

PORTFOLIO COMMITTEE NO. 5 - LEGAL AFFAIRS

Tuesday 17 March 2020

Examination of proposed expenditure for the portfolio areas

FAMILIES, COMMUNITIES AND DISABILITY SERVICES

CORRECTED

The Committee met at 09:30.

MEMBERS

The Hon. Robert Borsak (Chair)
Ms Abigail Boyd
The Hon. Sam Faraway
The Hon. Rose Jackson
The Hon. Taylor Martin
The Hon. Penny Sharpe
Mr David Shoebridge (Deputy Chair)
The Hon. Natalie Ward

PRESENT

The Hon. Gareth Ward, *Minister for Families, Communities and 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: Members, witnesses and those in the public gallery are requested that any person who is feeling unwell or who has returned from overseas within the last 14 days, please leaves the hearing room now. Welcome to the public hearing for the inquiry into budget estimates 2019-2020, further hearings. Before I commence I acknowledge the Gadigal people who are the traditional custodians of this land. I also pay respects to the Elders, past and present, of the Eora nation and extend that respect to other Aboriginals present. I welcome Minister Ward, who is participating via teleconference, and accompanying officials to this hearing. Today the Committee will examine the proposed expenditure for the portfolios of Families, Communities and Disability Services. Today's hearing is open to the public and is being broadcast live via the Parliament's website.

In accordance with broadcasting guidelines, while members of the media may film or record Committee members or witnesses, people in the public gallery should not be the primary focus of any filming or photography. I also remind media representatives that you must take responsibility for what you publish about the Committee's proceedings. The guidelines for the broadcast of proceedings are available from the secretariat. All witnesses in budget estimates have a right to procedural fairness according to the procedural fairness resolution adopted by the House in 2018.

There may be some questions that a witness could only answer if they had more time or with certain documents to hand. In these circumstances witnesses are advised they can take a question on notice and provide an answer within 21 days. Any messages from advisers or members' staff seated in the public gallery should be delivered through the Committee secretariat. Minister, I remind you and officers present that you are free to pass notes—although I do not exactly know how you are going to do that today—and refer directly to your advisers seated at the table behind the witness table. I think the Minister would use his mobile phone to communicate. I am sure there will be messages flying backwards and forwards to the Minister's iPad.

Transcripts from this hearing will be available on the web as soon as possible. Finally, could everyone please turn their mobile phones to silent for the duration of this hearing, except the Minister, who we need to hear. All witnesses from departments, statutory bodies or corporations will be sworn prior to giving evidence. Minister Ward, I remind you that you do not need to be sworn as you have already sworn an oath to your office as a member of Parliament. I also remind the following witnesses that you do not need to be sworn as you have been sworn at an earlier budget estimates hearing before this Committee: Mr Coutts-Trotter, Ms Czech, Mr Vevers and Ms Walker.

MICHAEL COUTTS-TROTTER, Secretary, Department of Communities and Justice, on former oath

SIMONE CZECH, Deputy Secretary, Child Protection and Permanency, District and Youth Justice Services, Department of Communities and Justice, on former affirmation

PAUL VEVERS, Deputy Secretary, Housing, Disability and District Services and Emergency Management, Department of Communities and Justice, on former oath

SIMONE WALKER, Deputy Secretary, Strategy Policy and Commissioning, Department of Communities and Justice, on former oath

PAMELA BRUNNER, Executive Director, Disability Services, Department of Communities and Justice, affirmed and examined

The CHAIR: Today's hearing will be conducted from 9.30 a.m. until midday with the Minister, and probably from about 1.00 p.m. The expectation of the Committee is that we will probably finish a little bit earlier than 5.30 p.m. in relation to departmental witnesses. I declare the proposed expenditure for portfolios Families, Communities and Disability Services open for questioning. As there is no provision for any witness to make an opening statement before the Committee commences questioning, we will begin with questions from the Opposition.

The Hon. ROSE JACKSON: Minister, can you hear me?

Mr GARETH WARD: I can, Ms Sharpe.

The Hon. ROSE JACKSON: It is Ms Jackson. That is fine though.

Mr GARETH WARD: Sorry, Ms Jackson.

The Hon. ROSE JACKSON: I hope you are feeling okay. I will start by asking a couple of questions about the management of the coronavirus pandemic for some of the most vulnerable in our community. I want to start with people who are homeless and, in particular, rough sleepers. What plans have you put in place to ensure that people who are sleeping rough in our community are able to be best managed and supported through this period?

Mr GARETH WARD: That is an excellent question, Ms Jackson. This situation with COVID-19 in New South Wales is developing. I know the department is continuing to work with homelessness peaks and provide regular updates to the sector. The Department of Communities and Justice [DCJ] has written to all funded homelessness services about service continuity and planning for essential services and how DCJ can assist providers with this. Essential services include crisis accommodation, such as women's refuges and youth refuges, as well as outreach support to rough sleepers. Three key things DCJ is doing to support these services are supporting local service planning, which involves DCJ contacting funded services this week to understand their current capacity to respond, plans and preparations they have in place and the challenges they are experiencing or anticipating.

Secondly, DCJ is working around staffing issues so DCJ can support services with the cost of casual workers or overtime paid to address reduced staff availability if this occurs. Services should also discuss this with DCJ and their contract managers to have this approved so that there are no surprises. But DCJ can also agree to temporary changes to contracted services to prioritise maintaining essential services because, as I am sure you would agree, service continuity is really important. Thirdly, DCJ is providing accommodation solutions. Services are encouraged to contact our agency as early as possible if they expect that accommodation services will need to temporarily close so that alternative accommodation can be arranged for clients. DCJ can also cover the cost of temporary accommodation to support self-isolation for clients. DCJ's assertive outreach teams, Ms Jackson, are also distributing health information and hand sanitisers, which is something I asked for very early on, to rough sleepers during patrols and they can assist rough sleepers with temporary accommodation. I might just ask Mr Vevers to add anything.

The Hon. PENNY SHARPE: Minister, how many extra beds are being put on to actually have provision for rough sleepers to self-isolate, if required?

Mr GARETH WARD: Obviously, we are happy to expand the number of beds where we can, Ms Sharpe.

The Hon. PENNY SHARPE: Where will you do that?

Mr GARETH WARD: That is right, and that is what we will continue to do.

The Hon. PENNY SHARPE: Where?

Mr GARETH WARD: Obviously, this is a situation that is evolving very quickly. There are things happening outside how decisions are being made now that we are not aware of because we are obviously involved in this hearing, but I might ask Mr Vevers to add anything to that specific question.

The Hon. PENNY SHARPE: Minister, I will have time with Mr Vevers this afternoon and will ask him in quite a lot of detail about this. I am aware, for example, that there is a service in Surry Hills that provides overnight emergency accommodation for 10 people every night and it has closed. There is no-one in that service. There is nowhere for clients to go. It is good that you are reaching out but I want to know how many beds are there that are being put up and are they in hotels, are they in motels, and how are people who are rough sleeping, first, getting tested and, second, being able to self-isolate?

The Hon. NATALIE WARD: Point of order—

Mr GARETH WARD: Obviously we would provide—

The Hon. NATALIE WARD: Sorry, Minister. I have taken a point of order. It is Natalie Ward here. I just want to indicate that if we want an answer to that question about numbers, if Mr Vevers is able to provide that answer, the opportunity should be given. I understand that the time with the Minister is limited.

The Hon. PENNY SHARPE: If the Minister wants to flip it to Mr Vevers, that is fine.

The Hon. NATALIE WARD: I think if we want the numbers and that is something he can provide, then the Committee should be able to hear from him.

Mr GARETH WARD: Can I just add something to that? Obviously, Ms Sharpe, you have mentioned that that has happened overnight. Obviously it is really difficult to keep pace with everything that is happening at the moment. Obviously we are doing our best. This is a really difficult situation. You are right to raise it. I understand why you are raising it and I appreciate the question. We will reach every accommodation provided wherever we can to get rooms to provide isolation for those that need it where services are closed.

The Hon. PENNY SHARPE: Minister, with respect, the services are already at capacity. There is very little capacity in the system. I am specifically asking: What extra beds are there today for people to use if they have to self-isolate?

Mr GARETH WARD: As I have said to you, we will be seeking to expand opportunities for temporary accommodation where we can so that people can self-isolate. But I am happy to ask Mr Vevers to expand if there is anything else he would like to add to that.

Mr VEVERS: Firstly, we have a plentiful supply of temporary accommodation. We have been approached by a number of hotels who are actually keen to get people in because their business as usual is much less. Actually a very considerable number of hotel and motel rooms are available to us.

The Hon. PENNY SHARPE: Are you able to tell us how many?

Mr VEVERS: There is no limit on supply. We will approach hotels and motels as we need to but we have had absolutely no problem in placing anybody. We have over 300 hotels that we use regularly but new hotels are approaching us, including yesterday, with a very significant capacity to be able to house homeless people.

Mr COUTTS-TROTTER: Just to help, I mean, one hotel, 500 beds. So capacity of accommodation will not be a problem. The challenge is if people have to self-isolate how do we get them fed?

The Hon. PENNY SHARPE: Yes. How do they get medical assistance?

Mr COUTTS-TROTTER: Where people do not have family or social networks, how do we make sure that they are able to care for themselves? So that is the challenge.

Mr VEVERS: And we are also working with homelessness services. They have over 1,000 transitional properties and we are saying, "Well, we could house enough people who are in that transitional accommodation. We could give them top priority for public housing and move them out and then you have a facility which is absolutely set up for self-isolation." So that is an active piece of work at the moment. We have over 5,000 vacancies a year in public housing. We could readily move those people who are currently occupying that accommodation into public housing. I should also add that for rough sleepers we have a doctor who comes out on our patrols in Sydney. I was out with her the week before last. She is able to proactively work through with people who are sleeping rough and engage them into the health system if needs be.

Mr GARETH WARD: Obviously the State Emergency Operations Centre [SEOC] protocols also apply here as well. That will involve more coordination centrally as this particular pandemic continues to evolve.

The Hon. ROSE JACKSON: Minister, you mentioned the DCJ reaching out to local service providers. What feedback can you give us on how many of them have plans in place right now to manage this and how many of them have indicated that they would be interested in taking up DCJ's offer around staffing support?

Mr GARETH WARD: I believe the email has only just gone out, Ms Jackson, so I cannot answer that at this point.

The Hon. ROSE JACKSON: Mr Coutts-Trotter, when did that email go out?

Mr COUTTS-TROTTER: The email the Minister is referring to went out last night but we have been in discussion with services well before that. What will happen over the next two or three days is district by district we are going to work with our service partners to identify where they see their risks or gaps and work as a system, public and private or public and non-government, to identify what we can do to manage risks around staffing, manage the possibility that very small services, if they find someone who is infected or needs to isolate, will have to close and what are the local alternatives?

It is going to play out very differently in different locations, partly because the transmission of the virus is playing out very differently in different locations. The planning has to happen at a local level with sensible central support. We are in the process of identifying likely demand for personal protective equipment for some roles and making sure that we get ourselves in the priority for supply of the basics—masks, gloves, hand sanitiser. We are working with non-government partners to see where people may need help with that. There is a range of things we can do centrally but most of the response to this will happen at a local level.

The Hon. ROSE JACKSON: Minister, have you given the department any indication about time frames on this? Because I think as we all know speed is absolutely essential here.

Mr GARETH WARD: Yes.

The Hon. ROSE JACKSON: Without going into all of the benefits and downsides of the supercluster model, there is a big bureaucracy there. What direction have you given to the department in terms of how quickly you expect this to happen and how are you following up that this is in fact happening as quickly as we need it to happen?

Mr GARETH WARD: That is a great question, Ms Jackson. There are daily briefings and meetings and constant contact. As you rightly point out, this is constantly changing. It is a pandemic like we have never seen before. I can also send you the SEOC protocols if you would like. I am happy to provide them to the Committee so that you have got information in relation to that. But we are doing the very best we can under what are unprecedented times. There has never been a situation like this before.

Mr COUTTS-TROTTER: Local plans within two days.

The Hon. ROSE JACKSON: Thank you, Mr Coutts-Trotter. Moving on, Minister, from the homeless to seniors, which I know is another area that you have responsibility for.

Mr GARETH WARD: No, I do not, actually. That falls under Minister Lee at this point.

The Hon. ROSE JACKSON: When we asked Minister Lee about questions on seniors he consistently referred that back to you. I understand you do have carriage of the Ageing and Disability Commissioner, for example?

Mr DAVID SHOEBRIDGE: And all service delivery is what Minister Lee said.

The Hon. ROSE JACKSON: And all service delivery. Thank you for reminding me. Considering where we are with this pandemic I feel as though bureaucratic buck-passing between Ministers is not particularly helpful.

Mr GARETH WARD: Yes. Fair enough.

The Hon. ROSE JACKSON: In relation to the oversight you do have, for example, on the Ageing and Disability Commissioner and some service provision in the ageing space, what specific support or information are we giving to seniors and aged care providers in relation to the particular vulnerability that the elderly face?

Mr GARETH WARD: Obviously aged care providers fall under the Commonwealth. I share the agency for the commissioner. Obviously I introduced the bill—you are right—but that was more from the disability point

of view. So I am at a disadvantage here, Ms Jackson, in the sense that it is not an area that I am directly responsible for. If you have questions that you want me to take on notice I am more than happy to do that or if the officials would like to provide any further advice, but it is just not directly part of my remit. Although you would be right in saying that certainly many of the services we offer do provide supports to older people.

Mr COUTTS-TROTTER: Minister, if you are okay I might invite Mr Paul Vevers just to update the Committee on the work that we have been doing with public health to communicate with older vulnerable people in public housing, social housing.

Mr GARETH WARD: Well, I can do that. I know that we have issued a message to 85 per cent of public housing tenants, a text message with advice and where to go in relation to the coronavirus. I have a copy of the text message. If you want me to read it I am happy to do that.

The Hon. PENNY SHARPE: No, but can we ask you, given those are vulnerable people—the Victorian Government has been providing care packages for people who are self-isolating or very prudently self-distancing, particularly older people; the group you were just talking about—what support in terms of care packages and making sure that isolated people are getting the support they need is being provided through your department?

Mr GARETH WARD: I might ask Mr Vevers to answer that.

Mr VEVERS: That support is not actually provided through us. It is provided through the Office of Emergency Management. I am speaking on their behalf but they have had some referrals of people who are not able to provide for themselves and have been assisting in providing with food and other goods for them. I do not know the numbers, I am afraid.

The Hon. PENNY SHARPE: Would you be able to come back and tell us? On notice, obviously?

Mr VEVERS: On notice, yes.

Mr GARETH WARD: Yes, we will take that on notice.

The Hon. PENNY SHARPE: Can I ask you, in relation to housing, whether you are doing any work to stop any evictions and work with people in boarding houses, obviously, who are congregated together—again, highly vulnerable in terms of underlying medical and other issues? What is happening in that space?

Mr GARETH WARD: I might ask Mr Vevers to answer that question.

Mr VEVERS: We can provide assistance to people who are facing eviction because of rent arrears, so we can actually provide them with some financial assistance to help them get over a period of unemployment or if they are casual workers who have been laid off. We already do provide financial assistance and could continue to do so, and that financial assistance is not capped. If you are eligible for it, you get it.

The Hon. PENNY SHARPE: A lot of people are not necessarily eligible for it. What is the eligibility for that?

Mr VEVERS: If you are on a low income.

The Hon. PENNY SHARPE: How low?

Mr VEVERS: It depends on your household size.

The Hon. PENNY SHARPE: All right. Newstart? Do you pretty much have to be in receipt of—is there anyone who is not in receipt of Federal payments who would be eligible?

Mr VEVERS: The income limits would be at about that level although Commonwealth rent assistance is available to people significantly above those levels.

The Hon. PENNY SHARPE: Minister, would you consider actually making public statements in relation to asking landlords not to evict people, ensuring that people who are about to be evicted are aware that there is that support, and perhaps loosening criteria?

Mr GARETH WARD: Well, I would certainly encourage everyone to be as sympathetic and generous during this period as possible.

The Hon. PENNY SHARPE: It is nice of you to tell us that, Minister. Would you consider saying that publicly?

Mr GARETH WARD: Let me take that on notice and I will come back to you.

Mr DAVID SHOEBRIDGE: Quickly, Minister. It is urgent. Just taking it on notice for 21 days is hardly an answer.

The Hon. NATALIE WARD: Point of order: With respect, it is not for one member but for this Committee to determine when matters taken on notice are to be returned to the Committee. It is not for one member to assert that unilaterally in the course of the Committee hearing. It is a matter for resolution of the Committee when matters are returned.

The Hon. PENNY SHARPE: If he takes it on notice, he will come back in 21 days anyway.

Mr GARETH WARD: Can I just add—

The Hon. PENNY SHARPE: Us urging him to do it quicker is—it is up to him whether he chooses to comply.

The Hon. NATALIE WARD: I am sure he will. It is the process.

Mr DAVID SHOEBRIDGE: I think he has something to say.

Mr GARETH WARD: I was just simply going to say that a lot of this, too, requires a whole-of-government response. It is not just about residents, obviously, in our State who, obviously, we are interested in here. But we have to work through all these things together and it will require, potentially, the national Cabinet making a decision on that. I acknowledge it is an important point.

The Hon. PENNY SHARPE: On that basis, Minister, the Premier is now in the national Cabinet in relation to these matters. Will you agree to raise these issues with her and make sure they are raised at the Federal level?

Mr GARETH WARD: I am always raising matters with the Premier. As I have said, I will take it on notice.

The Hon. ROSE JACKSON: Minister, I think part of the issue here is the plans need to be in place quite quickly. Would you agree that we have already seen some issues in relation to people in precarious employment both needing to self-isolate and the overall downturn in the economy? This is only going to be exacerbated if schools close and parents are required to stay home to look after their children. Are you concerned, and have you had conversations around a potentially much larger number of people facing significant housing stress because they cannot work, either because they are at home looking after their children or because the small businesses that they work for have gone under?

We have heard from Mr Vevers that there is no shortage right now of temporary hotel and motel rooms but that is not a long-term solution here. Have you been thinking about and having conversations about the impact of those potential changes that are mere weeks away and how we might manage that potential crisis?

Mr GARETH WARD: It is an excellent question and, yes, to your earlier question, obviously I am concerned. SEOC and Planning processes are prioritising resources and responses to prepare for what is ahead. Obviously that is appropriate that the State emergency management command do that. As I mentioned earlier, this is an unprecedented crisis and one that we are going to have to work through together. You are right to raise all these points because, as I am sure we would all agree around this table, when it comes to these instances the most vulnerable are often the ones that experience the greatest impact in times like this.

