

GENERAL PURPOSE STANDING COMMITTEE No. 1

Monday 22 October 2007

Examination of proposed expenditure for the portfolio areas

JUVENILE JUSTICE, WESTERN SYDNEY

The Committee met at 1.30 p.m.

MEMBERS

Reverend the Hon. F. J. Nile (Chair)

The Hon. D. J. Clarke
The Hon. K. F. Griffin
Ms S. P. Hale

The Hon. Hon. C. J. S. Lynn
The Hon. P. G. Sharpe
The Hon. I. W. West

PRESENT

The Hon. B. M. A. Perry, *Minister for Juvenile Justice, Minister for Western Sydney, and Minister Assisting the Premier on Citizenship*

Department of Juvenile Justice

J. Mason, *Director General*

P. Muir, *Deputy Director General (Operations)*

S. Cross, *Deputy Director General (Management Services)*

Office of the Minister for Western Sydney

J. Moxon, *Manager*

Department of Premier and Cabinet

R. Lennon, *Western Sydney Regional Coordinator*

J. Scott, *Director, Strategic Projects*

CORRECTED

CORRECTIONS TO TRANSCRIPT OF COMMITTEE PROCEEDINGS

Corrections should be marked on a photocopy of the proof and forwarded to:

**Budget Estimates secretariat
Room 812
Parliament House
Macquarie Street
SYDNEY NSW 2000**

CHAIR: I declare this meeting open. I welcome Minister Perry and accompanying officials and thank them for their attendance at this hearing. At this hearing the Committee will examine the proposed expenditure for the portfolio areas of Juvenile Justice and Western Sydney. Before we commence, I will comment on procedural matters. In accordance with Legislative Council guidelines for the broadcast of proceedings, only Committee members and witnesses may be filmed or recorded. People in the public gallery should not be the primary focus of any filming or photos. In reporting the proceedings of this Committee you must take responsibility for what you publish or what interpretation is placed on anything that is said before the Committee. The guidelines for the broadcast of proceedings are available on the table by the door.

Any messages from attendees in the public gallery should be delivered through the Chamber and support staff or the Committee clerks. Minister, you and your accompanying officers are reminded that you are free to pass notes and refer directly to your advisers while at the table. I remind everyone to turn off mobile phones completely so as not to interfere with electronic equipment. Minister, the Committee has agreed to the following format for the hearing: 1¾ hours for Juvenile Justice and 45 minutes for Western Sydney. We have agreed to not take a break, but when afternoon tea arrives members are free to leave the table for refreshments. Do you anticipate that this would pose any difficulties for you or your staff, Minister?

Mrs BARBARA PERRY: No.

CHAIR: I advise that the Committee has resolved to request that answers to questions on notice be provided within 21 calendar days of the date on which they are sent to your office, unless the Minister requests otherwise. If there is a need, we would consider extending the return of answers to 35 days. Do you anticipate that would pose any difficulties?

Mrs BARBARA PERRY: I thank you for the offer that if there is a need the time would extend to 35 days. Generally, I do not anticipate any difficulties.

CHAIR: All witnesses from departments, statutory bodies or corporations will be sworn in prior to giving evidence. Minister, you do not need to be sworn in as you have already sworn an oath to your office as a member of Parliament.

JENNIFER MASON, Director General, Department of Juvenile Justice, and

STEPHANIE CROSS, Deputy Director General (Management Services), Department of Juvenile Justice, and

PETER MUIR, Deputy Director General (Operations), Department of Juvenile Justice, sworn and examined:

CHAIR: I declare the proposed expenditure for the portfolios of Juvenile Justice and Western Sydney open for examination. Minister, do you wish to make an opening statement?

Mrs BARBARA PERRY: Thank you, Mr Chair. The New South Wales Government is working hard to break the cycle of juvenile crime. We are doing this by taking a tough but fair approach to juvenile crime while working with young offenders to help them stop reoffending. That is why we are investing record amounts to boost security and safety in centres, to support rehabilitation programs and to help young offenders meet their obligations to our community. The New South Wales State Plan commits us to working to reduce reoffending amongst juveniles. A record allocation of more than \$156 million was made towards Juvenile Justice in the 2007-08 budget. That represents an increase of \$14.14 million, or 9.97 per cent, on the previous year. That funding boost has directly increased safety in Juvenile Justice Centres through new drug detection measures, closer supervision and new and improved facilities.

The projected spending includes an extra \$9 million funding to meet increased demands on juvenile custodial accommodation, \$4.4 million from the Government's Plan of Action on Drugs for coordinated drug detection and management programs to prevent illicit drugs entering Juvenile Detention Centres and \$900,000 for the introduction of intensive supervision programs, which work

with young offenders in a family setting. A capital works budget totalling more than \$8.9 million was also part of the 2007-08 budget allocation. Highlights of that include funding of \$1.6 million towards the final year of a four-year strategy to upgrade security cameras and fences at Juvenile Justice Centres, planning funding of \$723,000 for the construction of an accommodation unit at Orana Juvenile Justice Centre in Dubbo and \$3.1 million for minor capital works in Juvenile Justice Centres and community offices.

The Iemma Government is continuing our ongoing commitment to upgrading the Juvenile Justice system to provide a safer environment for staff, detainees and the community. We are focused on reducing rates of reoffending. Many young offenders have made the wrong choices because they have not had the best start in life and the factors are complex and often include things like drug and alcohol abuse, poor parental supervision, difficulties in school or employment, mental health issues, homelessness and abuse. That is why it is important the department works effectively with other agencies to target these factors.

The Iemma Government believes that rather than turn our backs on these young people we need to work with them to steer them away from a life of crime. To target these causes directly a range of programs are in place that include teaching life skills and management, drug and alcohol counselling, education and vocational training, mental health services. Further to this, the department also supports a range of community-based organisations in delivering programs that target factors associated with reoffending. Program areas focus on post-release support, accommodation support, alcohol and drug problems, employment skilling programs and local offender programs.

When dealing with young offenders and targeting their behaviour we need to raise their self-esteem, introduce them to positive role models and give them the tools they need to make a positive contribution to our community. By helping to integrate young offenders back into normal daily routines and changing their behaviour and attitudes we will hopefully reduce the potential for reoffending. One of the legacies of the Labor Government has been the rebuilding of the juvenile justice system and more than \$116 million has been spent on building and refurbishing detention centres around New South Wales since 1996. We have achieved a lot.

In 2006-07 the Government carried out security upgrades at juvenile justice centres valued at \$1.8 million. We are in the final year, as I said earlier, of a four-year-long \$6 million program to upgrade the security at juvenile justice centres. Capital funding for major and minor capital works total \$30.724 million over the next four financial years; 1,109 visitors to detention centres were screened by drug detector dogs, with 20 refused entry in 2006-07; and more than 10,254 detainee court transports were conducted in 2006-07, freeing up police to concentrate on their core responsibilities. We have reformed our juvenile justice system to make it work better. This has included making some very tough decisions, but we have a juvenile justice system that protects the community and staff while aiming to break down or break the juvenile crime cycle for young offenders. We are delivering on our commitment to the people of New South Wales and the Iemma Government will continue to make a strong investment in programs to reduce reoffending while working to steer young offenders away from a life of crime.

CHAIR: We will commence with questions from Opposition members.

The Hon. CHARLIE LYNN: What is the cost to the taxpayer to incarcerate a juvenile offender?

Mrs BARBARA PERRY: As you would appreciate, the costs for young juvenile offenders have to take into account the particular programs that are in place for young juvenile offenders. In 2006-07 the average daily cost for a detainee was \$556. This is marginally below our 2005-06 average cost per day of \$573.

The Hon. CHARLIE LYNN: The Tweed Heads juvenile justice office was rumoured to close this year and move to Lismore, but thanks to pressure from the Opposition and the people of the Tweed this did not happen. Do you have any other plans to close juvenile justice services in New South Wales?

Mrs BARBARA PERRY: Let me just take you back one step. In relation to the Tweed juvenile justice office, like other single-person offices in our system it was not earmarked for closure. That is the first thing I need to remedy there. What we are doing with our juvenile justice offices as part of our asset management strategy is reviewing our office accommodation as the leases for properties approach their expiry date. The department is rationalising our one-person offices in line with its commitment to occupational health and safety. No juvenile justice services will be compromised by any office relocations that may take place.

The Hon. CHARLIE LYNN: So you can give a guarantee that under no circumstances will services offering preventive intervention to potential young offenders be shut down?

Mrs BARBARA PERRY: Existing services will be relocated to areas to better reflect higher client demand and staff will be either relocated with those services or transferred to other government departments or other places that we can find in that particular local area. There will be no cut to front-line services, those important services that are community-based services both for clients in community settings and the community itself.

The Hon. CHARLIE LYNN: But there is a possibility that some services in areas will close and be moved, is that what you are saying?

Mrs BARBARA PERRY: As I have indicated, we are reviewing all our single-person offices at present and those services will not be closed. What we will be doing is trying to rationalise our services. I might ask for further clarification from Ms Mason.

Ms MASON: Building on what the Minister said, it is the case that we will not be taking services out of anywhere. We are, however, looking wherever possible in co-locating with other government departments. We will not be taking the service out of the town but we may very well, for example, want to look at justice precincts where we are sharing with legal aid or some other appropriate service as and when our leases come up, which is over the next four or five years. I hope that clarifies your question.

The Hon. DAVID CLARKE: Are there any centres you are intending to close at this stage?

Mrs BARBARA PERRY: Our juvenile justice centres, our detention centres?

The Hon. DAVID CLARKE: Yes.

Mrs BARBARA PERRY: There are no detention centres we are going to be closing, no.

The Hon. CHARLIE LYNN: I understand that in July you had a lockdown at the Cobham Juvenile Justice Centre to maintain control of rebellious inmates. What action has the department taken to avoid any future emergencies of this type?

Mrs BARBARA PERRY: Are you referring to lockdowns or an incident?

The Hon. CHARLIE LYNN: Lockdowns.

Mrs BARBARA PERRY: There have been some staffing issues at Cobham as a result of long service leave and other leave. That was the reason for lockdowns on a very small number of shifts. As I said, there was an unusual number of vacancies at Cobham due to retirement, long-term sick leave and natural attrition. I make it clear that that has nothing to do with the department's budget or frontline services. We have already recruited and trained additional staff to fill those vacancies.

The Hon. CHARLIE LYNN: What were the staffing levels at Cobham Juvenile Justice Centre in 2004, 2005, 2006 and 2007?

Mrs BARBARA PERRY: I will take that question on notice.

The Hon. CHARLIE LYNN: Can you advise whether any lockdowns or similar control measures have occurred in any other juvenile detention centres?

Mrs BARBARA PERRY: Lockdowns are infrequently used.

Ms MASON: That strategy was being deployed at Cobham, but it is not used at other centres. Having said that, there might be an emergency if a lot of staff were to ring in sick. It is not used as a rolling process. That strategy will now not be used at Cobham either.

Mr MUIR: The department certainly has taken a very proactive approach to recruitment this year. We have held three recruitment campaigns for Cobham this year and appointed and trained 20 additional casuals and permanents, and we are in the process of training an additional 13 personnel at the moment. We have been proactive on the issue of lockdowns. They have occurred on fewer than 3 per cent of shifts. We have issued a directive that they not occur except in emergency situations. That is the only time that lockdowns would be used in the juvenile justice system. They are very infrequent and usually relate to a specific concern. For example, if there is a rumour about contraband, a particular wing may be locked down until those concerns are allayed.

The Hon. DAVID CLARKE: Have there been other lockdowns?

Mr MUIR: I can recall only short-term lockdowns for specific issues about contraband. I will take the details on notice.

