

PORTFOLIO COMMITTEE NO. 2 – HEALTH AND COMMUNITY SERVICES

Thursday, 7 September 2017

Examination of proposed expenditure for the portfolio area

DISABILITY SERVICES AND MULTICULTURALISM

CORRECTED PROOF

The Committee met at 2.00 p.m.

MEMBERS

The Hon. Greg Donnelly (Chair)

The Hon. W. Fang

Dr M. Faruqi

The Hon. P. Green

The Hon. C. Houssos

The Hon. D. Mookhey

The Hon. S. Moselmane

The Hon. Dr P. Phelps

The Hon. B. Taylor

The Hon. L. Voltz

Ms D. Walker

PRESENT

The Hon. R. Williams, *Minister for Multiculturalism, and Minister for Disability Services*

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**

The CHAIR: Welcome to the public hearing of Portfolio Committee No. 2 and its inquiry into the 2017-18 budget estimates. Before I commence I would like to acknowledge the Gadigal people, who are the traditional custodians of this land. I would also like to pay respect to elders, past and present, of the Eora nation, and extend that respect to other Aborigines present, including those who might join us via our website. I welcome Minister Ray Williams and accompanying officials to this hearing. Today the Committee will examine the proposed expenditure for the portfolio of Disability Services and Multiculturalism.

Today's hearing is open to the public and is being broadcast live via the Parliament's website. In accordance with the broadcasting guidelines, while members of the media may film or record Committee members and witnesses, people in the public gallery should not be the primary focus of any filming or photography. I would also remind media representatives that they must take responsibility for what they publish about the Committee's proceedings. The guidelines for the broadcast of proceedings are available from the secretariat.

There may be some questions that witnesses could answer if only they had more time, or with certain documents to hand. In these circumstances witnesses are advised that they can take a question on notice and provide an answer within 21 days. Any messages from advisers or members of staff seated in the public gallery should be delivered through the Committee secretariat. Minister, I remind you and the officers accompanying you that you are free to pass notes and to refer directly to your advisers seated at the table behind you.

Transcripts of this hearing will be available on the web from tomorrow morning. Finally, would everyone please turn their mobile phones to silent for the duration of the hearing. All witnesses from departments, statutory bodies or corporations will be sworn prior to giving evidence. Minister, I remind you that you do not need to be sworn as you have already sworn an oath to office as a member of Parliament. I remind Mr Coutts-Trotter and Ms Rogers, from the Department of Family and Community Services, that they do not need to be sworn as they have been sworn at an earlier budget estimates hearing.

MICHAEL COUTTS-TROTTER, Secretary, Department of Family and Community Services, on former oath
JIM LONGLEY, Deputy Secretary, Ageing, Disability and Home Care, Department of Family and Community Services, sworn and examined

CHRIS LEACH, Deputy Secretary, Disability Operations, Department of Family and Community Services, affirmed and examined

HELEN ROGERS, Executive Director, Participation and Inclusion, Department of Family and Community Services, on former oath

ANNE CAMPBELL, Executive Director, Service Delivery Programs, Department of Family and Community Services, sworn and examined

HAKAN HARMAN, Chief Executive Officer, Multicultural NSW, affirmed and examined

ROSS HAWKEY, Director Corporate, Chief Financial Officer/Chief Information Officer, Multicultural NSW, sworn and examined

The CHAIR: I declare the proposed expenditure for the portfolios of Disability Services and Multiculturalism open for examination. As there is no provision for a Minister to make an opening statement before the Committee commences questioning, we will begin with questions from the Opposition.

The Hon. LYNDIA VOLTZ: Minister, when the *Sydney Morning Herald* reported on 24 April that the State prohibits directors of charities from being remunerated unless they have express approval from a government Minister and that Mr Longley was receiving remuneration, why was he not stood aside?

Mr RAY WILLIAMS: I understand that is the subject of an inquiry. I will ask my secretary to answer in a bit more detail.

Mr COUTTS-TROTTER: Obviously, the Bergin inquiry is underway and that will deal with a range of matters associated with RSL and RSL LifeCare. I think I understand the focus of the question. My colleague Mr Longley joined the public sector in mid-2012. He came to the public sector from a career in banking, in aged care and, of course, was a Minister of the Crown and had a career in politics. When Mr Longley came, my predecessor gave approval for Mr Longley to maintain a series of directorships and private employment arrangements. Mr Longley had to seek that approval from my predecessor, and on every occasion since then, on an annual basis, he has needed to confirm approval with me. I need to satisfy myself under relevant policy and regulation that Mr Longley's private employment is not a conflict to the agency and that he is transparent in his disclosures and the approvals he seeks from me. I am entirely satisfied that over that time he sought appropriate approvals and the approvals I granted were in line with policy. To the question you raise, my understanding is that Mr Longley was not paid as a director of RSL LifeCare but rather as a consultant to the charity.

The Hon. LYNDIA VOLTZ: Minister, I will ask the question again. When you became aware that Mr Longley received payments as a director of RSL LifeCare, why was he not stood aside, given that the RSL received legal advice that the two members should be stood aside?

Mr RAY WILLIAMS: I am satisfied with the response that you have already received from the secretary. As I stated before, it is the subject of an inquiry and I am not going to make any further comments on that. But I am certainly satisfied with the comments from the secretary. We have had discussions, and I am happy that he has responded. If you would like him to respond once again, I am happy for him to do that.

The Hon. LYNDIA VOLTZ: Minister, is it appropriate for an aged-care facility that is a registered charity to make donations to the Liberal Party?

Mr RAY WILLIAMS: I think the question should be directed to the Liberal Party, but I will make a statement. If they are not a prohibited donor, I imagine they could.

The Hon. LYNDIA VOLTZ: The Charitable Fundraising Act says that they should not be making political donations.

Mr RAY WILLIAMS: The Charitable Fundraising Act says that an aged care provider should not—

The Hon. LYNDIA VOLTZ: That a charity should not make political donations.

Mr RAY WILLIAMS: Is that stated under the Act?

The Hon. LYNDIA VOLTZ: Yes.

Mr RAY WILLIAMS: Then you have answered the question.

The Hon. LYNDIA VOLTZ: Minister Elliott says it is inappropriate, so is it inappropriate?

Mr RAY WILLIAMS: If the Act states it is inappropriate, it is inappropriate.

The Hon. LYNDIA VOLTZ: Will you be writing to the Liberal Party asking for it to repay all those donations?

Mr RAY WILLIAMS: That is a question for the Liberal Party.

The Hon. LYNDIA VOLTZ: No, I am asking you. You are the Minister for Ageing and I am asking you whether you will write to the Liberal Party and ask for all those donations to be repaid.

Mr RAY WILLIAMS: To clarify your misunderstanding, I am not the Minister for Ageing and I do not have responsibility for Ageing. Another Minister has that responsibility. I am the Minister for Multiculturalism and the Minister for Disability Services, very proudly also with responsibility for youth and volunteering. If it is stated clearly under the Act that it is a prohibited donation, it is a prohibited donation. If you require any further advice, I suggest you contact the Liberal Party.

The Hon. LYNDIA VOLTZ: Will you not stand Mr Longley aside?

Mr RAY WILLIAMS: As I said before, that is the subject of an inquiry. I am satisfied with the response from the secretary. If you would like him to go into further detail, I am happy to hand over to the secretary.

The Hon. DANIEL MOOKHEY: I have a follow-up question. How many other roles has the secretary approved for private employment, and how many other directorships?

Mr RAY WILLIAMS: I will ask the secretary to answer that.

Mr COUTTS-TROTTER: I am happy to take that on notice so I can be exact. As you would understand, requests for secondary employment are approved by a staff member's manager. I have direct management responsibility for nine other people. I will double-check, but I cannot recall providing similar approval for any of my other direct reports. If you are asking about the approval for secondary employment within the Department of Family and Community Services [FACS], that would be a larger number and I need to take it on notice.

The Hon. LYNDIA VOLTZ: Mr Coutts-Trotter, if you are happy that these payments are for consultancy fees, why is the Minister for Veterans Affairs constantly in the media accusing people who took these payments as lining their own pockets?

The Hon. Dr PETER PHELPS: Point of order: It is inappropriate to ask the secretary of a department about the actions of a Minister in another department.

The Hon. LYNDIA VOLTZ: The Minister can answer.

The Hon. Dr PETER PHELPS: I will take that as a response to my point of order. It is not within the Minister's purview to discuss the activities or otherwise of another Minister. Estimates hearings are to discuss the budget estimates for a particular portfolio.

The Hon. SHAOQUETT MOSELMANE: If the Minister wants to answer the question, he can answer it.

The Hon. LYNDIA VOLTZ: To the point of order: I am asking a specific question about an employee, the Deputy Secretary of Ageing, Disability and Home Care. I am asking about Mr Longley, who is not in another Minister's portfolio but in this Minister's portfolio.

The Hon. Dr PETER PHELPS: Further to the point of order: The member specifically asked the Minister about potential activities by another Minister, which is completely outside the bounds of the usual course of questioning in estimates.

The CHAIR: The position is that we are here to examine budget estimates for the portfolios of Disability Services and Multiculturalism. We have the Minister with those portfolio responsibilities and his officers. There is generally wide latitude at these hearings, but we need to direct questions specifically to the Minister present here today and his officers in his portfolio responsibilities. I ask the member to proceed with her questions. But by taking her question outside the portfolio responsibilities of this Minister and referring to another Minister, her question is starting to take the line of questioning to the margins.

The Hon. LYNDIA VOLTZ: Minister, given that the Minister for Fair Trading, Matt Kean, and the Minister for Veterans Affairs have said that these payments received by Mr Longley have not been approved, why have you not stood him aside?

Mr RAY WILLIAMS: I think those questions need to be raised with the relevant Ministers. It is certainly outside the remit of my portfolio responsibilities if they raised those matters. Please raise this question with the relevant Ministers.

The Hon. LYNDIA VOLTZ: You have an employee under your purview who is taking payments that have not been approved under the Act and have been recognised in a forensic audit as not approved by a Minister. Why do you believe that those payments are appropriate when your colleagues do not agree with you?

Mr RAY WILLIAMS: At this point of time, as I have said, an inquiry is at hand. I will not make any further comments until that inquiry hands down its report. If you would like any further clarification, I am more than happy to ask the secretary to respond.

The Hon. LYNDIA VOLTZ: But your parliamentary colleagues, other Ministers, are happy to make comments that there are inappropriate payments that people should not have received, and they have asked other people to stand aside. Why will you not stand Mr Longley aside?

Mr RAY WILLIAMS: Once again, you can ask those questions to the relevant Minister—

The Hon. LYNDIA VOLTZ: You are the relevant Minister.

Mr RAY WILLIAMS: You have raised issues with regard to two other Ministers. I have no responsibility over either portfolio.

The Hon. LYNDIA VOLTZ: Let me put it this way: Do you disagree with them?

Mr RAY WILLIAMS: At this point in time I stand by what I said to you. An inquiry is being undertaken. I will not make any further comment or subject that inquiry to being altered in any way by comments that I might make. I am more than happy for the inquiry to deliver its verdict when it goes through all the details.

The Hon. LYNDIA VOLTZ: The inquiry has been called by those two Ministers because they say these payments are illegal. Why will you not stand Mr Longley aside?

