**Mr MUIR:** Yes.

**The Hon. JOHN RYAN:** How often would you allow family members to access that assistance for any individual inmates? Is there a guideline that suggests how often that might occur?

**The Hon. CARMEL TEBBUTT:** The point I was trying to make in my initial comments is that it is very much our aim to try to encourage young people who are spending time in custody to maintain contact with their family as much as possible. Having said that, it has certainly been my experience, although this is anecdotal, that that is not an easy task for the department to ensure. It is commonly the case that when there are incidents in juvenile justice centres, inevitably one of the

factors that led to the incident is that detainees were expecting a visit from mum and dad and they did not turn up, they were expecting phone contact and they did not call, or they had phone contact but it did go as expected. It is a particularly problematic area of the department's operations in the sense that, with the department's primary focus on rehabilitating young offenders, we know that maintaining connection with families is important. At the same time there is a limited role that the department can play to try to ensure that connection is maintained. The department tries to manage it in such a way that it encourages those community contacts to be maintained and does so in a fair and reasonable manner.

**The Hon. GREG PEARCE:** We are talking about accountability. The Director of Operations said that these payments are not means tested.

**The Hon. CARMEL TEBBUTT:** I point out for the honourable member that if they were means tested we would probably find that every parent of every young person in custody would qualify.

**The Hon. GREG PEARCE:** How many families receive these benefits? On average, how often do they receive these benefits? What systems do you have in place to make sure that one family has not had, say, 55 payments in a year? What dollars on average are being paid for each visit? I am concerned about the issue of accountability.

**The Hon. CARMEL TEBBUTT:** I understand. The point I am trying to make is that it certainly would not be my sense that families took advantage of this scheme. In fact, the opposite is usually the case. That is not the case for all young people in custody up for a lot of them. It is a struggle for the department to maintain that family contact. Nonetheless, we will pursue the issue of a specific arrangement with the motel referred to by the honourable member as well as your interest—

**The Hon. JOHN RYAN:** We are seeking guidelines. One obvious available critique of such a scheme would be that it is a holiday scheme for people who are related to serious offenders. It is fair to say that some effort ought to be made to ensure that it does not become a holiday scheme.

**The Hon. CARMEL TEBBUTT:** I am certainly quite confident in confirming for the Committee that it is, in fact, not a holiday scheme for the families of serious offenders.

**The Hon. JOHN RYAN:** Who has the discretion about the allocation of those funds, and how often they are allocated? At Kariong or at any juvenile justice centre, who has the discretion to allocate funding and ensure that the funding is appropriate?

**The Hon. CARMEL TEBBUTT:** I will refer to the Director of Operations. I assume that discretion would rest with the centre manager. We are talking about \$80,000 across the department for the whole of the State.

**The Hon. JOHN RYAN:** I know it is not much.

**The Hon. CARMEL TEBBUTT:** As I have referred, it has been slightly underspent as at the end of May. That seems to indicate to me that there is not some massive manipulation of the scheme, if that is what you are concerned about. Perhaps you have particular issues with regard to Kariong. If you want to provide more details to me I would be pleased to follow those up.

**The Hon. GREG PEARCE:** Mr Muir earlier said that it was the decision of the Juvenile Justice officers who were allocated to each young person.

**Mr MUIR:** The actual unit managers have the financial delegation. The Juvenile Justice officers have the power to recommend and the manager of the unit has the financial delegation to sign off the approval. They are, in turn, responsible to their regional directors, who are required to submit a monthly report on all items of expenditure.

**The Hon. JOHN RYAN:** In the Ombudsman's report on the Kariong detention centre, the Ombudsman said:



... centre rules were flouted by staff, permitting smoking ...

What are the policies with regard to smoking in detention centres? Is there any chance that the practice reported by the Ombudsman is still occurring?

**The Hon. CARMEL TEBBUTT:** I am certainly glad that the honourable member has raised the issue of the Ombudsman's report into Kariong because as you, Madam Chair, and the Committee would be aware, the Ombudsman made a detailed report in his March 2000 report. There has been significant change at the Kariong Juvenile Justice Centre. In fact, as the Ombudsman recognised at the time he handed down his report, the change at Kariong actually predated the Ombudsman's report. The department worked very closely with the Ombudsman in terms of implementing the suggested changes, including tightened security and management changes at the centre. As well, there has been a real emphasis on the programs that were available to detainees at Kariong and expanded training. Juvenile justice staff when inducted now receive 20 days training. That is a slight increase.

As I have reported to the House before—but it might not hurt to re-report to the Committee—on 9 October 2001 we received a letter from the Ombudsman in which he indicated that no further reports on compliance with the investigation report's recommendations are required because he had had the opportunity to visit Kariong and was "impressed with the significant changes that have been made at the centre". The Ombudsman continued:

I acknowledge the considerable amount of work undertaken by many departmental and centre staff to bring about these changes.

The honourable member has referred specifically to smoking.

**The Hon. JOHN RYAN:** Largely because of the Ombudsman's description in his 2000 report, in which he said:

In some cases centre rules were flouted by staff permitting smoking and pornographic material in rooms, the showing of unauthorised videos, the listing of detainees' support against other workers. The large number of cigarette lighters and cigarettes evident throughout the disturbances suggest some staff were complicit in their entry and/or the retention by members or that searches were inadequately conducted.

No-one would say that was a flattering description of a juvenile justice centre. I am concerned about what has happened in regard to that report.

**The Hon. CARMEL TEBBUTT:** Do you want the full detail of the changes that have been brought in at Kariong since the Ombudsman's report in March 2000?

**The Hon. JOHN RYAN:** Yes.

**The Hon. CARMEL TEBBUTT:** I would be happy to provide those for the Committee. As I said, the Government has taken significant steps to rectify the problems at the Kariong Juvenile Justice Centre that were detailed by the Ombudsman in his March 2000 report. If I can turn, in the first instance, to security, \$3.25 million has been spent on upgrading and repairs, which include safer accommodation. The major works have now been completed. Additional funds have been expended on enhancing security of the administration building. Operational staff were issued with belt-mounted duress alarms. Closed circuit television cameras were fitted to key areas, steel grilles were fitted to certain windows and ceilings were strengthened. Tougher measures were introduced to stop drugs being smuggled in, including the use of drug detection dogs, and there was an increase of staff to detainee ratios.

With regard to management, a new centre manager has been appointed. The position of regional director and assistant regional director were created at a period of time to provide additional management support to the Kariong Juvenile Justice officers. That has now been superseded by the department's restructure. With regard to training, the Ombudsman spent some time on recognising that additional training was required.. As a result of the Ombudsman's report, total staff training increased substantially. But the department also introduced specialist training in restraint responses, which was to be augmented by departmental training in managing difficult behaviours. The department provides that specific training to front-line custodial workers. By all accounts, it is well received by staff. It gives them specific skills in dealing with difficult behaviour, in how to manage situations and reduce

conflict, as well as in self-defence mechanisms. It also addresses some of the issues that lead to an escalating situation.

The induction course for senior youth workers has been enhanced, child protection training for youth workers has been strengthened and workplace and first aid training courses have been carried out. With regard to increased detainee programs, a new school has been established and a new principal and teachers appointed to the centre's school. The school started running an extended school year to ensure better coverage of programs. I am not sure what the case is at this point in time. Certainly since the disturbances the school has been running largely with full enrolment, compared to low enrolment prior to the school disturbances. It is unfortunate that because Kariong was built without a school, the school is smaller than I think would be ideal for a centre of that size, although we have reduced the numbers at Kariong. It now operates with only three units rather than the four units it had when the Ombudsman started the initial investigations. Enhanced job skills courses have been introduced for detainees.

A full-time investigations unit has been established within the department to deal with allegations of staff misconduct quickly and fairly. As I have already pointed out, the Ombudsman has now acknowledged that there are no further reports required by the department with regard to Kariong, and in that report the Ombudsman indicated that he is satisfied that we have implemented the changes required by him. Nonetheless, the Ombudsman keeps a general overview of all juvenile justice centres, and somebody from his office regularly visits juvenile justice centres.