Mr VEVERS: Can I add to the Minister's reply that I absolutely agree that temporary accommodation is not a sustainable long-term solution for people. It avoids, obviously, people being out on the streets, but what we have been doing with people who have been bushfire affected is we then help them into an alternative private rental and we do that in a number of ways. We keep in touch with real estate agents to find out where those vacancies are and then, secondly, we give people financial assistance into a new private rental. The income limits for bushfire-affected people were lifted and we have assisted a number of people with the bond and with advance rents to help get them established.

Where people's income is low, we will also point them in the direction of Centrelink so they can get Commonwealth rent assistance to make their rental sustainable. So temporary accommodation is the start. There is then a follow-up. For some people, they will not be able to get into private rental for particular reasons and, in those cases, obviously public housing or community housing is potentially an option for them.

The Hon. PENNY SHARPE: But, Mr Vevers, there is a limit to the supply of that. There is not a house for everyone who currently needs one.

Mr VEVEERS: In the private rental sector—I am talking here about bushfire-affected people—there has not been a problem with the supply of private rental accommodation.

The Hon. PENNY SHARPE: I am talking about a global pandemic that is about to spike.

Mr VEVEERS: Yes, so the combination of private rental and giving people who are affected priority for public housing, I think, will provide an option, bearing in mind—

The Hon. PENNY SHARPE: It is an option. What I am saying, though, is that there is just not enough supply.

The Hon. ROSE JACKSON: Are there not already something like 5,000 people on the priority waiting list for public housing? That is people with disabilities and other vulnerable people. I am actually more referring to single parents who have precarious employment, who pay their rent week to week—that the bottom just falls out of that. They are facing homelessness. What are we doing to ensure that those types of people do not just completely fall through the cracks?

Mr VEVEERS: Those are people we can provide financial assistance to to help them establish the tenancy and the Commonwealth will provide financial assistance to help them sustain it. I am not saying that in some cases people may not have to look for a lower-cost rental. They will.

The Hon. PENNY SHARPE: Assuming that exists.

Mr VEVEERS: But the supply of public housing has around about 5,000 vacancies a year. Yes, there are 4,500 people on the priority waiting list. Over 1,000 of them are receiving a subsidy from us in the private rental market to help sustain them until a public housing property becomes available. We could continue that subsidy for them because they are sustainably housed and use some of the public housing vacancies for other people. So I am not saying there is a limitless supply; I am saying there are a lot of levers we can pull to help people who are in crisis.

Mr DAVID SHOEBRIDGE: Minister, you say that you will need to have a national response before you can progress a policy of no evictions across the board. Is that my understanding? You will need to workshop that—

Mr GARETH WARD: No, I was simply making the observation that if this is a problem in one State, it will be an issue across all States.

Mr DAVID SHOEBRIDGE: Yes, but is it something that is on your agenda—a no-evictions policy across the board while we have this health crisis in front of us and so many people are losing the capacity to pay rent because of precarious employment? Is that on the agenda?

Mr GARETH WARD: I think it is fair to say I am prepared to consider all reasonable options but this is evolving quickly, Mr Shoebridge. I cannot give you an answer right now in relation to things that are happening at a rapid, rapid rate. Obviously, I want to do everything I can to protect and preserve vulnerable people but I do not have an answer for you on that question right now, right today.

Mr DAVID SHOEBRIDGE: I understand that you will take it on notice and you will consider it for the private rental market, but can you give a commitment now that you will not be evicting any public housing tenants for the duration of this health crisis? Can you give that commitment?

Mr GARETH WARD: Look, I will take that on notice, unless Mr Vevers wanted to add anything further?

Mr VEVEERS: I think there would be some difficulties there. If someone is, for example, committing severe illegal behaviour and is making the lives of their neighbours an absolute misery, for us not to take action would put vulnerable people in even more vulnerability.

Mr DAVID SHOEBRIDGE: Will you be toughening those guidelines and only having it in the most extreme cases that you will be evicting somebody during this health crisis?

Mr GARETH WARD: It is already in the most extreme cases that that occurs.

Mr DAVID SHOEBRIDGE: It sounds to me like it will be business as usual on evictions, which is not particularly a comforting response, including where somebody may have historical drug convictions or the like. Evicting families in those circumstances during this health crisis would be just downright callous, Minister.

Mr GARETH WARD: If you look at the Residential Tenancies Act, Mr Shoebridge, you will note that it is only in those very significant instances—when you reference drugs—where there is illegal activity going on. I think that is a reasonable thing to continue to do. If people are engaging in illegal activity which potentially impacts on other neighbours, well—

Mr DAVID SHOEBRIDGE: And putting kids on the street in those circumstances in the middle of a health crisis—you do not think that that needs a review during this health crisis, Minister? Seriously, you are not reviewing it? It is just business as usual on evictions?

Mr GARETH WARD: No. What I am saying is that there are already laws in place which the Parliament has passed in relation to criminal activity in social housing and I think we stand by that.

Mr DAVID SHOEBRIDGE: Is that the situation, Mr Coutts-Trotter?

Mr COUTTS-TROTTER: Eviction is last resort, never first resort. New South Wales has led the argument with the Commonwealth to put in place mandatory rent deduction for public housing tenants across the country for the simple reason that the single largest cause of children being rendered homeless from social housing is people who do not pay their rent and then abandon their tenancy. People come under a great deal of pressure and that often explains why a primary caregiver does not pay their rent. We work as hard as we can to never, ever see children rendered homeless as a result of someone not paying their rent, but the simple solution would be to put in place mandatory rent deduction that remains in place.

Mr DAVID SHOEBRIDGE: Do I take it from that that notwithstanding the health crisis there will still be people being evicted from public housing in New South Wales because they have not paid their rent?

Mr COUTTS-TROTTER: No. That is rarely the case. The evictions Mr Vevers is describing is in the case of sustained criminal behaviour that renders people on the floor in the three-storey walk-up unsafe. We have to act in those circumstances.

Mr DAVID SHOEBRIDGE: Mr Coutts-Trotter, that is what Mr Vevers was explaining and putting on the record, but then you volunteered the fact that—

Mr COUTTS-TROTTER: That people abandon their tenancies—

Mr DAVID SHOEBRIDGE: Allow me to finish.

Mr COUTTS-TROTTER: —because they get behind in the rent and we wish—with automatic rent deduction we would put a stop to that.

Mr GARETH WARD: Could I just add, Mr Shoebridge—

Mr DAVID SHOEBRIDGE: If you could allow me just to finish the question, if that is okay.

Mr COUTTS-TROTTER: Sorry.

Mr GARETH WARD: Sorry. Can I add, Mr Shoebridge, that I think we will be informed by best practice here. Countries around the world are responding to this virus and I will certainly be looking carefully at what other jurisdictions are doing. Be it now or after this Committee hearing, I am keen to hear from members—not just from my own side but right across the board—on how we can do things better and make sure that best practice is being met to care for vulnerable people.

Mr DAVID SHOEBRIDGE: One thing you could do, Minister, is you could send a letter to every single public housing tenant and say, "Rest assured, during this public health crisis, if you are in severe financial difficulties and unable to pay your rent we will not evict you during this public health crisis." Will you send that letter and tell public housing tenants that?

Mr GARETH WARD: Look, I am considering all options at the moment, Mr Shoebridge. I think that is a very good option to consider. Let me consider it and I will come back to you.

Mr DAVID SHOEBRIDGE: Could I also ask you about the strategy about sending text messages to public housing tenants?

Mr GARETH WARD: Yes, sure.

Mr DAVID SHOEBRIDGE: Knowing such a large proportion of public housing tenants are elderly, in precarious financial circumstances and often do not have sufficient money to pay for their mobile phone plan even, what are your plans in the next 24 or 48 hours to reach out and communicate to public housing tenants about

matters such as security of tenure, services available and what to do in social isolation? What are your plans in the next 24 to 48 hours to communicate with public housing tenants?

Mr GARETH WARD: Mr Vevers can confirm this or not. We have got about 85 per cent of people in social housing with smartphones. Obviously those that do not—we have the capacity to write or to email, which we will certainly be doing as well. But the message that went out gave the options of using the app where that is available or where people can use that, and also to provide a direction to the COVID-19 coronavirus disease's Health website. People know exactly where to go in terms of what supports they might need.

Mr DAVID SHOEBRIDGE: Minister, I am just thinking of a number of the frail, elderly people that I personally know in public housing. I can think of a number of them, a bunch of them, who would be bamboozled by a text message referencing them to an app—and that is if they have a mobile phone. It seems to me that in fact that communication is likely going to miss the people most in need of that kind of support system.

Mr GARETH WARD: No, no. I agree. Look, obviously it is not for everyone, Mr Shoebridge. But there are also the opportunities for people to contact the office by phone, as they do now, and also to make appointments where that is appropriate. That can still occur and we are managing that on a case-by-case basis.

Mr VEVERS: Can I add that for those people who have said to us that they do not want to use a mobile phone, we wrote to them giving the same information. It is an absolute myth to say that public housing tenants are not information technology aware. Overwhelmingly the most successful communications that we have with our tenants—and they tell us—are by SMS. We get a response that is 10 times greater to SMS than we get from any letters that we write.

Mr DAVID SHOEBRIDGE: Mr Vevers, I am not critiquing the SMS. It seems a very sensible option and indeed it seems a sensible first option. What I am suggesting to you is that some of the most vulnerable and isolated people—the ones you most want to reach—will be the ones you do not get to via text message. That is what I am suggesting to you.

Mr VEVERS: That is why we are writing to them.

Mr COUTTS-TROTTER: We also have a program of visits where we try to prioritise based on local knowledge—the same kind of relationships you have with social housing tenants, our own teams have—people who are particularly vulnerable. So there is a lot of outbound work as well to proactively check in on people.

Mr DAVID SHOEBRIDGE: Right. Can you table the correspondence, Mr Vevers, that you say you have sent?

Mr VEVERS: Yes.

Mr COUTTS-TROTTER: Yes.

Mr GARETH WARD: Yes, absolutely.

Mr DAVID SHOEBRIDGE: Could I ask about what steps you are taking to ensure public health protections in homeless shelters? I will give you an example: Matthew Talbot shelter. There are 100-plus homeless men coming together in partially dormitory-style accommodation, large public eating facilities—vulnerable from a health perspective and vulnerable from an age perspective. What additional services have you provided to shelters like that in terms of providing sanitation, health advice and alternate accommodation if it is considered not to be safe accommodation for them?

Mr GARETH WARD: So I have already mentioned that our regional assertive outreach teams have all been providing advice to people sleeping rough. St Vincent's Hospital have also been going out with the Sydney Homelessness Outreach Support Teams to provide medical advice to people sleeping rough. Hand sanitisers are being given to people sleeping rough, as far as supplies permit, with Sydney restocking as fast as possible. Discussions are being held with temporary accommodation providers about the use of rooms, as I have mentioned. Department of Communities and Justice staff are undertaking outreach to homeless people and will be equipped, as I mentioned, with hand sanitisers. Obviously we are trying to keep in touch with providers and make sure that if there is additional health information that they need—that we can provide.

Mr DAVID SHOEBRIDGE: But my question was not about individual people who are homeless. My question was about what you were doing with those large homeless shelters given the series of factors that I suggested to you, Minister.

Mr GARETH WARD: All we have asked them to do, Mr Shoebridge, is to review their business continuity plans and to liaise directly with the department—

The Hon. PENNY SHARPE: What happens if they close?

Mr GARETH WARD: —and our contract managers about any possible impacts on service delivery.

Mr DAVID SHOEBRIDGE: What if they review their business continuity plans—what if they get advice that in fact continuing their operations in dormitory-style facilities with large communal eating spaces is actually a significant health risk and they have to shut down? Are you, first, talking with them and asking them if they are getting that kind of advice? And, second, are you putting in place alternative plans?

Mr GARETH WARD: We certainly are talking with our specialist homelessness services. I referenced the email earlier in answer to questions from Ms Jackson and Ms Sharpe. But as Mr Ververs said we are looking to expand the opportunities to provide individual temporary accommodation if, in the event, it is unsafe to provide specialist homelessness accommodation. It is an excellent question and I believe the department is doing what we can to look for additional accommodation to meet those needs, if in the event that does need to occur.

Mr DAVID SHOEBRIDGE: Have you done just a basic safety assessment of these facilities?

Mr GARETH WARD: As I mentioned, we have just reached out last night. The email has gone out. We have been in contact over the last few weeks. That work is going on, yes.

Mr DAVID SHOEBRIDGE: Mr Coutts-Trotter, can we be comforted that there is work in place to go out and do public safety and public health assessments of these facilities for vulnerable people, who are some of the most at-risk members of our community?

Mr COUTTS-TROTTER: Sure.

Mr DAVID SHOEBRIDGE: Are you going out and doing the public health assessments?

Mr COUTTS-TROTTER: All large organisations have well-established and well-practised protocols for managing the spread of infectious diseases in these kind of environments. We have got access to rapid public health advice, both at a local health district level and through a centralised team. The centralised health team has a health service operations stream available to provide particular advice to people who are serving vulnerable groups—mental health, maternity, disability, paediatrics, specialist homelessness services and the like. Obviously the issue is more likely to come with very small providers who do not have the organisational resources. That is why we are at a local level trying to identify where organisations feel underdone, unconfident or because of their small-scale staffing unable to respond in the event that two or three people do not come to work.

I think the larger providers we have a great deal of confidence about. That is not to say that there may not come situation where a large provider in some scenario wants to close its doors on the basis of public health advice, which is why we are trying to plan forward and secure capacity in the event that that happens. But the more likely thing we will see in the short term is smaller providers who do not have those organisational resources needing to call on other non-government specialist homelessness service [SHS] providers or indeed on our own resources to try to take advice, change protocols, upskill staff or, in extremis, actually close their facility and have alternatives.

Mr GARETH WARD: Can I just be clear, because I think it is a very important question, that we are undertaking an audit of essential specialist homelessness services, which includes crisis refuges, to understand what capacity these services have to support self-isolation, should that be required. The department will work in partnership with specialist homelessness services to ensure essential services. Where we can continue to identify other housing options as we should, such as temporary accommodation, specialist homelessness services have been asked to review their business continuity plans, as I mentioned earlier—I want to be clear about that—with our DCJ contract managers about possible impacts on service delivery. It is a very good question. I understand why you ask it. You should ask it. But that is what we are doing.

Ms ABIGAIL BOYD: Minister, I completely appreciate that we are facing an unprecedented crisis. I have heard yourself and a number of other Ministers refer to it as unprecedented and I think we can all accept that. But unprecedented is not the same as unforeseeable. This crisis was not unforeseeable. Is that correct? Would you agree with that view?

Mr GARETH WARD: No, I would not agree with that view.

Ms ABIGAIL BOYD: Health authorities have been—

Mr GARETH WARD: I have not seen anything like this before, Ms Boyd. I honestly have not. I do not want to low ball it but by the same token I have never seen anything like this.

Ms ABIGAIL BOYD: And I do not doubt that, but we have had in place, for example, the New South Wales pandemic plan from the year before last. Around the world health authorities have been warning about pandemics of this kind for quite some time. We have heard that the risk of this sort of event has been very high on the security advice that has been given to the Federal Government over a number of decades. I absolutely agree with you that it is unprecedented but I would argue that it is not entirely unforeseeable. When we are now sitting here and throwing around ideas for what to do, I guess I am quite struck by what appears to be the case that nobody has had detailed plans at a department level for dealing with this crisis. Is that correct?

Mr GARETH WARD: Can I just respond by saying that we actually set up the State Emergency Operations Centre in early February—so it is not as if this has just happened today—to support what we are doing as whole-of-government management. SEOC has the necessary staff and communications equipment to control emergency operations. Senior members of all frontline represented agencies, such as Health, Education, Transport, Emergency Services, ambulance—all those people are involved. The roles of SEOC during an emergency operation, just to be clear, are to control the emergency operation, to plan for the ongoing emergency operation, to plan, acquire and allocate resources and to provide information about the emergency operation through the public information functional coordinator. I understand why you are asking these questions but this work has been going on for some time.

Ms ABIGAIL BOYD: Okay, since February. But at what point do people not—

Mr DAVID SHOEBRIDGE: We had the severe acute respiratory syndrome [SARS] and the Middle East respiratory syndrome [MERS] a decade ago.

Ms ABIGAIL BOYD: Exactly. At one point did no-one sit around a table and say, "Well, in a worst case scenario, what is going to happen to the most vulnerable people in society?" "Oh, we will probably need to stop evictions from public housing." How has that discussion not been had prior to this point?

Mr GARETH WARD: Look, there are a lot of discussions that have not been had prior to this point. I think there are lots of things that we have to confront over the next few weeks and months that have never been spoken about, but we are going to have to confront them. We have to do it together. I cannot give you a better answer than that, I am sorry.

Ms ABIGAIL BOYD: I understand, but in hindsight do you regret that?

Mr GARETH WARD: We are doing everything we can based on the best evidence we have available. This is a rapidly evolving situation. I am doing the best that I can. I believe officials are doing the best that they can to respond.

Mr DAVID SHOEBRIDGE: Minister, can I just be sure about what the Government's goal is in the responses that you are doing—that is, to do everything possible to minimise the spread of this disease and to flatten the curve? Can you assure us that there is no discussion at a Cabinet level or otherwise about a kind of herd immunity strategy like we are seeing in the UK—that that is entirely off the cards?

Mr GARETH WARD: I cannot obviously talk about any discussions that happen in Cabinet but I have not heard those discussions, but obviously they are probably more appropriate questions for the health Minister.

Mr DAVID SHOEBRIDGE: But is everything you are doing directed at flattening the curve and doing everything to restrict any communication of this disease? Is that the directive that you are following?

Mr GARETH WARD: No, no. Everything I am doing is to do our best to support vulnerable people during this time. I have not been given a direction as such. I am simply doing the best I can with the resources I have available.

Mr COUTTS-TROTTER: I wonder if I could—

Mr DAVID SHOEBRIDGE: So there is not a direction, a government-wide direction, to all departments to say, "Our strategy is to restrict communication of this disease and that is our number one priority"? There is not that direction?

Mr GARETH WARD: Obviously I have mentioned the directions that are happening through SEOC and that is of course what the Government is seeking to do. We are obviously planning for all emergencies and hazards, and this includes what we are dealing with at the moment. But business continuity is standard practice for every government entity, of course.

Mr COUTTS-TROTTER: The plan is to flatten the peak. That is the plan we are working to.

The Hon. ROSE JACKSON: That is a direction that you have been given? How has that plan being communicated to you?

Mr COUTTS-TROTTER: The lead on this is Health. They through the SEOC, which is the mechanism by which government efforts are—

The Hon. PENNY SHARPE: SEOC stands for?

Mr COUTTS-TROTTER: State Emergency Operations Centre. Sorry: we fall into acronyms and jargon. Health has the lead. The operation centres are now being established at Homebush. We have moved the bushfire crew out and the pandemic crew move in. The aim with the direction of both public health in New South Wales and public health nationally filtered through the National Cabinet, and our own Cabinet is to deliver on the public health strategy. The public health strategy is to extend the experience of transmission but flatten its peak.