Mr RAY WILLIAMS: Ultimately, if that is the case, it will be borne out in the inquiry. I will not be—

The Hon. LYNDIA VOLTZ: Should you not stand him aside until the inquiry makes that decision? Your Government's Ministers say that this is such a horrendous thing that they have had to change legislation and had royal commission powers to have an inquiry, yet you still have Mr Longley in the job.

Mr RAY WILLIAMS: As I have said before, the Ministers have called an inquiry. The inquiry is ongoing. I am more than happy to wait for the final determination of the inquiry.

The Hon. DANIEL MOOKHEY: When serious allegations were raised against the deputy director general of Water, he was stood aside. When serious allegations were raised against the conduct of a senior member of the NSW Environmental Protection Authority, they were stood aside. Can you explain why that standard was applied to those two officials but a different standard seems to be applied to Mr Longley?

Mr RAY WILLIAMS: I am more than happy to hand over to the secretary.

Mr COUTTS-TROTTER: Mr Longley's employment relationship is with me. Mr Longley has advised me that he was in receipt of legal advice that the consultancy fees that he received as a director of RSL LifeCare were appropriate. That issue is the subject of testing and argument before the Bergin inquiry, and I think your characterisation of people's views and definitive position on that issue is at odds with what I know about it.

The Hon. DANIEL MOOKHEY: Minister, I am sure one of the most enjoyable aspects of your job is hearing from the New South Wales disability inclusion plan accessibility working group. I presume that is the working group whose mission is to ensure that New South Wales Government agencies are complying with their obligations under the Disability Inclusion Act 2014. Is that correct?

Mr RAY WILLIAMS: Are you talking about a panel?

The Hon. DANIEL MOOKHEY: Do you know about the New South Wales disability plan accessibility working group?

Mr RAY WILLIAMS: I will get some clarification in relation to the working group but, to go back into disability inclusion action plans [DIAPs], they are plans that have been completed by local governments right across New South Wales.

The Hon. DANIEL MOOKHEY: Presumably State Government agencies as well.

Mr COUTTS-TROTTER: Yes.

The Hon. DANIEL MOOKHEY: Perhaps, Mr Coutts-Trotter, you can shed some light on this: Is there anything called the New South Wales disability inclusion plan accessibility working group?

Mr COUTTS-TROTTER: There certainly is, and my colleague Helen Rogers is very closely involved.

The Hon. DANIEL MOOKHEY: Before you go too far into the detail, I will ask another few questions so you can answer them all at once. Who is on it?

Ms ROGERS: I think you are referring to the Disability Inclusion Plan Implementation Committee.

The Hon. DANIEL MOOKHEY: Okay, sorry.

Ms ROGERS: It is a committee of senior officers. All of the Government clusters are represented on that committee and there are also representatives from Local Government NSW and representatives from the non-government sector—

The Hon. DANIEL MOOKHEY: On notice, can you provide us a list?

Ms ROGERS: Yes, certainly. I am the chair of that committee.

The Hon. DANIEL MOOKHEY: How often does it meet?

Ms ROGERS: It meets quarterly.

The Hon. DANIEL MOOKHEY: When did it start meeting?

Ms ROGERS: If memory serves me correctly, it started meeting in late 2015, but I would need to take on notice the exact dates. We can provide the dates of all of the meeting times and the current membership.

The Hon. DANIEL MOOKHEY: It reports through you, presumably, to the secretary and then to the Minister.

Ms ROGERS: It reports to my deputy secretary and the secretary and then through to the Minister, yes.

The Hon. DANIEL MOOKHEY: Minister, have you received any reports from the working group that you can recall?

Mr RAY WILLIAMS: I am more than happy to take further advice from Helen Rogers. I imagine that I would have. I can confirm that I have very proudly launched many of the DIAPs on behalf of the various council areas. I commend each and every one of them for embracing the inclusive status of the purpose of the NDIS, which is to provide a greater quality of life for the most vulnerable people in society. It is to provide a record amount of funding on behalf of those people. It completes the third tier of government by providing that accessibility which local government is so good at and has done for the past two decades.

The Hon. DANIEL MOOKHEY: Have all New South Wales Government agencies implemented the DIAPs?

Mr RAY WILLIAMS: I am happy to hand that over, but my understanding is that is correct.

Mr COUTTS-TROTTER: Every agency has a plan and the plan will entail implementation of its elements over a period of time, so we are all underway in implementing our plans.

The Hon. DANIEL MOOKHEY: Are there any agencies that have been non-responsive, that are not yet complying or that are in danger of not meeting the commitments they made under those plans?

Ms ROGERS: No.

The Hon. DANIEL MOOKHEY: Wonderful—and I commend you on being so polite. You certainly are the most polite Minister and secretary pair we have encountered so far in these estimates hearings. Minister, what is the percentage of New South Wales Government employees that have a disability?

Mr RAY WILLIAMS: Not as good as it should be.

The Hon. DANIEL MOOKHEY: What are you defining as "not as good as it should be"?

Mr RAY WILLIAMS: I will happily get the correct figure. I believe it is below 3 per cent. Looking at the private sector, which I have been praising, the percentage of people with disability who are employed, averaged across the board in New South Wales, is 8 per cent and growing. I raise one particular organisation for no other reason other than its proactive measures to employ people with disability: The Commonwealth Bank of Australia is currently tracking at 10 per cent of its workforce. I am happy to have that removed—as I said I want to preface my remarks by saying—

The Hon. DANIEL MOOKHEY: Sorry, Minister, can you use the microphone?

Mr RAY WILLIAMS: Sorry. The private sector is certainly leading the way. The Government sector is not and we are at this point in time—

The Hon. DANIEL MOOKHEY: Was it the case that around 2009-10 the percentage of Government employees with a disability was around 4 per cent?

Mr COUTTS-TROTTER: Yes.

Mr RAY WILLIAMS: I cannot confirm that but my secretary has confirmed that.

The Hon. DANIEL MOOKHEY: In the last six years, at the same time that you rightly compelled all government agencies to have a disability inclusion accessibility plan—and we just heard that you have no concerns that none of them are being met and that in fact you are confident that they are all being met, that all agencies have them and that so far not a single government agency has shown up with a problem—why is it that the number of people with disability employed by the New South Wales Government has dropped by almost 25 per cent since your Government came to power?

Mr RAY WILLIAMS: I might correct the record regarding some of your words and phrasing. I do not have concerns with the agencies that have developed their DIAPs. I certainly do not have concerns with the local government bodies across the State that have developed their DIAPs. They have done an incredible job. That is—

The Hon. DANIEL MOOKHEY: So you do have concerns with Government agencies having DIAPs?

Mr RAY WILLIAMS: —about accessibility on behalf of people with disability. That is primarily what the DIAPs are for, for accessibility of people with disability.

The Hon. DANIEL MOOKHEY: What strategies are in place in New South Wales Government agencies to encourage employment? If you say that is not the purpose of a DIAP, what is there?

Mr RAY WILLIAMS: It is a very good question. I will happily flick it to the secretary but I will put on the record that I am certainly not satisfied that the employment rate or the percentage of employment of people with disability in Government bodies is acceptable, and I can confirm to you—

The Hon. DANIEL MOOKHEY: What are you going to do about this?

Mr RAY WILLIAMS: I appreciate the supplementary question. I can confirm to you that I am developing policy in that regard because it is unacceptable and—

The Hon. DANIEL MOOKHEY: Why did your predecessor not have any?

Mr RAY WILLIAMS: You can ask my predecessor.

The Hon. DANIEL MOOKHEY: I will ask the secretary, because I think he was there too. What is the theory of the New South Wales Government as to why it is not meeting its targets? Why has it taken six years for you to notice and do something about it, and what are you doing?

Mr COUTTS-TROTTER: First, a point of clarification. The disability inclusion action plans contain a focus on including people with disability as public sector employees, but they are much broader than that. They are about giving people—

The Hon. DANIEL MOOKHEY: But it is a component.

Mr COUTTS-TROTTER: It is a component but it is not the sole focus of the plan. Depending on the agency, depending on where we are in relation to disability employment, it is key, but those plans are about giving people access to government services. Different agencies are doing different things, but fundamentally the common features are to become much better at providing accessible recruitment retention and career

development opportunities so we know that there are a whole lot of things about the way we run recruitment that act as serious impediments to people with disability—everything from the methods of assessment to the marketing of the jobs themselves has an implicit or explicit message that we are not that interested in recruiting people with disability. In Family and Community Services we were accredited as a disability-confident employer. We are very proud of that. We hope that provides an example to colleagues elsewhere in government.

As to your question, first, there is underreporting of people's disability. That tells you something uncomfortable about how people with disability perceive culture in workplaces. They are worried about disclosing disability and asking for the kinds of adjustments that all of us in a variety of ways need to be productive at work.

The Hon. DANIEL MOOKHEY: Which are the worst performing agencies? Which agencies have had the fastest rate of decline in employing people with a disability? Have you brought it to the attention of those Ministers and their secretaries? What did they say they were going to do, and are you confident they will do it?

Mr COUTTS-TROTTER: Together with the Public Service Commissioner we have established a Disability Employment Advisory Committee drawing on private sector expertise and the experience of people with a lived experience of disability. The Minister is alluding to additional targets that will be created and we will all have implementations behind them. It is real and people like me will be held to account for performance.

The Hon. PAUL GREEN: Minister, I understand there will be a shortfall of approximately \$13 million in the funding for disability advocacy representation in information organisations due to the transfer of all disability funding in New South Wales to the National Disability Insurance Scheme [NDIS], Commonwealth. The NDIS has said specifically that it will not fund the advocacy. Will you inform us whether the Government will continue to fund this advocacy, as is done in Victoria?

Mr RAY WILLIAMS: To give an overview, in the past governments paid advocates to lobby governments for funding, primarily for people with a disability. Let us look at it in the context of my portfolio. Every cent of next year's disability budget of \$3.2 billion will be transitioned to the NDIS. That will be matched by an additional \$3.3 billion from the Commonwealth, giving a total of \$6.5 billion in funding for people with a disability in New South Wales. This is the most remarkable reform that has ever been undertaken in this country. It may well be the greatest reform in the disability sector around the world.

I regularly meet many dignitaries and ambassadors when they visit this country to discuss how we have placed people with disability first with this funding. We have been able to secure this sustainable source of funding in the future. The New South Wales Government has led the way. If its budget was not in check through some prudent financial management it would not be in a position to do so. The National Disability Insurance Scheme [NDIS] is on time and on budget. The \$10.6 million in funding for advocacy services has been topped up with a further \$1.5 million. I am happy for the secretary to give you more detail. I have continued to maintain that funding is no longer an issue for people with disability as the funding has been doubled. People with disability now have a greater choice of services, support and accommodation. People with disability, their families and their carers are the greatest advocates for these services. This Government is funding people with disability as opposed to relying on other organisations to lobby us for that funding.

Funding has doubled and is now at a record high—something of which we are very proud. In addition, if anyone who is transitioning to the NDIS feels the need for further advocacy services, they can fund those services from within the remit of their plan. The Federal Government has announced a \$60 million package at a national level to maintain advocacy as it sees fit. This Government funds a wonderful program called Ability Links NSW. Every year we spend \$44 million on approximately 340 people who are not employed directly by us; we fund their employment in the St Vincent de Paul Society and in other organisations. These wonderful and inspiring people knock on the doors of those with a disability, engage with them, build up friendships and mentor them. They offer them friendship and then they establish what these people want to do with their lives.