There are, of course, other mechanisms that provide for some monitoring or overview of juvenile justice centres, including Official Visitors that are appointed by me and report directly to me. As well, the department has introduced a system of quality reviews where each centre is reviewed twice a year. This is to an extensive process, which involves management from outside the centre coming into the centre and spending time with staff. Also, the Official Visitor is invited to participate in the process. The aim of the quality review is to report against the standards that are available for juvenile justice centres and to provide a regular process of monitoring what is happening in juvenile justice centres. Of course, one of the things that the Ombudsman referred to, and it is a fact of life, is that juvenile justice are closed environments, and, therefore, cultures can sometimes build up that are less than healthy. That is why the quality reviews twice a year are very important processes for the department to monitor exactly how juvenile justice centres are complying with the department's policies and standards.

**The Hon. JOHN RYAN:** That is all well and good but they do not quite get to the point of some of the other criticisms of the Ombudsman, such as the cigarette incidents, and where, in hearings conducted into specific allegations, some staff demonstrated, and in one case, admitted to attitudes and behaviour ill suited to their role as senior youth workers, such as swearing at detainees and using derogatory language, and other inappropriate behaviour such as abusing juvenile justice detainees involved in disputes with staff. This does not suggest a high level of professional behaviour. How are those sorts of issues addressed, because, quite frankly, giving people training in restraint techniques and using drug dogs and additional first aid does not necessarily deal with those sorts of staff conduct and attitudinal issues?

**The Hon. CARMEL TEBBUTT:** I would disagree. I would think that staff training is critical to dealing with staff conduct and attitudinal issues. I think the measures are necessary as well.

**The Hon. JOHN RYAN:** I would not disagree with that but many of the measures you have outlined do not actually deal with how the conduct of staff is being addressed. They are much more subtle issues and the occasional visit from the Ombudsman is probably not likely to notice them. We would want to know that some other mechanism was in place within the department to make sure that staff understood that on a routine basis it was not appropriate to swear at detainees or use language in disputes with staff, or permit the use of cigarettes as a bargaining chip, as was apparently the case.

**The Hon. CARMEL TEBBUTT:** The honourable member is referring to a series of incidents that occurred in a maximum security centre in 1999. The Ombudsman reported in March 2000. We are now in 2002 but I am happy to go back over those incidents if it is useful for a greater understanding of how juvenile justice in New South Wales works. I do not think the Ombudsman lightly signs off on reports that he undertakes and I again refer the Committee to the fact that we

received a letter from the Ombudsman in October 2001 which indicated that the Ombudsman believed that no further reports of compliance were required because he was satisfied that we had complied with his report.

I see as a pretty good degree of support from the Ombudsman the fact that the changes he saw as being necessary have been put in place at the Kariong Juvenile Justice Centre. Nonetheless, the department can never afford to simply sit back and say, "Okay, those changes have occurred. We don't need to keep monitoring what's happening at Kariong or at any other juvenile justice centre for that matter." because we are talking about environments that involve very challenging, difficult issues every single day. Every single day those staff go into an environment where it is tough and it is hard, and the department has to make sure that there is a process of oversight from outside the centre. That is absolutely essential and that is why the department has quality reviews twice a year, and it is quite an extensive process. I might get the director-general to provide more details to the Committee about what exactly happens in a quality review because that might put at rest some of the concerns the Hon. John Ryan might have about how we make sure that issues that occurred and were referred to in the Ombudsman's 2000 report do not recur at Kariong or at any other juvenile justice centre.

That is not to say that we will never again have another incident in a juvenile justice centre. Of course we will, because that is the nature of that environment. What we have to make sure is that staff are as well equipped as possible to do the difficult job they have to do, so that they are able to deal with situations with detainees who are exhibiting difficult behaviour in a far more calmer, rational way than what we saw in the lead-up to the Kariong riots. We also have to make sure that there is ongoing support and training provided for staff and that there is a system of oversight and monitoring from outside the centre. I will ask the director-general to provide more details about the quality review process.

**Mr SHERLOCK:** As the Minister indicated, quality reviews are one of the many mechanisms that the Government has in place for oversight of detention centre operations. Quality reviews are conducted over a two-day period, twice a year, at each of the nine centres around the State. Essentially, the purpose of the review is to assess the operation of a centre against the Australasian standards for juvenile justice centres. There are a range of standards that cover all operational areas of the centre, including the rights of young people in the centre. A range of staffing issues are addressed and many of the very issues raised earlier by the honourable member are covered by these reviews.

They comprise an independent panel coming to the centre to conduct the review. That panel includes senior management of the department, and on every occasion either the director-general or the director of operations is a member of that panel. There are representatives of the Department of Education and Training, the department's specialist services, and the Aboriginal unit. That panel assesses the centre against the standards over a period of two days, twice every year. It is a very thorough, exhaustive process. The outcome of the review is fully documented. An action plan is developed from the outcome of the review, which is reviewed at the next quality review six months later. The department's senior management ensures that issues that arise from those reviews are, in fact, dealt with between one review and the next.

**The Hon. JOHN RYAN:** So staff conduct issues are part of that review?

**Mr SHERLOCK:** Yes, they are.

**The Hon. JOHN RYAN:** Have any recommendations been made with regard to staff conduct at Kariong recently?

**Mr SHERLOCK:** There may have been particular issues in relation to Kariong. There is a standard that relates to human resource management, which would include issues concerning conduct. If there are particular systemic issues that support trends at that centre, they would be dealt with through that process. However, individual issues relating to staff conduct are dealt with on an individual basis through the department's professional conduct unit.

**The Hon. JOHN RYAN:** Issues of staff conduct and commitment usually are the product of the staff you hire, and that is often related not disproportionately to their salary and their opportunities

for promotion. It tends to be that if you pay well you get good people; if you do not pay well, you do not. When I visited Reiby some years ago it was apparent to me—and this is a personal observation and maybe prejudiced—that a significant upgrade in who we employ would make a significant difference. Has any progress been made in the last 12 months to ensure that we employ people who are better trained, who have a better commitment to the rehabilitation of young people, and who are the sort of youth workers who ought to be employed? I do not want to suggest a general blanket criticism that there are not committed people within the department, but it appeared to me that that was a fairly critical input that needed to be addressed over time.

**The Hon. CARMEL TEBBUTT:** Yes, you are absolutely right, that very much the culture of an organisation depends on the staff who are working there. The Council on the Cost and Quality of Government [COCQAG] review actually addressed the issue in some detail. That process looked at the structure of detention centres—and when I say the "structure" I mean how the centre is operating and the role of each person within the centre—and it also looked at what rates of pay were provided to detention centre staff and how you link their salary to training. We are in the process of signing off on the restructure arising from the COCQAG review with the Public Service Association [PSA] as we speak. It is my understanding that it has to go to a ballot of all PSA members before they can finally accept it. That review and the outcome of that restructuring provides increased salaries for front-line custodial workers in juvenile justice.

It also provides for the linking of movement through the career system with achieving certain qualifications because it is very much my view that it is about how you make sure that people get the qualifications and undertake the training, and that you encourage that to occur. Arising from the restructure there will be a process of linking movement through the career system with achieving certain qualifications. I think that will improve career prospects within the Department of Juvenile Justice, which is a significant issue.

Another thing arising from the COCQAG review, which will be a real challenge for the department, is that it requires front-line youth workers to be involved in casework. That is going to require the department to train its front-line youth workers, and every bit of support by more senior staff within the organisation. Of course, the aim behind that is to try to get away from what often happens in juvenile justice centres: front-line custodial workers basically see their role as being very security focused; and support staff, whether they be drug and alcohol counsellors, caseworkers, et cetera, are involved in dealing with issues that often lead to a young person getting caught up in offending behaviour.