Mr VEVERS: And we have for some time been taking actions to seek to reduce the risk to our clients. If I can give you some practical examples of that, for some months we have been informing our clients that they do not need to come in to what can sometimes be quite crowded Housing offices to do business with us. We have a 24/7 help line that people can call and they can transact most of their business in that way. People who are more IT literate can use our Housing app. All the large scale transactions like "How much rent do I owe?" and those sorts of frequently asked questions can be done through the app or over the phone. We have been trying to encourage that direction for some months. We have absolutely been reinforcing it in recent days and will continue to do that so that people do not feel they have to come in to crowded offices, which obviously increases the risk of transmission to them.

The Hon. PENNY SHARPE: Mr Vevers, I have had people in my office and I have made representations to the Minister in relation to these matters. They are people who are in temporary accommodation in motels who are forced to pack up everything, leave, come back in to go into the office to then be told that, yes, they are going to have another two days. Will that be waived during this period so that people do not have to move in and out and actually, as is the case, be forced to go in to Housing offices so that they can get their temporary accommodation extended?

Mr VEVERS: Yes, we absolutely are looking at that.

The Hon. PENNY SHARPE: Minister, can you guarantee that all of the clinics providing testing and services for COVID-19 are accessible for people with disability?

Mr GARETH WARD: Can I take that on notice, Ms Sharpe? Obviously a lot of clinics are being set up. I think there was one set up in Wollongong yesterday. It is a good question. I will take it on notice.

The Hon. PENNY SHARPE: Minister, it is an essential question. We had this problem during the bushfires where there was no access to adequate toileting facilities in the Bega showground, for example. We have actually learnt these lessons. People with disability are extremely anxious. They are also extremely vulnerable, given underlying health conditions. We need to make sure that they are all completely accessible. It worries me that you cannot just say, "Yes."

Mr GARETH WARD: I would like to be able to. I just want to take the question on notice if I can. Obviously a lot of the tests are happening at hospitals, at pathology centres, and generally those are disability accessible but I cannot be sure until I check absolutely everyone. I am happy to take the question on notice.

The Hon. PENNY SHARPE: Should it not be a requirement that for them to be a testing centre they have to be accessible?

Mr GARETH WARD: That would be more of a question for the health Minister because you are talking about a matter concerning public health. But as I said—

The Hon. PENNY SHARPE: No, Minister, I am actually talking about you as the disability services Minister and your responsibility for disability inclusion. This is the ongoing problem. Access for people with disability is considered to be something that happens as an afterthought rather than up-front. You could not get any closer to a catastrophic event than the bushfires that we had this year, which showed the many significant problems for people with disability in evacuation centres. Are we learning nothing here? My concern is, what is your role, through all of this coordination that you say we are having, to ensure that people with disability are up-front included? Who is asking the question and not just saying, "Well, it is a matter for the health Minister"?

Mr GARETH WARD: I might ask Mr Vevers to answer that question but before I do I will simply say I am on a phone hook-up tomorrow with all the disability Ministers from across the country. We are obviously

looking at a range of issues but there is an emergency Disability Reform Council meeting being called for tomorrow. I am sure that a lot of learnings that have happened that we can implement will certainly be done. Obviously it would be my hope that every centre would be disability accessible but I will just ask Mr Vevers if he wanted to add anything further.

Mr VEVERS: I do not have any information, I am afraid, on the health facilities, sorry.

The Hon. PENNY SHARPE: If you are actually having that meeting, Minister, that is very important. Are you aware that the Centre of Research Excellence in Disability and Health has put together a list of issues that need to be considered for people with disability during the COVID-19 response?

Mr GARETH WARD: I have not seen that, Ms Sharpe, but I would love to see it.

The Hon. PENNY SHARPE: I will make sure that you get it.

Mr GARETH WARD: Thank you.

The Hon. PENNY SHARPE: One of the issues particularly that I think needs to be raised is the flexibility of NDIS packages and people being able to, for example, compensate family and other carers, particularly if there is a workforce shortage. It might be something for Mr Coutts-Trotter. I am assuming that is on the agenda. It is the only way.

Mr GARETH WARD: I am happy to raise that, though, tomorrow, Ms Sharpe. I think that is an excellent point.

The Hon. PENNY SHARPE: There is a whole list of stuff.

Mr COUTTS-TROTTER: We have not had time to brief the Minister with a set of issues that we think are high priorities to raise but flexibility within NDIA packages is top of the pops. If you had a situation where children with profound disability had to be excluded from school the same set of issues arises.

The Hon. PENNY SHARPE: Obviously the great anxiety for people is if all of a sudden they have no support workers able to come to them.

Mr COUTTS-TROTTER: That is right.

The Hon. PENNY SHARPE: That is seriously dangerous. Anyway, I am not going to press the point. I am sure, Mr Coutts-Trotter, you have probably seen it. It is a very good document that I think covers all of those issues. Minister, why are there fewer young people at risk of serious harm being seen by case workers?

Mr GARETH WARD: I would dispute that. In fact we have actually seen in the last official reporting period more children seen than ever before.

The Hon. PENNY SHARPE: Sorry, Minister, can we just make sure we are talking about the same figures? I have only got access to your dashboard figures. It shows that in 2018 there were around 92,000 reports and around 26,000 kids seen and in June 2019 that has now gone up to almost 104,000 reports of kids at serious risk of harm and, yes, there are 30,000 of them seen. That means, if we want to argue about the numbers, almost 78,500 young people deemed at risk of serious harm not being seen by child protection workers. I do not really want to argue the toss with you about going up from 28.5 per cent to 29 per cent, although obviously any increase is great. Why were 78,000 kids at risk of serious harm [ROSH] not seen?

Mr GARETH WARD: The data between 2018 and 2019 shows that there was an increase of 15 per cent in the number of children and young people involved in ROSH reports between 2017 and 2018. This follows an increase of 6.5 per cent from 2016-17 to 2017-18. Of all the children and young people involved in ROSH reports in 2018-19 data shows that 20.1 per cent were Aboriginal and the same—

The Hon. PENNY SHARPE: Yes, I can read the dashboard, Minister. I am asking why almost 80,000 kids who are deemed at risk of serious harm are not being seen.

Mr GARETH WARD: As I said to you, we have seen more young people than ever before. Do I believe we can do better? Absolutely.

The Hon. PENNY SHARPE: You have had more reports than you have ever had before. I do not want to argue the semantics about this. My question is: You have just had a whole reform process for the last four years, \$190 million invested into this and there are still tens of thousands of young people and children not being seen.

Mr GARETH WARD: I would also make the point that we are actually seeing the lowest numbers of young people coming into care—

The Hon. PENNY SHARPE: I know that is your only one metric that is going in the right direction, Minister. That is not what I am asking you about. I am asking you about what is happening about seeing more kids that people have rung up on the phones and are worried about in terms of risk of serious harm, not just not having a good time or being forced to sit in the backyard for an hour. I want to know what you are doing to close that gap.

Mr GARETH WARD: We are obviously doing everything that we can. As I have said, we have seen more children. The last reported period shows a zero case worker vacancy rate. Leading for performance and practice in protecting kids is really important and there are training supports and programs to focus on improving practice quality. I know that Kate Alexander, our chief practitioner, is certainly committed to that. That obviously involves more training and collaboration. We are certainly doing our best to work with evidence-based programs to ensure that fewer children are reported and re-reported, which is of course—

The Hon. PENNY SHARPE: Minister, you invested \$190 million over the last four years and the numbers are no better.

Mr GARETH WARD: No, we are seeing more children, Ms Sharpe, and we are actually seeing a reduction of kids—

The Hon. PENNY SHARPE: Sorry, just to repeat, if you want to argue: You were seeing 0.5 per cent more children than you were in September 2018 but you had almost 11,000 to 12,000 more reports. Just to give you the figures, which I have done, Minister, in 2018 there were 65,811 kids who had a serious risk of harm report who were not seen and in 2019 there were 78,505. You can talk about the percentages but each number of those is a kid. That is not going down; that is going up.

The Hon. NATALIE WARD: Is there a question?

The Hon. PENNY SHARPE: My question is: If you have invested \$190 million why are the numbers not going down?

Mr GARETH WARD: I am obviously wanting to see the figures go down, you want to see the figures go down—we all want to see the figures go down. We have seen some good numbers in areas like children coming into care. I have mentioned that.

The Hon. PENNY SHARPE: That is your only metric that is going in the right direction, Minister. You accept that?

Mr GARETH WARD: We have also, based on the last official reporting period, maintained the number of caseworker vacancies at zero. I know they are working as hard as they can, Ms Sharpe. I know they are.

The Hon. PENNY SHARPE: Can we go through those caseworker numbers too? Because I have had a look at those as well. Essentially, you have got the same number of caseworkers you have always had. In September 2018 you actually had more in place than were funded, but it is actually the same number—2,250. You have had a 12,000 increase in the number of reports and you have got the same number of caseworkers.

Mr GARETH WARD: I might ask Ms Czech to comment further if she wishes to.

Mr COUTTS-TROTTER: Please.

Ms CZECH: Yes, sure. Thank you. The caseworker numbers for 2019-20 are actually 2,333.

The Hon. PENNY SHARPE: They are not publicly available so I do not have access to those. I can only go by what is publicly provided.

Ms CZECH: Sure. That is an extra 72, compared to the financial year before. We are in the process of recruiting to those 72.

The Hon. PENNY SHARPE: How many of those are filled?

Ms CZECH: I will have to take that on notice, Ms Sharpe. I can provide that to the Committee on notice.

The Hon. PENNY SHARPE: They were provided for this budget at the beginning of this financial year.

Ms CZECH: That is correct.

The Hon. PENNY SHARPE: It is now March, and then you are saying that they are not all full. But you are saying you have no caseworker vacancies. How does that work?

Ms CZECH: On the dashboard there is the number of caseworkers from 2018-19, which was the number you quoted earlier, and then the additional 72 is on the dashboard. You will see it below the line. I have not got the dashboard right in front of me but it is on there.

The Hon. PENNY SHARPE: No, don't worry, I have seen it but you are saying that there is the extra 72. A lot has been made of this 72. I want to know how many are actually in place.

Ms CZECH: Yes, sure. So the 72 have been allocated—the actual positions—out to community services centres across the State. There was some work that had to happen at the beginning of the financial year once those numbers were confirmed, using a resource allocation model to determine where the greatest need was to distribute the 72 caseworkers. Once we completed that, we have moved into a recruitment phase to those 72 and any other vacancies that might come up over time as normal attrition occurs.

The Hon. PENNY SHARPE: Is there anyone in place of those 72?

Ms CZECH: There is but I will come back to the Committee on notice with the actual numbers.

The Hon. PENNY SHARPE: In terms of the allocations, your worst performers in terms of seeing kids at risk of harm are the Central Coast, Hunter New England and Murrumbidgee. Are they getting extra caseworkers and does your model pick up the fact that they are getting to a lower percentage than other areas in relation to kids at serious risk of harm?

Ms CZECH: There is a range of factors that are considered as part of the resource allocation methodology. And, again, we can provide that to the Committee on notice, but that is one factor, among others, that is considered in the allocation of caseworkers.

The Hon. PENNY SHARPE: Minister, the productivity report recently basically said that around 18.7 per cent of kids in care in New South Wales have no documented case plan. Are you aware of that?

Mr GARETH WARD: Yes, I am aware of the report.

The Hon. PENNY SHARPE: Yes, and what are you doing? It is a pretty big deal to remove a kid from their family and put them into care but the idea that almost 20 per cent of them, or one in five, has no documented case plan. Does that concern you?

Mr GARETH WARD: It sure does. I know that we are working hard to try to drive those numbers down. I see the summary of every leaving care plan as I sign the leaving care letters.

The Hon. PENNY SHARPE: This is not leaving care. This is kids coming into care. I am not talking about kids who have actually been through the system. I am talking about kids who have been removed from their families, who have been placed into care in a whole range of different—do not forget that it goes everything from a motel room, through to foster care placements through to residential care. Some 18.7 per cent of kids in New South Wales have no documented care plan. How is that possible?

Mr GARETH WARD: I might ask—

Mr COUTTS-TROTTER: I might invite Ms Czech to talk about DCJ supported care places and I might ask Ms Walker to talk about non-government supported care places.

Ms CZECH: In terms of DCJ case plans, the first thing to say is that—

The Hon. PENNY SHARPE: Sorry, before we start, can you just tell me how many kids DCJ is directly responsible for and how many the non-government sector is directly responsible for at this point in time?

Mr GARETH WARD: I think it is less than half in terms of the transition. I am sure I will be corrected if that is wrong but can I just say, Ms Sharpe, we have had a consistently high percentage of case plans prepared and reviewed—it is around 92.9 per cent—within six weeks of the young person commencing—

The Hon. PENNY SHARPE: That is not what I am asking. The productivity review said that there were almost 20 per cent of kids who had no plan at all. I am not talking about getting one ready and having it there. Are you telling me now that after that report—if you can tell me now that we are at Victoria's, which is like 0.7 per cent of kids do not have a plan—

Mr GARETH WARD: Sorry, I think those figures that I just gave are wrong. I will come back on that. I will come back. I will hand to Ms Czech.

The Hon. PENNY SHARPE: Yes, probably wise.

Ms CZECH: To answer the first question about the population numbers between DCJ and non-government organisations. At 30 June 2019 for DCJ it was 8,838—

Mr COUTTS-TROTTER: Children and young people.

Ms CZECH: Children and young people. For children placed in the non-government organisations sector, it was 8,033 children and young people.

The Hon. PENNY SHARPE: That is helpful but obviously—whether they are in the non-government sector or they are still with DCJ is actually pretty irrelevant to me.

Mr COUTTS-TROTTER: Yes.

Ms CZECH: Correct.

The Hon. PENNY SHARPE: My interest is: Do these kids have a case plan? And if they do not have one, what is being done to make sure that they get one?

Ms CZECH: Sure. I absolutely agree—they should all have case plans. I will—

The Hon. PENNY SHARPE: How is it possible that they do not?

Ms CZECH: I was just going to go there. One of the issues with the data that means you will, in some cases, never be at 100 per cent is that when children first come into care there is a 30-day period in which a case plan needs to be developed. So you are always going to have a group of children for whom there is no case plan but there is one being worked on but that will not be picked up in the data. With that exception—

The Hon. PENNY SHARPE: Sure, given that we keep boasting that we are getting less kids coming into care, surely that number is at least getting better, which it is not at all.

Ms CZECH: We may be getting less but there is still some coming in. But I just wanted to make that caveat because it does mean that you will never be 100 per cent where you have got children new to care in that first 30-day period. Of course, after 30 days the expectation is that there will be a case plan. In respect of DCJ we are working, and I work, with each of the executive district directors who look after districts and our statewide services to monitor compliance against case plans—and actually having one—but also implementing the things that are outlined in those case plans, and where there are any deficiencies or a case plan is not in place, that there is a plan in place for each individual child, or even at a more systemic level to make sure that those case plans are developed within an appropriate period of time. The other trigger around case plan compliance is where there might be a change in circumstances, that triggers a new case plan review. So, for example, where there is a placement breakdown, there is a critical event, that will trigger a new case plan so that will show up as not having a case plan in some cases as well. But in terms of NGOs I will hand over to my colleague Simone Walker.

Ms WALKER: Thanks, Ms Czech. Just on the NGO side of things, we have the permanency support program, which you may have heard of, which is working directly with our funded service providers to provide tailored packages for the children in their care. To trigger the tailored package you have to have the case plan goal and, actually, the Premier's priority around permanency helps us drive this metric—

The Hon. PENNY SHARPE: Are you able to provide information to the Committee about how many in the non-government sector versus the DCJ do not have plans?

Ms WALKER: Yes, we will be able to provide that. The other breakdown that we can provide for you, rather than read it out now for you, is what case plan goal children in the funded service provider sector have as well because we are trying to drive that permanency goal of restoration guardianship and, where appropriate, open adoption. So that becomes a real lever for us ensuring that kids have the right case plan goal but also that we are taking into account, as children are in the system, about change of circumstances where their case plan goal may need to change as well. I am happy to provide that information.

The Hon. PENNY SHARPE: Minister, can I ask you about a particular program in Their Futures Matter [TFM] which is the Treatment Foster Care Oregon.

Mr GARETH WARD: Yes, it is a carer-led model.

The Hon. PENNY SHARPE: Yes, so it has cost almost \$5 million and it is due to expire on 30 June. Is that right?

Mr GARETH WARD: All those TFM, or what were formerly known as TFM programs, are due to expire at that time.

The Hon. PENNY SHARPE: Are you aware that just 11 children have actually accessed that program?

Mr GARETH WARD: Look, a lot of these kids who come into these programs, Ms Sharpe, are kids who could have been in approved care organisations but are getting far better care with one-on-one supports dealing with their very specific needs, often from extremely troubled and traumatic backgrounds, in order to keep them out of hotels and motels.

The Hon. PENNY SHARPE: So 11 kids have been assisted for a cost of about \$4.9 million. What happens after 30 June?

Mr GARETH WARD: Obviously that will be a matter for the next budget. But you are right in saying that there have been 11 children or young people that have been seen by the Treatment Foster Care Oregon program. That is absolutely correct. It was a pilot. These children and young people have been matched with specialised carers and supports.

The Hon. PENNY SHARPE: Minister, I am not arguing about that and I do understand the complexity of some of the young people we have in our community. That is not the point that I am making. The question that I am asking is—that is a lot of money for 11 children. Do not forget we have still got—the latest figures I have seen in terms of kids in motels is over 100. It is 131, I think, which is down from last time when we were asking you.

Mr GARETH WARD: It is significantly down from the 200 or so that was the case at the last budget estimates meeting.

The Hon. PENNY SHARPE: Yes. It is still 131, still costing \$470,000 a year. That is a very expensive model for 11 children when we also have got all these problems with kids at serious risk of harm not being seen by caseworkers. How are you going to balance—how do you square that off?

Mr GARETH WARD: Yes. Look, the process of establishing the model is costly and it includes things like providers recruiting—

The Hon. PENNY SHARPE: Are you guaranteeing the model will continue?

The Hon. NATALIE WARD: Point of order: It is in relation to Hansard. It is difficult enough with this situation—

The Hon. PENNY SHARPE: They are pretty good.

The Hon. NATALIE WARD: —but I would just appreciate it if we could have one person speaking at a time because—I have ignored it the last couple of times. It would be helpful if we could hear the answer and hear the question as well.

The Hon. PENNY SHARPE: It would be helpful if we could see the Minister.

The CHAIR: Order! That is not a point of order. We will let Hansard tell us when they have problems.

