

GENERAL PURPOSE STANDING COMMITTEE No. 4

Friday 19 October 2007

Examination of proposed expenditure for the portfolio area

COMMUNITY SERVICES

The Committee met at 5.00 p.m.

MEMBERS

The Hon. J. A. Gardiner (Chair)

The Hon. C. E. Cusack
Dr. J. Kaye
The Hon. C. M. Robertson

The Hon. R. A. Smith
The Hon. H. Tsang
The Hon. L. J. Voltz

PRESENT

The Hon. K. P. Greene, *Minister for Community Services*

Department of Community Services

Dr N. Shepherd, *Director General*

Ms D. Rygate, *Deputy Director General, Strategy, Communication and Governance*

Mr J. Parisi, *Director, Financial Services*

Office of the Children's Guardian

Ms K. Boland, *Children's Guardian*

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 of General Purpose Standing Committee No. 4 open to the public. I welcome Minister Greene and departmental officers for attending today. At this meeting the Committee will examine the proposed expenditure for the portfolio of Community Services. Before questions commence, some procedural matters need to be dealt with. First, I refer to the broadcasting of proceedings. In accordance with the Legislative Council guidelines for the broadcast of sound and video excerpts of its public proceedings held tonight, I emphasise that only members of the Committee and witnesses before it may be filmed or recorded. People in the public gallery are not considered to be part of the proceedings and, therefore, should not be the primary focus of any filming or photographs.

In reporting the proceedings, you must take responsibility for what you publish or what interpretation is placed on anything that is said before the Committee. A copy of the guidelines for the broadcasting of proceedings is available on the table by the door. Members and their accompanying staff are advised that any messages should be delivered through the attendant on duty or the Committee clerks. For the benefit of members and Hansard, and the effective operation of this Committee, it is important that departmental officials identify themselves by name, position and department or agency before answering each question. Mobile phones should be turned off.

The Committee has agreed to the following format for this hearing; questions by the cross-bench, the Opposition and the Government. The Committee has decided to commence with the Office of the Children's Guardian matters first and then Ms Boland may be excused. The Committee will then move on to questions of the Department of Community Services. There will be a break for 10 minutes at 6.30 p.m. Minister, I advise that the Committee has resolved to request that answers to questions taken on notice during tonight's hearing be provided within 21 calendar days of the date on which they are sent to your office. The Minister does not need to be sworn as he has taken an oath of office as a member of Parliament.

KERRYN BOLAND, Children's Guardian, Office of the Children's Guardian, sworn and examined:

CHAIR: I declare the proposed expenditure for the portfolio of Community Services open for examination. Minister, do you wish to make a brief opening statement?

Mr KEVIN GREENE: Yes.

CHAIR: In which case, it is to be limited to a maximum of five minutes.

Mr KEVIN GREENE: I will do my very best to keep it less than that. 2007-08 is a watershed year for the Department of Community Services [DOCS]. It is the final year of this Government's \$1.2 billion, five-full-year reform of the child protection system which has seen DOCS caseworker positions almost doubled and the development of new services to help prevent abuse and neglect. So what does this mean for the families and children of New South Wales? Brighter Futures, the department's early intervention strategy, is a revolution in child protection. For the first time we are introducing intensive services to support families at risk and help prevent child abuse and neglect. Using 350 DOCS specialist caseworker positions and more than \$123 million in services over the next three years, the Brighter Futures strategy should be available at every local DOCS office by the end of this financial year.

The reform has also had a profound impact on the Department of Community Services' performance in statutory child protection. We are now able to take action on a far greater proportion of risk of harm reports, with the most significant improvements being seen at the Enhanced Service Delivery sites that were the first to benefit from additional caseworker resources. Preliminary figures for the December quarter of 2006 indicate that, for those Enhanced Service Delivery sites, allocation rates were 97 per cent for 24-hour response reports, that is level 1; 83 per cent for 72-hour response reports, that is level 2; and 50 per cent for 10-day response reports, that is level 3. In the same quarter, allocation rates at other sites were 95 per cent for 24-hour response reports, 58 per cent for 72-hour response reports and 38 per cent for 10-day response reports.

We expect to see ongoing improvements across all Community Services Centres as caseworker recruitment continues. Current allocation rates are significantly above those quoted in the

Kibble Report in 2002 when only 55 per cent of 24-hour response, for level 1 reports, 26 per cent of 72-hour response for level 2 and 12 per cent of 10-day response for level 3 reports were allocated. Those improvements have been achieved in the face of very significant growth in the number of risk of harm reports, from around 160,000 reports in 2001-02 to an estimated 286,000 in 2006-07. This means that, with the addition of new caseworkers and new policies and practices, the Department of Community Services has not only kept pace with increasing demand but has also improved its service response. This means children and young people who are at risk of harm and vulnerable families are receiving more support, more quickly.

To accommodate our new caseworkers and provide better services for families, DOCS has also engaged in an \$89 million capital upgrade program, renovating and/or relocating local Community Services Centres across New South Wales. We have also committed more than \$600 million from the \$1.2 billion reform package to improving out-of-home care. Three hundred additional caseworkers are being recruited to provide extra support for carers and bring the departments caseload ratios in line with international best practice, ensuring the needs of children and young people in out-of-home care are met.

The Department of Community Services is currently assessing applications under a \$617 million call for expressions of interest process for out-of-home care. I am advised that decisions on funding for providers should be known early in the new year. In addition, the permanency planning pilot started in May 2006 and is operating in 15 community services centres. Under permanency planning, caseworkers assess children aged up to two in care to determine whether they can be restored to their natural parents or whether alternative permanent care options, such as adoption, would clearly be in their best interests. Permanency planning is critical to the welfare of children in care as it seeks to avoid the damage done by failed attempts at restoration to birth parents, unplanned multiple placements and drift in the care system.

The \$1.2 billion reform of the child protection system has given the Department of Community Services the capacity to: introduce Brighter Futures services that seek to prevent child abuse and neglect; significantly improve the proportion of risk of harm reports that are actioned; and improve the support provided to children and young people in out-of-home care and their carers. Our work, however, is not complete. At this time we are particularly focused on improving services for Aboriginal children, families and communities. As members would be aware, Aboriginal children and young people are significantly overrepresented in the child protection system. The Aboriginal child sexual assault taskforce report acknowledged that the Department of Community Services invests significant resources in services for Aboriginal communities, and we are redoubling our efforts to do more to support these vulnerable children and families.

Specific targeted programs include: the active recruitment of Aboriginal staff, particularly caseworkers—as at 30 June 2007, approximately 7 per cent of all Department of Community Services staff were of Aboriginal or Torres Strait Islander descent—the establishment of an Aboriginal Services Branch to develop targeted and culturally appropriate services; Aboriginal intensive family-based services in Bourke, Dapto, Campbelltown, Casino and Redfern that work with families in crisis, with two new services being set up in the Hunter-Central Coast region and Mt Druitt; the investment of \$3.5 million to increase out-of-home care services for indigenous children, including up to 150 additional foster care places; and better coordination and targeting of existing services through the Aboriginal Child Youth and Family Strategy.

I am extremely conscious, as is the department, that the remote nature of many Aboriginal communities means that community-based solutions are essential. That is why the department is working closely with the Murdi Paaki regional assembly and why the Department of Community Services has a senior representative at each community working party meeting in the Murdi Paaki region. This Government is determined to protect and support the most vulnerable in our society and the work of the Department of Community Services is a key factor in the achievement of this priority. The \$1.2 billion reform is delivering fantastic results and has provided the resource base the department needs to support vulnerable families and children across New South Wales. Specific communities, however, remain of concern and will be the focus of our ongoing work.

In conclusion, I remind the Committee that this is not an appropriate forum for the discussion of individual cases. The matters involve confidential details regarding children and families that

should not be the subject of public discussion. In addition, where matters are the subject of criminal prosecution their discussion is sub judice. I now ask whether the committee has any questions of the Children's Guardian, who obviously has already been sworn in.

Dr JOHN KAYE: Minister, I am not sure whether it is appropriate to ask these questions now. Forgive me for my ignorance of the bureaucratic structure, but I have some questions that relate to out-of-home care. Is it appropriate to ask these questions while Ms Boland is with you, or when Department of Community Services people are with you?

Mr KEVIN GREENE: It depends on the nature of the question.

Dr JOHN KAYE: The first set of questions relates to the education of children and young people in out-of-home care.

Mr KEVIN GREENE: That question would be more appropriately directed to the Department of Community Services.

Dr JOHN KAYE: I think the rest would also be, so I do not have any questions at this time.

The Hon. CATHERINE CUSACK: I understand that you are administratively amalgamated with the Office of the Children's Commissioner?

Ms BOLAND: Yes.

The Hon. CATHERINE CUSACK: Has the integration of administration gone smoothly for your organisation?

Ms BOLAND: Yes, it has. We are in the process of amalgamating our corporate services area. We have just finalised our financial amalgamation and we are moving to human resources amalgamation in November. But it has gone very smoothly and we have managed to find some efficiencies and improve our side of our business and our access to services to which we probably did not have access before, such as library services, information research services, et cetera.

The Hon. CATHERINE CUSACK: There is quite a nice children's play area.

Ms BOLAND: It is fantastic.

The Hon. CATHERINE CUSACK: What efficiency savings have you been able to achieve?

Ms BOLAND: Primarily, I know that these questions have been asked of Minister Burney, but the kinds of efficiencies that we have managed relate to the business of processing financial issues. We managed some efficiencies in relation to our contract with Central Corporate Services Unit, the internal provider. I think there is also one point of call instead of two, so reports to Treasury and our results and services plan, et cetera, all go through one central point. So those are the kinds of internal efficiencies.

The Hon. CATHERINE CUSACK: I was hoping for a dollar figure on those savings if that is possible.

Ms BOLAND: I cannot give that to you now, but I am happy to get it. I know that Ms Burney was asked that question.

The Hon. CATHERINE CUSACK: That related to the Office of the Children's Commissioner, not to your organisation.

Ms BOLAND: I think the figure represents efficiencies across both agencies. The figure is a total figure.

The Hon. CATHERINE CUSACK: Is your budget integrated now?

Ms BOLAND: It is integrated but I am responsible for my portion, which is exactly the same as it was prior to the amalgamation. It is about \$3 million.

The Hon. CATHERINE CUSACK: Would you mind briefly outlining to the Committee the role that you play?

Ms BOLAND: Sure. Fundamentally, the role has three key functions. We accredit out-of-home care agencies, that is, both government and non-government agencies; we accredit adoption providers; and we also have a role in relation to children's employment. In the out-of-home care area, currently 57 agencies are participating in the accreditation system, in the accreditation stream, or the quality improvement stream. We have 25 agencies in the interim accreditation quality improvement program and 32 in the accreditation stream. Basically, our constituency agencies provide care. We accredit them against a set of standards and, once they are accredited or they are progressing through the quality improvement program, they are able to provide services in New South Wales.

The Hon. CATHERINE CUSACK: And they need accreditation to receive funding, do they not?

Ms BOLAND: That is right.

The Hon. CATHERINE CUSACK: Geographically, have you identified the areas in which there is a shortage of service providers?

Ms BOLAND: Our system operates in relation to direct accreditation of standards for people who make application. The shortage of services is something that I think the Department of Community Services would be able to answer more fully than I could.

CHAIR: Have any of the groups been rejected for accreditation or have had accreditation and now no longer have accreditation?

Ms BOLAND: A number of people have withdrawn from the system for a number of reasons. When the system was introduced everyone was given a designated agency status, that is, if you were in the market you remained in the market. At that point some people did not have children with them but were out-of-home care agencies. Some of those have withdrawn. We have had a close look at a couple of agencies and encouraged them to make improvements in particular areas over certain periods. We have had two recent withdrawals.

CHAIR: Were they withdrawn because they were not able to meet your requests for improvements?

Ms BOLAND: Yes, one of them.

CHAIR: Can you tell us which one withdrew?

The Hon. HENRY TSANG: Is it appropriate to ask such a question?

The Hon. CATHERINE CUSACK: Is it an existing service?

Ms BOLAND: Yes, it is an existing service. I am thinking at the moment about some confidentiality issues.

CHAIR: You could take that question on board.

Ms BOLAND: Okay.

CHAIR: Take that question on notice if you think it is appropriate. If you can provide us with that information we would appreciate it.

Ms BOLAND: Okay.

The Hon. CATHERINE CUSACK: Do you have any performance indicators for your service?

Ms BOLAND: Any standards?

The Hon. CATHERINE CUSACK: Yes, the performance indicators for your own activities?

Ms BOLAND: Yes. I should let the Committee know that we have just undertaken a major review of our operation. We undertook to review our processes. The system that was introduced in 2003 was very much a foundation system and there was always a commitment to review its operation. We have just finalised an extensive survey of our client base, that is, the out-of-home care providers, and asked them a number of questions in relation to our performance and areas for improvement. Some of the areas they spoke to us about that they felt we could make some improvements were in relation to the amount of paper information that we require from them, in relation to the paper-based nature of the system. At the moment people are required to provide us with substantial notes on policy, procedures and evidence of practice, which is in a paper form. They are primarily the key concerns and the services has felt that some of that was an impost on their operation.

We have taken those into account and we are looking at revamping our system to have a more direct interviewing regime with them, more a visit and interview process, if you like. In relation to our case file audit function, every year we undertake a case file audit function. We undertook also to survey all of our participants on what they thought of that process and we introduced a number of changes in relation to that, including post-interviews, taking account of information while we are on site, giving feedback to agencies immediately and also providing them with copies of where the information was required. So, each individual agency got back a report on each file that we reviewed so that they could do some remediation on their files.

The Hon. LYNDA VOLTZ: What is the Government doing to ensure that children are not being exploited by employers?

Mr KEVIN GREENE: Firstly I can start by saying that WorkChoices is one of the biggest threats facing children, and adults for that matter, when it comes to their employment. Thankfully, the New South Wales Government's child employment laws commenced operation on 1 December 2006 to protect children from being exploited under WorkChoices. This law restores workers under 18 years of age to a position where they receive employment benefits equivalent to the relevant New South Wales award, as well as restoring unfair dismissal rights. Instead of leaving children at the mercy of WorkChoices we have empowered the Industrial Relations Commission, an independent body, to set strong and clear protections for child employment. In relation to the role of the Children's Guardian, under the law children aged under 15 cannot work in the entertainment industry, door-to-door sales, catwalk modelling or for still photography purposes unless the employer is authorised by the Children's Guardian.