The department is attempting through the COCQAG review and restructure process to merge those two roles more, to make front-line custodial staff take more responsibility for casework, and to better support them with the support staff that are available in a detention centre. It is one of the common issues that front-line custodial workers say, "The support staff are not there on the unit every day knowing what the issues are with young people. It is all right for them to suggest we do this, that and the other, but we are there every day dealing with the issues. We have a better sense of what needs to happen." It is trying to get rid of the distinction between what custodial front-line workers see as their job and what support staff see as their role. It will take some time for the department to implement, but it is part of the COCQAG review, which is in the process of being finalised with the PSA as we speak.

The department has also changed its recruitment processes significantly to attract the best quality staff to juvenile justice centres. We now provide significantly enhanced training for front-line staff. The induction training for front-line staff is now 20 days, which is soon to be increased to 25 days. I will ask the director-general to talk more generally about the changes to recruitment.

**The Hon. HENRY TSANG:** The Hon. John Ryan asked about the language used by staff. When difficult detainees use bad language, including four-letter words, when addressing staff, how can staff restrain those detainees without using the same sort of language? How do they make the detainees understand?

**The Hon. CARMEL TEBBUTT:** The Hon. Henry Tsang is asking whether young people using bad language encourages staff to use bad language in response.

**The Hon. HENRY TSANG:** Using four-letter words in the right context might get the message across to detainees. I am curious about now staff are able to pass on a simple message to detainees without using bad language.

**The Hon. CARMEL TEBBUTT:** I will ask the director of operations to provide more detail on the subject, but it is certainly possible for staff not to use bad language—and it is done all the time. Staff must abide by a code of conduct, which includes not using inappropriate language. That means not just swearing but inappropriate ways of speaking to detainees. One of the things that is really important for young people who spend time in custody—in fact, it is important for all clients of the department—is positive role models. These young people have often not had the advantage of many positive role models in their life and it is important that the staff understand their role as role models for these young people.

Because of the close contact that staff have with young people in custody, in particular, they build up a relationship. Young people often learn behaviours and look to juvenile justice centre staff to provide some guidance about the appropriate way to behave. On the whole, I think staff are very mindful of that role and take it very seriously. The department has also tried to reinforce that through the training it provides to staff. For example, training addresses understanding why young people will behave in a certain way and why they exhibit challenging behaviours—whether it is because of mental health issues or a drug and alcohol problem. If the staff have a better understanding of what causes the young person to behave in particular manner they will be much more likely to respond to that behaviour appropriately and in a way that minimises conflict as a result that behaviour. As he has obviously worked in the system much more closely than I, the director of operations might like to comment in more detail.

**Mr MUIR:** In addition to the Minister's comments, staff receive specific training in relation to this issue. We referred in earlier answers to our "managing difficult behaviour" training, which was introduced specifically to deal with the sorts of contingencies that the Hon. Henry Tsang mentioned. We looked at our system and saw that staff are dealing, day in, day out, with very challenging behaviour—not only physical but also verbal aggression on the part of young people. The training emphasises conflict resolution and de-escalation, while recognising that behaviour management has a continuum. Our behaviour management systems are aimed at managing the behaviour of young people along that continuum.

It begins with things such as our incentive scheme. Every centre is required to have an incentive scheme that encourages people to act pro-socially. We start the process by ensuring that when young people do not physically threaten or intimidate staff or other detainees they are rewarded for those behaviours in very small ways. The other end of that continuum sometimes involves restraint, as the Minister mentioned in a previous answer. We teach staff how to deal with both ends of the continuum, but the heavy and overwhelming emphasis is on acting appropriately, conflict resolution and de-escalation of the situation. We find that entering into the kinds of behaviour to which the honourable member referred only escalates a situation. At the end of the day our prime aim is to teach young people to act appropriately, and we certainly cannot do that if we engage in the same type of behaviour that involved their getting into custody in the first place.

**CHAIR:** I prevented the director-general from answering a question about recruitment processes. I invite him to answer now.

**Mr SHERLOCK:** The department currently conducts a quite extensive recruitment process. Many will have seen last weekend the new advertisements that the department has developed to try to attract a wider range of people to positions in the department. That is very much in the context of getting people with appropriate backgrounds into those positions. The next step after advertising is usually an information night for potential staff. We provide them with a range of general information about the department and work in the department's detention centres. We explain the key requirements of the positions that they are interested in. If they are interested, they submit an application.

Requirements for each position are obviously clearly spelt out in the advertisement. Having lodged an application, there is then a quite an extensive process whereby the applications are culled initially on the basis of whether people meet the essential requirements for the position. If people get through that process, there is then a range of activities including psychological profiling. We have a

standard process whereby potential applicants complete questionnaires about a range of background issues and experience that they might bring to the position. That material is then scored and, if the applicant is seen to be suitable, in most cases there might be a psychological interview. Having been through that process, people must then undertake a selection committee process.

When we finally reach the stage where we have a number of recommended applicants for positions, the department conducts very rigorous screening. In accordance with the Child Protection (Offenders Registration) Act 2000 and the Child Protection (Prohibited Employment) Act 1998, all staff offered employment in the department are subject to very strict screening procedures in relation to their background. If there is concern about the suitability of applicants, perhaps because of their unsatisfactory background or unsuitable attitudes, the department's procedures would ensure that in most respects we would be able to eliminate them. However, human nature being what it is, there will always be times when people manage to find their way through all those processes and the department still finds them to be unsuitable. In the event that that occurs, we deal with it very quickly and effectively. As I said earlier, we have a professional conduct unit and the department will deal with any conduct issues concerning staff in accordance with the Public Sector Management Act and the disciplinary guidelines in that legislation.

**CHAIR:** I have a question about your Aboriginal Overrepresentation Strategy Plan, which was published in September 2001. According to the plan, the department established 73 positions for people of Aboriginal and Torres Strait Islander background. How many of these positions have been filled? What types of recruitment strategies does the department have to recruit people of Aboriginal and Torres Strait Islander background? How many of the department's employees are from non-English-speaking backgrounds?

**The Hon. CARMEL TEBBUTT:** The department employed 88 Aboriginal and Torres Strait Islander staff in permanent positions; 66 of these are identified positions with the other 22 staff employed in mainstream positions. They do not include casual staff numbers. You might also be interested to know that, following the Council on the Cost and Quality of Government restructure that I mentioned earlier, an additional 33 positions were allocated to centres that are designated indigenous positions.

**CHAIR:** Do you have any strategies to recruit those people?

**The Hon. CARMEL TEBBUTT:** The department has a general strategy. I will check whether we have a specific strategy for recruiting indigenous people.

**Mr SHERLOCK:** I mentioned earlier that last weekend the department ran a range of advertisements specifically designed to recruit Aboriginal staff. We consulted about those advertisements with regard to the particular interests and skills that Aboriginal staff may bring to the work. Those display advertisements appeared in the press last weekend. That is one reflection of the department's overrepresentation strategic plan, and recruiting additional Aboriginal staff is very much a key strategy of that plan. It is fair to say that the Department of Juvenile Justice is a very significant employer of Aboriginal staff. The figures that the Minister provided would compare very well with those of any other public sector or private sector agencies.

**CHAIR:** What about staff from non-English speaking backgrounds? People from such backgrounds are also overrepresented in the juvenile justice system.

**The Hon. CARMEL TEBBUTT:** Are you interested in the number of people that the department employs?

**CHAIR:** Yes. The Police Service employs officers from different backgrounds and I wondered whether the juvenile justice system has front-line or custodial staff from different backgrounds.

**The Hon. CARMEL TEBBUTT:** There are five identified multicultural positions in the department: Three Juvenile Justice officers, one multicultural officer, one Pacific Islander and one Vietnamese officer. There is also a multicultural caseworker position and a Vietnamese juvenile justice counsellor. If you are interested in the background or make-up of departmental staff, it would

obviously reflect a much higher involvement by people from non-English speaking backgrounds. The department also uses a range of non-government organisations to provide services specifically designed for young people from particular ethnic backgrounds in order to support them in terms of reducing their reoffending behaviour.