Mr GARETH WARD: It is an evidence-based program that obviously requires—

The Hon. NATALIE WARD: Point of order—

The CHAIR: Running interference for the sake of it does not help the line of questioning.

The Hon. NATALIE WARD: I am certainly not running interference, Chair. The Minister does not need it. He would be cross with me if he thought that was what I am doing. I am certainly not. He is quite capable of looking after himself.

The Hon. PENNY SHARPE: I am not sure about that.

The Hon. NATALIE WARD: But what I would say is that two people talking at the same time is difficult to hear and I, as a Committee member, would ask that you direct members to speak one at a time.

The CHAIR: There is no point of order.

The Hon. PENNY SHARPE: Minister, how do you square 11 kids for \$5 million while you have still got 131 kids in motels and while we have still got 78,000 kids not being seen, at risk, as a result of reports of a risk of serious harm?

Mr GARETH WARD: These children are often from, as I mentioned, Ms Sharpe—and I know you agree with this—traumatic backgrounds. I am doing everything I can to get children out of hotels and motels. You have raised it; Mr Shoebridge has rightly raised it. The fact we have seen a reduction is a good thing. There are other carer-led models like Burdekin, like CASPA and like Professional Individualised Care [PIC] that are costly. We have seen significant amounts of money spent on keeping kids in motels with carers. I do not want to see that. So, yes, I am trialling and piloting programs like this and if they keep kids out of motels, who have got extraordinary trauma and often complex needs—

The Hon. PENNY SHARPE: Minister, can I just stop you there? That is not the question that I am asking. I know that you like to go back to your two metrics that are going in the right direction. But if you are happy that it has cost \$4.8 million and we have got 11 kids supported for almost \$500,000 a kid, that is okay, just say that. My question then becomes—

Mr GARETH WARD: Sometimes complex kids cost more, Ms Sharpe. That is just a reality.

The Hon. PENNY SHARPE: Sure, I accept that. But we have got 78,000 kids who are not being seen.

Mr GARETH WARD: Well, obviously there are competing needs in my department. There always will be. But I am going to continue to support programs that deal with kids with complex care needs because otherwise they just go through multiple foster care placements and that does not lead to better outcomes.

The Hon. PENNY SHARPE: Minister, the Their Futures Matter money, about \$190 million of it—my understanding is that about \$16.9 million has been spent on consultants, \$35 million on departmental staff and \$12 million on general operating expenditure. Are you happy that over 40 per cent of that has been spent on consultants rather than on frontline services for kids?

Mr GARETH WARD: I actually would not characterise—I know you have asked this question on notice. But I think there is a difference between contractors and consultants and I would ask Mr Coutts-Trotter to explain that.

Mr COUTTS-TROTTER: As Ms Sharpe would well know, there is a test you apply to determine whether the kind of advice you are getting—if it is advisory, it is absolutely a consultancy. If it is really getting hold of people with particular capabilities but they then are coming under the direction of departmental staff, which is the case with Their Futures Matter, we treat it as contractor expenditure.

Mr GARETH WARD: I would also point out that across the agency those corporate and supporter costs are generally at about 8.9 per cent. When you look at the Federal Government, they are running at about 14 per cent. Some charities are running at 16 per cent in terms of those additional non-frontline costs.

The Hon. PENNY SHARPE: Mr Coutts-Trotter gets a tick for that. I am not sure that you do, Minister.

Mr GARETH WARD: He certainly does. He certainly does.

Mr COUTTS-TROTTER: Yes, and I think the Minister does too. He is pretty obsessed with it, as he should be.

The Hon. PENNY SHARPE: We will see.

Ms ABIGAIL BOYD: Ms Sharpe—

The Hon. PENNY SHARPE: Sorry.

Ms ABIGAIL BOYD: That is okay. I wanted to let you finish that line of questioning. We have spoken previously about the pressure that is put on a lot of community services when they are spending quite a lot of their time having to apply for funding. Given the extra pressures on those services over the next foreseeable future, has there been any consideration given to rolling over that funding or providing more secure funding to relieve that pressure?

Mr GARETH WARD: Look, absolutely. In relation to things like SHSs, what we have done is provide a one-year extension to all of those SHSs and we have given them that time to help meet the new outcomes framework and also focus on delivering the Australian Service Excellence Standards by 2023. With that can potentially come a three- to five-year, up to five-year contract based on a number of factors. Obviously that relates to an individual negotiation between each Family and Community Services [FACS] district and that SHS.

Ms ABIGAIL BOYD: Is that a new initiative?

Mr GARETH WARD: Yes. That is part of the new rollout of the next generation of specialist homelessness services. It is something that I asked for and it is something that we are working towards.

Ms ABIGAIL BOYD: In relation to the COVID-19 crisis, are there any additional provisions in place or thoughts that you are having in relation to allowing a broader group of organisations to forgo having to spend time trying to get funding in this budget and instead rolling that over?

Mr GARETH WARD: I am not sure I understand the question.

Ms ABIGAIL BOYD: A really good example is the independent disability advocacy organisation. We have talked about their funding. That review from the Ageing and Disability Commissioner came out on 19 December last year.

Mr GARETH WARD: Yes, it did.

Ms ABIGAIL BOYD: I understand there was an immediate six-month extension—I think to October—in relation to their funding. When will they be given the certainty that their funding will continue? Do they have to keep spending their time on that?

Mr GARETH WARD: It is a great question and I know it is something that you have been particularly passionate about. Obviously we are working through the 11 recommendations from Mr Fitzgerald's report, which the Parliament resolved to ask for. We have extended the funding to the end of the year. I am working through—and I have to work through obviously with my Cabinet colleagues and the Treasurer—the Government's response. I will obviously have more to say about that later in the year.

Look, I will say again what I have said to the Committee before, I support advocacy and I think it is important, as does the Federal Government. As part of Information, Linkages and Capacity Building [ILC], you have supports in place. There is the National Disability Advocacy Program as well, which is also funded. So I need to work through the report, Ms Boyd. I know there are a lot of strong feelings about advocacy and I understand that; I share that. But I do not have an announcement for you today. It will obviously be something that will be considered in the context of the next budget.

Ms ABIGAIL BOYD: One of my major concerns at the moment is the amount of effort and time being spent by those organisations having to lobby for that funding. Are you basically saying it is not possible to give any assurance or comfort on that funding until the budget comes out?

Mr GARETH WARD: Well, I made that clear when I released the report, Ms Boyd, that we would extend the current funding arrangements for six months and that based on that we would look at the report, which we are obliged to do. Governments should consider the detail of those reports and then provide a response to the recommendations, which I will do.

The Hon. PENNY SHARPE: When?

Ms ABIGAIL BOYD: Yes. It is really quite frustrating because, as you know, we have had this discussion for a very long time. Last year we talked about the pressure that this put on these organisations, where they were being forced to basically give up leases and let staff go because they did not have the certainty of funding. We have seen this kind of piecemeal approach of extending funding by three months here and six months there. It is not very helpful. Last year in the upper House when we passed a resolution that the Government fund those organisations, it was made clear to us that we had to wait until the independent review came out from this Ageing and Disability Commissioner. It did come out and it said that you needed to fund—well, it recommended that you needed to fund at a very minimum the current amount and it recognised the vital role that those organisations play. Those organisations are going to be under even more stress in the next six months. They are going to be even more vital for representing the most vulnerable people and letting the Government know when those people are falling through the cracks. Surely now is the time to put the stubbornness to one side and finally fund these organisations.

Mr GARETH WARD: Ms Boyd, I can assure you it is not stubbornness. You might recall that the sector itself had long been calling for a review of advocacy services but the centre itself asked for that. We obviously need to consider the evidence. It is not a basic report. It is a very good report that Mr Fitzgerald has put together and we will consider the recommendations and respond accordingly. Obviously I want to try to do that as quickly as we can because obviously this sector wants certainty.

The Hon. PENNY SHARPE: You have had it since December, Minister.

Mr GARETH WARD: Sorry?

The Hon. PENNY SHARPE: You have had this report since December.

Mr GARETH WARD: No, no, no. That is not correct. I have had it since December. Did you say September or December?

Ms ABIGAIL BOYD: December—19 December.

The Hon. PENNY SHARPE: December.

Mr GARETH WARD: December, yes, that is right. We have had it since December—that is correct—and we are working through the report. I will do my very best to provide a response as soon as possible.

Ms ABIGAIL BOYD: The urgency has not gone away, though, has it?

Mr GARETH WARD: No, no—absolutely not. I agree with that.

Ms ABIGAIL BOYD: Okay. We will move on. Just looking at the numbers of people with a disability employed within the New South Wales public sector—I know that has been the subject of other estimates hearings—I understand that sits at 2.5 per cent at the moment. Minister, what are you doing to address that pretty low level?

Mr GARETH WARD: Look, it is certainly much higher in my agency.

Ms ABIGAIL BOYD: Yes, that it is.

Mr GARETH WARD: There is funding through the Public Service Commission to implement the Premier's plan of employing 5.6 per cent of people in the public service. There are also programs like See the Possibilities campaign, which tells the story of employers and the positive benefits that employees with disabilities bring to their workplaces. Information resources are available from the campaign websites, which we support. There has also been the documentary series *Employable Me* developed in partnership with the ABC and Screen Australia and the New South Wales Government. That was broadcast back in April 2018.

There is also an overwhelmingly strong response to the campaign that we ran. You might have seen the videos that featured people from our own agency, including newsreaders like Nas Campanella, who is blind and who has the news read into her ear and then she reads it back out. How she, as someone with vision impairment, does that I do not know. She does that incredibly well. But obviously we want to hold up examples of people who are in leadership positions in the workplace. Obviously I am the first Minister for disabilities to have a disability. The Premier obviously considers that a priority based on my own appointment, but I want to make sure that we achieve this target.

It involves not just talking about it but setting a target, which we have done, because giving people with disability the opportunity to gain employment gives them the opportunity to demonstrate their capacity. I am sure everyone around this room would agree that people with disabilities, once given the opportunity, are some of the most loyal and some of the most capable people you can employ in the workplace.

Ms ABIGAIL BOYD: We do, which is why I guess we are concerned that the target is not being met and it is still so low. I appreciate the aspiration and the work that is being done so far but clearly it is not enough. At what point did you change tack, I guess, and call for some more firm action to reach that target?

Mr GARETH WARD: Some of the things we are doing: Obviously there is targeted training for managers—partnering with the experts on attracting and retaining staff with disabilities, then up to setting recruitment guidelines—but also I think in estimates earlier evidence was given about identifying people who are already in the public service. Sure, that is one thing you can do but I want to bring more people in through targeted employment program and ensuring that, as part of the employment process, people with disabilities are given a level playing field.

Ms ABIGAIL BOYD: When we look at the review of the New South Wales Disability Inclusion Act and the role of the New South Wales Disability Council, I understand that group meets bimonthly and is resourced with a part-time shared secretariat but is required to review and report on every single New South Wales Government departmental disability inclusion action plan as well as 128 local council disability inclusion action plans. Do you think that that group is currently getting enough resources?

Mr GARETH WARD: I think that Mark Tonga and Eileen Baldry do a terrific job. They are there to provide advice on a number of things based on their either lived experience or their experience in the sector. Can I just make the point that the review is open until 30 March. We are obviously encouraging people to make submissions in relation to the Disability Inclusion Act because, as you know, the world is a very different place

since 2014 when the Act came into place. I work very closely with Mark and Eileen, and I enjoy going to their meetings. I encourage other members who are interested to do the same.

Ms ABIGAIL BOYD: Do you think they have enough resources?

Mr GARETH WARD: At this point they are a disability advisory committee. Their job is to advise. At this point, yes I do.

Ms ABIGAIL BOYD: They have a huge workload. I guess what you are saying is that there are no plans to increase the resourcing in the next budget?

Mr GARETH WARD: Not at this point, no.

Ms ABIGAIL BOYD: Do you think that they are adequately—I guess that they have the time to review all those disability inclusion action plans?

Mr GARETH WARD: Look, I think we are very lucky to have the people we have around that table. They are very dedicated, passionate people who have been very generous with their own time and I am very grateful for the people who have applied and who provide support and advice to me and to the Government.

Ms ABIGAIL BOYD: Is the plan for the New South Wales Disability Council to be involved in reviewing the commissioner's review into the advocacy sector?

Mr GARETH WARD: It is not up to me to tell the council what they want to do. I try to keep my distance in terms of their activities. But obviously I have asked them to take an interest in this matter and they have said that they would like to—for advice, of course.

Ms ABIGAIL BOYD: Will you be involving the independent disability advocacy organisations themselves in discussions on implementing that report?

Mr GARETH WARD: They provided advice as part of the report. They were consulted by the commissioner in actually putting together the report.

Ms ABIGAIL BOYD: So, basically, the answer is no; there will not be further consultation.

Mr GARETH WARD: Well, they were consulted in the preparation of the actual report.

Ms ABIGAIL BOYD: I understand but the recommendations are quite broad. In relation to whether they are accepted or not—and I appreciate that you may not want to consult with them in relation to your initial response to those recommendations—but when it comes to the implementation, if any, of those recommendations, will you be consulting with those organisations?

Mr GARETH WARD: Look, at this point I think the consultation work has been done by the independent statutory officer. Obviously, I am happy to receive further feedback from members of the Disability Council that do a terrific job.

Mr DAVID SHOEBRIDGE: Minister, I am sorry I had to step out. I had to be in another meeting. Quite frankly, I would rather have been here.

Mr GARETH WARD: I didn't notice!

Ms ABIGAIL BOYD: He was not aware.

Mr GARETH WARD: I thought you were there, attentively listening, the whole time.

Mr DAVID SHOEBRIDGE: I understand. But my reports are that you gave some answers in relation to residential care in my absence.

Mr GARETH WARD: Yes, in relation to the accountable care organisations [ACOs] and I acknowledged your advocacy.

Mr DAVID SHOEBRIDGE: Thank you. What are the numbers? The previous Minister made a commitment to effectively end children being kept in motels as alternative care arrangements. What are the current numbers of children in alternative care arrangement, such as motels?

Mr GARETH WARD: Yes. I am very pleased to advise you that—well, not pleased; that is the wrong word. When we spoke about this last time we had around 200 young people in ACOs. Today it is at 131. That is because I have been insistent on driving these numbers down. I have been meeting monthly with the FACS regional directors and going around the table and making sure that they are aware of each and every young person

in an alternative care arrangement [ACA], their plans to get them out and when they come in, what are the plans to move quickly to try to shift young people out of ACAs.

Also in relation to one young person that was in an ACA for far too long I asked the department to undertake a campaign to recruit carers and we had more than 60, I think, people apply for that role, which was absolutely heartening for a young person that had been through a hell of a lot in terms of trauma in their life. We have certainly seen a downward trend—more than 30 per cent reduction—since last time we talked. I obviously want to continue to go further. I have asked the department to stand up carer-led models like the Children in Care project, like Burdekin, like CASPA, like Foster Care Oregon. I also asked a former member of the FACS team who has been on secondment to Association of Children's Welfare Agencies to work with ACWA to fill vacancies in the non-government sector to try to address this matter as best we can.

Mr DAVID SHOEBRIDGE: Minister, I asked the question hoping there would be a downward trend and I commend you on the reduction from 200 to 131 kids in alternative care. But we can both agree that 131 kids in accommodation such as motels or the like and not being with families is still 131 kids too many?

Mr GARETH WARD: We sure can.

Mr DAVID SHOEBRIDGE: Do you have a target that we can hold you to in six months' time?

Mr GARETH WARD: I do not have a target, Mr Shoebridge. I am just trying to do more. I do not think anyone would have thought that we would have got the reduction that we have had today. I am just going to continue to do everything I can. As I say, establishing those carer-led models means that we can better tailor the needs to individual children, rather than having them in motels, which you and I agree—and everyone agrees—is not acceptable, but that has been a considerable reduction, which you rightly highlighted last budget estimates. As I say, I go to every one of those monthly meetings and I eyeball the directors. Ms Czech can tell you quite well how strongly I feel about this and I am going to continue to do all that I can.

Mr DAVID SHOEBRIDGE: Minister, do you know the longest period that a child who is currently in alternative care has spent in alternative care?

Mr GARETH WARD: I might ask Ms Czech to answer that question. Can I just clarify, Mr Shoebridge, 131 was at December 2019. I do not want to mislead the Committee. That was the last reporting period, just to be clear.

Mr DAVID SHOEBRIDGE: Can you provide the most up-to-date figure on notice, Minister?

Mr GARETH WARD: I certainly can, Mr Shoebridge.

Mr DAVID SHOEBRIDGE: Ms Czech, do you have that?

Ms CZECH: I am just looking for it, unless you have been able to find it, Ms Walker.

Ms WALKER: I am just looking as well.

Mr DAVID SHOEBRIDGE: Maybe we will come back to that.

Ms CZECH: We can come back to that.

Mr DAVID SHOEBRIDGE: Minister, there were seven Aboriginal children who were reported as being adopted in the last financial year under the changes to the adoption regime. How many of those children were adopted into Aboriginal families?

Mr GARETH WARD: I might ask Mr Coutts-Trotter to answer that question.

Mr COUTTS-TROTTER: I will take it on notice to be accurate for you, Mr Shoebridge, but the majority were adopted by non-Aboriginal carers.

Mr DAVID SHOEBRIDGE: Minister, given the history of Stolen Generations, how is it that the majority of Aboriginal kids who are adopted through the work of your agency were adopted by non-Aboriginal families? What has gone wrong there?

Mr GARETH WARD: Obviously my view is that where possible we should be placing Aboriginal children with Aboriginal families. You and I agree on that. The decisions that are made are made by the highest court in our State in relation to these arrangements. I think if children can have permanency and stability, that is important. But I also agree with you that connection to culture is also important. We should not ever seek to wipe that away. All I can do is say I am committed to doing all that I can to work with AbSec and other bodies to address the needs of Aboriginal children and young people and ensure that culture is connected as best we can.

Mr DAVID SHOEBRIDGE: Minister, you say that—and those words are nice—but the reality is the majority of Aboriginal kids who were adopted out in the last financial year went to non-Aboriginal families. Given the collective trauma that Aboriginal and Torres Strait Islander peoples and communities have suffered with the Stolen Generations, how can we in 2020 be adopting the majority of Aboriginal kids out to non-Aboriginal families? How can we be doing that?

Mr GARETH WARD: Obviously that is a decision for the court at this point. That decision is taken not by me but by a judge of the highest court in the State.

Mr DAVID SHOEBRIDGE: Minister, I assume—and I am sure Mr Coutts-Trotter will correct me if I am wrong—that in every instance the adoption was supported by you in your capacity as the effective parent of these children?

Mr COUTTS-TROTTER: That is actually a function that is delegated to my role.

