

REPORT OF PROCEEDINGS BEFORE

STANDING COMMITTEE ON SOCIAL ISSUES

**INQUIRY INTO OVERCOMING
INDIGENOUS DISADVANTAGE
IN NEW SOUTH WALES**

At Sydney on Tuesday 12 February 2008

The Committee met at 8.54 a.m.

PRESENT

The Hon. I. W. West (Chair)

The Hon. G. J. Donnelly

The Hon. M. A. Ficarra

Dr J. Kaye

The Hon. T. J. Khan

The Hon. M. S. Veitch

CHAIR: On behalf of the Committee, I acknowledge that we are conducting our business today on the traditional country of the Gadigal people of the Eora nation, and we pay our respects to Elders, past and present.

Welcome to the first hearing by the Standing Committee on Social Issues of the inquiry into overcoming indigenous disadvantage. This inquiry will examine policies and programs aimed at addressing the lifetime expectancy gap between indigenous and non-indigenous Australians, the Federal Government intervention in the Northern Territory, opportunities for strengthening cultural resilience within indigenous communities and the outcomes of the Council of Australian Governments [COAG] trial in Murdi Paaki, among other things.

Today the Committee will hear from representatives of a broad range of government departments about their programs for Aboriginal people. Tomorrow the Committee will host in the Theatre in Parliament House a screening of the Federal Government's apology to the stolen generation. The screening will commence at 9.00 a.m. Members of the public are welcome to join us for this historic occasion. The Committee will then hear from representatives from the non-government organisations and other experts in the indigenous affairs area. On Thursday the Committee will hear from witnesses at Parliament House in the morning and travel out to Mount Druitt in the afternoon for further hearings and a community forum.

The Committee also has scheduled three days' hearings in March and we will travel to Kempsey, Dubbo and Nowra to hear from organisations' representatives, from the Aboriginal Land Councils and community members about the way to address indigenous disadvantage. The Committee also will hold two days of hearings in April prior to tabling its interim report at the end of June.

I now formally welcome Jody Broun and Kerry Pearce and thank them for attending. Before we commence, I make some comments about procedural matters. In accordance with the Legislative Council's *Guidelines for the Broadcast of Proceedings*, only Committee members and witnesses may be filmed or recorded. People in the public gallery should not be the primary focus of any filming or photographs. In reporting the proceedings of this Committee, you must take responsibility for what you publish or the interpretation you place on anything that is said before the Committee. The guidelines for the broadcast of proceedings are available at the table by the door. Any messages from attendees in the public gallery should be delivered through the Chamber and support staff or the Committee clerks. I ask everybody to turn off all mobile phones.

JODY BROUN, Director General, Department of Aboriginal Affairs, Level 13, Tower B, Centennial Plaza, 280 Elizabeth Street, Surry Hills 2010, and

KERRY PEARSE, Executive Director—Community and Programs, Department of Aboriginal Affairs, Level 13, Tower B, Centennial Plaza, 280 Elizabeth Street, Surry Hills 2010, affirmed and examined:

CHAIR: Would the director general like to make some opening remarks?

Ms BROUN: Yes, thank you Chair. Firstly, I would like to acknowledge country, obviously, and I thank you for commencing the day with that. I acknowledge the Gadigal people of the Eora nation, and Elders, past and present. I thank you for the opportunity to present today. I think it is important to recognise the current situation of Aboriginal people, not just in New South Wales but in Australia, and particularly New South Wales, which is the focus of this inquiry. I think you should have a lot of the data in front of you so I will not go through a lot of that data because I am sure you have it. I know that we have sifted through some various papers that will give you extra information on that data.

The causes of the situation obviously are fairly complex, intergenerational, and stem not only from colonisation but also the loss of language and culture, grief, and lack of accessibility to appropriate services. There IS a whole range of issues that come into play which have resulted in the position we are in currently. I think it is worth stating that, given the complexity of that, the time frames that have been involved in getting us to this point and the intergenerational nature of the issues that contributed, we cannot turn that around overnight. In New South Wales we have several key frameworks in place that are taking a long-term systemic approach to reducing levels of disadvantage currently faced by Aboriginal people.

Firstly, the State Plan itself commits the Government to improving health, education and social outcomes for Aboriginal people under the State Plan priority F1. If I refer to F1, we have all these numbers and that is what I will be talking about. Hopefully for the rest of the day, if you hear F1, you will know that is what we are talking about. I am sure some of the other officers will use other references to the State Plan. That is the area of the State Plan on which my department is leading. Obviously that entails a lot of influence and work of other agencies. It is not just up to our department to have outcomes in that area. But, equally, there is a whole range of other priorities under the State Plan that we seek to influence and by which we would seek to change the outcomes for Aboriginal people, and they would be things like R1, which refers to reduced rates of crime, particularly violent crime; F6, which is the increased proportion of children learning with Skills for Life and learning at school entry; and E4, which is better environmental outcomes for native vegetation, biodiversity, land, rivers and coastal waterways.

There is another 10 priorities that I would suggest could have significant impact on Aboriginal people. I can go to those if you like, but I think you probably have that information. What we have attempted to do through a number of different processes is make sure that the plans around delivery of those include the outcomes for Aboriginal people. I think you would understand that it is very important that the outcomes for Aboriginal people are dealt with in that sort of broad cross-spectrum way rather than just through the Department of Aboriginal Affairs, just through one priority.

In addition, and beginning back in 2003, the Two Ways Together plan was put in place. That was a 10-year New South Wales Government Aboriginal Affairs plan. It focused on certain key areas that we had around sort of delivering through State Plan priorities. I suppose, being a bit early down the track, we have various ways of delivering the Two Ways Together plan and they are very similar to what the State Plan is doing. What we have done under F1 is try to look for areas of gap that still need to be addressed through F1. Both the State Plan and Two Ways Together are based very strongly on working in partnership with Aboriginal communities to improve the lives of Aboriginal people. Two Ways Together, as the title suggests, is around working with community, so that the government and community are working together. That was very much the essence of coming up with that title.

The Aboriginal Land Rights Act in New South Wales also establishes a legislative framework for local Aboriginal Land Councils to claim Crown lands that are not required for essential

public purposes. There are 121 local Aboriginal Land Councils across New South Wales that now hold in excess of 80,000 hectares of land that has been estimated to have an unimproved capital value of \$2 billion. Much of that land is in various parts of the State, but also it is well placed to be used in various biodiversity ways and similar sorts of ways as well because it is undeveloped—not all of it, but a fair degree of it.

Obviously there are other departments that have a very strong stake and a strong role in improving Aboriginal outcomes. There are strategic frameworks in place in those departments, such as health and education, which focus specifically on the needs of Aboriginal people. But I will not go into that because I think it is important that you hear from those directors general themselves. I note that you have most of them appearing today and they are obviously better placed to provide detail around their programs. I think it is worth saying that many of the agencies have Aboriginal-specific frameworks in place to deliver better outcomes.

Our role in all of that is looking across the broad spectrum of government services and looking for gaps and at where services need to be improved, but not to be the department that delivers for Aboriginal education or the department that delivers for Aboriginal health. We would work across the broad spectrum of all those agencies and the department gives advice to those agencies when required. The roles that we take are leading the implementation of the State Plan priority F1, which, as I have said, is improved health, education and social outcomes, and we are a partner agency in a range of others. We work across a range of agencies in influencing the development of their policies and delivery of services to Aboriginal people. As an example, it is not just about service delivery: it is also about changing the way business is done.

This document is Making It Our Business and it is about improving Aboriginal employment in the New South Wales public sector. I am not sure whether you would have received that yet. It was produced jointly with the Premier's Department and my department and it deals with how we get more Aboriginal people into service delivery right across the sector, why that is important, and some strategies for attracting and retaining Aboriginal employees in the State public sector.

CHAIR: Do you wish to tender that?

Ms BROUN: Yes, I can do that. I am not sure whether you received it in the packet or not, so I thought it was useful to bring it.

CHAIR: I do not think we did. I do not remember it.

Document tabled.

Ms BROUN: Okay. As I mentioned, we also lead in the New South Wales Government Aboriginal Affairs plan, which is a 10-year plan. It was established in 2003 and finishes in 2012. It was recognised at that point that you need long-term commitment to changing outcomes. It is not something that happens in the three-year time frame. We will not see the sorts of outcomes we are seeking in overnight programs or short-term programs. These are long-term commitments. It was a 10-year plan and it was about collaboration across agencies at State, regional and local levels. It was also about working with the community very strongly. I will go into that further through this opening presentation but also hopefully through other questions that you might have.

Obviously we provide advice to the Minister. We promote and advocate for Aboriginal culture through a number of points, including the Aboriginal Languages Research and Resource Centre, the administration of the Aboriginal Land Rights Act, support for local projects and events, and the maintenance of the Aboriginal families database. All of those things are done within the department. I was pleased to note that you are seeking Aboriginal community input and are going out to some of those communities, and I think that is really critical. Because we agree that that is a really critical component of any Aboriginal services, we work at a number of levels with the Aboriginal community: at the local level, in developing local government structures and supporting those to work with government; at the State level, with having Aboriginal peak bodies involved in the work that we do; and at a regional level, with regional engagement groups which have those same peak bodies involved but also a range of government agencies that are dependent on the sort of priorities that have been identified through planning documents.

We also coordinate and deliver a major program on environmental health infrastructure through the Aboriginal Communities Development Program. Obviously that involves a whole range of agencies in that work. We are delivering at the moment a program called Job Compacts, which is about getting jobs for Aboriginal people in various parts of the State with the private sector, not with the public sector, and trying to break down some of the barriers to employment at that level. Through our family records unit, where people can get access to their past records, that assists them to make claims to the Aboriginal Trust Fund Repatriation Scheme, so there is a whole range of things. I would welcome any questions specifically that would give me some further opportunity to go into some detail.

CHAIR: Does the executive director of community and programs have an opening statement? If not, we will go to questions.

The Hon. TREVOR KHAN: I will begin with some general questions. How many people are employed in the department?

Ms BROUN: I will find the actual details so I do not lead you astray.

The Hon. TREVOR KHAN: Perish the thought.

Ms BROUN: There are 71 altogether, and 18 of those regional officers. We have set up a Sydney regional office, but they are based in my Sydney office, and there are another 15 in regional sites around New South Wales. We have an office in Tamworth, we have an office in Coffs Harbour, we have an office in Bourke, we have an office in Narooma, and we have an office in Wagga Wagga. Each of those has three officers and there is the Sydney office as well. There is a range of other offices and support people within the department itself. It is quite a small department but we have tried I suppose to have representation out in the community. The importance of that is that our role very strongly is around connecting community to government.

There was a Council on the Cost and Quality of Government review done of the department in 2004. Prior to that we did not have a regional network. That recommended an expansion of the department to facilitate better implementation of Two Ways Together but also recommended a regional structure. That is when we expanded into the regions. That has been really strong at delivering a connection to the community, not just for my department but also for government, and in supporting the community to be engaged more with government. We have done things like regional reports of the demographics of Aboriginal people out in the regions. We also have set up regional engagement groups, as I have mentioned, which are groups of State Government agencies, Aboriginal peak bodies and representatives, and the Australian Government agencies that are required as well to be at that table. It is about better coordination to deliver on community priorities.

The Hon. TREVOR KHAN: 71 is the total in the departments from yours down, is that right?

Ms BROUN: Yes.

The Hon. TREVOR KHAN: In terms of the various programs you have spoken about, do I take it—and I am not being critical in any way—that with a staff of 71 you are not administering any programs per se?

Ms BROUN: No. As I said, we deliver a program called the Aboriginal Communities Development Program, which is housing and infrastructure right across the State, we are delivering Job Compacts, and we have a languages program. They are probably our major programs. A lot of the rest of it is around coordinating government agencies.

The Hon. TREVOR KHAN: Let us talk briefly about the Aboriginal Communities Development Program, which commences at page 8 of the Minister's submission. That is a \$240 million capital program over 10 years, is that right?

Ms BROUN: Yes.

The Hon. TREVOR KHAN: What it sets out to achieve is an improvement in housing availability to Aboriginal people, is that right?

Ms BROUN: Not just housing; it is housing and infrastructure. We have spent a fair degree on water and sewage services as well through that program.

The Hon. TREVOR KHAN: You have identified 22 priority centres?

Ms BROUN: Yes.

The Hon. TREVOR KHAN: Of the \$240 million over 10 years, how much has been spent so far?

Ms BROUN: To the end of November, close to \$184 million has been spent.

The Hon. TREVOR KHAN: So around \$56 million is left, is that right?

Ms BROUN: That would be about right, yes.

The Hon. TREVOR KHAN: You have effected a number of repairs and refurbishments and built 141 new houses over that period of time, is that right?

Ms BROUN: These figures change on a monthly basis. To the end of January, 671 house refurbishments have been carried out, which are major upgrades of houses, and how much we would spend on each property would vary; 159 new houses; 60 replacement houses, which are in essence new houses but replacing an older stock house; and 90 house purchases, which is buying a house in location where there has been demonstrated need.

The Hon. TREVOR KHAN: Once the houses are purchased or built, who owns them?

Ms BROUN: It is probably a complex answer because it really depends on a number of factors. In some locations it is the local Aboriginal land council. In other locations we have built them under the name of the Aboriginal Housing Office, and that has been more because it is around the registration of that local land council or the community housing provider to deliver that service. So in some locations it is the Aboriginal Housing Office, but it is the community organisations in general.

The Hon. TREVOR KHAN: Compared to when the program started, are you able to indicate what the available housing stock was at the start of the program?

Ms BROUN: I am not sure I have those sorts of figures.

The Hon. TREVOR KHAN: You would understand that what is relevant to this and other inquiries is: What have we improved over, for example, the last 8 or 10 years? With the greatest respect, we can talk about programs being put in place, but if we did such an inquiry 20 years ago, I suspect, we would have been told of programs and presented with programs, yet we are confronted, are we not, by what we all know to be a crisis in housing, health and education? I am interested to know what improvement we have achieved, for example, since that program commenced.

Ms BROUN: I would like to make a couple of points first. "Improvement" is the term you have used, and I think improving the quality of the houses is also an improvement. 671 house refurbishments, which are upgrading the living standards of people in their existing houses, is equally an important point—

The Hon. TREVOR KHAN: I will come back to that as well.

Ms BROUN: The other point to make is that a fair degree of the program has been around the delivery of water and sewerage services, so that is important as well.

The Hon. TREVOR KHAN: I do not want to interrupt, but I have sought to segment one part of the issue. If we go through all the programs, unfortunately I do not think you will get back to work this year. I am choosing only one part of one program to look at as to how we have gone. I am being quite specific, and I have selected it randomly.

Ms BROUN: You are talking about numbers of houses only?

The Hon. TREVOR KHAN: What is the improvement in the housing stock availability over the term of this program?

Ms PEARSE: If I could also make a comment. One of the things about this program that is important to understand is that it was a supplementary program. It was particularly targeted at making a significant improvement to the amenity and conditions of people who were mainly living on discrete Aboriginal communities around New South Wales. In 1983 when the Aboriginal Land Rights Act was introduced, local Aboriginal land councils inherited a legacy of responsibility for what was mainly very poor-quality housing on old reserves and missions. This particular program was never intended to deal with the overall housing need of Aboriginal people in New South Wales; it was specifically intended to make a significant improvement to the amenity of people living in those 22 discrete communities.

In those communities, the figures that Jody has just given you are particularly about either replacing very poor condition housing stock that people really should not have been living in. That is about giving households new amenity to a standard that we would expect, or making significant upgrades to what were very poor stock, and in some cases buying new houses through town. This program was a supplementary program that was particularly aimed at bringing the quality of stock up.

The Hon. TREVOR KHAN: I accept all of that. Are you able to answer what was the housing stock figure at the start of the program and what it is now?

Ms PEARSE: No.

Ms BROUN: What we can say is that there have been 159 new houses, 60 new replacement houses, 90 house purchases, and nearly 700 house refurbishments. So a total of nearly 300 new houses have been added to that mix.

The Hon. TREVOR KHAN: But in terms of the refurbishments, some of those houses will have fallen into the category of requiring refurbishment during the term of the program. In other words, it is not a static situation; some of the houses, for whatever reason, will have fallen into disrepair more recently than the commencement of this program, is that not right?

Ms BROUN: Yes. Your point is well made, but Kerry's point is that this is a supplementary program; it is not a program to meet all the housing needs. There is a Department of Housing and also an Aboriginal Housing Office, which has a much bigger program than this, and I would suggest that there are some questions around housing need that could be directed to the director general.

The Hon. TREVOR KHAN: And you can trust they will be. If you are given more time, will you be able to provide to the Committee information as to what the housing stock was, what it is, and what improvement we have seen over the period of time?

Ms BROUN: Yes. But can I make another point. I think to pull out one part of a program—any program—does not tell us much about the program. This was always about a holistic program, in the same way that Two Ways Together is. There is a Housing for Health component, which is between \$7,000 and \$10,000 spent on each house just to fix health components—

The Hon. TREVOR KHAN: With respect, I have read all that—

Ms BROUN: I think it is worth making the point, though. We are talking about the whole program here, rather than elements of it. Water and sewerage is equally important. There have been 77 water and sewerage projects. There is employment for Aboriginal people throughout this program, and that has been delivered successfully. We have had 222 apprentices go through the program, we

have had building companies established, and they are still working in a number of locations. I think the holistic nature of the program needs to be remembered. Housing for Health on its own, for instance, has resulted in a 10-fold increase in electrical safety, a five-fold increase in fire safety, a three-fold increase in the ability to wash children, which is important for health outcomes obviously, a seven-fold increase in the ability to wash clothes and bedding, a doubling of waste removal and those sorts of things, including functioning toilets—things people take for granted. These are elements of the program to make sure houses are functioning and delivering a healthy outcome. So I think it is probably wrong to take just one element of a program.

The Hon. MARIE FICARRA: I am interested in why that housing program has been in service delivery under your department rather than, say, the Department of Housing.

Ms BROUN: That was a decision made well before my time. The program has been in operation since 1998, so I cannot answer that.

The Hon. MARIE FICARRA: Do you believe it is the best form of delivery? What sort of interaction is there between the Department of Housing and yourselves in getting the right outcomes?

Ms BROUN: We have a number of points where we connect with both the Department of Housing and the Aboriginal Housing Office on this program, but also in general. There is a steering committee for the Aboriginal Community Development Program, which those agencies are on. It is around a coordinated activity, rather than just us operating on our own. As Kerry said, it is about supplementing other programs as well.

The Hon. MARIE FICARRA: The living skills you mentioned are very interesting, because they have a number of positive outcomes: as you said, towards health and so forth, and even the future maintenance of the housing stock. How is that being delivered, and is it delivered only by your department or is there also some interagency delivery of those skills?

Ms BROUN: Which housing skills program?

The Hon. MARIE FICARRA: Living skills. You spoke about hygiene and fire safety. Is it about teaching Aboriginal communities how to look after their homes, their families and themselves?

Ms BROUN: You have probably misinterpreted what I was saying. The program is not about teaching and living skills; it is actually going into the house and fixing the problems with, say, the toilets, or the system, or at the electrical elements of the home. It is not about teaching people how to live in the house; it is about making sure that the house can cater for those living needs.

The Hon. MARIE FICARRA: Do you believe there is a need for any tuition, guidance, mentoring or development of programs to assist the indigenous community to have better living skills?

Ms BROUN: I think that if communities seek that, that is a different question. But at this stage, that has not been something that has come up.

The Hon. MARIE FICARRA: We have read reports from each of the departments. Do you have a role in monitoring or evaluating your multi-agency programs? Do you ever get together? Is there any feedback between all the programs that are being delivered by the other agencies and departments?

Ms BROUN: Could you repeat that?

The Hon. MARIE FICARRA: In delivering programs between your department and other departments concerning the indigenous community, what sort of information, evaluation and feedback do you all have as to how you are progressing and the outcomes? How are you monitoring your outcomes over time?

Ms BROUN: There is probably a long answer to that. Under the Two Ways Together Program, the Department of Aboriginal Affairs is responsible for monitoring Aboriginal-specific

across-agency outcomes and actions, and that is done primarily through a Two Ways Together coordinating committee, which has the agencies represented as well as the Aboriginal peak bodies. It is important to remember that we always have the Aboriginal peak bodies at that table.

We have a Two Ways Together indicators report, which measures the broad outcomes. The second report of that will be due out in April this year. The first report was in 2005, and I think I have produced that to the Committee. That does not look at all the programs and list all the programs that are being delivered; it looks at the outcomes, that is, is it really making a difference to people's lives on the ground. They are a couple of the points at which we both monitor outcomes and also get together, as you say, and make sure those programs are coordinated and delivering on the ground.

At a regional level, we are measuring outcomes as well. We did regional reports around the demographics in each region, which were: How many people are there, how are they living, what are their educational outcomes, what are their health outcomes, what are the employment opportunities, where are people employed, and those sorts of things. They were used at the regional level to develop the regional action plans. So it is not just a report for the sake of it; these are then used to determine the priorities at a regional level and how we can better deliver to meet certain gaps that might be identified with the community.

The Hon. MARIE FICARRA: Is there a setting of targets in the various areas where you feel that there is a deficiency or programs are not delivering? Do you set targets? How do you monitor your outcomes and achieve them? Is there an ideal target you would like to achieve over a period of time and then you evaluate those outcomes? How do you set what you want to achieve?

Ms BROUN: There have been targets. I do not think I have all of them with me, but there have been targets set under Two Ways Together, some of them more broadly about reducing the impact, or increasing, not always specific.

The Hon. MARIE FICARRA: Would it be possible to provide that material to the Committee at some stage in the future?

Ms BROUN: Kerry might speak more brought the about the regional action plans, because that goes into more specific targets at regional levels.

Ms PEARSE: We can certainly table a set of the regional action plans today, because I am not sure that they were included with our submission. As Jody said, we are now at the point of implementing Two Ways Together at the regional level. The regional demographic reports that she talked about, which were trying to give us an understanding of the disadvantage gaps and priorities in the regions, were one of the inputs into developing quite practical and targeted regional action plans around New South Wales. Those plans are not trying to deal with everything. They are trying to bring people together from a service system in both agencies and Aboriginal peak bodies to say if we tackle a small number of practical goals, how can we make a significant difference here? So they are trying to focus attention much more narrowly than being very comprehensive. To answer your question in a practical way, it might be of interest to give you a couple of examples.

In the North Coast regional action plan, one of the goals is for Aboriginal people to be employed in sustainable jobs. That is a goal in that plan. There are some indicators over time that we will track against that goal. One of those indicators is retention rates of kids from years 7 to 12 to look at the flow of where Aboriginal kids go when they leave school, whether they go into training, job placements or other education. Other indicators will look at Aboriginal employment rates in that region against non-Aboriginal employment rates, the number of new jobs that are filled by Aboriginal people and the number and percentage of people staying in jobs. Part of these plans is about developing the baseline data and getting the mechanisms in place to collect the data. Not all that data is available now, some of it is. Over time that is what will help us to track this goal. Then the plan has a couple of specific actions. The people from the key government agencies and peak bodies in that region have agreed if we tackle these actions we believe there will be a direct relation between implementing these actions and ultimately meeting those targets or indicators.

For example, in this region, which is the North Coast region, one of the things that was identified as a significant barrier for Aboriginal people to gain employment was not having a drivers

licence and access to appropriate vehicles and driving. There had been quite a successful pilot undertaken to help people get their licence. Some people had lost their licence and there were barriers to getting them back. They looked at ways of working with groups of people in that pilot, which was quite successful. Now they are looking at expanding the drivers licence program out across the region in the belief that having access to a drivers licence is a key plank to accessing employment. That is one practical example in that plan.

The Hon. MARIE FICARRA: Would you be able to supply us with information about that drivers licence program. It sounds very practical.

Ms PEARSE: We can give you some information about where it has been piloted to date, certainly. The Roads and Traffic Authority is also well placed to give us some information. Certainly we can table some further information. To give you one other practical example, which will probably take a bit longer to achieve, one of the other actions in the North Coast plan associated with increasing jobs is around developing links between the private sector and job network providers, building on what we are learning from job compacts, which Jody mentioned before, but expanding that at the local level between private sector employees in that region. I have given you a very small number of examples. The structure of these plans goes through between two to five goals, has practical indicators and then very practical local actions that are intended to track back to those indicators. These plans are reviewed every two years.

The Hon. MARIE FICARRA: Do you believe, in evaluating, that the delivery of these services and programs through your regions is the best form of service delivery? Is there any particular region that is doing better than others and perhaps can be a mentor to other regions? I am interested in how you assess the delivery system.

Ms PEARSE: I am sure Jody will also have comments about this. This is new. This approach of taking Two Ways Together out onto the ground is very new. These plans were developed at the beginning of last year and they have only just started to be implemented. Certainly the service system, as we all know, is very complex and everything is connected to everything else. There are good local things happening on the ground across New South Wales and part of this approach is about replicating and learning from it across the State. This foundation, if you like, which is the first generation of these plans, starts to give us a practical way of doing that where we have not been able to do that before.

Dr JOHN KAYE: The Two Ways Together report that the Minister quotes from is a 2005 report. Is there a draft 2007 report?

Ms BROUN: Draft in the sense it is still being worked on. It is due for release in April, as I mentioned.

Dr JOHN KAYE: The 2007 report comes out in April?

Ms BROUN: Yes.

Dr JOHN KAYE: Would we be able to see a draft copy of that before it goes out? I suspect it will be a key document for this Committee.

Ms BROUN: I am not sure at what point I might be able to release it to you. I would probably wait until it is a final document, finalised and signed off. It is going to be very important. It is data that we have had to wait for. For instance, some of the 2006 census data is only just being analysed and coming through now. We have an Australian Bureau of Statistics person on secondment helping us with that report. We have to wait for the data to come out of the census that was done in 2006. That takes some time to be released. That is why there is a bit of a time lag in terms of these reports. It is important to have that census data because it gives us a much fuller picture of what is out there.

Dr JOHN KAYE: The Two Ways Together process is halfway through now. Is there an evaluation framework for Two Ways Together?

Ms BROUN: Yes, there is.

Dr JOHN KAYE: I do not see any reference to that in the bundle of documents we received from you.

Ms BROUN: We are just in the process of putting that evaluation in place now. It actually has not occurred yet. There is an evaluation framework.

Dr JOHN KAYE: Would it be possible for the Committee to get a copy of that framework?

Ms BROUN: It should be. I can get that to you. The report will speak for itself on whether there have been changes—that is the indicators about people's outcomes. It is more about evaluating the program and policy and what it has been able to achieve at the State, regional and local levels, the effectiveness of those government services, the effectiveness of the processes and coordination that we put in place, the impacts of some of the Two Ways Together package of actions that was put in place in 2005, and the extent and success of that partnership process. It is covering those sorts of questions, more qualitative-type questions. It is more about identifying the extent to which Two Ways Together has contributed to those outcomes we are seeking as a policy framework rather than just the data you will get through the Two Ways Together indicators report. It will be a different analysis.

Dr JOHN KAYE: What is the current estimate of the costs for the recommendations of the Aboriginal Child Sexual Assault Task Force?

Ms BROUN: The task force itself or the implementation?

Dr JOHN KAYE: The implementation. My recollection is it was \$40 million, is that correct?

Ms BROUN: The estimate is \$30 million for the implementation of the actions in the interagency plan.

Dr JOHN KAYE: How much of that has already been spent?

Ms BROUN: I am not sure I can tell you that. That is the estimate of a range of actions, 88 actions right across government. I am not sure whether I can give you what has actually been spent.

Dr JOHN KAYE: You are not the lead agency on the implementation?

Ms BROUN: Yes. Not lead, it is more in terms of monitoring and implementation.

CHAIR: What is the definition of "lead agency"?

Dr JOHN KAYE: You are the maintainer of the assessment of how that is going?

Ms BROUN: Reports on achievements against the actions rather than how many dollars the agency has spent on delivering on those.

Dr JOHN KAYE: Who monitors how much is being spent in total out of the \$30 million?

Ms BROUN: Agencies would be doing a specific job.

Dr JOHN KAYE: So nowhere in Government is there a whole-of-government approach to the financing of those recommendations?

Ms BROUN: That was always an estimate of what it is going to cost. I could get more information about how that is going to be measured in dollar terms. There have been some recent achievements under the plan around the secondment of two New South Wales police officers to the Australian Crime Commission. That was an action. Action 13 was the cultural competency training that has commenced with witness assistance service officers and prosecutors. Now 75 per cent of priority locations have remote witness facilities. That was action 16. There are a whole range of

actions that we measure that are actually being put in place. The majority of those are on track and on target to be implemented.

In terms of the monitoring that we are doing, how will the outcomes be achieved? There are probably a couple of answers. Are the actions on track? That is the monitoring that we are doing, rather than what is the input, how many staff, all those sorts of things. We are not necessarily doing that. The Department of Aboriginal Affairs has that overall monitoring role. We also set up the ministerial advisory panel. That is one of our key actions.

Dr JOHN KAYE: Are you producing a report on that? Is there annual reporting?

Ms BROUN: There is reporting through the State Plan because it is captured under F1 as well.

Dr JOHN KAYE: We would need to drill down into the annual State Plan report under F1?

Ms BROUN: Yes.

Dr JOHN KAYE: There is no separate document that reports on progress?

Ms BROUN: There is a ministerial advisory panel that was set up with independent people on it, including the previous task force members, that receives reports against those actions.

Dr JOHN KAYE: Are those reports in the public domain?

Ms BROUN: No.

Dr JOHN KAYE: We cannot get copies of those reports?

Ms BROUN: No. What will be reported will be under the State Plan.

Dr JOHN KAYE: I am responding to persistent rumours we are hearing of underspending on the implementation of those recommendations. Do you want to comment on that?

Ms BROUN: I think that is a focus on inputs again rather than on outcomes. There are a number of actions, as I said, that are on track to be delivered.

The Hon. TREVOR KHAN: How do we know they are on track?

Dr JOHN KAYE: The concern of some members of the Committee, and I share it, is how do we know how this is all going? It is clearly a key issue. We cannot see the reports that go to the task force. We do not know how much money is being spent on it. We do not have any refutation of the rumours that it is being underfunded. It is spread across a range of agencies, which is reasonable, but it does not seem there is much in the public domain of co-ordinated data on it. How would you respond to that? How would we know how it is progressing?

Ms BROUN: What you want to measure is the actual outcome. That will be in a number of reports that are in the public domain, including the Two Ways Together indicator report, when that comes out. There are indicators in there that will relate to that sort of area. Equally, as I said, under the State Plan there will be reporting under that. So there will be data in that.

Dr JOHN KAYE: But no separate, stand-alone report?

Ms BROUN: There is a ministerial advisory panel that will receive reports.

Dr JOHN KAYE: But in the public domain there is no data on that available to this Committee?

Ms BROUN: In the State Plan reporting.

Dr JOHN KAYE: I now refer to what is happening in other States. As I understand it, in a number of cases the Department of Aboriginal Affairs or its equivalent in other States have been folded into the Premier's Department or other departments. I would like you for the purpose of this Committee to comment on what you see as being the major disadvantages of doing that?

Ms BROUN: You are asking me to comment on other jurisdictional arrangements, which I think is difficult because each State and Territory has its own arrangements because the circumstances are quite different.

Dr JOHN KAYE: I was just establishing the background. In the context of New South Wales what would be the disadvantage of doing so?

The Hon. GREG DONNELLY: What Dr Kaye is asking the director general to do is to speculatively talk about government policy, what is in effect going to be government policy. I do not see it is within the realm of the director general, with due respect, to speculate what may or may not be government policy.

Dr JOHN KAYE: I retract the question and ask a separate question. What do you see as the benefits of having a separate Department of Aboriginal Affairs in New South Wales?

Ms BROUN: I think that is a similar question.

Dr JOHN KAYE: No, it is a backwards-looking question rather than a forward-looking question.

Ms BROUN: If I talk more about the role of the department, it is about leading the implementation of F1, it is about leading on Two Ways Together. It does do the connection with the community and the Government on the local level. They are some of the benefits. It does have an opportunity to be looking over a number of government services and, as Kerry was pointing out, some of the regional work we have done. They are some of the things, I would suggest, that are benefits. I am of the position that it is a government policy to have a stand-alone department. I am the director general of the department and we have a strong role in implementing F1, as well as Two Ways Together as well as ACDP as well as a number of other things.

The Hon. MICHAEL VEITCH: To add to the government response, even this morning there has been some discussion using the phrase "lead agency". I am not clear in my mind what it means. Are you able to talk through what it means and how it is applied?

Ms BROUN: In the context of the State Plan or just generally?

The Hon. MICHAEL VEITCH: In general.

Ms BROUN: In the context of the State Plan, lead agency for F1 means working across a range of other agencies, particularly in our instance, as you can appreciate, outcomes for Aboriginal people are much broader than one particular agency. So it is looking right across government services and identifying the gaps and also identifying where agencies need to connect into an overall program. That is why we have the Two Ways Together coordinating committee. So, we run that process. It is coming up with the action plans. Previously under Two Ways Together we had action plans for each of the priority areas. That has now been subsumed within our State Plan activities.

So, we made sure there is a project group around, say, families, around education, around environmental health, around economic development, around building community resilience but there are also different lead agencies for each of those. They are tasked with drawing together the various parts and different agencies, so they would bring those agencies together, come up with an action plan and make sure it is being delivered at each of those meetings. It is around often coming up with the words and bringing together all the different elements and disparate parts of various agencies to make sure that you have a comprehensive package.

The Hon. MICHAEL VEITCH: Like a coordinating role?