The Hon. DAVID CLARKE: None specifically come to mind at this time?

Mr MUIR: I would be giving an answer that would be less than complete. I can recall some instances, but I prefer to give a complete answer to the Committee that I am entirely comfortable is not misleading.

Ms MASON: I would like to distinguish between staff-shortage-related lockdowns, which was the subject of the member's original question, and security-related lockdowns, which is what Mr Muir was alluding to. We can provide information on the two separate categories.

The Hon. DAVID CLARKE: Are you aware of any lockdowns because of staff shortages?

Mr MUIR: No. As I said, that strategy has been used at Cobham but nowhere else. A security-related lockdown could occur at any centre, although I cannot recall a recent one.

The Hon. DAVID CLARKE: It would be a pretty reprehensible if we had a lockdown because of staff shortages.

Ms MASON: I concur with the director general; I cannot recall a single other instance where centres have been locked down on a staffing-related issue. My answer was solely about security-related issues.

The Hon. DAVID CLARKE: I refer to an earlier question about offices being moved. Is there a move to relocate the Tweed office into the police youth centre?

Mrs BARBARA PERRY: That is correct; it will be relocated to the Police Community Youth Club. I went to look at the centre and I believe moving is the best approach. The manager of the Police Community Youth Club, Mr Madden, wrote and invited to us collocate, and we will be doing that when the lease on the Tweed Heads office expires, which will be relatively soon.

The Hon. DAVID CLARKE: Would that not be a concern to parents who have children attending the police youth centre?

Mrs BARBARA PERRY: I am aware of some media reports about that. However, all the young people who are placed on supervised community orders—they are the young people going to these offices—are all risk assessed by the department. Of course, young people going to community services offices are deemed appropriate to be in the community by the courts. The department's regional director and Police Community Youth Club staff met with users, the preschool management

committee and parent representatives and had a good discussion. I know that that allayed any concerns. We have other strategies, which include visiting the young person at home.

The Hon. DAVID CLARKE: Clearly there would have been sufficient concern to prompt the media interest.

Mrs BARBARA PERRY: If there were any concerns, I suggest that that was because of misinformation being circulated. However, that misinformation has been addressed with all the relevant stakeholders.

The Hon. DAVID CLARKE: Did the department receive any complaints about this intended move?

Ms MASON: From memory, we received letters from four or five people saying that they had read things in the newspaper and wanting to know the true situation. There were more letters from people concerned that the service was going to leave Tweed Heads than about the collocation. I would have to check the exact numbers. We have a very good regional director there who met face to face with many people. In some cases people have ideas about what a juvenile offender might look like. These are young people being supervised on community orders in the community. They are in the centre and the shopping mall, and in many cases they go to school. They are obviously not in manacles and chains.

As you would also appreciate, Police Community Youth Clubs frequently deal with troubled young people who the police and other services are trying to steer toward a better path. There is often great commonality in the client group. It is not as though our clients are unknown to them; often they have been using the Police Community Youth Club services in other areas. It may be part of their supervision plan to participate in those kinds of efforts.

The Hon. DAVID CLARKE: When you say your representative met with a lot of people, was that a lot of people over this issue of the office being relocated with the police youth centre?

Ms MASON: No, she spoke to various people up there as she always does anyway, it is part of her job, but she met in particular with a group of parents, and I cannot tell you the numbers. Again we could take that on notice for you if you like.

The Hon. DAVID CLARKE: Thank you, and who those parents purported to represent. Were they representing organisations or were they representing other parents?

Ms MASON: Sure, we can get that for you.

The Hon. CHARLIE LYNN: I go back to a case that occurred in the juvenile justice system, where four juvenile workers at Cobham detention facility have been accused of a serious offence against an inmate. I understand the case has since gone to court and the suspects have been cleared. However, despite being cleared of the charges, these individuals remain in the children and young people's commission registers. This is a list of people who have been accused of serious crime against a young person, such as paedophilia or violent abuse. Does a person have to be found guilty of a crime to be put on that list?

Mrs BARBARA PERRY: I will ask the director general to answer that question.

Ms MASON: Regrettably it is rather complicated. The situation is that under the provisions of the Commission for Children and Young People Act, we have what are called reportable offences and it is not necessary in order to be on the register held by the CCYP to have a conviction. The whole essence of the CCYP is an historical thing where people who committed sex offences against children or were suspected to have, in other words slipping through the net because the intelligence gathering held on them was inadequate, so the CCYP held on its books details of matters that have fallen below the threshold of a conviction. Having said that, we are very concerned that our staff may inadvertently get caught up in that sort of a net.

There are two levels of matter. There is what is called a category one matter and a category two matter. I can get a whole lot of detail on that on notice if you do not want me to hold you up, but in essence, if there is some evidence that a person has committed an offence against a child, whether it is use of excessive force or a sexual offence, but it does not give rise to a particular threshold—and I will find the notes and give you the technical term—that person still ends up on the CCYP register but as a category two and it is not used adversely against them in checks for employment proceedings. If the threshold is slightly higher, then the person becomes what is called a category one and that generates a more difficult situation.

Last year, because we had concerns about the way the CCYP system was impacting on our staff, I sat down with Gillian Calvert, the children's commissioner, and negotiated a class or kind agreement so that various categories of complaint and matters that had been very vexing to our staff do not need to be notified to her any more so the person does not end up on the register. We have various disciplinary investigations in a year, so I do not know the precise one you are talking about. If the person is totally cleared, they do not show up on the register. If it turns out it was a false or vexatious complaint, that is not registrable. If it turns out there was some evidence that they used excessive force but there were various circumstances making it impossible to determine, then it is the level of the seriousness of the allegation that it turns on.

The Hon. DAVID CLARKE: Was there any evidence in this particular case?

Ms MASON: I do not know what case you are talking about, unfortunately.

The Hon. DAVID CLARKE: Are you aware of any cases involving juvenile workers at Cobham?

Ms MASON: Yes, I am aware of investigations into Cobham. We have had several over the past year. We have probably 60 or 70 investigations a year, not all at Cobham, and many of them result in the staff being totally cleared. I am not sure which precise one you are talking about, and I would be reluctant to talk about names in this forum.

The Hon. DAVID CLARKE: If they are totally cleared, did you not say, their names would not be on the register?

Ms MASON: Exactly.

The Hon. DAVID CLARKE: So, if their names are on the register—

Ms MASON: That means there is some evidence but it means that the finding was equivocal in some way.

The Hon. DAVID CLARKE: There would be concern then that those juvenile workers would still be employed at Cobham if there was sufficient evidence for them to go on to the register, even though they had been cleared of more serious charges?

Ms MASON: No, not necessarily. It would mean there was some evidence that the person, for example, used excessive force but that there was other evidence that it was reasonable. As I say, because of the way the child protection laws work you can still end up on the register even though there has not been a conclusive finding against you. We would only regard it as an employment-threatening manner if we had been able to make a positive finding, not if there was an equivocal finding.

The Hon. DAVID CLARKE: Therefore, the other side of the coin is that the presumption of innocence does not apply to the staff?

Mrs BARBARA PERRY: Mr Clark, may I interrupt for a second. Of course, the maintenance of a register and a register itself is the domain of the children and young persons commissioner, Gillian Calvert. Might I suggest as to be workings of the categories that were discussed by the director general and the answers you are interested in—I do not know if you have had evidence from the Minister for Youth yet, but she would be able to give you strong evidence about that. As the

director general has pointed out, it does not necessarily preclude people from still being able to work in our detention centres, but the nuances of why would be best explained by Gillian Calvert, in my view.

The Hon. DAVID CLARKE: That is something to consider but would you take on notice this issue and provide us with information that you do have on all those employed at the Cobham detention facility who have been placed on his register?

Mrs BARBARA PERRY: I think that would be an issue of privacy.

Ms MASON: Adding to what the Minister said, I am happy to provide some detail, but I would prefer not to name people or disclose their details.

The Hon. DAVID CLARKE: The statistics, the numbers?

Ms MASON: Yes, sure.

The Hon. DAVID CLARKE: And the nature of the charges?

Ms MASON: Yes, I can do that too.

The Hon. KAYEE GRIFFIN: Minister, will you outline to the Committee the purpose of the recent restructure of the Department of Juvenile Justice and advise the Committee what will come out of that process in improved delivery of services to young offenders?

Mrs BARBARA PERRY: The Department of Juvenile Justice regularly reviews the way in which it manages its resources. This is all about ensuring it does things better. The department is committed to providing services to the community in the best possible way. That means ensuring services are most appropriately located in areas of highest demand. As such, the department is currently in the process of realigning its structure in order to continue to best meet its commitments to the community. The department has changed its structure from five to four regions. This reduces administrative overheads while maintaining front-line services.

The new regions are Northern/Hunter region; Southern/Central Coast region; Western Region and Metropolitan Region. The Hunter/Central Coast regional office at Gosford has closed but the work of the department will continue to provide services in the area. This realignment will see the role and functions of the Hunter/Central Coast regional office redistributed between northern and southern regions. The department is committed to limiting the impact on affected staff, and the transfer or redeployment of existing staff into suitable positions in the new structure has been a priority.

As the department is revising its regional structure, regional director positions will now take on additional responsibilities and will be responsible for supervising a wider geographical area. The regional directors will now be on performance contracts, with clear targets and accountabilities to be met. Let me restate that there is no cut back to front-line services and the department's budget is not affected. The Department of Juvenile Justice has an obligation to focus quite rightly on reducing offending and it continually needs to look at its structure to ensure that it is best able to meet the clear objectives set out by the State Plan.

Of course, reduction in reoffending is one of the Iemma Government's many commitments, but it is a lead commitment in meeting the demands of the State Plan that the Department of Juvenile Justice is a partner with the Department of Corrective Services. The State Plan makes it quite clear that the simple containment of detainees is not enough, although the security record of the department over the past year is a matter of significant pride and a credit to front-line staff.

The community rightly expects all relevant agencies to make inroads into reoffending by young people. We do not back down from our core approach to detainees that they are in custody to serve out their time, but they are also there to undertake programs to stop them reoffending. To meet these demands the department must focus its resources on the services and programs to reduce reoffending that have been proven to work. It needs to maintain a highly skilled and experienced workforce to deliver those outcomes.

The department is also committed to ensuring the safety of staff in isolated areas and locating officers in the highest areas of demand. As I indicated earlier, the department has, quite rightly, a duty of care to its staff. We have discussed the reviewing of single persons' offices as their leases come up for renewal. The other departmental area that is affected by creating a structure to meet the demands of the State Plan is the youth justice conferencing scheme. The work of the youth justice conferencing scheme will be integrated with community officers, in effect. A recent review established that conferencing would be effectively and efficiently managed at the local level.

This means that conferencing staff will now be integrated with their colleagues in community offices and the benefit of a new integrated structure will result in a closer working relationship between these two arms of the department. It will facilitate the exchange of information between youth justice conferencing and community staff where young people are clients of both services. The department will ensure that the restructure does not result in duplication of any other roles, including clerical roles. The department is committed to ensuring that the new structure enhances services to both detainees and the community.

The Hon. PENNY SHARPE: Can the Minister inform the Committee of activity being undertaken to improve juvenile justice centres in New South Wales?

Mrs BARBARA PERRY: As I indicated in my opening statement, the Government is committed to safety and security of Department of Juvenile Justice staff, detainees and the wider community. That is why over \$30 million of major and minor capital works investment is planned in the next four years, with over \$19 million being allocated to further upgrades of our centres. In the next two years \$7.4 million will be spent on building a new accommodation unit at the Orana Juvenile Justice Centre in Dubbo. This new unit will feature 15 beds and will help ease any future overcrowding.