**Ms LEE RHIANNON:** The Government recently introduced a raft of law and order legislation. Were you involved in negotiations with respect to the impact that these laws will have on the running of your department, particularly the possible increase in the number of detainees?

**The Hon. CARMEL TEBBUTT:** I cannot disclose the Cabinet processes that occurred. With regard to the bail legislation—I am not sure whether that is the specific legislation to which Ms Lee Rhiannon is referring—if a person before the court is under the age of 18 years, the court must take that into account, and whether that person has any special needs as a result of his or her age, when considering bail. I think it is probably too early at this stage to tell what impact that legislation will have on the juvenile population in custody in New South Wales. The reality is that at the moment a relatively high proportion of young people in custody are on remand. More than half of the young people in custody are remanded into custody. That seems to indicate to me that magistrates are already fairly likely to remand into custody a young person who they feel has some history of repeat offending.

Nonetheless, should there be an increase in the juvenile justice population—the department certainly does not expect that there will be a huge increase; the population has been declining for some time—the department's custodial facilities will be able to accommodate that increase. We currently have excess capacity in the system, and have had for quite some time because of the decline in the number of young people in custody.

**Ms LEE RHIANNON:** Just in terms of resource allocation, do you believe you have sufficient resources to accommodate an increase? Considering the Premier is on the record as saying that he is expecting there will be an increase in the number of prisoners, I would expect you would be looking to have some increase flow into juvenile justice as well?

**The Hon. CARMEL TEBBUTT:** Certainly we have the capacity to accommodate that, should that occur. At the moment the department has a bed capacity of 430 young people and in fact some of our centres have additional beds that could be used, should they be needed. But, as I said, it is too early to determine the impact. It is certainly not the department's expectations that there will be a huge impact on the number of young people going into custody.

**The Hon. JOHN RYAN:** What is your remand population?

**The Hon. CARMEL TEBBUTT:** I think it is in the outcomes/outputs, but it is just over half of the total juvenile population.

**Mr SHERLOCK:** The total population as of today is 289 and approximately half of those young people would be on remand.

**The Hon. JOHN RYAN:** So how many remand beds have you got left over, because that is where the new bail laws are likely to cut in? It is all very well to say you have got a surplus capacity in the custodial area but they might be beds that are used for orders, not remand. What is the remand situation?

**The Hon. CARMEL TEBBUTT:** We tend not to make that absolute distinction between remand beds and control beds, although the reality is that Cobham Juvenile Justice at St Marys is our major remand centre, being in the Sydney metropolitan area. But the Frank Baxter Centre now has a remand capacity and can take young people on remand; and of course the regional centres always take young people on remand. So we tend not to have that division, but Cobham, being our main remand Centre, as such is largely used for remand. It is rare that young people would be on control orders at Cobham.

I might just also indicate that the department is very conscious of the need to provide bail support programs as well. We have the Ja-Biah accommodation program in western Sydney and a new

bail accommodation support program is proposed for the New England area. The department is currently going through an expression of interest process for that, and it is expected to be operating in this coming financial year. Of course, Juvenile Justice officers have a critical role in supporting young offenders as well in terms of those court processes.

**Ms LEE RHIANNON:** I am surprised to hear you say that you do not expect there to be much of an increase. With the changes to a whole raft of legislation, such as for sniffer dogs and sexual offenders; a lot of that is going to be hitting young people. I am really surprised you are saying you are not expecting to get a big increase.

**The Hon. CARMEL TEBBUTT:** I am basing it only on past experience in the sense that we have seen over a number of years now the adult population increasing and yet we have not seen that at all reflected in the juvenile population. When we came into government the population was about 500; it now averages around 300. So there has been a significant decline in the number of young people in custody and I think that does reflect a number of things, but particularly that a lot more diversionary strategies are available; I think the specialised Children's Court magistrates have a better understanding of the issues that are confronting young people and there are perhaps better ways to deal with their offending behaviour than a custodial sentence—not in all instances obviously, but in many instances.

So it is my expectation that the bail legislation will not have a significant impact on the juvenile population. There will be an impact but it will not be a significant impact and I think it is reflected in the legislation itself, where it requires magistrates to take into account the special needs of young people.

**The Hon. GREG PEARCE:** The Minister just pointed out that the average population of juveniles is under 18 years of age.

**The Hon. CARMEL TEBBUTT:** Essentially, but there are some young people over 18 who are included in that.

**The Hon. GREG PEARCE:** The average number has decreased from around 500 to around 300, which I can see, but just looking at page 10.8, the average number of detainees who are Aboriginal and Torres Strait Islanders [ATSI] has increased, but for people from a non-English-speaking background it has pretty well stayed the same. Why would you expect those numbers not to decrease when there has been such a significant decrease in the overall numbers?

**The Hon. CARMEL TEBBUTT:** I think it is fair to say that the ATSI number of young people in custody has remained relatively constant. It was 122 in 1999-2000, 117 in 2000-2001 and 126 in 2001-2002, so I think it has remained relatively constant. The real issue is that in a context of an overall declining population the number of indigenous young people in centres is not declining, and that is a source of great concern.

**The Hon. JOHN RYAN:** Might I suggest that the diversionary strategies that have been implemented over time are working for everybody other than the ATSI population. If there is some effort made to determine what it is they need to be diverted from custody, it could be said that those strategies are great for white Anglo-Saxon people, possibly those resident in metropolitan areas, but the one group that appears to be vastly untouched by all of that effort are ATSI people.

**The Hon. CARMEL TEBBUTT:** And that is why the department developed its Aboriginal overrepresentation strategy, which was launched last October and provides for the next three years a very clear focus and direction for the department in the delivery of services to indigenous young people. I know this committee recognises that reducing the overrepresentation of young indigenous people in the criminal justice system is something that is never going to be resolved by the Department of Juvenile Justice on its own; it requires government agencies and non-government agencies working together. It is very much a reflection of the socioeconomic situation of many indigenous people that is reflected in the higher rates in custody. Nonetheless, there are things that the department can do and that is why the Aboriginal overrepresentation plan is such an important plan for the department.



**CHAIR:** Talking about that plan, why was that plan not mentioned at all in the budget paper?

**The Hon. CARMEL TEBBUTT:** I am not sure that it is not mentioned in the budget paper. I thought there was a reference to it. If not, it may well be that it was not mentioned in the budget papers because it was launched in October last year.

**CHAIR:** It is such an important paper and it is a very good paper. All of these points of strategies are very useful and I am surprised that it was not used in the budget.

**The Hon. CARMEL TEBBUTT:** I am fairly sure it is in the Social Justice budget statement. I need to check that, but I am fairly sure it is in there.

**CHAIR:** It is not, I read through it.

**The Hon. CARMEL TEBBUTT:** It is not in the Social Justice budget statement?

**CHAIR:** I do not know about the Social Justice statement, but certainly in this paper it is not mentioned at all.

**The Hon. JOHN RYAN:** I do not think the Social Justice paper is distributed to all members.

**The Hon. CARMEL TEBBUTT:** Perhaps that is something you need to follow up with the Deputy Premier but I am fairly sure that it is in the Social Justice budget statement. Just for the benefit of the committee, the Hon John Ryan referred to diversionary strategies not working as effectively for indigenous young people. While I think that, yes, there is some truth in that, I am looking at the figures here. To 12 June 2002 there were 1,688 referrals to conferencing, 395 of whom were identified as Aboriginal or Torres Strait Islander. So that is about 23 percent. It was certainly my recollection that the study done by the Bureau of Crime Statistics on conferencing—not the recent one that was released about recidivism but the one before that, which looked at how victims were relating to conferencing, how they felt about conferencing, and what the impact was on young offenders and their families—certainly found that while young indigenous people were not being referred to conferencing at as high a rate as non-indigenous people, they certainly were represented at a greater level than was expected at the beginning of the study. So 23 percent is the figure that we have for young indigenous people referred to conferencing. The Aboriginal Overrepresentation Strategic Plan is on page 23 of the Government's Social Justice budget statement.