Ms BROUN: It is probably a bit more than coordination, because you are driving the agenda a bit as well. But it is with the input of all those different agencies.

The Hon. MICHAEL VEITCH: Just a couple of other questions really to do with Aboriginal employment. You have an Aboriginal employment strategy?

Ms BROUN: Within the department?

The Hon. MICHAEL VEITCH: Yes.

Ms BROUN: Yes.

The Hon. MICHAEL VEITCH: Was that developed within the department or sourced from somewhere else and modified?

Ms BROUN: No, it was developed within the department.

The Hon. MICHAEL VEITCH: Reading through all the information we have been given, there are a number of recommendations from previous inquiries—mainly social issues inquiries. How many of those recommendations have been implemented, that you are aware of, within your department's control?

Ms BROUN: Within our control—

The Hon. MICHAEL VEITCH: Do you monitor the implementation of those recommendations?

Ms BROUN: If I looked back through the number of various inquiries, most of the implementation sits with other agencies and I do not know that has been our role to monitor that they have been implemented. So, no is the short answer but in the sense that you are monitoring outcomes overall in the sense that you are looking for gaps in service delivery at State level and at regional levels, a lot of those would be similar sorts of outcomes. If you are seeing there is a need for aged persons care, for instance, or there is a need for family violence services, those sorts of things, what we have done at the regional level is very much go down to those practical sorts of elements Kerry was talking about where you are looking at what is on the ground, where are the gaps and what are the priorities from the community's point of view—not our point of view but what do they see as the priorities.

Kerry talked at length about the regional planning framework and the regional actions that have been identified, but equally there is local work. So, at a local level there is very often specific action on the ground to try to address specific issues. It might be that the school bus is dropping the kids two kilometres away from the location of the community, which means a lot of kids do not get to school because they have to walk to the bus stop—negotiating so that service can be provided to the community rather than further afield. Hopefully in the end that has an impact on kids getting to school regularly and then has an impact on the broader outcomes of better attainment at school.

So, it is a complex arrangement and everything you do affects other areas. That is why I was talking about not pulling out one element of it. We are interested in the whole package. We are interested in employment, in transport issues, the whole range of elements, but we are also very interested in doing that with the community's input. It is up to them to determine what are the priorities and how do we address them. What is the first priority? Is the first priority working on the relationships between the school and the community or is it working on cultural aspects of the community?

One example that sits well with me and I like to use is the Bourke community determined their plan and priorities. They had a very strong priority around culture and their first priority was to have a cultural festival type of thing. That has been run two years in a row. They established it and ran it. It receives funding from State and Commonwealth and a lot of in-kind support from various agencies as well as the private sector. The first year it ran for about eight days and was well received, and the second year they shortened that because eight days was fairly intense. I think the second year

was about four days and it was well received. It was around strengthening culture. That is an important point I want to make sure gets discussed and is recognised. Cultural resilience is very important, and supporting the culture of communities and enhancing that, but they need to determine that. So, there are a number of different ways that can occur and some of it occurs through our language program, but culture is more than that. So, in a community like Bourke, who determined that was their first priority, I think that is really important.

The Hon. MICHAEL VEITCH: I am glad you mentioned language. My last question relates to language, culture and heritage. A couple of weeks ago on SBS television there was a great show about Cathy Freeman tracing her lineage, and she found out she had English and Chinese bloodlines as well. That tracing of heritage is an important thing for all cultures right around the world. How successful are we at doing that in New South Wales? What programs do we have to assist people to trace their heritage and their lineage amongst the Aboriginal community?

Ms BROUN: There are probably a couple of points. The family history unit within the department, people have access to their records through that process. So, they can apply and get access to records that have been held by various departments in the past, and they can trace where they have come from. For a lot of people that is quite a disturbing process as well. Kerry probably has the detail on it but it is, as you say, important that that occurs.

The Hon. MICHAEL VEITCH: You need to know where you come from?

Ms BROUN: Yes, and the language side of it is equally important. So, we have a \$250,000-a-year grant program to support language revitalisation at local levels, and that is based on submissions that we receive and applications we receive.

Ms PEARSE: Just to provide you with a little more detail about the family records part of what we do, the family records unit answers inquiries from people who are trying to trace their family history. We took more than 500 phone calls in 2006-07 from people looking for information. We responded to more than 300 emails and then we processed 120 formal applications from people who were seeking access to their records. We take about 60 phone calls a month and conduct 10 face-to-face interviews with usually quite large groups of people who are trying to find out more about their family records. The department administers a database and works closely with State Records and archives and is a gateway into helping people find that information.

The Hon. MICHAEL VEITCH: Is that process readily known within the community across New South Wales?

Ms PEARSE: We have a 1800 phone number and it is advertised throughout the regional network, sometimes through the Aboriginal press and sometimes, from time to time, we promote it, yes.

Ms BROUN: Equally, whenever there is a festival or an event we would have a stall generally. If it is an Aboriginal festival event we would have a stall with this information and we have an officer whose role is to help people through that process. For instance, Yabun was held recently in Victoria Park on Australia Day, and we were in a tent that had all that information and was really well researched. So Link Up had their information and there were a whole range of agencies with similar parts of that information. So, State Records were there as well. So, it is around people being aware that service is there and also being supported to access those records.

The Hon. GREG DONNELLY: On the issue of violence against Aboriginal women, the submission gives us some insight into some of the programs and initiatives that have been introduced. I am wondering whether one or both of you could comment on your thoughts about what seems to be working, if I can use that phrase? What programs or initiatives seem to be producing some impact on this problem?

Ms BROUN: I think it is a very complex sort of issue. A range of agencies has a role in it. Obviously, information is important and information about processes, support for women. There might be a DOCS-type role, there might be a Health Department-type role. There might be an Attorney Generals-type role and there might be a police-type role. A whole range of agencies is

engaged in that. For myself, I think the information and the education of the community in this regard is important but equally it is important that the community takes a strong stand on this.

The Hon. GREG DONNELLY: Are there any particular examples you can highlight as being successes, if I could put it that way, that seem to have been identified as dealing with this issue? Do any come to mind particularly?

Ms BROUN: Kerry might speak more specifically, but I did want to highlight a point around Aboriginal communities taking control. I think that is a really critical element, and the success of programs will rely on that occurring. The Murdi Paaki regional assembly, for instance, have put out statements against violence, not just against women but violence generally, and child sexual assault and those sorts of things. It is really important that those sorts of statements and leadership from the community are elements of that.

Ms PEARSE: One of the features of Two Ways Together and also the work that other agencies are doing in relation to work with social services, if you like, is around working in partnership and involving Aboriginal communities and individuals in decision making at the local level. We have talked a lot about work at the State level and at the regional level, but there are examples of activity around the State. Because of the subject matter I am not in a position to name the places that work is being undertaken in. I can think of an example in the State where there is a small group of Aboriginal women who are working very closely with some non-government agencies that are near their community who go off site and are doing a lot of active healing work together and leadership development work together and coming back into the community and working with the kids and other members of that community in a way that is driving the sorts of responses that that community then is developing to those issues.

I know that is very vague and oblique but we need to be very careful to not stigmatise particular communities. But I guess one of the features of this work in New South Wales that will lead ultimately to sustainable change is doing this work on the ground with communities in partnership where community members—men and women—are leading that decision making around how they want to respond to that at the local level. That is also one of the features of the local dimension of the work in relation to the Aboriginal child sexual assault plan that you were asking questions about before.

Ms BROUN: If I can add to that, there are probably a couple of points. One is about working with the community but also what works in one location might not work in another location. So it is very hard to generalise and say, "There's a program that works and we should put it everywhere". I think it is much more important to listen to what the community is saying are the answers. In some locations there are some men's groups that have been established and are supporting each other and coming out with strong statements of, "This is what we are about and this is how we support each other" and doing work with youth. I think that is important.

The other point is that in the submission we refer to a number of different programs that have had reasonable success. A number of those have been funded through what was the Two Ways Together package of funded initiatives to try things a little bit differently. They were things like Rekindling the Spirit—I think we have provided some information on that. Walking Together was another program that was Department of Corrective Services, and the Dubbo family violence program. All of those are referred to in the submission. They were funded through the Two Ways Together package, which was a package of initiatives, as I said, that was broad across government but funded through one source and said, "Let's try something a bit different in these locations and fund some different initiatives". There is probably a range of numerous other programs in different departments—as I said, you have got a whole range of departments that would be involved in this sort of work.

The Hon. GREG DONNELLY: You may not be able to answer this question, but in terms of research that may have been done comparing examples of domestic violence—in the main, perpetrated by males—in the indigenous and non-indigenous communities, has any sort of analysis been done about the levels and perhaps the reasons behind it?

Ms BROUN: I think the submission probably had some of that data and, equally, the Two Ways Together report would have had some of that data. I think it goes back to the generational trauma and other disadvantage that Aboriginal people have experienced, and general disadvantage. I think if you looked across the community in any disadvantaged groups you would see higher levels of violence and higher levels of other behaviours. I think we have provided a range of that data not only in the submission but also in the Two Ways Together report that you can draw on.

The Hon. GREG DONNELLY: On the issue of child sexual abuse, the submission is very detailed in going through the issue and, in particular, giving some attention to the initiatives that the Government has introduced. I wonder once again whether there are any particular initiatives that you discern as seeming to make a greater impact and more impression than others—or is it just a very long, hard slog?

Ms BROUN: It is probably early days to make those sorts of assessments, I would think. It is also very difficult, I think, to pinpoint one particular element or contributing factor to any change. Often it might be that you have done a lot of work with the community and they are on board but there are also some employment opportunities that you have done, there are kids who are doing better at school—there is a whole range of factors that would come into play. So to pinpoint one and say "This has made the difference or not", I think would be difficult. As I said, we have always seen it as a bit of a jigsaw puzzle of all the things that need to happen to make a full picture operate and change the picture, if you like. There are so many small parts of it that make that difference. That might be supporting families and parents right from the outset, having kids achieving well at school, having kids finish year 12 and having some employment in community. That is why all the elements of the ACDP but also other programs looking holistically through the regional planning are really important. No one element is actually going to make a difference.

The Hon. GREG DONNELLY: My last question at the moment is about the job compacts, which you commented on earlier. Can you give the Committee an insight into the extent of interest from private-sector employers in regional New South Wales in getting on board and supporting the initiative? It is obviously very important.

Ms BROUN: I might let Kerry talk about that. But I think in a general sense we have taken a number of elements of economic development. One is around employment in the public sector. That is making it our business to try to help agencies through that process. Job compacts are obviously an important element of it. Employment through the Aboriginal Community Development Program is also very important, and the creation and support of Aboriginal building companies on the ground that then, in turn, are offering employment. So there is a whole range of things. We have had several workshops with different private sector companies that are all very keen and willing to be involved in the job compacts work. I think there is a large degree of goodwill. There is also obviously a skills shortage. There is an ageing population generally but the Aboriginal population is much younger and that population is growing. So there is a source of employees in the Aboriginal population that may not be in the broader population. In a lot of the regions that is even more so.

But the meetings I have had with a number of companies have been very positive, even to the point where you are presenting the facts and figures and talking about not only job compacts but other work around Aboriginal participation in construction, for instance—that is general construction in any area. Those companies have very quickly afterwards done some work themselves on increasing their Aboriginal employment through appointing an Aboriginal employment co-ordinator and those sorts of things. I think you do plant the seeds. What we are doing is trying to connect the people with the jobs and encourage the private sector to take a much greater role in this. I will let Kerry talk about some of the details because she has been to a lot of the more regional meetings with the private sector.

Ms PEARSE: Thanks, Jody. There is quite a lot of strong interest in the locations we are working on in relation to the job compacts. There are largely two groups of employers: there are big corporates we are working with who have a presence in a number of different locations, and then there are small employers who are located specifically in the town or the site that we are working in. We are working in 12 locations across New South Wales. I guess the feature of the job compacts work that makes it a little bit different from other employment programs is that we are bringing together the employers with a number of other parts of the service system. We have talked a lot about the service system today. As we know, it is very complex.

But employers are saying, "We are interested in this model because it's not just about you finding us a person and popping them in one of our jobs; it's about working with the TAFE sector, job placement agencies and figuring out what the barriers are in this particular place". Is it that people cannot get to the 10 o'clock shift at night because there is no transport to get them from where they are living? Is it that they need childcare support? It is about bringing all the different parts of the system together in a particular place with the employers and, most importantly, the Aboriginal community—because they are best placed to say, "These are our barriers"—and then agreeing on a much more holistic response that means not only are people being placed in jobs but they are much more likely to be able to retain them. We are expecting to be in a position of being able to launch those job compacts by the end of June.

The Hon. GREG DONNELLY: Thank you.

CHAIR: I have a number of questions. Recently Bev Manton, the Chair of the New South Wales Aboriginal Land Council, made a comment I think in the *Courier Mail* that she was mindful of the tremendous opportunity that this particular inquiry gave and that it provided an unprecedented opportunity and platform to present a thorough evidence-based stocktake of the successes and failures of past and current Aboriginal Affairs policies and programs at a national, State and international level. In light of that comment and the whole issue of the Two Ways Together concept of consultation, in assessing the various communities' wishes and requirements do you experience any difficulties in securing ongoing funding?

Ms BROUN: For the department?

CHAIR: For the department in delivering the programs.

Ms BROUN: Obviously DAA does rely on a budget being provided by Treasury, and we had to meet processes that any other department would have to meet in order to maintain our funding. Over the past five years, in fact, there has been an increase in our operational budget. So from an operational perspective, no. That is the answer. There is a whole range of other issues obviously but we do not have a problem maintaining our budget as a department.

CHAIR: So in looking at a stocktake of successes and failures, has any issue arisen as to longevity because of a lack of money? Do you come across in various communities programs being cut short because of a lack of money?

Ms BROUN: There is probably a range of answers. Programs might be discontinued for a whole range of reasons. For instance, the ACDP is a time-limited program, and always was. In a number of other locations programs are commenced by the Federal Government and then discontinued, and a lot of the community do not see it as being State or Commonwealth program dollars—they just think "government" and they do not distinguish between the two. That tends to occur a fair bit as well. In terms of specifics, probably not—unless Kerry has some other instances.

Ms PEARSE: No.

Ms BROUN: I think one of the frustrations at a community level would be the application-type processes and submission processes that they might need to go through for any government funding or support, whether it is Commonwealth or State. There are submission processes on an annual basis, which makes it difficult. You also do not get a long-term commitment necessarily, so there is often a stop-start type of approach to funding. I think that does have an impact and not all communities have got the resources in place to write the submissions and keep the program going. So they might not have met the dates for submissions and those sorts of things. I suppose that is one of the things that we will be trying to avoid if you are doing local level planning particularly—it is around what are the programs you want to deliver, where are you at with them and giving some assistance and support to doing that sort of thing. I do not know whether Kerry wants to add any specifics to that.

Ms PEARSE: Work we are starting to do through the partnerships community program in 40 locations around New South Wales is working with the community to, first, set up or support and

strengthen their local decision-making structure and then develop jointly with government agencies in that community a local action plan that is as much focused on getting the best out of the service system that already exists as it is on finding new resources. Resources are always an issue. However, there also are significant resources in the service system already that can be better used and the approach of Two Ways Together is about tackling both.

Ms BROUN: But it is around the community determining too some of those things on the ground that they would like to do with the available resources.

Ms PEARSE: That is right.

Ms BROUN: They can make some of the decisions about what is the resource they have and where do they think the best benefit is. I think I have an example here where there are some funds available through the Aboriginal Community Development Program [ACDP] that they determined they wanted to do the work on Alice Edwards Village, which is a village out of town but they wanted to do a children's park there. Now, that is them determining how those funds might be spent but also what we are able to do in a lot of locations—I am just looking for the details because there are some really good examples—is actually negotiate with a range of agencies around their contributions to a project on the ground. So that is one example. There is also at Enngonia an oval where we were able to contribute funds from a number of different departments but also used that to leverage some funds out of the Federal Government. So, there are some good examples like that where State and Commonwealth are coming together to actually do some of those things.

At Weilmoringle, I think this is a really good example, they determined at a community that a pool would be what they needed. I do not know if you know where Weilmoringle is, but it gets fairly hot out there and they wanted an exercise environment for community, and that has all sorts of health benefits. We contributed \$300,000 to the pool environment and were able to leverage the funds for the pool actually from the Federal Government. So, it is bringing together the different elements, which I think is really important, and using the resources in the best possible way, and also eliminating, particularly at local level, any duplication of services. While resources might be an issue, there is duplication of some programs, where State or Commonwealth are trying to do the same thing.

CHAIR: When you catalogue the report in April on the Two Ways Together midway in determining supply and demand and adequacy of funding, will you also be having some criteria in monitoring access? Can you give us some indication as to what is being done about improving access to services?

Ms BROUN: To State Government services?

CHAIR: Yes.

Ms BROUN: I think the indicators report will be around what are the outcomes rather than how have we lined up. It will not be a narrative-type report. The last report we tried to keep very closely to a belief that the data will show whether we are making a difference. I do not want all the narrative that says we are doing wonderful things if the outcomes are not actually changing. If you look at the Productivity Commission report that comes out on overcoming indigenous disadvantage, that tends to put in lots of extra information and ends up a 600-page report. We have tried to keep ours to this is the base, this is the data that shows whether things are improving. We do put in some specific case studies of good examples.

CHAIR: Does the Families New South Wales program outlined in your submission include service provision specifically for indigenous people?

Ms BROUN: That program is run through the Department of Community Services and those questions I think are probably better asked to the Department of Community Services.

CHAIR: We note the Future Directions strategy outlined in the submission. Can you provide more detail on how you plan to implement the various strategies and how the Aboriginal and Torres Strait Islander community may be involved?

Ms BROUN: Yes. The submission was whole of government but the role of the Department of Aboriginal Affairs in all of this is around how do we engage the community better. That is our principle throughout this: how do we ensure services are delivered appropriately, and that is really by listening to the communities about how they want those services delivered. So, the structures we have had and will continue to have are through the Two Ways Together Coordinating Committee, the regional engagement groups and those local engagement and decision-making groups. In some locations they are called community working parties, in others they are just local engagement groups or government groups. It is really working with them at that ground level and that is the intention we have got for the future: to continue to strengthen the way communities can do business with government so that they have a real stake in the outcomes and a real role in helping us determine how to deliver better services.

The Hon. TREVOR KHAN: This might be a bit of a dorothea dixie but I will ask it anyway. The New South Wales Government submission mentions the future of the Murdi Paaki. Can you elaborate on what role your department plans to have in the future of Murdi Paaki?

Ms BROUN: As I said, one of our regional offices is in Bourke and we work across the 16 communities and Murdi Paaki. Over the whole time, even before we had the regional office, we have supported the local level community structures. So we have contributed a certain amount of money to each of those so that they can meet and have a venue and morning or afternoon tea, whatever, because they meet every month. We assisted them with that; assisted them obviously in the regional reporting process and the regional planning processes. We have supported the Murdi Paaki regional assembly through their sort of governance six monthly workshops and we will continue to work with them through those processes.

Murdi Paaki started well before, I think, the Council of Australian Governments [COAG] trial, but it was seen as a Council of Australian Governments trial and touted as such for the past few years. It was probably more than that. It was in place before that because a lot of those community working parties were established prior to that with the ACDP, and even prior to that with the Federal Government program. So, we have been supporting that process throughout the last four or five years and will continue to support the Murdi Paaki in the same way as we are supporting other communities. There has been a couple of very good evaluations of the Murdi Paaki COAG trial site. Overall, there has been a review and evaluation of all the COAG trial sites, which actually identified Murdi Paaki as one of the successes, particularly from a governance perspective, and actually does mention the community working parties as an element of that.

There has been also a Australian National Audit Office evaluation, which also identified the success as being made on the ground that we have made up in Murdi Paaki. So, there is something going on out there that is actually making a difference. As I said, we are very careful not to say it is one particular thing because I think there have been a lot of elements that have contributed to better outcomes out there. So, I think we have got to take from that model what are some of the elements that we might apply in other places and supporting local government structures seems to be one of the strong elements that we would like to see in other places. We have across the State now 40 partnership communities in various regions. So there are 16 out there that are already established and off and running. There were some others around the ACDP and there are also some others that are being established under this partnership community model, and we are doing that with State and Federal governments together.

The Hon. TREVOR KHAN: There are just a few questions that arise from answers that have been given up to this point. I think Ms Pearce made specific reference to the driver's licence program operating on the North Coast. Is that a driver's licence program that has been initiated by your department?

Ms PEARSE: The pilot I was referring to actually was in Tamworth. Our department was very directly involved in it. I am not certain if we initiated it, but I can certainly provide you with more information about it.

The Hon. TREVOR KHAN: Who funds it?

Ms PEARSE: The Roads and Traffic Authority [RTA] is directly involved in it and I think I need to take that on notice.

The Hon. TREVOR KHAN: Is there some proposal for continuing funding for drivers licence programs for Aboriginal youth throughout the State and if not, why not?

Ms PEARSE: There is a fair amount of activity happening in relation to drivers licence programs in different parts of the State through the Roads and Traffic Authority, through the Department of Aboriginal Affairs and the Attorney General's Department. When you look at the regional action plan commitments, there is activity associated with drivers licence projects in the way I described before in a number of the regions.

The Hon. TREVOR KHAN: Was your department invited to make any submission to the Roads and Traffic Authority with respect to the increase from 50 to 120 in the required number of hours to be undertaken from learner drivers?

Ms BROUN: I will have to take that on notice.

The Hon. TREVOR KHAN: It is not rocket science. What I want to suggest to you is that for poor communities—and we will put most of the aboriginal communities as falling into that category—more than doubling the number of hours required to get a driver's licence is a huge burden on any family, assuming they have a car. If they do not have a car, they are hugely behind the eight ball. It would seem to me the involvement in your department would have been one of its early approaches to work out what negative impact this has. Would you agree with that or would you prefer not to?

Ms BROUN: There are probably a couple of points. That was a decision, obviously, of government to increase it, and there is good reason behind that. What we need to do then is say what is the impact and how can we remedy that impact at the community level. Some of these driver licence programs are critical and important to doing that.

The Hon. TREVOR KHAN: I agree with you. The question is, has there actually been a response from your department or other lead agencies to assist communities to overcome the disadvantages of this program having been introduced? I do understand all that is said in favour of it, but it has a negative impact.

Ms BROUN: But the response is as Kerry suggested: there are a number of locations that have identified driver-training programs as a key priority that they are doing on the ground.

The Hon. TREVOR KHAN: With respect, if, what you say, they are a consequence, I would like to know whether these programs were introduced before or after the 120 hours or whether it is all just coincidental that it is being run now. You could do that, could you not?

Ms BROUN: We could put together a picture of what is out there and how long they have been operating.

The Hon. TREVOR KHAN: Excellent. Recognising that time is short, could I go back to the Aboriginal Child Sexual Assault Task Force issue. Dr John Kaye asked you in regards to performance indicators, in a sense. We all recognise that it is an extremely serious problem not only in the Aboriginal community but also in the wider community: it needs to be addressed and there are no two ways of ducking around the issues. We need to know that something is happening. In the Minister's submission on page 28 there is a section headed "Evaluation, Progress and Outcomes". Have you got that?

CHAIR: The director-general is here to assist us.

The Hon. TREVOR KHAN: I know that.

CHAIR: She is not a witness in a courtroom.

The Hon. TREVOR KHAN: She is a witness.

CHAIR: I am sure that she will assist in every way she possibly can.

The Hon. TREVOR KHAN: She will. You will see in the middle of the page there is "Evaluation, Program and Outcomes"?

Ms BROUN: Yes.

The Hon. TREVOR KHAN: There are then three dot points identified, "program milestones, program measures and outcome indicators"?

Ms BROUN: Yes.

The Hon. TREVOR KHAN: The paragraph after that commences, "The milestones have been finalised and been reported on." Can you see that?

Ms BROUN: Yes. To the Minister for Aboriginal Affairs, yes.

The Hon. TREVOR KHAN: I will not read the balance of that. Are the milestones referred to simply the program milestones or are they the milestone measures and outcome indicators?

Ms BROUN: The milestones themselves are against the action. So, where an agency has said it is going to do a certain thing by a certain date, it is a measure against where it is at in implementing that particular action.

The Hon. TREVOR KHAN: There are three dot points.

Ms BROUN: Yes. I was going to finish.

The Hon. TREVOR KHAN: "Program milestones, program measures and program indicators." what I am simply asking is whether the reporting that is being done, and you will see there, on a six monthly basis simply relates to dot point one or whether it relates to dot points one, two or three?

Ms BROUN: If I can finish what I was going to say, the program milestones have been agreed and reported on a six-monthly basis. The program measures have been drafted and we are still waiting for them to be finalised. Outcome indicators we were keen to do with the ministerial advisory panel. The reports go to the ministerial advisory panel, so we needed them to let us know the sorts of things they would be expecting to see from this range of actions in order to be able to see whether it was making a difference on the ground. We have been doing some work with the ministerial advisory panel. We cannot report on something until we have them. As I said previously, the reporting will be done through the State Plan, on the same timelines as we do through the State Plan.

The Hon. TREVOR KHAN: Earlier you or I think Ms Pearse spoke about the Aboriginal employment strategy. Does that put people in jobs, or is it at a slightly higher level?

Ms PEARSE: Are you talking about the job compacts? There are probably a couple of things. The Department of Health has an Aboriginal strategy that is about employment within the department. Job compacts are where we are trying to get jobs for people with the private sector out in the regions.

The Hon. TREVOR KHAN: But regional officers out in the regions are not going out and finding jobs for anyone?

Ms PEARSE: No. This is the regional officer's role in relation to job compacts. We are the lead agency working with a whole range of other services and private sector employers that I talked about before to develop an agreement about how we, in a particular place, can develop longer term sustainable jobs for Aboriginal people in that place and what is required then to support those jobs and people so that they are sustainable.

The Hon. TREVOR KHAN: Would you be able to provide us with some greater detail with regard to the implementation of that strategy? Essentially, if you are not able to name companies that is fine but I would be interested to know what sectors are involved and what sectors have entered into compacts. For instance, I know that some of the banks have, but have you gone any further than the banks and, if so, in what areas?

Ms PEARSE: We can certainly come back to you with more information. It is important to note that these 12 job compacts are currently in development. They are to be finalised by 30 June and they will then be implemented. So we are talking about the early implementation stage of the program. But we certainly can come back to you with more information.

Ms BROUN: And we can come back to you about which corporate companies in the private sector have been involved to date. As I said previously, there has been a whole range. I did some work when companies such as Transfield Holdings and John Holland were in the room. Those big corporate companies are very keen to be involved with us and they see the value in engaging with the Aboriginal community and in providing jobs. So we can come back some more detail.

CHAIR: If any other members need to ask questions this morning they should do so in the next two minutes. If not, there may be other questions that Committee members wish to ask on notice that can be sent to you.

Ms BROUN: Thank you very much.

CHAIR: You have already taken a number of questions on notice.

Ms BROUN: Yes.

CHAIR: The reporting time for that is 35 days.

Ms BROUN: Thank you.

CHAIR: Thank you very much for your attendance; it is greatly appreciated. No doubt we will be in touch with you.

(The witnesses withdrew)

(Short adjournment)

DEBORA MARGARET PICONE, Director General, NSW Health, 91 Miller Street, North Sydney, sworn and examined,

RICHARD JOHN MATTHEWS, Deputy Director General, NSW Health, 91 Miller Street, North Sydney, and

DENISE ROBINSON, Chief Health Officer and Deputy Director General Population Health, NSW Health, 73 Miller Street, North Sydney, affirmed and examined:

CHAIR: I will ask the director general if she wishes to make some opening remarks.

Professor PICONE: I do, sir. If this is too long, please stop me at any point.

CHAIR: Roughly what does "too long" mean?

Professor PICONE: It will not be too long, but what I have tried to do is deal with your terms of reference and in some way put forward some of the medical issues. With the assistance of the Chief Health Officer in New South Wales and Dr Matthews, we felt that you might want some detail around some of those epi-issues and other things, so I have tried to touch on that early on.

First of all I begin by acknowledging the Gadigal people of the Eora nation, the traditional owners of the land upon which we are meeting here today, and I also acknowledge any Elders who are present today. We thank the Committee for the opportunity to give you an overview of the issues, certainly from New South Wales Health's perspective, around the health needs of Aboriginal people. We have provided quite a detailed submission to you. We did a lot of work around that. I encourage you strongly, particularly around some of the issues of morbidity and mortality and the antecedents of ill health, to read the material, much of which has been sourced from the learned journals but in addition from the report that we publish annually. The Chief Health Officer publishes that.

As described in the submission, Aboriginal Australians still face significant disadvantage, 220 years after white settlement. I have to say that I think in the introduction in the whole-of-government response, the disadvantage of our Aboriginal people is even greater than that of other first nation countries. That in itself is very telling. It is most clearly understood when one looks at the health outcomes experienced by Aboriginal people. Despite a world-class health care system, Aboriginal Australians can expect to live 17 years fewer than the non-Aboriginal health population. We thought we might be able to help the Committee today understand exactly what that means because it is a figure that is often quoted, but what is it about? What are all the interconnections?

A similar issue is the rate of low birth weight babies, which is over twice the rate for babies born to non-Aboriginal mothers, and we will touch on that. The Aboriginal mortality rates average two to three times those of the total population. Here in New South Wales, infant mortality is slightly over eight deaths per thousand live births for Aboriginal babies, which is around double that of the rate for the total population. They are some of the areas where we thought we may be helpful to the Committee. One final and devastating statistic is the level of interpersonal violence experienced by Aboriginal women. In 2003 and 2004, Aboriginal women were 31 times more likely to be hospitalised for an assault-related injury. I want to touch on that and what that means in the general health sense later on.

Aboriginal and non-Aboriginal people have the same two leading causes of death, that is, cardiovascular disease and cancers. I think it is a misconception in the community, but it is the same two causes of death between Aboriginal and non-Aboriginal people, heart disease and cancer, although proportionally they are different. Both cardiovascular disease and cancers make up smaller proportions of all deaths mostly because a greater proportion of Aboriginal people die at a younger age from other diseases that are less prevalent in non-Aboriginal people. Among these injuries, poisoning accounts for around 13 per cent of Aboriginal deaths compared with just over 5 per cent of non-Aboriginal deaths, and digestive system diseases account for almost twice as great a proportion of deaths in Aboriginal people, so that is 6.5 per cent compared to 3.4 per cent. There is also a considerable difference in maternal and neonatal and congenital deaths, and endocrine diseases, as a

cause of death. Chief among the latter is diabetes, which is responsible for around five per cent of deaths.

There is also a marked difference in the ill defined and unknown causes of death between Aboriginal and non-Aboriginal people. Later I will ask the Chief Health Officer to touch on some of the issues around data because New South Wales Health has undertaken an important piece of work to go back over data that was published on a national level. We have done that because many people still do not identify as being Aboriginal, so it may be that some of the statistics that have been published in earlier times have not been correct. We have more current data on that because of some work that we have been doing.

Collectively we have a lot of work to do and we must work in partnership with Aboriginal people if we are to have any chance of changing health outcomes. We work very closely with the Aboriginal Health and Medical Research Council, which has had its formal partnership agreement since 1995, Aboriginal Health and Medical Research Council member organisations, and other Aboriginal-controlled services. In our thinking, our view is that we do everything in partnership with those Aboriginal communities and not just as a one-off, "We've come up with a brilliant idea, now let's go out and do it": That is not how we do business.

In may not be widely known, but New South Wales has the largest Aboriginal population in Australia, with approximately 140,000 people identifying themselves as indigenous in the 2006 census. That makes up 2 per cent of the population. Also, they are highly urbanised in New South Wales, with approximately 6.8 per cent living in remote or very remote parts of the State. However, in remote and very remote areas, they comprise 18 per cent to 32 per cent respectively of their local populations. It is quite different also between various area health services.

To meet these complexities, we have policies and programs on the ground. We detail those in detail by each area health service and each program because we want you to know actually what is being delivered out there in the community. They are directed to achieving positive changes in the highest priority health indicators that are identified in the State Plan, our own State Health Plan and of course in Two Ways Together. They are broken into maternal and infant health which, I would have to say, I think is one of our most successful programs in recent times, child sexual assault, alcohol use, smoking, chronic disease, oral health, mental health, otitis media in children aged zero to six, and, of course, our work in environmental health.

The focus on a discrete list of key evidence-based priorities for Aboriginal health in liaison with other government agencies provides opportunities to focus effort and investment to achieve health gain in the short and longer term. I acknowledge my fellow director general today in that regard who keeps us all in order by ensuring that we are coordinating these programs across the relevant agencies, and takes no prisoners—which is good for us sometimes. At the moment, for specific Aboriginal health programs we spend \$60 million a year. In 2007-08, in a move intended to contribute to closing the gap in health status, we provided an additional \$30 million over four years.

In recognition of the need to focus on screening and intervention, particularly for chronic disease, we provided an additional \$2 million in 2007-08 and \$3.5 million in 2008-09. That will allow for increased screening programs for chronic kidney disease and provide new skills and support tools to Aboriginal health workers to assist them in identifying health risk factors earlier. The new program builds on the \$2.1 million Aboriginal vascular health program, which I also believe is another highly successful program, which we will talk to your about, and an additional \$4.1 million per annum was allocated to extend the successful New South Wales Aboriginal maternal infant health strategy from 14 sites to 31 sites across the State. Sites for the new programs are based on the distribution of Aboriginal births across New South Wales.