I am advised that employer authorities may be issued for either one month or 12 months and the Children's Guardian also has the power to grant an exemption to an employer. Both authorised and exempt employers under the regulations must comply with the code of practice. The code of practice requires authorised and exempt employers to notify the Children's Guardian when they intend to employ children. It covers the hours, days and times of work, supervision, parental contact, travel to and from work, and special conditions relating to children under three years of age and babies under 12 weeks of age. The Children's Guardian may approve variations to the code. Applications for variations are considered on their merits and granted only where there is confidence that the welfare of any employed child will not be at risk.

The Hon. CATHERINE CUSACK: What are the provisions applying to babies?

Ms BOLAND: For babies?

The Hon. CATHERINE CUSACK: In relation to work employment, yes?

Ms BOLAND: You need authorisation to employ a baby.

The Hon. CHRISTINE ROBERTSON: That is advertising?

Ms BOLAND: Yes. There is a whole regime around babies. The way the code works is employers are required to comply with the code. If they want to vary the code, they need to ask for an exemption from the Children's Guardian. In particular, employment of young children, particularly babies, on television commercials—

The Hon. CATHERINE CUSACK: Kevin Rudd's campaign ads?

The Hon. LYNDA VOLTZ: Only if they are filmed in New South Wales.

Ms BOLAND: Only in Sydney. It applies only in New South Wales. But there are particular requirements about having a nurse on site, the number of hours a small child, and obviously a baby, can be used in a television commercial or other sorts.

The Hon. CATHERINE CUSACK: Do you get complaints? Is the industry happy with those requirements or is it causing filming to go interstate, do you think?

Ms BOLAND: I have heard that said, but there is no evidence that would suggest that. But Queensland and Victoria have similar regimes and arguably the Victorian one is a little more onerous administratively on employers: I think they would say that. But by and large people comply with the code. The most challenging issues in relation to the employment of very small children, obviously there are lots of employers, if you are shooting a television commercial and it is outside it is weather dependent. There is a whole range of issues about small babies outside, et cetera, the same with children, and there are some challenges there. Live theatre poses the biggest challenge in relation to hours of work because, obviously, the show must go on. You cannot sort of cut and paste it.

The Hon. LYNDA VOLTZ: But those provisions have not stopped major productions such as *Billy Elliot* and *Priscilla, Queen of the Desert*, which I think had three children working on their production?

Ms BOLAND: No, not at all.

The Hon. LYNDA VOLTZ: And they were tutored in-house as part of the production?

Ms BOLAND: Yes.

The Hon. LYNDA VOLTZ: And they would have got permission to do that?

Ms BOLAND: Yes, and there are a number of major employers of children in New South Wales. They will come to us very early in the piece, say, a good 12 months out.

The Hon. LYNDA VOLTZ: I assume some of the catwalk provisions as well? Are they about the whole image as well for girls?

Ms BOLAND: The regulation takes the child protection focus, if you like. So, when we look at the proposals we look at what children are asked to do. You know, what poses they are asked, the directions they get, et cetera and we often get, more so now, sort of mock-up images of what they think the end product will look like even though it will not be the same child. They will seek further information on what the directions to the kids might be, etc.

The Hon. HENRY TSANG: I noticed from the Conservatorium of Music High School sometimes there are kids, good musicians, performing in Pitt Street or at Central Railway to earn some pocket money. They would not be against—

Ms BOLAND: No. This applies to paid employment.

Mr KEVIN GREENE: This applies to paid employment.

The Hon. HENRY TSANG: Sometimes they are with their Dad and, you know, the money goes to the Dad. So, that is all right? If it comes inside, that it is okay?

Ms BOLAND: No, it is in relation to paid formal employment.

Mr KEVIN GREENE: It does not apply to the boy scouts' bob-a-job either.

CHAIR: Ms Boland, would you be able to advise of the number of accredited adoption agencies and, you may have to take this on notice, would you be able to list them for us?

Ms BOLAND: They are in the process now of accreditation. They are required to be accredited. There are three agencies, Centrecare, Barnardos and Anglicare. So they are going through the process of accreditation now. They are required to be accredited by 2008.

CHAIR: And there are only three of them going through the process?

Ms BOLAND: Yes. We have had three applicants.

The Hon. CATHERINE CUSACK: Does the Department of Community Services need to be accredited as well?

Ms BOLAND: No.

The Hon. CATHERINE CUSACK: Why not?

Ms BOLAND: Why not? The legislation said that these agencies needed to be accredited. The Department of Community Services might answer this but there is a whole regime of regulation for adoptions under the Department of Community Services.

The Hon. CATHERINE CUSACK: As I understand it, the accreditation is a standards-based approach, is that correct?

Ms BOLAND: Yes.

The Hon. CATHERINE CUSACK: Would it not be a beneficial process for the Department of Community Services to go through?

Ms BOLAND: The agencies that we are accrediting are current agencies who have been doing this for a very long time. As to whether it would be beneficial, again this is something that maybe the department or the Minister can clarify, but I understand that they have certain standards and practices that they adhere to.

The Hon. CATHERINE CUSACK: I know that a lot of public hospitals go through the same accreditation system as do the private hospitals. I was curious.

Ms BOLAND: Yes.

CHAIR: If there are no other questions on this aspect of the portfolio, then, Ms Boland, I would like to thank you for being available this evening. You may withdraw.

(The witness withdrew)

NEIL CRAIG SHEPHERD, Director General, Department of Community Services, sworn and examined:

JOHN PARISI, Director, Finance, Department of community Services, and

DONNA THERESE RYGATE, Deputy Director General, Strategy, Communication and Governance, Department of Community Services, affirmed and examined:

CHAIR: We will proceed to questions on the remainder of the portfolio.

The Hon. CATHERINE CUSACK: Dr Shepherd, how many children were surrendered to the care of the department during 2006-07?

Mr KEVIN GREENE: I think normally the questions are directed through the Minister.

The Hon. CATHERINE CUSACK: My apologies. Minister, are you able to answer the question?

Mr KEVIN GREENE: I think it is just a procedural matter.

The Hon. CATHERINE CUSACK: I apologise.

Mr KEVIN GREENE: Not at all. I can inform the Committee that the number of children and young people in New South Wales who were unable to live at home has grown in recent years to more than 11,000 at any given time. As at 31 December 2006, there were 11,639 children who were in out-of-home care. The numbers vary throughout the year as some children are placed in care for short periods of time and others, of course, are placed in the parental responsibility of the Minister as a result of a court order.

The Hon. CATHERINE CUSACK: Actually, I was hoping for a bit more of a breakdown of those figures.

Mr KEVIN GREENE: As I have said, it varies throughout the year because some children go into care for a week and some children end up being there for a few months. I think the average is perhaps less than six months, but it varies over the year.

The Hon. CATHERINE CUSACK: But you would know, or the department would know, I am sure, Minister, how many children have been permanently removed from their families during the financial year.

Mr KEVIN GREENE: We can take that on notice. Just to clarify the question: the question was the number of children who were permanently removed—in other words, placed in the parental responsibility of the Minister?

The Hon. CATHERINE CUSACK: In fairness, yes, you are right. My initial question was "surrendered to the department".

Dr SHEPHERD: The definition around some of these things is a bit difficult. Children come into out-of-home care in a number of different ways. Some of them come in via the Children's Court and they are in the parental responsibility of the Minister, or in the parental responsibility of some other person because the court can give the responsibility to someone other than the Minister. Some of them come in for much shorter periods of time under my jurisdiction.

The Hon. CATHERINE CUSACK: I understand. I am sorry, Dr Shepherd, but maybe I can cut this bit shorter. I know it is not the official term, but I always think of them as State wards. What is the term for a State ward today?

Dr SHEPHERD: As I said, that is much more complex these days because you now have a wide range of possibilities for children coming into care. The simplest figure to give you is the static figure, if you like, on 30 June 2006 and the figure on 30 June 2007, but that does not account for all children who come into care because the children come into care for shorter or longer periods. When you say "permanently removed", the court may have determined that a child must come into care, but they may not bring a child into care until the child is 18. It may be for a much shorter period. When you talk about State wards in the old term, even for those children who were in the parental responsibility of the Minister, that may not be "permanently removed". That may be removed for a specified period of time. What we can give you is the figure 30 June to 30 June, but that will not

record all the children who came into care because you get the within-year churn factor. But normally we would publish in both the statistical reports and in the annual reports that 30 June figure.

CHAIR: Is that the 11,639?

Mr KEVIN GREENE: That was the one I said that was 31 December 2006, so the figure would be slightly varied from that at the moment.

The Hon. CATHERINE CUSACK: Are all of those children in the parental responsibility of the Minister?

Dr SHEPHERD: Not the 11,000.

The Hon. CATHERINE CUSACK: No. Can you give me those two figures, 30 June 2006 and 30 June 2007?

Dr SHEPHERD: For children in the parental responsibility of the Minister?

The Hon. CATHERINE CUSACK: Yes, please.

Dr SHEPHERD: We will give you the difference between the two years.

Mr KEVIN GREENE: We will take that on notice to come back to you with those specific figures on children in the parental responsibility of the Minister as at 30 June 2006, and children in the parental responsibility of the Minister as at 30 June 2007. You can see why we need to clarify exactly what figures you want.

The Hon. CATHERINE CUSACK: Minister, do you see the type of information I am trying to elicit?

Mr KEVIN GREENE: Yes, I do.

The Hon. CATHERINE CUSACK: I may not have the language of the department exactly right.

Mr KEVIN GREENE: Not at all.

The Hon. CATHERINE CUSACK: I am trying to discover how many children there are, and what the trend is with that figure.

Mr KEVIN GREENE: I am just making sure you clarify exactly what figures we have to give back because I do not want anyone saying that I did not do the right thing.

The Hon. CATHERINE CUSACK: In terms of calculating the statistics for adoption, do you go on calendar years or financial years?

Dr SHEPHERD: Normally we would do those on financial years.

The Hon. CATHERINE CUSACK: Can you give us the latest statistics for the number of children?

Dr SHEPHERD: In 2006-07, there were a total of 162 adoptions, and 12 of those were local adoptions whereas 112 were inter-country adoptions and 23 were intra-family adoptions. There were 15 adoptions of children in out-of-home care.

The Hon. CATHERINE CUSACK: Can you give me local adoptions?

Mr KEVIN GREENE: There were 12 local adoptions.

The Hon. CATHERINE CUSACK: That appears to be a reduction on the previous year, the number of local adoptions. Would that be correct? I have a figure here of 23.

Dr SHEPHERD: Yes, but whether that includes adoption of children in out-of-home care, I am not sure. I would need to have a look at that figure and come back to you.

The Hon. CATHERINE CUSACK: Okay. Thank you. The sense we have as an Opposition is that the number of adoptions is very, very low and that there is a very strong culture within the Department of Community Services discouraging adoption.

Mr KEVIN GREENE: There are two questions there. The first point is that there is a very low number. That is true. Your second statement is incorrect.

The Hon. CATHERINE CUSACK: The statement is incorrect?

Mr KEVIN GREENE: Yes, the statement is incorrect.

The Hon. CATHERINE CUSACK: Then how do you explain why the number is so low, Minister?

Mr KEVIN GREENE: The number is low because there is not a large number of children being put up for adoption.

The Hon. CATHERINE CUSACK: I refer you to a case of a child whose name I will not mention but I suspect you may be familiar with it. It is a case from Yass of a family who sought to put their child up for adoption. Katrina Hodgkinson, the member for Burrinjuck, made representations to you about this matter.

Mr KEVIN GREENE: I obviously cannot speak about any individual, specific case—particularly as you have given the location of the case. That would go totally against my original statement.

The Hon. CATHERINE CUSACK: We might come back to that matter in a moment. I will get some advice in relation to that case. Can you speak about the case of baby Joan, which is already on the public record?

Mr KEVIN GREENE: In regard to comments that have been placed on the public record, I can.

The Hon. CATHERINE CUSACK: The case involves Pastor Matthew Beckenham, who had baby Joan in his care and who, with his wife, wanted to adopt baby Joan. Are you able to tell us whether baby Joan has been placed in long-term foster care or placed for adoption?

Dr SHEPHERD: At the moment she is in temporary foster care still. The long-term care arrangements are still to be finally decided by the Children's Court. Once the Children's Court makes a final decision we can move the child from temporary care into long-term care. It depends on what the Children's Court does of course, and I cannot pre-empt that. But as soon as that happens—

The Hon. CATHERINE CUSACK: The Children's Court tends to work with the department, does it not? It would not be correct to say that the Children's Court has been delaying this matter; the Children's Court would be working with the department.

Mr KEVIN GREENE: The Children's Court must take representations from various bodies, including the department, and then make a decision.

The Hon. CATHERINE CUSACK: Yes. But its decision-making processes are reasonably swift in these matters, as I understand it.

Mr KEVIN GREENE: The decision-making time depends on the time that it needs to make the appropriate decision. It is obviously out of the department's hands.

The Hon. CATHERINE CUSACK: Are you satisfied that the department has dealt expeditiously with this matter?

Mr KEVIN GREENE: I am very satisfied with the department's handling of this matter.

The Hon. CATHERINE CUSACK: Have Pastor Beckenham and his wife been given the opportunity to undergo your rigorous process to be considered as candidates for adoption if that avenue is taken, given their pre-existing connection with baby Joan?

Mr KEVIN GREENE: My understanding—certainly from my discussions with Pastor Beckenham—is that they were not interested in following that arrangement. But obviously anyone is entitled to come forward for assessment as a foster carer. In the last discussion I had with Pastor Beckenham he indicated that he was not interested in doing that at that time.

The Hon. CATHERINE CUSACK: Baby Tyra, who died as a result of a dog-mauling incident—she is the four-year-old child who was killed by a neighbour's dog—was known to the department. Minister, do you find the mismanagement of this case acceptable?

Mr KEVIN GREENE: I am not in a position to comment because I am told that that case is from well before my time as Minister.

The Hon. CATHERINE CUSACK: May I direct the question to the Director General, through you?

Mr KEVIN GREENE: Sure.