The Iemma Government has already spent \$40 million on totally redeveloping the Cobham and Reiby juvenile justice centres. In the past two financial years \$4.26 million was spent on upgrades to security systems at Acmena, Frank Baxter, Juniperina, Reiby, Keelong, Orana and the Riverina juvenile justice centres. These upgrades to security measures include new camera surveillance systems, more secure fences, perimeter lighting, key watch and better door locking systems. A further \$1.6 million will be spent on security upgrades this financial year, including \$900,000 at Cobham Juvenile Justice Centre and a further \$350,000 to upgrade security at Acmena Juvenile Justice Centre.

Some \$440,000 has been spent on installing an additional 4,200 metres of razor wire to further improve security and reduce the risk of escape. I am happy to indicate to the Committee that this financial year there have been zero escapes from our detention centres. Our strategy of investing \$116 million into capital infrastructure has completely transformed the juvenile justice system in New South Wales since this Government came to power in 1995. Modern, purpose-built facilities centres have been built—Frank Baxter on the Central Coast, Orana in Dubbo, Acmena at Grafton and Juniperina at Lidcombe.

This ongoing investment in security, training and behaviour management measures is reaping rewards. As I have indicated, in the past financial year there was not one escape from a juvenile justice centre anywhere in New South Wales. That can be contrasted to the previous year when there were six and to the days when the Coalition was last in power when annual escape rates were counted in their hundreds. It is not just capital works we are interested in; the safety of our staff is also paramount.

The Department of Juvenile Justice will not tolerate any assaults on its staff. Staff in our juvenile detention centres deal with some of the most troubled and unpredictable young people in the State. I always say this—and I have met many of our staff as I have travelled to the centres—they do a great job often in very difficult circumstances, dealing with the troubled young people who come into our detention centres. But I am pleased to say that despite that, we actually have reduced violence against staff through a number of tough measures. This has led to a 74 per cent reduction in staff assaults over the past four years.

We have introduced effective systems to protect individual staff, their colleagues and detainees in day-to-day operations, but it is essential that staff also adhere to the practices and procedures that we have in place at detention centres. Some of the measures we have to maintain staff safety include: introduction of a more comprehensive detainee classification system, which I hasten to add has won a number of awards; use of surveillance systems and internal fences; staff training, including risk assessment and case management of detainees; increased staffing ratios; referral of all assaults on staff to police; additional protective and riot equipment to all centres; and always the ongoing review of our departmental policies and procedures.

The department is constantly developing training packages that will assist its staff in making better risk-based decisions in responding to incidents. This additional training gives staff the confidence and competence to ensure safety and security during emergency situations. As I indicated earlier, the objective classification system that operates in our juvenile justice centres also ensures the safety of staff, other detainees and the community generally. That system determines the security rating of each detainee. If a detainee has a history of escape, violence and non-compliance including assaults on both staff and other detainees, they will obviously get a higher rating. This means that various measures will be put into place to ensure that their behaviour is monitored and the safety of others is not put at risk.

The department has also completed an extensive review of all behaviour-related policies and procedures, including our "use of force" behaviour policy and procedure, to improve staff skills and provide clear guidelines about managing detainee behaviour. We have also toughened up penalties for this behaviour by giving staff stronger powers in dealing with those detainees who misbehave or pose a risk to themselves or others. Members might be aware that these powers were introduced in 2006 to increase time limits for confinements and segregation, providing additional powers for staff in responding to difficult behaviour.

This period of confinement has doubled from 12 hours to 24 hours for detainees 16 years of age or over. The department also manages behaviour through the use of sanctions, including additional domestic residential duties, loss of recreational activities and loss of other privileges. Preventing assaults occurring in the first place is the priority for the department. The New South Wales Government has worked hard to provide our juvenile justice officers with the powers to keep drugs out of our centres. There is a specialised drug intelligence unit that gathers, analyses and disseminates intelligence on drug use by detainees and drug trafficking into juvenile justice centres.

It also gathers information that may relate to the safety and security of centres, detainee transport and court locations. We have a system called the Arunta telephone system in our centres. Most telephone calls made by detainees are recorded on the department's telephone screening system, known as Arunta. The calls are monitored, as required, by the Drug Intelligence Unit if there is a suspicion that a detainee is obtaining contraband. Telephone calls made to detainees' solicitors and the New South Wales Ombudsman are not recorded.

The department also uses the Department of Corrective Services K9 Unit to search facilities and visitors. Detainees can also be tested for drug use. The department conducts random and targeted urinalysis testing of detainees. Targeted urinalysis testing was introduced in September 2005. A detainee may be target urinalysis tested if observations by staff indicate that the detainee may be under the influence of a drug, is suspected of drug use, or the detainee is involved in a significant incident. Eligibility for possible targeted urinalysis testing upon return to the centre is also a condition of leave.

During the first year of testing, 14 per cent of tests, or 52 of 383, returned a positive result. Although the number of tests conducted since this time has risen, the proportion of positive results dropped to 6.6 per cent, or 43 of 652, in 2006-07. The Drug Intelligence Unit refers any criminal matters to NSW Police and any intelligence pertaining to adult prisoners to the Department of Corrective Services. This comprehensive approach recognises the need to keep centres as free from the scourge of drugs as possible. It is the only way we will be able to ensure we have effective rehabilitation programs going on in our centres. More disciplined centres and safer staff means a more effective use of the programs to address the offending behaviour of young people in custody and break the cycle of reoffending.

The Hon. IAN WEST: I thank the Minister and the departmental officers and staff for the good work they are obviously doing. Minister, could you advise the Committee what programs are in place to address the reoffending of young people?

Mrs BARBARA PERRY: As the Minister for Juvenile Justice, may I tell you how proud I am of our staff and the implementation of the programs we have on offer to address the issue of reducing the reoffending of young people. The Department of Juvenile Justice is committed to decreasing offending behaviour of young offenders and increasing their capacity to successfully reintegrate into their community. As such the department plays a key role in contributing to the New South Wales State Plan Priority R2: Reducing Re-offending.

Research has demonstrated that the most effective way to reduce re-offending is to deliver programs that are based on a set of principles known to impact on offending behaviour. As part of the current restructure of the department, a comprehensive realignment and evaluation of its programs has been undertaken to ensure they are delivering outcomes to reduce reoffending. Resources are being pooled into a new program unit aimed at delivering measurable outcomes. The department's Framework for Programming prioritises the provision of programs that are based on these principles.

The department's programs that address State Plan priorities are many and varied. I will outline a few of those programs. The Alcohol and Other Drug Program is a specialist program offered by the Department of Juvenile Justice. The program aims to address the needs of young offenders whose pattern of alcohol and other drug use is related to their offending behaviour. Two major health surveys of departmental clients have demonstrated the relationship between alcohol and other drug use and offending behaviour. For example, the Young People in Custody Health Survey 2003 found that 62 per cent reported that they had committed a crime as a means of obtaining drugs or alcohol, and 59 per cent reported that they had actually been affected by drugs or alcohol at the time of offending.

Forty-six per cent of young men and 71 per cent of young women indicated that they engaged in binge drinking on a weekly basis prior to custody. Eighty-eight per cent reported having used cannabis, 47 per cent amphetamines, 34 per cent ecstasy, 21 per cent cocaine, and 20 per cent heroin. These findings were borne out by the Young People on Community Orders Health Survey 2003-06, which found that 44 per cent reported committing a crime to obtain drugs or alcohol. Fifty-two per cent said they had been affected by drugs or alcohol at the time of offending. Figures for the type of drug used were similar to the other study I spoke about.

The Alcohol and Other Drug Program provides young offenders with strategies and assistance to reduce harm associated with alcohol and other drug use, thereby benefiting the young person and the community. The program assists young offenders to increase their understanding of why they use drugs and the consequences of drug use. It also helps young people formulate alternative strategies, behaviours and coping skills. The program is based on a principle of harm reduction and empowering young offenders to take responsibility for the choices they make.

The evaluation of the Rural and Regional Alcohol and Other Drug counsellors report of June 2006 showed that a total of 1,166 new clients received an alcohol and other drug intervention during the period 2003-05. A total of 6,134 young people were assessed during this time. The majority of clients were young men—564, or 92 per cent—and 374, or 61 per cent, were young people identified as Aboriginal and or Torres Strait Islander. Clients ranged in age from 11 to 19 years, with an average age of 16 years. The cumulative total to 30 June 2007 now shows that 1,571 young people have received an alcohol and other drug intervention, and that over the last four years the department's specialist counsellors undertook approximately 10,889 counselling sessions. That is a phenomenal amount, and I believe it is one part of trying to make a difference and reintegrate these young people into our community.

The Sex Offender Program provides comprehensive, individualised assessment of adolescents convicted of offences of a sexual nature, as well as providing group and individual treatment for young people assessed as suitable for the program. The program acknowledges that juvenile sex offenders may require assistance to address their psychological health care needs in addition to sexualised offending behaviour. They may have social adjustment difficulties, histories of abuse—including sexual—neglect, coupled with low social competence or intellectual disability. The

program provides group therapy and individual education to adolescent sex offenders and, importantly, their families.

Treatment covers many issues, including taking responsibility for offending behaviour, understanding offending behaviour, strategies for controlling offending behaviour, personal experience of victimisation and abuse, individual casework, interpersonal and social skills development, the development of appropriate relationships, and education in human sexuality. In 2005-06, 50 offenders were referred to the nine counsellors who administer the program across New South Wales on behalf of the department.

Many of the young people who come into either detention centres all to the notice of our community centres have a background of violence. The Violent Offender Program is a specialist program that works with young people who have been convicted of serious violent offences, in order to reduce their re-offending. Six specialist counsellors deliver the program across the State. Violent Offender Program counsellors also advise on anger management interventions with less serious offenders. Interventions focus on changing antisocial thinking, attitudes and behaviour. The program also teaches self-regulation and negotiation skills. In 2005-06, 70 offenders were referred to the program.

We have a number of other programs in place. Another important program is Targets For Effective Change. That is a comprehensive program that again addresses offending behaviour. The program is evidence based, and embodies the principles of effective interventions that have been demonstrated by research to have an impact on offending behaviours. The practical package is adaptable and flexible to the needs of the department's client group. The program for targets aims to address thinking and behaviour, and takes young offenders through a series of exercises on issues such as relationship skills, handling conflict, accommodation and employment. It can be delivered to both individuals and groups of clients in both the community and custodial setting. From January to June 2007 approximately 497 young offenders participated in the program.

The other program that we seem to have a lot of success with is Our Journey to Respect. That is a 12-session group work program for young male Aboriginal offenders and aims to reduce the incidence of intergenerational violence. The program focuses on attitudes and behaviour related to family relationships and masculinity. Our Journey To Respect is delivered in both the community and custodial settings. The department has also been approached by South Australia for permission to utilise the program in one of its juvenile justice facilities as well as by other agencies. Just recently the chief executive officer of the Aboriginal and Torres Strait Islander Legal Service in North Queensland sought permission to use it in Aboriginal communities. In approaching the department, the chief executive officer, congratulated the vision of the Department of Juvenile Justice and the indigenous staff and community elders for developing a program that is not only culturally appropriate but ... helps many of our young Aboriginal males to deal and take control of their emotions in a respectful manner.

He went on to refer to a program that he had run when employed by the department in a town, "well known for its fighting factions and anger within many of the young Aboriginal males..." where he knew, "...the opportunity to operate this program would be a challenge in its own right." That program involved four adolescents and in a recent visit to the community he learned that after over 2½ years since completing the program, these young men had not reoffended. So it is really pleasing to see that a culturally sensitive program like that is having an impact on young Aboriginal males. A flagship program is the Intensive Supervision Program [ISP], which we will hear more of next year, based on an internationally renowned intervention model, called multisystemic therapy.