In the past eight months I have met with many people with disability. Their stories are nothing short of remarkable. Some people, who are completely and utterly isolated socially and who are suffering depression—some of them are in wheelchairs—have been encouraged to volunteer in our communities, to participate in technical and further education, to improve their educational skills and to go into the workforce. Some young people have got their driver licences and other young people have established businesses, which is remarkable. We are making significant changes in the disability sector—something about which I am extremely proud. In the eight months in which I have had responsibility for this portfolio, I have been the greatest advocate for people with a disability. However, on July 2018 that responsibility will transfer to the Federal agency.

The Hon. PAUL GREEN: I think you have recognised an important point: you have made significant changes to the disability sector. My concern is that some people will still slip through the net and will not be able to access advocacy services. How will those people get access to advocacy services if they are no longer available at a State level?

Mr RAY WILLIAMS: I will go briefly over some of the points that I made earlier. The funding is secure; we have doubled the funding.

The Hon. PAUL GREEN: The funding allocated by the Federal Government will be approximately \$20 million for all of Australia. I gather that New South Wales will receive some of that funding. This State is contributing \$13 million for advocacy services but that will no longer be available after 1 July 2018.

Mr RAY WILLIAMS: Correct.

The Hon. PAUL GREEN: The Federal Government has indicated that it will no longer boost that amount of \$20 million.

Mr RAY WILLIAMS: The Federal Government has guaranteed \$60 million on behalf of advocacy services. That has now been locked away. The funding to support people with disability—\$6.5 billion in New South Wales alone—is secure.

The Hon. PAUL GREEN: I understand that.

Mr RAY WILLIAMS: Funding for those who need to choose advocacy services and accommodation is no longer an issue. Funding for those with a disability has been doubled and is secure. Money is no longer an issue for people with a disability, which is wonderful. If people with high needs are recognised as needing advocacy support to adapt, amend or change their plans—which they will have an opportunity to do at any time—that can be included and paid for as part of their plans. Funding is no longer an issue. The Federal Government recognised that advocacy plays an important role and, as the Hon. Paul Green pointed out, it has allocated \$60 million for that purpose.

The Hon. PAUL GREEN: Given that you are so certain about the funding, why would the Government then say to advocacy services that if they do not qualify through the existing program they will have access to the Information, Linkages and Capacity Building commissioning framework which clearly states that systemic advocacy, legal review and representation will be funded outside the NDIS. How does the Minister propose to ensure there is no loss of service for people with disability in New South Wales when advocacy funding ceases in June 2018?

Mr RAY WILLIAMS: My understanding is that that funding will be supported by agencies that currently do that. I will refer your question to the secretary for further comment.

Mr COUTTS-TROTTER: One point I will add to the Minister's explanation is that we continue to fund the Disability Council; we continue to fund the NSW Council of Social Service. The Government continues to fund community legal centres, Shelter NSW and Homelessness NSW. These are all groups that have a role in both individual and policy advocacy around that part of the service system. They already are and they will continue to be funded to represent the interests of everybody who has a problem with that part of the service system, including people with disability. We think that in combination with individualised National Disability Insurance Scheme [NDIS] packages that enable people to buy the service of individual advocates, the Commonwealth's advocacy funding program beyond that, and our continued funding of these peak bodies and advocacy groups, mean there is little risk that people will miss out.

The Hon. PAUL GREEN: If they were not able to access the Information, Linkages and Capacity Building [ILCB] package, it has been suggested that they become a service provider. Many of them feel that would be a conflict of interest. Do you have any comment?

Mr COUTTS-TROTTER: That is obviously a question for them to answer with their boards, but that option is open to them.

Ms DAWN WALKER: I also had questions about advocacy and information services, but you have addressed them in great detail. Can you assure the Committee that all existing advocacy and information services will remain after 30 June 2018?

Mr RAY WILLIAMS: That is a question that can be answered only by the National Disability Insurance Agency or the Federal Government. I cannot provide a definitive answer. The only answer I can provide is that funding for advocacy will cease in July next year once we transition to the full NDIS in New South Wales. I do not want to sound like a broken record, but I must again stress that in the past we funded

advocates, and it is fair to say that they have done a great job on behalf of the people they represent, especially some of the most vulnerable people in New South Wales. They have been paid by us and they have then lobbied us to get funding that has been distributed to people with disabilities using a block-funding approach or a rationed approach. Funding is no longer an issue. It would be wonderful if we could say that about every sector.

However, NDIS funding is secure for the expected 140,000 people in New South Wales who will be assessed and who will transition to the NDIS. They, their families, their carers, and everyone in their network will be able to choose whatever services they want and require. It is a case of cutting out the middle man. Ultimately, the greatest part of this reform is that people with disability will be able to make choices about their quality of life. That is wonderful. As I have moved about the community I have seen incredible enthusiasm. These people see this as a godsend and it cannot happen quickly enough. We are doing our best to transition as many people as possible and to have the process completed by July 2018.

Ms DAWN WALKER: You have mentioned the transition fund to assist in doing that. Can you assure the Committee that the funding will be applied in the same way across the regions and in metropolitan areas? Will there be any difference in the way services are rolled out?

Mr RAY WILLIAMS: Again, that question should be put to the Federal Government, which has already allocated \$60 million over three years for advocacy. As I said, the role and responsibility for disability lies with the Federal agency—the National Disability Insurance Agency. I acknowledge that people will raise issues if there are any shortfalls or gaps. We will work with our Federal counterparts and our colleagues in Federal Parliament to ensure that we do not miss anyone along the way. As I said to the Hon. Paul Green, I will remain the greatest advocate for them so that we do not lose anyone going forward.

Ms DAWN WALKER: I presume that you and your department will have extensive input into the evaluation of this process. Is there a time frame for evaluating the transition fund to determine whether it has been effective and whether regional communities have been able to access a similar service to that available in metropolitan areas?

Mr RAY WILLIAMS: The only answer I can give is that at this time 70,000 have transitioned to the NDIS, and some 50,000 people or more have a plan. I use the words "I am advised", but I am happy to get accurate information in response to that question. If the record needs to be corrected, I will do so. However, they are the figures in my head. The satisfaction rate for people who have transitioned to the NDIS is more than 90 per cent. We take great heart that they are now in a system that is changing their lives for the better. I continue to receive correspondence, as do other members around this table, about the NDIS process. My door remains open to everyone who has a role in the disability sector. As I said, this is world-class reform and we are proud to be leading the way. In fact, we should all be proud that New South Wales is leading the way. We will ensure that we get it right; we will not be shirking our responsibility between now and July 2018.

Ms DAWN WALKER: With the NDIS rollout expected to benefit thousands of people with disability in New South Wales, do you believe that your Government is doing enough to ensure that they can access public and social housing?

Mr RAY WILLIAMS: I will answer that in the context of the accommodation agreements for people who transition to the NDIS. A person who is deemed eligible for accommodation initially enters into a two-year accommodation agreement. At the end of that agreement, they have the choice to remain in that accommodation or to move to more suitable accommodation. I visit many of the outstanding new group homes being delivered to people with disability.

One of the stories that resonated with me involved a lady in the Sutherland area who was in her early 80s and who had a son in his 50s. I was attending the opening of a multi-million dollar group home designed to accommodate five residents. The home is nestled in the suburbs and it looks like any other new home, but it has all the technology and innovation required to assist the residents. It offers a lovely family environment and 24-hour assistance to service the residents' needs. They also have a backyard for recreation. This mother said, "Minister, we had to stop taking our son home each weekend because of the tyranny of distance." They were travelling to North Rocks, and what had been a two-hour round trip 20 years ago was now a three-hour trip because of the increasing traffic congestion. Of course, members can ask another Minister questions about that issue.

The Hon. DANIEL MOOKHEY: We did.

Mr RAY WILLIAMS: I believe that is correct. They asked whether there was any way their son could be provided with accommodation closer to their home. He now lives three minutes away around the corner. They pick up their son every Friday at lunchtime and drop him back on the following Monday at

lunchtime. Not only is he enjoying a wonderful group home but his family is also enjoying more time with him. There are some wonderful stories to tell.

Mr COUTTS-TROTTER: Currently around 40 per cent of tenants or residents in social housing have a disability. It is already a significant source of housing for people with disability. Multiple people have proposed that as the National Disability Insurance Scheme [NDIS] equips more people to live more independently, those who are currently living as a dependent with their family might want to live independently and will exercise housing choice. Those people may be able to maintain tenancy in social housing because of the support provided through the NDIS. So we are on the lookout to see whether demand for social housing from people with disability is on the rise. I am happy to respond to this question on notice, but at this point we have not seen a significant change in demand for social housing from people with disability. But these are relatively early days. Come what may, we will need more social housing. We are building it. We are building 22,000 new social housing dwellings. We need more housing options so people can move to other forms of accommodation including affordable housing. The Social and Affordable Housing Fund is round one; it will deliver 2,200 dwellings around New South Wales. We must build system capacity, come what may.

The Hon. COURTNEY HOUSSOS: Given that Family And Community Services [FACS] is a disability confident employer, what percentage of people currently employed by FACS have a disability?

Mr COUTTS-TROTTER: Too few; about 2.8 per cent.

The Hon. COURTNEY HOUSSOS: And how many in 2009?

Mr COUTTS-TROTTER: I will take that question on notice.

The Hon. COURTNEY HOUSSOS: Minister, what are you doing about this?

Mr RAY WILLIAMS: Thank you for asking about this issue because—as the previous member also mentioned—the percentage is far too low. That is why I raised the example of the private sector. Currently, the private sector over—

The Hon. COURTNEY HOUSSOS: We have limited time this afternoon so I will bring you to the point of the question, which is what are you doing—

Mr RAY WILLIAMS: I am working hard, developing policy on behalf of people with disability that will ensure that we are doing the best we can within our government bodies to improve the rate of people with disability in our employ.

The Hon. COURTNEY HOUSSOS: When will that policy be released?

Mr RAY WILLIAMS: You will have to stand by for that; as soon as possible.

The Hon. DANIEL MOOKHEY: When the NSW Ombudsman recently reported that there were 1,400 reportable incidents of physical assault, sexual assault, neglect and fraud within a period of less than three years, were you as outraged as the rest of us?

Mr RAY WILLIAMS: Neither I nor this Government will accept any harm, neglect or abuse to some of the most vulnerable people in our community. You have referred directly to the Ombudsman's report. The NSW Ombudsman's Disability Reportable Incidents Scheme, which commenced on 3 December 2014, is the first and only legislated scheme in Australia for the reporting and independent oversight of serious incidents involving people with disability.

The Hon. DANIEL MOOKHEY: I accept that. Through that scheme we have learned that there have been 1,400 incidents.

Mr RAY WILLIAMS: Exactly.

The Hon. DANIEL MOOKHEY: I am pleased to hear you say that you find that utterly reprehensible and not acceptable under any circumstances. How many of those reportable incidents were in FACS-controlled or direct State-delivered facilities?

Mr RAY WILLIAMS: I will get that information for you. Just to go back—

The Hon. DANIEL MOOKHEY: How many of them were received from—

Mr RAY WILLIAMS: I will get that information for you.

The Hon. DANIEL MOOKHEY: I am now asking a different question.

Mr RAY WILLIAMS: I will get that information from our secretary. I am certainly not opposed to that question.

The CHAIR: Order! These proceedings work best with each question and answer heard separately.

The Hon. BRONNIE TAYLOR: We are still waiting for the answer.