Dr SHEPHERD: The Minister said that we would not discuss individual cases. That case obviously is subject to investigation by a number of bodies plus our own internal child death review group. The Ombudsman obviously investigates all child deaths, as you would know, and produces an annual report that looks at the systemic issues associated with child deaths in New South Wales—reviewable deaths. The Coroner obviously looks at those cases as well. We have an internal child death review team function that looks at the Department of Community Services side of the practice issues associated with any critical incident within the department. I am not in a position to discuss at this hearing the outcomes from those reviews.

The Hon. CATHERINE CUSACK: So you have had an internal management review of that matter?

Dr SHEPHERD: We will have had an internal review of that matter as we do for all significant child deaths.

The Hon. CATHERINE CUSACK: Has the review been completed?

Dr SHEPHERD: That I cannot tell you off the top of my head. There are lots of reviews carried out in any one year and I cannot tell you off the top of my head which cases have been reviewed.

The Hon. CATHERINE CUSACK: Would you be willing to take the question on notice and advise us?

Dr SHEPHERD: We can tell you whether it has been completed, yes.

CHAIR: Can you also tell us what, if any, follow-up action has been taken internally in relation to staffing and so on—any internal implications as a result of that review?

Dr SHEPHERD: We can tell you in general terms what action has been taken internally. Obviously if there are matters concerning individual staff members I am not in a position to discuss them. But we can certainly talk to you about the general and systemic issues. I do not have them in

front of me here, nor do I keep all of them in my head. I would be misleading you if I said anything different.

The Hon. CATHERINE CUSACK: Is it fair to say that you are taking the matter on notice and that you would be willing to advise us further?

Dr SHEPHERD: I am taking two parts of it on notice. The first is that I will come back to you and tell you whether the review has been completed and I will tell you any general findings that arose from that review if it has been completed.

The Hon. CATHERINE CUSACK: Can you tell us whether there were any disciplinary actions involving your staff arising from the matter?

Dr SHEPHERD: I will stick with what I said.

The Hon. CATHERINE CUSACK: Is the case manager involved in that case still with the department?

Dr SHEPHERD: I said I have not seen the review—no, I will not say that. I am not aware whether the review has been completed so I am not in a position to answer that question.

The Hon. CATHERINE CUSACK: It was such a harrowing case I suppose we hoped you might be able to recall it.

Dr SHEPHERD: There are 286,000 reports to the Department of Community Services, and there are lots of harrowing cases—and I see a lot of them. But remembering every single one of them in great detail is beyond my capacity, I am sorry.

CHAIR: We look forward to you providing your answer on notice.

Dr JOHN KAYE: I would like to ask some questions in relation to the New South Wales State Plan and the Community Services portfolio. Will the Government release more detailed implementation action plans for the State Plan? If so, when?

Mr KEVIN GREENE: The New South Wales Government is extremely proud of its involvement in, and commitment to, the State Plan. The Department of Community Services is the lead agency with regard to two of the priorities: F6, which relates to increased proportion of children with skills for life and learning at school entry; and priority seven, reducing the underlying rates of child abuse and neglect. The department is also an active partner in the delivery of a number of State Plan priorities led by other agencies.

Dr JOHN KAYE: What is your relationship with F4—embedding the principle of prevention and early intervention into government service delivery in New South Wales? Do you have overarching responsibility for that?

Mr KEVIN GREENE: No, we have overarching responsibility for F6 and F7. We are involved as an active partner agency in the delivery of F4. F4 is actually led by the Premier.

The Hon. CHRISTINE ROBERTSON: So it is whole of Government.

Mr KEVIN GREENE: Yes.

Dr JOHN KAYE: With respect to F6 and F7, what plans do you have in place to achieve these priorities? Are they publicly available and how are you going to monitor success and report on success?

Mr KEVIN GREENE: It could take a long while if I go into considerable detail.

Dr JOHN KAYE: Can I suggest you give us an overview and maybe table or respond on notice with more complex responses?

Mr KEVIN GREENE: With regard to F6 we are looking at a number of proposals, including our continued involvement with preschool education because there is substantial international research that shows that the first three to five years of life are critical in the development of a child—60 per cent of a child's brain development actually takes place between birth and three years—and a child who falls behind developmentally during the early years is more likely to be at risk of entering school without the capacity to be receptive to education, and unable to reach his or her full potential.

The department is working closely with partner agencies to develop a priority delivery plan, which details actions over the next three years, as well as joint performance measures. We are looking at a number of actions particularly involved with the education department and also with preschool education. I should also mention particularly with regard to priority 6 the significant commitment of the department through Families New South Wales. The Premier has outlined in some detail some of the commitments with regard to Families New South Wales in terms of various testing and so on for children. We also aim to provide quality and accessibility for a variety of those programs.

In relation to F7, which is to reduce the underlying rate of child abuse and neglect in New South Wales, the Committee may be aware of the scope and importance of these problems from not just reports in the media but also information we have already provided tonight. We are particularly focused in that regard on our Brighter Futures Program. There are also a number of programs related to Aboriginal communities, which are particularly important. I note the Aboriginal Maternal and Infant Health Strategy, but also Brighter Futures where the Government has made a \$150 million commitment to the Early Intervention Program, working with children particularly in the birth to three age groups, and that will also assist obviously with F6.

Dr JOHN KAYE: I was interested in the first part of your response with respect to—

Mr KEVIN GREENE: I hope you were interested in the whole of my response.

Dr JOHN KAYE: I should have said I was fascinated by the entire response and I was particularly interested in the first part of your response to F6. Without wishing to be negative about this, there was a logical disjuncture, which does run through a lot of the discourse in this area. We talk about brain development in the first three years of a child's life and the importance of brain development in the first three years—and I totally agree with that and the research agrees with that—but then you start talking about preschool, which does not relate to the first three years of life, and the issue that we are concerned about is what happens in those first three years of life where parenting skills are not as good as they might be for those particular children? Would you like to address that?

Mr KEVIN GREENE: Yes, and that is why I was talking about the Brighter Futures Program, which has a significant involvement in the birth to three—and I emphasise birth to three because, like you, I made the point at a function I was speaking at once about 0 to 3 and I was quickly put in place—so the Brighter Futures Program and particularly also programs that the Government has made a very public commitment to, the Positive Parenting Program [PPP], which you may also be aware of, to provide skills to parents—something you have just focused on in your comments—and the need to provide appropriate involvement.

Also Families New South Wales, which commenced in 1998, and you may well know that as Families First. This strategy provides a universal support network for families with children from birth to eight, but also particularly with focus on birth to three. That includes nurse home visiting for new babies; schools as community centres; volunteer home visiting; supported playgroups, and I have had the pleasure and the privilege of visiting a number of supported playgroups throughout New South Wales and these are a significant commitment of the Government to support families, particularly those with young children, because not only is support provided in terms of the social development and the social interaction of children in those groups, but also the support that can be given to parents in terms of assisting them with their parenting skills, and also the opportunity to look at a number of health issues related to the child, but with a particular focus on the playgroups, and also involvement with family workers and some early literacy programs, which can come through those playgroups.

The Department of Community Services is the lead agency for Families New South Wales and that is particularly important. Also, of course, in terms of support to families—and this is not just birth to three—it is also support with the parent helpline, which provides on call support to assist parents on 132 055. That parent helpline is a great support to parents, particularly those with young children.

Dr JOHN KAYE: I need to take advice on your response; it was a very detailed response and I thank you for that. We may follow up with questions on notice. Can I now take you to the education of children and young people in out-of-home care? Can we talk about what steps the Department of Community Services is taking to address the educational achievement of children and young people who are in out-of-home care? Specifically, what is in place to address the minimum education supports required by children and young people in care suggested by the Every Kid Coalition in the out-of-home care guarantee?

Mr KEVIN GREENE: The department aims to achieve the best possible education outcomes for all children and young people in out-of-home care. In December 2005 a memorandum of understanding was signed by the directors general of the Department of Community Services and the New South Wales Department of Education and Training. This memorandum provides a framework for a coordinated approach to respond to the educational needs of children and young people in out-of-home care. Children and young people in care, particularly those with complex needs, are at significantly higher risk of poor educational achievement, which research shows is linked to higher rates of unemployment, homelessness, substance abuse and mental health problems. The memorandum focuses on interagency collaboration and cooperation, including information sharing and joint case planning and specific educational circumstances, including enrolment or transfer to a new school where attendance issues arise; suspensions or expulsions and referrals for educational assessment and support.

The memorandum provides a targeted approach to responding to requests from the Department of Community Services, an authorised carer or a child or young person in out-of-home care for learning support based on identified need. It also provides for the development of individual education plans on a case by case basis where appropriate. Roll-out of the program was completed in June 2006 and an independent evaluation of the implementation has commenced. The evaluation is expected to be completed in early 2008. I am not sure if the director general wants to add to those comments.

Dr SHEPHERD: There are a couple of other things that are being done in terms of looking at educational attainment for children. I am just recovering from whooping cough, so I may well suddenly start coughing—the infectious stage is over, but the Chinese do call it the 100-day cough. Other things that we are doing: There has been a very strong focus for the high needs children, which are the 220 that are identified at the top of the list of vulnerability and difficulty, on educational investment and attainment, and certainly we are seeing better results from them. A few years ago we would have got no results for them in an educational sense. We are now seeing some of them complete the higher school certificate and enter training for trade qualifications, and that is outstanding, in my view.

The second thing we have is a PhD student looking at educational outcomes for children in out-of-home care. She is working out of Southern Cross University, and she presented to the Research Advisory Council two days ago on her preliminary findings around educational attainment and difficulties for children in out-of-home care. We are certainly looking forward to getting that information and starting to work on it. Obviously, in terms of results for children, the longitudinal study in out-of-home care, which has been out to tender once and will go out again, will give us long-term data on the educational achievements of children in out-of-home care. Again, this is critical information that will tell us how to adjust our settings.

The department is well aware that education for children in out-of-home care must be near the top of the tree. There are some things we need to improve around the assessment of children's educational needs when they first come into care, and probably providing more support, particularly around mathematics, for children, because they come in with a significant disadvantage, in order to ensure that they get to their appropriate level. Those are the only things I would add.

Dr JOHN KAYE: Dr Shepherd, you obviously maintain a fairly comprehensive data set on each child and young person in your care, and you probably have excellent statistical data on these children specifically in terms of their educational outcomes. Is that correct?

Dr SHEPHERD: It is not as good as we want it to be. We are working to improve the quality of the data across the department as a whole. Since 2002 we have made significant improvements in the data quality and the data availability publicly, but because we are still building the caseworker pool we still do not have all children in out-of-home care with an allocated caseworker. That is on the public record. Until we get to that point we will not have perfect data around educational achievement for children in out-of-home care. We do have excellent data for those children who have an allocated caseworker and who are transitioning through important milestones in education.

Dr JOHN KAYE: Are the ones who are allocated caseworkers the high needs kids?

Dr SHEPHERD: All high needs kids have allocated caseworkers, and a high proportion of other children—

Dr JOHN KAYE: Can you tell me what proportion that is?

Dr SHEPHERD: Off the top of my head, no, but I can get that information. That is the thing that causes the—

Dr JOHN KAYE: Imperfections in the data?

Dr SHEPHERD: —imperfections in the data, and we have the capacity to go back to the files in due course and remediate that data by bringing it on to the system at a later date.

The Hon. CHRISTINE ROBERTSON: What statistics are available about the pattern of reporting child abuse and neglect to the department? This question came up frequently last year.

Mr KEVIN GREENE: This question goes to the heart of what the Department of Community Services does. To understand how and why the Department of Community Services responds to reports of child abuse and neglect, it is important that we first understand how patterns of those reports are changing. We make this information widely available. Quarterly statistical data on child protection reports and on out-of-home care are published on the department's website. An annual report is also collated and published there. The latest annual statistical report for the 2005-06 year is now available. It is only the second report of its kind. I will take this opportunity to reflect on some of what it reveals.

Reports of child abuse and neglect continue to rise. The Department of Community Services helpline, the central point for all child protection reports, received 241,003 reports—an increase of 11 per cent on the previous year. That is an average of 4,635 child protection reports each week. We now know that one in 15 children in New South Wales has been the subject of a child protection report in 2005-06—an increase from one in 19 in 2001-02. At this rate about one in five children born today will have been reported before they are 18. Tragically, many of these reports are complicated and relate to very young children. There was a 41 per cent increase in the number of reported children aged under 12 months between 2002-03 and the last financial year. In about one in four reports the primary issue of concern was domestic violence.

Neglect, physical abuse, substance use by the parent or carer and psychological abuse all follow domestic violence in the top five reasons why people make a report to the helpline. After initial assessment by trained caseworkers at the helpline, more than two-thirds of reports will be referred to a community services centre or a joint investigative response team [JIRT], where a more detailed assessment can be undertaken. Over the past three years the number of reports referred to a community services centre or a joint investigative response team for further assessment has increased by 56 per cent. There has also been a 52 per cent increase in the number of secondary assessments and investigations that have been completed since 2004-05.

It is interesting to note that, while the number of more urgent referred reports—those requiring a response time of less than 24 hours—remains relatively constant, the number of lower urgency reports referred for assessment has increased since 2002-03. This means that, with the addition of new caseworkers, and new policies and practices, the department has not only kept pace with increasing demand but has also improved its service response. This means that children and young people who are at risk of harm and vulnerable families are receiving more support more quickly. It also shows how important it is to help families before they reach a crisis point.

A critical element of our \$1.2 billion reform of community services is the introduction of Brighter Futures—a \$260 million early intervention program. We now have about 1,000 families involved in Brighter Futures, which is an extraordinary achievement. However, as we are all too aware, there will be times when families need more comprehensive help. The only appropriate action that can be taken is the removal of a child from their family. The number of children in out-of-home care has increased by more than 14 per cent since 30 June 2002, to 10,623 at 30 June 2006. Two-thirds of these children were aged between five and 14. Most children—more than 50 per cent—are placed with relatives or in kinship care arrangements, and more than 38 per cent are placed with foster carers.

The data also helps to show where we continue to improve and plan for how we provide services in the future. Aboriginal children are still overrepresented in both child protection and out-of-home care statistics, but the department's Aboriginal child placement principle is ensuring that more than 83 per cent of Aboriginal children who cannot live safely at home are placed with extended family within their community or with other indigenous people. We are also providing stability to children through the permanency planning project. This is helping caseworkers to plan better for how a child will be cared for across their time in out-of-home care.