Mr DAVID SHOEBRIDGE: Well, was supported by your secretary in that role as the effective parent of the children. Simply saying it is the courts that did it is not an answer. Do you accept that? Because your secretary was in there supporting each and every one of these applications.

Mr GARETH WARD: I might ask the secretary to elaborate if he wishes to.

Mr COUTTS-TROTTER: I am happy to. Adoption is the last permanency option considered for Aboriginal children. Many Aboriginal children have Aboriginal and non-Aboriginal family. So I do not want to talk to the specifics of seven children and young people in the last year but over the past five years I think 16 Aboriginal children and young people have been adopted, in many cases to non-Aboriginal family members. Given the views of many Aboriginal people and communities about adoption, it is not unusual that Aboriginal people would not themselves seek to adopt Aboriginal relatives. Our view is that for a tiny minority of Aboriginal children the child's best interest is served by a permanent adoptive home. It happens very rarely. It happens after a great deal of consideration.

As the Minister points out it is on our advice and the advice of other people. It is a view of the Supreme Court. It is very transparent. It is very, very highly overseen, as it should be. The history of the Stolen Generations permeates so much of our work and our relationships with Aboriginal people and communities in New South Wales. I do not want to in any way deprecate or underplay that. But to say that the way we operate now, imperfect as it is, is simply a replication of a Stolen Generation era policy of removing children from family, kin and culture because they are Aboriginal is simply inaccurate. It does not reflect the nature of our practice and the nature of the oversight that exists today.

Mr GARETH WARD: Can I just add further to that answer, and that is to advise the Committee that, in 2018-19, 134 children were adopted from out-of-home care. Of these, seven were Aboriginals—that is 5.2 per cent. Thirty-nine adopted cases were contested including one contested adoption for an Aboriginal child. Over the past five financial years to 2018-19 there were 16 adoptions of Aboriginal children and young people. This figure represents 3 per cent of all adoptions from out-of-home care during this period. Over the past 10 financial years to 2018-19 there were 25 adoptions of Aboriginal children and young people or 2.76 per cent of all adoptions from out-of-home care. Of the 25 children and young people, 13 provided their sole consent and they were over 12 years of age. Consent was provided by the secretary on behalf of the Minister for eight children and young people. Parental consent was provided for four children. A number of other adoptions were supported by a parent but formal consent was not provided or required. Only one adoption application was contested.

Mr DAVID SHOEBRIDGE: Minister, your secretary says that there is not a racial reason for the adoptions but I put this proposition to you and you can agree or disagree: When the majority of Aboriginal kids adopted in the last financial year have gone to non-Aboriginal families, regardless of the intent, the outcome is a continuing practice of removing Aboriginal kids from family and culture, removing them from country, removing them from family, consistent with the outcomes that were being delivered under a formal Stolen Generations policy. The outcomes are consistent, although on a smaller scale. Do you agree or disagree?

Mr GARETH WARD: As I have said to you, I do not want to see, where possible, young people being disconnected from culture but we are focused on permanency and we have a cultural care plan for each of those young people, which is meant to demonstrate connection. Is it ideal, Mr Shoebridge? I think you and I would agree that that is not ideal but I think permanency is absolute to fundamental in each of these children's lives.

Mr DAVID SHOEBRIDGE: We will come back to the permanency/culture argument later. I will hand over to the Opposition.

The Hon. ROSE JACKSON: Thank you. I would like to ask a couple of questions about youth justice. Minister, can I just clarify: Has the Government accepted all 63 recommendations of the Shearer review? Did you accept all 63?

Mr GARETH WARD: As you know, the Shearer review was published in response to an incident at Frank Baxter that was unacceptable. I took your colleague and our mutual friend the shadow Minister through the facility with the local MP and, yes, the Government has accepted all of the recommendations.

The Hon. ROSE JACKSON: If that is the case, why, when the review itself indicated that \$50 million worth of funding would be necessary to implement the recommendations, has the Government, in fact, only committed \$3.6 million for implementation at this point?

Mr GARETH WARD: It is a good question, Ms Jackson. Good question. Look, the reason for it is we said that there would need to be consultation with staff in relation to the review and that there would also be a phased introduction but the safety of staff and young people in our youth justice centres is paramount. This was compounded, obviously, by the events that happened but we want to make sure that, in implementing the findings, we continue to communicate with staff and get the right outcomes.

The Hon. ROSE JACKSON: It was \$50 million over four years, so what you are saying is the commitment is there to provide the funding necessary for the full implementation of all 63 recommendations, albeit with a process of consultation over a number of years. But the baseline commitment— all 63 recommendations to be implemented and fully funded—is there.

Mr GARETH WARD: No, just to be clear, obviously I need to go back to Treasury for the other funding components.

The Hon. PENNY SHARPE: It is not funded.

Mr GARETH WARD: But there was the immediate response, which was the first phase, which was things like the enhanced support unit, the high-risk offenders unit and uniforms, but there are other elements that need consultation and we need to work through those.

The Hon. ROSE JACKSON: And have you approached the Treasurer for additional funding for further implementation of recommendations in this budget cycle? Is that something that we can expect to see this year— additional funding?

Mr GARETH WARD: Obviously, and I am not deliberately trying to be evasive, but I have not seen the budget yet. Obviously, I want to carry through the programs that we have started and I will be making sure, doing everything that I can to make sure, that we get the support and investments that we need to provide the responses to the review.

The Hon. ROSE JACKSON: For the implementation of the recommendations that you immediately acted on, that you referred to—so, for example, the high-risk offender unit, the security upgrades that were necessary for that, the uniforms and the incident response team—was the funding for those from existing budgets?

Mr GARETH WARD: Yes.

The Hon. ROSE JACKSON: Or were you provided with new funding for those?

Mr GARETH WARD: No, existing resources, Ms Jackson.

The Hon. ROSE JACKSON: Okay. In relation to the incident management team—am I getting my terminology correct there?

Mr GARETH WARD: Yes, you are right.

The Hon. ROSE JACKSON: That has been established, yes?

Mr GARETH WARD: My understanding is that preparation and consideration of a package involves— look, sorry, I might just hand that to Ms Czech actually if I could?

Ms CZECH: Sure. The short answer is they are not currently in place but they will be from July 2020, with the caveat that they are also part of the budget process. That said, there are existing incident response teams in place. There have been for some time and we have delivered some additional training—so, four days of incident response training—to staff, which is underway at the moment and will be complete for all staff by the end of June. That will be ongoing training as a matter of course as well as the incident response teams from July.

The Hon. ROSE JACKSON: It is good that that has occurred although, obviously, the specific establishment of this team was a recommendation of the review—

Ms CZECH: Sure.

The Hon. ROSE JACKSON: —so it would be good to see that occur. Minister, there were a couple of other—again, in the immediate response infrastructure security upgrades that you mentioned. There were upgrades of Uralba and Taralga units to house high-risk management. Have they commenced or been completed? What is the status of the—

Mr GARETH WARD: My understanding is, and Ms Czech will correct me if I am wrong, that we have the high-risk units at both Cobham and Baxter as well as enhanced support unit at Baxter. That is right, is it not, Ms Czech?

Ms CZECH: That is correct.

The Hon. ROSE JACKSON: So they are upgraded? The security at those facilities has been upgraded as per the recommendation of the Shearer review, or they were just pre-existing high-risk management?

Ms CZECH: No, they were not pre-existing. There are some key features, so some enhancements to the infrastructure, but also greater staff-to-client ratios so that we have greater supervision and therapeutic supports. Positions like psychologists, occupational therapists, just as a couple of examples, are in those units to make sure that we not only contain children from a behavioural aspect but also provide a therapeutic response to the underlying trauma.

The Hon. ROSE JACKSON: Has the urgent work on the operations holding room at Frank Baxter been completed? That was identified as an issue in relation to extreme temperature exposure. Has that been completed?

Ms CZECH: I will take that one on notice. We have got a range of work that is underway at the moment at both Frank Baxter and some at Cobham as well, but we will come back to you with the individual works that have been completed as well as those that will be completed by the end of June this year.

The Hon. ROSE JACKSON: I understand. This may answer a number of my questions. Obviously, I see from your press release, Minister, that Ms Shearer will now oversee the implementation of all 63 recommendations—

Mr GARETH WARD: Yes.

The Hon. ROSE JACKSON: —and report within 12 months. So how many times has that committee met that Ms Shearer is leading?

Mr GARETH WARD: I know it has met a couple of times. I think it might be twice. Is that right, Ms Czech?

Ms CZECH: That is true. We have met twice and there is a third meeting coming up in the next couple of weeks.

The Hon. ROSE JACKSON: Do you have a work plan for the full implementation of all 63 recommendations?

Mr GARETH WARD: Ms Czech?

Ms CZECH: We do.

The Hon. ROSE JACKSON: Can that be tabled for the Committee?

Ms CZECH: It can but the only caveat on that would be anything that poses a security risk—

Mr GARETH WARD: Security, yes, indeed.

Ms CZECH: —on what we would be able to provide but I think the majority of it we could provide or can provide.

The Hon. ROSE JACKSON: Yes, I understand. Obviously, some of the recommendations were redacted.

Ms CZECH: Correct

The Hon. ROSE JACKSON: So with some redaction of the work plan to reflect that, it would be useful to see that.

Ms CZECH: And if I could just add: There is a comprehensive work plan in place addressing each of the 63 recommendations split into 22 programs of work but there are also some additional projects that were on foot prior to the Frank Baxter riot that we have actually incorporated into that program of work as well, so we can provide the Committee with that.

The Hon. ROSE JACKSON: Minister, I understand, obviously, you have accepted the recommendation around the dispersal policy.

Mr GARETH WARD: Yes.

The Hon. ROSE JACKSON: So has the reversal of the dispersal policy been fully implemented?

Mr GARETH WARD: My understanding is yes, and I will ask Ms Czech to comment further, but what that was around was recognising that we needed a different categorisation for certain types of offenders so that we could better reflect both their activity whilst in detention but also the crimes they had committed. That is right, is it not, Ms Czech?

Ms CZECH: Yes, in part. There were a couple of recommendations, in particular, that Lee Shearer made. One was a review of the risk classification process. That work is underway but not complete and, as the Minister referred to earlier, one of the really important aspects of this reform is consultation with staff and them having input into any changes. That is the work that is happening at the moment. We expect that process to be completed and implemented—or completed by the end of June to implement from July this year.

The Hon. ROSE JACKSON: Even without the creation of the new classification of A1 (ob), or whatever it is, the policy of dispersing high-risk offenders, whatever their classification—even without the new classification—could still be changed as per the Shearer recommendation. Has that occurred, even if the new classifications have not come into place?

Ms CZECH: It has. There are a couple of new aspects to the way we operate, both at Frank Baxter and Cobham. One of those things is a review panel of high-risk offenders. We have staff representation on that panel. Any child who might be posing a behavioural or other risk is presented to that panel to determine whether there needs to be additional measures put in place to manage their behaviour or therapeutic support, but also consideration of entry into one of the interim high-risk units or the enhanced support unit. So there are a couple of options available to us. The other role of that panel is movement of young people to manage risk between centres. That is happening as we speak.

The Hon. ROSE JACKSON: And there were two other recommendations that I will specifically ask about at this point. So there was a safety audit of all Youth Justice centres recommended—

Mr GARETH WARD: Yes, that is correct. That was undertaken by John Harrison. That was at the request of Stewart Little and the Public Service Association [PSA]. I was more than happy to ask for that to be undertaken, which Corrections agreed to do. John Harrison is the director of Corrections.

The Hon. ROSE JACKSON: Has that been completed?

Mr GARETH WARD: Yes. Yes, it has.

The Hon. ROSE JACKSON: Okay. And the review of how sex offenders are managed—has that been commenced or completed? I think that was recommendation 48 of the review.

Mr GARETH WARD: I do not believe so. Ms Czech, have you got any further updates on that?

Ms CZECH: I have not got any information in front of me, so we will take that on notice.

Mr GARETH WARD: We will take that on notice, yes.

The Hon. ROSE JACKSON: And then just in relation to, again, the work that has been done, the reviews that have commenced—one that has been completed—the work of the committee and the security upgrades. The \$3.6 million that has been allocated or reallocated from existing funding, is that adequate to cover the work that has already occurred?

Mr GARETH WARD: Yes, I believe so. I do not think there has been any outstanding over and above that, has there, Ms Czech?

Ms CZECH: No. That is right, Minister.

The Hon. ROSE JACKSON: Where has that been reallocated from? This occurred halfway through the budget cycle. What line item did that come out of to go into implementing these recommendations?

Mr GARETH WARD: I think I will ask Mr Coutts-Trotter to answer that.

Mr COUTTS-TROTTER: It was from within the whole of the DCJ budget, the department's budget.

The Hon. ROSE JACKSON: So not even just specifically within Youth Justice?

Mr COUTTS-TROTTER: No.

The Hon. ROSE JACKSON: The funding was found within the—

Mr COUTTS-TROTTER: No. We managed the thing across the whole agency.

The Hon. ROSE JACKSON: Okay. Minister, we did have a conversation at previous budget estimates about detainee mental health. One of the specific issues we talked about was the alarming increase in self-harm.

Mr GARETH WARD: Yes.

The Hon. ROSE JACKSON: There was a 65 per cent increase in the 2018-19 year, so I wondered if there was any update on what Youth Justice was doing to try and manage the self-harm crisis.

Mr GARETH WARD: Yes. Obviously those figures have not changed because we are not in the 2019-20 year yet. I think it was, from memory, 595 instances and I think around half of those, or just under half of those, were committed by a small cohort. I might ask Ms Czech just to update you.

Ms CZECH: I think we might have provided these figures, Ms Jackson, last time.

The Hon. ROSE JACKSON: Yes. I am across the figures and I appreciate that we do not have new figures yet but we had a discussion—yourself, Ms Czech, myself and the Minister—about how we were collectively alarmed by this. I wondered if you could provide any information on additional or new work that has occurred to try and ensure that when we do get the figures for this year they are moving in the right direction as opposed to the wrong direction.

Mr GARETH WARD: Yes. Look, we are doing things like the provision of counselling and psychological support services; coordination with Justice Health and referrals to specialist mental health services, which is obviously important; additional observation checks and one-on-one supervision when that is required; and detainee risk management plans for any young person that is obviously being identified as at risk. There is ongoing detainee risk assessment with any of the young people that have been identified as being at risk. There is a dangerous items register, which is kept obviously to try and prevent young people from self-harming, and alert reports in the client information management system, which is obviously managed by Youth Justice. We also have a structured day filled with purposeful, engaging activity. Keeping young people busy is often really important, particularly when they have mental health issues. Safe and secure physical environments, including monitoring by camera and physical monitoring when necessary—and of course there are strategies that are put in place and monitored and adjusted as needed, and obviously just continue based on the advice that we receive.

The Hon. ROSE JACKSON: Ms Czech, we talked about the provision of specialist adolescent psychologists and psychiatrists. How many of them are now available?

Ms CZECH: The actual number we will take on notice and provide that information to the Committee, but there are psychologists and mental health practitioners in each centre as well as in the community-based offices with Youth Justice. We will provide the actual numbers on notice. What I will add—and I may have actually mentioned this last time. As the Minister said, there is a range of measures in place, but screening on admission—a general health screen, but in particular a mental health screen. If that raises any risks there will be a safety plan that is developed in respect of that child and that will be reviewed by the appropriate practitioners on a regular basis.

Mr GARETH WARD: Can I add something to my answer too, Ms Jackson? The young people at risk of self-harming can also be placed on intensive supervision and monitoring to assist in managing distress. This includes the use of a room with a camera to constantly monitor young people, which I mentioned earlier. Staff can consider the use of shared accommodation where applicable and reviewed for risk, often applied for siblings or relatives. Staff can assess the need to remove any materials from detainees, as I mentioned. All staff are trained to pick up on behavioural changes and signs. Youth officers can access a unit-based psychologist or caseworker and also a specialist from Justice Health if they consider a young person to be at risk. Where young people are at risk of self-harm and suicide and it has been identified, a case conference occurs at each Youth Justice centre with

expertise from Justice Health and Justice psychologists, caseworkers and operational managers to address that behaviour and to obviously reduce it.

The Hon. ROSE JACKSON: Okay. We might come back to that but my colleague Ms Sharpe has some questions.

The Hon. PENNY SHARPE: I want to go back to the coronavirus response. I have been looking for it in relation to the \$2.3 billion announced by the Government today. Minister, can you confirm that there is no additional funding in that package for either the community sector, be it refugees, women's services, family services—there is no extra money in the package announced today?

Mr GARETH WARD: No, I think there will be. The Treasurer, as I understand it—and obviously I have not been privy to this announcement. My understanding is that there will be \$47 million for Land and Housing Corporation maintenance and \$13.5 million for Aboriginal housing.

The Hon. PENNY SHARPE: Sorry, for what maintenance? For housing maintenance?

Mr GARETH WARD: Yes.

The Hon. PENNY SHARPE: That is not the question I am asking. The question I am asking—the domestic violence [DV] sector and family violence sector have made pretty strong calls over the last couple of days about fears for people essentially being locked in their home with domestic violence perpetrators, and pretty much the suspension of a lot of court processes that would protect them, and also the fact that they are at capacity. I am just wanting you to confirm that there is no extra money for the sector in what was announced overnight?

Mr GARETH WARD: Look, obviously I am not aware of those details yet. Obviously we are dealing with things that were in the previous budget, not what might be announced, so I cannot tell you things that I do not know the answer to at this point.

The Hon. PENNY SHARPE: No, no. This is the response to coronavirus. We have not had a budget to announce \$2.3 billion of stimulus, which is welcome. I am just raising the very significant issue that has been raised by women's safety experts across the country and in New South Wales specifically. I am just confirming that there does not appear to have been any extra money provided to that sector in this \$2.3 billion announced overnight.

Mr GARETH WARD: I will take it on notice, Ms Sharpe. I am sorry.

The Hon. PENNY SHARPE: Okay. The other one, of course, which is causing child protection specialists quite a lot of concern is the fact that kids in families where things are not going great—being locked down or the potential for them to be locked down for a couple of weeks could be a significant issue. And I believe there is no money—I am happy for you to confirm this—for family support services and others during what could be quite a dangerous time for women and children, leaving aside the virus.

Mr GARETH WARD: I will take that on notice, unless the secretary has something to add?

Mr COUTTS-TROTTER: No. We are aware of and are trying to think through the scenario you are describing.

The Hon. PENNY SHARPE: I am not pretending it is easy but it is very dangerous. My understanding is that the report out of China, for example, is that domestic violence incidents have gone up. How we actually manage that in the normal way, in terms of apprehended violence orders and getting AVOs through the court system, I think is going to be challenging.

Mr COUTTS-TROTTER: Yes.