Since the introduction of the Aboriginal maternal infant health strategy we have halved the rate of premature births, improved breast-feeding rates, with almost 65 per cent of women still feeding at six weeks, as compared with under 60 per cent in the year prior; an increase of around 13 per cent of women accessing antenatal care early in pregnancy, as compared with the previous year; and, most importantly, Aboriginals say they are engaged with and pleased with the services we are providing. I know that Dr Matthews will speak on that in more detail. As I can see you looking strangely at me, Mr Chair, I think I will stop there. I am happy to take any questions.

Dr JOHN KAYE: Professor Picone, I may have missed something. I thought the only submission your department made was in the whole-of-government submission. Is that correct, or is there another submission that your department made?

Dr ROBINSON: Yes, a much more comprehensive report was made. My understanding is that it was put in as an attachment to the original report because it was so large.

Dr JOHN KAYE: The senior officer in your department whose primary focus is on Aboriginal health issues would be called the director of Aboriginal health, is that correct?

Professor PICONE: At an executive level, it is the chief health officer, who is Dr Robinson, and we also have a branch in the department that is devoted to these areas of activity.

Dr JOHN KAYE: I am sorry; I may not have asked my question clearly enough. Who is the senior officer in your department whose sole focus is on Aboriginal issues?

Dr ROBINSON: There is a director of the Centre for Aboriginal Health, who has responsibility for Aboriginal programs and their oversight. But at the executive level, that is one of my areas of responsibility, so Aboriginal health falls into my portfolio.

Dr JOHN KAYE: The director of the centre would be the person in the department whose sole focus is on Aboriginal issues?

Dr ROBINSON: Yes, but as the director general intimated before, we all have responsibility in our various areas. For example, maternal and child health is within another division.

Dr JOHN KAYE: Can we talk about the director of the centre firstly? Does an Aboriginal person currently occupy that position?

Dr ROBINSON: No. We are currently undertaking recruitment for that position. An Aboriginal person who was unfortunately recruited to a similar position in Western Australia, which was his home State, occupied it. It is a position for an Aboriginal person. At the present time I do have a person acting in that position who is not an Aboriginal, but it is our intention to fill it.

Dr JOHN KAYE: Is it not true that normally in those positions the person who acts is in the box seat to get the position when it is filled?

Professor PICONE: No, absolutely not. Can I say, I have been a little on the periphery of this, but I know it has caused some concerns that the acting position was not filled by an Aboriginal person, and that has been raised with me by my various colleagues in AH&MRC. But we do have to go through a proper process of recruitment. So whilst people have not been happy with the acting arrangement, we are moving to fill it and it will be filled by an Aboriginal person, but we have to follow the proper processes of recruitment and appointment.

Dr JOHN KAYE: Did I hear you correctly to say that an Aboriginal person would fill the position?

Professor PICONE: That is what we have always done, and I feel confident that we should be able to attract a suitable candidate.

Dr JOHN KAYE: Can I ask why an Aboriginal person did not fill the acting position in this instance?

Dr ROBINSON: That was my decision. I moved, from within my own division, a person that I believed was a good and effective manager who could take over at very short notice and could run that centre, and I think that that was the right decision to take. It is not easy recruiting over the Christmas-New Year period, as you know, and I really am very anxious to make sure that I get the very best possible candidate for it, so I will endeavour to do exactly that.

Dr JOHN KAYE: When you made that decision to recruit a non-Aboriginal person into the senior Aboriginal health position, were you mindful of the impact that would have in terms of the message it sent to workers in the field and to the broader community?

Dr ROBINSON: I did not recruit to that position; I seconded a person into the acting role. I discussed that with the Aboriginal health managers of the area health services, and I explained to them the reason for my making that call. If you are asking whether I should have appointed one of those to the position, I would have said that in fact it would be much more disruptive to have moved someone from an area health service where they had defined responsibility for the delivery of Aboriginal care than what actually ended up happening.

Professor PICONE: Could I also say that the person who is acting in the job is here in the room? Her name is Kim Stewart. She is an outstanding officer—

CHAIR: I do not think we need to go there, unless you desperately need to go there. It is a little outside our terms of reference.

Professor PICONE: But she is an outstanding officer—

Dr JOHN KAYE: I totally accept that, and there is no disrespect to her. The question went more to the issue of the messages we send out with these appointments. I will move on. I note that the statistics nationwide are that fewer health dollars are spent on Aboriginal people per head of population than are spent on the rest of the population—probably because Aboriginal people die younger, tragically, and hence there is a low opportunity, as it were, to spend money. Is that figure true in New South Wales?

Professor PICONE: I cannot answer that, and if I could take the question on notice. I think it would be highly probable. But when you look at those numbers, also included in that is the primary health care sector. If people are not accessing services—and Aboriginal people tend not to, for all the reasons we know—that could be probable. With your permission, Mr Chair, it is an excellent question and I would like to take it on notice and come back to you about that. But I would say that would be on the primary health care side of it, by people simply not accessing it.

Dr MATTHEWS: I think that is right, because Aboriginal people have a higher rate of hospitalisation so they actually get expensive hospital services. But we know, for instance, from the coordinated care trial that was conducted on the mid-North Coast, that the Aboriginal people in that area were accessing MBS at a rate of about 20 per cent of the Australian average. Our hospitals actually get people by default. When you are very ill, you always get into a hospital. Yet, access to community services—that is, general practitioners, specialist doctors and other services that citizens have to pay for out of their pocket—are actually poorer of access than is the public hospital system.

Dr JOHN KAYE: Which of the programs that Professor Picone outlined to us is addressing the fact that Aboriginal people do not tend to access primary health care at the same rate as the rest of the population?

Professor PICONE: I think we will all want to comment. It is the partnership model—that is what we have worked on strongly since 1995—and also the ownership issue. On the ground, if people can see that the owners and operators of their own services, particularly on the general practice side of it, and there is a strong partnership with the more acute care services people are more likely to access, then having deliberately targeted programs, such as our infant and maternal program so that we have people working directly with mothers and babies in a culturally sensitive way. The other big area, obviously, is the straightforward education issue. To me, at the heart of it is establishing the partnership that ensures that the services are culturally appropriate and people want to access them. My colleagues might want to make some comments on that as well.

Dr ROBINSON: I think there are some very specific programs where we target Aboriginal people. Earlier we made reference to the injections of some additional funds, \$2 million this year and \$3.5 million in recurrent funding, which is the program we have established that I am very excited about. It is designed to go to the community and to test the community for early signs of renal disease. We all know that renal disease is such a huge problem to us. The program is designed to find people

and test them in the community setting before they have any symptoms, so that we are not waiting for you to get signs and symptoms of high blood pressure, or diabetes, or kidney failure, or falling over and requiring dialysis.

We want to get you right here and undertake the community testing, demonstrate that you have early stage disease which is not causing any symptoms, and then institute early management, so that we are managing people, detecting that blood pressure issue before it blows your head off or whatever it is going to do to you, detecting the cholesterol problems before you get your arterial disease, and detecting your renal problems before you need to go onto dialysis. It is that type of program, where you specifically target the individuals you know to be at risk, that I think will have the longer-term benefit.

Dr JOHN KAYE: Dr Matthews, would you like to comment on that as well?

Dr MATTHEWS: Just to mention that there are also community-controlled health organisations known as Aboriginal medical services. In the metropolitan area, they are often fairly large and well resourced, such as those at Redfern and Dharruk. In rural and remote areas, some are well resourced. For a number of them, significant workforce, particularly clinical workforce, is an issue, but in the majority of areas Aboriginal people have a choice between a community-controlled Aboriginal medical service within some distance of where they live, as well as mainstream health services, either provided by the State through the public health system or supported by the Commonwealth through MBS. So there are some choices, but as you go further into rural and remote New South Wales access to services at every level becomes more and more difficult.

Dr JOHN KAYE: The Hon. Greg Donnelly might seek to have this question ruled out of order. If we were to somehow persuade Mr Costa to give your department an extra \$100 million specifically for Aboriginal health outcomes, which program or programs would you put it into?

The Hon. GREG DONNELLY: Mr Chair, it is effectively a question of government policy as to how and where the money would be allocated in the context of the overall budget. With the greatest respect to the director general, inviting her to speculate is not in accordance with the line of questioning we normally provide to such witnesses.

CHAIR: Perhaps Dr Kaye might rephrase the question.

The Hon. TREVOR KHAN: To the point of order: I do not think it goes to an issue of policy. It invites these witnesses, and I know we do not like the term, to give an indication as to where they would apply additional funding. That is a reasonable area of analysis by people who clearly are highly skilled.

CHAIR: You are asking the representatives from the department to give us their assessment as to demand?

Dr JOHN KAYE: As to the most effective place to put more resources. This goes to the heart of what we are doing. One of the things we are trying to assess is what is working, what is not working, what needs more effort, what does not need more effort. If we were to not recommend on those things we would be derelict in duty. I want to ask these people, who of the people we are going to see are closest to the delivery of those services, where they thought more resources would go.

The Hon. GREG DONNELLY: Further to the point of order: I accept if it is asked in the general sense. That is fine. But the question was: Here is \$100 million, where would you spend it? That is being too specific.

Dr JOHN KAYE: I will rephrase the question. What programs do you think would deliver the greatest outcome for greater investment?

CHAIR: As to the point of order, I am sure the Director General is mindful of government policy and what is within her bailiwick to answer. On that basis the Director General is more than capable of answering the question.

Professor PICONE: I would go back, first of all, in the normal way we do to our partnership groups and talk those issues through. Nothing infuriates the Aboriginal people more than us going through our numbers and working out the epi-arguments and where the best investments and returns for dollars are because they often have a far more commonsense approach. I did make a comment to you in my opening remarks that these are the areas we have concentrated on: maternal and infant health, child sexual assault. These are areas the Government has already put additional funds into. Further, alcohol use and smoking. I will repeat smoking and alcohol use because they are often what leads to chronic disease. There is oral health, particularly in the area of fluoridation. I will let the Chief Health Officer comment on that. There is mental health.

There is some question now about otitis media. The view is that we should simply mainstream that and not have that necessarily anymore as a targeted program. We are looking at that. The one with quite a large return that we do with our fellow agencies is environmental health. That is what I would say to you just sitting here now, though I would need to go off and discuss that with the partnership to see whether that is where they think we should be going as well. My colleagues might want to comment. I did make a comment earlier on that there has been increased funding in those areas, particularly the ones where we know we are making a difference to the lives of people. I hope at some stage we can talk a bit more to you about the maternal and infant health program.

The Hon. MARIE FICARRA: Professor Picone, that is an area that interests me greatly, giving young children the best start in life through maternal health, health in pregnancy, antenatal health, postnatal health, infant health. Do you feel you are making good strides there?

Professor PICONE: Yes. I thought Dr Matthews could go over the program and the antecedents of it. I will tell you the story of how it started. I was in my office in Miller Street—whatever number—it does not really matter. We were fortunate to have come on staff a midwife who had worked with communities in the Territory and had been there for many years. She walked in and she talked to me about what they have been doing and her ideas about how we could improve maternal and neonatal health. That is how this program started. We then got agreement from the partnership. That took a bit of time. It is also based on strong academic evidence. I might hand to Dr Matthews on that one.

Dr MATTHEWS: It is important to define the problem that was being addressed, that is, as we know and as you know from the Director General's introduction, Aboriginal mothers tend to have lower birth weight babies, they tend to come to delivery earlier and they certainly have a higher rate of infant mortality. There are many reasons for that. There are many factors during the pregnancy that impact on the course of the pregnancy. Of course, maternal health is one. One of the best predictors of birth weight is maternal birth weight. So there is potentially a three- or four-generational effect in increasing the birth weight of babies because those girls grow up and you get a compounding effect. The significant problem was that a lot of pregnant Aboriginal women simply were not accessing services. There are a number of reasons for that—not culturally appropriate, not available to where they lived, particularly in rural and remote areas. So there was some very careful policy development, as the Director General said, as part of the partnership to engage communities in culturally appropriate ways of delivering that care.

Over time more women were engaged. They were enrolled in antenatal care earlier in the pregnancy than previously. Rates of maternal smoking are dropping. We have now achieved at the end of the last financial year 46 per cent penetration. In other words, 46 per cent of Aboriginal mothers have access to this. This financial year there was additional funding both from Health and the Department of Community Services—I am sure that Dr Shepherd will be telling you about that this afternoon—to move towards 100 per cent of Aboriginal mothers getting access to this particular program. It has been externally evaluated. We can make that evaluation available to the Committee. It is a very rigorous one. It is one thing that we are particularly proud of because it has actually got some really hard, very solid outcome measures—not just input or output measures: baby is closer to term, bigger babies, reduced smoking. We now have some plans to extend to try to continue to engage that cohort through the further years of development up to school.

In the end, your development as a person and indeed even your subsequent behaviours pretty well are determined by what happens in that period of minus nine months through to five years. Some adjustment continues, particularly in boys, all the way to about 22. But the connections are laid down

in your brain. It is important to point out that this just does not lead to health outcomes. Potentially better parenting leads to improved societal outcomes, better education outcomes and better criminal justice outcomes. Lots of the behaviours that are deemed to be offensive or against the law are the result of abnormal development because of insults of one kind or another that happened during pregnancy or in early development. Eliminating those as much as it is possible is the aim of this particular strategy.

Professor PICONE: You always love the story of someone who has grown up in the school of hard knocks. They will turn around and say, "Look, I made it. They are just a pack of whingers." With Aboriginal people, the school of hard knocks, multiply that by about 100. Why does one person make it and another person does not? We believe there are two key things. One is the resilience in that human being to get knocked down and pick themselves up again. The other key thing is an important attachment. The most important attachment you can have in those years is obviously your mum and dad. If that is not working, then at least another stable adult figure during that period of time is critically important to how your life goes on to develop. A fellow called Oldes in the United Kingdom has published a very large study around this.

As we worked this program through at the time—and I acknowledge the previous Director of the Aboriginal Health Branch, Tim Agius, who was very instrumental in getting this up and running—we factored those commonsense, down-to-earth sort of things into this program. We also think that is why we are getting some of the benefits. I think people do not understand what a small baby means. I might just tell you what a small baby means because people hear this low birth weight thing and they go "so what" or they tell you they were 14 pounds and how happy they are. A low birth weight is often an indication of a relative, that is, a functional immaturity of various organs, which increases the risk of disease and permanent disability or death in a baby. That is the biological side. Dr Matthews has just been touching on the emotional development side. So this low birth weight issue is absolutely critical. I do not know whether Dr Robinson has any comments.

Dr ROBINSON: No.

The Hon. MARIE FICARRA: I want to touch on preventative health. You talked about the kidneys, heart disease, measuring blood pressure, blood lipids, eye health—all those preventative health programs. What are the rates for cervical cancer screening and the HPV vaccination program within the indigenous population?

Dr ROBINSON: The cervical screening rates in Aboriginal women are somewhat lower than for the non-Aboriginal population. We are working on that by having nurse practitioners who are undertaking the pap smear rather than have a situation where the woman needs to go to see the local GP, because access often is a problem. We are sending our nurse practitioners out to undertake the cervical screening. There still is a gap. We are working progressively on that. I do not have any figures, I am sorry, on the uptake of the HPV vaccine in the Aboriginal population. I do not know whether we have those statistics. I will certainly look and see. I have not had any feedback from my staff who have been conducting the campaign in the schools to indicate that there has been a refusal rate in the Aboriginal population. I would work on the assumption that that coverage is occurring. I have no knowledge about the older age group who would be going to GPs. I will see if I can find out.

The Hon. TREVOR KHAN: I congratulate you on your introduction. It was precise and contained the sort of specific information that is useful to us. I want to ask you—and it is not something that you can necessarily do now—is whether you can contextualise the current statistics in terms of mortality rates and low birth rates over a period of time. The issue of Aboriginal health and the deficiencies of the delivery of service have been a problem for decades, have they not?

Professor PICONE: Yes.

The Hon. TREVOR KHAN: By your department and others it has been recognised for decades as there being deficiencies in the delivery of health services, have there not? I am not trying to trap you. It is a simple thing. We have known that we have not been effective in delivering health services to the Aboriginal community.

Professor PICONE: Rather than the actual delivery of health services, because in certain respects we have had greater targeted programs than non-Aboriginal people, the real question is the outcome. Many of these programs we provide solely to Aboriginal people so the question for all of this is why is there still that gap and has there been any improvement.

The Hon. TREVOR KHAN: Perhaps you should come up here and ask questions. That is precisely right.

Professor PICONE: So if we could just touch on, there have been some improvements. It is detailed in our submission to you.

The Hon. TREVOR KHAN: We do not seem to have that.

The Hon. MICHAEL VEITCH: Yes, we do. It is in the package.

Dr JOHN KAYE: That is my fault, no-one else's.

The Hon. TREVOR KHAN: Can you point to a page?

Professor PICONE: Page 43, around infant mortality, if we just start with that because it is important. Let me say, before I go into any of this, I am not putting this as a defence at all because I think there is so much we need to do but I put it to you that we all hope that some of the programs have resulted in some improvements, but we have a lot more we need to do. Infant mortality rates have decreased in both Aboriginal and non-Aboriginal populations between 1999 and 2001 and again between 2003 and 2005. The improvement has been more marked in Aboriginal infants—and so it should be for obvious reasons—where the rate decreased by 22 per cent. Then, in non-Aboriginal infants there was a 13 per cent decrease. However, the rate in Aboriginal infants is still almost twice as high as in non-Aboriginal infants, which is 1.8 per cent.

I know I keep seeming to harp on this maternal and infant health program, and I do not want you to think we have all of our things in one bag, but we are getting such good results from the program, which is just such common sense. I note that you come from the bush so you probably remember the old days when we had bush nurses and district nurses who were probably doing many of these things. In a way this is a practical return to that model of care.

The issue then around the adult mortality, which is in the terms of reference of your inquiry, I think I will ask Dr Matthews and Dr Robinson—because you will just get my personal views and not scientific ones—to comment on that, but in many respects, the issues we are seeing there are a picture of social disadvantage and the antecedents in them are in the lifestyle-related illnesses. So, I will hand over to these two experts.

Dr ROBINSON: Again, I could refer you, if you need a reference, to page 45 in our submission, which will give you the nuts and bolts. With respect to cardiovascular disease, as the director general noted earlier, this is a significant issue in all populations but it is also particularly so in the Aboriginal population. What we have seen over the past few years is that while there has been a decline in the number of deaths from cardiovascular disease in the general population of about 20 per cent, it has only been about 11 per cent in the Aboriginal population. We believe that is a consequence of people seeking treatment late or people not seeking treatment at all.

That is something that has to be addressed and it relates to the issue that was raised previously as to whether or not the Aboriginal people as a whole are accessing their primary care services to the frequency and at the time at which they need them. The rest of us have reasonable access to general practitioners and we tend to visit general practitioners, perhaps even sometimes more than we need because we are concerned about our health and wellbeing. This is a situation that does not necessarily prevail when you live in remote or rural areas where there are fewer practitioners and, indeed, sometimes the practitioners have their books almost closed because they are so busy.

The Hon. TREVOR KHAN: Not almost closed—closed.

Dr ROBINSON: Closed. So my belief is if we can persuade the Aboriginal people to access health care earlier and we can identify the various risks that exist and we can put them on and monitor their compliance with the appropriate medication, we will see the same results over time in Aboriginal people as we have seen in the non-Aboriginal group. It is only a matter that the non-Aboriginal population have their cholesterol under control, have their blood pressure managed, and have their diabetes controlled to the extent that is possible, and are reasonably compliant with the medication.

Professor PICONE: Except when they get older.

Dr ROBINSON: If we want to achieve the same results with the Aboriginal population we have to persuade them to work with us in partnership and achieve those same outcomes.

The Hon. TREVOR KHAN: I am not going to address this issue for much longer because I recognise we are short of time. You talk in terms of the older population issues, some of them being social and behaviourally related. But if we talk about some of the things we can control, and taking it that I am from the other side of the range, some of the difficulties we have, as you rightly point out, are that there are relatively few number of primary health care providers compared to the city. That is right?

Professor PICONE: Yes.

The Hon. TREVOR KHAN: One of the problems is that because of that lesser number many of them do not bulk bill so people have to find the money to get in to see their general practitioner. That is a problem, is it not, for unemployed people of any racial group?

Professor PICONE: It is a problem for access.

The Hon. TREVOR KHAN: Many of them operate their surgeries in the middle of town. If we take Tamworth by way of example, the Aboriginal community is at Coledale, some distance away. So, if you do not have access to public transport or a car you will not get to see your general practitioner in the middle of town. So, there are a number of interrelated factors, all of which count against the improvements you talk of—amongst many others?

Dr MATTHEWS: I think it is important to separate this into two areas of endeavour. Often we use health and illness management as interchangeable terms, and they are different things. The reasons those of us around the table who have grey hair are reasonably healthy are public health measures, clean water supply, vaccinations, relatively good nutrition, et cetera. So, a whole raft of things is needed to maintain and promote health. There is a whole separate but interrelated raft of things needed to manage illness when it occurs. There is a need in relation to maintaining health to concentrate significantly on some lifestyle factors. The issues around the management of illness when it occurs are about, as has been said, the time at which the intervention occurs and about access generally. So, there are two separate but interrelated problems that need to be addressed.

You are quite right, there is a linear progression from Bondi Junction to Tibooburra in relation to the number of general practitioners available per capita and there are very many parts of rural and regional New South Wales where bulk billing does not occur even though it is relatively common in Bondi Junction, which is quite an affluent suburb. So, we need to do something about access to services free at the point of service if we are going to make a significant difference in access for Aboriginal people. Our services, because of the Australian Health Care Agreement, are free at the point of service but there are other aspects and areas of the health system that are not, and there needs to be a level playing field between the two.

The Hon. TREVOR KHAN: Can I just raise a further issue with regard to access, and it relates to some events of last week. Would you accept from me that I, amongst others, met with a variety of teachers in the Gunnedah and Tamworth area last week? In the course of discussions we had with those teachers, who were genuinely concerned about a number of issues, some of which do not involve here, one recurring theme was failures in intergovernmental responses to a variety of issues. We will leave the Department of Community Services aside at this stage, but the primary school teachers who were there commonly raised the issue of the difficulty with children who were entering the school system, getting them assessed by an appropriate paediatrician, particularly for

hearing difficulties and the like. If I except what those teachers were telling us, that you cannot easily get a child in for an assessment as to their hearing and the like in an area like Gunnedah and Tamworth, what are we talking about if we go a little further west to Narrabri, Bourke and the like?

Professor PICONE: This is an absolutely excellent question. I want to quickly touch on the otitis media and then I want to talk about what we are thinking about in terms of screening programs generally, because many of those who are not as old as Richard remember the days when we used to have the school nurse doing a whole range of screening programs.

The Hon. TREVOR KHAN: I well remember that in Wollongong.

Professor PICONE: I well remember that in Moree. There was evidence that a lot of that was a waste of resources for what was picked up, so we are rethinking now how to approach that, but I want to touch on this otitis media. It is quite an issue. If you have a hearing loss and you are starting school, this will affect you for the rest of your life. If we do that and then go to some of the work we are doing at the moment, touching on the stuff you are talking about.

Dr ROBINSON: Under the Two Ways Together program, which has been funded by the Government for the past three years, one of the programs was otitis media screening—that is a middle ear hearing test—for Aboriginal children. Over those three years we have conducted nearly 20,000 screens of Aboriginal children and then identified whether they have any hearing deficit at that time and then arranged for them to be referred into the appropriate treatment channels. This has not been by a paediatrician or a specialist. It is health care staff that we have trained specifically in conjunction with audiologists and audiometric services to undertake the screening and then, when those children are identified, to plug them into the system so they are followed up.

Most of them, when they are found to have a hearing issue, are referred to their general practitioners and most, again, have a fairly quick treatment period, put them on relevant antibiotics, make sure they do not develop a glue ear, that they do not, as a consequence, have fluid in the ear. If there is an issue in service availability as far as the teachers are concerned, then it would be appropriate for them to make contact locally with their public health unit or with the relevant people they know who work in the area health service, because that screening can quite simply be undertaken. The program has been rolling out for the nought to six-year-olds, so it should have picked up those primary school children in the early ages but if there is any question—

The Hon. TREVOR KHAN: Could I invite you to look in the Gunnedah area as to whether it has rolled out?

Dr ROBINSON: Absolutely.

The Hon. TREVOR KHAN: Certainly if I take the teachers on face value, they were frustrated and unhappy with outcomes for those children.

Professor PICONE: We will follow that up. Gunnedah is a bit of an old stomping ground, so it would be interesting to find out what has happened there. This general question of what pre-health screening are we going to do on little ones before entering schools, Richard might want to touch on this, because this is very important as well.

Dr MATTHEWS: We are trying to develop and codify our program of screening, which is universal. We already do a number of things, and many people are not aware of what we do. We are trying to make anti-natal care universal and that involves generally ultrasound, which is a universal screening point. We have a program called SWISH, which you may have heard of, which is universal screening for deafness at birth. Every child born in New South Wales is screened in both ears, and it is one of the best programs of its kind on the planet. That has been rolled out over the past five or six years. That is a universal screening point. We also test every child born in New South Wales for 30 different congenital or genetic abnormalities—everything from phenyl ketonuria through to some very rare conditions—and every year we pick up some hundreds of children with those routine screening tests that get an early intervention for developmental abnormalities.

Here the health system splits and the next universal screening, which is vaccination, is carried out by private providers—some local government, some public health system and a number of other providers. But, again, through the use of the so-called *Blue Book*, which every mother has, that should be a universal screening point. We have just had funding this financial year to introduce a similar program for sight to the SWISH. That is going to be called STEPS—we love our acronyms; we cannot remember what they mean usually.

Professor PICONE: We went through a period of animal acronyms.

Dr MATTHEWS: STEPS will be a screening program for every child between the ages of four and four and a half, when they are old enough to do some in-depth testing. So a lot of those refractive errors and other errors that were not picked up until you literally started walking into walls will now be picked up prior to school so that every child will have the opportunity to get refractive correction or whatever it is. In relation to the otitis media, it is in my view a failing of primary health care delivery. This condition is not difficult to diagnose. In Gunnedah, as to intervention, if a teacher thinks that a child has a hearing abnormality the first thing that should happen should be that a general practitioner should take an auroscope and look into the child's ears and do some simple screening tests in that general practice. Certain other professions, such as nurse practitioners, can play a role in that screening but that should be universally available. Where children have ear infections that go undetected leading to permanent deafness and learning difficulties either temporary or permanent that is something that we have an absolute obligation as a society to do away with.

Professor PICONE: I wanted to fill in that space for you because I know that many teachers and colleagues of mine hark back to the day when the nurse used to come into the school and all the little ones would line up. Now we are covering even more than what happened with that screening then, but we are obviously not listening to their chests. That would be the main difference.

The Hon. GREG DONNELLY: Obviously the cause of the health problems in the indigenous population is multifaceted. I would like to focus if I could on the issue of diet and access to fresh food. Clearly in a number of indigenous communities that are quite isolated the ability to access fresh produce—fruit and vegetables, meats and fish—is quite restricted. In that context, what are NSW Health's thoughts about how that can be addressed? What initiatives have you had or intend to launch that deal with the issue of eating healthily?

Professor PICONE: It is incredibly important, and I know the Chief Health Officer will comment. To add to the questions of the Committee previously, the increased prevalence of diabetes amongst Aboriginal Australians—it is in our submission again—is likely to play a significant role in the current lifetime expectancy gap between Aboriginal and non-Aboriginal Australians. So the question you have raised is extremely material. I will ask the Chief Health Officer to comment.

Dr ROBINSON: The issue of availability of quality and fresh fruit and vegetables in remote communities is more of an issue for the more remote jurisdictions than it happens to be for New South Wales. It is not an issue that has a high prevalence within our communities and it is not an issue that the area health services have been asked to address in particular. The focus has actually been on making sure that there is the right diet for the children and Aboriginal adults rather than needing to secure supply. In general it is available. But the focus has been on making sure that people understand the healthy nutrition messages, that they are aware of the fact that they need to have a number of serves of vegetables each day, that there is a need for fresh fruit to be taken and that there is a need, if you can, to stay away from the fruit juices, soft drinks and to consume water rather than those energy, high-density foods that are available in general.

There has been a nationwide campaign and there are State-based campaigns that are looking at ensuring that people get the healthy messages and they actually access the food. There has been in some parts of New South Wales some cooperative arrangement that have been set up by the growers and the food markets where access has been a problem for Aboriginal communities. It is on almost a fee-for-service basis—if you spend a bit of time working in that food market and you are prepared to help stack shelves, unpack or what have you then in return for undertaking that work the payment is in goods in kind rather than in remuneration. That seems to be quite well accepted by the communities. I am not aware that there is any need for a more effective rollout than we have at present. Of course we also have the large food baskets that are conducted by the various charities that go to the more remote

communities and make those available as well. So I would have to say that our focus really is on making sure that people understand what is healthy, what should be eaten and what the portion size should be. Certainly from where I am sitting, I have more of a problem with people having the wrong diet than a scarcity of supply.

Professor PICONE: It is hard to get fish at Boggabri.

CHAIR: For the right price.

The Hon. GREG DONNELLY: I conclude from what you have said that there is no evidence that the capacity or the ability to communicate the message to the indigenous population or indigenous communities of eating healthily is problematic or more problematic than communicating it to the more general population. They understand the message and they seem to appreciate what is being said.

Dr ROBINSON: It has been tailored in particular areas. In the greater west, which has the highest Aboriginal population, they have a very effective program that they have run out that is called "Eat a rainbow". I think that is a very descriptive way of explaining to people quite easily what it is they should be consuming on a daily basis. So if you are thinking of vegetables you think of the colours of the vegetables that are available and make sure you are eating across those. If you are thinking of fruit then, similarly, you have got that rainbow concept. That was adapted from the more staid "Go for two and five" program that we have rolled out here in metropolitan Sydney, which does not have that same sort of catchiness about it and probably is a little bit more difficult to understand.

The Hon. GREG DONNELLY: My next question deals with the issue of drugs and alcohol. I will not repeat what you have covered in your detailed submission. But, specifically, I invite you to suggest particular programs that you believe have been most successful. I know it is a bit of a leading question but obviously various programs have been tried, refined and changed over time and new ones introduced. Are there any particular drug and alcohol programs that you think have worked quite well?

Professor PICONE: Dr Matthews is in charge of drug and alcohol. But for society the two biggest public health issues that we face are smoking and alcohol—that is a little aside. Dr Matthews might want to comment on the alcohol issues.

Dr MATTHEWS: These are extremely difficult issues because alcohol is a white man's drug. So are the various illicit drugs that are now available not just in the metropolitan area but more and more in greater number and variety in rural and remote areas. If you look at mainstream treatment, alcohol treatment is really divided into treatment for those who are addicted and treatment for those who abuse the drug who are not necessarily addicted. The addicted either go into residential or community traditional Alcoholics Anonymous 12-step programs or, increasingly, are prescribed a range of pharmaceuticals. Those who are abusing the drug but not addicted go into controlled drinking programs. I have to say that most of those things for alcohol are very heavily based on Western culture and they contain some concepts that are foreign to Aboriginal culture. So what I am saying in answer to your question is that we have put in our submission a number of things that we are endeavouring to do in relation to making those treatments culturally appropriate. But if you were to say to me, "Do you have an outstanding treatment program for alcohol dependence in Aboriginal people that you think you can roll out across the State and it would be highly successful", I would have to say no.

When you come to illicit drugs I think the problem is even more complex. Again, for opiates we have a methadone maintenance program that in terms of reduction in the use of illicit drugs, health improvement and reduction in crime is outstandingly successful. That program is taken up and used well by a considerable number of urbanised Aboriginal people in the metropolitan area. But, again, it is not going to be suitable as much in rural areas. In relation to the increase in stimulant use, we are still trialling a number of interventions in the mainstream. One involves cognitive behavioural therapy and another involves substitution therapy. Do we have some encouraging results? Yes, we do in small numbers. Do we have something that we can say is culturally appropriate for Aboriginal people? No. So I do not have a great deal of good news.

Professor PICONE: We have got one bit of good news—as Dr Matthews paints that black cloud—and that is MERIT and the work that we have done in prisons. I have to acknowledge that Richard in his previous life was the chief executive of Justice Health—as indeed I was prior to that. We have actually had some quite good results from the work we have done there with offenders. Dr Matthews might want to touch quickly on MERIT.

Dr MATTHEWS: MERIT, the Magistrates Early Referral Into Treatment Program, has been an outstandingly successful program. It is a presentence option and it has been successful across New South Wales in we believe altering the course of events for a considerable number of people with drug and alcohol problems. We are now looking for a best-practice model for engaging Aboriginal offenders in that program and we are working with the AHMRC to develop a model that is specifically tailored to Aboriginal people. We believe that work will bear some fruit but it is early days. I do not want to paint too black a picture but at the same time I do not want to pretend that there is something happening that is not.

The Hon. MICHAEL VEITCH: I have a few questions. The first relates to the recruitment and retention of Aboriginal health workers. Is the department having problems recruiting and retaining Aboriginal health workers?

Dr MATTHEWS: In the submission you will see some figures. The Director General said that the Aboriginal population is 2 per cent of New South Wales. You will see that the percentage of our workforce that identifies as Aboriginal is creeping up. It has just crept up to 1.6 per cent. So we are not quite to what you might call a population share of jobs. Certainly if you look across the range of jobs the number of doctors has increased slightly. The numbers of nurses are building but there is still a broader representation in less-skilled jobs. So there is some good news. The numbers are heading in the right direction and the numbers of those two extremely important professional groups—being doctors and nurses—are going up.