The good thing about that program is it has 30 years of research behind it. It is currently used in 30 American States, Canada, the United Kingdom, Europe and New Zealand. Evaluations of the program in those countries have shown a significant reduction in the severity and frequency of re-offending. Our budget has allowed for the roll out of that program, in particular next year at Newcastle and in the Western Sydney region. The Intensive Supervision Program will involve teams of specialist staff working intensively with the offender and their families for up to six months. Specialist counsellors will share a roster to be available for families 24 hours a day, seven days a week. This is really going to look at what is causing the problems with some offenders and that means working holistically, not with just the offender but the families as well.

The program provides the tools and opportunities for offenders and their families to make changes to their lives to reduce the risk of reoffending. The program also addresses the many factors related to juvenile offending including family relations, bad peer relations, school and vocational performance, neighbourhood characteristics and community factors. The program uses the strengths within all the systems to facilitate change. The program, as I have said, will be initially started in Newcastle and Western Sydney. We are preparing now for that and our budget this year incorporated the funding that we need for both the preparation and roll out next year. We have talked a lot about—and I know the Committee would be concerned about—Aboriginal young people.

Ms SYLVIA HALE: Excuse me, Mr Chair. Would it be possible to ask the Minister to table her remarks or distribute them because obviously this is eating into the time for questions?

CHAIR: I think you are probably just wrapping it up now?

Mrs BARBARA PERRY: Yes, I will wrap that up. A number of other programs are specifically targeted at young people, and the Aboriginal alcohol and drug program is one. Education in our centres is an important part of turning these young people's lives around. In each of our centres we have education-training units and we are working in partnership with the Department of Education and Training.

Ms SYLVIA HALE: Minister, what is the average age of young people in detention? You may need to take this on notice but what is the average length of sentence? What is the recidivism rate? How many of those detainees are therefore a second or more offender?

Mrs BARBARA PERRY: They are very specific questions and, of course, the age will vary from day to day depending on who is coming into the centres and who is going out.

Ms SYLVIA HALE: Just give us a yearly average.

Mrs BARBARA PERRY: We might be able to give you the average age.

Mr MUIR: I can give you some figures and hopefully they will answer it.

CHAIR: Perhaps we can take those one by one.

Mr MUIR: The average period that a young person spent in custody on what we would call a control order, so that is a young person who has been sentenced, for the past financial year was 158 days. In terms of their profile at admission, I can give it to you in bandwidths rather than specific ages if that satisfies what you are after?

Ms SYLVIA HALE: Yes.

Mr MUIR: The bandwidths were: 28.4 per cent were 15 years or younger; 68 per cent were 16 to 18 years and 3.6 percent were 19 years at the time of admission.

Ms SYLVIA HALE: How many of those were in custody for the second or third time? What was the recidivism rate?

Mr MUIR: That I would have to take on notice.

Ms SYLVIA HALE: Would you also take on notice the proportion in each of those aged categories that were in maximum security, medium security or minimum security?

Mr MUIR: Certainly I can give you something on classifications of the detainees, as I have those figures here. Last financial year we performed 3,077 classifications on detainees. I will give these figures to you in what was the initial classification, that is when they first arrived, and then any subsequent reviews, or I could just give them to you in total numbers? Which would you prefer?

Ms SYLVIA HALE: Both if you can.

Mr MUIR: A1(o) is the highest security rating for a young person and "O" refers to offence. So these are young people coming to custody on very serious offences and their offence would attract a maximum-security rating. On initial classification there were 17 of those and a further 36 at review. Just to explain why that might occur is because sometimes charges change and sometimes they are upgraded and downgraded. There were a total of 53 A1(o). In terms of A1(b)—"b" stands for behaviour—they are young people who are classified with the maximum security rating for their poor institutional behaviour. There were 57 initially and 113 on reclassification, totalling 170. The next security rating is A2—

Ms SYLVIA HALE: You said started off at 57 and then they reclassified and subsequently it was—

Mr MUIR: It was 113.

Ms SYLVIA HALE: Does that indicate that their behaviour has deteriorated after admission?

Mr MUIR: Correct.

Ms SYLVIA HALE: Does that reflect anything about the nature of the detention experience?

Mr MUIR: There is a range of reasons why people are reclassified. We talked about issues such as if they assault somebody, if they are involved in an incident. Any incident results in a reclassification. It is an objective system. The system applies a points rating to certain events. For example, if someone was persistently disobedient to the centre's rules that would attract a certain amount of points. When they get to a certain threshold that will increase the amount of points that is attracted to that classification.

Ms SYLVIA HALE: You say it is an objective system. What about in the instance of an offender who may be bullied by another or a group and therefore gets involved in fights? Under that objective system they would be penalised even though in that instance it may not be their responsibility but rather the behaviour of others.

Mr MUIR: There are two ways we handle that. The first is we have an appeal system for classification that extends up to and including the Director General. If the young person believes that the classification system was unfair in the sort of circumstances that you have raised, they have a right to make a personal appeal in the first instance to a director, then to me, then to the Director General.

Ms SYLVIA HALE: Are they given any expert help when making an appeal?

Mr MUIR: They are given assistance to write that appeal and to make that appeal. I have received a number myself.

Ms SYLVIA HALE: Are they represented in anyway?

Mr MUIR: It is not a legal process; it is an administrative process. Again, there are people like the Ombudsman and Official Visitors. All of our centres are incredibly transparent in the amount of people who oversee our centres. People like Official Visitor, the Ombudsman, the Children's Visiting Legal Service come to our centres. We actually fund the Children's Visiting Legal Service to come. The other way we deal with it is that we have what is called an override ability. The classification people in a centre work for one of my managers in Sydney. We actually do the classification at an arm's length from the local operations. We look into all of those factors. The classification people are trained to look at all of the documentation. If, for example, we uncover evidence of bullying, we have an ability to override the classification either up or down. It might be, for example, going the other way where we had not written up properly to say that they were the bully. So we have the ability to override up. We try to keep those overrides to a minimum.

Ms MASON: Juvenile Detention Centres, as you would be aware, are far more intensively staffed than prisons. In a prison you might have two officers with 150 inmates. In a Juvenile Detention Centre you might have a unit of 15 with three or four staff. One of the reasons for that is because we place a high expectation on our staff of casework and case management. If there were, indeed, the scenario that you describe where staff were allowing a cluster of inmates or detainees to victimise another and doing nothing, then we would regard that as a very serious dereliction of duty on their part. I say with my hand on my heart that I would trust it would be hard to happen because they are far more intensively supervised than is the case in an adult system.

Mr MUIR: I will finish the rest of the figures. A2, which is a medium to high rating, initial classification 357, on review 214, for a total of 571. B1 is a medium. Most young people who enter custody, if they come in on remand, even if they come in lower, are automatically a medium risk until we know otherwise. So 1,217 were assessed as B1, 359 were B1 on review, for a total of 1,576. For B2, which is the second lowest category, initial classification 18, on review 184, for a total of 202. For B3, which is our lowest security rating, initial classification 9, 496 on review, for a total of 505.

Ms SYLVIA HALE: Of those young people who are in detention, what percentage are on remand?

Mrs BARBARA PERRY: On any given day it could be almost—

Ms SYLVIA HALE: What would be the maximum or minimum?

Mr MUIR: On average it is around 50:50.

Mrs BARBARA PERRY: That is 50 per cent control orders and 50 per cent on remand. That fluctuates up and down, but around that.

Ms SYLVIA HALE: For those on remand, what would be the average stay before their charge is determined?

Mr MUIR: The average period of stay last financial year was 11.9 days.

Ms SYLVIA HALE: Of those who are on remand, how many are subsequently released from detention and how many are incarcerated or detained for some time?

Ms MASON: We can get that for you. It varies from day to day. I gather really what you are after is the percentage who upon determination of the charge do not get any custodial sentence.

Ms SYLVIA HALE: That is right.

Ms MASON: We can get that for you. We will take that on notice.

Ms SYLVIA HALE: I would imagine being on remand and then subsequently being exonerated would be a scarifying experience to be held in detention.

Ms MASON: It may not be an acquittal. It often is the fact that either they have served X time on remand and the magistrate deems time served or the magistrate imposes a non-custodial penalty of some kind. We can easily get that for you.

Mr MUIR: There may be some limitations to what we can provide because the data is held by Attorney General.

Ms MASON: We will give you what we hold.

CHAIR: I have one or two questions I would like to ask. Earlier when commenting on the Tweed Heads office you talked about single person offices, which are manned by one person. You said, "We are concerned with occupational health and safety." I take it that you are not happy to have one person in an office on his or her own and you are trying to make it two people offices?

Mrs BARBARA PERRY: We are trying to co-locate them. Sometimes these offices are stand-alone offices. We are trying to co-locate them where there are other people. It is about ensuring the safety of our staff. Having said that, all our offices currently have duress alarm systems, security systems in place. The example of Tweed Heads that we talked about, the co-location there is of benefit to everyone, not just the staff member and the clients attending the community office. It is of benefit to the PCYC as well because we have cross-merger of clients anyway. Some of the activities we will undertake, some of the outcome plans that come from conferencing involve the PCYC anyway. So there are a number of reasons for reviewing single-person offices as the leases expire, not just occupational health and safety issues. As I have indicated, currently the system is that we have duress alarms in security systems in all of our community offices.

CHAIR: How many offices are manned by one person? Is it a large number?

Ms CROSS: As of today I believe there are probably two offices.

Mrs BARBARA PERRY: Out of 37.

CHAIR: So it is not a major problem?

Ms CROSS: No.

CHAIR: Minister, you mentioned new drug detention measures. Could you elaborate on that?

Mrs BARBARA PERRY: There are a number of measures in place. All of that is designed to ensure that drugs do not get into our centres through either visitors or detainees. It is only through making sure that we limit drugs, get rid of them out of our centres that we are able to introduce our rehabilitation programs. One of the things we have in place, of course, is the use of the K9 facility from the Department of Corrective Services. As I indicated earlier, we will get random and targeted use of that. The dogs will come over and target the centres and go through the rooms, sometimes also the visitors' area where the visitors are. Also with drug intelligence we have implemented a wide range of strategies since the Drugs Summit in 1999. To exclude drugs in our centres we have created the Drug Intelligence Unit.

I talked about the Arunta telephone monitoring system in our centres where house staff can overhear calls of detainees. There is the introduction of targeted and random urine analysis testing, which I talked about before. Not only that, we have also given extra training to our staff, which includes alcohol and other drugs training for all of our staff. Also, searching powers of detainees and staff as well. So it is not only detainees that we search for drugs; there can be targeted searches of staff. Also, provision of lockers and screening of staff. All that is about making sure that there is less chance or no chance of drugs coming into our centres. Just to explain the Drug Intelligence Unit: that unit exists within the central office and it coordinates the searches, it does the telephone monitoring and also the urinalysis testing, and it is the conduit of exchange—any information that we might have that unit will pass on to other law enforcement agencies.

The police undertook a review of the Drug Intelligence Unit in late 2006. The review was positive but it did make recommendations to enhance intelligence collection activities and performance indicators. I am pleased to say that the department has commenced acting on these recommendations to further assist the department's efforts in the reduction of contraband entering centres. The telephone system we have in place is a major source of our intelligence information for the department. It assists in the identification of the individuals involved in drugs, the methods of smuggling drugs and other contraband into centres—

CHAIR: That is something that has only commenced since when?