**Ms LEE RHIANNON:** I understand that young women in juvenile justice are certainly a minority but I also hear that they present with the highest needs in many areas in terms of drug abuse, homelessness and alcohol issues. I was just wondering about the department's girls and women action planning, where it is up to, and how much has been allocated for it, and about any other programs to particularly address the needs of young women in juvenile justice centres.

**The Hon. CARMEL TEBBUTT:** For the financial year we are about to enter, the major project with regard to addressing the needs of young women who are clients of the department is the development of the new young women's centre on the Minda Minali site, which was provided for in the last budget and is being continued. That centre is being developed to specifically address the needs of young women in custody; something that we have not been able to do from scratch at the current Yasmar site because it is not a purpose-built site.

The new centre on the Minda Minali site is going to have specific accommodation to address the needs of young mothers; it will have accommodation that can operate as a privilege unit; it will have accommodation that addresses the needs of young women who demonstrate challenging behaviour—that was something that was identified by the senior Children's Court magistrate some time ago as a weakness in our current centres—as well as having the usual accommodation that is provided in any custodial facility for young women.

I set up an advisory committee to provide advice to me on the development of the new young women's facility to ensure that the needs of young women were properly considered in the planning

process. With regard to the broader group of young women in juvenile justice, including young women who are being supervised in the community, yes, you are right, it is a significant minority of the overall population or the overall group that the department has responsibility for, but the department, to better address the needs of young women, has developed the girls and young women action plan and has worked closely with the Department of Women in doing so.

I might just ask the director-general to confirm that and provide a bit more detail but it is my understanding that that plan is in draft form and that the final round of consultations on it is occurring as we speak, so there has not been a budget allocation as such provided for that plan, and I do not think there would be. The expectation is that staff in the department have yet to incorporate the goals, principles and policies expressed in that plan within the work that they are doing. The director-general might just provide a bit more detail as to where it is at.

**Mr SHERLOCK:** The action plan has been developed, as the Minister said, with the Department for Women and there has been extensive consultation on that plan, which has now been completed. The draft plan is due to come to the department's executive committee, I think tomorrow, but certainly in the near future, and at that point in time a decision can be made about progressing the recommendations in the plan and resourcing it.

**The Hon. GREG PEARCE:** Can I just take you to page 10.9, the staffing, and there is an average of staff there. Is that full-time staff?

**Mr SHERLOCK:** It would be full-time staff.

**The Hon. GREG PEARCE:** There is 1,30 budgeted and 1,06 this year. How many staff does the department actually have in total?

**The Hon. CARMEL TEBBUTT:** That figure is somewhat complicated by the fact that the department employs a significant number of casual staff, but as at 14 June 2002 the department employed a total of 2,070 staff: This comprised 814 permanent staff, 1,115 casual staff and 241 temporary employees. While that figure for casual staff looks quite high, members of the committee need to take into account that a significant number of those staff are, for example, conference conveners. These are people who are employed by the department on an as-required basis; they facilitate conferences; they may well work for the department once a month; they might be a conference convener in an area that does not have a significant number of conferences; and of course they include sessional supervisors as well as casual staff who supervise for the Department of Juvenile Justice clients who are undertaking community service orders.

For example, a number of sessional supervisors are used to supervise young people in the Graffiti Program because it is often done on weekends. Some of it is done by staff who are employed by the department as permanent staff, but because there is a lot of weekend work involved, we use casual sessional supervisors. Because detention centres are a 24-hour operation you need a significant number of casual staff to keep them functioning effectively.

**The Hon. GREG PEARCE:** How many of that 800 or so are employed in head office and administration-type jobs?

**The Hon. CARMEL TEBBUTT:** Of the permanent staff 96 are in the central support office, 284 are in our community offices and 434 are in juvenile justice centres.

**The Hon. GREG PEARCE:** How many of the temporary employees are engaged in detention centres?

**The Hon. CARMEL TEBBUTT:** Casual staff 417, temporary staff 131.

**The Hon. GREG PEARCE:** Do they all receive the training you were telling us about earlier?

**Mr SHERLOCK:** Temporary staff certainly receive the training.

**The Hon. GREG PEARCE:** The same training as the full-time staff?

**Mr SHERLOCK:** Yes. Casual staff are able to attend training. At the moment they are not paid to attend training. Casual staff are employed on a shift basis. The training that is provided to staff is provided in the department's time, in work time. They are required to complete the assignments and modules of the training outside their working time. But the face-to-face training is delivered within working time. It is not feasible to do that for casual staff. However, they are able to attend if they wish to do so. But we are really not resourced or funded to be able to deliver that training during working time at the department's cost.

**The Hon. GREG PEARCE:** In numerical terms, there are basically double the number of casual staff as permanent in the detention centres?

**Mr SHERLOCK:** No.

**The Hon. GREG PEARCE:** It is roughly equal?

**Mr SHERLOCK:** The permanent staffing in the centres is 434. The casual staffing is 417.

**The Hon. GREG PEARCE:** The casual staff are able to do the training in their own time. Is that what you are saying?

**Mr SHERLOCK:** Yes.

**The Hon. GREG PEARCE:** What percentage of those casual staff in fact do the training?

**Mr SHERLOCK:** A significant percentage. I do not have the figures with me.

**The Hon. CARMEL TEBBUTT:** We would have to take that on notice.

**The Hon. JOHN RYAN:** How many casual staff would you have on duty in the average detention centre? It seems a very high number of casual staff. It would suggest that possibly up to a third of the staff at any one time in a detention centre are likely to be casual. I imagine that casual staff do not do a full load. What would be the average hours casual staff work?

**The Hon. CARMEL TEBBUTT:** One of the things that needs to be taken into consideration is the restructuring of the department. That has had an impact on the number of casual staff. Compared with other agencies we have always had a reasonably high number of casual staff because of the requirement to run detention centres 24 hours a day. If someone rings in sick, you have to be able to replace that person. You cannot afford to operate without that position filled. The director of operations might have more details.

**Mr MUIR:** I would have to take the question about the exact hours on notice. What I can say is that we have a variety of employment patterns. For example, if there is planned leave or long-term leave we engage someone as a temporary employee. That entitles them to the rights and benefits of a permanent staff member and would then entitle them to access to training. We will provide the exact breakup on notice. I can only reiterate the need to replace staff and have a full staffing complement on duty at all times.

**The Hon. JOHN RYAN:** I would not deny that.

**The Hon. GREG PEARCE:** We would like to see the actual numbers of casual and temporary staff who have undertaken training.

**The Hon. CARMEL TEBBUTT:** We will provide that information.

**The Hon. GREG PEARCE:** Do detainees at places such as Kariong get the opportunity to take in some outdoor sporting-type activities?

**The Hon. CARMEL TEBBUTT:** Yes. All centres run a regular recreational program. Detainees at Kariong Juvenile Justice Centre are not able to have leave.

**The Hon. GREG PEARCE:** Would it include activities such as abseiling and canyoning?

**The Hon. CARMEL TEBBUTT:** I think that would be pretty hard to do in a juvenile justice centre. They cannot actually leave the centre so they can only undertake activities on site. That would usually be football, swimming, tennis —

**The Hon. GREG PEARCE:** But it is not dangerous things such as abseiling and canyoning?

**The Hon. CARMEL TEBBUTT:** No, not from Kariong Juvenile Justice Centre.

**The Hon. GREG PEARCE:** From others?

**The Hon. CARMEL TEBBUTT:** I would have to check. Other centres organise a range of programs that have a rehabilitative focus. I am not aware of any abseiling or canyoning but we should check that.

**The Hon. GREG PEARCE:** I am interested in who supervises that sort of activity. What is the cost to bring in outsiders and who takes the risk for those sorts of activities? How is the risk handled? What insurance do you have?

**The Hon. CARMEL TEBBUTT:** Many supervised outings from juvenile justice centres that would require detainees leaving the centre are supervised by the schools. They are not something that the Department of Juvenile Justice has responsibility for. But I am quite sure that the schools would have appropriate insurance arrangements in place. The department has fairly strict supervisory requirements for outings but if they are organised from the school then it is the school's responsibility to manage those issues.