The Hon. DANIEL MOOKHEY: Minister, in addition to the reportable incidents which occurred in directly FACS-controlled facilities, what about non-government providers that have contracts with FACS?

Mr RAY WILLIAMS: You want the number of incidents?

The Hon. DANIEL MOOKHEY: Yes. The number of reportable incidents.

Mr RAY WILLIAMS: I will ask the secretary to respond in just a moment. As I explained before, the reportable incidents scheme was specifically included in the Disability Inclusion Act, which we brought to Parliament in 2014. That was in order to shine a light on every part of the disability sector.

The Hon. DANIEL MOOKHEY: It is a welcome scheme.

Mr RAY WILLIAMS: Absolutely.

The Hon. DANIEL MOOKHEY: The scheme has shone a light, and now I am trying to shine a light on how many of these incidents happened in FACS-controlled properties and how many happened in contract-controlled properties. I think the secretary might be in a position to answer the question right now.

Mr COUTTS-TROTTER: I am. People with disability have a right, as we all do, to live a life free of harm. The reportable incidents scheme is an important second line of defence to ensure that wherever possible we keep people with disability safe in supported accommodation. Fifty-four per cent of reportable incidents were notified by service providers in the non-government organisation [NGO] sector and 46 per cent were notified by FACS.

The Hon. DANIEL MOOKHEY: That is 46 per cent of the 1,400 incidents?

Mr COUTTS-TROTTER: Yes.

The Hon. DANIEL MOOKHEY: So that means around 800 incidents? Probably less; around 650 incidents.

Mr COUTTS-TROTTER: This is the data as at 31 March 2017.

The Hon. DANIEL MOOKHEY: The data I am referring to is also from 31 March 2017. So are you telling me that 46 per cent of incidents were in FACS?

Mr COUTTS-TROTTER: Yes.

The Hon. DANIEL MOOKHEY: Granted, I learned my mathematics under a Liberal government, but that works out to be close to 650 people.

Mr COUTTS-TROTTER: It is 643.

The Hon. DANIEL MOOKHEY: So 643 reportable incidents have taken place in FACS. How many employees have been discharged as a result of those incidents?

Mr COUTTS-TROTTER: I am happy to ask my colleagues for those details. The first line of defence on this issue is a legislative environment that establishes acceptable standards for people providing services to those with disability. That exists in New South Wales. There is also a framework that gives a completely and fiercely independent oversight body the ability to know what is going on and provides a clear legal responsibility on operators to report to the Ombudsman. We also need training and development which ensures that staff working in supported accommodation understand what abuse and neglect involve and are trained in the kinds of skills and techniques that reduce the risk of this abuse happening, most particularly in delivering positive behaviour support plans and training in providing medication and the like.

The Hon. DANIEL MOOKHEY: Perhaps you will notice, secretary—

Mr COUTTS-TROTTER: You are getting to what we are doing about it.

The Hon. DANIEL MOOKHEY: No, I am not there yet. Given that we have just learned that 643 reportable instances of physical assault, sexual assault, neglect or fraud have been committed by FACS staff, how many FACS staff have lost their job as a result?

Mr LEACH: There have been 152 reports about FACS employees to the NSW Police Force. Of that, 43 people were charged and seven were convicted. That is between the start of the scheme in December 2014 and March 2017.

The Hon. DANIEL MOOKHEY: It is helpful to know how many have been reported to the police and how many have been convicted and discharged. How many have been discharged from their employment?

Mr LEACH: Anybody who is convicted of an offence under the reportable incidents scheme is—

The Hon. DANIEL MOOKHEY: Is that the threshold? Is it possible that you could be discharged from your employment without being prosecuted by the police?

Mr LEACH: Yes.

The Hon. DANIEL MOOKHEY: How many people fall into that category?

Mr COUTTS-TROTTER: We can get that information for you.

The Hon. DANIEL MOOKHEY: I am happy for you to find that information now or take the question on notice. Minister, given that you have just said that these incidents are unacceptable under all circumstances, and given that we have just heard about the FACS aspect of it, how many penalties have you applied to service providers? How many of them have been subject to any enforcement, inspection, audit or corrective actions or have lost their contracts as a result? And which providers were they?

Mr RAY WILLIAMS: Following the legislation with the reportable incidents, we welcomed people with disability, people who work in the sector and their families to make any reports to the Ombudsman who has oversight in regard to those incidents. The Ombudsman can go through that in finite detail at arms-length from government, review each and every case and then make recommendations as he sees fit to me.

The Hon. DANIEL MOOKHEY: Has the Ombudsman ever issued you a recommendation to terminate the contract of a provider?

Mr RAY WILLIAMS: No.

The Hon. DANIEL MOOKHEY: Has the Ombudsman ever recommended to you to apply any form of corrective action to a provider?

Mr RAY WILLIAMS: No.

The Hon. DANIEL MOOKHEY: Has the secretary or anyone else in Family and Community Services [FACS] ever provided you with a recommendation to discharge a contract or apply a corrective action?

Mr RAY WILLIAMS: No.

The Hon. DANIEL MOOKHEY: Why not? If you are telling me that 54 per cent of these incidences are coming from service providers and you have never been advised to do anything about it, how does that mesh up?

Mr RAY WILLIAMS: I will just make one comment and then I will hand over to the secretary. As I have said before, we welcome people making reports directly to the Ombudsman. People are quite free and welcome to make reports—

The Hon. DANIEL MOOKHEY: Yes, but the contract is with you. The contract is not with the Ombudsman. The Ombudsman does not have the ability to provide contractual remedies or contractual sanctions. We have established that with the Ombudsman. The Ombudsman has the ability to do a lot of things, but the Ombudsman does not have the ability to terminate a contract; you do.

Mr RAY WILLIAMS: The Ombudsman has the ability to look at each and every one of those reportable incidents—

The Hon. DANIEL MOOKHEY: But that is not what I am asking.

Mr RAY WILLIAMS: —in detail and to establish whether or not there are grounds that would lead to him raising with me any issues that he should.

The Hon. DANIEL MOOKHEY: Well, then, that is my first question: Has FACS ever terminated a contract with a service provider because of the levels of notifiable incidences? Secondly, if not, what sanctions have been applied?

Mr COUTTS-TROTTER: We have applied sanctions of various kinds at various points in time with non-government providers. By and large the incidents of very, very poor practice tend to be confined to outlets rather than to a provider's operations as a whole, so we have responded, often in very close discussion with the Ombudsman, to the issues that emerge in particular outlets. I will invite my colleague Chris Leach to add, because he is the person who deals most closely with the Ombudsman on these matters.

Mr LEACH: We can put an annexure on the contract that requires an organisation to fulfil an improvement plan that can be about governance or clinical services, and we have done that.

The Hon. DANIEL MOOKHEY: Secretary, can you provide on notice the list of actions that have been applied, when they were applied, to whom they were applied, what standards are available for monitoring and, in addition to that, the location of the outlets that you just referred to?

Mr COUTTS-TROTTER: Can I ask over what time period you are seeking the information?

The Hon. DANIEL MOOKHEY: Let's do the reporting period on notice and of course please tell us on notice if there are problems with getting the data.

Mr COUTTS-TROTTER: So you are talking about from the point of introduction of the legislation that established the reportable incidents scheme.

The Hon. DANIEL MOOKHEY: I think we will go from the proclamation of the legislation and when the scheme went into legal effect.

Mr COUTTS-TROTTER: Okay.

The Hon. DANIEL MOOKHEY: Minister, can you tell us the value of the land and building portfolio of disability housing?

Mr RAY WILLIAMS: I will have to take that on notice.

The Hon. DANIEL MOOKHEY: Does the secretary or anyone else know?

Mr COUTTS-TROTTER: I will confirm on notice, but my memory of the published book value is around \$700 million to \$800 million.

The Hon. DANIEL MOOKHEY: Is it still the case that the Government is currently in the process of leasing the group homes that are a part of that portfolio to service providers?

Mr RAY WILLIAMS: Yes.

The Hon. DANIEL MOOKHEY: And that those leases generally run for five to 10 years?

Mr RAY WILLIAMS: Agreed.

The Hon. DANIEL MOOKHEY: And is it still the Government's policy that at the end of that 10-year period those properties are going to be sold?

Mr RAY WILLIAMS: There is no final decision that has been made in regard to any property. We are perfectly happy at this point with the lease arrangements that are in place.

The Hon. DANIEL MOOKHEY: In respect of the lease arrangements, do the providers pay lease fees?

Mr RAY WILLIAMS: I will hand that over to the secretary in regard to funding.

Mr COUTTS-TROTTER: Yes, they do.

The Hon. DANIEL MOOKHEY: How is that set?

Ms CAMPBELL: At the moment, as you would understand, people with a disability living in our group homes pay a percentage of their income to FACS for accommodation, and also board and other sorts of issues. Those same arrangements will be in place when we have the leases with the non-government sector.

The Hon. DANIEL MOOKHEY: What do you do with the money that you receive from the leases?

Ms CAMPBELL: A range of things around maintenance of the property. It could be replacement of certain fixtures in the house. It could be gardening, lawn mowing—

The Hon. DANIEL MOOKHEY: But it stays within the cluster?

Ms CAMPBELL: That is right.

The Hon. DANIEL MOOKHEY: How many people are currently waiting to be placed in a group home?

Mr LEACH: We do not keep a waiting list.

Mr COUTTS-TROTTER: We do not keep a waiting list.

The Hon. DANIEL MOOKHEY: How many people have applied recently that have not yet been placed?

Mr LEACH: I could take that on notice, but the general point to make is that due to compatibility in location and consent, it is not like you pick the name off the top of the list. You have to work through a series of criteria.

The Hon. DANIEL MOOKHEY: Of course, but I was not asking about the specific names; I was just asking about the number of people who are applying.

Mr LEACH: We can get that information for you on notice.

Mr COUTTS-TROTTER: But of course as the National Disability Insurance Scheme [NDIS] is implemented this issue falls away. It is an issue that was a feature of a rationed system.

The Hon. DANIEL MOOKHEY: That is a wonderful segue into another line of questioning.

Mr COUTTS-TROTTER: Thank you.

The Hon. DANIEL MOOKHEY: Under a current Ageing, Disability and Home Care [ADHC] contract, lease, tenancy agreement or however you wish to describe it with a resident—

Mr COUTTS-TROTTER: There is no agreement with residents at the moment. Residents have no agreements either with government-owned supported accommodation or with non-government owned supported accommodation.

The Hon. DANIEL MOOKHEY: Right now, should ADHC decide to evict a person from a group home, what are its legal obligations?

Mr RAY WILLIAMS: In terms of the person with disability?

The Hon. DANIEL MOOKHEY: Yes.

Mr RAY WILLIAMS: At this point in time that I am advised that no person with disability is without accommodation in New South Wales and that the term of agreement on behalf of people who have transitioned to the NDIS, as I explained before to the member, is for a term of two years. At the end of that tenure, the person who has that agreement in place then has the choice as to whether to remain in that residence if they are perfectly happy or they have the full choice, if there is other suitable accommodation, to move to the suitable accommodation.

The Hon. DANIEL MOOKHEY: When you say that there is no person with a disability without suitable accommodation, are you saying that everybody with a disability who requires accommodation is provided it through ADHC or a service provider?

Mr RAY WILLIAMS: That is my understanding, but I am happy to get more detail from the secretary.

The Hon. DANIEL MOOKHEY: Talking specifically about the ADHC component of that, has it ever happened that ADHC has decided that it can no longer provide accommodation?