Mandatory reporters, in particular police and health workers, continue to make the largest number of reports, but among non-mandatory reporters family members made the largest number of reports. This is encouraging. It takes a lot of courage sometimes to blow the whistle when it concerns people you love. But our Spotlight On Safety study, which charted community attitudes for child protection, foster care and parenting still show that 43 per cent of people have not reported suspected child abuse. I make the point that the department is under no legislative obligation to produce the annual statistics report, yet it holds itself open to the kind of scrutiny that such a report deserves because we recognise that this type of information has a critical role to play in learning from the past to plan for the future.

The Hon. HENRY TSANG: Can you outline how the Department of Community Services is ensuring that children's services enhance children's development in a safe and regulated environment?

Mr KEVIN GREENE: There are more than 3,300 licensed children's service providers in New South Wales, providing more than 146,000 places a day. The Department of Community Services is changing the way it works with these services to ensure that children are cared for in safe environments which enhance their developmental outcomes. This is an important part of the Government's commitment to the families of New South Wales. The department has established a children's services directorate to bring together for the first time policy, licensing, regulation and compliance staff and resources of the department. Specific reforms include centralisation of licensing, including simplified forms that can be completed electronically; establishment of a specialist enforcement and prosecutions team providing high-quality professional legal investigative services; transfer of responsibility for children's services funding administration to community program officers; regional experts in funded programs and service systems; and focusing the work of children's services advisers on improving local service delivery and regulatory compliance.

These reforms will improve service delivery to the community. The Department of Community Services aims to ensure that each licensed service is visited at least once each year as part of the licence monitoring. Services may also be visited and inspected if complaints are received from parents, staff or the public; if particular incidents or accident occurred; or if a follow-up is required due to a services history of non-compliance with breaches. During the past four years the department has initiated 22 prosecutions of children's services with 19 resulting in convictions being recorded

and/or fines being imposed; two were finalised without conviction as the defendant pleaded guilty and the breach was rectified.

The enforcement and prosecutions team is currently working with children's services advisers to investigate actual or potential breaches by 13 different licensees covering a total of 21 services. The ongoing work of the unit, together with children's services advisers will change the way in which compliance activities are undertaken and provide more effective compliance and enforcement options. Children's services advisers, known as CSAs, are early childhood trained specialists with the important role of working directly with services on regulatory compliance and quality service delivery. Those advisers will continue responsibility for working with local children's services across New South Wales as the department's experts in early childhood service matters.

The reforms will relieve CSAs of the primary responsibility for licensing and funding administration to ensure that they can focus on using their expertise in early childhood knowledge on the ground with services rather than dealing with paperwork. Service delivery to that community will improve, due to the introduction of streamlined and more efficient processes and increased presence of early childhood experts in the field working directly with services. There will be no cut in the total number of staff delivering these services. The Department of Community Services will continue to provide the full range of current policy, licensing and compliance, funding and support services, to the children's services sector.

At present there are 78.5 equivalent full-time [EFT] children's services advisers positions; 32 EFT CSA positions are available for compliance activities, conducting inspections, working with services to improve the quality of services, investigating complaints and initiating prosecutions. Twenty-three EFT CSA positions are taken up doing licensing paperwork in the office, receiving and processing application forms; 16 EFT positions undertake funding tasks. The balance of the time is taken with leave and other internal corporate activities. Under the reforms there will be 47.5 CSA EFT positions to work directly with services to add 15 new CSA positions for compliance activities, plus 14 administrative and licensing staff based at head office to process licensing paperwork and free up CSA time.

Three of those positions will require children's services adviser skills in licence assessment and will provide opportunities for current CSAs to be redeployed; plus eight equivalent full-time new CSA team leader positions are being created to lead and manage CSAs in each region; plus 16 EFT positions will be converted to Community Program Officer [CPO] positions, instead of CSA positions, to undertake funding roles; plus a specialist three-person Enforcement and Prosecutions Unit has been established to increase the resources to investigate and prosecute breaches of the regulation by service providers. These changes have received support from the sector. The April/May 2007 edition of the Community Child Care Co-operative's publication, *Broadside*, states:

DoCS gets it right. Community Child Care wants to once again publicly congratulate DoCS on getting it right. Centralised licensing for children's services is an example of good policy enacted well.

The publications further states:

... it doesn't mean the loss of regionally based children's services advisers. It just means that the CSA's will no longer have to deal with licence and re-licence applications. Less paperwork should mean more availability to services.

The Hon. LYNDA VOLTZ: Minister, systems can always be made better. What is the Government doing to improve the out-of-home care system?

Mr KEVIN GREENE: Earlier this year, I announced a \$617 million program to overhaul the out-of-home care system for children who cannot live at home safely. That is a key plank in the Lemma Government's \$1.2 billion reform of the Department of Community Services, to strengthen the child protection and care system in New South Wales. Currently there are 11,000 children living with foster families and in group homes, a figure that is expected to increase to about 12,000 over the next five years. Those statistics reflect increasing community awareness of the need to bring kids up in stable, functioning homes and a growing confidence in the child protection system. Expressions of interest for our new funding package are being reviewed now. More than 300 applications have been

received from organisations wanting to provide services to those children and young people. That is an overwhelming and perhaps slightly unexpected response, but a very welcome one.

The New South Wales Department of Community Services [DOCS] is looking over the applications to make sure the right organisations are chosen to care for our State's most vulnerable children. Within the total number of applications, more than 100 applied to provide support services to children in care and to give them better access to education, counselling, health services and specialist therapy. Sadly, we are expecting a continued rise in the number of child protection reports and, as a flow-on effect, more children in care. More than half of those children and young people are placed in relative and Aboriginal kinship care. As at 31 December 2006, that figure stood at 5,918.

Those children have already had a tough start to life. The funding will help them bridge the gap they have with their peers and hopefully help to turn their young lives around. The funding agreements for non-government agencies will run until 2011-2012. I look forward to announcing the successful applicants early in the new year. This timeframe will enable the large number of applications received to be thoroughly assessed. The five-year funding grants will give the organisations that support children and young people in care, financial certainty to provide immediate services as well as the capacity to plan to help these kids in the future.

Once the process is completed, we will be spending \$310 million a year, up from \$172 million, to provide those essential services for children who are unable to live at home. The system overhaul will give organisations that manage out-of-home care greater certainty through five-year funding agreements; provide a reliable income source, so they can plan ahead to meet the needs of these kids; expand the capacity out-of-home care services across the State; improve assessment of children's needs when they enter care; and expand support services for children and young people.

We are also rolling out a \$150 million Brighter Futures Early Intervention Program to support and strengthen families before they reach crisis point and reduce the number of children who need to be placed in care. As we begin to see the results of this early intervention, we hope to also see the rate of children entering care begin to fall.

The Hon. CHRISTINE ROBERTSON: Minister, will you advise the House on the latest steps taken by the Department of Community Services to introduce international best practice to child protection in New South Wales?

Mr KEVIN GREENE: Certainly, the continued rise in the number of child protection reports received by the Department of Community Services [DOCS] is concerning. Over the past five years the total number of child protection reports made to the department has increased by 51 per cent, from 159,643 in 2001-02 to 241,003 reports in 2005-06. In December 2002, the Government demonstrated its commitment to vulnerable children and families by announcing a \$1.2 billion reform of the child protection system in New South Wales. The reform package included recruitment of an additional 125 caseworkers and more than \$600 million to improve services and support for young people who cannot live at home, and their carers.

Equally important are the enormous strides being made in improving the way our caseworkers help keep young people safe. To continue to improve our child protection system we need to know what is happening in our own patch, what is happening elsewhere and what is working and what is not. The challenges we face are by no means unique and research, both Australian and international, must be the foundation if we are to build a better job protection system in New South Wales. As recently as last month, DOCS caseworkers and managers attended a series of learning forums conducted by leading United Kingdom childcare expert, Dr Eileen Munroe. Dr Munroe is an experienced social worker practitioner and research and lectures in child protection in the social policy department in the London School of Economics.

She has written extensively in the area of child protection on the critical issues of risk assessment, decision making and child deaths. During Dr Monroe's visit she met with DOCS regional directors, and directors' children and families, members of the DOCS executive and other specialist staff and attended a practice review at a community services centre. At a series of other learning forums she met with almost 500 caseworkers and managers drawing on her research she provided expert advice and input about improving decision making in child protection. At a one-day seminar

for 250 caseworkers and managers her work was presented alongside findings from our own review of 115 child deaths in 2006.

CHAIR: Minister, how many more pages of that do you have?

Mr KEVIN GREENE: Three, or two and a bit.

CHAIR: Would you like to have that incorporated in *Hansard*?

Mr KEVIN GREENE: No, I am happy just to read through it. It will not take a second.

The Hon. CHRISTINE ROBERTSON: You can continue answering that when our time comes back, if you would, please.

Mr KEVIN GREENE: I am happy to do that. I thought it was all our time.

The Hon. CHRISTINE ROBERTSON: No, not your time, our time.

CHAIR: Minister, I refer to deaths of children in the Minister's care. Could you advise the Committee how many children have died since December 2006—children who have been notified to the Department of Community Services?

Mr KEVIN GREENE: The Ombudsman will do that when he does an evaluation of reviewable deaths.

CHAIR: When is that due?

Mr KEVIN GREENE: Every year the Ombudsman produces a report on reviewable child deaths under the Community Services (Complaints, Review and Monitoring) Act 1993. In 2005 the report on reviewable deaths was released at the end of November 2006. The Ombudsman has considered the role of the Department of Community Services relating to some of the reported children and has made recommendations for continued improvement in practice and service delivery. The Government welcomes the Ombudsman's recommendations, the majority of which are consistent with current reforms already under way across the Department of Community Services. Therefore, one would anticipate that the 2006 report for reviewable deaths would be released in November this year.

The Hon. CATHERINE CUSACK: In the meantime could you tell us what the number of deaths has been?

The Hon. CHRISTINE ROBERTSON: I understand that this question was asked in another committee and the answer was that the Commissioner for Children would release that report to the Parliament.

The Hon. CATHERINE CUSACK: I think we are referring to the annual report of the Children's Commissioner, which will be tabled next week. We are not asking for the annual report; we are just asking how many children have died since December 2006.

Dr SHEPHERD: The Ombudsman collects the statistics relating to reviewable deaths. The definition of reviewable deaths is quite complex and the Ombudsman gets the information from various sources—the Coroner, the Registrar of Births, Deaths and Marriages, and us. I am not in a position to say to you now exactly how many deaths there are that fit the reviewable classification.

The Hon. CATHERINE CUSACK: Do you not have a unit within your department that is dedicated to dealing with this specific issue?

Dr SHEPHERD: It does not duplicate the Ombudsman's function. The unit is there to provide information to the Ombudsman, and it is there to investigate the child deaths that occur that we know are part of our client base. The Ombudsman's office and the Department of Community Services Child Death Review Team investigate some of the same matters, but they also investigate

different matters. I am not at liberty to give you the Ombudsman's figures—he will release them to the Parliament—because it is a report to the Parliament.

The Hon. CATHERINE CUSACK: We are not seeking the Ombudsman's figures. We are just asking you how many children have died since December 2006 following a notification to the Department of Community Services?

Dr SHEPHERD: You cannot even take that question on notice. When you say "following a notification to the Department of Community Services", the child could have been notified 15 years ago. So it would be far better to operate within the Ombudsman's statutory reviewable deaths process. All this will come out in the public arena anyway.

The Hon. CATHERINE CUSACK: I am just asking for the number of children. You must know how many cases have been referred.

Mr KEVIN GREENE: Realistically, a child who has been killed in a car accident could have been notified to the Department of Community Services.

The Hon. CATHERINE CUSACK: Correct.

Mr KEVIN GREENE: So how can we give you the figures?

The Hon. CATHERINE CUSACK: Because, Minister, all the child deaths are notified to your department. If one were notified to the Department of Community Services the unit you have would gather that information for the purpose of referring it to the Ombudsman. I am not asking about the Ombudsman's inquiry; I am just asking a really simple question. That unit will have the answer because it has a set number of cases. I am just asking what that number is. It is not complex question; it is a straightforward question.

Dr SHEPHERD: I am saying that I do not have the number of children who have been notified to the department who have died between December 2006 and today.

The Hon. CATHERINE CUSACK: Would you take that question on notice and obtain that figure for us?

Dr SHEPHERD: I can take it on notice but I suspect that the answer will be similar to the one I have given you. But I will take it on notice and have a look.

The Hon. CATHERINE CUSACK: Can you give us the breakdown of child protection notifications by region and the number that were assessed as being at risk that were followed up with a home visit and assigned a caseworker?

Dr SHEPHERD: Obviously I cannot give you that information off the top of my head. I can tell you that last year the department did over 35,000 home visits involving over 70,000 children. So there were a substantial number of home visits involving a substantial number of children. I cannot tell you here what the breakdown is, and I am not certain whether I have those statistics in the form you have asked for, but I am happy to take it on notice, go back, and see whether we have that information.

The Hon. CATHERINE CUSACK: Last year we talked about this issue and my understanding was that you were able to assess what is occurring on a regional basis. Obviously it is very important management information, so we would be eager to see these figures broken down on a regional basis.

Mr KEVIN GREENE: We can try to give you those figures.

The Hon. HENRY TSANG: For Committee members like me, what is a region—country New South Wales, metropolitan Sydney, the eastern suburbs, or northern Sydney? How do you define a region?

The Hon. CATHERINE CUSACK: The Department of Community Services regions.

Mr KEVIN GREENE: There are seven Department of Community Services regions in New South Wales. We will aim to provide the information that we have.

The Hon. CATHERINE CUSACK: Thank you, Minister. Minister, have you visited Brewarrina?

Mr KEVIN GREENE: Yes.

The Hon. CATHERINE CUSACK: Did you visit Brewarrina Village in Brewarrina?

Mr KEVIN GREENE: Yes, I have visited Brewarrina. In fact, I visited Brewarrina in August. I visited a number of places in Brewarrina and had a number of meetings there.

The Hon. CATHERINE CUSACK: Is there a Department of Community Services multipurpose building in Brewarrina?

Mr KEVIN GREENE: There is a Department of Community Services office in Brewarrina, yes.

The Hon. CATHERINE CUSACK: I understand that it is seven years old?

Mr KEVIN GREENE: I must admit that I did not check the age of the building, but an office is there.