**The Hon. GREG PEARCE:** Have you had kids injured with those sorts of activities?

**The Hon. CARMEL TEBBUTT:** I remember one in the last year. The details escape me. He was injured on a flying fox.

**The Hon. GREG PEARCE:** What happened?

**Mr SHERLOCK:** The incident the Minister is referring to involved a school program but I understand that the particular activity was being conducted by a non-government organisation on behalf of the school. A young person from Baxter centre attended that activity as part of his school program. My understanding is that there were trained professional staff providing that activity but for reasons that I do not fully understand he fell from a flying fox and was injured. As I understand it, he has made a full recovery.

**The Hon. CARMEL TEBBUTT:** Each juvenile justice centre has a school. Those schools are operated by the Department of Education and Training in accordance with the policies of that department. While the Department of Juvenile Justice works closely with the education department, if those programs are being run as part of the school curriculum they are run by the education department.

**The Hon. JOHN RYAN:** Do you have a public liability insurance scheme for the adventure programs run by the department?

**The Hon. CARMEL TEBBUTT:** Yes, we do.

**The Hon. JOHN RYAN:** I think the Duke of Edinburgh Award scheme comes within your portfolio somehow or other.

**The Hon. CARMEL TEBBUTT:** It is actually under Sport and Recreation. The Department of Juvenile Justice has a close association with the Duke of Edinburgh Award scheme, which is

probably why you are associating me with it. Many young people in custody undertake Duke of Edinburgh Award programs. We are very grateful to the scheme for the opportunities it provides for young people.

**The Hon. JOHN RYAN:** I believe public liability insurance is becoming a problem for adventure activities. Are you people still able to get public liability coverage at a reasonable cost? I have an interest in the Boys' Brigade. It is costing us a fortune for coverage for Duke of Edinburgh Award activities and we are having difficulty getting insurance. Does the department have the same problem?

**The Hon. CARMEL TEBBUTT:** If detainees were involved in Duke of Edinburgh Award activities, I assume they would then be covered by the public liability arrangements for that scheme. I am sure it is a difficulty for them because they do get involved in a whole range of different activities.

**CHAIR:** Could you also provide information on notice about staff turnover, both casual and permanent? Because Juvenile Justice is so stressful there must be a lot of staff turnover.

**The Hon. CARMEL TEBBUTT:** Staff turnover has actually declined significantly.

**CHAIR:** While we are dealing with this issue, I would like to know the strategy to prevent staff burnout.

**The Hon. CARMEL TEBBUTT:** During 2000-01 the staff turnover rate was 17.4 per cent. That included all casual, temporary, permanent, probationary and contract staff. For the period July 2001 to the end of May 2002 the staff turnover rate had decreased to 9.9 per cent. That is a significant reduction. There has also been a significant reduction in our workers compensation claims and our workers compensation premiums.

**The Hon. GREG PEARCE:** That is because they know they are not going to get anything if they claim under your reforms.

**The Hon. CARMEL TEBBUTT:** It reflects that over the last couple of years the department has had an increased emphasis on providing training for staff. In 1999 induction training for Juvenile Justice staff was four days. It is now 20 days and is about to become 25 days. There has also been added emphasis on a range of additional training for staff, particularly training linked to the Drug Summit initiatives. This has assisted in reducing staff turnover and the number of workers compensation claims. The COCQOG reforms that I referred to previously will further enhance the department's ability to reduce staff turnover. They address career paths and provide increased staff-detainee ratios. That is an issue of concern to staff. The COCQOG restructure also provides for increased salaries. When those processes are fully implemented they will further enhance the department's ability to reduce staff turnover figures. But in an environment such as Juvenile Justice staff turnover has to be constantly monitored because, as you suggest, it is a tough environment in which to work.

**Ms LEE RHIANNON:** How many self-harm incidents, attempted suicides and suicides have there been in the last year?

**The Hon. CARMEL TEBBUTT:** The figures are in the outputs and outcomes section. In 2001-02 there were 92 incidents of self-harm or attempted self-harm.

**Ms LEE RHIANNON:** What is the trend? How does this shape up with the previous years? Could we also have a breakdown with Aboriginal and Torres Strait Islander [ATSI] and non-English-speaking detainees?

**The Hon. CARMEL TEBBUTT:** I am not sure that I can provide you with the ATSI breakdown?

**Ms LEE RHIANNON:** Do you not keep those figures?

**The Hon. CARMEL TEBBUTT:** I will check. The trend has been declining, not hugely, but declining. The department has to be constantly vigilant about self-harm of young people who come into custody. They are dealing with a whole range of issues. One of the ways their internal concern and stress can manifest is in self-harming behaviour or attempted self-harming behaviour. The department has spent a lot of time over the past couple of years on training staff and ensuring that we have better means of reporting incidents of self-harm. I am not sure whether we keep separate figures for indigenous young people.

**Mr SHERLOCK:** We probably could extract those from our system.

**Ms LEE RHIANNON:** I would like you to do that. Self-harm is prevalent among ATSI people. It would be useful. I get questions about that.

**The Hon. CARMEL TEBBUTT:** Yes.

**The Hon. GREG PEARCE:** Can we have a breakdown of recurrent grants to non-profit organisations. I notice that they are budgeted to go up by half a million dollars. Can you tell me what that increase is for and give a breakdown of it?

**The Hon. CARMEL TEBBUTT:** We will provide that on notice.

**The Hon. GREG PEARCE:** Under the same item, supervised travel for children, what is the breakdown of that? Is that money paid to families or consultants? Who is receiving that \$200,000-odd?

**The Hon. CARMEL TEBBUTT:** Yes, I see the figure that you are referring to, approximately \$200,000. We will take that on notice and provide a breakdown of that amount.

**The Hon. GREG PEARCE:** Could you advise whether that money is paid to contractors, parents, or someone else. Could you provide a breakdown for the final amount for the line item "Expenses for child support and departmental residential care" of nearly \$350 million?

**The Hon. CARMEL TEBBUTT:** Yes, we can provide that.

**The Hon. GREG PEARCE:** I refer now to one area that has not been covered, that is your asset program expenditure. The head office location was budgeted at \$3 million, and due to be paid this year. I assume that that is lease costs and removal costs.

**The Hon. CARMEL TEBBUTT:** I ask the director-general to respond to that.

**Mr SHERLOCK:** It is the capital cost of relocating the department's central support office, which has been at its current location for 10 years. The department was established as a spin-off from the Department of Community Services as part of the Department of Corrective Services. It was quite unsatisfactorily accommodated so there will be a fit-out cost of the new premises, and, obviously, there will be lease costs, and they are compatible to the department's current costs.

**The Hon. GREG PEARCE:** Presumably the lease costs are in your operating expenses so that will be a capital cost including project management?

**Mr SHERLOCK:** Yes, predominantly fit-out costs.

**The Hon. GREG PEARCE:** Is the Department of Public Works project managing that for you?

**Mr SHERLOCK:** The Department of Public Works has had quite a bit of involvement, we actually went to tender for the project manager. I do not know whether that process has been finalised.

**The Hon. GREG PEARCE:** Are the works in progress at St Marys, Lidcombe and Campbelltown, project managed by the Department of Public Works?

**Mr SHERLOCK:** Yes, all three.

**The Hon. GREG PEARCE:** Could you provide a breakdown of the project management fees?

**The Hon. CARMEL TEBBUTT:** Do you want the breakdown for Cobham, Reiby and the new young women's centre of the project management and construction?

**The Hon. GREG PEARCE:** Yes, a breakdown of the major elements.

**The Hon. CARMEL TEBBUTT:** Yes, we can provide that.

**The Hon. JOHN RYAN:** In Budget Paper No. 3, Volume 2, page 10-8, line item "Outcomes" what is meant by "Successful bail interventions" under "Community Based Services"?