We are actively encouraging this through employment and scholarship. I have a particular initiative in mental health where we are employing Aboriginal people who are studying at Charles Sturt and other places doing undergraduate degrees in mental health and we are supporting them with jobs. We are supporting them with jobs because in the end—if we went right back to Dr John Kaye's question—if we are talking about health as opposed to illness management, then your best investment is in employment and education. The more employment you have and the better educated you are, the more your health outcomes will improve.

Professor PICONE: Because I have read all of this to try to answer the retention question, I have not actually got that but common sense will tell you that because we have got ourselves up to 1.6 per cent that we are retaining—but if I could take that on notice. We do have some good programs, some of which I was actually involved in, particularly a good one in midwifery, which has been quite successful. There is a whole range of cadetship programs. I have to say that where the rubber hits the ground at the area health service level, there is an absolute commitment to get us to 2 per cent. But I will have to actually find the retention figure because I never thought to look at that.

The Hon. MICHAEL VEITCH: I guess the retention rate is not just an issue these days for Aboriginal people, but is a broader issue, as you are well aware—that is why I was asking you.

Professor PICONE: It is.

The Hon. MICHAEL VEITCH: Are you encountering unique pressures on Aboriginal health workers from within their communities?

Professor PICONE: Denise has the close relationship, but just going back to one of my previous lives, the Aboriginal health worker and then the actual Aboriginal health manager within the area health service is responsible for bringing the programs to the shop floor. Yes, sometimes I think they can be under pressure from their communities. This is one of the reasons I like the new approach around the community resilience arguments and some investments in those areas because I think at times we put some undue pressures on our Aboriginal health managers in particular. I think the development of the leadership programs and the resilience programs will be quite important. I think it is a very common sense approach. But I tell you: they are pretty sturdy characters. If I had a dollar for

every time one of them came and told me I have got it completely wrong, I would be a wealthy woman. They get out there and bounce around with the best of them, but yes, I think it has been tough for some of them.

Dr ROBINSON: I think that is the case. I would have to say, though, I have never met a more committed workforce and, therefore, my feeling—and again, I do not have the retention statistics—is that we have a sustainable workforce that continues to work well in its communities. There is no doubt, particularly in the more remote areas where you are an integral part of the community itself, you may be not able to have that 40-hour a week time. You may be called on to do things out of hours in your own time; you may be interrupted when you go shopping; you may be asked to provide additional transports and you may actually have to deal with dysfunctions in the community that has some personal impact on you. So, I think it is a very challenging thing for people to have to work in that environment but, as I said, I have not seen a more committed or better workforce than we actually have in those communities.

The Hon. MICHAEL VEITCH: Can I move on to a question about data collection and interpretation? I had a brief conversation with Dr Robinson earlier. We are asked to take on face value volumes of statistical data and trust the interpretations that have been made within those volumes. It raises the question: Is there a consistent data collection process or consistent definitions across all departments in New South Wales and is there a consistent interpretation of that data collection process?

Dr ROBINSON: The answer to that is no. There has been considerable work that has been undertaken under the auspices of the Department of Aboriginal Affairs to have cross-agency adaptation of our databases and what we are collecting so that we have a minimum common data set that we can give you over time. Part of the problem that exists within the health arena is the issue of identification of Aboriginal people. As you are aware, this is a matter of self-identification rather than having a label. Over time the Department of Health's statistics have progressively improved its collection of Aboriginality and, therefore, that has influenced the statistics. If you look at the national framework for Aboriginal and Torres Strait Islanders and the recent 2006 report, you will see that there is actually mention of the fact that a lot of the New South Wales health data is excluded. That relates to an assessment by the Australian Institute of Health and Welfare in 2001 that there was inadequate identification of Aboriginality in health services within New South Wales, also in Victoria, the Australian Capital Territory, Tasmania and South Australia, but when they developed that national framework they were using statistics from a very particular part of Australia.

When we became aware of the fact that this decision had been taken by the AIHW, we actually conducted some research across our sites and services in conjunction with the institute. We had a statistically valid survey and we found that Aboriginality was being correctly identified now in 88 per cent of attendances. So, if you look at our graphs crudely and you look at the number of admissions of Aboriginal people for whatever condition it is you are looking at, you will actually see that there is an increase. A part of that increase is due to better identification. So, there is a trap in there if you just look at the data in its crude form, as you say.

Professor PICONE: I just might go to the retention question, because I am obsessive. There has been an increase of 23 per cent in the number of Aboriginal doctors between 2005 and 2006. I know you want more detail, but this will help just a bit. And with the nursing staff there has been an increase of 8 per cent.

CHAIR: No doubt we will have a number of further questions on notice. The inquiry, as you know, runs till June for an interim report and then through to December. With your help we would be asking for you possibly to come back and look at those very important issues of oral health, which we have not touched on yet—a vital issue; the issue of geography, the majority or vast number living in remote areas and the access issues et cetera. We have only just scratched the surface. We thank you for your time this morning.

(The witnesses withdrew)

DEBORAH BRILL, Manager Commonwealth Relations, NSW Housing,

IVAN ALEXANDER SIMON, Director Aboriginal Service Improvement, NSW Housing,

MICHAEL ALLEN, Director General, NSW Housing,

BRENDAN O'REILLY, Director General, Department of Ageing, Disability and Home Care, and

YVONNE PAULINE WELDON, Manager Aboriginal Policy, Department of Ageing, Disability and Home Care, sworn and examined:

CAROL MILLS, Deputy Director General, Department of Ageing, Disability and Home Care, affirmed and examined:

CHAIR: Do either of the directors general wish to make some opening remarks?

Mr O'REILLY: No, other than, on behalf of my colleagues, to acknowledge the traditional custodians of the land on which we meet—the Gadigal people of the Eora nation.

Mr ALLEN: I would also like to acknowledge the traditional owners of the land on which we meet today. I will not make an opening statement other than just to reflect briefly on two key points. First, the broad distribution in housing terms of Aboriginal households in New South Wales is roughly one-third in home ownership, either purchasing or owning their home; one-third in the private rental sector; and one-third in social housing. A significant growing body of evidence and research highlights the non-housing outcomes or benefits of stable and affordable accommodation.

The Hon. MICHAEL VEITCH: It has been my experience that people with disabilities in the Aboriginal community appear to be less identified, or there are some issues around the identification of specific disabilities within the Aboriginal community. Can you talk us through the process for collecting statistics, in particular disability statistics, in the Aboriginal community?

Ms MILLS: In many ways the statistical information does not vary from other methods—it is an issue right across the board—in identifying people with a disability. The most common data sources that we use for our own planning purposes, for example, are the Australian Bureau of Statistics [ABS] surveys of disability, ageing and carers. They have limitations in a number of ways. They are quite extensive in the information that they gather from individuals, but the sample size affects our ability to use that data at a local level. That is one issue.

Obviously, when we are speaking of Aboriginal communities, a number of communities, in particular in rural and isolated areas, are indeed small so the data is not particularly useful at a local level. The other issue is self-identification—an issue that was raised during the health discussion earlier. We believe that the data is improving in that regard. Nonetheless, its validity as a very accurate estimate is probably quite limited. We use it more as trend data. There is also Australian Bureau of Statistics information that indicates that, overall, Aboriginal people are 2.4 times as likely to have a disability than other members of the community. But, again, to break that down into types of disability and to break it down in geography becomes more unreliable the more precise you wish to be.

Within the Department of Ageing, Disability and Home Care [DADHC] we keep quite extensive databases but they are based on self-identification of aboriginality to pick up the profiles. So we have some information about our clients but I would not suggest that we have 100 per cent accuracy in relation to our Aboriginal clients. For all clients of DADHC who are either receiving services from the Home and Community Care Program [HACC] or from our Disability Services Program, we maintain an individual data item that allows us to track, in a non-identifiable way, the use of services by individual clients. So we know, for example, that we had over 7,000 individual Aboriginals receiving a service from us last year under the HACC program and we know what types of services people use and the extent to which they use them. We do use that for planning purposes

but, again, it is a self-identification of aboriginality, which will not mean that we pick up the whole population.

The Hon. MICHAEL VEITCH: One of the programs that you fund is the Adult Training, Learning and Support [ATLAS] program—the transition to work [TTW] or community participation [CP] program. What are the participation rates of Aboriginal people in that program and their success as a result of their participation in that program?

Ms MILLS: Two different programs are being referred to that relate to young people leaving school and they are both targeted at people who either in the short term or longer term are unable to be able to secure employment or attend higher education without further support. The transition to work program operates for two years. There is the potential for extension for six months but, principally, it is a training program to assist people who, with two years support, would be able to move into employment or education services. I do not have the numbers on hand—we can certainly take that on notice because we keep them—but I acknowledge that there are some issues in the program around which we are presently exploring some of the options. The most significant is that the program is available on an eligibility basis across New South Wales for anybody who is leaving year 12 and who meets the eligibility criteria for the program.

Principally, the eligibility criteria are that they are not able to move directly into an employment system. So all Aboriginal people who fit those criteria can come into the program. Certainly one of the challenges that we have been confronting and talking at length about with the Department of Education and Training is that many Aboriginal young people with disabilities do not complete year 12. We have an allowance within the guidelines that anyone who is suitable for the program and who would benefit from the program can come into the program with local authorisation, if they have not completed year 12. If they have completed year 12, tried employment and it has not worked within a short period they can come in. But I think the larger challenge for us is that it is really designed as an 18-year-old to 25-year-old program; it is not really designed for young people aged 14 or 15 years of age.

What we have to work with is trying to maintain them at school as long as possible so that they get the full benefits of the school education before moving into our programs. At a local level, all our service providers who are providing either transition to work or community participation, the long-term program, are required as part of their tender to demonstrate that they have appropriate linkages to the Aboriginal communities and are able to provide culturally appropriate services. I think we are still in a development phase. Some are doing it very well and others are really struggling to establish those networks and linkages to provide culturally appropriate services. But I suppose that our initial data and the TTW program have been operating only for a relatively short period, having replaced that list. Our initial data is encouraging in relation to outcomes, but we recognise that this is a group for whom we have to do more.

Mr O'REILLY: When we did the reforms to the ATLAS program for transition to work and community participation we recognised the issue about accessibility for Aboriginal clients who might well say, "I have left school early. What is available to me?" Mum and Dad say, "Wait a minute; there is only respite, or that sort of program." As Carol said, we are looking at a program towards meeting the needs of the early school leaver that can be a community participation program. One of the things we found when we did the reforms in the first stage was that so many of our non-government providers did not have an understanding or a plan to be able to provide culturally appropriate programs for part of their CP program. So we contracted a number of Aboriginal organisations to provide assistance to those organisations to help them develop a plan and to implement a plan like that.

The Hon. MICHAEL VEITCH: My next question, which is a housing question, is to do with the Australian Remote Indigenous Accommodation [ARIA] Program and the transfer of stock that is proposed. What plans do you have in place for that?

Mr ALLEN: At this stage it is very early in the Commonwealth's ARIA program. They are principally focused on those States and Territories with more remote indigenous populations such as the Northern Territory, Western Australia and Queensland. There will be issues in New South Wales relating to the transfer of stock. However, New South Wales is quite different in its geography and the

places where people are housed. Relatively small numbers of indigenous people are living in rural and remote locations that meet the ARIA definition. Ninety-five per cent of the Aboriginal population in New South Wales lives in urban or regional rural areas as opposed to remote rural areas. So, at this point, it is very early days in our negotiations with the Commonwealth around ARIA issues.

The Hon. MICHAEL VEITCH: My last question is directed to both departments. One of the Committee's terms of reference is looking at the implementation of the recommendations of previous inquiries conducted by the Standing Committee on Social Issues. How is each department going about that?

Mr ALLEN: For the sake of timeliness I can provide a formal report on the previous inquiries. We have that information but it is reasonably lengthy. I will take that as a question on notice if the Chair is comfortable with that.

CHAIR: Can you table it, or do you want to take it on notice? Is it incorporated in the whole report or is it a document?

Mr ALLEN: I will take that question on notice. It is not a separate document at this stage.

Ms MILLS: I can answer on behalf of DADHC. We had a quite small number of specific recommendations relating to our organisation. Under the "Making it Happen" report there were two specific recommendations. One related to the establishment of an indigenous service delivery network, the creation of an Aboriginal policy framework, the creation of an indigenous disability and advocacy information service, and also a recommendation that we undertake a survey of needs of Aboriginal people. I can report that in regard to the first grouping, the policy framework and the funding of advocacy service statewide indigenous delivery have all been achieved.

In regard to the last one, a survey of needs, I touched upon this earlier. A wide range of data items was used in trying to understand the need in the Aboriginal community. The ones I spoke about earlier related to the use of ABS data and our own databases of current clients. We are also working on a national project to measure unmet need in the disability system. We have also funded organisations to do local consultations with Aboriginal people to ascertain local area needs. So, in a sense, it is a work in progress. We also had a recommendation under the "Early Intervention into Learning Difficulties" report in 2003, which required that DADHC enhance services to children with a disability, including Aboriginal children. We have had very significant investment in that area, both from a specific allocation for children and family services and also under "Stronger Together", which was released in March 2006.

Just to give a couple of examples of initiatives that currently benefit Aboriginal children, we have established an intensive family support service which works with families with children with a disability in crisis, literally on an intensive basis to support them. We have both mainstream services and also Aboriginal-specific services. We have also created positions for casework specialists in children's services. Again, they work both across the mainstream community and in areas of high demand. We also have Aboriginal identified positions. We have a very strong focus now on early intervention services and we have a two-prong approach to that. We have a range of Aboriginal specific services targeting early intervention, but we also work intensively with mainstream services and with other agencies such as the Department of Community Services, Families NSW, and other projects to ensure improved access for Aboriginal children with a disability to mainstream services.

The Hon. GREG DONNELLY: Mr Allen, in your opening comments you referred to two points. Could you go back to the second point and reread it, as I want to ask you a question relating to it?

Mr ALLEN: The first point I made was around housing demographics, if you like. The second point was around the increasing research and evidence base that stable and affordable accommodation for people generally, but specifically for Aboriginal people, improves a number of other non-housing outcomes—better educational and health outcomes, reductions in family violence, and so on.

The Hon. GREG DONNELLY: Do you have some material before you that you could use to elaborate on that point? I am interested to find out a bit more about that linkage and what the emerging evidence is.

Mr ALLEN: We have referenced a number of different reports as part of making that comment. There are some Australian Institute of Health and Welfare [AIHW] reports in addition to a number of others, including some basic ABS material. But I can provide the reference sources as a question on notice.

The Hon. GREG DONNELLY: On page 50 of the submission of the Minister for Aboriginal Affairs, which you may not have before you, there is this reference to the issue of overcrowding:

Around 11.2 per cent of Aboriginal households in New South Wales are overcrowded.

That is referenced back to 2006 ABS census data. Are you able to explain to the Committee whether that is an improving position or a diminishing position relating to the issue of overcrowding in Aboriginal houses in New South Wales?

Mr ALLEN: The overcrowding issue principally applies to the private rental sector. There are a number of positive policies for housing managed by our department—both housing that we own and manage as well as housing that we manage on behalf of the Aboriginal Housing Office—that allow Aboriginal households to have an additional bedroom over and above their normal entitlement. That helps to facilitate the visitation of family, as regularly occurs, and where there are longer-term or permanent increases in household size. In public housing or Aboriginal housing, families are able to transfer to larger accommodation or to transfer to different geographical areas for a variety of reasons, whether they are family reasons or for health and medical reasons.

In terms of the private rental market, I do believe—but it is an opinion, I would clarify: I do not have some clear statistics to reinforce this point—that overcrowding is a worsening situation with the tightening of the rental market, and particularly given some of the levels of discrimination on one hand that Aboriginal households face in the private rental market and on the other hand the shortage of supply in the private rental market of larger accommodation—the four and five bedroom homes that some larger families or larger family groups of Aboriginal households might require.

The Hon. GREG DONNELLY: My next question refers to the role of the department. What is the role of the department in the Aboriginal Communities Development Program?

Mr ALLEN: We are a member of the steering committee for that particular program, as well as a member of the capital works planning group for that program.

The Hon. GREG DONNELLY: I have no further questions.

The Hon. TREVOR KHAN: I will carry on with some of the questions you have just been asked. The material we have been provided at page 49, which deals with housing, identifies that there are some—I think we could say roughly there are 140,000 Aboriginal persons in New South Wales and that, of that number, about a third, or 31 per cent, live in Sydney, and 84 per cent live in urban and regional centres, obviously outside Sydney. What you identify, I take it from what you have said, is that about a third are in private accommodation—I am sorry, are buying.

Mr ALLEN: That is correct.

The Hon. TREVOR KHAN: About a third are in private accommodation and about a third are in public accommodation.

Mr ALLEN: That is correct.

The Hon. TREVOR KHAN: Is that right?

Mr ALLEN: Yes.

The Hon. TREVOR KHAN: Are you able to tell us how that break-up, that is, a third, a third and a third, has changed over, say, the last decade?

Mr ALLEN: I do not have specific figures to hand, but certainly there has been a growth in the number of households assisted in the public housing mainstream sphere, so that it is public housing, Aboriginal housing that we manage, and community housing that we fund or facilitate. Over recent years there has been a growth, I think, in terms of the 2003-04 year to the 2005-06 year of around a 2.5 per cent increase, so from about 10 per cent to about a 12.5 per cent increase in the number of Aboriginal people being newly allocated public Aboriginal or community housing.

The Hon. TREVOR KHAN: Accepting that I am asking you questions of which you have had no notice, are you able to go away and provide us with statistics on a longer-term basis, say, over the last decade, as to what has been the change in the makeup of accommodation to the Aboriginal community?

Mr ALLEN: Through government-assisted housing?

The Hon. TREVOR KHAN: Through government-assisted housing.

Mr ALLEN: Yes, I am comfortable to take that as a question on notice and provide that information.

The Hon. TREVOR KHAN: Are you able also to separately identify those members of the Aboriginal community who are living in Sydney from those members of the Aboriginal community who are living in regional centres and in rural and remote areas?

Mr ALLEN: Yes. We can provide that information spatially so we can show that difference, yes.

The Hon. TREVOR KHAN: Again, taking into account the fact that you have had no notice, are you aware of whether there is any difference in the housing makeup in the various sectors between the Sydney metropolitan area, rural and regional areas, and remote areas?

Mr ALLEN: Look, I think it is fair to say two things: one is that the overall volume of housing has grown over that decade, so the volume of housing for Aboriginal households—

The Hon. TREVOR KHAN: That is the volume of public housing?

Mr ALLEN: That is the volume of government-funded housing, so the volume of housing funded through the Aboriginal Housing Office as well as community housing which is funded or facilitated by our department. In terms of some of the demographics, we have seen, and we are continuing to see, increases in the number of Aboriginal households in rural and regional locations, and they are growing at a faster rate than are households in the metropolitan area of Sydney. But what we do see in addition to that growth is an increasing number of younger households in the Aboriginal population that we are assisting.

The Hon. TREVOR KHAN: Could you expand on that a little? What you mean by that?

Mr ALLEN: What do I mean by that? Well, demographically, the birth rates for Aboriginal households and families are higher than for the non-Aboriginal households, broadly, and what we are seeing is that there is higher growth in those households in rural and regional locations versus increases—growth, but not to the same extent—in metropolitan Sydney. So both populations are growing, in essence, but growing faster in some of those rural locations versus the Sydney metropolitan area.

The Hon. TREVOR KHAN: Are you able to identify in terms of the number of people who are occupying that housing how that change has gone? Are the house sizes larger, smaller, or are they the same?

Mr ALLEN: I would have to take that as a question on notice. I would not like to rely on my instincts or my opinion in giving an accurate answer to that extent.

The Hon. TREVOR KHAN: Right.

Mr ALLEN: But there are approximately 10,000 Aboriginal households living in public housing, around 4,500 households living in Aboriginal Housing Office accommodation.

The Hon. TREVOR KHAN: You would be able to provide that material over, say, a period of a decade, so that we could get some sort of idea as to what is happening, would you?

Mr ALLEN: I certainly think we could provide some information that would give a feel for that particular indicator. How specifically—our data collection has improved over recent years, but for earlier years our data collection on Aboriginal households is less accurate. We would largely rely on Australian Bureau of Statistics [ABS] statistics to give us some indication of those sorts of trends.

The Hon. TREVOR KHAN: I will be very quick—and I am sure the Chair will be pleased about that. You were asked questions before with regard to the impact of overcrowding on outcomes in other fields.

Mr ALLEN: Yes.

The Hon. TREVOR KHAN: Is that right? Just in summary, what you understand to be the case is that, if you have an overcrowded house, the prospects of a child, for instance, getting good educational outcomes is diminished, is it not?

Mr ALLEN: That is correct. That is what the research and evidence would indicate to us.

The Hon. TREVOR KHAN: Absolutely, and the prospect in an overcrowded house of a child attending school is reduced because of that—the effects, both direct and indirect, of overcrowding.

Mr ALLEN: That is what the research evidence indicates.

The Hon. TREVOR KHAN: In fact it is obvious, is it not, that if you are in an overcrowded household with a lot of people, for instance, sharing a bedroom, the chances of the child getting up in the morning and getting prepared for school are self-evidently less, are they not?

Mr ALLEN: I think that is a fair comment, yes.

Hon. TREVOR KHAN: Similarly, with regard to health outcomes, an overcrowded household involves a variety of issues—for instance, with regard to the preparation of food, which is made more difficult—does it not?

Mr ALLEN: Again, I would think that would be a reasonably fair comment to make.

The Hon. TREVOR KHAN: In terms of issues of alcohol use and domestic violence in an overcrowded household, you would not have to be a rocket scientist to work out the propensity for negative outcomes as far as alcohol consumption and domestic violence being increased in circumstances of overcrowding.

Mr ALLEN: That is a very broad generalisation, but I—

The Hon. TREVOR KHAN: I do not wish to—if you would like to disagree, please do.

Mr ALLEN: I would think it is a reasonably fair comment to make, yes.

The Hon. TREVOR KHAN: I think that is really what the research that you have referred to essentially indicates in all of this.

Mr ALLEN: Yes.

The Hon. TREVOR KHAN: Housing is one of the pillars of achieving positive outcomes for a disadvantaged group. If you improve the housing issue, you will achieve positive outcomes in other fields. That is right, is it not?

Mr ALLEN: I think that is exactly what the research evidence indicates to us.

The Hon. MARIE FICARRA: In your opinion, Mr Allen, what continues to be the level of need for increased housing? I mean, how many Aboriginal families are still out there or how many individuals are suffering because of inadequate housing? Is there still a great need? Are we making inroads, or is the problem growing?

Mr ALLEN: I think there is a significant need. We would need to refer to statistics to really track whether there has been strong growth. I believe there would be growth. But the statistics indicate to us—and I can quote a couple: Australiawide, 37 per cent of Aboriginal households are in housing affordability need. That definition is that they are paying more than 25 per cent of their income in rent and they are in the bottom 40 per cent of incomes. In New South Wales, more specifically, affordability problems affect some 40 per cent of Aboriginal households across all tenures, and they are quite significant numbers.

The Hon. MARIE FICARRA: In your opinion, from what you have seen of the various housing options for indigenous families, what works best? Is it more public housing, or more adequate rental? Are there any models that you see working better in certain regional areas, or is it different between city and regions?

Mr ALLEN: I may well have a very biased point of view, given the organisation I represent. However, I think that the key to this issue is the stability and the affordability of the accommodation, regardless of who provides it. We think we can reasonably deal with the stability and the affordability of the accommodation. I think the big pressures are in the private rental market, particularly with the shrinking of vacancy rates in the private rental market, and the fact that much of the accommodation does not address the needs of larger Aboriginal families. In fact in some rural and regional locations, there is no private rental market. In that sense, we are almost the only game in some of those towns. I think the other issue of course is the sort of discrimination that Aboriginal people, sadly, still face today in accessing private market rental accommodation.

The Hon. MARIE FICARRA: Social upheavals from families having to move to adequate accommodation, keeping families together—are you seeing social problems because of relocations or the splitting of families?

Mr ALLEN: That is a very general question. We certainly see some difficulties for some families that have to move location where accommodation is not readily available for a variety of reasons, but we certainly work hard across the State to provide appropriate accommodation and to look at the demographic trends, to understand what demand requirements are existing now and into the future, and to plan accordingly. We work very closely with the Aboriginal Housing Office in their planning forums that they have across New South Wales to make sure that we are addressing those needs as best as the funding available to us allows.

The Hon. MARIE FICARRA: Maintenance programs: Has there been any thought given to training of the senior members of the households in terms of basic maintenance to help themselves rather than having to wait for basic maintenance to be carried out?

Mr ALLEN: We have a number of specific programs and opportunities to address that. First of all, all of construction contracts and maintenance contracts require those contractors to have Aboriginal participation plans to address the employment needs of Aboriginal people in the locations in which those contractors are working. We directly contract on occasions, wherever we can, with Aboriginal building companies, and sometimes we do that on a negotiated tender basis rather than on an open tender basis to try to facilitate some growth in the number of Aboriginal builders that are available across the State.

We publicised those efforts and those activities quite significantly. We have a number of other general tenant employment programs, not just maintenance related and not just related to Aboriginal people, that would also provide opportunities for Aboriginal people to gain employment through the activities and the efforts of our organisation.

Dr JOHN KAYE: Mr Allen, the homelessness rate in New South Wales is 2.75 times the State's population average. Do homeless Aboriginal people tend to be west of the Divide, east of the Divide, or in the big cities or regional centres?

Mr ALLEN: What we tend to see in general terms are reasonably consistent needs from Aboriginal people who are homeless in the greater metropolitan area of Sydney, and we see fluctuating levels of homelessness in regional and rural locations. That fluctuation occurs for a variety of reasons, sometimes around seasonal employment, as well as a number of other factors that impact upon Aboriginal households in needing to move to specific locations where accommodation might not be readily available, often to be close to other family members.

Dr JOHN KAYE: It somewhat replicates the homelessness statistics and dynamics of the rest of the population, except that it is much larger? I am trying to find out where there are specific features.

Mr ALLEN: It is fair to say absolutely that Aboriginal people are overrepresented in homelessness statistics generally, that the patterns of homelessness in the Sydney metropolitan area between Aboriginal and non-Aboriginal households are reasonably consistent. However, they are not consistent in rural and regional locations; the trends are different and there certainly are much higher levels of homelessness for Aboriginal people in those rural and regional locations.

Dr JOHN KAYE: Specific programs to deal with the specific needs of Aboriginal homeless people are not mentioned in your part of the whole-of-government submission. For example, we know there are a lot of mental health issues associated with homelessness. To whom would we look for the provision of those sorts of services?

Mr ALLEN: The Department of Housing is the lead agency for the partnership against homelessness. There are a number of Aboriginal-specific programs directed at reducing homelessness. We will take that as a question on notice and we can provide that information to you.

Mr O'REILLY: It would also be worth checking with the Department of Community Services.

Dr JOHN KAYE: As you identify in your paper, the growth rate of Aboriginal people is about 2.14 per cent, whereas by my calculations the growth rate in housing run by indigenous organisations is less than that. Does that mean that as we go along we will see less housing being provided to the indigenous population of New South Wales by indigenous organisations and more in the rental market and more from your organisation?

Mr ALLEN: In part, I think that is a question perhaps best addressed by the Aboriginal Housing Office. Certainly the potential impact of funding changes as a result of the ARIA program will see less funding going towards indigenous-managed housing organisations in New South Wales, because of the ARIA rural and remote definition. The department will continue to provide mainstream public and community housing for indigenous households, and I expect that over time the proportion of those households will continue to grow.

Dr JOHN KAYE: Could we return to the overcrowding issue, which I think the Hon. Trevor Khan correctly identified as a fairly crucial issue to be addressed here. Do you regard the figure of 11.2 per cent of houses being overcrowded as a reliable statistic, given the fluid nature of Aboriginal households?

Mr ALLEN: My understanding is that that statistic comes from the Australian Bureau of Statistics. Is it a reliable statistic? I think that is probably a reasonably fair point to make. Yes, it is. Certainly there are always challenges in collecting statistics on homelessness when you are collecting those statistics for some individuals and families on the street.

Dr JOHN KAYE: In the submission it is suggested that the majority of that comes from the private rental market. I think you referred to that earlier.

Mr ALLEN: Yes.

Dr JOHN KAYE: Do you have a statistical breakdown of the level of overcrowding in the three different sectors?

Mr ALLEN: I do not have that information. I am not sure whether we would be able to collect the information on overcrowding in the private rental market. I am not sure that that information is available to any of us. I can certainly provide information on the level of overcrowding that we experience in the housing that we own or manage.

Dr JOHN KAYE: On what basis does your submission therefore say that the majority of that comes in the private rental market?

Mr ALLEN: It comes from practical experience in the households we deal with that are seeking accommodation from the department because of overcrowding and unsustainable housing circumstances in the private rental market. It comes in part from other information that comes to us from clients for whom we provide rental assistance into the private rental market. So there are a number of sources; there is no significant single source. But certainly some of that information would come from the census.

Dr JOHN KAYE: Is it fair to say that your view is that the overcrowding issue is being managed reasonably well within the department but the problems are in the private rental market, to summarise what I think I have heard you say today?

Mr ALLEN: Yes, I think that is a fair comment. The significant difference being that in a policy sense the department has control of the housing that it owns and manages; in the private rental market you do not have the same policy levers because of the disparate ownership of properties in the private rental market.

Dr JOHN KAYE: Which brings me to my last question on this topic. What is being done to alleviate overcrowding in the private rental market amongst Aboriginal people?

Mr ALLEN: It is difficult for me to comment on that because I do not manage the private rental market.

Dr JOHN KAYE: You are not aware of programs being run anywhere within government that address that issue?

Mr ALLEN: Off the top of my head, no, I am not.

Dr JOHN KAYE: My last set of questions relate to housing need within the private rental market. I note your definition, which is a standard definition, of 40 per cent or more of household income being spent on paying rent.

Mr ALLEN: Depending on whom you talk to, it is 25 or 30 per cent of household income in rent. The 40 per cent figure refers to people in the 40 per cent of the lowest income brackets.

Dr JOHN KAYE: A matter that has always concerned me is that the lower down the income scale you go, the less you have left over after you have forked out that 30 per cent. It strikes me that we are underestimating the amount of pain being felt by Aboriginal households paying rent in the private market. They tend to be at the lower income end, and hence what is left over after they have paid their 25 or 30 per cent is actually much less versus a reasonable measure of the cost of living. Would you agree with that proposition?

Mr ALLEN: It is probably a reasonable generalisation. Without further evidence, that is probably as far as I could comment.

Dr JOHN KAYE: Is it possible to collect evidence on that? I think this is the key issue we need to be looking at. Is it possible to get such evidence?

Mr ALLEN: I think that is a question you would have to direct to the Australian Bureau of Statistics, given that that is the principal source of that evidence.

CHAIR: Given that this Committee is charged with looking at the persistent gap, and the closing of that gap, between indigenous and non-indigenous communities, and with looking at the programs that have worked and programs that have not worked, could you give us your thoughts on whether or not we are making any headway and whether there are any programs that should be encouraged and any that should be jettisoned?

Mr O'REILLY: About 3.1 per cent of our staff are Aboriginal, but we know that given the ageing population and the fact that we recognise that the Aboriginal population are recognised under the home and community care arrangements as 45 years or older, they can obtain services. One issue we have tried is the recruitment of staff where we also run a lot of accommodation arrangements for group homes and for people with disabilities who cannot live at home and who are living in a community setting in a group home. The percentage of our employees who were Aboriginal was about 1 per cent.

We trialled an approach for a traineeship in the Wollongong-Nowra area. We started off with 15 trainees. They were not kids; most of them were married men and women. We said to them, "We are going to put you through a traineeship where you need to get a certificate level 3 through either TAFE or an accredited training provider, but we are going to link it back to the elders and we are also going to have cultural camps", so that people could get away and talk about, "This works well in my house or my job but it does not work at all in this house or in this relationship, with these parents and that sort of thing." It cost a bit more—and you always have trouble with Treasury when things cost more—but the outcome was quite amazing. Of the 15 staff, 11 now have permanent employment, and they got that on merit. 14 finished a certificate course, and the other three will probably crack a job in the non-government sector.

We want to expand that program right across the State because it is just working so well. What we really need is that flexibility. I think the biggest issue for any human service agency with regard to the indigenous population is where are we going to get the workforce in the next five or 10 years. It is a huge issue, and we have to have flexible arrangements for being able to get people into the workforce. We have to change that completely. We have to look at part-time work and work during holiday periods. The home care area, for instance, is growing at the rate of knots. We have put a lot more money into home care, particularly Aboriginal home care, and the results are coming through now. We have found that, by our reconfiguration, our eight branches and 23 outlets are far more flexible, the services are faster, they are cheaper and they are better. We have to build on all of that. I honestly believe that we can come up with program after program, but at the end of the day the issue is going to be the workforce.

CHAIR: You have 150 home care branches around the State. How many of them are Aboriginal branches?

Mr O'REILLY: We have eight Aboriginal branches and 23 outlets, and we employ about 330 Aboriginal home care people.

CHAIR: Is that administrative as well as front-line workers?

Mr O'REILLY: Yes, it is branch managers plus direct care workers as well.

CHAIR: Other than those eight home care branches that are dedicated home care branches for the Aboriginal community—I assume they are the branches in remote areas—for example, how many Aboriginal workers would be in the Bankstown branch of home care?