The Hon. CATHERINE CUSACK: Was it built to be a Department of Community Services office?

Mr KEVIN GREENE: It is being used as a Department of Community Services office, yes.

The Hon. CATHERINE CUSACK: Has it? Has it ever been used as a Department of Community Services office?

Mr KEVIN GREENE: The office that I visited is being used as a Department of Community Services office, yes. It is located in the main street of Brewarrina. As you come in from Bourke it is located on the left-hand side of the street. It backs onto the river.

The Hon. CATHERINE CUSACK: Is that currently operating now?

Mr KEVIN GREENE: Yes. Well, probably not now, as it is 6.30 p.m.

CHAIR: How many Department of Community Services staff are there?

Mr KEVIN GREENE: We have one Department of Community Services officer working from that office.

CHAIR: Would that be five days a week?

Mr KEVIN GREENE: Sitting behind the desk, no, because Department of Community Services caseworkers do not sit behind desks; they are out in the field working with families and children. That is her role, so she is not sitting behind the desk.

The Hon. CATHERINE CUSACK: Minister, I have visited the Department of Community Services office in Wilcannia. People say that the door to that office has not opened for many years, yet the Minister at the time insisted that the office was fully staffed. It turned out that it was fully staffed but the staff were based in Dubbo.

Mr KEVIN GREENE: Do you want to check that?

The Hon. CATHERINE CUSACK: I am trying to understand what "staffing the office" means. We have become cautious.

Mr KEVIN GREENE: You have become cautious?

The Hon. CATHERINE CUSACK: Yes, in accepting the answer that the office is staffed. It does not necessarily mean that the staff member is physically operating out of that office. I just want to clarify with you whether a staff member is physically operating out of the Brewarrina office?

Mr KEVIN GREENE: Yes.

The Hon. CATHERINE CUSACK: And would sit at a desk in the Brewarrina office?

Mr KEVIN GREENE: No. The staff member would use the Brewarrina office and when that staff member is completing administrative tasks to require a desk, they would be sitting at the desk. When the staff member is visiting families in the Brewarrina community and working on child protection issues or working with families in early intervention programs, then that officer will not be sitting at the desk. I am not trying to be—

The Hon. CATHERINE CUSACK: Has the office been vandalised?

Mr KEVIN GREENE: It had not been vandalised when I was there.

The Hon. CATHERINE CUSACK: Can I ask the director general if he is aware of vandalism at the office?

Dr SHEPHERD: I am not personally aware of vandalism of that office. The Minister has just said that he was there in August and did not note vandalism. I have not been notified of any since then.

The Hon. CATHERINE CUSACK: Can I ask you about the Breaking the Silence report. What funding has been provided by the State Government since that report was released in 2006 to implement the recommendations?

Mr KEVIN GREENE: The New South Wales Government has introduced an interagency plan and also responded to recommendations that were in the report. There are 88 measures that the Government has agreed to deliver to communities at a cost of more than \$30 million over the next four years. We have established also a ministerial advisory panel chaired by Sandra Bailey, who is the Chief Executive Officer of the Aboriginal Medical and Research Council of New South Wales, to monitor and report on the implementation of the interagency plan to tackle child sexual assault in Aboriginal communities. Membership of the advisory panel has been drawn from the Aboriginal Child Sexual Assault Task Force, which prepared that report, Aboriginal communities and public servants with relevant expertise. They were all people with high levels of expertise, commitment and community confidence.

A preliminary meeting of the advisory panel was held on 10 September 2007. The panel's terms of reference have now been finalised and the next meeting of the advisory panel is planned for 27 November. We are already acting on the recommendations of the task force. The cross-government recommendations already implemented include additional victim support and counselling under the victims of crimes counselling scheme, provision of training resources to Aboriginal families and carers commencing with training for Department of Community Services workers in trial drug testing sites, the establishment of an Aboriginal and alcohol issues subcommittee to support the development of the Aboriginal drug and alcohol plan, the establishment of 142 local liquor accords, which proactively involved the Aboriginal community in implementing local issues to reduce alcohol-related harm, providing feedback to mandatory reporters in relation to Aboriginal children, and implementation of the schools in partnership initiative to assist school attendance.

Our plan strikes a balance between strong law enforcement action needed to crack down on criminal activity and the importance of early intervention and prevention services to help families at risk. In delivering this plan the Government will continue to work in close partnership with Aboriginal

communities. The Department of Community Services is closely involved in delivering on the task force plan. We are a lead partner or agency for 36 actions in the plan. I can go on with some more detail.

The Hon. CATHERINE CUSACK: I am actually just trying to assess what additional funding has been given to the department. Was the victim support counselling initiative a recommendation of the report and was there additional funding?

Mr KEVIN GREENE: In terms of additional funding, that is hard to go into specific areas only because, as you are aware, the New South Wales Government's commitment to the Department of Community Services and the programs it initiates has been extensive. From memory, this year there is an 11.6 per cent increase in the budget to a great variety of programs, many of which would address the concerns raised in the Breaking the Silence report.

The Hon. CATHERINE CUSACK: I suppose the Breaking the Silence Report was saying there were concerns that were not being addressed in regards to that commitment. I suppose that is why we are asking is there something over and above that?

Mr KEVIN GREENE: That is what I am saying, there are 88 recommendations the Government has taken on board as an interagency plan across government portfolios and there is funding specific for those the commitments of the Department of Community Services through its budget. I am happy to defer to the director general, if he has anything more to add.

The Hon. CATHERINE CUSACK: Just to be clear though, you are saying there was no additional funding?

Mr KEVIN GREENE: No. What I said was there has been a significant increase in funding to the Department of Community Services.

The Hon. CATHERINE CUSACK: In the department's funding, but I am talking about in relation to the specific report. You are saying there is no additional funding?

Mr KEVIN GREENE: Well, as I say, many of the issues highlighted in this report have been addressed by programs funded through the Department of Community Services. But, as I say, I am happy to get the director general to add to that if he wishes.

The Hon. CATHERINE CUSACK: If he could possibly assist us on the funding issue, that would be great.

Dr SHEPHERD: Yes, I will deal with that. The Minister is correct that a lot of the initiatives that are referred to in the government response to the Breaking the Silence report, in fact, are incorporated in the enhancements for the departmental budget. For example—

The Hon. CATHERINE CUSACK: Yes, but Dr Shepherd, but I have heard that many times.

Dr SHEPHERD: Yes, you may have, but let me try to deal with your question as best I can. Now that includes most of the Joint Investigation Response Team [JIRT] issues because there was a significant increase in funding to the department in order to improve the capacity of the Joint Investigation Response Teams, and a lot of the actions that the Department of Community Services is involved with arising from the Breaking the Silence report relate to JIRT responses. In terms of the non-JIRT-related matters, there are significant increases in funding for intensive family-based services, which is one of the issues that was raised in the Breaking the Silence report. In terms of safe houses, there is a significant increase in funding for safe houses in the Orana Far West safe houses.

The Hon. CATHERINE CUSACK: Can I just put, what is the increase in funding?

The Hon. LYNDA VOLTZ: Point of order.

Dr SHEPHERD: We can get you the figures for intensive family-based services. For Orana Far West it is about \$1.45 million.

The Hon. LYNDIA VOLTZ: Point of order. I think it is time for a break.

CHAIR: I did not want to interrupt Dr Shepherd's flow.

[Short adjournment]

Dr JOHN KAYE: Just to complete the round of questions I have relating to the issue of education of children and young people in out-of-home care, in particular the data series which Dr Shepherd was describing, I wonder whether the Department of Community Services would be able to make available the data in some form or other to the Australian Institute of Health and Welfare [AIHW] for the second stage of their national study of educational achievement of children in out-of-home care?

Dr SHEPHERD: I will take that question on notice. I will need to go back and talk to the statisticians.

Dr JOHN KAYE: Can I ask whether, in principle, there are any objections to doing that?

Dr SHEPHERD: In principle, we try to provide all of the information that is required before reporting to the Australian Institute of Health and Welfare and we also try to provide all that is required for the report on government services to the Productivity Commission. There is no in-principle problem. The issue is whether I have the reliable data to provide.

Dr JOHN KAYE: So you will take it on notice?

Dr SHEPHERD: Yes.

Dr JOHN KAYE: Can I turn to the Department of Community Services green paper on the Care and Protection Act, which I understand was part of the legislative review in 2006. Submissions were called for and the closing date for submissions is March 2007. I understand there were a large number of high-quality submissions received by the Department of Community Services on its green paper. Minister, can you tell us what follow-up of the green paper is going on? Is anything actually happening with the submissions? There are a number of proposals from the green paper. Are any of those being seriously explored? If so, which ones?

Mr KEVIN GREENE: I am happy to let the director general answer that.

Dr SHEPHERD: There were quite a few elements to the green paper. It went out for public consultation. There was further consultation with the ministerial advisory committee. You will recall the paper was tabled in late May 2006 in the Legislative Council. We put together a further paper, a short discussion paper. That went out for submissions until March 2007 and then there have been further discussions within the ministerial advisory committee.

We would anticipate that we would come back to the Minister with a set of recommendations for change toward the end of this calendar year. We are almost there now. We are also in the process of a major review into the machinery of the child protection system itself within the Department of Community Services. The intention is to combine the results of that review with the legislative review and come back to the Minister with a combined set of recommendations that would cover other things that need to be done in the legislative context and things that need to be done outside the legislative context in order to improve the efficiency and effectiveness of the child protection system. The deadline for doing that is March 2008, but those things are operating in parallel at the moment.

Dr JOHN KAYE: I take it that we are unlikely to see anything in public until after March 2008, and then what we see will be at the discretion of the Minister. Is that correct? Perhaps that is better addressed to the Minister rather than to you, Dr Shepherd. I would welcome your comments on it, but I think the Minister should answer.

Mr KEVIN GREENE: I will allow the director general to comment first and then I will follow up.

Dr SHEPHERD: Clearly we would make a report to the Government, and the Government will decide what it is going to do with that. I do not make that decision. But to date, the Government has been very open in terms of the way it has put the various propositions out for consultation and discussion. I do not anticipate that that is likely to change. However, you may see, depending on the Minister's view, a series of what I would call non-controversial or potentially non-controversial amendments to the Children's Care and Protection Act that are essentially machinery provisions that need to be brought in, in order to tidy up the things that are subject to interpretation, whatever, between now and then.

Mr KEVIN GREENE: Obviously, from a ministerial perspective, we will not be making any decisions that we feel do not strengthen the legislation. As I say, we will certainly be giving it the necessary consideration to make sure that occurs.

Dr JOHN KAYE: Can we go to the issue of alternative dispute resolution programs which support the legislation, particularly those which might reduce the trauma and expense of lengthy legal proceedings for children and families. The question is: Does the Department of Community Services have a plan to implement any alternative dispute resolution? If so, what are those plans? You might like to comment also on how successful previous attempts at alternative dispute resolution have been.

Mr KEVIN GREENE: The director general will take that.

Dr SHEPHERD: Previous attempts at introducing alternative dispute resolution have not been particularly successful. There have been a number of those, as I understand it. The last one occurred before I came to the office so I have not got any personal experience of that. We have been in discussion over that period of time between ourselves and the Legal Aid Commission and the Children's Court about a model of alternative dispute resolution that would try to get discussion of the issues prior to the matter going to hearing, rather than the way alternative dispute resolution was intended to be used previously. Those discussions are ongoing.

If there is agreement between the Children's Court, the Department of Community Services and the Legal Aid Commission, obviously we would need to put the proposition to the Government about how we would do that. If that requires any amendment, then we would put that at the same time. But we do have from the Department of Community Services's perspective an interest in pursuing alternative dispute resolution at the early stages of the process where we think it probably has the best chance of clarifying the issues that might be in dispute and perhaps resolving those issues before they need to be contested in the court process.

Dr JOHN KAYE: I wonder will the Government consider prioritising the approximately 10,000 children and young people who are in out-of-home care in New South Wales for medical, dental, mental health and other forms of essential health-related treatments, given that these children are very likely to have very poor physical condition, mental condition and developmental health problems—much poorer than their peers—and should be given the opportunity to catch up.

Mr KEVIN GREENE: There is overwhelming evidence that children and young people in out-of-home care are more disadvantaged and vulnerable than are children in general. A timely provision of government health services, including medical, dental, mental and other health services, is key to avoiding or reducing some of the negative outcomes experienced by these children. A memorandum of understanding between the Department of Community Services and New South Wales Health seeks to facilitate and promote access for children and young people in out-of-home care to services funded by New South Wales Health.

It is the Department of Community Services's policy to provide the available relevant medical and psychological history of the child to the child's carer. The Department of Community Services also continues to promote the use of New South Wales Health's "My First Health Record", which is also known as the blue book, for infants and toddlers in out-of-home care. Also as part of the expression of interest process in relation to out-of-home care, we are looking to expand support services for children and young people, such as tutoring and better health and counselling support, to

help kids catch up and keep pace with their peers. We have already discussed where that expression of interest process is up to.

Dr JOHN KAYE: I guess my question is more of prioritising in terms of raising them up the queue in the provision of those services when they present.

The Hon. HENRY TSANG: Jumping the queue?

The Hon. CHRISTINE ROBERTSON: Yes, that is what he is asking.

Dr JOHN KAYE: I am sorry—if I could complete my question? One of the proposals that I would like you to address is marking health care cards for each of these children and young people in out-of-home care in such a way that they can be readily identified by health care providers and professionals, so that children can go immediately to the top of the queue in which they may be placed for treatment.

Mr KEVIN GREENE: As I said, we have a memorandum of understanding with NSW Health. But I will let Dr Shepherd talk a little more about the specifics.

Dr SHEPHERD: In terms of your specific proposition—the healthcare card issue—we will obviously need to take it away and look at it. But there are a number of things happening with health and health care for children. There is an education process going on at the moment within the department about the use of the revised blue book and ensuring that carers and departmental officers maintain the accuracy of that blue book and keep it up to date. The second thing is that we have run a series of trials with the Children's Hospital at Randwick about providing enhanced assessment of the health needs of children, and a substantial number of children have gone through that process.

We also agreed with NSW Health a health and dental assessment protocol for children coming into out-of-home care. This covers all the steps in a proper health assessment for any child coming into out-of-home care, which is the best time to catch any issues that might be sitting there. That goes over a number of months because you do not want to do the mental health assessment as soon as they come into out-of-home care; you need things to settle down a little bit before you do that.