**The Hon. CARMEL TEBBUTT:** I assume that is when the department has assisted a young person who successfully received bail.

**The Hon. JOHN RYAN:** What is meant by a bail intervention? For example it is stated that remands in custody as a percentage of bail decisions were 37.2 per cent and 42 per cent in 2001-02. Is that when a child is placed in accommodation alternative to custody?

**The Hon. CARMEL TEBBUTT:** The percentages listed under "Remands in custody" is one of the figures that I referred to earlier when I said that the department had changed the method of calculation. That refers to remands in custody as a percentage of young people in custody, rather than as stated in the budget paper. I ask the director-general to respond.

**The Hon. GREG PEARCE:** That is for next year.

**The Hon. CARMEL TEBBUTT:** They have all been recalculated as a percentage of young people in custody, rather than as a percentage of bail decisions. It is remands in custody.

**The Hon. JOHN RYAN:** So that figure is a percentage of the population that is on remand?

**Mr SHERLOCK:** That is correct.

**The Hon. JOHN RYAN:** You are expecting the percentage of the population on remand to increase fairly significantly, from 42 to 45 per cent?

**Mr SHERLOCK:** We expect a slight increase. As the Minister indicated earlier it is difficult to know the impact of the changes to the Bail Act. Being conservative, we have factored in a slight increase.

**The Hon. CARMEL TEBBUTT:** It also reflects the decrease in the number of kids in custody. As a proportion of the total, it is growing.

**The Hon. GREG PEARCE:** Would you explain how those figures are derived?

**The Hon. CARMEL TEBBUTT:** Which figures exactly?

**The Hon. JOHN RYAN:** Under the line item "Community Based Services" there is "Successful bail interventions". What does that mean?

**The Hon. CARMEL TEBBUTT:** We can provide some details as to how that has been calculated. As you would be aware, the department provides background reports to magistrates for sentencing options. Also itemised is "% of pre-sentence report recommendations adopted", which is a figure that the department has recalculated to try to get a more effective measure of whether that aspect of the department's operations is having an impact.

**The Hon. GREG PEARCE:** It is not like a train running to timetable is it?

**The Hon. CARMEL TEBBUTT:** No. The Hon. John Ryan mentioned this last year and referred to the percentage of pre-sentence report recommendation that were adopted. Essentially the department could make a recommendation to a magistrate to implement a particular sentencing option from a range of options. If a magistrate did not think that exact sentencing option, that was reflected as a mismatch, even though the department might have recommended a community service order or a supervisory order and the magistrate had picked a similar option but not exactly the same

The director of operations could explain this much better than I. The department has reflected that to try to ensure that we are getting a better sense of how many of the department's recommendations on background reports are picked up by magistrates. We can certainly provide the Committee with more detail about successful bail interventions.

**The Hon. JOHN RYAN:** What is a bail intervention?

**Mr SHERLOCK:** In simple terms it means that the department's community staff work actively in trying to find options other than custody for young people who are before the court. They are involved in that in a formal way. That figure represents the success rate of their efforts in trying to find options other than remand in custody for young people who are before the court. Obviously our community-based staff are allocated cases. When a young person is remanded in custody, or potentially will be remanded in custody, we undertake an advocacy role on behalf of that young person to some extent. We make representations to the court and attempt to identify suitable committee-based options for that young person.

**The Hon. JOHN RYAN:** Have you selected the category of people that you would want to have been successful with, or does four times out of 10 indicate that bail was refused for reasons that you might not have wanted be raised?

**Mr SHERLOCK:** No, it does not indicate four times out of 10. The percentage is 60 per cent.

**The Hon. JOHN RYAN:** You are correct, six out of ten were successful, but apparently four times out of 10 you were not successful. What does that mean?

**Mr SHERLOCK:** It means that the court has made an independent decision about where the young person will be placed.

**The Hon. CARMEL TEBBUTT:** And of course we are only one player in that whole process. The young person's legal representative plays a role.

**The Hon. JOHN RYAN:** Does that include a category of offenders, or accused, that you would not normally have wanted to be granted bail anyway? Or are they a category of people?

**The Hon. CARMEL TEBBUTT:** I understand what you are asking. If the department was not recommending bail and the person did not get bail, I assume that would be reflected as a successful bail intervention, but I am not sure in which category. That will be checked and the figures will be provided to the Committee. Are you asking whether it reflects only the group of people whom the department feel should be granted bail?

**The Hon. JOHN RYAN:** Yes.

**The Hon. CARMEL TEBBUTT:** You want to know the percentage of those who are granted bail or whether the figures reflect the whole category of young offenders. We will check that.

**CHAIR:** The Minister has indicated that she will take that as a question on notice.

**The Hon. JOHN RYAN:** I have asked that question because, on the face of it, I am not quite sure what that figure means. How do you calculate the percentage of community-based orders completed? What does that mean?



**The Hon. CARMEL TEBBUTT:** It means the number of young people who have completed the community-based order. I will ask the director-general to tell you how it is calculated.

**The Hon. JOHN RYAN:** A person could get a number of chances with community-based orders. How much supervision is placed on them and how accurately does that figure reflect what the public would understand to be a successful community-based order, which is when the child completes all the things that he is expected to do and possibly does not come back into the system?

**Mr SHERLOCK:** In a formal sense that figure is roughly 80 per cent, and that indicates that 80 per cent of young people complete the orders that the court has given them. By completion we mean that they have completed the order without the order being breached; they have not come back before the court again.

**The Hon. JOHN RYAN:** It is possible to return to the court and not be breached, is it not?

**Mr SHERLOCK:** That would be most unlikely.

**The Hon. JOHN RYAN:** It is possible to come to the attention of Juvenile Justice staff and not be breached, is it not? Occasionally you would elect not to breach them?

**Mr SHERLOCK:** Yes, there is a discretion, certainly.

**The Hon. JOHN RYAN:** In the line items "Outcomes" and "Outputs" there is not much information about youth conferencing. Could you provide details and figures with regard to that?

**The Hon. CARMEL TEBBUTT:** We can provide those now. Previously I said that the department is looking at its outcomes and outputs, as reflected in the budget papers. They are fairly old and need updating, because they predate conferencing. That needs to be included in reporting the number of conferences, et cetera.

**The Hon. JOHN RYAN:** Do you have a time series of youth conferencing? Do you have some benchmarks that might show youth conferencing over time?

**CHAIR:** I ask the member to not interrupt when the answers are being given so that the Minister and officers can answer the question before we move on to another topic or questions by other members.

**The Hon. CARMEL TEBBUTT:** To 12 June 2002 there were 1,688 referrals, and that was 275 girls and 1,413 boys. Of those referrals, 977 were from the courts, 711 were from police and 1,380 referrals resulted in conferences with 1,173 conferences held. Of the total number of conferences, 22 per cent involved a young Aboriginal or Torres Strait Islander. In the first financial year approximately 1,166 young people were conferenced. During the second financial year, 1999-2000 there were 1,697 young people conferenced; in 2000-01 there were 1,567 young people conferenced. That indicates a levelling out of the figures.

The Committee would be aware that the Young Offenders Act is currently under review as part of its three-year review process. Recently the Bureau of Crime Statistics and Research looked at rates of reoffending. It is a pleasing report that indicated that there has been a significant reduction in a number of young people who have been through the conferencing process who had reoffended. The proportion of juveniles who had reoffended was about 28 per cent lower for those who participated in a youth justice conference than for those who had originally been dealt with by the Children's Court. That study will form part of the overall evaluation of the legislation that is currently taking place.

**The Hon. JOHN RYAN:** Could you give some idea of the inputs into youth conferencing, such as the number of support staff?

**The Hon. CARMEL TEBBUTT:** Yes, there are 17 conference administrator positions across the State, but a couple are part time. They have responsibility for managing the conferencing system in their own part of the world.