Mr O'REILLY: We have Aboriginal-specific home care branches, but we also have open employment arrangements for Aboriginal staff. Two of our 20 senior executive service staff are

Aboriginal. We have policy officers who are Aboriginal, and we also have clerks that are Aboriginal. Our numbers, when we look at the proportion of our workforce, are about 3.1 per cent if you look straight at permanents. If you look at permanents plus casuals it is about 3.8 per cent of our workforce. So it is open employment.

CHAIR: Do you have a target? Your Home Care branches in New South Wales have about 4,500 employees?

Mr O'REILLY: About 4,000.

CHAIR: Do you have a percentage target?

Mr O'REILLY: Everyone seems to focus on the fact of a 2.5 per cent Aboriginal population; therefore you need 2.5 percent as a target. We do not agree with that. We think in the human services sector, particularly in the work that we do, it has got to be higher than that. We have had a number of strategies like the one I outlined for the South Coast. That one has been hugely successful and we can roll that out for every region because we now know what works with the group home or the residential support worker area, and it works well. We also have targets through ANZSOG and various courses that we put our staff through to be able to allow for greater promotional opportunities in the system as well. Generally speaking, the opinion from my department is that we do not believe that a 2.5 per cent target is anything. We believe it should be more about how many people we are employing to how many people whose needs we are meeting. We are under.

CHAIR: What do you think it should be—5 per cent, 10 per cent?

Mr O'REILLY: I think it should be around 5 per cent. That is a rule of thumb. That is my guesstimate. That is another couple of hundred people. That is what we are aiming for.

CHAIR: By when?

Mr O'REILLY: I think we will achieve that, given what we have been able to do in the last couple of years, in about four years.

CHAIR: Are those jobs part time?

Mr O'REILLY: No. Some are permanent, some are casual, and they are right across the spectrum. It could be policy officers, clerks, residential support workers, Home Care workers and managers.

CHAIR: On page 21 of your submission you talk about the Aboriginal Access and Assessment Team. Can you elaborate on the role of the team? Has the department evaluated the team's efficiency?

Mr O'REILLY: We only implemented it about 12 months ago, so it is a bit early for a formal evaluation. General Home Care always had this central assessment arrangement. We were speaking to the Aboriginal Home Care branches and looking at trying to work out why some branches were able to get more clients into their service system than others. One of the reasons was where they are isolated to get the skill set to be able to conduct a full assessment of need. It is not always that easy to get the right people at the right place. We set this up and have it staffed by Aboriginal staff, so we get the cultural compatibility side right and the way we ask questions. We then decided to uniform this to be able to make sure that there is a common assessment, so people are not getting ruled out because of a lack of skills set that may exist. Sometimes it is because of family relationships, broader family relationships. What we found was that it is early days, it is only 12 months, but our numbers have gone right up considerably. I think we have the statistics here somewhere. They are up by 10 per cent so far in the 12 months.

CHAIR: Are you able to give us those figures on notice in terms of numbers as opposed to percentages?

Mr O'REILLY: Absolutely. I can table this.

CHAIR: Ten per cent is—

Mr O'REILLY: It is 500 more. I can table this now, if you like. We have that information.

CHAIR: Yes.

The Hon. MICHAEL VEITCH: We heard about the Department of Ageing, Disability and Home Care employment strategy. Does the Department of Housing have an Aboriginal employment strategy? What are your recruitment and retention rates for Aboriginal people?

Mr ALLEN: Yes, we do have an Aboriginal employment strategy. I am pleased to say that our target of achieving a 7 per cent proportion of Aboriginal staff in our agencies was achieved about 12 months ahead of schedule. We are reviewing where we need to go into the future because I do feel quite strongly that should be a higher figure. We are fairly pleased with the outcome. There are a number of mechanisms in place to help retain our Aboriginal staff. We do see retention rates are increasing. One particular program I would mention is our formal Aboriginal mentoring program where Aboriginal staff are able to be formally mentored by other non-Aboriginal staff or Aboriginal staff, more senior people in our organisation. That has been a very successful program, indeed. Recently it won a public sector award.

The Hon. TREVOR KHAN: You talk about retention rates. Do the Aboriginal staff that you employ and train in your departments then move into other government departments or do they essentially remain through your stream? Having achieved a skill level with people in the community, I wonder whether they then become more easily transferable in terms of their skills to other areas, whether in the government or non-government sector.

Mr ALLEN: Yes, I agree, that does happen. Pleasingly the anecdotal evidence is that most of those people stay in the human services sector, whether it is government or non-government. That is a positive outcome, regardless of our loss of those staff.

CHAIR: Are you able to give us any indication as to the use by the Department of Housing of local indigenous companies for maintenance?

Mr ALLEN: Yes, I can provide that information. There are approximately 250 Aboriginal companies, subcontractors or individual employees that are employed through our maintenance contracts or construction contracts.

CHAIR: Is that increasing in numbers?

Mr ALLEN: Yes, that has been increasing in numbers over recent years.

CHAIR: Are you able to give us those figures?

Mr ALLEN: Yes, I can take that as a question on notice.

CHAIR: Are those types of figures criteria incorporated or are they going to be incorporated into the mid-term review of the Two Ways Together report?

Mr ALLEN: I am not clear off the top of my head whether those figures will be incorporated in the mid-term review of Two Ways Together. Suffice to say, I, the Chief Executive of the Aboriginal Housing Office and the Director General of the Department of Aboriginal Affairs regularly discuss these issues around Aboriginal employment. We have a number of specific aspects that we are pursuing, in addition to the base level requirements of Government that the organisations we contract with have Aboriginal participation plans.

The Hon. TREVOR KHAN: You referred earlier to the greatest success that you are having in public housing in providing accommodation for members of the Aboriginal community. Would that be a fair summary?

Mr ALLEN: Certainly they are more strongly represented, quite significantly so, than the non-Aboriginal population. It is a difference between 6 per cent and 30 per cent. My biggest concern, quite frankly, is the greater disparity between Aboriginal people who are purchasing or own their own home, which is just over 30 per cent, by comparison with the general population, which is much closer to 63 or 65 per cent.

The Hon. TREVOR KHAN: You also referred to the fact that at least your experience and perception is that the overcrowding issue is greater in the private housing sector than in the public housing sector?

Mr ALLEN: We have more policy options and tools available to be able to deal with that and control those properties than the more disparate ownership in the private sector.

The Hon. TREVOR KHAN: I understand that. In the area of Tamworth there was a large amount of public housing stock in the Coledale area. Are you aware of that?

Mr ALLEN: Yes, I am aware of the Coledale area.

The Hon. TREVOR KHAN: Is it the case that in about the last five to 10 years there has been a policy of selling down the public housing stock in centres such as Coledale?

Mr ALLEN: Part of our general approach in dealing with concentrated areas of public housing is to attempt to reduce those concentrations. Sometimes that means we sell properties and reinvest that money in other housing. It is formally required of us to reinvest that money to achieve a greater dispersion or mix of public, Aboriginal or community housing in those communities.

The Hon. TREVOR KHAN: I suggest that those houses were sold for figures, say, in Sussex Street, which rings a bell, for about \$20,000 to \$30,000 a house. Are they the sorts of figures being obtained for that accommodation?

Mr ALLEN: I do not know specifically what the figures were for those sales. I can say that all of the properties that the department sells are independently valued by the private sector to establish a reasonable market value for those properties.

The Hon. TREVOR KHAN: A four-bedroom home in Tamworth at the present time, dispersed out of Coledale, will cost you in the order of \$200,000 to \$250,000. Would that be about right in a town like Tamworth?

Mr ALLEN: I am not familiar, I am sorry, with the property values in Tamworth off the top off my head.

The Hon. TREVOR KHAN: You would be able to check.

Mr ALLEN: Yes, I would.

The Hon. TREVOR KHAN: If my figures are right—that is, you are selling public housing property in Coledale for between \$20,000 and \$30,000 and buying replacement property for \$200,000 to \$250,000—there is a substantial difference between the two figures.

Mr ALLEN: Yes, there is. But you should look at it on a statewide basis and at times we would not be purchasing land to replace a home. We might be investing through redevelopment and creating more housing on land that we already own. New South Wales, by comparison to our colleagues, with due respect, in other States and Territories, has a very proud record of maintaining our public housing numbers and not reducing them, as has occurred in other States and Territories. Growth has not always been substantial but the maintenance and growth has continued in New South Wales.

The Hon. TREVOR KHAN: You may need to take this question on notice. Would you be able to identify that the public housing stock in the Tamworth area has remained the same or increased over the last 10 years?

Mr ALLEN: My feeling is that it would have been maintained or increased. I will certainly take that as a question on notice.

The Hon. TREVOR KHAN: Could you also determine the same issue for Gunnedah?

Mr ALLEN: Yes, I can.

CHAIR: Do you think we are making any headway in terms of providing for the demand in housing?

Mr ALLEN: In a general sense we are rationing a scarce resource in the housing that we provide. Could we do more with more funding? Absolutely we could do more. Do we address all of the housing needs that might exist in locations across New South Wales? No, we cannot.

CHAIR: Do you have a rough estimate of the gap between supply and demand?

Mr ALLEN: I do not think I could give you an accurate answer off the top of my head on a figure such as that.

CHAIR: It is clearly a large gap or a gap?

Mr ALLEN: Yes, I think there is a gap.

CHAIR: A substantial gap.

Mr ALLEN: My concern, as I mentioned earlier, is particularly around the home ownership gap. That is a very significant difference. We all know the benefits that accrue to families through home ownership and continued wealth generation for those households, not just now but into the future.

CHAIR: It is very difficult if you have not got a job.

Mr ALLEN: Absolutely.

Dr JOHN KAYE: You may wish to take this question on notice, which follows on from Mr Khan's questions as to the policy of selling assets to break up concentrations of public housing. Where that affects Aboriginal communities, before you embark on that policy do you consult with the Aboriginal communities? Is it something you would say was broadly supported by the community that lives within those concentrations?

Mr ALLEN: Yes, we absolutely are committed to consultation. But it would be fair to say that there are decisions that are taken for a variety of reasons on occasions that would not come as a result of a consultation process. I think by and large Aboriginal communities would see the benefits of deconcentration of public housing. That is fairly widely acknowledged, both by Aboriginal and non-Aboriginal households.

Dr JOHN KAYE: Do you have specific evidence to support that Aboriginal households acknowledge it?

Mr ALLEN: I do not have specific evidence, but it is clearly an approach being taken across the nation by State and Territory housing authorities.

Dr JOHN KAYE: That is a different statement to your original statement where you said it had support from Aboriginal households. I wanted to know what you were basing that on.

Mr ALLEN: I am basing it on my own practical experience. I have not got hard numbers that would say X number of Aboriginal households have supported a particular or specific strategy. Our general experience, certainly during my time over a number of years with the organisation, is that Aboriginal communities would generally support those approaches.

CORRECTED

Dr JOHN KAYE: Can you provide evidence to satisfy the Committee that the process of deconcentration has not led to a reduction in the total number of public housing units available for Aboriginal people?

Mr ALLEN: The figures I can provide to you on public housing occupied by Aboriginal people will show that that has grown, that it has not reduced.

Dr JOHN KAYE: Would you provide those figures?

Mr ALLEN: Yes.

CHAIR: Thank you for giving your time. There are a number of questions on notice, which have a 35-day return date. We will provide an interim report in June and a final report in December. We may request of you some further information. Thank you for your assistance.

(The witnesses withdrew)

(Luncheon adjournment)

JENNIFER MASON, Director General, Department of Juvenile Justice, 477 Pitt Street, Sydney,

PETER JAMES MUIR, Deputy Director General (Operations), Department of Juvenile Justice, 477 Pitt Street, Sydney,

JOE HEDGER, Manager, Aboriginal Services, Department of Juvenile Justice, 477 Pitt Street, Sydney,

BRENDAN THOMAS, Assistant Director General, Attorney General's Department, Parramatta Justice Precinct, Parramatta, and

PAUL NEWMAN, Director, Aboriginal Support and Planning, Department of Corrective Services, 20 Lee Street, Sydney, sworn and examined:

LUKE GRANT, Assistant Commissioner, Department of Corrective Services, 20 Lee Street, Sydney, affirmed and examined:

CHAIR: Perhaps Jennifer and Luke would wish to make an opening statement, starting with Jennifer?

Ms MASON: We would very much like to put something on the record. We wanted to say that the Department of Juvenile Justice recognises, of course, that the number of Aboriginal young people involved in the criminal justice system is unacceptably high. Aboriginal young people aged 10 to 17 years remain 25 times more likely to be in detention than non-Aboriginal young people in the same age group. Aboriginal young people comprise up to 50 per cent of the juvenile detention centre population and approximately 30 per cent of the young people on community-based orders.

Research indicates that adult Aboriginal prisoners encounter the criminal justice system at an earlier age and are more likely than other prisoners to have been incarcerated as juveniles. A recent study undertaken by the Bureau of Crime Statistics and Research found that a young Aboriginal male who appears in the Children's Court is almost certain to appear in an adult court within eight years of his first offence. The study shows that for Aboriginal males the probability of reappearing in an adult court and receiving a custodial sentence substantially declines as the age of first court appearance increases from 15 to 16 years to 17 to 18 years. I am sure the Committee has access to all this research but we are happy to provide copies of it.

While concerted efforts have been made in recent years to reduce the high numbers of Aboriginal young people in the juvenile justice system, the number of Aboriginal young people in detention remains unacceptably high. With Aboriginal numbers continuing to grow, the department has adopted the principle that Aboriginal business is core business. Mainstream services and programs are designed to strictly address risk factors for Aboriginal young people in ways that are appropriate to this group of offenders.

The causal factors that contribute to the high numbers of Aboriginal young people in the juvenile justice system are complex and varied. Issues including poor school retention, overcrowded housing, inter-generational poverty and violence are some examples of what contributes to offending behaviour. Additionally, the growing Aboriginal youth population, particularly in comparison with the broader population, will also impact on Aboriginal communities and the ability of local infrastructure and resources to respond and manage this growth. It is also likely that this growth will impact on the overall numbers of Aboriginal young people in custody.

Further, the tightening of the bail legislation has seen a quite significant increase in young people who have been bail refused over the past four years. Young people are also bail refused because of other factors such as homelessness or a lack of community support, which are recognised factors in reoffending. We also know from the available research that keeping young people out of custody and dealing with them in a community setting is a far more effective way of dealing with offending behaviour than incarceration. We know that the custodial options are extremely expensive, and non-custodial options usually result in lower rates of recidivism. Incarceration also involves the removal of young people from their social contacts, social contacts that may positively influence their

lives. It may hinder the learning of skills necessary for young people to live in the community and provide them with opportunities to join the criminal networks and learn offending skills. It also runs the risk of creating a stigma that will inhibit the ability of young people to gain access to developmental opportunities and employment on release.

The Department of Juvenile Justice is at the downstream end of a long line of agencies and support structures that are required to effect any meaningful change in the growing Aboriginal numbers in the system. Our focus is on reducing the risk factors that lead to reoffending, while ensuring the effective management of young offenders according to national and other recognised standards and international conventions. The department's role begins and ends according to the legal mandate dictated by the courts, which means that we have only a relatively short period of time in which to effect any meaningful change in these young people's lives.

Obviously, the factors leading to offending are much broader than the mandate of a single justice agency. The department continues to make concerted efforts to work with other government departments to assist in addressing these underlying factors. This is recognised in the New South Wales Government State Plan priorities—in particular, R2, reduced reoffending, under which the Department of Juvenile Justice and the Department of Corrective Services are key partners, with the Department of Corrective Services as the lead agency.

In line with the clear need for strong, coordinated, collaborative approaches to addressing Aboriginal offending, the department has initiated consultation with other government agencies on the development of an overarching juvenile offender compact. It is intended that the compact will deliver critical joint strategies to address the reoffending risk of young offenders. Aboriginal young people are a focus of the compact. Young people mandated to the department's care make up a very small proportion of the young people who come before the courts. Police and courts have a critical role in making use of the available diversionary options, such as those available under the Young Offenders Act. The department continues to work closely with New South Wales Police to encourage and facilitate increased use of the options for diversion under the Young Offenders Act. These options include warnings, cautions and conferencing, all of which have been shown to be more effective in reducing reoffending than custodial options.

The department's Aboriginal strategic plan, which was devised in consultation with Aboriginal staff, provides the framework for the department by seeking to address the myriad of issues impacting on Aboriginal young people. The department also recognises the importance of utilising Aboriginal staff to work with Aboriginal young people and their communities. The department has no statutory responsibilities in the area of bail but we are seeking to address these disturbingly high numbers of young people on remand through the mechanism of providing a bail and remand service to support young people in meeting their bail conditions and minimise the risk of further offending while they are on bail. We call it the Intensive Bail Supervision Program, and we aim to reduce the increasing numbers of young people being held on remand pending a court outcome and who could be supervised on bail more effectively in the community.

We have a suite of strategies and programs based on best available evidence into what works to reduce the risk of reoffending. Specific strategies, programs and services targeting Aboriginal young people include Our Journey to Respect, which is a group session program for Aboriginal young males and aims to reduce the incidence of family and intergenerational violence; No More, which is a culturally sensitive drug and alcohol program; the community custodial services intervention framework and the Target for Effective Change Program. I can give you more details, obviously, about that.

We are about to launch the Intensive Supervision Program, a groundbreaking program to address the issue of repeat offending among juveniles. The Intensive Supervision Program involves intensive work with young people and their families with a multiagency approach. It will deal with a range of issues including substance abuse, financial problems, housing needs, family conflict and negative peer pressure. ISP has been one of the most successful programs in the world for serious young offenders, and initial indications, particularly from Western Australia where it has been extensively trialled, are very positive for Aboriginal participants.

The department has a robust record in respect of Aboriginal deaths in custody. There has not been a detainee death within a juvenile justice centre since the department was established in 1991. That being said, given the volatile nature of this group, the department can never be complacent and maintains a strong focus on the health and safety of detainees. The department is proud to be an employer of choice within the Aboriginal community. Up to 10 per cent of the department's total workforce is Aboriginal, in positions ranging across managerial and front-line employment streams. An Aboriginal and Torres Strait Islander recruitment and retention strategy has been developed which aims to further develop the department's capacity to serve Aboriginal and Torres Strait Islander clients by trained and representative staff.

CHAIR: Thank you. My apologies to Brendan Thomas. We also invite Brendan to make some opening general remarks if you wish to.

Mr THOMAS: I will be brief. I do not want to take up too much of the Committee's time. Services and programs for Aboriginal people have been a significant priority for our department for quite a number of years now, both in trying to address the number of Aboriginal people coming to court or coming back to court and also looking at ways in which we can improve the level and quality of the other services our department offers to Aboriginal people. We have taken a particular strategy of directly engaging with local Aboriginal communities as much as we can and allowing them a real decision-making role in the types of programs and services that we offer.

In going down that road we have developed what I think are some quite innovative approaches to dealing with issues that Aboriginal communities confront. I suppose the best-known example of that is our Circle Sentencing Program, which is operating in nine locations at the moment. That is an example of taking the court out of the traditional courtroom environment and directly engaging local Aboriginal communities in sentencing decisions and in shaping the sentences that those courts pass. We think that is a very successful program but we do think we can improve on it over the coming years to make it more efficient and to improve some of the follow-in support that we offer.

Again going down the local community involvement path, over the past couple of years we have been establishing a range of local Aboriginal community justice groups based on an idea from northern Queensland. They are groups that allow local Aboriginal people to come together to examine the crime problems that might be affecting their community but also to look at ways in which they can better involve themselves with the criminal justice system. It is quite early days for that program as a whole but, looking at those groups that have been established for the longest period of time, we have seen a 5.5 per cent reduction in finalised local court appearances in seven of those nine locations. While we cannot directly empirically prove that the work of those groups has resulted in that reduction, it is quite a positive sign that we are taking a lot of encouragement from. A number of those groups are now working with police to issue cautions to young people, and this year we will be focusing on working with courts to make sure that people better meet their bail conditions.

Again along the lines of local community involvement, we have been managing an Aboriginal communities patrol program for some years in 14 locations around the State that have high juvenile crime problems. That program involves local Aboriginal people essentially patrolling their own towns at night, identifying people and others who might be at risk of committing an offence or being the victim of an offence themselves and taking them home or to another safe place. While the success of those programs varies from place to place, in some areas we have some quite considerable success. In the Taree main centre we saw a significant reduction in police callouts in the times that the patrol operates and since we have been operating one in the eastern part of Sydney we have seen a reduction in the number of Aboriginal people coming to police attention there. In fact, we got a letter last year from the Eastgardens shopping centre saying that it had had a significant reduction in incidents involving young Aboriginal people since it had been operating there. So, again, there are quite encouraging signs from that particular program.

We started a new centre in 2005 called Tirkandi Inaburra, which is based at Coleambally near Griffith in south-western New South Wales, aimed at targeting young Aboriginal men who might be coming into contact with the criminal justice system in the future. Their families, juvenile justice officers and other government employees refer them to that centre. It is quite an innovative attempt to allow the local community to take some control of working with their local boys. The centre opened in

November 2005 and since then we have had 35 young boys graduate from that program. Thirty of them are either back in full-time school or employment and only one of them has committed an offence since being released from that program.

More generally, we run a number of larger-scale diversion programs, particularly drug-related diversion. Those programs have participated in some significant efforts to increase Aboriginal participation over the past few years. The Drug Court, for instance, changed its ballot entry system where Aboriginal people are concerned and has employed a number of Aboriginal staff. Aboriginal people are now 12 per cent of its total client base. It has still got some improvements to make but that went from an almost negligible rate to now 12 per cent, and 34 per cent in the Youth Drug and Alcohol Court and 14 per cent of clients in the Magistrates Early Referral into Treatment Program. Aboriginal people are referred to that program at about the same rate at which they appear in court. With all of those programs we still have some work to do. People are dropping out of those programs faster than their non-Aboriginal counterparts so we have some improvements to make.

But the front end is certainly getting a lot better. In terms of our other non-strictly court or criminal services, we have done some significant work over recent years. We have done a lot of work in trying to increase Aboriginal access to our victims compensation and counselling programs. Since 2004 Aboriginal applications for both compensation and counselling have doubled through some efforts that we have made. We know those numbers are still too low and they need to increase significantly, but I think we are on the right track in increasing those numbers. In our mediation services we established an Aboriginal mediation program and trained a range of community members in mediation skills. We have seen an increase of about 30 per cent a year in Aboriginal-initiated mediations. Again, we are looking to improve that still further and to get some more matters potentially out of the court system and into mediation. But at least we are taking a positive direction.

We also recognise that it is difficult with our court system for many people in rural and remote areas to access courts and to attend courts when they are required to do so. So to try to address that we are testing a couple of different ways of providing court services. We have got staff in some of our western courts—Walgett, Burke and Condobolin—conducting outreach services, where they are basically taking the registry of the courthouse out of those towns and into a community setting and providing services where people live rather than expecting people to come to court. In Bourke a large proportion of our criminal defendants come from the town of Enngonia and we are now providing criminal call-overs in the town of Enngonia rather than expecting people to come to court, which they often find difficult. Again, that is only very new and we are testing it but the signs are quite positive. So, as a department, we do recognise that we still have a significant amount of work to do in terms of the types of programs and services that we offer, particularly in improving the scale and the number of people who are accessing programs and services. But we do think that by engaging local communities we are on the right path for that.

CHAIR: Thanks, Brendan.

Mr GRANT: I commence by apologising for Commissioner Ron Woodham and by stating that the Commissioner has a high level of commitment to the provision of services and programs and interventions for Aboriginal offenders. Unfortunately, he was not able to come today. He has asked if it suits the Committee whether he might be able to attend your hearing that you are going to have in Kempsey. He can make himself available so when you go out there into the field he will be able to be present at that event.

As I mentioned, the Department of Corrective Services has a very strong commitment to the provision of services and programs for Aboriginal people. In part, that reflects the very high proportion of Aboriginal people in custody. As of the beginning of this month, 23 per cent of all the men in custody were Aboriginal men and 32.3 per cent of the women in custody were Aboriginal women. So that is an extraordinarily high a rate of overrepresentation. But beyond that the department recognises that Aboriginal people need a particularly different approach. Having said that, people in custody generally are characterised by a whole array of the measures of social disadvantage. So there is a general principle that people who are in custody generally come from a disadvantaged background across all of the measures.

A recent paper that I would draw the Committee's attention to was published in 2007. It is called "Aboriginal and Non-Aboriginal Health Differentials in Australian Prisoners" by Azar Kariminia et al and has some interesting details that I would like to draw to your attention. It might show you a little bit about the characteristics of the population. For example, the paper suggests that the highest education level attained by prisoners in New South Wales correctional centres who were Aboriginal was 66 per cent of the people had a primary school or no education as the highest level they had attained compared to non-Aboriginal men, for which it was 44 per cent. For Aboriginal women it was 52 per cent and for non-Aboriginal women it was 40 per cent. So from an educational perspective Aboriginal people have not had good educational experiences. One of the possible reasons for that is the high rate of expulsion of Aboriginal people from school, with 49 per cent of offenders in custody who are Aboriginal men having been expelled from school. Some 34 per cent of non-Aboriginal men had been expelled. Some 42 per cent of Aboriginal women had been expelled from school and 27 per cent of non-Aboriginal women in custody had been expelled from school.

There is a high rate of unemployment amongst Aboriginal people who come into custody. Some 77 per cent of the women in custody had previously been unemployed. There is a high history of previous juvenile detention amongst Aboriginal people in custody. Some 58 per cent of Aboriginal men in custody had been in juvenile detention whereas 33 per cent of the non-Aboriginal men in custody had been in juvenile detention. There is also a history of repeat incarceration as adults. Some 72 per cent of Aboriginal men in custody had been in custody before as an adult whereas 57 per cent of non-Aboriginal men had been in custody before as an adult. Some 65 per cent of Aboriginal women had been in custody as an adult whereas it was 53 per cent of non-Aboriginal women. So there were big differentials in that respect. There were also differences in the nature of offences. There is a large number of Aboriginal people in custody convicted of violent offences. In the study 51 per cent of Aboriginal men were currently in custody for violent offences whereas 39 per cent of non-Aboriginal men were in custody for offences of violence.

As I mentioned, the paper is looking at health differentials between Aboriginal and non-Aboriginal people. There is a lot of mythology around about the health status of Aboriginal people relative to the non-Aboriginal population in custody. As I mentioned, people who are in jail generally come from socially disadvantaged backgrounds and the health profile—this might surprise people—is actually quite similar. The study failed to find, with a few exceptions in relation to asthma, diabetes and blood pressure, that the general state of health of Aboriginal offenders is not very different from the non-Aboriginal people in custody. So the general statement is that people who are in custody have poor health status generally. One of the tragic outcomes of this paper also was the recognition that when people do come into custody they are more likely to see a doctor. So for Aboriginal people who came into custody 39 per cent of them said they had more access to doctors in custody and 38 per cent of Aboriginal men said they had more access to dentists in custody. Whilst there was a greater access to medical services in custody generally—there is an excellent health service provided in custody through Justice Health—for the Aboriginal people there was quite a stark differential.

I would like to draw your attention also to a number of other significant papers. There were three papers in a series, which was a study done of mortality associated with people who had been in custody. The study followed up people from 1988 to 2002—so it was over a significant period of time. I was one of the authors of each of the three papers and we tracked 85,000 individuals to see how many of those people had died post-release to see if there were causes of mortality and to look at things that happened over time. One of the measures we used in this was a measure called the "standard mortality ratio". That is where you compare the rate of deaths of the population you are considering with the rate of deaths for an equivalent population in the community.

The standardised mortality ratio for Aboriginal men in that population was 4.8 times higher than the community average. For non-Aboriginal people it was 3.7 times higher. So there is not such an enormous difference in that group between the two groups of prisoners but an extraordinary difference between the rate of mortality of people who come into the custodial population and people in the community generally. A much greater differential was observed for women. If you are an Aboriginal woman who has been in prison there is 12.6 times the standard mortality rate of a woman in the community generally, whereas for non-Aboriginal women in custody it is still very high at 7.8 times the rate.

There has also been a lot of discussion over the years about the rate of Aboriginal suicide. In fact, one of the other outcomes of one of our three papers was to show unequivocally that Aboriginal inmates are less likely to die in custody than non-Aboriginal people, which surprises some people. In fact, it is not inconsistent with the findings of the royal commission that did find that, whilst Aboriginal people were overrepresented, the rate of Aboriginal deaths in custody was at the time lower and remains lower than non-Aboriginal rates of death in custody. The Committee might be interested to know also that since 1980-81—this is in financial years—there have been 14 individual years when there has been not one Aboriginal suicide in custody in New South Wales. Interestingly, a Justice Health study published in 2007—the one I mentioned before—also found that half of the Aboriginal and non-Aboriginal offenders when interviewed said that their thoughts of suicide had actually decreased when they came into custody.

One other detail that I want to draw your attention to is a different phenomenon for people exiting custody. As I mentioned, whilst there is a very high standardised mortality rate for all categories of offenders leaving custody, there was a very distinct phenomenon witnessed for non-Aboriginal people. That is, in the week after being released from custody there is an exceptionally high mortality rate—four times higher than the period during which they were in custody just in that one week. In the subsequent week there was also a high rate. This same effect was not observed at all for Aboriginal people. So the rate of deaths in custody for Aboriginal people at various points in time remained relatively consistent and there was not a peak in this post-release period.

The core purpose of the Department of Corrective Services is to focus on community safety in particular under the approach advocated by the State Plan to focus on reduced reoffending, which is a much bigger task than Corrective Services could engage in. So Corrective Services is one agency of many that need to contribute to this particular target of reducing reoffending. The rate of return to prison for Aboriginal people is very high. It is higher than for non-Aboriginal people. In 2005-06 of the people who were released two years before that 55 per cent had returned to custody within two years if they were Aboriginal whereas 39 per cent of the non-Aboriginal population had returned to custody. Thankfully, that has gone down in the last reported year, which is for the end of the year 2006-07. So people who were released in the preceding two years before that returned at 53.3 per cent whereas for non-Aboriginal people it was 41 per cent.

CHAIR: Is that a document you can tender?

Mr GRANT: Yes, I am happy to provide all these statistics.

CHAIR: May I suggest you do that?

Mr GRANT: And also a copy of the papers, which I think would be quite useful.

CHAIR: Thank you. Perhaps we can start with questions unless you have something to add.

Mr GRANT: I have just given you statistics. Maybe I will have a chance to elaborate later as we have a whole array of programs; our commitment to Aboriginal-specific programs is quite large. We spent more than \$13 million last year specifically on Aboriginal interventions for people in custody and in the community. That includes an array of preventative post-release reintegration programs, in-custody programs and also diversionary programs.

CHAIR: The Committee is very interested in all those statistics. No doubt over the next few months we will be asking you for more assistance in that regard.

The Hon. MARIE FICARRA: This is a general question to you all or one representative from each department. Why are we seeing such a sharp significant increase in female rates of juvenile crime, crime in general and incarceration? Is it drug-related?

Ms MASON: Mr Muir might elaborate, but at the present time, in terms of raw incarceration, we do have a surge in male numbers, but we have not had a particular surge in female numbers. You are right to say that with the females we are seeing both worse mental health problems than ever before and more difficult drug problems. Definitely ice related and things like that are far, far worse for us, for the community and for the detainees themselves.

Mr MUIR: I am not sure that we are actually seeing increases in female juvenile crime. We did two studies: one on young people in custody, which, unfortunately, had a very small female sample size, and a much larger one in the community. So, I would preface my comments that the sample size of young women in custody was rather small, but the interesting thing about the two groups is that there was actually a much more difficult group in the community than in custody. So, the characteristics of a lot of these young women, as the director general has pointed out, would be high levels of mental health issues, certainly extensive histories of abuse and certainly all of the drug use that goes along with juvenile offenders at the top end of the spectrum.

The Hon. MARIE FICARRA: Just to follow up on that, I would be interested to hear from everybody on this. What do you recommend as follow-up treatment for those young men and women on drugs, particularly ice-related, methamphetamine usage? The problems we are seeing now with mental health seem to be getting worse.

Mr MUIR: Mr Grant would probably be in a better position to comment on adult offenders. Certainly amongst juvenile offenders amphetamines and ice are not the drug of choice. In fact, overwhelmingly with adolescents the drugs of choice are alcohol and cannabis by a very long way. We have put in partnership with the Commonwealth Government over the last nine years very high levels of funding in community-based programs. For example, right around New South Wales we have a network of about 16 alcohol and other drug counsellors. An interesting statistic we have in the process of renegotiating an agreement with the Commonwealth, in excess of 60 per cent of young people who attend those programs in New South Wales are in fact Aboriginal young people. So, we have very, very high levels in rural New South Wales of offenders accessing those services. As I said, they have been a joint Commonwealth-State partnership and they have contributed a great deal.

We also have two specialist adolescent rehabilitation facilities—one in Dubbo and one in Coffs Harbour—that again have rates of Aboriginal young people attending those services in excess of 50 per cent. I can say that very high levels of service have gone into the drug and alcohol issue from both a State and Commonwealth perspective. Increasingly, funds are starting to flow for mental health. For example, justice health—Dr Matthews may have talked about this this morning—is starting to put increased services not only into custodial mental health in the criminal justice system but to community mental health. I noticed in last weekend's paper justice health is advertising positions in Wagga Wagga, for example, in partnership with our department, focusing on mental health amongst the community-based offending population.

The Hon. MARIE FICARRA: Do you monitor the success of those young Aboriginal people that participate in the programs? Are they successful in staying clean?