Mrs BARBARA PERRY: Arunta has been happening since 1999. Monitoring and reporting of detainees' calls commenced when the Drug Intelligence Unit became operational in January 2003; the telephone system was there but monitoring started in 2003 in Arunta. It has also provided us valuable information over the time relating to non-drug matters as well, including planned escapes, violence in centres and non-drug contraband. We also have closed-circuit television camera

surveillance in our centres, which is extensive these days. In addition, the urinalysis testing involves testing detainees for illicit drugs. Both random and targeted testing currently takes place. Random testing commenced in 2003 and targeted testing was also introduced in September 2005.

Targeted urinalysis testings happen if there are observations by staff and they think that a detainee is under the influence of a drug or is suspected of drug use or the detainee has been involved in some significant incident. Eligibility for possible targeted urinalysis testing also occurs if you are returning to the centre from being out for leave or out for court or something like that. The good thing about that is that the centre managers have used the test result information to develop appropriate case management strategies for detainees. As a result of a positive test, the centre manager can also request that the Drug Intelligence Unit initiate telephone monitoring of a detainee's calls to establish how and who may be bringing contraband into a centre.

Some of the figures I talked about and some of the benefits that come from urinalysis I talked about in answer to an earlier question. The other method we have for reducing contraband in our centres, and in answer to your question, is our search powers of detainees. We have got search procedures in place at all of our juvenile justice centres. There are two types of searches that we do: wand or clothed body searches and we also do strip searches in our centres. The purpose of a wand or clothed body search is to detect possession of unauthorised contraband or dangerous items. These types of searches occur more frequently in custody and they are generally utilised when detainees are moving from one area of the centre to another.

In relation to strip searches, there are three categories that can be authorised. The first, non-routine, or one-off, strip searches, may only be authorised by a senior officer when a clothed body search has failed to find the object detected during a wand search or there is a reasonable belief following a wand or clothed body search that a detainee actually does possess contraband. The second category is a series of random strip searches. That can then be authorised by an assistant manager or a centre manager for a brief and definite period of time on the basis of a detainee being found with contraband in custody. The use of force in strip searches must be authorised by a regional director or the Deputy Director General Operations, and only approved in extreme circumstances that relate to the immediate security or safety issues for the detainees or others. They are the major ones.

The staff lockers: I have been to our centres and I have seen this: everything the staff bring into the centre goes into that locker. That is to make sure that inadvertently none of the kids get anything, including a pencil or anything else from staff that they may otherwise use to do anything inappropriate with. Staff members only take into the secure area of the centre those items that are approved by the centre manager. In fact, all items carried into the centres by staff are carried in clear plastic bags so that you can see clearly what is in those bags.

CHAIR: I suppose the punch line is how many detections have you had of inmates with drugs?

Mrs BARBARA PERRY: I will go back to those figures for you. I can give you a range of financial years. I think it is only fair to show you that because what that shows you is that we are actually getting the drugs. During the financial year 2003-04, with urinalysis detection, there were random tests and 87 out of 487 returned a positive result. In the year 2004-05, random urinalysis tests were carried out and 41 of 412 returned a positive result. In the financial year 2005-06, 15—so the numbers are going down—out of 487 returned a positive result. It is clear that not only do the young people know they can be targeted or random urinalysis tested but also the results are because of the dogs that are coming into our centres. In the first completed year of target testings—again urinalysis—of 2005-06, 89 tests were conducted. Of these, 31 tests returned positive. During the financial year 2006-07, 152 target tests were taken and returned 27 positive results. So again, the target testings indicate they are going down.

The dog operations, which are another form of detecting contraband, in the financial year 2003-04, there were 178 search operations conducted resulting in 187 contraband fines. This represents a ratio of 1.1 fines per search operation. In the financial year 2004-05, there were 221 search operations resulting in 182 contraband fines: a ratio of 0.8 fines per search. In the financial year 2005-06, there were 172 search operations resulting in 41 contraband fines: a ratio of 0.24 fines per search. And in the financial year 2006-07, there were 186 search operations resulting in 14 contraband

finer: a ratio of 0.08 fines per search. You might be interested in the types of contraband that have been found during the searches: there was cannabis drug-taking implements, knives, tobacco lighters, money, and stems of pens used for smoking pipes. Of course, we report all drug fines to the New South Wales Police for further investigation.

The Hon. DAVID CLARKE: Can you confirm that at least 50 caseworkers at Cobham facility have resigned this year?

Mrs BARBARA PERRY: There certainly have been cases of long service leave and, as indicated earlier, there were the issues that led to the lockdown, but specifically in relation to your question, I am not aware of that and I will take that on notice.

The Hon. DAVID CLARKE: Ms Mason, do you have figures?

Ms MASON: I am checking. We have all the ordinary recruitment processes and so on. I have the note about how many we have recruited, which is 20, and another 13 are in training. I am not aware of the figure of 50.

The Hon. DAVID CLARKE: Are you aware of any problem involving a large number of resignations?

Ms MASON: Are you saying 50 people have resigned?

The Hon. DAVID CLARKE: Yes.

Ms MASON: I would be surprised if that figure is correct, but I am happy to check. I am certainly not aware of anything like that.

The Hon. DAVID CLARKE: Are you aware of a large number of resignations from the facility?

Ms MASON: Some people have resigned from Cobham Juvenile Justice Centre. Two people resigned pursuant to a disciplinary hearing; that is, in advance of its finalisation. I am also aware of people going on secondment or leaving to work for other government departments. I will have to check so as not to mislead the Committee. I know that two people have died.

The Hon. DAVID CLARKE: If I suggested that there had been a number of resignations involving people citing bullying and misconduct by fellow employees, what would you say?

Ms MASON: Obviously I would be very concerned. We have elaborate processes for dealing with bullying, harassment and staff complaints. As you are aware, we are covered by protected disclosures legislation. We are vigilant about dealing with complaints in a way that protects the identity of complainants. It is not uncommon in custodial environments to have allegations of bullying. We have processes to move witnesses to another location while an investigation is being conducted and we have panels of experienced investigators who examine allegations. I would have to look at the details. I am aware of other issues where bullying was alleged and we dealt with them by moving the person concerned away during the investigation. We found misconduct of various kinds. I referred to two matters where people resigned at the eleventh hour when they had been through the show-cause process, which is the final stage of the disciplinary process.

The Hon. DAVID CLARKE: Have you heard of one instance of bullying or misconduct or a number of instances at the Cobham facility?

Ms MASON: We have a number of allegation investigations going on at any one time. I recall one case in which the person who it was alleged was bullied was the complainant and we protected that person and investigated the case. I would not want to mislead the Committee; I will have to check.

The Hon. DAVID CLARKE: What is the maximum number of these allegations at any one time?

Ms MASON: I cannot tell you off hand. We have matters under investigation. I cannot think of a current bullying investigation, for example, that has not been determined. That does not mean that there is not one; I would have to check. It would be unusual. We might have a couple of people claiming that they are being treated unfairly. Of course, it may not have escalated to a formal disciplinary matter; it may be a grievance dealt with at the local level.

The Hon. DAVID CLARKE: If 50 caseworkers had resigned and one of the dominant reasons was bullying and misconduct, that would be a matter of deep concern.

Ms MASON: Yes, and that is why I am confident in my assertion that that is not the case. We have not had any epidemic such as you describe.

Mrs BARBARA PERRY: Of course, the department is overseen by a number of different independent bodies including official visitors and the Ombudsman. I am not aware in the past financial year of the Ombudsman, who oversees complaints issues, launching any serious investigation into any matters. What you have said would be serious.

Ms MASON: That is correct. The Ombudsman is vigilant in scrutinising juvenile justice, which is more than appropriate. No formal investigations of any kind have been launched this year. The Public Service Association is also particularly vigilant in defending the interests of its members, and rightly so. I can assure you that representatives would have come through my door if that were the case.

The Hon. DAVID CLARKE: Of course, there could be resignations that have not been brought to the Ombudsman's attention.

Ms MASON: That is always possible. However, given the number of avenues to make concerns known, I would be amazed if it were anything like that figure.

Mrs BARBARA PERRY: Protected disclosures legislation provides a number of avenues. I hope that any of our staff would use it. I know that they are well versed in all those avenues.

Mr MUIR: We have regular meetings with the Public Service Association, the industrial association representing staff at Cobham. The director general, Ms Cross and I meet with them quarterly, and they have not raised issues. I met with the staff representative at Cobham as recently as last week and no bullying issues were raised with me. Mr Houston, our head of professional conduct, and I also met with the Public Service Association and delegates last week and no such matters were raised.

The Hon. DAVID CLARKE: Ms Mason, as director general can you say with confidence that you are not aware of any employees citing bullying of fellow employees as a reason for resigning?

Ms MASON: No.

The Hon. DAVID CLARKE: Or misconduct by fellow employees?

Ms MASON: It depends on what you mean. As I said, people who are being investigated for misconduct have resigned. It depends on how people characterise that. For example, someone might commit some sort of security infringement and a fellow staff member might make a report and that would give rise to ill feeling. That must be carefully managed. A person can feel aggrieved because he or she is under investigation as a result of evidence given by another employee. We examine that situation when an investigation is concluded; that is, how those people will be able to work together in the future, especially if there has been a disciplinary outcome.

CHAIR: At what level are those investigations taking place? Are they done at the local centre or in the department?

Ms MASON: If it is a local grievance, informal procedures can be followed. However, if it is an allegation of misconduct such as use of excessive force, breaching security, fraud, sexual misconduct or harassing fellow staff, it is escalated to the Professional Conduct Committee. That comprises the two deputy directors general, the head of professional conduct and a variety of other people. They determine whether it can be referred for remedial action of some kind or whether it is escalated to the formal disciplinary process. At that point I issue letters, we engage an investigator or we get one of our investigators to undertake an investigation. There is then a 12-week process of taking statements and so on. If misconduct is established, the employee has a show-cause interview with me, at which they state their case. They bring a support person to that interview. Having listened to all the evidence, if I am satisfied that the misconduct is sustained I write setting out the proposed penalty.

Two or three years ago, the complaints area of the department was not in a good state. There were several reports indicating very unacceptable delays in investigations. From my personal observation of some old files, the quality of those investigations was not good. The Ombudsman, among others, was very discontented with our investigatory processes. I am satisfied that in the majority of cases we have turned that around. The Ombudsman has recently gone out of his way to comment on the professionalism of our investigations and our notification process. Regrettably we still have some matters that take longer than they should, and there are always reasons for that. Sometimes witnesses do not cooperate, especially if they are detainees or there are issues with concurrent police, Independent Commission Against Corruption or other investigations by a range of or investigatory bodies.

In general terms we engage frequently with the PSA on this subject because understandably it is advocating on behalf of its members and it has legitimate concerns about the staff who are working in quite a difficult environment and who have to make judgment calls and then their behaviour is scrutinised with 20:20 hindsight by a range of bodies. I am as confident as I can be that our investigations are streets ahead of where they were two or three years ago.

The Hon. CHARLIE LYNN: I understand there has recently been the case of 29 juvenile justice employees engaged in a pornographic email scandal. If this is the case, would you advise what action has been taken to discipline the concerned parties?

Mrs BARBARA PERRY: I am aware of that issue. Last year an independent investigation was conducted into the inappropriate handling of emails by a number of Department of Juvenile Justice staff. I emphasise no child-related material was involved. The department clearly took the matter very seriously from the outset and was quick to act. As soon as the department uncovered the alleged breach of protocol the investigation was launched in accordance with procedural guidelines issued under the provisions of the Public Sector Employment and Management Act 2002. The matter was also referred to the Independent Commission Against Corruption and a risk assessment was conducted on whether suspensions, with or without pay, were appropriate for the staff involved. The matter was not judged to be reportable conduct within the definitions of the New South Wales Ombudsman's and child protection guidelines. In those circumstances, suspension was not considered appropriate as there was no risk to the young people under the department's jurisdiction. The investigation has now been completed.