Since its commencement in 1998, 700 people have participated in youth justice conference convenor training and approximately 400 people are active youth justice conference conveners. The Committee would know the distinction between a conference administrator and a convener. Conveners are community-based people who undertake conferences on an as-required basis. The conference managers spend a significant proportion of their time providing training to police. Since mid-1999, 1,500 police officers have been trained as specialist youth officers, which gives them certain rights under the legislation.

**The Hon. JOHN RYAN:** Which agency provides that training? I was under the impression that it was police training. Does the Department of Juvenile Justice train them?

**The Hon. CARMEL TEBBUTT:** Yes.

**Ms LEE RHIANNON:** I will put most of my questions on notice, but there is one question I would like to ask now. Minister, during the Budget estimates committee last year you were asked a question about the number of detainees with an intellectual disability. You said you did not have the figures at the time, but Mr Sherlock took the question on notice. We were told that a detailed health study would be conducted with the Corrections Health Service. How much of that study has been completed and are you able to give us some figures now?

**The Hon. CARMEL TEBBUTT:** The executive has approved plans for the health survey. It is being planned by a steering committee comprising the Department of Juvenile Justice [DJJ], the Department of Health, the University of Sydney and the Corrections Health Service. The survey aims to ascertain the current physical and mental health status of DJJ clients in custody. The detailed survey proposal has been approved by the department's collaborative research unit, but it is awaiting final approval from the Corrections Health Service Human Research Ethics Committee. I will check if that is still the status.

**Mr SHERLOCK:** That is still the case, yes.

**Ms LEE RHIANNON:** What is the timeline of that study? I expected that you would have the results of the study, yet from what I am hearing it has not even started.

**The Hon. CARMEL TEBBUTT:** Preliminary results are expected to be available by the end of the year.

**The Hon. JOHN RYAN:** What is a preliminary result as opposed to a final result?

**Ms LEE RHIANNON:** Do preliminary results mean that the whole survey is completed and you will be able to provide raw figures?

**Mr SHERLOCK:** The health survey is far more extensive than information on intellectual disability. It will provide very extensive information about the health needs of young people in custody. In fact, after completing the survey we propose to conduct a survey of young people in the community that the department is working with. There has been a time delay. Initially it was felt that the project would be conducted with the Corrections Health Service. However, the department is now conducting the survey itself, but we have very close links with the Corrections Health Service because it has conducted a similar survey within the adult system.

**The Hon. JOHN RYAN:** Why do you choose to use someone different from the Corrections Health Service? Are there differences in methodology or would you prefer to use your own staff?

**Mr SHERLOCK:** Our focus is very much on juveniles. As I said, there are some very close links with the adult study and with the Corrections Health Service. We are working hand-in-hand with that service. But we felt the most effective way to complete the survey was to use our own staff together with some specialists.

**The Hon. JOHN RYAN:** Why?

**Mr SHERLOCK:** It is simply an easier way to do it because our own staff are working with young people in custody. I will check with the Director of Operations, but there are some senior specialists who have been contracted to work with our staff on that survey.

**Mr MUIR:** We found that, firstly, some of the issues we are undertaking are more extensive than the issues in the adult surveys and, secondly, some of the methodologies for the adult surveys were not applicable to interviewing juveniles. We need to look at people who have specific expertise with young people as opposed to expertise with adults. A lot of the reason was that expertise issue.

**The Hon. JOHN RYAN:** Would you make available to the Committee details of the methodology you will use to determine whether or not a young person has an intellectual disability or a mental illness?

**The Hon. CARMEL TEBBUTT:** We will take that question on notice.

**CHAIR:** Minister, in your strategic directions you refer to the Youth Drug Court program for addicted young people. How many young people have gone through the Youth Drug Court and how successful is that program? How much funding do you provide to the Youth Drug Court? Would you give the Committee details about the establishment of the programs at Coffs Harbour and Dubbo and information about their success?

**The Hon. CARMEL TEBBUTT:** With regard to the Youth Drug Court services, the department provides support to young people who are going through that program. In terms of actual details of numbers of clients and outcomes, you will need to refer those questions to the Attorney General because my department does not have that data or material. The Attorney General has the overall responsibility for the program. We have employed additional staff to provide support counselling and supervision to clients referred to the Youth Drug Court. I do have some figures that show that between 31 July 2000 and January 2002 119 clients have been referred to the Youth Drug Court. The department is also participating in the evaluation of the Youth Drug Court. In terms of actual funding, the department's projected expenditure to the end of this financial year is \$650,000 for the support that we provide to the Youth Drug Court.

**CHAIR:** That budget is separate from the budget for the adult drug court?

**The Hon. CARMEL TEBBUTT:** We do not have any involvement in the adult drug court.

**CHAIR:** That budget is specifically for the Youth Drug Court?

**The Hon. CARMEL TEBBUTT:** Yes, and it is only for the support services that are provided from the Department of Juvenile Justice. There would be significant other items of expenditure for the running of the Youth Drug Court that would be expended from the Attorney General's budget. The department's role is essentially in assessing young people as to whether they are suitable for the Youth Drug Court program and then providing the support and counselling for young people as they move through the program. With regard to the rehabilitation services, the department has contracted the Ted Noffs Foundation, as I am sure the Committee knows, to operate two units—one at Coffs Harbour and one at Dubbo. The Coffs Harbour service has been operating since October 2001. Up to 17 April 2002, 17 clients have been accepted by the service. The Dubbo service took significantly more time to become operational and opened to clients in May 2002. There were issues about getting approval from the local council for the site from which the rehabilitation centre was to operate. It took longer than expected. I believe the Ted Noffs Foundation had some issues in terms of recruiting staff.

**CHAIR:** In the Social Justice Budget Statement 2002-02 I found one sentence stating that \$1.4 million has been allocated to three programs, one of which is the Aboriginal Overrepresentation Strategic Plan. Of all Juvenile Justice offenders in custody, one-third are Aboriginals. Why does the department not use that strategy?

**The Hon. CARMEL TEBBUTT:** The department does use the strategy actively. Why do you suggest, Madam Chair, that the department does not use it?

**CHAIR:** It is not in the budget. You did not account for that \$1.4 million in the Juvenile Justice budget statement.

**The Hon. CARMEL TEBBUTT:** There is no line item that refers specifically to the Aboriginal Overrepresentation Strategic Plan, just as there is no line item that refers specifically to accommodation provided to Juvenile Justice clients or a range of other services the department undertakes as part of its operations. The department is a relatively small agency. Therefore, it is not broken down into individual programs in the Budget Papers,. I want to make it very clear that the Aboriginal Overrepresentation Strategic Plan is a significant initiative of the department. It has responsibilities for all areas of departmental staff. It simply would not be possible to put a dollar figure against its implementation. As you have correctly pointed out, more than one-third of young people who are clients of the department are indigenous. That means that in every service the department provides, and in every role we undertake, we are involved with indigenous young people. The department's budget reporting process has always been limited to the department as a whole being a program rather than being broken down into individual programs.

**CHAIR:** Is there any time limit for setting the strategies and achieving the outcomes?

**The Hon. CARMEL TEBBUTT:** It is a three-year plan and is to be evaluated by Associate Professor Chris Cunneen, whom I am sure you are aware of. Professor Cunneen played a role in the development of the plan in terms of providing advice to the department. He will be involved in evaluating the success and implementation of the plan.

**The Hon. JOHN RYAN:** I do not think much will escape his attention.

**The Hon. CARMEL TEBBUTT:** It is a brave measure on our part, I am sure.

**CHAIR:** The time for questions has expired. I will put the rest of my questions on notice. I thank the Minister and her departmental officers for their attendance at today's hearing. We appreciate your time and effort. How long will the department take to table the answers to the questions taken on notice?

**The Hon. CARMEL TEBBUTT:** It is my understanding that there is a statutory period of 35 days. I assume there will be more questions put on notice. A number of Committee members have indicated they will submit further questions on notice.

**CHAIR:** The Committee will provide you with questions on notice within two days.

**The Hon. CARMEL TEBBUTT:** Thank you, Madam Chair.

**The Committee proceeded to deliberate.**