Mr COUTTS-TROTTER: There are occasions where, for the safety of other residents, group home residents have been moved from one home to another. But your question reveals the fact that people assume that residents have a range of occupancy rates at the moment. In actual fact, they do not. It is only with the establishment of the NDIS and the requirement that there be clear occupancy agreements that residents are equipped with a legal right of occupancy.

Mr RAY WILLIAMS: And have a secure tenure.

The Hon. DANIEL MOOKHEY: With that legal right of occupancy, what are the most common eviction procedures? Is it the 90-day notice requirement?

Ms CAMPBELL: What we are putting in place, particularly for the transition and transfer to the NDIS, is that residents will have a two-year agreement with the provider that the provider cannot make a decision to move them out of those particular houses unless the—

The Hon. DANIEL MOOKHEY: For two years?

Ms CAMPBELL: For two years, and then on the same terms and conditions going forward. The intent of this process is to ensure that people have continuity of service. One of the key things that families and people with disability and guardians have said is the importance of consistency of the staff that work with them at the moment. In terms of the lease arrangements, obviously a person with a disability can make a choice to move to another provider.

The Hon. DANIEL MOOKHEY: I was told that a person who enters into one of these agreements has to commit to a minimum two-year agreement with the provider and that is generally at the behest of the provider, and that the provider can terminate the occupancy with just 90 days notice. Are you saying that that is not the case and that it is not happening anywhere?

Ms CAMPBELL: Under the specialist disability accommodation rules under the NDIS there are terms and conditions of up to 90 days, 30 days in specific circumstances. New South Wales, because we are implementing this change, has put in a two-year period, so that gazumps that 90 days. As the secretary said earlier, there are instances where there might be a very serious incident in a group home where one of the residents is assaulted. There may be occasions where a person with a disability may need to move to another group home.

The Hon. DANIEL MOOKHEY: Minister, earlier this year when asked about the transfer of group homes, or the lease of the land portfolio and then the sale, you said:

Down the track we will work through a strategy, an appropriate strategy and a sympathetic strategy to divest of those particular government assets.

When is that strategy going to be completed? Will you release it publicly—

Mr RAY WILLIAMS: Honourable member, at this point in time—

The Hon. DANIEL MOOKHEY: Let me finish the question. Will you release it? When is it going to be finished? Will you release it publicly? What is it?

Mr RAY WILLIAMS: No decision has been made. We are perfectly happy with the lease arrangements at this point in time.

The Hon. DANIEL MOOKHEY: I was not asking you what the decision was. I was referring to a public comment in which you said a strategy was being developed. I am just asking when a strategy is going to be developed.

Mr RAY WILLIAMS: At this point in time we are perfectly happy with the arrangement that we have in place.

The Hon. DANIEL MOOKHEY: Is there a deadline? Is there any requirement, or is it the case that this uncertainty about the Government's ownership of these assets is going to linger for five or 10 years?

Mr RAY WILLIAMS: I cannot answer the question. No definitive decision has been made in relation to that.

The Hon. DANIEL MOOKHEY: Why, then, did you make the statement if it is the case that the Government is not making a decision about this? You said this publicly. As a result you have created quite a bit of uncertainty in the minds of many people who are living in these premises and other people, including the service providers who have them leased and who are wondering whether they should be planning to buy them. My question is: are you going to sell these properties? When are you going to sell these properties? Is there a strategy? Is a strategy being developed, and when can we see it?

Mr RAY WILLIAMS: As I said before, no definitive decision has been made. There is security of tenure for people with disability. They are long-term leases. As we have said before, people will enter into agreements—agreements that have never been available before—for a two-year tenure for residential accommodation. So their residential accommodation is secure going forward, and that is the most important thing for people with disability.

The Hon. PAUL GREEN: I want to follow up with respect to advocacy services. You are probably aware that only 10 per cent of people with disability will be funded under the NDIS. Is that correct?

Mr RAY WILLIAMS: Sorry?

The Hon. PAUL GREEN: Only 10 per cent of people with disability will be funded under the NDIS and have the luxury of making their own decisions. That will leave virtually 90 per cent of people not funded. The loss of those advocacy bodies will leave a huge gap in the services. Are you concerned about that?

Mr RAY WILLIAMS: Ninety per cent of people with disability live within the community already. Eligibility will be based on the level of disability—whether they have permanent disability. It is important to point out that they are the people who will be provided with the greatest resources over their lives, and they will certainly be provided with a quality of life that they have not received before.

The Hon. PAUL GREEN: I understand that for the 10 per cent, but I am talking about the 90 per cent of those who do not necessarily qualify for that. I imagine that they would already have access to those advocacy bodies. If those advocacy bodies are left high and dry, 90 per cent of those people will not have access if they fall through the system because of the Federal funding and if the State withdraws total funding for that.

Mr RAY WILLIAMS: I imagine that advocacy is primarily for the people with the greatest need. I am happy to get some further advice from the secretary, unless you can provide some specifics in relation to what needs those people may have.

The Hon. PAUL GREEN: I am happy to put some further questions on notice after this session, if that will help.

Mr RAY WILLIAMS: We would be happy to respond to that.

The Hon. PAUL GREEN: How many young people with disability are in nursing homes? What is the Government doing to ensure that adequate age-specific nursing homes are available for young persons with disability?

Mr RAY WILLIAMS: You may be referring to people whom we would identify as having out-of-home care.

Mr COUTTS-TROTTER: No. The Hon. Paul Green is referring to young people who, for the lack of an alternative, end up in nursing homes.

The Hon. PAUL GREEN: Yes. Do you have something on that?

Mr COUTTS-TROTTER: Yes. I am happy to take the question on notice and respond to you with the number of young people who are still in that situation. Obviously, our fervent hope is that those people with the benefit of an NDIS package will have a choice other than to live in a nursing home, which is entirely inappropriate.

Mr LONGLEY: The Young People in Residential Aged Care [YPRAC] program was specifically targeted at that segment. NDIS is a particular boon for young people who are at risk of going into nursing homes or who are already in nursing homes and should be moving to more appropriate accommodation. The specialist disability accommodation funding stream within NDIS is specifically targeted to them. In New South Wales we have had a resource-constrained system, which has meant, sadly, that the default option for young people has often been a nursing home.

The Hon. PAUL GREEN: That is right.

Mr LONGLEY: The NDIS means that young people with disability will now be able to have proper accommodation and proper support services in the community.

The Hon. PAUL GREEN: That is very good news for those people. Are there any statistics about sexual abuse in group homes? Are the numbers of reports of sexual abuse growing? Have they been dealt with? Is there anything you can tell us?

Mr COUTTS-TROTTER: The Ombudsman reports on that. Sexual abuse is one of the types of abuse that must be notified to the Ombudsman. The Ombudsman's report disaggregates reports based on the type of abuse. Reports of sexual abuse include a staff member abusing a resident or a resident sexually assaulting another resident. The data is, I think, broken down to reveal that. We would be more than happy to provide it to you. The number of reports is rising but that does not necessarily mean that the number of incidents is rising, because for the first time we have a legislative responsibility and a great deal of transparency, which means things that were perhaps not reported in the past are now reported.

Mr LEACH: There were 24 instances of sexual offence misconduct within the Department of Family and Community Services [FACS] between 14 December and 17 March, but interestingly 10 of those were

reported between 16 January and 17 March. NGO figures would need to be obtained from the New South Wales Ombudsman's office.

The Hon. PAUL GREEN: Given the recent concerns about treatment of special needs students and disabled students in schools—I think one of the upper House inquiries is looking into this—and the rise of home schooling as a solution for special needs children and students with disability who are finding traditional schools do not meet their needs, how do you work with the Minister for Education to ensure that children with disability participate in an inclusive society that enables them to fulfil their education potential?

Mr RAY WILLIAMS: That is largely a question for the Minister for Education. I represent an electorate that is very responsible in this area. There is a special needs school, Tallowood School, which caters specifically for people with profound disability. I also have Rouse Hill Public School in my electorate, which has enrolment of 900 students. That school has special needs classes. There is a range of new schools, including high schools, that provide special needs classes. There is a great community in my electorate—I can only speak about my electorate—and the members of the community work together in a wonderful manner. A great attitude is being developed in young people. When there are people with disability in a school from a very young age the students grow up with them. In order to create an inclusive society it is very important to teach kids in the sandpit—when they are young.

We have many group homes. Indeed, just this morning there was a large contingent of people in the Rouse Hill Town Centre, where my office is. They are living inclusively in our community and they are greatly accepted there. It could not have happened before, and would not have happened, but it is happening now. The situation is certainly being enhanced by the NDIS. I might ask the secretary to expand on that in relation to education.

Mr COUTTS-TROTTER: There is quite a lot of work being done between our two agencies.

The Hon. PAUL GREEN: I am glad to hear that, because it is a great concern. Children with special needs or with a disability make up 25 per cent of the home schooled.

Mr COUTTS-TROTTER: This often plays a part for our local district leaders. They are in very regular discussion with their colleagues in Education about the needs of particular children and young people. I am meeting, soon with the head of Education and the New South Wales Ombudsman to try to begin to bring a bit more systematic, senior-level leadership to this issue. As I said, these have tended, in the past, to be issues that have bubbled up locally. Clearly, the evidence before the inquiry and the concerns of the Ombudsman and others indicate the need for a systemic response. As the Minister said, it would be Education in the lead, with us in strong support.

The Hon. PAUL GREEN: Yes. I encourage you to do a lot more work with them because a lot of parents out there are taking the load of educating off the New South Wales education system, but that comes at a great price for parenting and other things. They are taking on that extra burden of education on top of the needs of the children. Minister, the Australian Psychological Society believes there is reason to suspect that people with a physical disability will experience a higher rate of mental health conditions compared to people without disabilities. How do you work with the Minister for Mental Health and engage the Minister for Health in advocating support in combating mental health conditions in people with disabilities?

Mr RAY WILLIAMS: I will get a little bit of advice in a moment from the secretary but I think it is important to point out that the NDIS will provide support to people with mental health issues over and above the Mental Health budget. As you would know, there has been record investment in terms of the Mental Health portfolio and I do not want to tread all over that particular jurisdiction. The important point to note is that within the 140,000-odd people who will transition to the NDIS in New South Wales, some 20,000 people with mental health issues will transition and will be eligible for the NDIS providing supports over and above. I think that is a huge leap forward in looking after their needs. I am happy to hand over to the secretary to elaborate a little further.

Mr COUTTS-TROTTER: There are two potential aspects to your question: One is those people who have psychosocial disability, and the NDIS is a godsend for people who experience that in New South Wales because they have been shut out of a ration system and the NDIS will provide a profound response. The other question is just about maintaining the wellbeing of people who may not have a psychosocial disability but who experience poor mental health as a result of the kind of isolation and exclusion that come so often with disability. We are acutely aware of that. Most of our most constructive work on that happens through our district leaders with their colleagues in local health districts and primary health networks funded by the Commonwealth. That tends to be very localised to different locations in New South Wales, but it is an issue that we are acutely aware of.

Dr MEHREEN FARUQI: Minister, the Liberty Baptist Church is listed as an approved religious education provider in New South Wales on the New South Wales Department of Education website. The church has published some pretty horrible Islamophobic material on its website and on YouTube. Were you aware of this?

Mr RAY WILLIAMS: No, I am not.