Finally, the expression of interest process, as the Minister said, is looking specifically for people who are interested in providing some of the services associated with assessment and provision of health and dental care to children in out-of-home care. My assumption—although I have not seen the results yet—is that some area health services along with some private providers will seek to provide some services of that kind to children in out-of-home care. Clearly, as with your earlier question on education, the two areas of focus for the department in terms of lifting the support for children in out-of-home care are around health and education.

Dr JOHN KAYE: Thank you. I look forward to getting your response to the proposal of marking the healthcare cards to create a priority for children in out-of-home care. I take you now to the issue of allowing carers of children in out-of-home care to bring a supporter or advocate from an organisation such as the Foster Care Association with them to a case conference. I recognise that there are probably confidentiality issues surrounding that but do you see a way through those issues so that we can continue to respect the confidentiality of the children but also allow support for those carers in conferences?

Mr KEVIN GREENE: As I indicated, planning meetings are designed to bring all the people involved in the life of a child or young person together to make important decisions about their future. The meetings often talk about very personal and private matters and can be distressing. The attendance by people other than those directly involved in a child's life can make the meetings more difficult for those closest to the child who do attend. Attendance by a support person not directly involved in a child's life is determined on an individual basis. So there are occasions when that will occur. Dr Shepherd might like to add to my answer.

Dr SHEPHERD: If there is a dispute between the department and a foster carer a support person can be present to deal with the issue that is in dispute. But a case planning review is designed specifically to provide the best outcomes for the child or young person. There may well be other

agencies present that have confidential information. So it is necessary to keep the group that is there to the absolute minimum number necessary to discuss the case plan. There are mechanisms for resolving any difficulties that might exist between the carer and the department.

Dr JOHN KAYE: Thank you.

The Hon. LYNDA VOLTZ: Minister, did you want to conclude your answer about out of home care systems?

Mr KEVIN GREENE: You are testing my memory. Finishing it seemed like a good idea at the time.

The Hon. LYNDA VOLTZ: We can defer that answer until later. Government members have no questions at this time but we reserve the right to ask questions later.

The Hon. CATHERINE CUSACK: Returning to the Brewarrina issue that I raised with you earlier, what properties does the department own at Brewarrina?

Mr KEVIN GREENE: I am not sure.

Dr SHEPHERD: We will need to take the question on notice.

The Hon. CATHERINE CUSACK: Is there a property called Brewarrina Village?

Dr SHEPHERD: I cannot answer that question off the top of my head. We own hundreds, possibly even thousands, of properties. So I will need to go back to the property register and talk to the people involved. We can see what we have got in Brewarrina and provide an answer to the Committee. I am happy to do that.

The Hon. CATHERINE CUSACK: Minister, when you visited Brewarrina were you shown a derelict property?

Mr KEVIN GREENE: I saw an aged care facility. Is that what you are referring to?

The Hon. CATHERINE CUSACK: My understanding is that it is called Brewarrina Village.

Mr KEVIN GREENE: There is an aged care facility that I looked at that was in a derelict state.

The Hon. CATHERINE CUSACK: I have been to Brewarrina and I now know exactly what we are talking about. It is in the centre of town. As I understand it the property is owned by DOCS and it was a Home and Community Care [HACC] funded program.

Mr KEVIN GREENE: It might be. The property I am referring to is as you go out of Brewarrina—I am trying to organise my north, south, east and west directions, and I am struggling in that regard.

The Hon. CATHERINE CUSACK: I am pretty clear about it.

Mr KEVIN GREENE: It is an aged care facility that is now closed. It has suffered some abuse.

The Hon. CATHERINE CUSACK: Extensive damage, yes. Is it possible to take on notice the capital cost of that project?

Mr KEVIN GREENE: I agree with Dr Shepherd; I am not sure what properties we own there. I must admit I was not of the opinion that the property I saw on the outskirts of town was in fact a DOCS property. As Dr Shepherd indicated, I am happy to take that question on notice and find out. That was the only other property I visited. We drove to Brewarrina and the department's office is on

the left coming from the direction of Bourke. We then visited two other meeting places in town and I had the opportunity to share in a supported playgroup's barbecue lunch. The fire brigade was there and Ernie was cooking. I also took the chance to duck down to the river to look at the old fishing traps. At that stage the water was flowing, which was good. I hope it is still flowing now.

The Hon. CATHERINE CUSACK: I must admit that I am not completely clear on who technically owns the property but it would have been built with HACC program funding and DOCS is the lead agency for HACC.

Mr KEVIN GREENE: No, the Department of Ageing, Disability and Home Care [DADHC] is the lead agency.

Dr SHEPHERD: Maybe we can clarify some of this stuff around properties. The Department of Community Services and Disability were joined, as you would recall, prior to about 2001. There are still some properties that come from that historical connection that are owned by DOCS but not currently used by DOCS. We are in the process of transferring the ones that DADHC wants to DADHC and disposing of others either to the State Property Authority or elsewhere. None of us at this table will have familiarity with every single property but they will be on a register. So we can go back and have a look.

The Hon. CATHERINE CUSACK: Any information that you can give us will be very helpful. In relation to out-of-home care, what is the reason for the delay in announcing tenders for out-of-home care services? That has now been held over until January 2008.

Mr KEVIN GREENE: As I indicated in a couple of previous answers, we had an overwhelming response to the expression of interest, with more than 300 applications by service providers. Obviously we need to do an extensive evaluation of each of those applications to see what services they will provide. To do that process justice—and we want to do it justice not just from the applicant's point of view but from our own point of view and, most importantly, for the children who will ultimately be in that care—we must make sure that that is done correctly and appropriately.

The Hon. CATHERINE CUSACK: How many applications were you expecting?

Mr KEVIN GREENE: Well, we did not expect 300, put it that way. It is well over 300 and the response has been indeed overwhelming. There are a number of proposals, as I understand it. I am obviously external to the process, but there are a number of proposals looking at some different options and they will have to be assessed.

The Hon. CATHERINE CUSACK: Is that at all disruptive to the service?

Mr KEVIN GREENE: No, it is not. The services continue to operate, those that are currently operating providing foster care services are continuing to operate and are funded while the process goes on and that was the arrangement made when the expression of interest [EOI] was announced in April this year I think.

Dr SHEPHERD: All existing services had an option of either going into the expression of interest process or coming back to us for a renewal of the service funding agreement, so there is no disruption to the existing services. This is additional funding that has come through the package process and so it is designed to expand and enhance the out-of-home care service system in the non-government sector. So there will be no disruption and, as I understand it from the discussions I have had with the deputy director general responsible for that process who has been talking extensively to the non-government sector, the non-government sector is fully supportive of doing this expression of interest process properly, getting the evaluation right and making the funding announcements once we have done that. There is a limited number of senior officers who have the seniority and the skills combined to do the evaluations and they have to do every single application, they are all scored independently and then they have to be brought together in order to be assessed in globo.

The Hon. CATHERINE CUSACK: Looking at the 2007-08 budget it appears that preschools and child care services allocation is \$116.3 million, which appears to be an increase of CPI

only on funding for that program. The previous Minister, Reba Meagher, had indicated there was going to be an increase in the number of preschool places available.

Mr KEVIN GREENE: That is right.

The Hon. CATHERINE CUSACK: Can you tell us how many?

Mr KEVIN GREENE: Well, the \$85 million preschool investment and reform plan is a new direction in community services reform. The preschool investment and reform plan supports the New South Wales State Plan priority of increasing the proportion of children with skills for life and learning at school entry. Participation in quality early childhood education programs before school entry is one of the strongest drivers of children's readiness for school. Preschool programs develop foundation skills for literacy and numeracy and enhance children's social, emotional, physical and cognitive development. The preschool investment and reform plan will ensure that every four-year-old in New South Wales can access a quality, age-appropriate preschool program for two days per week. This means that all children will have the opportunity to benefit from quality care and education programs in the year before they start school. This is an election commitment from the Premier and has his full backing, as it does mine.

The reform plan will improve access to preschool opportunities in New South Wales by supporting the existing service system, expanding service provision and improving access and affordability, especially for disadvantaged families. In 2007-08 \$8.8 million a year is being invested to improve the viability of community based preschools and increase access and affordability for families and from 2008-09 an extra \$21 million a year will provide subsidised places for an additional 10,500 preschool children in the community based sector. This will bring levels of attendance at preschool programs in New South Wales to 95 per cent. From 2008-09 children's services expenditure will top \$138 million, which will be an increase of more than 36 per cent on the 2005-06 budget, so those additional 10,500 places are budgeted for the 2008-09 year, and I think that is what you were referring to.

The Hon. CATHERINE CUSACK: Actually no, I was wondering how many were being created in the last financial year and in the current financial year, how many additional places?

Mr KEVIN GREENE: The funding that we have provided is viability funding in the last two years, and that is part of that, to stabilise the preschools and make sure of their ongoing viability. The additional places are funded in 2008-09.

The Hon. CATHERINE CUSACK: Just to clarify, an additional place—is that two days a week?

Mr KEVIN GREENE: We are catering for an additional 10,500 places two days a week—I am sorry, additional children two days a week.

The Hon. CATHERINE CUSACK: Do you know what percentage of four-year-old children are currently enrolled in preschools in New South Wales and how this compares with other States and Territories?

Mr KEVIN GREENE: Are you talking about preschools programs?

The Hon. CATHERINE CUSACK: Yes. Sorry, I am talking about in preschools, not in preschool programs. I am talking about in preschools.

Mr KEVIN GREENE: As I say, this is why we have to be very careful here, particularly when the follow-up to your question was comparing preschools programs across different States, because there are various figures that are put about in regard to this and there is not a recognition that in New South Wales we have a regulation that requires long day care to provide preschool type programs, in other words early childhood education within the long day care setting. So it is very difficult, in fact impossible, to compare New South Wales with other States—actually it is certainly impossible to compare any State with Queensland—unless you want to compare preschool programs.

The Hon. CATHERINE CUSACK: Do you know what percentage of four-year-olds are currently accessing preschools in New South Wales?

Mr KEVIN GREENE: There are 83 per cent of children in New South Wales who are actually accessing a preschool program prior to school entry.

Dr JOHN KAYE: That is a program, not a preschool.

Mr KEVIN GREENE: That is right, as I say, because—

Dr JOHN KAYE: I understand the difference, but if you leave out the word "program" what happens?

Mr KEVIN GREENE: I did have that figure. That is the other thing: not every community necessarily has access to a preschool. I am just thinking—I have read that figure.

The Hon. CATHERINE CUSACK: Can you take that on notice perhaps, Minister? I am happy for you to take it on notice.

Mr KEVIN GREENE: Yes, I will take it on notice.

The Hon. CATHERINE CUSACK: So the funding that we see in the budget is \$116.3 million, funding for the area this year. Is that a figure that you would agree with, because to us it compares with \$113.3 million in last year's budget or the previous year's budget and it appears to us to be only a CPI increase. I cannot see that \$8.8 million you referred to for viability funding.

Mr KEVIN GREENE: I will defer to the director general.

Dr SHEPHERD: As far as I know there is still the \$8.8 million in this year's budget as there was in last year's budget and then the \$21 million on top of the \$8.8 million comes in in 2008-09, so you wind up with about \$29 million.

The Hon. CATHERINE CUSACK: So this year's budget is the same as last year's budget except for CPI adjustment?

Mr KEVIN GREENE: No.

The Hon. CATHERINE CUSACK: That is just what was said.

Mr PARISI: Yes, it is.

Mr KEVIN GREENE: Sorry.

Mr PARISI: An amount of \$8.8 million was in the 2006-07 budget; it was also reinstated in 2007-08. The difference between 2006-07 and 2007-08 is the movement in CPI and it increases by \$21 million, as has been said, in 2008-09.

The Hon. CATHERINE CUSACK: Can you advise where the stage 3 review of preschool funding is up to?

Mr KEVIN GREENE: Is that referring to the \$21 million that comes in, which is the next stage in 2008-09?

The Hon. CATHERINE CUSACK: Yes.

Mr KEVIN GREENE: I think I have answered that already.

The Hon. CATHERINE CUSACK: Yes, I believe you have, thank you. A Senate Committee Inquiry into Children in Institutional Care, which reported in August 2004, recommended that special support be given to State wards from previous generations who suffer the scars of

emotional deprivation and neglect. What action has been taken by this Government to address these recommendations that were made three years ago?

Mr KEVIN GREENE: Are these recommendations made by the Federal Government?

The Hon. CATHERINE CUSACK: Yes, the Senate's "Children in Institutional Care" report.

Mr KEVIN GREENE: I am aware that we have provided money to the Care Leavers Australia Network [CLAN], which is the organisation that represents children who have previously been in care, and I have met with representatives of the organisation on at least two occasions.

The Hon. CATHERINE CUSACK: Is it possible to take that on notice?

Mr KEVIN GREENE: Did you want specific funding?

The Hon. CATHERINE CUSACK: Yes, what the Government's response to the recommendations has been. I am happy for you to take that on notice.

Mr KEVIN GREENE: Yes, we will take that on notice.

Dr JOHN KAYE: I turn now to the issue of suspension and expulsion of children out-of-home care from government schools. Starting with suspensions, I understand that there is a memorandum of understanding between the Department of Community Services and the Department of Education and Training when a child or young person in out-of-home care is suspended. Is it the case currently that the caseworker and the carer of the child are always fully consulted prior to the suspension? If not, are you prepared to entertain the idea of making it thus?

Mr KEVIN GREENE: As I have previously indicated, and you have concurred, there is a memorandum of understanding between the Department of Education and Training and the Department of Community Services. As for the specific nature of your question, I will defer to the Director General.

Dr JOHN KAYE: Was my question clear? When a child is suspended from a public school, is it the situation currently that the carer and the caseworker of the child are fully consulted before the suspension happens? If not, are you prepared to entertain the idea of making it thus?

Dr SHEPHERD: In this forum that is a question for the Minister for Education and Training, not the Minister for Community Services. We cannot direct the education authorities as to what they do. We can talk to them about it but we cannot direct them. So I cannot deal with your question.

Dr JOHN KAYE: It is fair that you cannot deal with the policy side of it. Can you deal with the issue of whether it happens currently? What happens when a child is suspended from a government school?