Mr MUIR: All the available evidence on young people and withdrawal from drugs is a process, not an event. They will have numerous attempts before they are successful. There is no silver bullet really with drug and alcohol treatment. The available evidence to us is that many will have multiple attempts before growing out of their drug use.

The Hon. MARIE FICARRA: I do not know whether anyone else has any comments on the female rates, particularly in corrective services—are you seeing an increase as well?

Mr GRANT: There has been an increase in the number of women in custody as there has been with men. The proportion of women in custody to men has increased over the last 10 years. The largest component of the increase in the population has been changes in the number of people in custody on remand as opposed to people who are on sentences. So, whilst there has been some increase, the largest component in the increase has been the increase in people on remand. That is largely an outcome of the response to people who were failing to appear and the emphasis on removing the presumption in favour of bail for certain categories of offenders, having particular regard to people who were not appearing in court. So, that has solved that particular problem.

It has been very effective at making sure people turn up in court, though it has increased the number of people in custody on remand. There has been a change in the nature of drug use amongst the custodial population. I could not comment at this stage specifically on Aboriginal people. I probably could find that information for the Committee. There has been an increase in the use of

amphetamines amongst the population of people in custody and a reduction in the amount of opiates that are used in the population.

The Hon. MARIE FICARRA: What is the effect on the mental health status of your custodial offenders and what sort of programs have you got in place?

Mr GRANT: It is actually not possible to say what the impact has been. There has only been one large-scale survey of the mental health status of people who are in custody. There is another large prison health survey, which has been planned at the moment and has been approved to occur at this time. The last data was collected a few years ago and we have excellent baseline information, but we cannot say what the changes have been in the profiles of people in custody since that time. We will be able to say that soon. In terms of the prevalence of mental health problems generally, the main categories are substance abuse disorders and also depression. The actual level of psychotic illness is not as high as is often commonly stated in the media. So, people often assume that people in custody are seriously mentally ill. In fact, you have to use a very broad definition of mental illness to pick up the 60 per cent or 70 per cent of people that people generally ascribe for the custodial population. So, the prevalence of serious mental illness is probably less than 10 per cent of the population, which still is extraordinarily higher than the community population.

As Peter Muir mentioned, justice health in particular, which is responsible for the health provision of people in custody, has taken a much broader and proactive stand in relation to the advice that is provided by courts and providing good advice to divert people where possible. In the last six months we have opened a state-of-the-art mental health screening unit in our main women's reception centre, which we anticipate will also have a profound impact on our ability to plan for and hopefully provide better advice for the courts so people will be managed more safely in the community. That has been a significant improvement in the availability of services.

In addition to that, in November this year a new forensic mental health facility will be opening at Long Bay. It is run totally by the health department and not by corrective services, which is very appropriate since correctional staff are not the best people to manage the mentally ill because they have health problems, and behavioural problems often as well—but there will be a significant improvement. So in the last couple of years there has been an enormous change in the whole landscape of managing the mentally ill in custody. However, as I mentioned at the outset, it is too early at this stage to comment on its effect and the evaluation of the diversion court advice program underway, but we are doing another broad survey shortly for people in custody. So, hopefully, we will be able to advise then on how successful we have been.

The Hon. MARIE FICARRA: Do you feel it is a move in the right direction?

Mr GRANT: Absolutely. There is no doubt about it.

The Hon. MARIE FICARRA: Can you explain a little more about diversion programs?

Mr GRANT: Yes. From our perspective, a diversion program is one that diverts people. In the first instance one way of diversion is from the criminal justice system entirely. So, when people appear before the courts who have behaviour that has come to the attention of the justice system as the outcome of a health problem or mental health problem or intellectual disability, the best outcome for those people is to be diverted from the system to be managed in an appropriate health facility as opposed to a correctional facility. So, as I mentioned, there is a whole series of strategies in place to achieve that.

The second layer of diversion relates to diversion from full-time custody because there is lots of evidence around to suggest that community-based treatment and community management of offenders is as effective and is definitely cheaper than custodial treatment where safety has been managed. So, there is no suggestion that everyone who is in custody should be best managed in the community, but there are a number of people who can be safely managed in the community. So there is an array of programs that are provided not just by corrective services and juvenile justice but by the Attorney General's Department as well that seek to divert people from full-time custody into safer, cheaper and better focused community outcomes.

The Hon. MARIE FICARRA: One last question to Mr Thomas: circle sentencing seems to be a success. Are there any plans to expand it? How prevalent is circle sentencing at the moment throughout New South Wales?

Mr THOMAS: Currently it operates at nine Local Courts in New South Wales. They are the nine courts with the largest number of Aboriginal people appearing before them. We believe it is quite a successful program. There are a couple of challenges with them. One is that it is a more labour-intensive sentencing process than a traditional court. An average circle court hearing takes about 2½ hours, for instance, and it is away from the courthouse in the community setting, whereas a traditional Local Court sentencing does not take anywhere near that amount of time.

The Hon. TREVOR KHAN: Ten minutes.

Mr THOMAS: Twenty minutes. It does not take very long.

The Hon. MARIE FICARRA: Logistically, is cost a problem if you have to set up something outside a normal court for a situation going to a local community?

Mr THOMAS: The immediate cash cost is not very much. It is the cost in the court's time that is the challenge. It is a traditional sentencing court operating in a different way, which means for the 2½ hours that it is hearing a circle court it is 2½ hours that it is not dealing with other matters before the court. So, there is a very delicate balance we are trying to establish between getting more people through this circle sentencing process without disadvantaging everybody else that needs to go to court and the rest of the matters in the court system. I mentioned earlier that we are trying to make the program more efficient and that is what the focus of it is, to try to limit its impact on the court system. It is a process that allows for a greater level of examination of the needs of the offenders, particularly when it comes to mental health problems. If I can give you an example that comes to mind: there was a young offender who was committing a number of violent offences in the town of Nowra. He had been arrested 30, 40 times for the same type of thing.

In coming into the circle court the community brought with him an Aboriginal mental health specialist. They looked at the medication this person was taking. He had a head injury and some other mental illness and was taking medication for both. It turned out that the combined medication he was taking was causing him to behave in a violent type of way. The community members at the circle court were able to take him off, see another doctor, had his medication changed and it significantly changed that person's behaviour. But it was the ability to sit down in an informal setting where the offender, that is, this particular individual, had to talk about what he was experiencing and what he did that allowed for that to come out. This guy had been to court 30 or 40 times before and it had not come out. So there is a strong benefit in doing that, but there is an ancillary cost on the rest of the system that we need to manage.

The Hon. MARIE FICARRA: Have you found community involvement in processes like that to be of a high level? Are they willing to be involved and to assist?

Mr THOMAS: Generally speaking, we find it difficult to sustain some of the community involvement in some of the remote areas. For instance, we have a circle court in the town of Brewarrina. There are about 1,500 people in Brewarrina. The court out there sits once a fortnight so there is a regular flow of people through. Generally, we tend to rely on the respected members of the community who tend to be older, for example, women in their seventies who may be responsible for half a dozen grandchildren.

Engaging on a regular basis in a very emotional court setting has a drain on those people. We are starting to see some of them in those smaller communities getting a little fatigued. Where there are not as many people to draw on it is a bit of challenge. But the communities as a whole generally are embracing the circle-sentencing concept. Some people will not participate in it because they are worried about being stigmatised and about sitting with magistrates and judges, but that has not lessened over the years that the program has been running.

The Hon. MARIE FICARRA: Do you find that the offenders are reacting more positively because their community and family members are perhaps present?

Mr THOMAS: They do. One of the requirements of the circle court is that they have to talk. They cannot come and participate unless they want talk about what they have done, in effect, which is very different from a traditional court where they usually do not say anything at all. At the moment we are in the middle of a bit of study of circle sentencing and we have surveyed a whole range of offenders who have gone through it. We asked them about their motivation for coming to circle court. The majority of them said that they went because they thought they were going to get a lighter sentence, which certainly is not the case. The sentences that those courts hand down are usually at the heavier end of what is available.

But after going through that process they are quite satisfied with it and quite glad that they went through it. Most people who go through it find it emotionally difficult because they have to face people that they have known most of their lives and talk about what they have done and the problems that they are experiencing, so it is quite a drain on them. But the work that we have done has been done to follow up on quite extensive surveys with offenders who have gone through it. We have found that they are overwhelmingly supportive of participating in it and, in fact, they recommend it to other people.

The Hon. TREVOR KHAN: Mr Thomas, you identified one of the fundamental problems with circle sentencing, that is, the time component. By way of example let us take a court in Tamworth. On a duty day you might have 100 matters or more with 20 or 30 persons appearing before the court and at least half those matters being sentencing matters. So you are looking at a significant increase in the amount of time that is required. Is that right?

Mr THOMAS: Yes.

The Hon. TREVOR KHAN: Self-evidently, assuming that the system works—and I do not doubt that it does—you are talking about a significant increase in the amount of personnel available to be able to support circle sentencing. Is that right?

Mr THOMAS: There is not an increased number of staff but it takes those members of staff that are involved away from what might be their other work at the court.

The Hon. TREVOR KHAN: Self-evidently, it must be mean more staff. If we assume that at least some of those people are already committed to the performance of duties within the justice system, they are spending—and I am not being critical about them doing it—a significant increased amount of time per matter. That must mean either that you add more people or that they work until midnight.

CHAIR: Or you get slower justice.

The Hon. TREVOR KHAN: Or you might get better justice; I am not arguing the toss on that. But it is a resource-intensive exercise.

Mr THOMAS: It is. We are finding that any type of alternative court process is more intensive than the traditional court process. One of the challenges we have in administering the system is finding the balance there. It is about trying to get as many people as we can through these alternative court processes without disadvantaging everybody else in the rest of the court system. It is an increasing challenge in areas, in particular, in the Far West of the State where just about every defendant is Aboriginal. If we go to a town like Bourke we find that about 90 per cent of defendants in that court are Aboriginal people.

To try to manage that we have established a very strict acceptability criteria at the front of the program so that if we are spending this amount of time we are spending it on those people where it will make the biggest difference. Let me give you an example. We had one guy in Nowra who was 28 years old and who, as an adult, had 161 convictions. So in the years between 18 and 28 he had been convicted of 161 offences. That guy has come back twice since he went through the circle but we are spending far fewer resources managing his case and on him as an individual than the court had spent in the 10 years leading up to getting him through the circle. It takes a while for that type of benefit to flow through the court in any significant sort of way. We recognise that the biggest challenge with

these types of programs is balancing the management of the court list and managing these types of cases.

The Hon. TREVOR KHAN: Again I do not doubt what you are saying but if there is a benefit of circle sentencing in relation to outcomes what is the program to roll out circle sentencing to further courts over the next three years?

Mr THOMAS: We do not have a specific program to roll it out to other courts just yet. One of the reasons is that we are trying to work on getting the program more effective and efficient in areas where it is operating at the moment so that it is not as labour intensive as it is at the moment. We want to try to get more people through the process in the courthouses that we have so that when we look to roll out that process to more locations we are rolling out a more efficient and effective type of program.

What we will have in 20 other locations by the end of this financial year is the establishment of a whole range of local Aboriginal community justice groups based on an idea that comes from Queensland where those groups directly work with courts in managing people on sentences, in providing advice to courts on the types of sentences that are available, and in directly making the court system more effective for local Aboriginal people. This program started in a place called Kowanyama in northern Queensland where they were averaging between 55 and 60 offences a month in a population of about 3,500. After the first 18 months of this process operating they were getting between zero and five offences a month, so they were cutting the rate of recidivism.

We are trying to establish a system where we have a more intensive process for those offenders that need a more intensive sentencing process like the circle court, but some other processes at the front of end of the system that can deal with things in a more efficient and quicker way where people might not be as involved in crime and the justice system as some of those people going through the circle sentencing process.

The Hon. TREVOR KHAN: I hear what you say but am I right in saying, at least according to what Don Weatherburn would say, that in 1997, by indigenous status, 17.6 per cent of offenders sentenced to prison were of Aboriginal descent. That has now increased, at least as at 2004, to 20.1 per cent and I think on what we have heard, at least amongst the male population, to about 23 per cent, and amongst the female population to about 30 per cent. Is that right?

Mr GRANT: The only issue is that you are comparing apples and oranges.

The Hon. TREVOR KHAN: Prove me wrong.

Mr GRANT: I am not suggesting that you are wrong. I am saying that you cannot compare Don Weatherburn's figures, which are flow figures, or the number of people going through the courts, with a census figure. The figure I gave you is a static figure of how many Aboriginal people are in custody on one day.

The Hon. TREVOR KHAN: Do we have any indication that between 1997 and 2007—we would have cut out 2008—there has been anything other than a trend of more and more members of the Aboriginal community ending up in jail? If we took that as a performance criterion, if we took as a basic that the worst outcome is a member of the Aboriginal community ending up in jail, on a basic performance criteria, with the greatest respect, we are failing. You are failing.

CHAIR: The community.

The Hon. TREVOR KHAN: They are promoting the program; let them defend themselves. They are intelligent people. It is not working.

Mr THOMAS: That is true. There is an increasing rate of Aboriginal imprisonment. In some places we are seeing a reduction in the number of finalised court matters involving Aboriginal people, so in some areas the number of people coming to court and being convicted of offences is starting to go down. I have been working in this field for a decade or more and that is the first time that I have seen that. The decrease is not huge but I think it is encouraging to see that. We have across the State a

dropping rate of crime and an increasing rate of imprisonment, which is true for the entire population and not just the Aboriginal population.

The Hon. TREVOR KHAN: That is right. That is related to a number of factors beyond what we are talking about here, including the availability of opiates, for instance, which has made a significant difference to a number of crime rates, including property crime and some violent crimes. That is right, is it not?

Mr THOMAS: Yes.

Ms MASON: I think also, as we mentioned earlier, we have to take into account changes in by-laws. Again, you are not dealing with convictions necessarily; you are dealing with a remand population. I am just saying that that is another complication you have to take into account in the whole picture.

The Hon. TREVOR KHAN: I fully accept that. Having appeared in court and made many bail applications I know what it has been like in the last few years.

Ms MASON: Exactly.

The Hon. TREVOR KHAN: Let me deal with another issue. A number of you have raised the remand population issue that, clearly, has been going through the roof. I am interested to know—and you can take this question on notice—whether you can indicate over the last half dozen years the number of prisoners on remand, both juvenile and adult, and male and female? On average, what length of time have those persons—I will not call them offenders—been in custody or on remand? Are you capable of identifying the length of time that those persons have been on remand by reference to whether they are appearing in metropolitan courts as opposed to non-metropolitan courts? You would be aware that a significant percentage of our Aboriginal population comes from rural and regional areas. I suggest to you that I anticipate the length of time those members of the Aboriginal community from rural and regional areas are on remand is greater than those appearing in metropolitan courts. Do you have a comment at this stage?

Mr GRANT: I can certainly get you that information, as I do not have it with me. I will take that question on notice and provide that information.

Mr THOMAS: We can look at our court records and get you an answer.

The Hon. TREVOR KHAN: You do not have a figure?

Mr THOMAS: I suppose that there are two issues. The first is whether people who are on remand are on remand for longer, or whether people are more likely to get bail in rural areas because of that. I do not know the answer to that but we can certainly find out.

The Hon. TREVOR KHAN: I suggest—you can prove me wrong in due course—that if offenders in rural and regional areas have been committed to the District Court, I anticipate you will find that because they are appearing in a regional court they are on remand for longer. You get through the court system in Sydney quicker. So, in a sense, there is an in-built discrimination against a person who lives in a rural or regional area simply because the court system grinds to a halt more quickly there than anywhere else.

Ms MASON: We are happy to try to get you that material. Mr Muir might correct me but I think with juveniles it is less the case. Obviously the huge majority of our matters are going to the Children's Court. Our average stay is about 11 days, which has a whole lot of extra challenges for us because we are churning kids through. It is really hard to do anything with kids for 10 or 11 days, and then they are back on the street and they are in and out. But we will get you anything you need. Is that correct, Mr Muir?

Mr MUIR: Yes.

Dr JOHN KAYE: How many Aboriginal inmates have access to vocational education and training programs? In your submission you outlined some excellent programs. I am interested to know what is the participation rate.

Mr GRANT: The participation rate is equivalent to the number of people in custody. So about 20 per cent of the people involved in education programs and/or therapeutic programs are Aboriginal. In some months they are significantly higher. In vocational training we provide real work opportunities through our industries in prisons and there is no differential between the number of Aboriginal and non-Aboriginal people.

Dr JOHN KAYE: You answered a slightly different question to the one that I asked. What percentage of Aboriginal people in custody have access to or are engaged in some kind of training?

Mr GRANT: The question about access is that everyone has access.

Dr JOHN KAYE: What percentage is engaged in it?

Mr GRANT: The percentage of Aboriginal people who are engaged in it as opposed to the percentage of non-Aboriginal people? Of those people who do vocational training about 20 per cent is Aboriginal, which is equivalent to their proportion. Referring to the number of people engaged in it, I do not have that in my memory but, broadly, in education about 40 per cent of the inmate population are engaged in education at any one time. So it is 20 per cent—80 per cent Aboriginal verses non-Aboriginal—of 40 per cent of population.

Dr JOHN KAYE: So about 60 per cent of the prison population is not engaged in some kind of program?

Mr GRANT: No, you asked specifically about vocational education. There is a whole array of programs. There is employment as a program, in which something like 80 per cent of people are involved as a general program. Through that we try to give people generalise-able employability skills. In addition to that we have integration programs per se. There are two streams. We have our own registered training organisation, which is called the Adult Education and Vocational Training Institute. Through that organisation we run a very comprehensive program, which is called Access to Education, Employment and Training, but it has a very solid literacy and numeracy component.

We then use TAFE New South Wales to provide TAFE hours for Aboriginal people and non-Aboriginal people. We have a specific allocation from TAFE, specifically for Aboriginal TAFE programs, plus we have the general TAFE allocation that we purchase from TAFE in vocational training. What we try to do is provide vocational training attached to all of our programs.

Going back to your question, however, about the percentage, one of the fundamental principles of correctional intervention these days—anyway, it is generally accepted around the world—is that not everyone needs the same level of programs. Some people do not benefit from it. A small proportion of people are the high-risk offenders who are responsible for a disproportionate amount of criminal behaviour. Therefore we target the high-risk people. They are the subject of our research.

The therapy programs—we do not seek to engage everyone in treatment. We only seek to engage the moderate to high-risk offenders. Education is more generally available and work is universally available to everyone, so we have an assessment process, case management process, and we use an actuarial risk assessment instrument called the LSIR, similar to one that is used in Juvenile Justice.

Dr JOHN KAYE: What does LSIR stand for, please?

Mr GRANT: The level of service inventory revised. Essentially it identifies a risk of reoffending but also has the added benefit of identifying the criminogenic needs to do things that are most closely associated with reoffending. For each person you can determine whether or not it is an educational deficit or whether it is an attitudinal or anti-social thinking type of arrangement, or a drug

and alcohol program, and then you can target those people with the program. So, different people need different programs.

Dr JOHN KAYE: Do you have specifically targeted education and training programs for Aboriginal inmates?

Mr GRANT: We do in a number of locations. Our general approach to programs is that for Aboriginal people in terms of the criminogenic type of programs, exactly the same criminogenic needs exist in the population but you might need a different approach. We might have a way of sensitising the programs to Aboriginal people and we would not necessarily have a separate stream. In some circumstances, however, we do have separate programs.

We have, for instance, a program called Nangy Kungar, which is in Cessnock. It is a program specifically focusing on Aboriginal traineeships. It has been a very successful program. We have had really high performing trainees in that group. In addition to that we have some facilities, like the facilities at Yetta Dhinnakkal in Brewarrina, which is an Aboriginal-focused facility. The people in that program are all involved in training—workplace training and cultural programs—so that is a very location-specific program.

Generally, however, and as I said, we also have an allocation of TAFE hours. The condition of those TAFE hours is that those hours are available only for Aboriginal people, so we use those TAFE hours on an Aboriginal population only. That could be in perhaps different correctional centres, centre by centre.

Dr JOHN KAYE: In the case of programs like Nangy Kungar, which is clearly very successful, what are the barriers to replicating that at other prisons?

Mr GRANT: There is no barrier other than the fact that at the moment there is a legislative impediment, really, to including offenders as trainees that we are working through. In the State Plan we have identified that as a target to increase the number of trainees around the State. I cannot remember the number but I should know it. It is something like 500. Currently we have about 100-and-something people on traineeships. So in the next couple of years we are expanding. It is a clear intention.

There is a slight legislative impediment because the legislation requires a person who is under a traineeship arrangement to be an employee. There are definitional problems with offenders. Are they employees? We are not paying them award wages and so on. They are actually in a very different environment. Are we an employer when we employ people?

We have found a way to work around that. We have had a very successful pilot running with an incredibly high completion rate. It is about twice the rate of completion as outside the correctional system, so we are very proud of the traineeships and that is why the question you ask is very valid. We are expanding on it. We have a commitment from the Department of Education and Training [DET] to work with us to expand on that program, and we will have multiple times the number of people in traineeships in the next five years.

Dr JOHN KAYE: That is excellent, actually, and is something we should talk more about later on. In the education and training programs, how do you measure their successfulness? What are your measures?

Mr GRANT: All of our programs fit into the Australian Quality Training Framework [AQTF], so there are standard competencies that are equivalent to cross programs for people—

Dr JOHN KAYE: I am sorry, but that was not the question I was asking you. I understand the Australian Quality Training Framework, but what I was more interested in is asking how you measure the transformational value in terms of what happens to the inmates once they are out of prison.

Mr GRANT: Right, yes.

Dr JOHN KAYE: Do you track them and understand whether your programs are getting them into employment and reducing their recidivism rates?

Mr GRANT: We have not done that so far. That is something that we would like to do but we have not done. There are problems in tracking people who are no longer under an order. When someone is under one of our orders, if they are on parole, for instance, we can know where they live and we can know details about them. Once an order has expired, however, we are not in a position necessarily to assume that the person has any reason to tell us what they are doing and whether they have successfully gained employment.

Dr JOHN KAYE: Sure.

Mr GRANT: However, there have been some studies, one of them being done in Queensland and the other one being done in Victoria, which have looked in detail at the issues of providing vocational training and also at linking people through job networks to employment. There is a really serious problem for people coming out of custody in terms of the stigma of having a criminal record and gaining employment. So while there has been significant investment in the number of locations in Australia and elsewhere, it is not as easy as it seems, and the rate of success of retention in employment is actually relatively low. You can make a significant improvement, but you do not get 80 per cent. I think you would be probably lucky if you get 20 per cent of people employed 13 weeks into the program, which is one of the standard measures that the Department of Employment and Workplace Relations [DEWR] uses.

Dr JOHN KAYE: I have two more questions, but I can just do one more that I will put to two people.

The Hon. TREVOR KHAN: This is very interesting.

Dr JOHN KAYE: Did you want to comment?

Mr NEWMAN: I would just add to what Luke was saying. Some of the things that we are actually doing while people are still in custody is putting in place mainly what we call our through-care strategy or our through-care framework. Even though we may not be able to do a lot with them, while people are still in custody, some things that we are doing for Aboriginal offenders are that we pay for birth certificates for Aboriginal offenders while they are in custody. A big issue of being out of custody is, you know, getting enough points to open up a bank account and so on.

Dr JOHN KAYE: I know the feeling.

Mr NEWMAN: So Aboriginal offenders have a birth certificate. We have got an arrangement with Medicare to get a Medicare card to the people who are getting out. We are doing a lot of work with getting the New South Wales Department of Housing to have a look at ex-offender accommodation. So, as part of our case management process, we are trying to put in all the support measures so that, hopefully as part of the Aboriginal planning processes, people have those things in place. We are also involving families so that when people exit custody, a lot of those things are already in place for them so it reduces stress levels and anxiety levels. Hopefully it will reduce the likelihood of reoffending. They are some of the things we are doing there.

CHAIR: Paul, you did not mention employment.

Mr NEWMAN: As part of that, we are also, in a number of correctional centres across the State, running expos. We have a number of service providers coming into their centres, including job network agencies and other allied services. So the offenders have an opportunity, as part of the case management process, to link up with post-release—

CHAIR: Post-release assessment, as to what happens to that person in the first few weeks of release. Is there any exit polling? That is a terrible term. Is there any assessment of how the person is getting on in those first few weeks after release?

Mr GRANT: As I mentioned, for people who are under our orders, we can actually monitor them: it is more difficult to do otherwise. We have a couple of more concentrated trials underway, one of them with WISE Employment and another one with Wesley Employment. They are being evaluated to see their success. We are evaluating on a small scale but not necessarily beyond that.

Dr JOHN KAYE: I want to ask both you and Ms Mason at the same time a question on drug rehabilitation programs. What percentage of Aboriginal inmates has access to drug rehabilitation programs? What is your sense of how successful those programs are?

Ms MASON: We would probably have to take a little bit of that on notice. We do, in all our centres, have drug and alcohol counsellors and we have psychologists. As you may appreciate, we work with Justice Health, which is a significant service provider in our centres as well. In terms of ultimate success, I think, as Mr Muir said earlier, it is the case that the detainees have frequent records of relapse and come back into custody, depending on what their drug addiction is, of course. They tend to be multi-drug users or drug users of convenience with alcohol. I am not sure if you were here before?

Dr JOHN KAYE: I was, yes.

Ms MASON: With alcohol being the major or, I would say, the overwhelming cause of their involvement in crime in many cases.

Dr JOHN KAYE: We are running short of time. I wonder if you could provide your answer on notice.

Ms MASON: Sure.

Dr JOHN KAYE: If I could also ask you to give us an answer on notice.

Mr GRANT: Yes.

The Hon. GREG DONNELLY: This is a general question. In terms of understanding and appreciating the success of programs in other States and Territories. I think, Mr Thomas, you referred to a program in Queensland a little bit earlier and you said that has some application in New South Wales. But more broadly speaking, is it the Council of Australian Governments [COAG] process that is basically used to identify and, I guess, share the success of programs in others States and Territories between those States and Territories?

Mr THOMAS: There is a group called the National Criminal Justice CEOs that meets a few times the year. Under that there is a forum in which people come together and share information around particularly court-based programs that are operating around the country, both on what is effective and also, just as importantly I think, what has not been effective and what has not worked.

The Hon. GREG DONNELLY: Specifically for indigenous matters, or more broadly speaking?

Mr THOMAS: Specifically for indigenous matters.

The Hon. GREG DONNELLY: I am just trying to get a sense of whether in fact there is good sharing going on between the States and Territories about what is working and what is perhaps not working. Do you believe that more could be done in terms of better sharing between the States and Territories of their respective programs and perhaps investment of more times when that sharing can take place?

Mr THOMAS: In terms of our particular field, the sharing in a formal sense has only been happening for the last 18 months, I suppose, in a formal way. As part of that we have established a web-based clearinghouse where people can post information and where there discussion forums and that sort of thing. The challenge I think in sharing information across jurisdictions is that sharing success is quite easy, but with sharing information about things that are not as successful, the information does not necessarily come as readily, and people are—

The Hon. GREG DONNELLY: A bit reticent?

Mr THOMAS: Yes.

The Hon. GREG DONNELLY: Sure.

Mr THOMAS: But sometimes you can learn more from that than you can from a successful program.

The Hon. GREG DONNELLY: Yes.

The Hon. TREVOR KHAN: We have not heard anything about failures in programs so far.

CHAIR: That is a very interesting point. There does not seem to be any failures.

The Hon. GREG DONNELLY: That leads me to my next question, which I guess is a bit of a challenge of this Committee. In the whole-of-government submission that we have received from the Minister for Aboriginal Affairs, specifically chapter 2.7 deals with incarceration in the criminal justice system. Within that there is detail of a number of programs. It is very useful in terms of giving us insights and then those programs may be custodial programs or community-based programs or, indeed, other initiatives.

I guess the challenge for us as a Committee is to somehow try to understand whether there is any capacity to rank some of these successes and judge some of these successes as something that we should be recommending back to Government and as something to which a greater focus should be given in going forward into the future. At the moment, there is a range here. They are interesting and you have been able to provide some additional information for us today to back that up. But in terms of, I guess, identifying which ones are more successful than others, it is very hard to do, just reading it in black and white. Would you care to comment on that?

Mr THOMAS: Yes, sure. We did some work a couple of years ago, looking at Aboriginal crime prevention and intervention programs. We looked at quite a number across the country and developed measures, essentially, of factors that make a program more likely to be successful in an Aboriginal community and those that make it less likely to be successful. I am happy to provide that to you as well.

CHAIR: Yes, please.

The Hon. GREG DONNELLY: That would provide a matrix.

Mr THOMAS: It did rate some of them. But for a lot of them, the evidence from programs around the country was not strong one way or the other and there had not been proper or rigorous evaluations done and so on. You might get some anecdotal information that says this is effective, but you do not really always have the evidence to back it up.

The Hon. MICHAEL VEITCH: This is a really basic question. I am trying to get my head around, both in relation to Juvenile Justice and the adult population, what they walk out the gate with, physically on them?

The Hon. TREVOR KHAN: An old suit, old clothes.

The Hon. MICHAEL VEITCH: Are they provided with anything? I am leading to the post-release stuff. I just want to know what they actually walk out the door or out the gate with. Juvenile Justice?

Ms MASON: I would say that they pretty much walk out with what they came in with. They would probably have toothbrushes that we gave them.

Mr MUIR: There would be various acquisitions, and various things that they have achieved in school.

Ms MASON: Their school certificates, as well as a lot of craftwork and things that they have made. In a sense, the Department of Education and Training delivers our major program in the schools. They often come out with their medication, as well as a lot of certificates or qualifications they might have gotten in the course of their education, and very often handicrafts and so on that they have made. Is that what you are asking?

The Hon. MICHAEL VEITCH: Yes. I want to know what people walk out the door with. There seems to be a little bit of a gap between what I walk out of the gate with and accessing the post-release programs we have been discussing here. Do I have money in my pocket to get a taxi, do I have food—

Mr GRANT: In the adult population, we have adopted an approach where we start planning for release six months prior to exit. It is an individualised exit planning strategy. Each offender has a book and it gives them an indication of various points leading up to the date of their release and what they need to do. One of the very important elements of correctional work is to get them to take responsibility for their own behaviour and actions. So it is not our intention to provide people with a fabulous little kit; we put the responsibility back on the person, with some assistance, to put in place the things they need to support their transition. That does include building identification, and there are problems with that. As Paul mentioned, there are issues in terms of accessing birth certificates. We have done lots of work on that issue to try to make that easier, for example with Medicare cards and other things that might contribute to someone's identification.

We hopefully give people some basic trade or other qualifications that might make them more employable. We have what we call the work readiness framework. For every person who is employed as a high-risk of reoffending in one of our industries, we have something which is like a reference that says "CSI" and it provides a map of all the attributes that the person has demonstrated and acquired that relate specifically to employment on release. It is a reasonably new development going on over the last four years.

When people work in custody—as I mentioned, the majority of people in custody work; I think about 80 per cent of the employable population are employed in custody—they get paid. The average pay is something like \$36 a week. When in custody they have the opportunity to pay for their requirements, including telephone calls and other extra things. We provide everything that is essential, but if people want to go beyond that there are a limited number of things that people can purchase themselves. A significant number of people accrue some money during the time they work. In some jobs they can earn more money, and there is a productivity allowance and so on associated with that. People can leave jail with a certain amount of money, which is handed over to them, and definitely they have more money than they came in with. But the clothes that they came in with, that is another situation. Also, ideally, there is a plan for what they are going to do when they come out of custody. So all of those things are put in place.

The Hon. MICHAEL VEITCH: It is an integrated case management model?

Mr GRANT: Yes.

Ms MASON: That is our situation as well: that they have had dealings throughout with the juvenile justice officer who is back in the community, who is dealing with them and involving their plan for settlement back in the community in terms of their accommodation and so on.

Mr GRANT: Having said that, a lot of people have expectations about how they are going to live when they are released from custody, and their expectations are often not met. In terms of the support people imagine they are going to get from their families and the community in general, we base our support on what they are expecting themselves. Often those supports fall away. A paper that Eileen Baldry did three or four years ago which looked at post-release integration of people found very bad outcomes in terms of accommodation. Some would think they were going to go to a particular environment and that environment would not materialise, or they alienated themselves from

the people they were going to live with within a very short period of time. So there are still high levels of homelessness.

One of the strategies we are putting in place now is to create a transitional accommodation program that we have not had up until this time. We have had two accessible transitional centres for women, one at Parramatta and one specifically for Aboriginal people with drug and alcohol programs. Now the commissioner has made a commitment, which was included in the State Plan, to provide 500 beds of transitional supported accommodation in which we actually provide service and supervision. That is an incredible increase on what is available to people now. At the moment a lot of people could be homeless or in boarding houses and in difficult circumstances. Adding to this, which is more a preventative strategy, we are making this accommodation available to people on community-based orders.

If someone is on a supervised bond and their situation starts to deteriorate and their life becomes more chaotic, currently it is likely that that person will be brought back before the court and have their order revoked. What they are trying to do with this program, which we call the community offenders support program, is to provide opportunities for those people as well. The parole officer can direct someone under parole or under a supervised order to reside in that location, giving people life skills. We have psychologists attached to the centres. At the moment we have renovated some of the facilities in Camperdown. We have one adjacent to the Long Bay complex, we have accommodation in Emu Plains, and we are looking at expanding at a number of locations around the State, particularly pending the demise of the periodic detention program.

CHAIR: Thank you for your attendance this afternoon. We will no doubt call upon you again for your assistance. As you know, the Committee will hand down an interim report in June and a final report in December, so there is plenty of time for us to ask you for more assistance. Would you please provide your answers to questions on notice within 35 days.