I point out that the department has a zero tolerance approach to this type of behaviour, as well as the already tough procedures that are in place. A memo was issued to all staff in July 2006 reminding them of their obligations under the department's policy and code of conduct. There is a strong and clear message to all staff that this type of behaviour is completely unacceptable. There are also stringent measures in place to prevent access by the Internet to inappropriate sites, and the department's code of conduct makes it very clear what is expected of staff when using emails and accessing the Internet. Our training modules for youth officers now include a module called values, attitudes and ethics, which reinforces the department's expectations of staff behaviour. I think there was a core group of 13 involved. Is that a sufficient answer to your question?

Ms MASON: I think you asked for the numbers and what action has been taken?

The Hon. CHARLIE LYNN: What action has been taken, and I want to know if the action you took was in line with similar more recent cases in the Federal system in the nature of discipline, and the procedure by which the investigation took place?

Ms MASON: Just adding to what the Minister said, it is the case that we found 29 people guilty of misconduct. There was a thirtieth who would have been found guilty of misconduct, but they resigned in advance of the findings. We imposed fines of between \$500 at the minimum and \$2,000 at the top. I can give the details of how many got what. I think we might have provided some of that detail on notice after the hearing last year. Seven of those people took us to the Government and Related Employees Appeals Tribunal [GREAT] to challenge the severity of the findings. The department was successful. We got a decision in June just past. I imagine that is up on its website. That has great detail about what our evidence was and what their evidence was. The department was successful. Our reasoning was upheld. I think from memory GREAT reduced marginally the penalties in two cases—I forget on what grounds, hardship or something of that kind.

The PSA argued quite vigorously in the hearing that we had been unduly harsh based on precedence—not the Federal matters you just described—from other government departments, given the nature of the material that our people had been passing around among themselves, relatively low-level material, and on various other mitigating factors. As you probably know, GREAT has the opportunity either to raise the penalty or lower it, but it upheld penalties and vindicated our decision and the level of the penalties that we had set. Does that answer your question?

The Hon. CHARLIE LYNN: Perhaps you can just enlighten us as to how the penalties were assessed and also how many of them got the maximum penalty?

Ms MASON: We looked very closely at what case law there was. I am not saying we looked at the Federal matters you discussed. We looked at the question of dismissal and whether we could sustain a dismissal. Given the material we had I was clearly of the view that we would not succeed, that we would end up with reinstatements. There is a fellow now that I have sacked for similar material. That matter is now before GREAT. He is challenging that so we will now see whether I am successful, whether the department is successful, in maintaining that dismissal. That is set down for a two- or three-day hearing in December so I probably should not canvass the circumstances of that too greatly. But, in his case, I took the view that he had a poor disciplinary record and that the material he had sought to access was of a more obnoxious nature than was the case with these 29 people. Fines are part of the regime of disciplinary action that is available. It is the next one below dismissal. The level of the fines was based on the material, the degree of culpability—whether the person was in a supervisory role—whether the person showed any contrition, those sorts of factors.

The Hon. CHARLIE LYNN: Was there any evidence that you are aware of that juveniles were shown some of that pornographic material?

Ms MASON: There was unequivocally not that evidence. If there had been, it would have been reportable conduct. We kept the Ombudsman informed. If we had evidence either that any of the material they were accessing was, in effect, child pornography—it was all adult females—or if we had any evidence whatsoever that they had shown it to clients, it would have been reportable conduct. There was already a formal investigation but it would have been a whole extra world of pain. It would have been the Ombudsman; it would have been the Commission for Children and Young People. They would have been in even more serious trouble, I can assure you.

The Hon. DAVID CLARKE: How many juveniles are currently in custody in adult correctional centres?

Mrs BARBARA PERRY: As you would appreciate, adult correctional centres are not my facilities. They are the facilities of the Attorney General, and Minister for Justice.

The Hon. DAVID CLARKE: Would that be a figure brought to your attention? Would that be a matter of concern?

Mrs BARBARA PERRY: Ordinarily speaking adult correctional facilities are from 18 on.

Ms MASON: Could I just clarify, do you mean somebody who committed an offence when a juvenile who has now moved on to adult or do you mean a person who is under 18?

The Hon. DAVID CLARKE: Yes.

Ms MASON: We are not aware of any.

Mr MUIR: The answer is zero, to the best of our knowledge.

Mrs BARBARA PERRY: The law clearly is that juvenile correctional facilities are from 10 to 18 and adult correctional facilities are 18 and above. So I am unclear about that.

Mr MUIR: For someone under 18 in an adult facility, an application would have had to be made to the court, and there has been no such application made this year at all.

The Hon. DAVID CLARKE: Was a prisoner convicted of murder transferred from a juvenile detention centre to an adult prison?

Mrs BARBARA PERRY: That is different. That is a different question.

Ms MASON: We would have to get the details from you. If they were convicted when they were a juvenile and now turned 18, it is quite common for them to then to get transferred on to adult corrections, depending on the circumstances of the order, the court order.

The Hon. DAVID CLARKE: Will you take that on notice?

Ms MASON: Definitely. I am happy to do that.

CHAIR: We will move on to Government members.

The Hon. PENNY SHARPE: We have no question at this time, Mr Chairman.

Ms SYLVIA HALE: Minister, what is the minimum qualification required for employment as a worker who has direct contact with detainees in a juvenile justice centre?

Mrs BARBARA PERRY: There are two things in relation to that. Because of the high numbers of Aboriginal young people, we seek, where possible, people of Aboriginal background working within our centres. We seek also to have culturally and linguistically diverse people as well. As to the actual qualifications, if you are talking about juvenile justice officers who work with detainees, there are unit managers, unit coordinators, et cetera, but generally speaking I might just ask Ms Cross to answer that.

Ms CROSS: We generally ask for a couple of qualifications. We generally ask for the School Certificate or equivalent certificate III or a number of units of a certificate IV. However, we also say, "You also have to have potential to get a number of units of certificate IV", because when you come into a youth officer position in a centre, we actually put you through a 29-day training program and through that program we train you and give you units of competency towards a certificate IV. A certificate IV is a TAFE qualification, a national qualification that is agreed on at the peak level. It is a vocational training program that is across all States. People come out with a certificate IV as part of that qualification. We put them through the induction process, we give them a number of units of that qualification and then we train them on the job over a period of 12 months to two years to get their certificate IV qualification.

Mrs BARBARA PERRY: They give on-the-job training as well, particularly in relation to specific things such as alcohol and drug training.

Ms SYLVIA HALE: Is that ongoing training a requirement? Is everyone who works in Juvenile Justice, after they have been through the initial period, then required to undertake additional training in specific areas?

Ms MASON: We have regular training days and other training attainments. It is also a condition of being promoted, I think to unit coordinator, to actually attain your certificate IV. That is an incentive. You cannot secure promotion without actually having secured the qualification. That is an incentive for people to continue to do their various modules.

Ms SYLVIA HALE: What is the proportion of people who have not moved on to certificate IV and those who have moved on and above it?

Ms CROSS: I will probably have to take that on notice, but can I say that it used to be a certificate III qualification but because it is a nationally accredited program—we do that through the nationally accredited VTAB bodies—that certificate III qualification ceased a couple of years ago and has turned into a certificate IV qualification, so I will have to seek that information.

Mrs BARBARA PERRY: And as you would appreciate, there are only so many promotional positions in any centre.

Ms SYLVIA HALE: Sure. What is the average turnover of trained workers in the centres each year?

Ms MASON: We would have to take that question on notice.

Ms SYLVIA HALE: And if you could do it for the last three or four years?

Ms MASON: Sure, we can give you how many people we have recruited.

Ms SYLVIA HALE: How many of the detainees will complete their School Certificate or Higher School Certificate or a vocational qualification while in detention this year?

Mrs BARBARA PERRY: I can give you the numbers in a second, but I am pleased to say that in eight of our juvenile justice centres we have education training units. In 2006 a total of 1,672 detainees were enrolled in education and training units; 771 detainees were placed into TAFE courses run by the department—so it is not only the School Certificate and the Higher School Certificate—113 detainees studied for the School Certificate and 68 for the High School Certificate; 54 detainees in juvenile justice centres completed the School Certificate and two completed the Higher School Certificate in the 2006 school year.

Ms SYLVIA HALE: Do most people who complete the School Certificate then contemplate going on to the Higher School Certificate or are they not in the centre for long enough to make that feasible?

Mrs BARBARA PERRY: Some may not be in the centre long enough.

Mr MUIR: I am commenting outside of my specific expertise, but within our centres the Department of Education and Training offers the School Certificate for two streams. One is the stream of School Certificate that is sat in all high schools. The other is a Life Skills School Certificate, which is a modified qualification for young people who would otherwise not achieve any accredited educational outcome. There are a reasonable proportion of young people in our centres who would only attain the Life Skills School Certificate, so for them academic pathways are not necessarily going to be the best way for them and the Department of Education and Training will endeavour to get them more in a vocational pathway.

Ms SYLVIA HALE: What percentage of the detainees would have inadequate literacy levels and how are those issues addressed?

Mr MUIR: That is covered in our health surveys.

Mrs BARBARA PERRY: I was at Reiby not that long ago where the chaplain and her band of volunteers come into the centre and do literacy and numeracy work with the young people. I was speaking with the young chaplain and one young person who in 10 weeks went from not being able to

read to reading at year 6 or year 7 level. Before he had virtually no reading skills. That is an example of some of the work being done. In relation to what you are asking specifically, I will ask Mr Muir to answer?

Mr MUIR: Some of these scores are highly technical. I know that last year we tabled this report for members and we are happy to do that again. That would give you the specifics. However, in broad terms, literacy and numeracy are at the lower end. Numeracy, in particular, was probably a little worse than literacy in some of the studies, but rather than take up time reading some of the technical details, we are happy to table this Key Findings Report, which would give you this information.

Ms SYLVIA HALE: You said earlier that the average stay was something like 158 days. Do you measure any improvement in those literacy skills—

Mr MUIR: That is done by the Department of Education and Training. They will measure reading age at admission and, if they can, if it is a planned discharge, they will measure reading age on discharge. Again, whilst I do not routinely see those figures, certainly we have seen very significant improvements in the reading age. I have seen some go from around 8 years to around 14 years of age during their time in custody.

Ms SYLVIA HALE: What about their numeracy skills?

Mr MUIR: I could not quote you figures on that but certainly numeracy and literacy are the backbone of what the Department of Education and Training does in our custodial units. In fact, young people do not go on to other more desirable subjects unless those backbones of numeracy and literacy are met, and there is a very strong incentive for young people to do those things.

Ms MASON: That is right. As the Minister indicated—and this study that we are happy to give you says—most of the young people who come into detention have been out of school or truanting or not engaged at all for at least six months beforehand and you see quite amazing results in the detention centres because they are in a class of four to six and the classes are designed to be very concrete and very engaging, as they can be when it is so small.

Mrs BARBARA PERRY: And even those on remand still go to education centres as well where there are targeted education programs for them. Even though they might be there a short time, they still go.

Ms SYLVIA HALE: What proportion of detainees over the past 12 months were of Aboriginal or Torres Strait Islander background?

Mrs BARBARA PERRY: It ranges from anywhere between 45 to 50 per cent. We have a high number of young people of Aboriginal or Torres Strait Islander background in our detention centres.

Ms SYLVIA HALE: How do these figures compare with those of, say, three years ago? Are the numbers increasing, decreasing, or remaining constant?