The Hon. PENNY SHARPE: Okay. I want to go back to this issue of permanency planning briefly. As you know, there is significant disagreement around permanency and particularly permanent adoption for Aboriginal kids in non-Aboriginal families. My concern—and I have had some of these through my office—is restoration plans. I am obviously not going to identify anyone but I have had people speak to me where a woman who previously had difficulties and had children removed currently has children, who she is considered safe to be with and they live with her and she has basically cleaned up her act—you know, off drugs, safe housing, and everything that has been asked of her has been done.

I am finding—and Aboriginal people are raising this with me as well—that when they are seeking restoration of kids that have previously been removed that is very difficult and it is not happening. Often the excuse or the reason given for that is that the child is bonded with their current non-Aboriginal carer. How are

you addressing that issue? That seems to me to be a massive problem if we are serious about restoring Aboriginal kids to Aboriginal families, particularly their biological families.

Mr GARETH WARD: Ms Sharpe, I would actually be very interested to have a discussion with you offline in relation to the cases that have been raised with you and to see if I can help.

The Hon. PENNY SHARPE: Well, I have asked and the answer has been no.

Mr GARETH WARD: Obviously our policy is a commitment to permanency as number one, but if you have particular cases I would really—

The Hon. PENNY SHARPE: I am talking about restoration. I am talking about the importance of restoration.

Mr GARETH WARD: Yes, yes.

The Hon. PENNY SHARPE: Where families have been in trouble and we have asked for a lot of them to be eligible to have their children returned to them.

Mr GARETH WARD: Yes.

The Hon. PENNY SHARPE: It seems to me that this is a problem that is raised with me often. It is a broad one, not a case-by-case question, about how we are managing restoration and whether a priority is being given to that rather than the current situation that a young child finds themselves in.

Mr GARETH WARD: It is a good question. I might just take it on notice, if you do not mind.

The Hon. PENNY SHARPE: Okay.

Mr DAVID SHOEBRIDGE: Minister, on that line of questioning, I too have made a series of representations to you on behalf of Aboriginal families seeking restoration and often in circumstances where mum has been extremely troubled in the past—we all acknowledge that—but has then done every course that has been required of her, taken every step to re-establish stability in her home and is often caring for younger siblings and caring for them in a manner that raises no concerns with the department, yet the department's answer about restoration of older siblings is, "No, we won't restore because there is an existing relationship between the older sibling and a non-Aboriginal carer." That seems to me to be a policy issue that you need to engage in as the Minister—whether or not we prioritise re-establishing restoring care within Aboriginal families in those circumstances. Do you accept that there is a policy point there?

Mr GARETH WARD: Look, obviously there are a lot of policy points that have been raised through the Family is Culture report, which the Government is currently considering. I obviously released it a week, I think, after receiving it and made it very clear that we would look at a number of different issues that have been raised as part of Megan Davis' report. But I am obviously always keen to make sure—well, not keen; I want to make sure—that we provide support for Aboriginal people to restore children where that is possible. Now, obviously, every situation is different. The department assesses risk and whether or not it is appropriate to return young people to families or whether maintaining a carer arrangement which is more appropriate is better for that child. It is all about the child's best interests, not the department's—the child's best interests.

Mr DAVID SHOEBRIDGE: Minister, in multiple cases the department has been quite comfortable with allowing the child's parent, almost invariably the mum, to care for younger siblings and is accepting that there is no risk there that would have the younger siblings taken but there is a stubborn refusal to return older siblings. It is not about risk; it is about a preference for a non-Aboriginal carer with whom there is a bond over their Aboriginal family and their Aboriginal culture. It is that preference that I am challenging you on.

Mr GARETH WARD: Yes. I understand the question but obviously every case is different. Perhaps Ms Walker or Mr Coutts Trotter might like to add.

Mr COUTTS-TROTTER: Sure. I understand the scenario you are describing and the difficult decision-making that it requires. Sixty per cent of Aboriginal children in care are placed with kin. Sometimes kin will be non-Aboriginal kin but they are placed with kin. A further 16 per cent are placed with Aboriginal carers. The purpose of the legislative changes and practice changes of the last few years is to really bring absolute urgency to the task of identifying whether restoration, the first choice, is a feasible goal and really focusing people's efforts on that because we know from experience that successful restorations are most likely to happen within the first year in which a child comes into care.

If a child drifts in care, restoration becomes a less and less feasible option. In a policy sense there has been an attempt to reorientate the system to be urgent about both providing better practice prior to a child coming into care—so much closer work with family, with kin and with community—and then real urgency to try to achieve restoration if a child comes into care.

Mr DAVID SHOEBRIDGE: Is there an unspoken rule that once a child has been in care for 12 months—

Mr COUTTS-TROTTER: No.

Mr DAVID SHOEBRIDGE: —that regardless of what the parents do—

Mr COUTTS-TROTTER: No, no.

Mr DAVID SHOEBRIDGE: —they are not going to get restoration?

Mr COUTTS-TROTTER: No.

Mr DAVID SHOEBRIDGE: Is there some unspoken rule?

Mr COUTTS-TROTTER: No.

Mr DAVID SHOEBRIDGE: At the moment, parents are jumping through hoops and doing everything they can with the hope of restoration and are doing everything asked of them, and then they are still denied restoration. The sense of despair, futility and powerlessness that that gives the parent is very real and is repeatedly communicated to my office and, I am sure, other offices.

Mr COUTTS-TROTTER: There is absolutely no unspoken rule. It is really important we do this as transparently as possible—we being not just our own agency but everyone who participates in the process of trying to decide in a child's best interest what is the best, loving relationship for them. Is there anything you wanted to add to that?

Ms CZECH: The only thing I would add, as part of the permanency support program implementation, is that we introduced 50 permanency support coordinators and that is important because their role is independent of the case management of the child—so for both Aboriginal and non-Aboriginal children—to determine early the permanency goal for the children. When we say permanency, as I am sure the Committee understands, it is everything from restoration, guardianship, open adoption through to long-term care. So their role is to support practitioners both in DCJ and in the funded service system with a decision that is in the best interests of that particular child or children if they are part of a sibling group, and that includes children who are already in care.

Mr DAVID SHOEBRIDGE: Well, I am not entirely sure that answers question but perhaps I will move on to broader issues about the Megan Davis report. Professor Megan Davis' review—the Minister is right—was released within about a week of it being provided, the final draft being provided, to government. My office convened a round table that Ms Penny Sharpe attended, as did a member of your office, Minister.

Mr GARETH WARD: Yes.

Mr DAVID SHOEBRIDGE: One of the clear calls from that round table was to have meaningful engagement with the Aboriginal community and the NGOs who work in that space through the department as they are making recommendations to you about implementing the report. Have you spoken with the department about ensuring that engagement happens?

Mr GARETH WARD: In fact, I will be writing to Tim Ireland of AbSec and a number of other key stakeholders either today or tomorrow to set up a forum that does not just look at this report but other aspects of Aboriginal people that, as I am sure we will all agree, are overrepresented in the cohorts that I deal with. So, yes, I obviously am working with the department on this, Mr Shoebidge, and there are a number of issues—not least of which are systemic changes recommended— that need to be considered from an interdepartmental point of view. Obviously, I want to do that and I am keen to hear feedback from the Aboriginal community, and of course from members of Parliament that have an interest in this area.

Mr DAVID SHOEBRIDGE: So can I be clear that you are going to be directing the department to reach out to non-government organisations and Aboriginal communities whilst the department is considering the response to the Megan Davis report?

Mr GARETH WARD: That will be one of the things that we will be doing with that particular group that I am looking to establish, but I have already spoken to Mr Ireland at AbSec and I am looking forward to getting senior Aboriginal people who are involved in this sector together to consult on this and other issues.

Mr DAVID SHOEBRIDGE: Minister, there is no question that implementing even part of the Megan Davis report will require additional funding. You would be aware that AbSec, as the peak body in this space, communicated in an open letter with your office—

Mr GARETH WARD: Yes.

Mr DAVID SHOEBRIDGE: —seeking some financial commitment being set aside in this coming budget to implement the Megan Davis report. Is that something you will be championing or have championed in the budget process?

Mr GARETH WARD: I obviously cannot comment on future budget processes, Mr Shoebridge. I can only comment on what we have at this point. But I do not have anything to add to what I said earlier in relation to the Megan Davis report. It is a comprehensive report. We take it seriously and we will be seeking to review all aspects of it and any implications that it has and what work needs to be done with Aboriginal communities in relation to its recommendations.

Mr DAVID SHOEBRIDGE: Minister, do you accept that if there is no funding set aside in the coming financial year to implement outcomes, notwithstanding its very broad acceptance at least with the non-government organisations and Aboriginal community sector, that if there is no money there you will not be able to implement most of the key changes until at least 18 months from now.

Mr GARETH WARD: If you look through the recommendations, a lot of them are systemic changes as well. I am not going to comment on what is in and what is out, what could be funded or might not be funded or may be funded. I cannot until we have had the comprehensive advice delivered. I am not trying to be evasive. It is just a fact. That is where we are at in terms of where we are up to in this report. I have also indicated that I look forward to having further conversations with the Aboriginal peaks and other senior people in the sector.

Mr DAVID SHOEBRIDGE: What is the timetable you have been given for a comprehensive Government response to the Davis report?

Mr GARETH WARD: Midyear.

Mr DAVID SHOEBRIDGE: In answer to questions on notice in budget estimates earlier, the last session, it was advised that there were 646 young people in confinement in 2018 and 2019. Do you know how many young people were in segregation? This is in the Juvenile Justice sector.

Mr GARETH WARD: I would have to ask Ms Czech to answer that question.

Mr DAVID SHOEBRIDGE: Whilst Ms Czech is looking for the number, can somebody provide an explanation of the difference between confinement and segregation?

Ms CZECH: I can do all of that. The first question was about the numbers of segregations, is that correct?

Mr DAVID SHOEBRIDGE: Yes.

Ms CZECH: In 2018-19 there were 6,657 instances of segregation. We have a six-month period, July to December, where there were 2,810 instances of segregation.

Mr DAVID SHOEBRIDGE: Do you have the number for confinement in that six months as well?

Ms CZECH: I do. For confinement in 2018-19 there were 5,212 instances of confinement in Youth Justice centres and—

Mr DAVID SHOEBRIDGE: Sorry, did you say 5,212? The number I had here for 2018-19 was 646, given earlier.

Ms CZECH: I have definitely got—

Mr DAVID SHOEBRIDGE: That could be my transcription error.

Ms CZECH: Yes, I have definitely got 5,212. We can clarify that on notice.

Mr GARETH WARD: That is my number as well too.

Mr DAVID SHOEBRIDGE: In segregation.

Ms CZECH: No, confinement. Then, as I said, we have got some preliminary figures for July to December and those numbers at this stage are 2,466 instances of confinement in Youth Justice. Were there any other statistics or just those two that you needed?

Mr DAVID SHOEBRIDGE: I am going to ask you statistics about searches but I think that then descends into whether or not you have the data on searches, so maybe we will do that separately. What is the difference between segregation and confinement?

Ms CZECH: It is spelt out in the legislation. I will start with confinement, section 21 of the Children (Detention Centres) Act 1987. It is a range of consequences that may lawfully be applied as a consequence for misbehaviour of a detainee. These can include:

- (a) caution
- (b) restriction from participation in sport or leisure activities,
- (c) additional duties ...
- (d) exclusion from, or confinement to, a place ...

Mr DAVID SHOEBRIDGE: So confinement is effectively behaviour management and/or punishment and segregation is a separation for a protective regime. Is that basically the distinction between the two?

Ms CZECH: If I could just read out the definition for "segregation", that might help. Again, segregation is used for the safety and protection of young people and staff. It involves segregation of a young person to a place or away from all or part of normal routines as a result of the risks that they present to others. So it might include, as an example, a young person might be participating in an individualised program within an accommodation unit while the remainder of young people might be out on the back oval playing football.

Mr GARETH WARD: Can I just also draw your attention, Mr Shoebridge, to the fact that the Inspector of Custodial Services released a report into the use of force, separation, segregation and confinement at Youth Justice as at November 2018. It has some interesting observations in relation to this issue.

Mr DAVID SHOEBRIDGE: I am actually quite familiar with that report, Minister. Were there any instances where a young person was confined for more than 24 hours in 2019?

Ms CZECH: Confinement?

Mr DAVID SHOEBRIDGE: Yes, and I am asking you the same about segregation, and if so, how many?

Mr GARETH WARD: I will let you answer that, Ms Czech. We might take it on notice.

Ms CZECH: Yes, can we take that on notice, please?

Mr DAVID SHOEBRIDGE: Given it is my understanding it would be potentially unlawful to have a child in confinement for greater than 24 hours, do you know if the Act has been breached on confinement?

Ms CZECH: Not that I am aware of, but we will take that on notice.

Mr DAVID SHOEBRIDGE: All right. In answer to a question on notice, the department said they were unable to provide the number of partially clothed searches in youth detention because that information is held in handwritten logs. You would be aware that one of the recommendations of the ministerial review into the Baxter disturbances was that those paper-based processes for safety and security practices be phased out as soon as possible. Have they been phased out and are you keeping any of the data on this?

Ms CZECH: It is still the same as what we have reported at the last budget estimates hearings. So it is a manual process. It is part of the program of work to capture that data but it is not yet complete.

Mr DAVID SHOEBRIDGE: Not yet started or not yet complete?

Ms CZECH: It is started but not complete.

Mr DAVID SHOEBRIDGE: Does that mean you have some data or does it mean the computer programming and systems are being put in place but have not yet become operational? What does that mean?

Ms CZECH: We will provide the detail of that program of work on notice.

Mr DAVID SHOEBRIDGE: How many people have been placed in the intensive therapeutic unit since its commencement in late 2019?

Ms CZECH: My understanding is there are currently three young people there. In terms of the total number, we will take that on notice as well. It is slightly higher than that.

Mr DAVID SHOEBRIDGE: What about the high-risk management unit?

Ms CZECH: We will take that on notice as well, thank you.

Mr DAVID SHOEBRIDGE: Can you give the average duration in each of those units?

Ms CZECH: We will take that on notice.

Mr DAVID SHOEBRIDGE: Perhaps the median would be more useful. With the small data sample there may not be a great difference.

Ms CZECH: Sure.

Mr DAVID SHOEBRIDGE: One of the recommendations about Frank Baxter was establishing a project team to review and ensure the consistent implementation of departmental policies and procedures across all centres. Has that project team been established?

Mr GARETH WARD: I will take that on notice unless Ms Czech wants to answer that question.

Ms CZECH: A small project team has been established and, as the Minister mentioned earlier, we have a Youth Justice delivery board overseeing the implementation of all the recommendations and chaired by Lee Shearer.

Mr DAVID SHOEBRIDGE: Regarding the Austinmer acute adolescent unit, can you give us the numbers for that as similar to the numbers I have been requesting for the high-risk management unit?

Mr GARETH WARD: Yes, we can do that.

Mr DAVID SHOEBRIDGE: That range of data on that, if you could. Are young people able to receive a high school education while in Austinmer?

Mr GARETH WARD: What a good question.

Ms CZECH: My understanding is absolutely they are. Education is part of that program.

Mr DAVID SHOEBRIDGE: And they have direct access to a teacher?

Ms CZECH: Correct.

Mr DAVID SHOEBRIDGE: Is it in conjunction with a particular high school?

Mr GARETH WARD: Not usually. It is usually teachers that are provided directly to that unit.

Mr DAVID SHOEBRIDGE: One of the recommendations from that 2018 inspector's report was to consider doing away with the concept of school holidays in juvenile detention centres for reasons that you are never on holiday if you are in jail and there were clear behaviour management benefits from doing that. Has that progressed? Where are you up to?

Mr GARETH WARD: It is certainly something we are considering and I have had conversations about this internally. Obviously there are challenges around finding teachers during this period because, obviously, it is their school holiday time as well, but it is certainly something I can see some benefits from. But keep in mind, Mr Shoebridge, the education resources that are provided are actually not provided by DCJ; they are provided by the Department of Education. So that is something we need to work through with them but it is something I am certainly open to.

Mr DAVID SHOEBRIDGE: Well, do you have a deadline for when that consideration will be concluded and either implemented or rejected?

Mr GARETH WARD: Oh, look, as soon as possible. I am happy to take that question on notice as well as take that up with you personally.

Mr DAVID SHOEBRIDGE: All right. There is currently a recommissioning process for some 1,400 contracts across DCJ, held by some 600 services, that are due to expire in mid-2020. We are in the middle of a coronavirus. Are you going to change any of the process for the recommissioning of that? Are you going to roll them over? What are you intending to do? Because otherwise they will expire—

Mr GARETH WARD: I do not think we have made any decisions in relation to that but I will ask Mr Coutts-Trotter to answer that.

Mr COUTTS-TROTTER: I might turn to my colleague, Simone Czech—ah, Simone Walker, sorry.

Mr DAVID SHOEBRIDGE: It is getting further and further from you, Minister.

Mr COUTTS-TROTTER: No, no.

Mr DAVID SHOEBRIDGE: No, it is all right.

Ms WALKER: Could I get you to repeat the question?

Mr COUTTS-TROTTER: I am sorry. Mr Shoebridge was asking what consideration we will give non-government service providers during a time of coronavirus crisis as they have to work with us—

Mr DAVID SHOEBRIDGE: To recommission.

Mr COUTTS-TROTTER: —to recommission major service systems.

Mr DAVID SHOEBRIDGE: I do not mean to hide my light under a bushel here. If you are going to have serious absences from work, work from home, a whole lot of practical difficulties, what are you going to do?

Ms WALKER: The primary conversation with the service system at this point in time is about continuity of service provision that we have talked about in a range of spaces. What we have done in the previous bushfire crisis was work with our NGO providers where there was recommissioning, for example, in the targeted early intervention space or in the family referral service space to give them some extra time, particularly in southern New South Wales where they needed that. But this is where our local relationships will really come to the fore because what we know, whether it is our staff who are in the housing space inside DCJ, working closely with our sector counterparts, is that we need to say, for example, in Bega: What is the best way we can work the arrangements for the service system there?

I have had conversations this morning with the Department of Education about them being part of those conversations as well, so we want to have a level of flexibility for our NGO providers because we know—our family support services were mentioned earlier—neighbourhood centres will have a different response to clients to maybe what they had prior to December last year, be it bushfires or be it coronavirus. We also want to encourage our NGO service providers to think and take care around their public health information and whether that means they move to working with their clients over the telephone rather than face to face, but knowing that public health will provide a lot of the information for us there.

The Hon. PENNY SHARPE: You are almost done, Minister. We have talked about a lot of serious matters today in relation to your portfolio and, alas, will not have time for all of them. I want to flag with you that we will also be having less time with your officials this afternoon so that they can actually respond to coronavirus.

Mr COUTTS-TROTTER: Thank you.