Dr MEHREEN FARUQI: I understand that Fairness in Religions in Schools [FIRIS] did copy you into communications to the education Minister regarding this issue and they also emailed your office on 17 July this year, but have not heard back. Is there a particular reason for it?

Mr RAY WILLIAMS: I am happy to take the question on notice. I am not aware that I have seen anything like that come across my desk, but I will caution at the moment that I do receive some correspondence. I cannot recall that correspondence coming before me or the fact that I have answered, so I am more than happy to take that on notice and provide you with a response.

Dr MEHREEN FARUQI: That would be great if you could. But I am also interested in your view whether this sort of organisation, which is teaching religious education in schools, is acceptable to you as the Minister for Multiculturalism.

Mr RAY WILLIAMS: Together with my office, Multicultural NSW, our fundamental purpose is to play a proactive role in promoting harmony and social cohesion right across our communities. We do that and we practise that each and every day. We are very proud of the fact that we have processes in place and record funding on behalf of our culturally diverse communities. I will only ever play a role that promotes greater social cohesion and greater understanding. We fund a number of programs and we certainly support by way of grants cultural festivals, which I attend with some of the members seated around the table. I would attend a major cultural festival every weekend. I have seen more people from diverse communities in a week than most people in this country will see in a lifetime. There are some incredible stories. I would say that 99.9 per cent of the people whom I meet each and every day make a positive contribution to this State of New South Wales and indeed this country. We should be all very proud of that. As per the last census we have a population in New South Wales that has—

Dr MEHREEN FARUQI: I understand that, Minister. My question goes to the specific provision of religious education. I will frame it another way. Do you think there should be a role for Multicultural NSW to make sure that religious education providers are not vilifying other religions or followers of other religions or other cultures?

Mr RAY WILLIAMS: I say again how I see my role primarily: That is, together with Multicultural NSW, promoting policies that support harmony and social cohesion across our communities. I do not think that we play a role commentating on any contentious issues. We will always draw on the positive aspects of our wonderful communities.

Dr MEHREEN FARUQI: It is not commentating, Minister. It is getting involved when there are issues like this that cannot align and that are not consistent with the principles of the Multicultural NSW Act 2000, which states very clearly:

all individuals and institutions should respect and make provision for the culture, language and religion of others within an Australian legal and institutional framework where English is the common language,

And that:

each public authority must observe the multicultural principles in conducting its affairs.

Maybe you could commit to looking into the correspondence that FIRIS has sent you and respond to it?

Mr RAY WILLIAMS: Please let me look at the correspondence. Finally, it is an issue that would need to be raised with the Minister for Education.

Dr MEHREEN FARUQI: They already have raised it and they have not had much luck, so I am referring it to you as the Minister for Multiculturalism because it is a multicultural issue as well and because it creates disharmony if it goes on.

Mr RAY WILLIAMS: Thank you.

Dr MEHREEN FARUQI: That would be great. The Multicultural Disability Advocacy Association [MDAA], who advocate for the rights of people with disabilities from diverse cultural and linguistic backgrounds, met with me recently. They are really concerned about potential funding cuts when the transition

to NDIS is made. I understand that they may have met with you. Is that correct? Do you remember meeting the MDAA at all?

Mr RAY WILLIAMS: I would have to go back and check. I have met with a large number of groups in the past eight months.

Dr MEHREEN FARUQI: They are particularly concerned that currently they get 60 per cent of their funding from the New South Wales Government. It seems to them that when they talk to the Federal Government the buck is passed to the New South Wales Government and vice versa. Is there any way for the New South Wales Government to guarantee that the 60 per cent funding for them will continue under NDIS?

Mr RAY WILLIAMS: If they are an advocacy group, the answer to that lies in the funding, as you correctly recognise. I have made this comment before. More than \$12 million currently is being provided by the New South Wales Government on behalf of advocacy groups going forward. The Federal Government has committed to \$60 million over three years on behalf of advocacy groups. The important point to make—and I made this point prior to your coming into the room—is that in the past advocacy groups played a large role in that they were funded by our Government and they lobbied our Government to fund services for people with disability. That primary role was advocating for funding. Funding is no longer an issue. It has been secured under the NDIS with, as I said before, \$3.2 billion from the New South Wales Government.

Dr MEHREEN FARUQI: Specifically for culturally diverse communities as well?

Mr RAY WILLIAMS: It is funding for people with disability, which consists of \$3.2 billion from the New South Wales Government, which will be supported by an additional \$3.3 billion from the Federal Government, giving a combined total of \$6.5 billion for people with disability who are eligible for the NDIS in New South Wales. Those people have the opportunity, if they see fit and if they need interpreter services for languages, et cetera, from a specific advocacy group, to factor that into their NDIS plans going forward. The answer to your question is yes, under the NDIS. If those people through their plans choose to utilise the services of those advocacy groups, they can fund that under their plan, as long as they are a National Disability Insurance Authority approved provider.

Dr MEHREEN FARUQI: This funding was coming directly from government to these groups, and you know that it is hard for people from culturally and linguistically diverse backgrounds anyway. Without having an advocacy group advocating on their behalf, they might fall through the cracks; that is my concern. Is that a concern of yours, or are you satisfied that that will not happen?

Mr RAY WILLIAMS: As I said before, every cent of our disability budget come July 2018 will be transferred to the NDIS. That includes funding that was previously provided for the advocacy services you have spoken about. That funding will support advocacy, if the people who receive support wish to have advocacy factored into their plans. They will also have the ability to access some of the \$60 million that the Federal Government has suggested will be made available. In terms of the interpretation and languages services, I will ask the Chief Executive Officer of Multicultural NSW to provide an update on exactly what we do for the culturally diverse communities that we represent.

Dr MEHREEN FARUQI: I am not just concerned about languages but also about being culturally sensitive in other areas.

Mr RAY WILLIAMS: Agreed.

Mr HARMAN: My response can be fairly complex, because we are a small agency with a fairly complex remit. We do provide language services, and language services support including interpreting and translation services. We also have a fairly large policy remit to comment on different policies being developed. What that means, a little bit like disability action plans, is that the CEO of each agency across the sector is responsible for developing a multicultural plan. That multicultural plan is designed to ensure that every agency embeds within ongoing corporate planning mechanisms a cultural diversity lens to the way that those services are delivered. You quite rightly and clearly articulated the Multicultural NSW Act, which adopts a set of multicultural principles that for almost four decades have been the policy of this State. Through a range of activities—whether through our grants programs or the various consultations that we participate in and the advice that we give—we ensure that we advocate for the inclusion of that diversity lens as a business-as-usual activity in everything that we do as the public sector.

The Hon. COURTNEY HOUSSOS: Minister, how many public statements have you made in relation to Pauline Hanson and Pauline Hanson's One Nation party?

Mr RAY WILLIAMS: I will not waste one breath in my body doing anything other than supporting culturally diverse communities and promoting the positive aspects and the positive role that they play in this Portfolio Committee No. 2

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society. The fact that New South Wales has a population that consists of people from more than 300 different ancestries—

The Hon. COURTNEY HOUSSOS: Minister, I asked a very simple question. How many public statements have you made?

Mr RAY WILLIAMS: I will say once again that I will only ever apply myself—

The Hon. COURTNEY HOUSSOS: I have done a quick *Google* search and I have looked on the Parliament's website at the *Hansard*, and I have found that number to be zero. Would that be correct?

Mr RAY WILLIAMS: I will only ever apply myself to working on behalf of culturally diverse communities in a positive way.

The Hon. COURTNEY HOUSSOS: I am going to take that as a zero. Minister—

The Hon. WES FANG: Point of order: The Minister is trying to answer the question in a relevant way, but he is not being given the opportunity to furnish an answer.

The CHAIR: The member should give the Minister an opportunity to answer the question.

Mr RAY WILLIAMS: Once again I come back to the fact that I am incredibly proud of the cultural diversity of New South Wales. If the honourable member is not—

The Hon. COURTNEY HOUSSOS: We all are. Excuse me, Minister, you are here to answer questions, not to verbal me on my position.

The CHAIR: Order! Let us return to the question.

The Hon. COURTNEY HOUSSOS: Minister, you have the opportunity here today, so will you condemn Pauline Hanson and Pauline Hanson's One Nation party for the appalling statements they are making about the culturally diverse community we have in New South Wales?

Mr RAY WILLIAMS: I will not support any comments that seek to divide our community. I will only ever apply myself to supporting and encouraging and speaking up for the cultural diversity we have in New South Wales.

The Hon. COURTNEY HOUSSOS: Minister, I am asking you to condemn these statements. Will you condemn the statements?

Mr RAY WILLIAMS: I have made a statement that my role primarily is on behalf of promoting harmony and social cohesion across our communities. I will continue to apply myself to that job.

The Hon. COURTNEY HOUSSOS: To promote that social cohesion, I urge you to use this opportunity to condemn Pauline Hanson and Pauline Hanson's One Nation party. They have made some appalling statements about the people of New South Wales and about specific areas within New South Wales. You, as the Minister for Multiculturalism in New South Wales, will surely condemn—

The Hon. BRONNIE TAYLOR: Point of order: The member is providing a commentary. She needs to ask a question and be polite enough to—

The Hon. SHAOQUETT MOSELMANE: She is asking a question.

The Hon. BRONNIE TAYLOR: —listen to the response and then ask the next question.

The CHAIR: The member was presenting a question to the Minister, but the point of order cut her off. I ask her to continue her question.

The Hon. COURTNEY HOUSSOS: Minister, will you condemn Pauline Hanson and Pauline Hanson's One Nation party for the comments they have made that have not only sought to divide the New South Wales community but also are about specific areas within New South Wales?

Mr RAY WILLIAMS: There are many people who will seek to divide our communities, and I am certainly not one of them.

The Hon. COURTNEY HOUSSOS: Surely your role—

Mr RAY WILLIAMS: I am happy to draw on the positive aspects of our cultural diversity—

The Hon. COURTNEY HOUSSOS: —as the Minister for Multiculturalism in New South Wales should be to condemn people who seek to divide us?

Mr RAY WILLIAMS: My role as the Minister for Multiculturalism in New South Wales is to support our cultural diversity and to talk up at every opportunity the positive aspects of our society. I will talk up the great role that people play each and every day, the hardworking people of our communities who get up each and every day and work hard.

The Hon. COURTNEY HOUSSOS: Minister, will you rule out—

Mr RAY WILLIAMS: They raise their families and make a positive contribution on behalf of our State—

The Hon. COURTNEY HOUSSOS: Minister, I have very limited time and I am going to call you—

Mr RAY WILLIAMS: —and our country, of which I am ever so proud.

The Hon. COURTNEY HOUSSOS: Minister, will you rule out preferencing Pauline Hanson's One Nation party in New South Wales?

The Hon. Dr PETER PHELPS: Point of order: That is definitely not within the Minister's portfolio.

Mr RAY WILLIAMS: I am more than happy to state that preferences is a matter for the Liberal Party and The Nationals. It is not relevant to my duties as a Minister, nor to budget matters related to my portfolios.

The Hon. COURTNEY HOUSSOS: As the Minister for Multiculturalism in New South Wales, surely you see that it is important to set an example for the community about repelling the appalling commentary about the people of New South Wales? Can you not see that refusing to make a preference deal with One Nation would send an important message?

Mr RAY WILLIAMS: What I can see is that the member is seeking to bring divisive comments into this debate, but I will not react to these comments.