Mr KEVIN GREENE: That would be a specific situation for each individual school in terms of the processes they are following with regard to the policy of the Department of Education and Training. That is what the Director General is indicating. It is not something for our area; it is the Department of Education and Training.

Dr SHEPHERD: Obviously when a child in out-of-home care is suspended or expelled we are concerned to find alternative ways of supporting that child through the education process. The Department of Education and Training does not draw distinctions between children in out-of-home care and other children when it makes a decision as to whether a child needs to be expelled, and they will follow it. As the Minister indicated, they will follow the procedures set down by the Department of Education and Training. If the Minister agrees, I can try to find out from our staff whether there is a uniform practice across the agency in relation to that, but that is all I can do.

Dr JOHN KAYE: I would appreciate that because, as you know, this is a serious issue, particularly the expulsion of children from special behaviour schools, which are almost the last chance for most of these kids and then they end up in limbo. As you know, children in care are overrepresented in behaviour schools and in the group of children who have been expelled from behaviour schools. Will you make representations to the Minister for Education and Training on this issue? If the memorandum of understanding does not currently specify it, will you make representations to the Minister seeking to create a standard whereby the expulsion or suspension of a children in care automatically triggers a conference or some other consultation with the carers and caseworkers?

Mr KEVIN GREENE: As indicated, and I am happy to agree, we will follow that up with our caseworkers and come back with the current process and see where that is with regard to the information you are providing to Dr Shepherd.

Dr JOHN KAYE: Do you agree with the proposition that it would be better—

Mr KEVIN GREENE: As I said, until we go through and confirm what the process is now, I will not take any next steps until I know what they are.

Dr JOHN KAYE: We will continue to ask you about this issue because we are constantly getting representations about the issue, and we are becoming increasingly concerned about it.

Mr KEVIN GREENE: Obviously the Department of Community Services is always interested in the best interests of the child. We want to work with the child and the carers for the benefit of the children in their care.

Dr JOHN KAYE: Placing an indigenous child with an indigenous carer is the most desirable outcome—

Mr KEVIN GREENE: Yes.

Dr JOHN KAYE: —but we recognise that that is not always possible. There are situations where an appropriate indigenous carer cannot be found for an indigenous child in urgent need of out-of-home care. In those situations is it the department's current practice to provide relevant and appropriate training to non-indigenous carers of indigenous children?

Mr KEVIN GREENE: Up until 30 June 2006, 83.4 per cent of Aboriginal children and young people were placed in accordance with the Aboriginal child placement principle. To extend that we need additional foster carers but in terms of the training I will defer to the Director General.

Dr SHEPHERD: Foster carers receive training and there is special training related to Aboriginal children. In terms of ongoing support to non-Aboriginal carers of Aboriginal children, that is currently variable across the agency. Some regions have a very strong support mechanism for non-Aboriginal carers, and we are looking to bring that in across the agency as a whole. The other thing that should be available by the time of the Aboriginal staff conference in November will be the basic policy document for cultural care plans, which would then become a mandatory Department of Community Services policy position for every Aboriginal child that comes into out-of-home care. In addition to the standard care plan there would be a cultural care plan for all of those children.

The intention is to ensure that Aboriginal children maintain the linkages with their culture, recognising that, with increasing numbers of Aboriginal children coming into care and the limited pool of Aboriginal foster carers and kin carers available, an ongoing proportion of Aboriginal children in out-of-home care will not be able to be accommodated by either Aboriginal kin or Aboriginal foster carers. So it is critical that we get the cultural care plan process in place.

Dr JOHN KAYE: Can you elucidate on the cultural care plan? Will that include training in indigenous issues for non-indigenous carers?

Dr SHEPHERD: That will be part of the process. There are a few steps in a cultural care plan. First, you have to do all the identification of the connections to kin and so on. You have to put in

place the particular cultural activities that the child will need to undertake to maintain the linkage, and that will vary for different ages of children and depend on gender. The important thing is that it will be documented and the caseworkers will be required to follow it, as will the carers. So there will have to be training of the carers in relation to the cultural care plan. They will have to be trained in exactly the same way as carers are trained around the importance of the care plans that they are utilising for the children who are in their care. There is a lot of other aboriginal cultural awareness training and protocols that the agency is putting in place at this time. It is not specific to out-of-home care.

Dr JOHN KAYE: I appreciate your answer. I support what you are saying, it sounds great. However, I want to get to the 16 per cent of Aboriginal children who are currently, as I understand your answer, not placed in either indigenous carers or kinship carers, and whose carers do not have access to training in indigenous cultural issues.

Dr SHEPHERD: No, I said that is variable. There are basic training materials for bringing up Aboriginal children in out-of-home care. What I said was that the support mechanisms to assist non-Aboriginal carers to bring up fostered Aboriginal children are variable from region to region. Some regions have taken substantial initiatives and have put in place very strong Aboriginal support groups, Aboriginal foster care support groups, that support non-Aboriginal carers of Aboriginal children. Metropolitan West is one example and there are others. In those regions there is a very good support network and good training, both in terms of materials and ongoing support for those foster carers for Aboriginal children. In other regions that has not yet happened but it will happen. As well as that, the cultural care plan will come in as the underpinning document and clearly the carers will require training around the implementation of the cultural care plan.

Dr JOHN KAYE: Do you anticipate that when we meet again in 12 months time you may give a very different answer to that question? Will you be able to say that it is 100 per cent?

Dr SHEPHERD: There are two parts to my answer. First, I am retiring in March.

Dr JOHN KAYE: We might recall you, Dr Shepherd.

Dr SHEPHERD: You will have to find me.

Dr JOHN KAYE: We have subpoena powers, I understand.

Dr SHEPHERD: You will have to find me fishing somewhere. You can certainly talk to my successor. By that time the cultural care plans will be in place. The support mechanisms for non-Aboriginal carers of Aboriginal children will be uniform across New South Wales. Any additional materials that are required in order to support those carers will be available. As I said, the intention is to have the draft document available for consultation at the Aboriginal Staff Conference, which occurs around the middle of November. It is virtually ready to roll.

Dr JOHN KAYE: My last question relates to the Marungbai Aboriginal After Care Service, which has closed recently. It was used to support Aboriginal children after they were released from the care of the Department of Community Services. I understand from representations that the closure of the Marungbai Aboriginal After Care Service has left a substantial gap in services for young Aboriginal children after their release from DOCS care. Are there any plans to provide services to fill that gap?

Dr SHEPHERD: Yes.

Dr JOHN KAYE: What are they and what timescale has been rolled out?

Mr KEVIN GREENE: I can answer that. The Department of Community Services has been working with seven indigenous agencies, including the Biripi Aboriginal Corporation Medical Centre, to expand their out-of-home care services. This will result in at least an additional \$7 million being made available to the agencies in the first year of the project, with the potential for overall funding to rise to more than \$10 million per annum by the third year of the project. In 2003, DOCS negotiated directly with the Biripi Aboriginal Medical Corporation for the agency to work with DOCS and local

Aboriginal communities and services to establish Marungbai, which is a locally managed after-care service in the south-western region and in metropolitan Sydney.

Funding commenced in 2004 with a contract that included an implementation plan with agreed milestones and timeframes. During 2005 concerns were raised with the agency about the progress of the project and its management, as agreed timeframes were not being met. There were significant delays in recruiting staff for both areas. The individual recruited for the southern-western service was employed for approximately three months only. There was also little engagement by Marungbai of local communities to take up responsibility for the management of the service as this was the intended outcome of the funding provided to Biripi.

Agreement was reached between Biripi and DOCS that funding would be extended until 30 June 2007 while independent reviews were conducted and discussions finalised. Funding provided to Biripi during that period was appropriate for the partial service being provided. Two reviews identified concerns regarding the functionality of Marungbai's financial management and records of service. One of those reviews was completed by Ernst and Young.

In February 2007, DOCS provided advised that the funding would cease on the agreed date and it was expected that the agency would act to discontinue the service it was providing by the end of June 2007. The agency was also advised that DOCS would conduct an expression of interest process for out-of-home care services, including after-care services. Biripi was invited to participate in the expression of interest. Biripi has had since February 2007 to arrange for young people to be referred to other after-care services. Biripi has been invited to provide details to DOCS of those clients for whom such arrangements have not been made. DOCS will make arrangements for the ongoing support of those young people.

Dr JOHN KAYE: Thank you for that comprehensive response, the last three sentences were the ones I was interested in. You may not be able to answer my next question, maybe it is more a pro-period for you to take it on notice. Can you give any understanding of how many young Aboriginal people are in the situation where they do not have access to after-care services?

Mr KEVIN GREENE: We can take that on notice.

Dr JOHN KAYE: Would you rather answer that now?

Dr SHEPHERD: There should no children who cannot be referred to other after-care services who were part of the group that were being serviced by that particular auspice.

Dr JOHN KAYE: Service providers were available who can fill that gap. Is that the short answer?

Dr SHEPHERD: Temporarily. But we want to fill that gap on a much stronger and more permanent basis as a result of the expression of interest [EOI] process. If we do not get people through the EOI process we have the capacity to negotiate directly if we cannot find appropriate services who can do the work. The intention is to fix it.

Dr JOHN KAYE: I appreciate that, thank you.

The Hon. LYNDIA VOLTZ: The Government reserves the right to ask questions at a later time.

The Hon. CATHERINE CUSACK: Minister, last year Dr Shepherd was able to provide the Committee with data on permanency placements. It listed at the age of children, the length of time of the placement and the average number of placements that a child would have during that period in care.

Mr KEVIN GREENE: Was that provided on notice last year?

The Hon. CATHERINE CUSACK: It was tabled at the meeting.

Mr KEVIN GREENE: I am sure it was tabled on notice because it is a very specific and detailed request, if I understand it correctly.

The Hon. CATHERINE CUSACK: Could that be updated? My impression is that the information is reported. The idea is to try to stop the revolving door of placements. To be clear, it had the age of the children, the length of time spent in care, and the average number of placements per child.

Mr KEVIN GREENE: We will update that information has given last year.

The Hon. CATHERINE CUSACK: Thank you. A number of questions have been given on notice asking for information on a variety of issues ranging from being supported accommodation assistance program to early intervention and out-of-home care programs. A fairly standard response to those inquiries has been, The most up-to-date information on such matters will be provided in program statements to be published shortly, as explained on page (iii) of Budget Paper No. 3, Volume 1 of Budget Estimates 2007-2008, I wonder when those DOCS program statements will be published?

Mr PARISI: You may be referring to the two-stage budget process. Budget Paper No. 3 was issued at budget time, and then I think about one month or two months later New South Wales Treasury released a more detailed program budget statement.

The Hon. CATHERINE CUSACK: On what date was that?

Mr PARISI: I cannot give you the date on which it was released, but it is Volume 3 of Budget Paper No. 3.

Mr KEVIN GREENE: I think it would be on the Treasury website.

Mr PARISI: Volume 3 was released at a later date.

The Hon. CATHERINE CUSACK: Just going back to the questions that have been placed on notice, a standard form of words has been used in response to today's questions.

Mr KEVIN GREENE: We are consistent.

The Hon. CATHERINE CUSACK: Are you saying, Minister, that you believe the answer to those questions will be in this document that has been published?

Mr KEVIN GREENE: That is the advice that I have been given.

The Hon. CATHERINE CUSACK: For the benefit of the Committee would you describe that document again so that we can locate it?

Mr PARISI: I understand that the budget released at budget time was Budget Paper No. 3, Volume 1. The subsequent release was Budget Paper No. 3, Volume 3. Budget Paper No. 3, Volume 3 provides details of all the Government's programs. In the case of the Department of Community Services, it has four programs for the Department of Community Services.

The Hon. CATHERINE CUSACK: So it breaks it all down into areas?

Mr PARISI: It breaks it down into expenditure and statistics for the four programs, which are: community services, prevention and early intervention, statutory child protection, and out-of-home care.

The Hon. CATHERINE CUSACK: I think that is the information I required. With regard to the Department of Community Services office at Wilcannia, can the director general confirm that staff posted to the Wilcannia office positions are operating out of Wagga Wagga?

Mr KEVIN GREENE: I can answer that question, and the information you have just given is incorrect.

The Hon. CATHERINE CUSACK: Where are staff from the Wilcannia office operating?

Mr KEVIN GREENE: Staff from the Wilcannia office operate from the Broken Hill office, and they also operate from the Wilcannia office, which I would assume was self-evident but I wanted to put that on the record so I am not misquoted.

The Hon. CATHERINE CUSACK: Do they visit the Wilcannia office?

Mr KEVIN GREENE: They work from the Wilcannia office, yes.

The Hon. CATHERINE CUSACK: What hours is the Wilcannia office open?

Mr KEVIN GREENE: Generally they work from the Wilcannia office on a Wednesday, but they also work from the Wilcannia office if and when they are required, additional to the times on Wednesday.

The Hon. CATHERINE CUSACK: Is that all day on Wednesday, Minister, or are there limited hours on Wednesday?

Mr KEVIN GREENE: They work from the office on Wednesday at different times but they are not necessarily in the Wilcannia office. We do not want to go back to this whole discussion about where they sit but, in reality, they are working from the Wilcannia office on Wednesdays and, as required, additional to that. Two caseworker positions are allocated to the Wilcannia office. As I said, they are stationed in Broken Hill but they work from the Wilcannia office.

The Hon. CATHERINE CUSACK: When I visited the office I was mobbed by people asking me whether I worked for the Department of Community Services. They claimed that they had not seen anyone from the Department of Community Services for a very long time. There was a sign in the window that stated the office was open, but it was not open.

Mr KEVIN GREENE: As I said, I have also been in the Wilcannia office. I went there with departmental staff and they work there.

The Hon. CATHERINE CUSACK: Was the office was open? Was someone sitting inside?

Mr KEVIN GREENE: No. It was not a Wednesday.

The Hon. CATHERINE CUSACK: Can you confirm that on your recent visit the keys to the office could not be located?

Mr KEVIN GREENE: We went into the office at Wilcannia. The keys were located and we went in there. I do not want to give you a detailed description of what we did.

The Hon. LYNDA VOLTZ: Did you have a cup of tea?

Mr KEVIN GREENE: I do not drink tea or coffee, but we went into the Department of Community Services office in Wilcannia and it was open. It is quite a nice little office.

The Hon. CATHERINE CUSACK: It is well maintained.

Mr KEVIN GREENE: It is.