(The witnesses withdrew)

(Short adjournment)

ANDREW SCIPIONE, Commissioner, New South Wales Police Force,

RODNEY SMITH, Commander, Policy and Programs, New South Wales Police Force, and

STEPHEN BRADSHAW, Assistant Commissioner, New South Wales Police Force, sworn and examined:

PETER LALOR, Manager, Aboriginal Coordination Team, New South Wales Police Force, affirmed and examined:

CHAIR: Commissioner, do you wish to make opening comments?

Mr SCIPIONE: The New South Wales Police Force welcomes this opportunity to make a contribution to the inquiry into closing the gap and overcoming indigenous disadvantage that the Standing Committee is conducting here today. The Police Force made a submission to the Committee in December 2007, which articulated the measures we are taking to manage Aboriginal policy, to divert Aboriginal people from the criminal justice system and to develop collaborative partnerships with Aboriginal people. That written submission was accompanied by a copy of the New South Wales Police Force Aboriginal Strategic Direction 2007-2011 ASD document, which is my organisation's principal policy and action plan for its involvement with Aboriginal people. Today I wish to table an updated submission to the Standing Committee that provides further detail of the New South Wales Police Force's Aboriginal policy and programs. I understand that has been handed up.

CHAIR: That is correct.

Mr SCIPIONE: Accompanying it is a copy, I think, of the Aboriginal Strategic Direction folder, which sets out in some detail the programs and the ASD document that I have referred to. As we meet today on the traditional lands of the Gadigal people and, in particular, a day before the proposed apology to Aboriginal people by the Commonwealth Government, it is important to note at the outset that the discrepancy in the life expectancy between indigenous and non-indigenous Australians is a serious concern for all Australians. It is a concern for all of us who are personally and professionally dedicated to fairness and equality. But it is of far greater concern to indigenous people and communities themselves who are prematurely deprived of the opportunity and rewards of being with friends and family. The early mortality of our indigenous people is attributable to a number of causes, direct and indirect. These are well documented and no doubt will be discussed by others responding to this inquiry.

With regard to Aboriginal deaths in custody, I am pleased to say that for indigenous deaths in police operations none was recorded for 2006. Furthermore, the New South Wales Police Force has implemented all 82 recommendations from the Royal Commission into Aboriginal Deaths in Custody that are directly relevant to police. Policing's effect on the life expectancy of indigenous people is largely indirect. This is in no way to deny its importance. Indeed, I accept that New South Wales Police Force corporate policy and procedures and local policing initiatives in indigenous communities can affect the disadvantage that is directly responsible for the difference in life expectancy. The potential of police to affect disadvantage has been recognised in the New South Wales Police Force's Aboriginal Strategic Direction document, which is the product of extensive consultation with Aboriginal communities. In the document, a copy of which you have, you will learn of the various measures the New South Wales Police Force has taken to manage Aboriginal issues. They are listed under the seven key objectives in your papers there.

Before taking your questions I would briefly like to turn to one of those objectives, which responds to a problem very relevant to this Standing Committee's deliberations. I speak of the problem of violence in Aboriginal families. Family violence is prevalent and damaging. Its physical consequences to individual victims are great, but often not as great or as enduring as the emotional and psychological harm that affects and afflicts families and, indeed, whole communities. This is especially the case when the violence is directed towards children. Family violence in Aboriginal communities is associated with alienation, depression, alcoholism, economic disadvantage, disempowerment and social fragmentation. It also has been shown to fuel a cycle of abuse that is

intergenerational. These conditions in their turn have a profound effect on life expectancy. Family violence in Aboriginal communities is a challenging area of work, and not just for police.

Reducing the extent of the severity of violent crime within immediate and extended Aboriginal families requires partnerships between government agencies and communities. It requires resources. It also requires innovative thinking. Daunting as that task is, positive steps are being taken. The New South Wales Police Force is implementing the recommendations from the interagency plan to tackle child sexual assault in Aboriginal communities. This is a holistic and coordinated whole-of-government five-year plan tackling Aboriginal disadvantage. The Police Force has employed a full-time Aboriginal family violence officer to lead the development, implementation, monitoring and review of programs. One aspect of this officer's work is, in conjunction with local area command Aboriginal consultative committees, to develop community resource material on family violence, including sexual assault. This is critical work if Aboriginal community reluctance to report family violence is to be overcome. The work of the two New South Wales police officers who have formally been seconded to the Australian Crime Commission's National Indigenous Intelligence Task Force until 2008 is supplementing this work. These officers are visiting Aboriginal communities across Australia and they are gathering information to report on the extent of certain crimes, including child sexual assault, as well as the type of barriers to reporting these crimes.

All of our joint investigation response teams, or JIRT officers as they are known, are in the process of undergoing Aboriginal cultural awareness training. Some, where required, will also complete local cultural awareness training that is run by local Aboriginal communities. Also, recent joint agency reviews have identified ways of improving investigations of child abuse, particularly in Aboriginal communities. The recommendations of the review are currently being implemented. Let me conclude by saying that crime is a direct effect of disadvantage, the very same disadvantage that for Aboriginal people acts to abbreviate, I would suggest, their life expectancy. We as a Police Force are mindful of our responsibility not to contribute to the disadvantage and, wherever possible, to seek to reduce it. Whilst our first and most important obligation is to uphold the law, we are ever mindful of the need to ensure that our actions are culturally appropriate and sensitive to the circumstances of our Aboriginal people. That concludes my presentation, Mr Chair, particularly in terms of an opening address. As I say, I would draw your attention to the papers that have been handed up. I thank you for the opportunity to make that statement.

CHAIR: Thank you, Commissioner.

The Hon. MICHAEL VEITCH: I have started reading the submission you have tabled. There is a mention of the Aboriginal community liaison officers [ACLOs]. How many of those are employed across the State and whereabouts are they?

Mr SCIPIONE: I am happy to hand over. We have with us Peter Lalor who looks after the program we run with regards to our Aboriginal Strategic Direction [ASD]. Short of being able to go to the papers, I think we have 56. Perhaps Peter might like to talk about our ACLO program, how many we have, how we use them and where they are located. We have 56 ACLOs across the State.

Mr LALOR: There are 56 located across the State. It is important to note that the ACLO program has been in operation for 22 years. Historically, the organisation looked at areas of need based on data and statistics. Earlier it was essentially based on population. They were brought on board initially to open lines of communication between the Aboriginal people and police. Their first role was about breaking down the barriers, opening the doors, getting police and Aboriginal people to meet in an informal sense and bringing their issues to the fore.

In the development of the program they have taken on a broader role where they participate now in some local program development. They are actively involved in the local cultural awareness training program. They have taken on a broader role of managing. Particularly under strategic direction there are a number of strategies they will be actively involved in at the local level. They will have a level of responsibility to ensure some of those strategies are being addressed, bearing in mind that they are part of a management team, the crime management unit, and the crime manager essentially tasks them in their duties. They have specific responsibilities within the ASD. They attend interagency meetings. They are part of the local crime prevention initiatives where they would have a role in establishing and facilitating crime prevention initiatives. They are the broader terms of their

work. Their locations, we have 80 local area commands and they are located in 26 of those commands right across New South Wales in all of our regions.

Mr SCIPIONE: There is a folder in your pack that deals with the role of the ACLO and sets out every location. That is there for you—the purpose of the position and the reason they came into being.

The Hon. MICHAEL VEITCH: Does the New South Wales Police Department have an Aboriginal employment strategy?

Mr SCIPIONE: It certainly does.

Mr LALOR: Our current policy is being reviewed. It has expired, and we have an estimated date for that to be circulated within the organisation for comment in March this year. In lieu of that we do have a SCEP contract, which has been ongoing for the past two years. So, while our strategy is being reviewed we can say that in the past two years through our SCEP contract we had a contract to employ 30 Aboriginal people in the organisation. We have exceeded that mark and employed 37. Under that contract we have employed 27 officers as police officers and 10 as administrative officers and we are currently also in negotiation to renew that contract.

The Hon. MICHAEL VEITCH: Today we have heard from a range of government departments about successful programs or initiatives they have put in place. I guess I want to reverse that, after hearing about all the successes. Can you tell us of any programs you ran that did not work, that you would not recommend that we replicate anywhere else?

Mr SCIPIONE: None come to mind. I was hoping you were going to say give me an example of one, and this is one that in meeting with the team today came to my attention as recently as Sunday. On Sunday just gone I travelled to Goulburn, and we had what they call a college open day when you invite the community to come and have a look at what happens in the police college. It seems to hold tremendous intrigue for the general community to get a feel for what it is we do down there. In doing that I had the pleasure of addressing, we thought, about a 1,000-odd people and about 4,000 turned up. A number of groups came to that day and one I had the pleasure meeting and addressing was a group of young Aboriginal youths from year 11 in high schools in and around the Wollongong area. They told me about what they call operation Mura. It relates to an employment strategy that is based around the school-based traineeship.

These eight young people were aspiring police officers. They were there with the PCYC. They were bussed in, had a walk through the academy and then had a chance to talk with students, probationary constables and a range of people. They had a chance to speak with the commissioner. When I looked at the program, it is part of the ongoing Aboriginal employment strategy but it was one whereby these people are attached to the police station at Lake Illawarra for one day per week. They are paid. They are paid as part of the ongoing traineeship. It is a partnership between the local technical and further education college and the local police, Department of Education and Training and Warrigal Employment, which is managing that sort of employment arrangement in that south part of the State.

The interesting thing is that they will stay with us as part of this program from this point forward through until they ultimately, we hope, will qualify and become full members of the New South Wales Police Force and go into that Goulburn college to undergo training to come out as sworn officers in New South Wales. This is a first. It is a part of our Aboriginal strategic direction document and is a key objective for us to increase the number of sworn Aboriginal officers. It is something that particularly caught my attention, for as recently as I think in the past two or three weeks I have had a chance to meet with the director general of the Department of Aboriginal Affairs with a view to looking at how we can increase the number of sworn officers within the New South Wales Police Force. So this was very encouraging—100 days paid employment for these young people will take them through to the point where they are old enough to join us.

All things being considered, I think that is fantastic. It is the sort of thing we would encourage and would want to see happen right across the State. Notwithstanding some of the difficulties we will encounter, I am sure it is a chance for us to get young people before they get to the

point where they may make a silly decision and rule themselves out forever from joining us because they have a criminal record. If they do it now they do it in the full knowledge that it will preclude them from going forward and becoming a police officer. For these young people, I would say, pursuing the dream of their lives of becoming a police officer is something they have talked about for so many years and I think it is a really good example of the type of work that is happening right around the State. I did not know about it until I got down there but I was encouraged to hear it.

CHAIR: Is there a target of numbers?

Mr SCIPIONE: Yes, there is. I think it is 2 per cent of the workforce. We are currently in excess of that.

Dr JOHN KAYE: Is it 2 per cent of the workforce or 2 per cent of sworn officers?

Mr SCIPIONE: I think it is workforce.

Dr JOHN KAYE: What is it in sworn officers?

Mr SCIPIONE: We do not delineate necessarily between sworn and unsworn because so many of our unsworn officers these days conduct business that we would see as front line—all of our scenes of crimes officers, hundreds of them, our forensic people who are out there at crime scenes. Our ACLOs are not included in there. Our numbers of sworn officers are still pretty good, I think about 215 currently, and in terms of increasing numbers that is significant. We were working at targets I think that lifted us over the past 10 years from about 1.5 per cent to about 2.1 per cent of our workforce at the moment. That is not good enough. My view is that we need to increase that even more, and that is why we are concentrating on this as part of the strategic directions plan, to increase that significantly.

The Hon. GREG DONNELLY: In the submission handed out today, page 6 is the section that deals with the matters already touched on, family violence and sexual assault. On pages 6 and 7 there are a series of dot points that lead one to understand that it is an integrated and detailed approach that is being taken to deal with these difficult matters. For us reading through the dot points and coming to the conclusion, are we able to identify any particular aspect that in your judgment we should be looking at as recommendations to be enhanced or resources devoted to or something that should be considered in a bit more detail, or is it just that there is a range of things and trying this range of things will be the practice going into the future and we just have to wait and see?

Mr SCIPIONE: I think there is a combination of both. I will hand over to Rod Smith who is responsible for these programs particularly in his current role. But I will just make a couple of statements, if I can. First and foremost, we brought on an Aboriginal family violence officer. That officer has only been with us since September of last year. I think the work that will happen as a result of her employment will be significant and we would expect to see results so, yes, into the future we should see the benefit of that. The other thing I am going to continue to do is to work through the opportunity of increasing the number of ACLOs but particularly female ACLOs. I see that as being very important. There is a project underway, and I have been briefed today that some funding is coming from the Federal Government based on a commitment we have had for some time. We would welcome that funding commitment so we can employ a number of women to put into ACLO positions, and certainly we would expect to see that make a particular difference when it comes to establishing this integrated approach to managing Aboriginal family violence.

Mr SMITH: You talked about the fact that it seems to be a holistic or integrated approach. That is really what we are taking rather than having a piecemeal approach, which is what happened in the past. We have taken a number of steps to have a broader coverage of domestic violence—specifically what we know about domestic violence, how we manage domestic violence and what we do to work better from our end, the pointy end, the criminal justice end, but also from the other end, which is the victim support end of domestic violence. We have done a number of things. We have increased the number of people in my programs area who are working on domestic violence. From one programs officer I now have a team of eight, which includes the two people who are doing what is called the domestic violence intervention court model, which runs out of Campbelltown Local Court and Wagga Wagga Local Court, so it covers the commands of Wagga Wagga, Campbelltown and

Macquarie Fields, and both courts have a large number of indigenous people going through for domestic and family violence, just because of their location.

In addition to that, we are just about to take on, as part of Government's commitment in the rearrangement of the violence against women strategy, an additional nine unsworn people who will be responsible for managing on a regional basis how we integrate that sharp pointy end of criminal justice with support for victims and the programs that we put people into and the managing of the services that are provided in communities and funded by other agencies like the Department of Community Services and Attorney General's and others who put money into domestic violence and support services for victims of domestic violence, and how do we get people from our part of it into that part and how do we manage the transition? So, we have nine, six of which will be in regional New South Wales—two in what we call our north region, going from Gosford to Tweed Heads, two will be in western region which goes as far as Broken Hill, two will be in the southern region which goes all the way down to Albury, and the other three will be in our city region.

We are not going for that piecemeal approach. We are going for an integrated approach. They will all operate back through me. I have taken on the role of corporate spokesperson for domestic violence so the whole thing will be managed through me and through my area so we will now have eight people sitting there. We have nine people sitting out in our regions. We have an Aboriginal family violence worker who will coordinate and work in with them as well and in addition to that we have 80 local area commands and more than 100 domestic violence liaison officers. We have crime management units, so it is a holistic and integrated approach. We have the other side of it. We have JIRT and a whole range of other things looking at the child sexual assault issues.

The Hon. TREVOR KHAN: On page 7 of the submission delivered today you refer to the JIRT officers undergoing cultural awareness training. Where are you up to with those JIRT teams undergoing that training?

Mr SCIPIONE: Other than my knowledge that they have started I could not tell you exactly what the numbers were. I can take that notice and make sure it comes back. But certainly at this stage, having spoken to Helen Begg recently, who is the commander of our sex crimes squad, I know Helen has been trying to get as many of these JIRT officers through as quickly as we possibly can. I will take that on notice and make sure it comes back.

The Hon. TREVOR KHAN: It may reflect my experience in regional courts but my experience generally has been in terms of victims, or as I would describe them, alleged victims, that the number who are Aboriginal is relatively low—this is children in sexual assault matters. Is that perception of mine correct? In a percentage sense are the number of victims of sexual assaults or reporting sexual assaults in line with population figures?

Mr SCIPIONE: I will defer to the region commander for two reasons: one, the region commander is the corporate spokesperson when it comes to Aboriginal matters; and certainly anecdotally the advice that I am getting is that, no, in fact what we are seeing is a massive underreporting.

The Hon. TREVOR KHAN: That is what I expect.

Mr SCIPIONE: That is the advice that I am receiving and I would say it is consistent. But perhaps to get an on-the-ground perspective Assistant Commissioner Bradshaw might have a view.

Mr BRADSHAW: The Commissioner is correct: the underreporting is a significant problem. When you do some comparisons of reporting across various Aboriginal communities, which we have done in the western region, it is obvious that communities that have significant work done on a multi-agency basis to encourage reporting have a higher reporting rate than those that do not. Underreporting is a very real problem. But certainly in the western Aboriginal communities the Aboriginal population often makes up 80 per cent of the whole population so the figures for reporting can be a little bit skewed on that basis.

The Hon. TREVOR KHAN: Do I take it that you have some statistical base that would enable you to provide this Committee with information as to the number of reports, including the number of reports of child sexual assault, as they relate to the indigenous community?

Mr SCIPIONE: Certainly we have those figures, yes. We can provide them to the Committee.

The Hon. TREVOR KHAN: Do I take it from what has been said that there is a trend for there to be a greater level of reporting of child sexual assault amongst members of the Aboriginal community where you have worked on it.

Mr SCIPIONE: Could you please repeat that?

The Hon. TREVOR KHAN: I am probably putting it badly. Do I take it that if one looks at those figures over a period of time they will show a gradual increase in the number of reports and the percentage number of reports relating to Aboriginal children?

Mr SCIPIONE: I would not like to make an assumption. I think perhaps once I get the figures I can answer that question. But we can make those figures available. I think it is well documented that we have some issues, particularly the underreporting—and very late reporting is another issue because sometimes matters are reported to us but they are years after the event. That in itself is an issue as well. Perhaps we can give an undertaking to provide those figures to the Committee.

The Hon. TREVOR KHAN: With regard to the late reporting, is it the case that some of the late reporting that is now being disclosed consists of reports made by males in the context of assessments done as part of the sentencing process when they have been charged with sexual assault?

Mr SCIPIONE: I have no evidence to suggest that is the case. Perhaps if there is an increase it may also be that we have got Aboriginal victims who are more comfortable with reporting crimes.

The Hon. TREVOR KHAN: I have no doubt about that.

Mr SCIPIONE: There could be some substance in what you are saying, Mr Khan, but at this stage without that knowledge of what the facts really are I would hate to mislead the Committee. So I would like to take that question on notice also.

The Hon. TREVOR KHAN: I would hate you to do that as well. We will move on to another area and you will do the research. I will deal with a couple of small points. On page 5 of the submission that has been produced today you make reference to the Giyalli initiative. I suspect that this question may be referred to Assistant Commissioner Bradshaw again. Does that initiative relate to certain specific areas in the north-west of the State?

Mr SCIPIONE: We have talked about this. Perhaps Peter Lalor might be the most appropriate person to talk to you about the Giyalli initiative.

Mr LALOR: The Giyalli initiative was established in Castlereagh LAC, which is essentially in Walgett and the surrounding areas. It was a joint-funded partnership between, from memory, DOCS and Health as well as New South Wales Police. I am sure that DOCS was one of the players but I am not sure about Health. It was a local initiative to try to divert Aboriginal youth from the criminal justice system and to recognise Aboriginal youth who were not problem youth—those who were going to school and doing all the right things. The initiative was about rewarding people who had done the right thing.

The Giyalli initiative ran as a program for essentially two or three years. It is no longer funded. It did have a level of success, where a number of children or young people were taken away on reward trips around the State and to talk to positive role models in other government and Federal Government organisations. It was a local initiative. One of our other LACs was looking at taking it. That is Oxley, which is based in Tamworth. Overall, it was a successful program. It is currently not funded but it did commence in the Walgett area.

The Hon. TREVOR KHAN: The only reason I asked about it is because certain institutions—I know of one leagues club—were approached for funding, which, to my understanding, was provided. I thought \$10,000 was provided for the program. I had the feeling that they were wondering what had happened with regard to the program. I said that because the issue was raised with me on the weekend. It is finished. Is that correct?

Mr LALOR: My understanding is that it is finished. It is currently not funded.

The Hon. TREVOR KHAN: Turning to another issue, also on page 5 you refer to the criminal infringement notices program, if we can describe it like that. An article recently appeared in, I think, the *Daily Telegraph*—so we will accept all it said—dealing with the level of non-payment of the infringement notices issued. I think it said that was in the order of a third. Do you recollect that article?

Mr SCIPIONE: I am not sure what article you are actually referring to because there were so many different, separate reports with regard to CINS—as we call them. I could not tell you about that specific article, no. But certainly I know that there were some articles that talked not only about the criminal infringement notice system but the road infringement system—there is a range of others.

The Hon. TREVOR KHAN: Let us concentrate on the criminal infringement notices. Is it the case that about a third of the notices issued remains unpaid?

Mr SCIPIONE: I will have to take that question on notice. I do not have that information before me. But it is certainly something that I am sure we can provide.

The Hon. TREVOR KHAN: With regard to the application of this program—if I can call it that—across the State, what directives are in place to ensure that the notices are issued consistently across LACs?

Mr SCIPIONE: It is a very strong guidance document set out in policy that determines when they can be used and when they cannot be used. For instance, if you are talking about Aboriginal youth the criminal infringement notice system does not apply to juveniles. Therefore, you are not going to get juveniles issued with a criminal infringement notice.

The Hon. TREVOR KHAN: Commissioner, I do not think I referred to youth. I do understand that.

Mr SCIPIONE: You cannot issue a criminal infringement notice to inebriated or intoxicated people. So there is very strong guidance out there when people can be issued with them. It is only for specific offences and there is guidance as to when you cannot issue them.

The Hon. TREVOR KHAN: Will you provide us with the policy document in regard to that?

Mr SCIPIONE: Absolutely, yes.

The Hon. TREVOR KHAN: Is there to be a monitoring process to determine how the program is rolled out over a period of time?

Mr SCIPIONE: Absolutely. Every criminal infringement notice that is issued will be the subject of recording and it is there forever to be used should a person come under notice again and consideration be given to issuing a criminal infringement notice. That is the sort of information that I demand and require to be maintained. It will not be a criminal history record but it will be a record that suggests that a person has had a notice issued and that is there for the police to draw on at the time they make any further inquiries about somebody.

The Hon. TREVOR KHAN: I will proceed to my final area of questioning because other Committee members also have questions. At least in my experience one of the common areas with Aboriginal youth and young Aboriginal adults is a series of complaints about how they have been

treated in police stations, as you would be well aware. Rightly or wrongly, that seems to be a common complaint. One of the issues that often arises is whether there is videotape or electronic video material of what has occurred in the police station and in the custody areas of the police station. In terms of your local area commands, are all police stations now covered by appropriate video equipment?

Mr SCIPIONE: I will take that question on notice. The vast majority are but I would hate to suggest that all are on the basis that there may well be some that we are currently in the process of upgrading—or, in fact, it may well be that we have some that may be inoperable at the moment. I am not aware of any. My understanding is that the program as it has been rolled out covered off our main stations because not every station is a charge station. Therefore, we would not necessarily have video in a station where people are not incarcerated or taken to be charged. Let me get those details. I will take the question on notice and provide you with the actual locations and the numbers.

The Hon. TREVOR KHAN: Finally, another video issue is the in-car video rollout. I understand that while it has been largely rolled out in highway patrol vehicles—or perhaps wholly rolled out—

Mr SCIPIONE: Correct.

The Hon. TREVOR KHAN: In terms of general duties vehicles it is much more limited in its rollout.

Mr SCIPIONE: That is correct, yes.

The Hon. TREVOR KHAN: Is it not the case that one of the benefits of having these video systems, including in general duties cars, is that it provides the opportunity in domestic violence circumstances, for example, to obtain appropriate evidence at the scene—outside the house, for instance?

Mr SCIPIONE: You are correct: the in-car video program is rolled out to every highway patrol car in New South Wales. So every highway car in New South Wales has it. But it is predominantly about engaging people in motor vehicle stops. Not every engagement with Aboriginal people, particularly in terms of domestic violence and the like, occurs within the coverage area of an in-car video system. When it comes to domestic violence—perhaps we can get Superintendent Smith to talk about that—we are now equipping our front-line first response officers with video cameras so that they can actually capture the behaviour of victim, offender and the scene. I might hand over to the superintendent.

Mr SMITH: As part of the domestic violence intervention court model program that has been rolled out at Wagga Wagga and Campbelltown, one of the things that those police officers were equipped with were video cameras and still cameras. As a result of the success of those in parts in terms of being able to capture evidence and to be able to get those sorts of things we have got now what we are calling the DVEK program, which is the domestic violence evidence kit program. It is being rolled out to every first response police vehicle in New South Wales. I think there is something like 685 sets or thereabouts of video cameras and still cameras, together with standard operating procedures and some guidelines about their use, and some training about how to use them, how to capture evidence, how to prepare that evidence or put that evidence into briefs of evidence and to get a better result for police in terms of investigation so it is a more fulsome investigation. That program presently is rolling out.

We are purchasing the equipment in a sequential way and it is being rolled out to every single car. The question about in-car video, as the commissioner said, really is about highway patrol vehicle stops. This will cover everything else. Whilst it is about domestic violence evidence kits, it is about everything evidence kits. It is not restricted to domestic violence. If they see a need, malicious damage or something else that they want to video tape or take some still pictures of, absolutely. That is what it is there for.

The Hon. MARIE FICARRA: Commissioner, the one Aboriginal family violence officer is a great scheme and you will evaluate that over time. Are there any ideas to roll it out even further? Is

it based on general family violence officers? Where did this position come from? What was it based on?

Mr SCIPIONE: The one officer, she has been great. Samantha Smith has been with us, as I have said, since September 2007 and she has really developed in the roll to the point where she actually is leading in this area now. Certainly her role is to implement, monitor and review policy and programs in the area. She is working closely with the child protection and sex crimes squad at the State Crime Command—Helen Begg's people—and with the Aboriginal communities through our LACAC arrangements, which are the local area command Aboriginal consultative committees. She is putting together and I think coming up with some really great community resource packages and materials on family violence. She is also involved in reviewing the standard operating procedures for police management of sexual assault, particularly in Aboriginal communities, just to ensure that the content is appropriate for our Aboriginal people because that is just so vital. So, her work is yet to be fully evaluated. I would personally like to see the number grow of those officers particularly doing the work that Samantha is doing, but again it would be appropriate for us to actually review what she has done, the success or otherwise I guess at this stage.

The Hon. MARIE FICARRA: You need to evaluate?

Mr SCIPIONE: But it is really working well for us.

The Hon. MARIE FICARRA: You mentioned the two police officers that are seconded to the Australian Crime Commission Intelligence Task Force. They are visiting indigenous communities gathering information on, in particular, sexual child assault. How forthcoming are the communities to actually dialogue with them, to come forward and bear all?

Mr SCIPIONE: I guess Rome was not built in a day and at this stage we have not seen outstanding results when it comes to engendering that sense of trust that I think is imperative if you are actually going to get people to come forward. Certainly I took part as a member of the board of the Australian Crime Commission in a national teleconference yesterday, which was talking through the results to date. Their attention has not necessarily been exclusively focused in New South Wales, although they are starting to move in. They have certainly focused on some other areas that we would say have been of greater prominence of late. We are encouraged by what we are seeing, but at the end of the day this is about getting results based on trust and that comes over time. The encouraging results need then to translate into useful information that we can act on, and that is going to be a difficult thing as well.

The Hon. MARIE FICARRA: Were these two officers trained to a higher level in terms of cultural awareness?

Mr SCIPIONE: They are very experienced investigators knowing what it is they need to get. It is not just a matter of getting intelligence; it is about getting information that can then go on and become evidence if you are going to do anything with it. Certainly one of the young ladies that is three is very experienced when it comes to looking at complaints, particularly those of a sexually based nature. They have been well selected to do the role.

The Hon. MARIE FICARRA: My final question, are the Aboriginal officers you have used as mentors or role models to go into communities and talk to indigenous youth about job opportunities and careers within the Police Force?

Mr SCIPIONE: They are and certainly that is of some use, as are ACLOs—they do a great job for us as well. I am not satisfied that we are doing enough in this area though, that is why I am committed to actually go in further than just relying on those we have. That is why I am so encouraged by some of the programs I am seeing that we talked about today. Yes, they do. Can we do more? I am not necessarily saying we need to burden those officers more. No. We need to look at a range of strategies to increase the numbers we have. Certainly I think we will then see more and more officers of Aboriginal descent coming into the force.

Dr JOHN KAYE: Apart from the officers involved in JIRT, what percentage of officers have some kind of cultural awareness training with respect to Aboriginal culture?

Mr SCIPIONE: Bearing in mind that we have some officers that have been with us for some 30 years, people like me would probably be seen as a dinosaur. I did not get any cultural awareness training when I joined the Police Force, but I can tell you now that certainly as people go through the college they are getting that sort of training. We would suggest that every recruit that comes in and goes through to become a police officer sworn in New South Wales would have some level of training.

Dr JOHN KAYE: So it is part of the curriculum at Goulburn, but what about in servicing? What about professional development of existing officers? Is it part of the package? I presume, I do not know, there is ongoing training of police officers?

Mr SCIPIONE: It is, absolutely.

Dr JOHN KAYE: Is it a compulsory component of that?

Mr SCIPIONE: Certainly there is ongoing training and that is a commitment we have with regards to a whole range of needs and requirements. The packages that are being put together, I am not sure if it is coming out of Rod's area, but let me just say this, there are some areas, particularly JIRT, but not just JIRT, where we are investing very heavily. Not that long ago I went to Moree where I sat with a whole range of local police and was made aware of the level of advice that they have been provided with regards to being culturally aware of the environment they are policing.

Dr JOHN KAYE: I think it is actually a really relevant issue. Can you get back to us with information on two things?

Mr SCIPIONE: Yes.

Dr JOHN KAYE: Firstly the amount of training that occurs, that is to say, what training in cultural awareness is compulsory for all officers in their ongoing professional development? Secondly, what percentage of officers has had no training in cultural awareness?

Mr SCIPIONE: We can certainly come back to you with that. Peter might have a position where he might be able to actually give us those percentages.

Mr LALOR: Not quite the percentage, unfortunately. I know that in education services our training provider has been rolling out cultural awareness. We have had a new Aboriginal lecture in education services for three years and we have really ramped up training. So in the last three years I think we have seen approximately 2000 additional officers receive their training—I would have to check that figure. The important thing to note is that we have a number of phased approaches now to cultural awareness training. We have what we call the corporate package, which is a standard package that all officers will receive and that is looking at the bigger picture policy issues that affect and impact on communities. All officers are expected to undertake that one-day corporate training.

We then have what we call the local Aboriginal cultural awareness training where officers at a particular Local Area Command will get Aboriginal cultural awareness training specific to that command, and that is talking about who are the actual people in this community in terms of clan or tribe, and what is the historical relationship between police and Aboriginal people in this community. We actively involve the Aboriginal community to participate in that training because the police coming to that command need to be aware of the local issues as well as the big picture. So we ask the people in the community to actually get involved in providing the training. You will see in our new policy that we are also looking at moving towards a model of competence-based training. So, as officers move through the ranks we are talking with our education services now about how we actually build into our sergeant's level, inspector's level, superintendent level actually attaining cultural awareness as part of their promotion. That is not about being more culturally aware. It is about how do you actually lead your officers and implement the actual policy on the ground from that perspective.

The other issue we are looking at at the moment is cultural awareness prior to transfer. Some of our local area commands do not have significant Aboriginal populations. If an officer moves to an

Aboriginal community or a local area command that does have a significant Aboriginal population, they would need to undertake that training before they moved to that local area command. That will be a phased approach because, as you can appreciate, we need to allow time for officers to be trained. We do not want to hold people back but we need to allow time for that phased approach to take place. Discussions are underway now that our new policies are in place and that education services will start to facilitate that process.

Mr SCIPIONE: We will come back to you with the information you seek. As I say, there is a cultural awareness program that is being rolled out, particularly to the officers that work in those areas, but it is far wider than that. There are mandatory training requirements, particularly as officers promote, but let me come back to you with the specific details.

CHAIR: The Committee appreciates your attendance today. Time is far too short: we have many questions to ask. An interim report will be prepared in June and a final report at the end of the year. In that time frame we will be calling on you for additional information in light of the obviously persisting unacceptable disadvantage to indigenous people and the need for us to come to grips with ways of trying to diminish that disadvantage. Your help is much needed.

(The witnesses withdrew)

CARMEN PARTER, Director Aboriginal Services, Department of Community Services, 4-6 Cavill Avenue, Ashfield,

MICHAEL COUTTS-TROTTER, Director General, Department of Education and Training, 35 Bridge Street, Sydney,

ROBYN McKERIHAN, General Manager Access and Equity, Department of Education and Training, 35 Bridge Street, Sydney, and

ELIZABETH MCGREGOR, Institute Director, TAFE NSW North Coast Institute, sworn and examined:

JOSÉE GRISARD, Deputy Director General Corporate Services, Department of Community Services, 4-6 Cavill Avenue, Ashfield,

ANNE-MAREE SABELLICO, Acting Executive Director Operations Development, Department of Community Services, 4-6 Cavill Avenue, Ashfield, and

MICHELE HALL, Relieving Director Aboriginal Education and Training, Department of Education and Training, 1 Oxford Street, Darlinghurst, affirmed and examined:

CHAIR: Perhaps the Director General, Department of Education and Training, and the Deputy Director General, Department of Community Services, would like to make a brief opening comment?