The Hon. COURTNEY HOUSSOS: I totally refute that; that is absolutely—

Mr RAY WILLIAMS: I will continue to promote the positive aspects of our cultural diversity.

The Hon. COURTNEY HOUSSOS: Minister, you have been given many opportunities—

The Hon. PAUL GREEN: Point of order: I remind members that it is very hard for Hansard to report proceedings when there is a shouting contest.

The CHAIR: I uphold the point of order. I ask the member to put her question.

The Hon. COURTNEY HOUSSOS: I would like to place on the record that I find the comments that the Minister has made about my personal views deeply offensive. Minister, do you and your office keep track of crimes that may have racial motivations?

Mr RAY WILLIAMS: I am more than happy to pass that question to Mr Harman.

Mr HARMAN: We are not a law enforcement agency and we do not keep records of such occurrences. We provide an annual report to the New South Wales Parliament on the state of community relations in New South Wales. It is a fairly difficult thing and a complex area to assess for the effectiveness and the social cohesive nature of our society. We rely on survey material and data to guide us in our activities. The report is required of us to comply with our legislative requirements. The legislation requires us to develop a report in two parts. The first is to make an assessment of compliance of the broad public sector with the multicultural principles that are enshrined in legislation. The second part is an observation of broad social cohesion factors within society.

The Hon. COURTNEY HOUSSOS: I will stop you there because I have limited time for questions. I thank you for your detailed answer. Please provide anything else on notice. Minister, do you believe that racial discrimination laws in New South Wales need strengthening?

Mr RAY WILLIAMS: I think we have good laws in place. In fact, I wish to go further and state that New South Wales was the first State in this country to recognise cultural diversity as being a social and economic benefit, and enshrine that in legislation. I believe New South Wales was the second State in the world to recognise the value of cultural diversity within legislation.

The Hon. COURTNEY HOUSSOS: You are happy with the current racial discrimination laws. Is that correct?

Mr RAY WILLIAMS: I am going to place on the record once more that we, as I have said, are the first State in this country to recognise our cultural diversity in legislation—

The Hon. COURTNEY HOUSSOS: You are repeating your previous answer. Are you aware that there has never been a successful prosecution under the current anti-discrimination laws?

Mr RAY WILLIAMS: I am not aware that that is the case. At this point in time, as our CEO—

The Hon. COURTNEY HOUSSOS: I am sorry. You are not aware that there has not been a successful prosecution.

Mr RAY WILLIAMS: I am not aware that that is the case. As our CEO has already pointed out, we are not lawmakers. If you want to raise something with the Attorney General, I suggest that you do that. We will at all times apply ourselves to the social cohesion—

The Hon. COURTNEY HOUSSOS: Minister, this is a well-publicised issue that has been canvassed in the media. This is surely something that, as the Minister for Multiculturalism, you should be aware of. Are you aware of the campaign to strengthen section 20D of the Anti-Discrimination Act?

Mr RAY WILLIAMS: Actually, I am.

The Hon. COURTNEY HOUSSOS: Have you discussed this with the Attorney General?

Mr RAY WILLIAMS: Thank you.

The Hon. COURTNEY HOUSSOS: I am not sure whether you are thanking me or the bureaucrat who pointed you to a particular note to read out to us.

Mr RAY WILLIAMS: No, I am grateful for the question. In November 2016, the New South Wales Government requested Dr Stepan Kerkyasharian, AO, to undertake consultations with the community on a number of the issues you have raised in relation to section 20D. Dr Kerkyasharian has recently provided a report on the consultation to the Attorney General, who is currently considering its contents. I come back to the point I raised before that, if you have any further questions, perhaps you would raise them with the Attorney General.

The Hon. SHAOQUETT MOSELMANE: Are you aware of the proposed changes to the citizenship laws?

Mr RAY WILLIAMS: At a Federal level?

The Hon. SHAOQUETT MOSELMANE: Particularly the introduction of the citizenship test.

Mr RAY WILLIAMS: I have heard some of that in the media, yes.

The Hon. SHAOQUETT MOSELMANE: Are you opposed to the citizenship test?

Mr RAY WILLIAMS: No, I think the only point that I have made—and I am happy to make it here—is that first and foremost we are a country that values our standards. We have some high standards across all areas, within industry and within Parliament. I place great value on standards, and I look at the strengthening of that particular area of Federal legislation.

The Hon. SHAOQUETT MOSELMANE: I take it you are agreeing with the proposed—

Mr RAY WILLIAMS: What I am saying and what I have stated already is that I do believe that in terms of language there should be some flexibility for some people. I would hate to think that there is a person in this country who has made a positive contribution, who may have raised their family, may be operating a business, may be employing people and who would love to be an Australian citizen by way of citizenship but who could not do that if they struggled with the English language.

The Hon. SHAOQUETT MOSELMANE: Do you agree with the proposed changes, Minister? That is my question.

Mr RAY WILLIAMS: I have said before that I believe there should be some flexibility for some people who struggle with the English language. Apart from that I agree that we should uphold our standards, and I like to put a great value on Australian citizenship.

The Hon. SHAOQUETT MOSELMANE: The citizenship test would be at International English Language Testing Scheme [IELTS] level 6, which is university standard. Do you not think it is extreme or excessive for our multicultural Australia to be testing our permanent residents at level 6? Do you agree with that proposal?

Mr RAY WILLIAMS: I just offered you my answer.

The Hon. SHAOQUETT MOSELMANE: No, you did not. Minister, do you not think it is discriminatory?

Mr RAY WILLIAMS: I think we are in furious agreement. I believe there needs to be some flexibility for exactly the issue that you have raised, but ultimately you are talking about an issue that is outside my remit. It is largely in the sphere of the Federal—

The Hon. SHAOQUETT MOSELMANE: But you are the Minister for Multiculturalism.

Mr RAY WILLIAMS: Absolutely, but I do not play a role in terms of citizenship.

The Hon. SHAOQUETT MOSELMANE: This requires people other than citizens of the US, New Zealand and UK to sit the test. Do you not think that is discriminatory?

Mr RAY WILLIAMS: I have made my comments. I have made them publicly. I have stated them here.

The Hon. SHAOQUETT MOSELMANE: What are they?

Mr RAY WILLIAMS: I believe there should be some flexibility in terms of the English language on behalf of some people. I would love to see that flexibility applied. I refer you to the Federal Government if you would like to get any further answers with regard to citizenship.

The Hon. SHAOQUETT MOSELMANE: Can you tell me how changes to the citizenship test will affect the 6,000 Iraqi and Syrian refugees?

Mr RAY WILLIAMS: I cannot answer that question—

The Hon. SHAOQUETT MOSELMANE: Why not?

Mr RAY WILLIAMS: Because I do not play a role in administering citizenship. What I can say on behalf of the new arrivals from Syria and Iraq that we have welcomed to Western Sydney is that I have had the great pleasure of meeting with many of them. I state that the role we are playing in supporting their settlement under Multicultural NSW and the provision of services for the English language has been incredibly successful. I have met with many people—

The Hon. SHAOQUETT MOSELMANE: Do you think that—

Mr RAY WILLIAMS: Let me finish: I have met with many people who have grasped the English language in a matter of months. That is not to say that they would get up and have great oratory skills but they can engage perfectly with people in a very short space of time. I would say that that is one the most important aspects of settlement: that we ensure people embrace the English language as soon as possible so they can live a successful and fruitful life in this country.

The Hon. SHAOQUETT MOSELMANE: Do you not see there is a barrier that creates an underclass of those members of our community who want to become citizens but cannot because of the difficulty of the English language?

Mr RAY WILLIAMS: Not regarding the people I have met from Syria and Iraq who have a great grasp of English in a very short space of time.

The Hon. SHAOQUETT MOSELMANE: This is the equivalent of IELTS 6. It is a very difficult examination. Have you ever seen an IELTS exam?

Mr RAY WILLIAMS: No.

The Hon. SHAOQUETT MOSELMANE: I can table one.

Mr RAY WILLIAMS: It is way above my pay grade!

The Hon. SHAOQUETT MOSELMANE: As Minister for Multiculturalism, you are supposed to be defending the people of our multicultural New South Wales. You should be standing up for those people who are going to be barred from, but want to be part of, this democratic society.

The Hon. WES FANG: Where is the question?

The Hon. SHAOQUETT MOSELMANE: That is the question, regarding barring those members of the Australian community from their democratic rights and from getting citizenship.

Mr RAY WILLIAMS: I will do my best to contextualise and answer, based on that question. We are doing far more than that. We are playing a proactive role through Multicultural NSW in supporting those new
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arrivals. Certainly embracing the English language is among the responsibilities that Multicultural NSW oversees. The large number of people I have met from Syria and Iraq who are new arrivals in this country are wonderful people—people who have come to our land largely not at their request but because they have been displaced from their homeland. They have found a wonderful place in this country. Their children are enjoying it and going to high school. Their embrace of the English language has been very good, from what I have seen firsthand. I encourage you to head to Fairfield, to talk to some of those people and to engage with them personally. You would get the same advice I am receiving.

The Hon. SHAOQUETT MOSELMANE: Are you aware of the "Islamophobia in Australia" report?

Mr RAY WILLIAMS: No. I am aware it was made public but I have not read the report.

The Hon. SHAOQUETT MOSELMANE: Why not?

Mr RAY WILLIAMS: Because I concern myself with promoting our cultural diversity as a great strength of this country.

The Hon. SHAOQUETT MOSELMANE: Is it not understanding the people of New South Wales and the difficulties, the hardships, the discrimination and the vilification that they undergo that helps you as a Minister to come up with policies that will protect them?

Mr RAY WILLIAMS: You and I see each other regularly at many Muslim community functions we have attended and I have not had one person come up and raise that issue with me. Have they raised the issue with you?

The Hon. SHAOQUETT MOSELMANE: The fact is a survey of 243 incidents involving physical, verbal and online attacks found 67.7 per cent of victims were female and nearly three-quarters of the abusers were males. That is a serious scenario in New South Wales, particularly for the Muslim community. What action have you taken to prevent violence against these women from the Muslim community?

Mr RAY WILLIAMS: I have assured our culturally diverse communities that Multicultural NSW and I are there to support them in whatever way we can to ensure they are valued members of our community.

The Hon. SHAOQUETT MOSELMANE: Have you met with the Minister for Police, for example, to discuss this subject?

Mr RAY WILLIAMS: I have met with the Minister for Police on a number of occasions. If you have any questions for the Minister for Police I suggest that you raise them with him.

The Hon. SHAOQUETT MOSELMANE: Have you discussed this subject of vilification?

Mr RAY WILLIAMS: No. As I said before, it is a matter for the Minister for Police. I suggest that you ask him that question.

The Hon. SHAOQUETT MOSELMANE: You are the Minister for Multiculturalism and you are supposed to protect those people.

Mr RAY WILLIAMS: You raised the issue of crime which largely comes within the realm of the Minister for Police.

The CHAIR: The question was very clear: Have you raised the matter with the Minister for Police?

Mr RAY WILLIAMS: I will continue to work constructively on behalf of our culturally and linguistically diverse communities to promote a greater sense of harmony and social cohesion. As I have said to the Hon. Shaoquett Moselmane, on all the occasions I have been with him amongst our Muslim communities—I have done so on many occasions, especially over the past three months—

The Hon. SHAOQUETT MOSELMANE: I have only a couple of minutes.