The Hon. CATHERINE CUSACK: A Department of Community Services officer is leaving Bourke. When will a replacement officer be installed? Will a replacement officer be recruited to replace the Department of Community Services officer in Bourke?

Mr KEVIN GREENE: We are running an extensive recruitment program throughout the whole of New South Wales and caseworker positions are being filled as a result of that recruitment program. Specifically, I am not sure whether a staff member from Bourke is leaving that role, but

obviously the caseworker positions will be filled, where we can, once we go through the recruitment process.

The Hon. CATHERINE CUSACK: Which offices have vacancies at present?

Mr KEVIN GREENE: In New South Wales?

The Hon. CATHERINE CUSACK: Yes.

Mr KEVIN GREENE: There are 80 offices in New South Wales. Do you want me to go through each one specifically? I think that would be a bit difficult.

The Hon. CATHERINE CUSACK: Is there any information that you would be able to provide to the Committee?

Dr SHEPHERD: It changes daily.

Mr KEVIN GREENE: That would change.

Dr SHEPHERD: It is a bit difficult to provide it in the sense that it will not be accurate tomorrow if I gave it to you today.

Mr KEVIN GREENE: If we asked Ernest and Young how many people they employed in their office today the figure would be different tomorrow. The Department of Community Services is in a similar situation.

The Hon. CATHERINE CUSACK: We had this conversation last year. I think Dr Shepherd understands that we are trying to obtain information about difficult-to-staff areas, where those hot spots are, and some costs.

Mr KEVIN GREENE: There are 3,955 Department of Community Services staff positions throughout the whole of New South Wales. In 2007-08 we are looking at filling the last tranche of the 1,025 positions to which we committed as part of our five-year package. Those positions have been clearly mentioned for this year. I think that 75 of those positions are out-of-home care, as part of the 150 extras we decided to put on. I think there are another 275 caseworker positions. I am told that there are 275 positions all together. There are 100 in child protection, 100 in early intervention and 75 in out-of-home care. I accept that those figures are correct. Those additional positions will go into offices that are part of this year's enhanced service delivery [ESD] program. Earlier tonight I mentioned ESD, so I do not want to go through it again.

The Hon. CATHERINE CUSACK: If any data could be made available in those areas it would be appreciated.

Mr KEVIN GREENE: Okay.

The Hon. CATHERINE CUSACK: Referring to the equipment programs that you just talked about, are you aware of concerns in the sector that there will be a drain of experienced staff from the non-government sector into positions being staffed by the Department of Community Services and that we have insufficient trained people in the sector at the moment? There is an emerging skills shortage, in particular, for the non-government sector.

Mr KEVIN GREENE: The Department of Community Services is committed to filling the caseworker positions that it has available. We have an extensive program of recruitment to fill those positions. But I am happy to defer your comments to the director general.

Dr SHEPHERD: We were concerned about the potential for that in the early stages of the recruitment campaign from 2003 onwards. In the early years we looked closely at the recruitment profile to see whether we were taking a significant percentage of recruits from the non-government sector, and we were not. Our profile is slightly different. We require people with tertiary qualifications, at least three-year degrees, in a relevant discipline, apart from Aboriginal caseworkers

who come in under a different scheme and then we train them. But for all others we take them in under the tertiary qualifications and further training is put in on top of the tertiary qualifications. The non-government sector does not have such a strong academic requirement for most of its positions, so we draw from different pools. We are getting massive numbers of applicants for caseworker positions. I can get you the figures since August.

Mr KEVIN GREENE: It is incredible.

Dr SHEPHERD: It is a huge number. Donna can dig out those figures from the folder.

The Hon. CATHERINE CUSACK: Salaries are a lot better in the department than they are in the non-government sector?

Dr SHEPHERD: That is uneven. Some non-government services provides salaries that are competitive with the Department of Community Services. The way the case worker role is structured, it requires a significant level of understanding of the law and various other things in order to do the work that case workers have to do. We attracted over 2,000 applicants in 2006-07, including 386 applications from Aboriginal and Torres Strait Islander people. We have just started a new recruitment program that has seen almost an equivalent number to that in the space of about three months. I can get you accurately what that additional number is.

The Hon. CATHERINE CUSACK: Are you saying, though, that the applicants are not coming from the non-government sector, they are coming from another pool somewhere else?

Dr SHEPHERD: Some, but we are not draining the non-government sector of suitable recruits for their requirements from the profiling we did a couple of years ago. I have not done it in the past 12 months, but in the early years of recruitment before we got the tertiary qualification we were not draining them then. The chances are that we have not changed that except to lessen the drain. The other thing is that if we received 2,000 applications last year and filled about 400 and something positions, then clearly there is a big pool of people who thought they had sufficient qualifications to apply to the Department of Community Services who were not successful and who will be available for other places.

The Hon. CATHERINE CUSACK: They must be working somewhere at the moment, Dr Shepherd.

Mr KEVIN GREENE: No. There are a lot of country university applicants.

Dr SHEPHERD: There certainly are a lot of new graduates.

Mr KEVIN GREENE: In my travels around the State I have spoken with a number of graduates from Charles Sturt University and western Sydney where they have good social welfare programs where these graduates in fact are coming on board with the department because they see it as an opportunity for a career.

The Hon. CATHERINE CUSACK: So you are quite confident that it is not impacting on the non-government sector?

Mr KEVIN GREENE: The only other thing that is impacting on the non-government sector is, fortunately, that the New South Wales Government agreed to indexing of programs as a result of the social and community services award to non-government employees. Unfortunately, the Federal Government again has refused to come on board with the indexing and that applies also across this and other programs.

Dr SHEPHERD: Just to round that out, we have had over 1,500 applications for case worker positions since 3 August 2007. We can only handle, the Minister said I think, 275 in this coming year. So, we are not draining the pool.

The Hon. CATHERINE CUSACK: I am pleased that you are getting good applications; the issue that has been raised with me relates to experienced staff in the non-government sector and a fear

of a learning shortage to such an extent that they are actually organising special conferences to deal with the issue. They certainly feel it.

Mr KEVIN GREENE: We are looking to increase the standards across the whole of the community services sector, but certainly we have benchmarked our standards as very high in terms of the university qualifications to which Dr Shepherd referred. Obviously in the community services sector there are variations, but one thing I should put on the record is that we do appreciate the generous good nature and the work of those non-government employees.

Dr SHEPHERD: There is one other piece that is relevant to this and that is that the case worker turnover in the Department of Community Services is very low. So, once we finish this recruitment campaign to meet the Government's targets, we are not looking at a huge turnover of staff. It is below 7 per cent in permanent case workers within the Department of Community Services, which is well below the industry benchmark. So, you are not going to get ongoing significant recruitment except to fill the vacancies that occur as a result of that very low turnover.

The Hon. CATHERINE CUSACK: I move on now to foster carers. Is it the situation that foster carers are having to wait up to six months for the processing of their claims for payment?

Mr KEVIN GREENE: That is not the advice I have.

The Hon. CATHERINE CUSACK: Can you advise me on what the time is, Minister, for processing foster care payments?

Mr KEVIN GREENE: Obviously it depends when payments go out. What I can advise, and I am proud to advise, is that New South Wales leads Australia in foster care payments. As a result of decisions taken last year we have increased significantly our payments to foster carers. We look to provide those payments as quickly and as dutifully as possible. Dr Shepherd?

Dr SHEPHERD: The client information system and the finance system are now linked and as a matter of course it should not be possible for foster carers to be paid significantly behind the dates that the payments are due. In fact, they should be paid exactly on the days they are due. In the transition phase last November there were a few anomalies detected and they were mostly fixed manually in a relatively short space of time. So, I think most of those are cleared up. If you have specific information though about a foster carer, if you can provide it to the Minister we will follow it up. Now that we have meshed the two systems our intention is to not have any foster carers being paid behind time.

The Hon. CATHERINE CUSACK: So, what is the processing time now?

Dr SHEPHERD: The processing time should be instantaneous, very much.

Mr PARISI: The two systems basically are connected, so there is a real-time connection. As soon as something is put into one system, providing a payment is due, that goes out the next day.

The Hon. CATHERINE CUSACK: But are these payments made continuously or is there a week or a month?

Mr KEVIN GREENE: That would depend. There are different groups of carers because there are respite carers, emergency carers as well as long-term carers, and there are contingency payments as a result also for long-term carers. Am I correct in saying that?

Mr PARISI: Yes. I am aware that there is at least a fortnightly cycle. There is a payment run every fortnight and there is also a between-fortnight payment run. There may well be ad hoc payments as well, depending on how the payment is processed. But if we are just talking about a standard carer allowance, there is a standard fortnightly run and then in-between runs within that fortnightly pick-up.

Dr SHEPHERD: And that does not have to be altered unless the placement is reviewed for a reason.

The Hon. CATHERINE CUSACK: Can I just ask how many parental responsibility contracts have been registered?

Mr KEVIN GREENE: The parental responsibility contracts started on 30 March and the legislation was enacted. I understand that there is one that we have put in place and we will be looking to roll out some more of those contracts.

Dr SHEPHERD: These were being trialled at a few community service centres in order to make sure we had all the processes and procedures sorted out. At the moment quite a few cases are being looked at in relation to their suitability for the contracts because they are a serious piece of undertaking between a parent and the department, and they are registered in the court. They have serious consequences if they are not abided by. So far, my advice is that there is one registered and there are others in the pipeline.

The Hon. CATHERINE CUSACK: Finally, with respect to children who are in out-of-home care, is there a complaints mechanism for them if they wish to complain?

Mr KEVIN GREENE: The children themselves?

The Hon. CATHERINE CUSACK: The children themselves, yes.

Mr KEVIN GREENE: Yes, the children themselves, not the carers?

The Hon. CATHERINE CUSACK: Yes.

Dr SHEPHERD: Who is the child complaining about?

The Hon. CATHERINE CUSACK: If a child is placed in a foster care arrangement where there is abuse going on, for example, what does the child do?

Dr SHEPHERD: Right, okay. The child can raise it with anybody, in effect, any of the mandatory reporters who would make a mandatory report about it. So, a teacher at school or someone at preschool, or whatever, depending on the age of the child and the competence of the child to make a complaint. They can also raise it with a caseworker who then needs to register it. There is then a whole process associated with the processing of allegations against foster carers or abuse-in-care matters, and we follow a rigorous process around allegations for abuse in care. I can take you right through that, if you like.

The Hon. CATHERINE CUSACK: Is that data captured at all?

Dr SHEPHERD: Yes, it will be, and it is audited by the Ombudsman's Office.

The Hon. CATHERINE CUSACK: How many complaints would there be annually?

Dr SHEPHERD: I will come back to you on notice. It is in the back of my head, but I am not game to say, in case I get it wrong.

The Hon. CATHERINE CUSACK: Do you keep information about the outcomes of the complaints as well?

Dr SHEPHERD: Yes. We know that a proportion of them is sustained and there is a portion that is not sustained. My recollection—I will get it for you accurately—is that it is about 46 per cent sustained and obviously the reverse of that not. Here we are: sustained, 46 per cent; not sustained, 50 per cent. Then there is another group of 4 per cent, and 389 cases of reportable conduct were dealt with in 2006-07.

The Hon. CATHERINE CUSACK: You realise we are dealing with children who often have extensive histories of abuse and difficulty in behaviour problems.

Dr SHEPHERD: Yes.

The Hon. CATHERINE CUSACK: If their foster care family were to be the subject of a complaint that turned out to be not able to be substantiated, what sort of support is given to that family when they are going through that process of investigation of the complaint?

Dr SHEPHERD: There are two strands to this. One is what happens in relation to the safety of the child. There is obviously the community service centre, which will investigate the issues associated with the safety of the child. If a decision is made that the child is not safe in that environment, even before the allegation has been fully investigated—because some of those allegations are serious, as you would anticipate: not a lot, but some are—then the community service centre caseworkers will take action in relation to that child or those children.

More normally, the allegation is of a considerably less serious nature than that and then it will be investigated through the allegations against employees process because foster carers, just for this process, are legally classified as employees. It will be carried through that process and that will either be done by the centralised unit or by the region. In either event, the family is informed of what the process is and what is going to potentially happen. The foster care family is provided with access to counselling services, if they want counselling services around this.

The Hon. CATHERINE CUSACK: Does that extend to support?

Dr SHEPHERD: The level of support for will depend a little bit on the seriousness of the allegation and whether or not the child gets removed from the placement. But, as I said, in all cases the foster carers are offered counselling through the external counselling service that we contract. Foster carers are also told that they can contact one or other of the peak foster care advisory bodies, such as the Foster Care Association (NSW) Inc or the Foster Parents Support Network, and they are also told that they can contact the investigator for any information that they may require. The other thing that they are told, of course, is what happens with the results of the allegation in terms of the Ombudsman and the Commission for Children and Young People. We just do not keep the results in-house: those results go to other places under the legislative requirements.

CHAIR: We have time for just one final quick question. In relation to the Yass office of the Department of Community Services which has been closed, do you have any plans to reopen it? I understand that there are plenty of available offices.

Mr KEVIN GREENE: Absolutely, yes. There has been a problem with the facility that we currently lease in Yass. That needs to be addressed, so the Yass caseworkers are operating from Goulburn. I have been to Goulburn and spoken to those Yass caseworkers. They are happy with the action that has been taken because, as I say, the office in Yass was unsuitable for the staff, and indeed unsafe, as the director general has just mentioned to me. That is why they are currently working from Goulburn. Fortunately there is capacity in the Goulburn office for those caseworkers to work there. To go back to a previous point, in my conversations with them, they actually highlighted how it is so important for them to be actually out on the road and dealing with families and dealing with individual cases rather than being tied to a desk in Goulburn, and they are certainly maximising that option.

CHAIR: But will you find suitable accommodation?

Mr KEVIN GREENE: There will be, yes. The new Yass community service centre will be occupying approximately 180 square metres and will accommodate nine staff. That is new accommodation that will be provided and that will meet the department's standards.

CHAIR: When is that expected to open?

Mr KEVIN GREENE: The new lease will commence on 1 May 2008. That is the advice I have received.

CHAIR: Minister, we will finalise now. I would like to thank you on behalf of the Committee for being here this evening. I also thank Dr Shepherd, Ms Rygate and Mr Parisi. We appreciate your assistance with these estimates. I declare at the hearing closed.

(The witnesses withdrew)

The committee continued to deliberate.