Mrs BARBARA PERRY: I think I would need to take the question on notice.

Ms SYLVIA HALE: Could you also take on notice how the proportion compares with the level prior to the Royal Commission into Aboriginal Deaths in Custody?

Mrs BARBARA PERRY: I will take that on notice.

Ms SYLVIA HALE: How does the department undertake any analysis of the proportion of Aboriginal or Torres Strait Islander detainees who were detained in maximum security settings compared with medium or minimum security settings?

Ms MASON: Could I clarify a matter? Earlier Mr Muir spoke about classification. As you are possibly aware, juvenile detention centres are not stratified in the way the adult system is. Two of

our centres only hold minimum security, but in general terms you could often have the whole range of classifications held in one centre. You want to know how many—?

Ms SYLVIA HALE: I wanted to know the representation of people of Aboriginal or Torres Strait Islander background in terms of the degree of security in which they are held, whether they are overrepresented in one category as opposed to another.

Ms MASON: Yes, we can find that out.

CHAIR: Minister, during a previous inquiry in which I was involved there were reports of a number of cases of self-mutilation, particularly involving females. Are such cases still occurring today? Have they declined, have they disappeared, or are they still a problem?

Mrs BARBARA PERRY: As you would see from the budget papers, self-harm incidents have decreased, which is something we are very proud of. It is a reflection of a number of things we have in place—for example, the particular case management system we have in place; the objective classification system is helping with that; the programs we have run; and the counselling services we have in our detention centres. All young people are, of course, assessed when they come into custody for their health and their mental health.

Those who are identified at risk by the centre and face mental health psychologists are closely monitored by centre management, who work with them in developing effective behavioural management and security responses. Detainees that we think are at risk, including those who may exhibit self-harm behaviours, are placed under more supervision, to monitor and assist them. That intensive supervision ranges from more frequent observation, or continuous observation, to one-on-one supervision of detainees by staff members who remain in close proximity at all times. The level of monitoring is determined by the young person's assessed degree of risk.

There is also a 24-hour mental health line which is provided by a clinical nurse consultant in mental health employed by the Justice Health Service. Another service that is run by the Minister for Health in our centres is the Justice Health Service, and that has also impacted on the reduction in numbers engaging in self-harm. Justice Health provides a consultant psychiatrist to each of our centres, and these psychiatrists have been of wonderful assistance in identifying and managing young people at risk of self-harm. In addition, our own staff maintain close links with the New South Wales Department of Health area mental health services to provide access quickly to local mental health services. The department has also implemented work practice two: suicide awareness training, for both centre and community-based staff.

The rate of self-harm incidents in detention centres has fallen from 26 per 1,000 admissions in 2005-06 to 21 per 1,000 admissions in 2006-07. In 2006-07 there were 80 incidents of self-harm involving 52 young people, but in 2005-06, the prior year, there were 103 incidents. So that is coming down. It is a sad reflection, is it not, of what some of these young people's lives are like. But while we have them, we expect them to be in a disciplined environment. It is the time when we can try to make changes in their lives. It has to come from them. We are giving them the tools to do that with; we are trying to get them ready to be productive members of our community, and to stop the slide into adult crime.

CHAIR: A couple of years ago there were reports of problems in juvenile justice centres in which the staff appeared to be overwhelmed. There was a report of transferring some of the adult correctional officers to work in the juvenile justice centres. Did that ever occur?

Mrs BARBARA PERRY: Are you referring to the Kariiong facility being put under the Department of Corrective Services?

CHAIR: Yes. I thought that involved some staff coming from the adult correctional area.

Ms MASON: No. Kariiong is run purely by the Department of Corrective Services, with Corrective Services staff.

CHAIR: They would all be adult Corrective Services staff?

Ms MASON: That is right, at Kariong.

CHAIR: It is the only place where that is occurring?

Ms MASON: Exactly.

Mrs BARBARA PERRY: And mainly 16 to 18-year-olds are there, and they are then assessed on the seriousness of their offences. They can be transferred from our centres to there, depending on behavioural issues.

CHAIR: Has there been any discussion about changing that procedure, putting it back under Juvenile Justice?

Ms MASON: Nothing has been raised that I am aware of, no.

CHAIR: Obviously, it will continue into the future?

Mrs BARBARA PERRY: I expect so.

(The witnesses withdrew)

CHAIR: The Committee will now deal with questions relating to Western Sydney.

ROBERT LENNON, Western Sydney Regional Coordinator, Department of Premier and Cabinet, Level 2 Macquarie Tower, 10 Valentine Avenue, Parramatta, sworn and examined:

JANE MOXON, Manager, Office of the Minister for Western Sydney, Level 2 Macquarie Tower, 10 Valentine Avenue, Parramatta, and

JOHN LESLIE SCOTT, Director, Strategic Projects, Department of Premier and Cabinet, Level 7 Bligh Street, Sydney, affirmed and examined:

CHAIR: Turning now to the portfolio of Western Sydney.

Mrs BARBARA PERRY: Mr Chair, do you want me to give an opening statement?

CHAIR: In view of the time I think it would be better to table it.

Mrs BARBARA PERRY: I am happy to table it.

The Hon. CHARLIE LYNN: I will move that it be tabled.

CHAIR: Your opening statement will be incorporated into *Hansard*.

Leave granted

The New South Wales Government recognises Western Sydney as playing a vital role in the State's economy as a major centre for growth and as an environmental asset.

In recognition of its importance, the New South Wales Government appointed the first regional Minister for Western Sydney in 1998.

Since then, Western Sydney has benefited from a range of Government achievements and initiatives that have made the region a better place for people to work, live and enjoy recreation.

In the past ten years, new residents have been flocking to establish their homes and families in Western Sydney.

The population of Greater Western Sydney has grown from 1,584,550 in 1996 to over 1,788,000 in 2006 an increase of more than 12.5 per cent.

This is testament to the attractiveness of the region for individuals, for families and for the establishment of business.

Western Sydney is Australia's economic powerhouse: 1.85 million people; 240 000 businesses; over \$80 billion in economic output last year and—the third largest regional economy in Australia.

Western Sydney is a thriving region populated by people of all backgrounds with a broad range of skills.

Western Sydney is home to a workforce of more than 900 000 people.

Successful regional businesses and increased employment opportunities mean people can work closer to home allowing them to spend more time with their families " and reducing the environmental impact of travel to and from work.

Western Sydney plays a key role in our Government's planning for Sydney's growth.

You need only look at this year's budget to see the lemma Government's commitment to Western Sydney. The Iemma Government's budget for Western Sydney stands this year at approximately \$2.16 billion to be spent on education, transport, roads and other large infrastructure projects \$143 million more than last financial year.

The future of Western Sydney is also mapped out through a number of key Government strategies, including the New South Wales State Plan.

We have already begun rolling out measures to address goals for Western Sydney identified in the State Plan.

To date, we have implemented strategies to further improve our transport system provide infrastructure ... tackle disadvantage increase investment in business secure our future water and energy supply and assist students to fulfil their potential.

My office in particular has been working in partnership with other Government and non-Government agencies as well as with the private sector to deliver important industry, employment and environment programs to the community of Western Sydney.

The Hon. CHARLIE LYNN: Through you, Mr Chair. Minister, the Greater Western Sydney Economic Development Board is part of your ministerial responsibility?

Mrs BARBARA PERRY: No, it is not. It is a separate body. We have a partnership and we work with them but they are not under our jurisdiction at all. They are a separate autonomous body. It has a general manager and a chairman. The General Manager is Bob Germaine and the Chairman is Alan Pendleton. Certainly we do things in conjunction with them and they support our initiatives, as we do their's, but it is certainly not under our jurisdiction.

The Hon. CHARLIE LYNN: What ministerial portfolio does it fall under?

Mrs BARBARA PERRY: I think it is the Department of State and Regional Development.

The Hon. CHARLIE LYNN: I have some questions that you may or may not be able to answer in that case but if you cannot I would appreciate it if you would take them on notice. I would like to ask what reasons a fellow by the name of Frank Gelonesi gave when he resigned as chairman and a member of the Greater Western Sydney Economic Development Board?

Mrs BARBARA PERRY: I am not able to answer that because it does not come within our jurisdiction and nor would my office be able to answer it. It would be more appropriate if it were referred to the Hon. Ian Macdonald. I really do not know any circumstances around what you are asking.

The Hon. DAVID CLARKE: Is there any interaction between your position as Minister for Western Sydney and the Greater Western Sydney Economic Development Board?

Mrs BARBARA PERRY: Firstly it needs to be clear that I do not have any ministerial role over them but we have partnerships, for example, with them, along with other people or groups, as partners in the Western Sydney Industry awards. I do not have any nexus to their day-to-day operation. The major thing that they put on—and they have done slightly different to us—they are now very interested in focusing on manufacturing. As you know 15 percent of industry in Western Sydney is manufacturing. They are very focused on doing things around that. A lot of their work is done around that basis but has nothing to do with us in that regard.

The Hon. DAVID CLARKE: It seems an anomaly that there is no relationship between your Ministry and that board?

Mrs BARBARA PERRY: No, I do not think it is an anomaly at all. I think there are lots of different organisations that exist. It is under a different heading within Government, it is under the Department of State and Regional Development portfolio, and it focuses on other things. My role is to be available to, and represent, the Western Sydney community. The Greater Western Sydney Economic Development Board works in a regional capacity as well but under the Department of State and Regional Development. I do not think it is an anomaly at all. I think the two are not necessarily inconsistent but they are not necessarily consistent either and we do focus on different things.

The Hon. CHARLIE LYNN: Would you just advise what is your most important role as Minister for Western Sydney?

Mrs BARBARA PERRY: I think my role involves liaison with individuals, community groups and businesses in the greater Western Sydney area on an ongoing basis and, where appropriate, I am able to make representations to relevant ministers and in Cabinet. I can facilitate meetings between community members and relevant Government ministers as required. That is how I see my role.

The Hon. DAVID CLARKE: Do you have any ongoing relationship with the chairman of the Greater Western Sydney Economic Development Board?

Mrs BARBARA PERRY: A relationship in the sense that our two bodies sometimes work in hand in hand as a partnership depending on the project that we may be conducting at the time.

The Hon. CHARLIE LYNN: In view of your role in liaison and so forth, what action have you taken Minister to ease the high payroll tax burden for Western Sydney businesses?

Mrs BARBARA PERRY: As you would appreciate issues about tax relate to the Treasury. I can point out to you, however, since August 2005 the Government overall has facilitated 15 tax cuts and a reduction to workers compensation premiums four times, with changes worth a total of \$9.9 billion to 2010-2011. The Government has specifically removed 2.25 per cent vendor duty on the sale of investment properties from August 2005, at an estimated cost of \$409 million in 2007-08. We have provided payroll tax concessions of up to \$144,000 per year for businesses newly liable for payroll tax that relocate to or expand in regions of New South Wales with higher than average unemployment, at an estimated 2007-08 cost of \$6 million. We have increased the land tax-free threshold.

This is all in an effort to keep the economy moving, improve economic growth and stimulate business. We have also abolished the hire of goods duty from 1 July 2007. We have extended the first home plus stamp duty; abolished mortgage duty, made four cuts to workers compensation premiums totalling 25 per cent—the last cut of five per cent taking effect from 1 July 2007. The cost of the workers compensation cuts is estimated at \$701 million in 2007-08.

The Hon. DAVID CLARKE: Minister, why has the Iemma Government broken a key election promise and downgraded to a review the construction of a new University of Western Sydney train station at Werrington?

Mrs BARBARA PERRY: Of course that would be more in the domain of the Minister for Transport but I can say to you that in relation to transport infrastructure in this year's budget alone we have increased the amount to Western Sydney. As you would know, there is a report being prepared into that matter. Perhaps you had better ask the Minister for Transport in relation to that.