The Hon. PENNY SHARPE: We will do a little bit but not very much. But I did want to give you the opportunity, before the closure of this estimates Committee, to explain what happened last week in relation to you being locked out of your apartment in the middle of the night.

Mr GARETH WARD: Can I start by saying I am obviously embarrassed about what happened last week. Can I reiterate my apologies to my neighbours. Obviously it is not something I would like to have happened, Ms Sharpe. I would like to reiterate my thanks to the emergency services personnel that were involved but it is a personal matter and a private matter and, obviously, this Committee's job is to ask questions in relation to my portfolio, but this is something that happened in my home and I do not wish to make any further comment.

The Hon. PENNY SHARPE: Minister, are you managing the health issues related to what may have triggered this?

Mr GARETH WARD: As I say, I am in consultation with my doctors, Ms Sharpe, about medical matters but I think talking about members' personal medical matters here in the Committee is probably not the best place.

The Hon. PENNY SHARPE: Sure, and I do it very carefully. I am not asking for a health report. I am asking—there have been issues raised with my office just about you being able to do your job and I am just seeking an opportunity for you to explain how you are going to manage that.

Mr GARETH WARD: Look, absolutely. When you look at the results we have achieved in out-of-home care and also seeing those numbers fall—

The Hon. PENNY SHARPE: Minister, as we have said earlier, we have only had two metrics that are going in the right direction. I do not want to recanvas all of that.

Mr GARETH WARD: I think there are many good things that are happening in my portfolio—the introduction of the NSW Ageing and Disability Commissioner, the work that all of us did in seeing through the reportable conduct scheme, which were important changes. Yes, I am absolutely up to the job, Ms Sharpe.

Mr DAVID SHOEBRIDGE: Minister, I have had repeated concerns raised with me from across the NGO sector about family functional therapy and the uses that it is being put to.

Mr GARETH WARD: Can I also just take the opportunity to thank the Committee. I am not well today. Sorry, Mr Shoebridge, but I did want to thank you all for bearing with me. I know it is not ideal. I apologise for not being able to be there but thank you.

Mr DAVID SHOEBRIDGE: That is okay, Minister. I suppose we were all concerned that you are sufficiently well to do your job as a Minister in this time of crisis. Are you telling us that you are?

Mr GARETH WARD: Yes, absolutely.

Mr DAVID SHOEBRIDGE: All right. Minister, going back to family functional therapy [FFT], it was developed in the United States to reduce delinquency, criminal behaviour and illicit drug use in young people. What evidence base does your department have that this model is effective with families with children at risk of removal and families affected by DV where it has been rolled out?

Mr GARETH WARD: I might ask Mr Coutts-Trotter to answer that question.

Mr COUTTS-TROTTER: We do have an evidence base but the impact of family functional therapy, and there are two broad variants of its application in New South Wales, is under high-quality assessment convened by our FACSIAR group, so we are using independent, high-quality external evaluators. We remain appropriately sceptical about everything we do, particularly the application of an international evidence base in a local context. We understand people's appropriate scepticism about it but we are making sure that we have a high-quality evaluation to answer the question quite definitively: What impact does it have and how does it compare to evidence of alternative interventions and the impact they have?

Ms WALKER: Can I just make a distinction as well? When you talked about family functioning therapy and the one that you described there—

Mr COUTTS-TROTTER: Yes, child welfare.

Ms WALKER: We do have a very small pilot of the original family functioning therapy in the Central Coast that is being run through one of our DV programs. Actually, the broad rollout of family functioning therapy was family functioning therapy-child welfare [FFT-CW], which is actually aimed directly at improving outcomes for children in vulnerable circumstances. It is just to make the distinction between the two programs.

Mr DAVID SHOEBRIDGE: Yes, but the "vulnerable circumstances"—if I could put inverted commas around that—for which family functional therapy has been applied in New South Wales go well outside the original model for which it was adopted in the United States of delinquency, criminal behaviour and illicit drug use.

Ms WALKER: No, I think that is the distinction that I needed to make; that the very original FFT is particularly for that group that you are talking about—juvenile delinquency, alcohol use. FFT-CW, child welfare, is particularly for children in vulnerable circumstances and actually has been rolled out very specifically to the group it was designed for in the United States.

Mr DAVID SHOEBRIDGE: Can you provide on notice how much the department has spent in the 2017-18, 2018-19 and 2019-20 financial years to date on both family functional therapy more broadly and FFT-CW, or family functional therapy-child welfare?

Ms WALKER: Absolutely.

Mr DAVID SHOEBRIDGE: Can you provide those two separate figures?

Mr COUTTS-TROTTER: Yes.

Mr DAVID SHOEBRIDGE: Will you, Mr Coutts-Trotter, commit to making that FaHCSIA review of family functional therapy public?

Mr COUTTS-TROTTER: Absolutely, it is a public good.

Mr DAVID SHOEBRIDGE: If the review says that it works, well then—I am not here to critique a program that does not work—

Mr COUTTS-TROTTER: No, sure.

Mr DAVID SHOEBRIDGE: —but they are extremely expensive programs. Particularly given the number of families it can impact—

Mr COUTTS-TROTTER: Yes.

Mr DAVID SHOEBRIDGE: —having that evidence base is really essential.

Mr COUTTS-TROTTER: Yes.

Ms WALKER: Absolutely.

Mr DAVID SHOEBRIDGE: Mr Coutts-Trotter, were there any proposals for adoptions that came to your desk—and I assume you have delegation for this, is that right?

Mr COUTTS-TROTTER: Yes, I do.

Mr DAVID SHOEBRIDGE: That you rejected?

Mr COUTTS-TROTTER: Yes, I rejected one. I did not support one proposal going to the Supreme Court.

Mr DAVID SHOEBRIDGE: Can you provide details? Was it an Aboriginal family? Was it a non-Aboriginal family?

Mr COUTTS-TROTTER: No, sorry, I am only involved as a decision-maker with proposals—

Mr DAVID SHOEBRIDGE: That involve Aboriginal families?

Mr COUTTS-TROTTER: —that involve Aboriginal children.

Mr DAVID SHOEBRIDGE: I understand.

Mr COUTTS-TROTTER: It is an Aboriginal child.

Mr DAVID SHOEBRIDGE: That was one of how many that came across your desk?

Mr COUTTS-TROTTER: I would need to check how many came across my desk. Seven adoptions were effected within the year but, as you would know, most of those have a long history, a multi-year history, in the process.

Mr DAVID SHOEBRIDGE: Perhaps you can give some data on notice about how many are pending?

Mr COUTTS-TROTTER: Yes, sure.

Mr DAVID SHOEBRIDGE: My final question is: Does the department have a restoration policy? And if so, can you table a copy with the Committee?

Mr COUTTS-TROTTER: We have a range of practice materials on restoration, yes.

Ms WALKER: Including a restoration tool that we can table, which is effectively across funded services.

Mr DAVID SHOEBRIDGE: I ask this because there have been previous commitments to table a restoration policy—

Mr COUTTS-TROTTER: Oh, I am sorry.

Mr DAVID SHOEBRIDGE: —in previous years and it has never yet been tabled. So I ask again.

Mr GARETH WARD: I think we should absolutely table that and present that to the Committee.

Mr COUTTS-TROTTER: Terrific.

Mr GARETH WARD: I will personally take that on notice to ensure that it is tabled.

Mr DAVID SHOEBRIDGE: Thank you.

Mr COUTTS-TROTTER: Thank you.

The CHAIR: No more questions?

Mr DAVID SHOEBRIDGE: I do not have time.

The CHAIR: We have run out of time. Thank you, Minister.

The Hon. NATALIE WARD: I think we are in Government time, Chair.

The CHAIR: Sorry. Do you want Government time?

The Hon. NATALIE WARD: Thank you.

The CHAIR: That is unusual. Please go ahead.

The Hon. NATALIE WARD: We have given our time to everybody else. I just wanted to—

The CHAIR: Go ahead.

Mr DAVID SHOEBRIDGE: It is left field.

The Hon. NATALIE WARD: Thank you. It may well be. I wanted the opportunity to thank the Minister for following prudent medical advice and not attending in person, however, making himself available to answer questions today. This is more in the way of a statement than question.

Mr GARETH WARD: Thank you, Ms Ward. It is not ideal. This is not the circumstance under which I would want to normally attend but I am following medical advice and I think it is the responsible thing to do in these very uncertain times.

The Hon. NATALIE WARD: Thank you. That is all I had.

The CHAIR: Thank you. The Committee will break for lunch. Thank you, Minister. I note you took a number of questions on notice. The Committee will be in contact with your office—perhaps not with you—soon. We look forward to getting answers within 21 days on those questions taken on notice.

Mr GARETH WARD: Mr Chair, I thank you for being a very fair and exceptional chair, as always.

Mr DAVID SHOEBRIDGE: Particularly in the last half hour.

The Hon. NATALIE WARD: Not to me he wasn't.

The CHAIR: As everybody knows, I am always exceptionally fair and exceptionally even-handed, except for when Wes Fang starts screaming at me. We will return at one o'clock. Is everybody agreeable to that?

Mr COUTTS-TROTTER: Yes.

The CHAIR: That way perhaps we can deal with Mr Coutts-Trotter and his team quicker.

Mr COUTTS-TROTTER: Thank you very much.

Mr DAVID SHOEBRIDGE: Our tentative end time is about two o'clock.

Mr COUTTS-TROTTER: We are grateful. Thank you.

The CHAIR: Thank you.

(The Minister for Families, Communities and Disability Services withdrew.)

(Luncheon adjournment)

The CHAIR: The Committee hearing is open for questioning. Ms Sharpe?

The Hon. PENNY SHARPE: Thank you very much. I have not got a lot of questions, you will be pleased to know.

Mr COUTTS-TROTTER: Thank you.

The Hon. PENNY SHARPE: I have got a lot but they will go on notice. I wanted to ask about ChildStory. As we know, it has been a long and drawn out process. The issue that keeps being raised with me is the fact that the KiDS system, which is being run in parallel, is going to be switched off. Is that correct?

Mr COUTTS-TROTTER: Yes, it is.

The Hon. PENNY SHARPE: What is the date for that?

Mr COUTTS-TROTTER: Effective 1 April.

The Hon. PENNY SHARPE: Very soon?

Mr COUTTS-TROTTER: Very soon.

The Hon. PENNY SHARPE: Caseworkers raised with me what I consider to be quite a serious matter, which is the way in which ChildStory is designed makes it very difficult. There is a lack of visibility around some kids in care and their documents that sit behind that, which I know are very complicated. How is that issue being resolved or how do you believe it has been resolved, which will allow you to get rid of KiDS?

Mr COUTTS-TROTTER: Ms Czech, if you may?

Ms CZECH: Sure.

Mr COUTTS-TROTTER: Thank you.

Ms CZECH: The support that we are providing caseworkers has been significantly increased over the last two months and it is in particular to make the transition from the KiDS system across to ChildStory. KiDS is a legacy system, remembering that it actually has not had any updated information added into it for two years.

The Hon. PENNY SHARPE: Yes.

Ms CZECH: I am absolutely confident that the information is in ChildStory in terms of the transfer across from KiDS. What we need to focus on and have been focusing on is the support that we are actually providing caseworkers to know where to look and find it easily, and that is the work that we have got underway at the moment.

The Hon. PENNY SHARPE: You are saying to me that every document that was in KiDS has migrated over there for every kid in care?

Ms CZECH: That is correct.

The Hon. PENNY SHARPE: My concern obviously is that these documents, particularly once young people exit care—

Mr COUTTS-TROTTER: Yes, it is critical.

The Hon. PENNY SHARPE: They want their files.

Ms CZECH: Absolutely.

The Hon. PENNY SHARPE: We just want to make sure that there is nothing that has been lost about that. You are saying that that is the case?

Ms CZECH: Correct.

The Hon. PENNY SHARPE: Why is it the case then that it has been so difficult for caseworkers to be able to use this very expensive new system?

Ms CZECH: What we are finding is as caseworkers use it more, and with some support, like I said, around where to look for records quickly, the user experience is improving all of the time. What we know from the data is that very few child protection caseworkers in the field are actually accessing KiDS now, in fact for some time.

The Hon. PENNY SHARPE: When you say "very few", is that just the numbers of people who have access to the systems rather than the number of inquiries that are being made on the KiDS system?

Ms CZECH: There are two issues. One is we can see data on who is accessing KiDS. That is the first thing. And then we can target support where there might be higher numbers to particular districts, for example. We can target a higher level of support to help people along that journey. Sorry, can you just repeat the question, Ms Sharpe?

The Hon. PENNY SHARPE: Yes. I accept that there is a small number of caseworkers who are using KiDS. What I am told is that while there may be a small number of people using it, other caseworkers are asking them to access that because there is a lack of trust that all of those documents are there and are actually searchable and findable for everyone. Caseworkers are doing the right thing. I am trying to understand—yes, there may be what you say is a small number of caseworkers actually using the system—the degree to which caseworkers are still relying on that system to double-check material.

Ms CZECH: I too have heard the concerns and had the concerns raised by the PSA about those staff with a KiDS login actually sharing that. Now, they should not be doing that—

The Hon. PENNY SHARPE: Obviously sharing the login but actually asking other caseworkers to do it.

Ms CZECH: —or accessing the information. Now what we know is that when we sit down and actually show caseworkers and familiarise them with the ChildStory system, they can find the information and they pick it up really quickly. We are absolutely trying to discourage use of KiDS primarily because the information is in ChildStory. So we need to help people along with that capability. But also it has not had any updated information for more than two years, so it is out of date. I note that there is—

The Hon. PENNY SHARPE: I do not think that is the concern. The concern is that there are old pieces of information about kids within the KiDS system that have not been fully migrated. If you say that they are, I am just going to have to take you on face value for that.

Mr COUTTS-TROTTER: On every occasion where people have come forward with a concern about it, we have found the document in ChildStory. We have gone back over, in the early days, the process of migrating 200 million lines of data from KiDS to ChildStory. In the first six to eight weeks there were two occasions where the rules written to migrate information did not migrate the information as it should, so there were absolutely genuine issues there early on. KiDS structures information in one way; ChildStory structures it in another. People who have grown up only with KiDS apply the information structuring rules to ChildStory and it does not work. They cannot find the things they are looking for, which is on us.

The Hon. PENNY SHARPE: As you know, it has been very expensive. I do not know whether you can tell me how much ChildStory has cost all up?

Mr COUTTS-TROTTER: I think it has not changed since we were last on the record with it but I will double-check the figure and provide a response on notice.

The Hon. PENNY SHARPE: That is fine.

Mr COUTTS-TROTTER: I have on many occasions, including in front of rooms full of my colleagues, said we did not get the training right. We did not have three key components, which were trainers who understood child protection practice, who understood KiDS and who understood ChildStory. We have subsequently changed our training and support model to respond to that and try and give people the competence and therefore the confidence they need. Because the last thing we want is people feeling additional anxiety or spending time they do not need to spend working across systems.

But we really have got to the point, two years down the line, where we have to bring access to KiDS to a close because it is encouraging disabling behaviour. We have to move people to the new system and I am confident the information is there. I am confident that the supports are in place. I know that there are people who remain worried about it but I do think they are now absolutely the minority. Two years of experience with ChildStory and particularly—I will name check—Lauren Dean and the ChildStory team have really reoriented the system to put kids and young people at the centre and to really understand child protection practice and present support and training in ways that encourage good practice.

The Hon. PENNY SHARPE: Is the system itself locked down? You have contracted people to design the system, the system is designed. The ability to make changes—I will give you a specific example. One of the things, again, that caseworkers have raised with me is the issue that some families have multiple numbers of children and being able to actually do that. Caseworkers are telling me that they are spending considerably more time just entering the information into the system because they cannot—they are doing all sorts of things, you know, cutting and pasting from Word documents because they are worried about losing that and the significant amount of time. The whole point of this was that they had less time doing that and more time with the kids.

Ms CZECH: Correct. The system does have the ability to make a range of enhancements. In fact, we have made a range of enhancements in the last two years.

The Hon. PENNY SHARPE: Does that cost every time you want to change?

Ms CZECH: There is a cost associated with making a change.

Mr COUTTS-TROTTER: Not always, it depends. Sometimes ChildStory as a platform improves itself, because it is built fundamentally on a Salesforce platform, which gets constantly upgraded.

The Hon. PENNY SHARPE: Yes, it regulates—

Mr COUTTS-TROTTER: In terms of why this and not the KiDS system. KiDS was owned and operated by us and there was real expense involved in keeping it current, whereas the benefit of software as a service is that it solves some of that, but there has been—

The Hon. PENNY SHARPE: That is not really my concern.

Mr COUTTS-TROTTER: We have identified those things that are the highest priority for child protection practitioners. Ms Czech and her team have been really, really clear that it is about identifying the things that stand in the way of either efficient or high-quality practice and making those changes in the system. I am happy to provide on notice a list of the functions and a plain language explanation of the problem that each one of those changes has solved, but I do not think we have any really significant issues identified by the child protection workforce that have yet to be resolved in ChildStory. I think the last few months have seen the final fixes.

Ms CZECH: Yes, that is right.

The Hon. PENNY SHARPE: Can you say with confidence that caseworkers are now spending less time in front of the computer?

Mr COUTTS-TROTTER: We have seen a 144 per cent increase in people's productivity as measured only by one aspect of the role, but one important aspect of the role is getting out and seeing more children face to face. That is an extraordinary achievement. When people talk about the challenge of delivering productivity in a public sector context, I say, "Come and have a look at the New South Wales child protection front line", because they have done the most extraordinary work to align a concept of practice with policies, with processes and now with systems to enable people to get out and build and hold relationships of trust with children and families. I think the proof is in the pudding: a 144 per cent increase in but one measure of productivity. We tried to—

The Hon. PENNY SHARPE: But how do you measure the time in front of the computer entering data? Again, these are real examples; I am not just making this up. I do not have any way to verify them, so that is why I am asking you. There has been some suggestion that the original business case for ChildStory suggested you would be able to get caseworkers to an 80-20 split in relation to working directly with people, rather than sitting behind the desk. Is that realistic?

Mr COUTTS-TROTTER: I would need to go back to the original business case. Of course, the aim is to spend less time in front of a computer, certainly a computer in an office, and more time with children and young people, carers and families. As I say, I think at the highest level the massive increase in the number of children seen—in other words, time out of the office working with children and families—is a reasonable measure that there has been a profound change in the system.

The Hon. PENNY SHARPE: Can you address specifically this idea that there are allocations made for caseworkers to spend an additional five hours in relation to cases working on ChildStory?

Ms CZECH: I am not aware of that.

The Hon. PENNY SHARPE: You can come back to me.

Mr COUTTS-TROTTER: There are only a few points where we can really quantify some of those things. One would be at the helpline in taking and responding to reports of significant harm. More generally, it is bedevilled by changes in policies, changes in working relationships with non-government organisations and other government partners. I am not trying to turn on the smoke machine, but it is difficult to find real points of quantification. I am happy to take it on notice, but I have not heard of a five-hour impost associated with ChildStory.