Mr RAY WILLIAMS: In the first week after being sworn in as Minister, when death threats were made on culturally and linguistically diverse religious leaders in south-west Sydney, I took it upon myself to meet with them in the same way as I met with His Grace Bishop Daniel when serious issues arose in Egypt.

The Hon. SHAOQUETT MOSELMANE: Thank you, Minister. As I have only 50 seconds left I will ask one more question. A survey conducted by the Western Sydney and Charles Sturt universities of 600 Muslims in Sydney found that almost 60 per cent of them had experienced racism. Under the New South Wales Anti-Discrimination Act, religion is not a ground for protection. If people have no protection and they are abused on the basis of their religion would you amend the Anti-Discrimination Act to include religion?

Mr RAY WILLIAMS: I will defer to my chief executive officer.

The Hon. SHAOQUETT MOSELMANE: The Anti-Discrimination Act does not have religion as a ground for discrimination or vilification. Would you consider amending the Anti-Discrimination Act to include religion?

Mr HARMAN: That is a direct question which the Minister has already been through, but I am happy to add to it. As I said earlier, everything that we do through our grants program, whether it be a support grant, a unity grant or through our partnerships, is to ensure that a person's ancestral, religious, linguistic and cultural background is no impediment to their equitable participation in New South Wales society. As the Minister has said, our terminology, our approach to having dialogue with diverse communities is one of promoting unity and social cohesion. One of the objects of the Multicultural NSW Act is that we will undertake initiatives to combat racism. We do that by providing grants to a priority area—where projects are identified from the ground up that address this issue in our community. We advocate for that position through our structured community engagement forums, whether they be our regional advisory councils, of which there are 12. We have a religious leaders forum, which the Minister has attended, addressed and hosted. We have specific forums as a part of this community engagement strategy of ours that includes a Muslim-Australian reference group, which we have hosted in our facilities at Parramatta, and the Minister again addressed that cohort of leaders.

Referring to statistics, the Scanlon-Monash Index of Social Cohesion is produced annually—we refer to it in the annual State of Community Relations report that is published and referred to with reference to national averages and how New South Wales performs. Those reports and their preparation are a product of necessity for Multicultural NSW, with input from our advisory board. The report preparation takes into account a whole range of different datasets, including Islamophobia, reports from the Executive Council of Australian Jewry about anti-Semitic activity that is recorded, and other forms of research, which forms our opinion. To re-emphasise the point, we are not a law enforcement agency; we are there to advocate for others, to promote social cohesion and the adoption of multicultural principles by the public sector and every other agency through our partnerships with sporting codes, non-government organisations and the private sector. We ensure that these issues—whether it be racism or whatever issues we face in society that are corrosive to the high levels of social cohesion we enjoy in our State—are responded to by the whole of society.

The Hon. PAUL GREEN: I hope you will include in that "Christian phobia" as it is getting harder to be a Christian these days. I appreciate the sentiments of the Hon. Shaoquett Moselmane. We get along fantastically even though we have different faiths. I hope you do not focus on what divides, Minister. I think you are going the right way.

Mr RAY WILLIAMS: I greatly appreciate that, thank you.

The Hon. PAUL GREEN: I think you have the right approach. We should focus on what unifies society.

Mr RAY WILLIAMS: We are world leaders in this regard—the most culturally diverse country on this planet. Our population is the sum total of every nationality around the world, yet we are the most socially cohesive. I am damn proud of it and I am sure you are too. I think there is a broader message there for the rest of the world.

The Hon. PAUL GREEN: There is a wonderful quote from Mahatma Gandhi: "A progressive nation is one that can live with each other's differences." Australia is a progressive nation. How many cultures exist in New South Wales?

Mr RAY WILLIAMS: How many cultures?

The Hon. PAUL GREEN: Cultural groups?

Mr RAY WILLIAMS: I will defer to the cultural groups. Let me give you an update from a recent census. Our population hails from 307 different racial groups, practices 146 different religions and speaks more than 200 languages. I do not know whether we have the total number of groups. We might have to take that question on notice.

The Hon. PAUL GREEN: I am happy with that answer. Do you support the right of those people to practice their religious faith—freedom of religion?

Mr RAY WILLIAMS: As I said before, 146 people from different faiths are recognised in the recent census. They have every right and every opportunity to practice their faith freely in this country.

The Hon. PAUL GREEN: And they do that with freedom of speech to express their faith. Would you agree with that?

Mr RAY WILLIAMS: Your words, but I imagine that they do.

The Hon. PAUL GREEN: Research tells us that children with disabilities have a greater chance of developing mental health problems than children without disabilities. However, when families, schools and communities take steps to understand children's individual needs, build on their strengths and provide supportive and respectful environments, they can experience good mental health and their learning potential is maximised. What mechanisms does your department have in place to advocate such support and to combat mental health challenges for children with disabilities?

Mr RAY WILLIAMS: I can draw on one example of an organisation that I visited two weeks ago. The organisation, SDN Children's Services, was located in Rooty Hill and provides early childhood education and early intervention services. What was not lost on me was that it is important for young children who are recognised as having an impairment or a disability to receive support at the earliest opportunity. This organisation said that it was important for parents to receive the support that they need to build such capacity and to deal with the needs of their children. The facility at Berala is providing support to more than 150 young children between the ages of zero and six. Not one of the children has ever been handed back to the State. It is providing support for not only the children but also the parents. In 2016-17, the New South Wales Government invested approximately \$70 million in these family and children's services, including family support programs for 17,000 children and young people and their families. The investment fund programs include case management and local government coordination services to assist people with disability to maximise their independence and participation in the community.

I just mentioned the early childhood intervention at Berala. There are extended and intensive programs which support families under high stress to build capacity and which tailor supports to their individual needs. Family Choices provides short-term and long-term voluntary care in alternative family placements for children with moderate to high support needs who are unable to remain at home. The Government has also provided \$400,000 to Lifestart for the continued delivery of the School Age Years Inclusion Support Program initiatives from 1 July last year until the end of June 2018. That is a broad overview of some of the supports being offered to those children.

The Hon. PAUL GREEN: Will you update the Committee on policies, strategies and programs in place to assist local government in the provision of services for people with disability and their carers?

Mr RAY WILLIAMS: The Government provided financial support to councils to enable them to complete their disability inclusion action plans [DIAP]. I am very proud that government agencies and every council across New South Wales have completed their DIAP as of 1 July this year. I have had the pleasure of launching many of those programs. I will defer to my officers to provide more detail.

Ms ROGERS: We have not provided any specific funding to local councils to help with their DIAP. However, we have funded Local Government NSW as the peak organisation representing councils in this State to assist us. We have worked in partnership with Local Government NSW to help councils with the development of their DIAP. Along with Local Government NSW we have conducted workshops and provided program guidelines to assist them and to guide them in the development of their plan. I have some very new information: Of the 128 councils in New South Wales, 127 submitted their DIAP by 1 July 2017 in line with the legislation. The one council that did not do so was Goulburn Mulwaree Council. I am pleased to announce that the council approved its DIAP at its meeting last night. It will now go on exhibition to be formally approved in October. That is a tremendous effort.

Mr RAY WILLIAMS: I would like to correct the record. The funding was provided to Local Government NSW, not to local government in general. The outstanding recalcitrant council approved its DIAP last night.

The Hon. PAUL GREEN: How can we be sure that Local Government NSW will fund those councils appropriately and fairly?

Mr RAY WILLIAMS: The funding was provided to implement the plans, which will now guide policy development. I come from a local government background, and when launching the plans I have pointed out that local government has been dealing with accessibility and inclusion for the past two decades. I am not saying that it was an easy process, but everything councils do with regard to access to community buildings, bus stops and train stations, local environment plans, and even residential developments has a focus on accessibility. This great reform has brought local government into line with the other two levels of government.

The Hon. PAUL GREEN: I am glad you mentioned that. Will you make representations to the Minister for Transport and Infrastructure about upgrading the lift at the Unanderra train station?

Mr RAY WILLIAMS: I think I have heard that mentioned in the lower House.

The Hon. PAUL GREEN: I am aware of the great challenges facing people with disability. Will you use your influence to ensure that the upgrade is delivered more quickly? I will not get political.

The Hon. Dr PETER PHELPS: Get political! Go the full political option!

The Hon. PAUL GREEN: We have only two votes.

The Hon. Dr PETER PHELPS: Yes, but they are strategically positioned.

The Hon. PAUL GREEN: I think the Minister is well aware of the politics of the issue.

Mr RAY WILLIAMS: I am happy to take that on board and to raise it with the Minister. I will take this opportunity to mention this Government's Transport Access Program.

The Hon. PAUL GREEN: The upgrade was given appropriate priority, but for some reason it has been dropped down the list.

Mr RAY WILLIAMS: I will make representations on your behalf.

The Hon. PAUL GREEN: I understand that the NSW Companion Card allows a person's carer free entry to venues and events, promotes the rights of people with disability to fair ticketing, and makes community access more affordable. It is a not-for-profit program funded by the New South Wales Government and managed by National Disability Services. How much funding has the Government allocated to this service and its promotion?

Mr RAY WILLIAMS: The NSW Companion Card is aimed at supporting people with lifelong disabilities to participate in the community. It provides free access to venues and events for the cardholder's companion. The card is provided for life free of charge and is exempt from means testing. It was introduced in 2009 as part of a national scheme that sets guidelines within which the NSW Companion Card operates. The Department of Family and Community Services funds National Disability Services to deliver the program in New South Wales.

National Disability Services is the peak body for non-government organisations. Our Government provided the service with \$1.4 million for the program in 2016-17. As of 31 March 2017, there are more than 29,600 cardholders across New South Wales. These cardholders have access to a range of organisations, including transport, sporting and entertainment providers. To be eligible for a card a person must have a significant permanent disability and a lifelong need for significant support with mobility, communication, self-care and planning. The applicant must require the help of a companion to get to most venues and to take part in most activities in the community. The cardholder must also be an Australian citizen or resident and be living in New South Wales.

A formal independent review process is available if people wish to appeal a decision not to issue a card. The program has not been reviewed since it was introduced in 2009. It is probably timely that the department review its operation in this State and compare it to other jurisdictions. That last comment is a little input from me. The department has engaged The Inside Partnership to undertake an operational review of the program.

The Hon. PAUL GREEN: The Multicultural Disability Advocacy Association of NSW is the peak body for all people in this State with disability and their families and carers. It has a particular focus on those from a culturally and linguistically diverse, non-English speaking background. The association gratefully acknowledges funding provided by the Australian Government through the Department of Social Services and Ageing, Disability and Home Care. Does the New South Wales Government provide any funding to this organisation through your Disability Services and Multiculturalism portfolios?

Mr RAY WILLIAMS: If they are an advocacy group that is now supported under the FACS arrangement, they will have access to funding. There is a component of \$10.6 million and some other funding. The question was posed by one of your colleagues. I again make the point that because funding is secured—in fact, it is double what was previously available to people with disabilities—a person with disability from a culturally and linguistically diverse background—

The Hon. PAUL GREEN: It would be better if you were to take that question on notice.

Mr RAY WILLIAMS: I am happy to do so.

The Hon. PAUL GREEN: Will you also make representations about the Rooty Hill lift that has not yet been delivered?

Mr RAY WILLIAMS: Before we conclude, I would like to correct the record. I said that the \$60 million made available by the Federal Government for advocacy was for three years. I was wrong; it was for two years.

The CHAIR: Minister, I thank you and your officers for appearing before the Committee.

(The witnesses withdrew)

The Committee proceeded to deliberate.