Mr COUTTS-TROTTER: I have a brief opening statement but I recognise that we have a short time available to us and that many questions of detail have been asked and answered in correspondence with the Committee. No-one who looks at the facts can say that education and training systems in New South Wales, or indeed in Australia, have properly served Aboriginal students. In New South Wales schools, on average—and I stress that it is an average—at year 3 Aboriginal children are 15 months behind all children in their learning, they are 16 months behind year 5, and on average they are nearly three years behind year 7. Unsurprisingly, Aboriginal retention to year 12 is less than half the State average, at 32 per cent.

The attendance rate of Aboriginal youngsters is below the State and regional averages for all students, and the rate of long suspensions—those between five and 20 days outside a mainstream school setting—is four times that of all students. That is the sobering reality in schooling, but in the past several years Aboriginal communities, in partnership with principals, teachers, school and other departmental staff, have made concerted efforts that are starting to show real progress. Look at the basic skills test results from last year. In literacy, the proportion of Aboriginal students in the upper bands of achievement at year 3 rose by 19 per cent. At year 5 the proportion in bands five and six, again the top bands of performance, was up 13 per cent. That was accompanied by a 15 per cent fall in the proportion of Aboriginal children in bands one and two at year 5. So we are starting to see some progress.

Aboriginal children and young people have been given more reasons to come to school and to stay at school. In many schools attendance is up and behaviour retention and academic performance are improving. Just one example, Mungindi Central School had 580 days of suspension in 2006, that is, with 80 students. Last year it was around 50. In TAFE NSW there has been a 25 per cent increase over the last five years in Aboriginal enrolments and in the past three years a 22 per cent increase in Aboriginal people studying at the level of certificate three and above. In the same five-year period the number of Aboriginal school students doing some study through TAFE has risen by more than 50 per cent and their completion rates are up 10 per cent.

So what does that suggest? You cannot talk about improving results for Aboriginal people without working through public schools and TAFE institutes because that is where 90 per cent of all Aboriginal students are doing their formal learning. Many Aboriginal people live in urban areas and it is very encouraging to us that the Commonwealth Government has recently recognised that its own policy focus needs to extend beyond remote communities in the north and west of Australia. We need

the Commonwealth's attention and continuing support in Campbelltown, Redfern and Nowra as much as we need it in Menindee and Bourke.

Success in Aboriginal education is not just a matter of money; it is how we do things, whether or not we take the time and expend the energy to create real partnerships with Aboriginal communities so that education and training is a shared venture and not something that is done to Aboriginal students. If the programs are well planned, and only if they are well planned, do they have the prospect of succeeding. That planning takes time and demands plenty of patience from everyone involved, including those who are observing the results. Good teaching is good teaching regardless of whether or not the student is Aboriginal. Great teachers concentrate on the individuals, on who they are, what they know and what they can do, and they build their teaching on that.

Really acknowledging and valuing Aboriginal students requires some knowledge of Aboriginal cultures and an appreciation of the history and perspectives of Aboriginal communities. We keep improving the capacities of our existing staff to do this but, in the longer term, the most effective response is to employ more Aboriginal staff in and in support of schools and TAFE colleges. Lastly, and most importantly, we have to be prepared to try new things, and therefore to risk failure to obtain the glittering prize—Aboriginal children consistently enjoying more choices, more work, more income, more health and more fulfilment than their parents were able to.

Ms GRISARD: I present the apologies of Dr Neil Shepherd for not being here today. He had pre-booked sick leave for today. Our areas of expertise are in the operations area and in the employment and training and equipping of Aboriginal staff in particular. Whilst we have some other information we may need to take a number of questions on notice and get back to you. The Department of Community Services is committed to tackling Aboriginal disadvantage in New South Wales. We are investing a great deal of time, effort and funding to protect vulnerable Aboriginal children. Sadly, Aboriginal children are significantly overrepresented in the child protection system.

At the moment about 20 per cent of reports to the Department of Community Services concern Aboriginal children and about 30 per cent of children in out-of-home care are Aboriginal. Clearly, that is a highly significant and appalling situation, given that they are about 3 per cent of the population. The other thing we know is that the numbers of children, because of the birth rate, is rising and we expect at the current rate that the children in primary schools will represent about 8 per cent in 2020. So you can expect that on current patterns the rate of reporting and of out-of-home care might increase. I have a few other statistics that I can go through if they are of interest to you.

CHAIR: Being mindful of the late hour are they statistics that you are able to tender to save time?

Ms GRISARD: Maybe I will not go there and I will table them. We are in the final year of a \$1.2 billion reform program. As part of that we have invested significant resources into early intervention, child protection and out-of-home care reform, including quite a number of Aboriginal specific projects. I guess our commitment to addressing the issue of Aboriginal disadvantage is reflected in the fact that the first of our 10 key priorities for this year's corporate plan is to strengthen and continue our commitment to indigenous clients, staff and communities. As an organisation we have taken it very seriously. It is also reflected in a document that we have produced—the Aboriginal Strategic Commitment—which outlines for all parts of the organisation the actions that are to be taken by the Department of Community Services.

So, broadly, over the five years what are we aiming to do as part of that strategic commitment? Department of Community Services funded Aboriginal and non-Aboriginal non-government organisations should have a significant increased capacity to deliver a range of early intervention and prevention services in partnership with the Department of Community Services that are responsive to the needs of Aboriginal children, their families and communities. Department of Community Services funded Aboriginal non-government organisations are supported to be fully functional, sustainable and based on good governance, in other words, encouraging and supporting Aboriginal organisations to provide services to Aboriginal families.

We are committed to delivering a good level of cultural support to Aboriginal children and young people in child protection and out-of-home care systems. We have details of this that we can

talk about afterwards, but this is just an overview. The Aboriginal and Torres Strait Islander child and young person placement principle, which is in the Children and Young Persons (Care and Protection) Act 1998, is applied consistently across the State, across all regions. Support, development and retention of Aboriginal staff are important priorities for us. We will talk more about that.

We have a research agenda in place that incorporates relevant Aboriginal-specific research initiatives. This is important because information and data about Aboriginal representation and the patterns is not necessarily as clear as it could be. So we have quite a focus on collecting data, conducting research and sponsoring research into Aboriginal children in the child protection system and out-of-home care. We are collecting Aboriginal-specific performance data in relation to our programs as well so that we can assess their effectiveness. We are committed to appropriately consider and be responsive to the needs of Aboriginal children, young people and their families and communities in all our administrative, managerial and casework practices.

All non-Aboriginal members of staff are to have access to a training program to improve their cultural awareness and to develop skills to enable them to work more effectively with Aboriginal children, young people and families. We are also committed to working across government with other agencies and across government levels on this because the Department of Community Services obviously cannot work alone. We need to work with our partners—education, health, police and so forth. I might leave it there and we will talk about specifics.

Dr JOHN KAYE: Michael, can you tender both the Aboriginal education review and the New South Wales Aboriginal Education and Training Strategy 2006-08 as evidence to this inquiry?

Mr COUTTS-TROTTER: Yes, we would be happy to do so.

Dr JOHN KAYE: I want those in there because they will be an important part of what we have to say on this. As I understand it, your document states:

Aboriginal student outcomes will match or better outcomes of the broader student population by 2012.

That was a document that I think you published in 2006, so we are two years into a six-year commitment.

Mr COUTTS-TROTTER: Yes.

Dr JOHN KAYE: You could not say that we were travelling well in reaching that goal, could you?

Mr COUTTS-TROTTER: It is also a State Plan target. It is not merely this agency's objective; it is endorsed by the whole of government. I think you would say that it is a mixed and complex picture. I pointed to some areas in which we have seen real improvements, upper levels of proficiency. We are starting to see some movement. In other areas we are either static or, as the results move from year to year—and they do move from year to year—in some areas we have gone down; we have gone backwards. I make the point—it is a point that we were making in discussions as colleagues—that sometimes a falling academic result could be a sign of success. It could be the precursor to success because it could be a sign that children and young people are attending school and participating in external assessments when before they were not.

Dr JOHN KAYE: Do you have evidence that that is what is happening here?

Mr COUTTS-TROTTER: I have the perennial anecdotal evidence from talking to principals. They say that sometimes that is a factor in what they see. They get children and young people to school, they keep them there, but they are young people whose schooling has been dreadfully interrupted so they do not perform so well to start with.

Dr JOHN KAYE: So you are saying that the Aboriginal student liaison officer [ASLO] process is bringing more children into schools?

Mr COUTTS-TROTTER: Yes.

Dr JOHN KAYE: Therefore the results—

Mr COUTTS-TROTTER: I am not drawing a direct connection with that; I am saying, I suppose, that it is a complex picture. But back to your fundamental question, if you drew a straight-line trajectory between where we are and the targets at 2012, no, we are not on the trajectory. But I would argue that having ambitious targets is not a bad thing.

Dr JOHN KAYE: I totally agree with that. I am not criticising the targets that you have there, but targets are meaningful only when we examine why we are not getting there. We put the resources in to understand why we are not reaching those targets. I am a bit alarmed by your answer, Michael, in that you said it was anecdotal evidence. We are two years into a six-year project. We are not making it in a whole range of measures. What are we doing to understand why we are not making it, and how are we going to get there?

Mr COUTTS-TROTTER: Every element of the specific Aboriginal education strategy is subject to annual review. Schools are delving at an extraordinary level of detail into the basic skills test results, taking that as a measure of all students, including Aboriginal students. Groups of schools and regions of schools look at all the information available to them around attendance and around suspension rates—the sorts of things that stand in the way of schooling.

Ms McKERIHAN: We have done one thing in the last two years. Michael is exactly right. There are elements that we are progressing with quite well and there are other targets where progress is a little slower because of the requirement to attract kids and engage them in education. That is something that is not done in isolation from the local community. We have a couple of things: every school in our State has individual targets. There is an expectation that every school has a specific focus on improving the outcomes for Aboriginal students. We are providing them with a software package that allows them to disaggregate information as far as the non-Aboriginal students and their Aboriginal students are concerned. School education directors are working with school principals to monitor their progress. One of the results of that is the increase in the percentage of children who are performing at the proficiency level because it is about expectation and it is about engagement.

We also have a strategy that has a three-pronged attack. We have a strategy that we are rolling out which we have included in the information about Schools in Partnership. Schools in Partnership is a collaborative activity with the community to set rigorous targets to engage Aboriginal and non-Aboriginal children in those schools to improve their outcomes. We also have a medium strategy for percentage. You have the targeted Aboriginal students strategy that is actually looking at providing additional resources for schools that have a medium density of Aboriginal students, and you have the strategy for schools that have only a few Aboriginal students engaging with the community and looking at, again, providing a personalised learning approach for those schools. It will take time, but we are starting to see results from those strategies.

Dr JOHN KAYE: Are you prepared to provide the Committee with the review? Was it a review? I did not catch the exact word used. You are doing an assessment every year.

Mr COUTTS-TROTTER: We assess the various specific programs and we can provide the Committee with the results of those reviews. We also can provide the Committee with regional information about the performance of Aboriginal and Torres Strait Islander students.

Dr JOHN KAYE: Thank you. That would be excellent. The Schools in Partnership Program—we are on to phase two of that, so it is growing since I last looked at each, which is great. What percentage of Aboriginal kids in schools in New South Wales are in some way in touch with schools that are part of this?

Mr COUTTS-TROTTER: Ten per cent, or about 3,800, at Schools in Partnership or the other two programs. So it is about 1 in 10 Aboriginal children in schools that are touched by those programs. However, about 45 per cent of Aboriginal children are in the Priority Schools Funding Program [PSFP], which are 574 schools. Forty-five per cent of Aboriginal children are in those schools. So there are, if you like, the base level of funding, and then there are, measuring only in

money terms, those additional programs. But it is a point that is worth making. It is about the how as much as money as a measure of success or activity.

Dr JOHN KAYE: Sure. That is another debate that goes on in education circles.

Mr COUTTS-TROTTER: Yes.

Dr JOHN KAYE: Just fill me in: with the Priority Schools Funding Program and the Schools in Partnership [SIP] Program, a school can be in both the Priority Schools Funding Program and the Propriety Action School [PAS] and also be a—

Mr COUTTS-TROTTER: School in Partnership.

Dr JOHN KAYE: —School in Partnership, or are they mutually exclusive?

Ms McKERIHAN: A school can be a Priority Schools Funding Program school, which is your base level equity funding, and they can also be a Schools in Partnership school.

Dr JOHN KAYE: But they cannot be both.

Ms McKERIHAN: But they cannot be a Priority Action School because the level of funding—

Dr JOHN KAYE: Would be too high.

Ms McKERIHAN: That is exactly right. A Priority Action School is between \$100,000 and \$400,000 a year additional, and a Schools in Partnership school is of similar magnitude. What we have done is we have tried to integrate between Aboriginal education and training and the equity directorate so that there is a consistent approach.

Dr JOHN KAYE: Sure. I am aware of time constraints here. I actually want to know more about what happens to Aboriginal children. I want you to take this on notice. What happens to Aboriginal children who are in Priority Schools Funding Program schools or Priority Action Schools so that they are not getting specific funding in respect of their specific Aboriginal issues, but they are getting funding in respect of the degree of socioeconomic disadvantage of the entire community served by that school?

Mr COUTTS-TROTTER: Yes.

Dr JOHN KAYE: What are we doing? Are there issues of socioeconomic disadvantage? But there also are issues that are specific to Aboriginal communities with respect to education and Aboriginal culture. What I would like you to take on notice is—because I know you will have an answer and I know it will be long—

CHAIR: Yes, like the question.

Dr JOHN KAYE: What is happening for them as kids?

CHAIR: You have lost me.

Dr JOHN KAYE: I am happy to explain it to you later, but we are short of time now. Can you give us something back on that?

Mr COUTTS-TROTTER: Yes, sure.

Dr JOHN KAYE: I now move to another area, which is a perennial ask of many people. The professional in-service development of teachers to my knowledge does not currently have a compulsory component relating to Aboriginal cultural awareness. Are we making progress toward a day when every teacher and every school in New South Wales will have some degree of professional development or in-service training in respect of Aboriginal cultural awareness?

Mr COUTTS-TROTTER: Definitely, we are making progress toward that day. I might leave it to my colleague, Elizabeth McGregor, to talk about TAFE as well. TAFE, as you know, delivers the accredited program. To be a principal now in a public school, you have to demonstrate—I forget the exact words—competency in dealing with Aboriginal communities and some knowledge and understanding of the issues in Aboriginal education. We are saying that you have to know this. That is in the continuum of leadership development and people who want to lead schools inevitably will look for opportunities to learn that and get those experiences. We have, I think, 2,500 government-wide enrolments in the—

Ms McGREGOR: Aboriginal Cultural Education Program.

Mr COUTTS-TROTTER: Yes, and they would be spread across a range of agencies. But a large number of them come from the Department of Education and Training [DET]. I know because with a group of colleagues we did it recently. It is a terrific thing to do and we, as leaders within the organisation, are trying to walk the walk and actually demonstrate that this is worth spending the time to do it.

Dr JOHN KAYE: But we have approximately 60,000 teachers in our public sector.

Mr COUTTS-TROTTER: Sure.

Dr JOHN KAYE: If we are training 1,000 a year of schools, that is 60 years—

Mr COUTTS-TROTTER: That is the two-day course. There is also a three-hour module. I do not know how many are undertaking that but it is a considerable number more.

Ms McGREGOR: I think it is important to recognise, I guess, the history where there have been accredited programs, where local communities, working through their Aboriginal Educational Consultative Groups [AECGs], have developed short awareness programs where members of the local community have come along and been part of that presentation. But in the last couple of years there has been, I guess, a significant drive to embed this learning into qualifications and requirements. The work has been done to create an accredited program and to develop resources that can be customised in each area. I think also, if the ultimate goal is cultural competence of a school or a TAFE college, it is a bigger challenge than that, so there is the work that we are doing around cultural signage and around place.

Dr JOHN KAYE: Sure, but cultural awareness among the entire teacher workforce in the public sector is a necessary but not sufficient condition for that.

Mr COUTTS-TROTTER: Sure.

Dr JOHN KAYE: Have we moved it to a stage where, in pre-service training, there is a compulsory component of Aboriginal cultural awareness?

Ms McGREGOR: I guess it depends where pre-service training is done.

Dr JOHN KAYE: So the answer is no because if it is not a requirement of the Department of Education and Training—

Mr COUTTS-TROTTER: I am not sure about that.

Dr JOHN KAYE: Or the Institute of Teachers.

Mr COUTTS-TROTTER: All right, it would be the Institute of Teachers that of course regulates that.

Dr JOHN KAYE: But if it is not a requirement from that, then it is not happening.

Ms McKERIHAN: Our human resources people work with the universities as far as the pre-service training is concerned. There are also specific scholarship programs so that there is an enhanced teacher training program that will identify young people in their pre-service who are going to work in areas of high Aboriginal population. There will be community mentors appointed for those young people so that (a) they have gone through the community or the cultural awareness program but they are also supported when they go into schools. They are the types of strategies that we are looking at.

Under the new Aboriginal education policy, there will be a mandated three-hour component for every schoolteacher that they will be required to undertake. The release of that is due for 2008. It is in its final stages of consultation. It will be a department or organisational guide so it will cover all schools as well as TAFEs.

Dr JOHN KAYE: So we are headed toward a day when we will have all.

Ms McKERIHAN: Absolutely.

Dr JOHN KAYE: And that is fantastic. I have one more question. I will move on to TAFE. Can you tell me what percentage of the teaching staff hours are delivered by people with Aboriginal backgrounds in TAFE?

Mr COUTTS-TROTTER: No, but we—

Dr JOHN KAYE: Well, can you tell me, roughly speaking, what percentage of employees in the TAFE commission are Aboriginal?

Mr COUTTS-TROTTER: Look; I know the figures for the agency as a whole. It is about 1.9 per cent. I do not know that for TAFE.

Ms McGREGOR: Last year it was 1.2 per cent.

Mr COUTTS-TROTTER: Last year.

Dr JOHN KAYE: So it is actually lower than in schools.

Ms McGREGOR: A lot of that has to do with, if you take it as a head count, high levels of casualisation whereby a teacher will come in for two hours to teach an economics manual.

Dr JOHN KAYE: That is why I asked by hours taught rather than by a head count.

Mr COUTTS-TROTTER: We will take it on notice and respond to you.

Dr JOHN KAYE: I have one very last quick question. I do not know what they are called, but they are the Aboriginal school liaison officers [ASLO] in TAFE.

Ms McGREGOR: Student support officers.

Dr JOHN KAYE: Thank you. What percentage of Aboriginal students going to TAFE has contact with an Aboriginal student support officer?

Mr COUTTS-TROTTER: I do not know.

Ms McGREGOR: That depends, I guess, entirely on the extent to which the students choose to access that support.

Dr JOHN KAYE: I guess I am saying not so much that they do access but would have access if they wanted to. I am trying to find out how deep is the provision of support services for Aboriginal students in TAFE. I am getting the wind-up from the Chair.

CHAIR: I did that two questions ago.

Dr JOHN KAYE: So could you take that on notice, thank you?

Mr COUTTS-TROTTER: Yes.

Ms McGREGOR: Sure.

The Hon. TREVOR KHAN: I am a little bit concerned for all of you in terms of time. Both departments have such a significant role to play in this inquiry and in regard to the issue generally that the time allocated is just inadequate for you to be able to demonstrate what is going on. I make that observation.

Mr COUTTS-TROTTER: Yes.

CHAIR: That is today.

The Hon. TREVOR KHAN: Yes. I hope there will be another day. You spoke earlier with regard to, in a sense, performance parameters and that some are going backwards.

Mr COUTTS-TROTTER: Yes.

The Hon. TREVOR KHAN: Taking into account that we are an upper House inquiry and we are all members of parties who understand that that of course is grist to the mill—

Mr COUTTS-TROTTER: It is no secret. It is information we make available.

The Hon. TREVOR KHAN: Sure. Do I take it that in terms of retention rates, they are in a sense going backwards?

Mr COUTTS-TROTTER: No, I do not think that is right. I will get my colleague to check because I reread this material last night, I think. Retention rates are static. The big caveat in all retention rates is that they are apparent retention rates. We need to and we are moving to introduce a unique student identifier so that we know that Michael joined in year 7 and got to year 12 rather than that Michael left and someone else took his place, and that looked like retention. So for years 7 to 10 in the last four years, the retention rate is up; 10 to 12, the rate is up; 7 to 12, the rate is up. But it is still unacceptably low in every new group.

The Hon. TREVOR KHAN: I seem to have some statistics that would seem to indicate the reverse—that is, at least until 2005 we were getting a drop.

Mr COUTTS-TROTTER: Yes. I think that if you are looking at the national schools of statistics collections, that is right, but it has picked up in the last two years.

The Hon. TREVOR KHAN: Why do you put the pick-up in the last two years?

Mr COUTTS-TROTTER: I think there has been real attention paid to it. I think the point that Robyn McKerihan made earlier, about ensuring that we have high expectations of all our students, is a profound one. There are all sorts of factors that can limit someone's pathways in life, and the attitudes of teachers, family or the community as well as their own attitudes are very potent in that. I am wary of anecdote but I have seen at firsthand some of the programs in one of the Schools in Partnership, Alexandria Park and Waterloo, and really that program has, in essence, got Aboriginal youth workers on board who act as professional big brothers and sisters to young Aboriginal people coming to the school. They stick to them and stick them to schooling through years 8, 9, 10, into 11 and into 12. So the answer would be different in different schools. First, it is an expectation that the school and the school leadership take it seriously, and second, we always ask the question of school principals what is happening with this—there is really quite a relentless focus on it—and schools will make different choices based on the circumstances in those communities.

Ms HALL: In addition to that there is student learning relevance. By introducing languages programs across the State, that gives the premise for our students' identity; it gives them a sense of

place and a sense of engagement, which includes their family and their kin. Other programs have been introduced that have been customised to support the learning processes of those students, for example, in south-western Sydney where an Aboriginal study senior secondary program has been implemented. Because of the circumstance of timetabling five schools, those students have come together and are learning on CLI. It is a modified version of teaching, the way it is being done, and they are engaged as a group. It is looking at modes of delivering and it is looking at relevance for those students as they are Aboriginal students.

The Hon. TREVOR KHAN: Mr Coutts-Trotter, I took it from what you said before that in terms of the performance parameters that are pluses and minuses you will be able to give us some sort of documentation that demonstrates that?

Mr COUTTS-TROTTER: We can.

The Hon. TREVOR KHAN: Do I take it that you are capable of doing that over a period of time?

Mr COUTTS-TROTTER: Yes.

The Hon. TREVOR KHAN: Such as a decade?

Mr COUTTS-TROTTER: The data I have looked at did not stretch back a decade, so we will give you whatever series over time we can.

Ms MCGREGOR: That was a feature of the review that happened in 2004, addressing the fact that unless you have better information you cannot target the effort.

The Hon. TREVOR KHAN: One thing that comes out of this is that different departments have used different statistical bases, and the whole thing seems to be a jumble of numbers that are not particularly relevant over time.

Mr COUTTS-TROTTER: It is also the willingness of an Aboriginal child or young person to identify as Aboriginal. They are all factors.

The Hon. TREVOR KHAN: Earlier you spoke about anecdotal evidence, so I will share a little over recent times. In speaking to teachers and principals—which, as a politician, I learn to do—there seem to be anecdotes that are not always positive. In that regard—and again I am not seeking to be critical of anyone—interagency performance is reported to be not flash in some regards. Do I take it that you have heard similar sorts of anecdotes?

Mr COUTTS-TROTTER: It remains a challenge for every government. State government has an enormous responsibility: huge workforces, different situations, region by region. You get it right for a while, and then it collapses and you have to fix it up. Yes, absolutely.

The Hon. TREVOR KHAN: What could fairly be described as complaint from principals and teachers is the communication that occurs between DOCS, on the one hand, and the schools, on the other, that there is a mandatory reporting system that requires them to report and that the principals and teachers see, I think they would say, very poor response in terms of the mandatory report and very poor communication of anything that flows from the mandatory report. They do not see a report, and they do not see action. Most of the schools that I deal with are schools with high Aboriginal populations. Obviously I know nothing of the reports that are made; they would not, quite properly, make any disclosure in that regard. That observation is endemic, is it not?

Mr COUTTS-TROTTER: We had a session on this in preparation for some discussions with the special commission of inquiry, under one of the heads of reference, mandatory reporting. I think it is a mixed picture. I think principal professional associations said there are problems in some areas at some times; in other areas they were immensely complimentary of the interagency working relationship.

The Hon. TREVOR KHAN: Let me assure you that in the Tamworth area that is not the case. Let me assure you that in terms of my previous role on the family issues committee of the Law Society the reports that came to the Law Society were not complimentary beyond the Tamworth area. Can I suggest to you that one of the problems with that is that what is occurring as a result of this is that it is crushing the morale of some of those teachers and principals.

Ms SABELLICO: In terms of looking at the issue of our capacity to respond to mandatory reporters, there are projects that are underway, and having a look at how we can systematically look at responding to all mandatory reporters—not only around acknowledging the report but then also any action that may occur at the local level around the report. The difficulty, of course, is the volume of work at this point in time. But we are having a look specifically at our main mandatory reporters, and in particular those that we have our memoranda of understanding with, the Department of Education and Training being one of them.

Where we know we are working on joint clients or we have an open case, one of the requirements is open communication and discussion. The issue will arise, however, where we have received a report and have not been able to action, and that is a project we are working on in terms of having a look at how we can improve that system. But definitely the implementation establishment of the memorandum of understanding between a number of agencies and ourselves has assisted in looking at not only improving that relationship at a local level but also ensuring that there was a mechanism which we could have a discussion about appropriate resource and action.

The Hon. TREVOR KHAN: Mr Coutts-Trotter, it is the case that recently the public school principals sought to issue a survey to principals to survey them on a number of issues, including the issue of DOCS. That is correct, is it not?

Mr COUTTS-TROTTER: The Public Schools Principals Forum, which is one of the professional associations for public school principals.

The Hon. TREVOR KHAN: Is it the case that you directed principals not to participate in the forum?

Mr COUTTS-TROTTER: This was an email survey on broadcast to 2,240 email addresses. My experience with email exchange on that scale is that you can sometimes hit the wrong button and people who should not get an email get one. My concern was to advise our staff that there were very real legal problems, privacy risks, because the survey invited, in a very open way, people to talk about their experiences in reporting specific incidents. I know the principals groups said, "Look, we are all professionals; we know how this works. We have done this before and it has never been a problem." I took the view that as the head of the organisation I had a duty to provide that advice and to caution colleagues not to respond.

Equally, I have a duty to ensure that public school principals have proper channels by which they can bring any concerns they have about the child protection system either directly or, through this agency, to the attention of the special commission of inquiry, and we will do that. I recognise the need for principals to be able to offer their unvarnished views, and we will provide that, but I thought the mechanism deployed by the Public Schools Principals Forum—and they are wonderful people and I do not for a moment doubt their intentions—was the wrong way to do it.

The Hon. TREVOR KHAN: Have you provided an alternative legally sensitive mechanism for that information that does not offend your concerns?

Mr COUTTS-TROTTER: Yes, we have.

The Hon. TREVOR KHAN: Have you provided a mechanism for those views to be now collected for the special commission of inquiry?

Mr COUTTS-TROTTER: We have. I will let Robyn describe the method of consultation. We are trying to, region by region, make it possible for people to channel information to the special commission of inquiry.

Ms McKERIHAN: There are more than 41 regional consultation processes being run by regional staff as we speak, specifically focused on collecting the information you are talking about.

The Hon. TREVOR KHAN: For the purposes of the special commission of inquiry?

Ms McKERIHAN: Absolutely. There is also the capacity to provide input into the DET position or to submit its own submission, which will be attached to the organisation's submission unabridged.

The Hon. MICHAEL VEITCH: My wife and I have been foster parents for more than a decade of children with disabilities, so a lot of my questioning will be about disabilities and fostering. Are there specific programs within the education department, both school and TAFE, for students with disabilities who are Aboriginal or Torres Strait Islander?

Mr COUTTS-TROTTER: There are none that are specifically for Aboriginal or Torres Strait Islander children, young people or adults. There are programs open to all, but there are none specifically for Aboriginal students.

The Hon. MICHAEL VEITCH: Do you have any figures within the public school system that indicate the percentage of children with disabilities that also identify them as Aboriginal?

Mr COUTTS-TROTTER: Yes, we do.

Ms McKERIHAN: We have them from schools with specific purposes when we can identify through the census. In the order of about 10 per cent of students who are enrolled in a school with specific purposes come from an Aboriginal or Torres Strait Island background. What we do not have at this stage—but we will have with some improvements to our systems—we are not able to do that for the support classes that are integrated in a mainstream setting.

The Hon. MICHAEL VEITCH: How many Aboriginal children with a disability are currently in care?

Ms SABELLICO: I would have to get back to you with specific details, given that the way in which we would record a disability also includes young people who are perhaps diagnosed with ADHD. I need to have a look at that information and extract by disability type as well.

The Hon. MICHAEL VEITCH: Could you also look at the ratio of disabled to non-disabled Aboriginal children in care as compared with the disabled and non-disabled broader population?

Ms SABELLICO: Yes.

The Hon. MICHAEL VEITCH: With regard to foster parent training, how often do foster parents in New South Wales undertake cultural awareness training?

Ms SABELLICO: Whenever a foster parent has started, they need to undertake a mandatory number of foster parent training sessions, and within that there is cultural awareness training as well as discussion around a range of issues of how to manage the level of disability, cultural background, and other issues. As part of ongoing training, we now have a process whereby we develop annual development plans with our carers, and therefore we identify the particular needs of those carers. Where they may be supporting an Aboriginal child in care, we would target some specific training, as well as practical support with our foster care support team staff that we now have in place. Through that, we would also identify any other training you can tap them into, including training through the Foster Care Association or the Foster Support Parent Network, who also identify with their own carers the types of training required, and we tap them into that training as well. Initially it is a mandatory component of one's training, and then on an ongoing basis as the need arises.

The Hon. MICHAEL VEITCH: How many Aboriginal foster parents are there in New South Wales?

Ms SABELLICO: We probably have a lower percentage of foster carers. Most of our Aboriginal carers are kinship and relative carers. Some are court-ordered kinship carers and others are through a supported care arrangement or voluntary arrangement and we provide some monetary assistance. At this stage we are looking at other supports that could be provided as required, including access to training and supports.

The Hon. MICHAEL VEITCH: What would be the average number of children in care placed with an Aboriginal foster parent, as opposed to a non-Aboriginal foster parent?

Ms SABELLICO: Specifically, an Aboriginal child placed with Aboriginal foster parents?

The Hon. MICHAEL VEITCH: Yes.

Ms SABELLICO: I would have to get back to you with the specific information. But I know that we have a rigorous process that needs to be gone through whenever we are looking at placing an Aboriginal child with non-Aboriginal carers. Therefore it would be relatively simple to identify how many Aboriginal children we have in non-Aboriginal placements because we have a process of ongoing monitoring and review. I can also give you the figures on exactly how many are in foster care as opposed to relative or kinship care.

The Hon. TREVOR KHAN: Is the program as rigorous when you place an Aboriginal child with an Aboriginal family that is not part of the same clan group? If not, why not?

Ms SABELLICO: In terms of looking at the range of issues, we rely at this stage on a consultative mechanism with our Aboriginal staff in terms of having a look at the particular child or young person that you are wanting to place, speaking with them around accessing and talking with other services like Link-Up to assist in looking at what other placement options may be available. They would provide some advice around looking at the local community or other clans or other communities that might be appropriate. At the end of the day, we are relying on the information available to us either by senior caseworkers with that knowledge or the family, however much they are engaged at that point.

The Hon. TREVOR KHAN: I am sorry to interrupt but I would invite you to look at some issues in Tamworth, in particular, one that you took on appeal to the District Court and ran for three days where plainly you placed a child with a competing clan group. If that is a demonstration of cultural awareness within your department, I have to say it is a shocker.

Ms SABELLICO: We will have a look at that.

The Hon. MICHAEL VEITCH: I have one last question to do with the non-government officers that you engage. What sort of support do you put in place for non-government officers, specifically Aboriginal non-government officers? How do you engage with those non-government officers?

Ms SABELLICO: Regionally we have regional partnerships and planning teams who are the teams responsible for looking at the service system in that region and the different geographies within that area. In each of those teams we have an Aboriginal community program officer who is responsible for working with Aboriginal agencies and looking at their needs in terms of capacity building and strengthening. We may choose to look at bringing in another agency, quite a large agency, to assist in supporting and developing the governance mechanisms and structures to provide better infrastructure for the agency to support and sustain itself into the long term. We also fund a number of other projects. Carmen might have more details on that around specifically out-of-home care. We have an out-of-home care capacity-building project. That is about having a look at increasing the number of foster care placements. As well, we are linking that in with improving the capacity and strengthening the agency itself. Carmen might have more detail on that.

Ms PARTER: Certainly there has been quite a lot of investment in supporting Aboriginal out-of-home care services. Our funding section in the department back in 2006 commenced a project with a number of out-of-home care services throughout the State where they are looking at building their capacity in the provision of out-of-home care services to Aboriginal children and young people

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and looking at the governance structure and the policies. They have brought in a consultant to assist in the process to the point where now the funding that has been injected into that particular initiative has increased quite significantly.

Ms GRISARD: We also provide a significant amount of training to non-government officers across a whole range of areas, including management, conference, governance and so on.

CHAIR: Your time is greatly appreciated. No doubt we will have to call upon your expertise again. We have only just scratched the surface today. We have a lot to learn and we have many more questions. There is a 35-day return date for questions on notice. They will be sent to you in the very near future. We will continue to keep in touch.

(The witnesses withdrew)

(The Committee adjourned at 5.35 p.m.)