The Hon. DAVID CLARKE: Would you agree, however, that it certainly would adversely affect development in Western Sydney and that is in your portfolio? You would have concerns that in fact that promise has been downgraded to a review?

Mrs BARBARA PERRY: At the moment there are submissions for review that Dr Refshauge is preparing and I think it would be more appropriate to the Committee if that question were asked of either the Minister for Planning or the Minister for Transport.

The Hon. DAVID CLARKE: It is something you could take up in Cabinet on behalf of Western Sydney?

Mrs BARBARA PERRY: Matters in Cabinet are Cabinet in confidence. I do make representations on behalf of Western Sydney in Cabinet.

The Hon. CHARLIE LYNN: Minister, do you think that the Ministry of Western Sydney is a Clayton's Ministry? Over the years every time we have an estimates hearing questions are always passed off to another Minister. Would it not be better to just say it is a Clayton's Ministry? You could then focus more on your other ministries.

Mrs BARBARA PERRY: I do not think so at all, absolutely not. The establishment of the Office of the Minister for Western Sydney is a reflection of the importance of this region to the future of New South Wales. We are talking about a region that has 1.85 million people and by 2010 will have 2 million people. Last year alone the region had \$80 billion in economic output and is now the third largest region in economic growth in Australia.

The Hon. CHARLIE LYNN: With due respect, we know all that. But every time we ask a serious question about improving the social or economic conditions of Western Sydney we get flicked off to the Minister for Planning or the Minister for Transport.

Mrs BARBARA PERRY: In relation to your question specifically, in 2006-07 the Office of the Minister for Western Sydney has continued to contribute to the economic growth of the region. We run our own programs, as you would be aware. We have achieved real employment outcomes for people who face tremendous barriers to employment and we have advocated for the preservation and improvement of Western Sydney's natural environment. We run the three major programs. The first one, as you would be aware, is the Western Sydney Industry Awards. That program recognises and promotes the excellence, innovation and strength of industry in the Western Sydney region.

I see this program as extremely important for the region. In 2007 those awards attracted stronger support than ever from leading organisations and government agencies. In fact, we have three new sponsors. That is how important people see those awards out there. The new sponsors were HSBC, Telstra Stadium and the AFL. In addition, four existing sponsors have increased their level of support. As to applications, in 2007 we attracted 95 applications from 66 Western Sydney companies. Two-thirds of the applicants were new to the awards program, which demonstrates the growing interest and recognition from Western Sydney businesses.

Another program that we are running through the Office of the Minister for Western Sydney, which I have responsibility for, is the Corporate Partners for Change Program, which links long-term unemployed people with specially customised training and employers in Western Sydney to maximise their prospects for employment. I can report to the Committee that 11 programs were conducted in 2006-07. There were 148 course participants that completed the programs. Those programs were in aged care nursing, electrical trades, business administration for people with physical disabilities, children's services and community health workers for people with disabilities. We have gone back and looked at the figures. A number of people have obtained employment as a result of those programs. I will get the figures. The environmental program that we primarily run through the Office of the Minister for Western Sydney coordinates a regional art competition, which is open to State primary schools. That project is designed to raise community awareness and provide opportunities for involvement in the protection and celebration of the region's environment.

The 2007 calendar theme was "Parks of the Future". The competition attracted over 1,600 entries from 76 Western Sydney primary schools, ranging from kindergarten to year 6. Fourteen works were selected to appear in the calendar and 24 works were highly commended. Exhibitions of all winning and highly commended artworks were held at Parliament House, the Joan Sutherland Performing Arts Centre, Blacktown Arts Centre and Riverside Theatres Parramatta. There were 8,000 copies of the 2007 Western Sydney environment calendar produced and distributed free to schools, councils, community groups and government agencies throughout Western Sydney.

As I said in relation to the Corporate Partners for Change Program, a program that we run, there were 148 participants in 2006-07. We know of at least 81 of those 148 participants that have successfully gone on to gain fulfilling employment in their chosen career or have been offered traineeships or apprenticeships with employers in Western Sydney. We were unable to make contact with some people because they are transient and have moved on. So the figures may be higher, for all we know. It is possible that those people we were unable to contact are also in meaningful, gainful employment as a result of a program of the Office of the Minister for Western Sydney, a program I have direct responsibility for.

CHAIR: No-one would question the importance of the area. Its population is equivalent to that of Adelaide. Recent surveys show that it has one-third the facilities that Adelaide has. Are there any plans to upgrade the portfolio to a proper ministry that appears in the budget papers and has its own budget? It is not in the budget papers; there is no allocation for it.

Mrs BARBARA PERRY: The ministry is a ministry. In relation to infrastructure, there is no doubt that the Government places importance on the Western Sydney region. You just need to look around Western Sydney to see what is going on.

The Hon. CHARLIE LYNN: Traffic jams mainly.

Mrs BARBARA PERRY: That is unfair. Look at the beautiful M7 out there.

The Hon. CHARLIE LYNN: I am talking about the M5 that I sit on twice a day.

Mrs BARBARA PERRY: In all seriousness, the Government is investing in Western Sydney \$2.16 billion in the budget in 2007-08 in health, education, transport, roads and other infrastructure. That is \$143 million more than in the previous budget year. These sorts of outlays demonstrate the State Government's commitment to significant and continued infrastructure investment in Western Sydney.

The Hon. CHARLIE LYNN: Minister, I should point out that the M7 was a Federal Government initiative.

Mrs BARBARA PERRY: I will go on to highlight some of the important infrastructure for the edification of the Committee. There is \$45.2 million towards construction in my own electorate of the new Auburn Hospital. That is for stage one this year. The total cost of the hospital will be \$145 million. The importance of that hospital to our community is unbelievable and a new hospital in the community has generated great enthusiasm. There is an additional \$22.5 million for stage two of the redevelopment of Liverpool Hospital. Liverpool Hospital will be one of the biggest hospitals in Australia once all the stages of that hospital are completed. There is funding to eight schools to be completed by 2009, upgrades to eleven primary, five secondary schools and TAFE colleges in the region. There is \$15 million to complete important flood evacuation routes in Windsor, \$50 million to continue widening—

The Hon. CHARLIE LYNN: Is there anything for the Camden maternity ward because we want that reopened?

Mrs BARBARA PERRY: That is a matter you need to talk to the Minister for Health about.

The Hon. CHARLIE LYNN: It is a Western Sydney issue.

CHAIR: We will have to move on, otherwise we will run out of time.

The Hon. KAYEE GRIFFIN: The questions I had the Minister has answered in her previous answers.

Ms SYLVIA HALE: Minister, what figures do you have of the level of mortgage defaults in Western Sydney over the last 12 months?

Mrs BARBARA PERRY: There has been a lot of publicity about mortgage defaults in Western Sydney and the stress families are coping with out in that region. It seems to particularly have hit Western Sydney very hard. Unfortunately, I do not have the actual figures in relation to that. Could I take that on notice? I will have to get it from Treasury, I suspect.

Ms SYLVIA HALE: Yes, and you may want to take a number of other questions I have on notice. What proportion of renters in Western Sydney is spending more than 30 per cent of their income on rent? That is, how many are under stress? How many blocks of land are currently available for immediate sale and commencement of building in the Western Sydney growth centres?

Mrs BARBARA PERRY: I think that question is probably best directed to the Minister for Planning. Would that be appropriate to refer that to him?

Ms SYLVIA HALE: You may but, given that both political parties have suggested there needs to be a greater release of land to solve the problem of affordable housing, I would have thought it is something you would want to be on top of.

Mrs BARBARA PERRY: I might be able to talk to a couple of those things first, without giving you specific figures. As I said, firstly, in relation to mortgage stress and home repossession, you would be aware of the strains on families because of successive interest rate rises and spiralling fuel costs and the reports from families of their concerns about WorkChoices. From our point of view, we are working hard to assist Western Sydney families by reducing taxes. We are releasing land and continuing to administer the First Home Buyers Grant, of which the residents of Western Sydney are some of the biggest recipients.

As I indicated earlier, we have made 15 cuts to State taxes, and in relation to land release we have enough zoned and serviced land in the region for approximately 33,000 new homes and are committed to increasing this to approximately 55,000 over the next two years. We have also provided \$1.6 billion in stamp duty concessions for almost a quarter of a million first home buyers and most recently we announced significant cuts to developer levies for growth centres—the Minister for Planning announced that—and that is expected to reduce the cost of new housing lots in these parts of Western Sydney. Hopefully that is sufficient in relation to your questions.

Ms SYLVIA HALE: Not really. If you could also indicate whether you are pushing for any affordable housing requirement being placed on new land releases in growth centres or if you are advocating for that on behalf of the people in Western Sydney?

Mrs BARBARA PERRY: I make representations where appropriate, and that is my role to do so. But specifically in relation to affordable housing in growth centres, perhaps it is a matter you should talk to the Minister for Planning about.

Ms SYLVIA HALE: Are you aware of the Cumberland Conservation Corridor? In case you are not: it is a proposal for a 30-kilometre wildlife corridor that goes in a loop and meets the Nepean River at both ends and its purpose is to ensure that rare and endangered flora and fauna have a sustainable future. It encompasses areas such as the Orchard Hills defence establishment and the Air Services Australia site at Shanes Park. Would you familiarise yourself with the proposal and then advocate for it in terms of the important role it will play in the Western Sydney region?

Mrs BARBARA PERRY: Can I just say in relation to the environment that environment is very important in Western Sydney, as it is in all of New South Wales and should be in Australia. It should be front and centre of everything. I can report that the Government has a deep commitment to protecting the environmental heritage of New South Wales and promoting a sustainable future for our State. Some of our projects for the Western Sydney region include not only protection of heritage flora and fauna but also the Western Sydney water recycling initiative, the replacement flows project, funding of the clean water project from the Hawkesbury River, and the development and expansion of water treatment plants at Eastern Creek and Rouse Hill. With regard to the specific details of your question, I would recommend that you approach the Minister for the Environment. In my capacity as the Minister for Western Sydney, I am more than happy to make representations about the proposal and hear about the proposal.

CHAIR: That brings us to the end of our set time. If there are other questions they could be forwarded to the Minister to be answered in due course.

The Hon. DAVID CLARKE: Just a question of clarification. I have a number of questions dealing with the north-west rail link, infrastructure charges and the effect on housing affordability in Western Sydney, and also a number of questions in the painful area of road tolls for residents in Western Sydney. What do I do about those?

CHAIR: They can be put on notice to the Minister, but you need to check whether they are relevant to this particular Minister. Road tolls may be a question for the Minister for Roads.

The Hon. DAVID CLARKE: They are relevant to a couple of Ministers.

CHAIR: Unless you would prefer, Minister, to forward them on to the respective Ministers?

Mrs BARBARA PERRY: That might have to happen if they are not details I have.

CHAIR: I will let you make that decision.

The Hon. DAVID CLARKE: Because they are matters involving Western Sydney they could be matters that while they might come under the auspices of other Ministers, they may be areas that the Minister on behalf of Western Sydney may feel comfortable in raising and making a comment in Cabinet.

The Hon. IAN WEST: Chair, can you also clarify for the Minister that for those questions on notice there are 35 days in which to answer them?

Mrs BARBARA PERRY: Mr Clarke may realise that some of his questions may have to be referred to other Ministers.

CHAIR: We appreciate there may be an overlap there. Thank you very much, Minister, and your staff for your attendance.

Mrs BARBARA PERRY: I thank the Committee for its respect as well.

(The witnesses withdrew)

The Committee proceeded to deliberate.