Ms CZECH: Yes, it is certainly not something the department has imposed on caseworkers.

The Hon. PENNY SHARPE: No, I am not suggesting that. I am just saying that in terms of work allocation there has been some suggestion to me that that could be a problem.

Ms CZECH: Okay.

The Hon. PENNY SHARPE: Thank you for that. I wanted to ask you about workers compensation claims for psychological injury in terms of caseworkers.

Mr COUTTS-TROTTER: Yes.

The Hon. PENNY SHARPE: I suspect some of this you will probably have to take on notice.

Mr COUTTS-TROTTER: Yes.

The Hon. PENNY SHARPE: I have asked previously around supervision and those kinds of things. I mean, how many workers compensation claims has Community Services received for psychological injury in the last—how do you measure it, do you do it as a calendar year or a financial year?

Mr COUTTS-TROTTER: We measure it on a financial year. I am happy to take that on notice. I do know that the number of psychological injury incidents and claims has remained constant, but that is not to say we are happy with the level at which people experience psychological injury, and particularly the speed at which they are able to return productively to work, because we are not happy with either of those things. We have put a whole range of things in play to try and both prevent injury, better respond to injury and then more effectively re-engage people with work.

The Hon. PENNY SHARPE: So you will give me what you have received—so it will be the last financial year?

Mr COUTTS-TROTTER: Okay.

Ms CZECH: Yes.

The Hon. PENNY SHARPE: We will probably be back in November and I will be asking you that again.

Mr COUTTS-TROTTER: Yes.

The Hon. PENNY SHARPE: Are you able then to also tell me how many caseworker staff have been directly assisted with claims—sorry, have received funds?

Mr COUTTS-TROTTER: Yes, we can do that.

The Hon. PENNY SHARPE: You can do all of that?

Mr COUTTS-TROTTER: Yes.

The Hon. PENNY SHARPE: I find this difficult and, look, it may be on the dashboard, but I do find this quite challenging. The issue is around the rate of turn in Community Services for staff.

Mr COUTTS-TROTTER: Yes.

The Hon. PENNY SHARPE: If you are able to provide some of that.

Mr COUTTS-TROTTER: The question was asked and I was preparing myself for our discussion by reading our responses on notice. Look, we had a 12.7 per cent turnover rate for child protection staff in the 2019-20 year. That is a little bit below what it had been in previous years.

Mr DAVID SHOEBRIDGE: Is that the 2018-19 year?

Mr COUTTS-TROTTER: Sorry, the 2018-19 year. Thank you. Then, when you disaggregate by the period of time in the job, again we have seen a slight improvement in the turnover rate in the first 12 months and the second 12 months. But it is still too high. From memory, between 35 per cent and 40 per cent of people recruited to child protection practice leave by the second year. Now, when I used to be familiar with the teaching data that was 50 per cent. There is something about people who do not know whether they really find the work fulfilling until they do it. There are things we can and are trying to do with our professional preparation of social work and other graduates, but there is something about—there are just a group of people who will not know until they do the work.

But my view is that the turnover rate remains too high. I think there are a couple of reasons for it. One, the path into child protection work tends to be very generalist through a university setting and only becomes very specific when people come to work for us. We are fundamentally reviewing our Caseworker Development Program, which is the vocational support and training we provide in the first 12 months of the job, to reflect our

new practice framework, to rely much more heavily on well-done mentoring relationships and building the skills of practice that people need, rather than rules, regs, processes. We have done work with Southern Cross University to try and identify the kind of indicators of the likelihood someone will succeed as a child protection practitioner.

The Hon. PENNY SHARPE: Is that different to the—is that the wellbeing of caseworkers research? Sorry, I am confused.

Ms CZECH: It is related.

Mr COUTTS-TROTTER: I think it is one and the same, but it is about the application of the insights of that research into how we assess, prepare and then support people at work. The things we think are going to make a difference are the quality of leaders in leadership, the dynamics of your team and the management of workload. It is kind of obvious in a sense. In terms of building the capabilities of leaders, for example, working with Relationships Australia, we have worked with all of our managers' casework to coach them and help them develop the capabilities they need to undertake a role in group supervision—group supervision being a critical part of our approach to child protection practice, bringing together a diverse range of perspectives and skills to really important decisions that affect children and families but managing a process of group supervision requires a great deal of skill for managers' casework and, indeed, for their management.

The Hon. PENNY SHARPE: It requires time when they are pretty squeezed for time. Again, one of the issues that is raised with me is that, yes, there is supposed to be group supervision but sometimes that is pretty perfunctory and partly because the managers are very busy.

Mr COUTTS-TROTTER: Partly because the managers are busy and partly, as we discern, because people did not feel they were confident about doing it well and hence the coaching over the last 12 months. We have also piloted with the Joint Child Protection Response Team, they are the people formerly labouring under the acronym of JIRT, so the teams that work in conjunction with police.

The Hon. PENNY SHARPE: They now have a new name.

Mr COUTTS-TROTTER: Joint Child Protection Response Team. There are wellbeing checks. So this is something that is not part of management; it is really a support for an individual practitioner to come and assess where they are up to, how they are travelling and then give them access to an external psychologist or counsellor to work through where they are up to and be referred on to other supports.

The Hon. PENNY SHARPE: That is just for the JIRT workers, it is not for the broader cases?

Mr COUTTS-TROTTER: We have piloted it in JIRT and what we have seen is it has led to a dramatic increase in the number of people who experience a psychological injury who are then able to get back to work, which is partly about the individual's own wellbeing, but it is also about a cultural change in the organisation to recognise that there are ways of structuring and managing the work that enable safe return to what is an inherently risky occupation. We want to scale that up into other areas of child protection practice where people are particularly high risk.

The Hon. PENNY SHARPE: You will need funding to do that though, will not you?

Mr COUTTS-TROTTER: We will. It is about prevention, equipping people with some skills and tools that are general: managing your wellbeing, managing your diet, support and financial support to take care of yourself, some particular changes to other vocational preparation for people coming into the workplace. And then, most importantly, building the capability of leaders to lead teams where people are able to feel comfortable about calling out, "I am struggling". Where leadership knows how to manage teams so that you both prevent psychological injury and most importantly you respond to it quickly and effectively, including changing how we are doing serious incident debriefs. Recognising the particular experience—I am banging on—but recognising the particular experience of Aboriginal colleagues in the workplace. Because the experience of our work for Aboriginal people is fundamentally different for Aboriginal people than for non-Aboriginal people and they need a particular response both to protect their wellbeing and to respond where they do experience trauma and harm.

Mr DAVID SHOEBRIDGE: Mr Coutts-Trotter, could I ask you if there is a specific strategy being adopted to deal with questions of social isolation for Aboriginal communities, especially given the overcrowding that is endemic in many Aboriginal households?

Mr COUTTS-TROTTER: I think, in short, can I point to a social isolation policy for Aboriginal communities? No. I think working across the organisation in all its streams it is inconsistent but there is an appreciation of the fact that if we produce bog standard products and services they are not going to meet the needs of Aboriginal people in communities and we have to fundamentally rethink how we do a lot of our work. I invite

you to suggest in specific terms in any of the streams any further questions and I will invite my colleagues to try then if need be.

Mr DAVID SHOEBRIDGE: I will start with the obvious practical issues. If you have a family home where there is quite chronic overcrowding, and there are different ways of defining overcrowding. The standard model that is used is a Canadian national overcrowding indicator, I cannot remember the exact name of it, I can provide that on notice. Far too many Aboriginal households in New South Wales meet and exceed the definition of "overcrowding" under that measure.

Mr COUTTS-TROTTER: Yes.

Mr DAVID SHOEBRIDGE: Is there any proposal to reach out to medical community and say that if you have an Aboriginal community member who you are asking to self-isolate—

Mr COUTTS-TROTTER: In the context of COVID, sorry.

Mr DAVID SHOEBRIDGE: —can you check with them if self-isolation is possible at home. What will the effect of that be at home? I imagine it will be extremely difficult for many Aboriginal communities.

Mr COUTTS-TROTTER: That is exactly right. That is a really good question and I do not have the answer for it.

Mr VEVERS: I also do not have an answer for a family that is overcrowded on the preventive side. For as long as I can remember we have allocated Aboriginal households an extra bedroom over and above—I am talking public housing here, you could be talking private rental sector houses—that goes to prevention. We do not have a strategy that could be implemented as quickly as would be required because that is instant if people have to self-isolate.

Mr DAVID SHOEBRIDGE: Mr Coutts-Trotter, by tomorrow this will not be an abstract discussion.

Mr COUTTS-TROTTER: I understand.

Mr DAVID SHOEBRIDGE: Will you undertake to direct some specific resources to this issue?

Mr COUTTS-TROTTER: Absolutely. The two obvious places to start are those Aboriginal people in social housing, half of whom are housed through the AHO and half through the Land and Housing Corporation. Absolutely.

Mr DAVID SHOEBRIDGE: The other thing to do is to reach out to those particularly remote Aboriginal communities where we know that it is not just one or two households but in some parts the great bulk of the community that lives in overcrowded conditions. If we are not careful, without taking some additional protective measures in front, those communities might just show a rapid progression of coronavirus. There is a bunch of iterations on that.

Mr COUTTS-TROTTER: It is a profound point.

Mr DAVID SHOEBRIDGE: If you have it in hand I will leave it with you.

Mr COUTTS-TROTTER: Okay.

Mr DAVID SHOEBRIDGE: Can I ask some specific questions about family group conferences? I think they were meant to start taking place on and from 4 February 2019. That is when the policy came into effect. I do not know if that is when they started happening.

Ms CZECH: That was the legislative change about the mandatory offering and an alternate dispute resolution which may include a family group conference.

Mr DAVID SHOEBRIDGE: I have a bunch of specific questions but I might let you respond in general terms about what has happened since that legislative change.

Ms CZECH: Sure. There are two important things to note: family group conferencing is one method of ADR, or alternative dispute resolution. It is our primary method of ADR. The family group conferencing model has been in place for a number of years prior to February last year. I could get you the actual date on notice but I think it was 2014 from memory.

Mr DAVID SHOEBRIDGE: I accept it was the model that was suggested to be the primary model with ADR and I know it happened before. I am wondering what happened since the obligation is in place?

Ms CZECH: A couple of things. Family group conferencing is being offered to families in the child protection space but also in some instances in the out-of-home care space. I can get you the numbers on notice. We have made a change in ChildStory that enables us to extract the number of families that we work with and how many times ADR was offered and what was the outcome of that.

Mr DAVID SHOEBRIDGE: That was what I was hoping to see. Do they work? What is the anecdotal reporting, do they work?

Ms CZECH: Certainly the evidence suggests if you conduct a family group conference early in the child protection intervention it keeps children out of home—it mitigates risks that might be presenting in the family home and builds connections so that other families might be a protective factor in actually keeping that child safe or those children safe at home.

Mr DAVID SHOEBRIDGE: You will give us the data on those?

Ms CZECH: Absolutely.

Mr DAVID SHOEBRIDGE: Could I ask about guardianship orders? Do you have any data about how many were made by consent in the last financial year and if there are any in the six months to the end of 2019?

Mr COUTTS-TROTTER: I do not think we have got data on consent or otherwise, but we can get that.

Ms CZECH: What I can add, Mr Shoebridge, is that in 2018-19, 39 children in out-of-home care exited to a guardianship order.

Mr DAVID SHOEBRIDGE: Could you just give us the breakdown for that financial year and, if available, for that six months to the end of 2019 on those by consent and those that were not, also on Aboriginality and, again, consent and without consent?

Ms CZECH: Sure.

Mr COUTTS-TROTTER: Yes.

Mr DAVID SHOEBRIDGE: Could I ask you broadly, Mr Coutts-Trotter, is there a delegation for you to sign-off on these consents?

Mr COUTTS-TROTTER: On guardianship, no. That is held elsewhere in the organisation.

Mr DAVID SHOEBRIDGE: Can you provide details about where that delegation lies and what the criteria are for it?

Mr COUTTS-TROTTER: Yes.

Mr DAVID SHOEBRIDGE: I have a lot of other questions here which would be useful to exchange but I think you all have a lot of work to do and so I will put the rest of mine on notice.

The Hon. ROSE JACKSON: Mr Coutts-Trotter, the department has coverage of the NSW Carers (Recognition) Act, does it not?

Mr COUTTS-TROTTER: Yes.

The Hon. ROSE JACKSON: My understanding is that the strategy under that Act expired last year?

Mr COUTTS-TROTTER: Yes.

The Hon. ROSE JACKSON: I have two questions on carers, a few on youth justice and a few on homelessness and then we are done. On carers, is there a new strategy that is being developed? Is that the plan? Where is that up to and is there a time frame?

Mr COUTTS-TROTTER: In an exercise in diversity I will ask Simone Walker to replace Simone Czech.

Ms WALKER: Interchangeable Simones. You are correct, 2014 to 2019 was the plan. We are certainly looking at what occurred during that time. The plan itself is that we are looking at the next stages of that. I can get you the detail. The strategy was being reviewed by the Social Policy Research Centre at the University of New South Wales and the findings are that the intended output in projects were to contribute to engaging and supporting carers in New South Wales. I can provide you on notice where we take the next stage of the strategy.

The Hon. ROSE JACKSON: I was interested to know if there was a commitment to a new strategy?

Mr COUTTS-TROTTER: I have got the relevant paragraph. "The review's findings will inform the design of the next strategy." Here is a specific commitment, "... to be launched in October 2020".

The Hon. ROSE JACKSON: As we know, a lot of people who are carers are elderly people caring for their loved ones. With the coronavirus outbreak I wondered whether any thought had been given to—we could have raised this with the Minister earlier—how the Government might manage support for carers who are potentially unable to provide the care they have been providing to their loved ones because they themselves get sick or because they are required to self isolate. Has any thought been given to the impact that might have on many elderly couples in particular in the community?

Mr COUTTS-TROTTER: I think within the public service where people have made clear their caring responsibilities at least to their manager and therefore have some kind of flexible pattern of work to respect and respond to those responsibilities, there is a great degree of flexibility given what is in the community. For carers who sit outside government employment, I will take that on notice.

The Hon. ROSE JACKSON: Mr Vevers, are we on track to meet the Premier's priority of a 50 per cent reduction in homelessness by 2025?

Mr VEVERS: Almost. I say that because the first target that we had to meet, not under the Premier's priority but associated with it under the Vanguard agreement, was to achieve a 25 per cent reduction in the number of people sleeping rough in Sydney between February 2017 and 2020. We achieved a 23 per cent reduction, not 25, so not quite good enough. I would say the challenge that we really face as we roll this out across the State is that to achieve a reduction of five people sleeping rough on the streets of Sydney, we have actually housed 17 people, because there is a flowthrough of people. Whilst we will continue to do that and now that we have nearly done the count of people sleeping rough, we are moving into assertive outreach right across the State. We are also very much trying to focus on how we stop people coming on to the streets in the first place because otherwise we will never ever achieve the reduction.

The Hon. ROSE JACKSON: The assertive outreach program is being extended beyond Sydney, Newcastle and the Tweed? That is where it is currently running.

Mr VEVERS: Yes, that is correct. So as from the end of this month and early next month we are expecting to increase the number of locations tenfold to around about 30. They will not be done with the same frequency as happens in Sydney; we are out 80 times a month. We are doing this within existing resources. The count has enabled us to identify fairly clearly where the big hot spots are and these are places either we or the community housing providers would expect to go every week.

The Hon. ROSE JACKSON: Are you able to provide those 30 locations on notice?

Mr VEVERS: I do not know if I can do it in 21 days because some of those locations are in the south where we have delayed the count, because of the bushfires, until the end of April. We have not yet identified all of the hot spots where we will do this. I can identify the rest of the State.

The Hon. ROSE JACKSON: That would be a useful start. It is still your expectation that goal of 50 per cent by 2025 is reachable? That is still the target that you and your team are working towards?

Mr VEVERS: It totally is. I will not hide, it feels a massive challenge to achieve and, as I say, it is dependent upon us doing things like better planning for prisoners leaving prison because they are quite a large group of people who sleep rough and we are running some pilots in prisons to achieve that. But that is what we are working to.

The Hon. ROSE JACKSON: Obviously linked to that goal there was the \$1 billion with a number of specialist homelessness services accessing that funding. My understanding is that \$1 billion runs until 2023-24. Is that the correct time frame? It was \$1 billion over four years?

Mr COUTTS-TROTTER: Yes, that is right. I think that is spot-on.

The Hon. ROSE JACKSON: Some of that was running from 2023-24 and I suppose there are some concerns as a long-term challenge that at the end of that period a number of specialist homelessness services are going to be not able to access nearly as much funding as they were during that four-year funding envelope.

Mr COUTTS-TROTTER: Right.

The Hon. ROSE JACKSON: I know that seems some way down the track but as we know in these areas all of the big gains of that long-term planning, you cannot throw money at the problem for a year and expect it to solve homelessness?

Mr VEVERS: Obviously I cannot address a budget issue that far in advance. I can only say we have funded the homelessness services system for years and years and years so I cannot predict what a future budget decision might be. But in every government I have worked for homelessness and people sleeping rough have been a priority.

The Hon. ROSE JACKSON: Separate from that \$1 billion there are a number of other funding envelopes—Premier's Youth Initiative, Homeless Youth Assistance Program, domestic violence response enhancement, youth crisis accommodation enhancement and the equal remuneration order, which is another big one. My understanding is that a number of them hit a funding cliff in June 2021, which is obviously sooner. I know it is difficult for you to speak definitively about what future governments are going to do but it would just be alarming if a number of those funding initiatives fell off a cliff in terms of our long-term investment in trying to bring down homelessness numbers.

Mr COUTTS-TROTTER: I can only agree.

The Hon. ROSE JACKSON: Is that something that the department is conscious of—

Mr COUTTS-TROTTER: Oh, yes!

The Hon. ROSE JACKSON: Yes, okay.

Mr COUTTS-TROTTER: Oh yes.

The Hon. ROSE JACKSON: Well I might just leave that there. I have got a number of specific questions about numbers and stuff, but I will just put them on notice. I have just a couple of questions about Youth Justice. In the Shearer recommendations there were a few that really were identified as quite urgent and needed to happen quickly. Two that I just wanted to ask about were the broad leadership culture and capability review—that was recommendation 58—that that be conducted urgently. I just wanted to inquire as to whether—

Mr COUTTS-TROTTER: Check in on that.

The Hon. ROSE JACKSON: —that had indeed commenced. One of the foundational findings of the Shearer review is that there was no one particular stressor that caused this incident, that it was in fact some broader procedural leadership failures. That urgent recommendation seems to speak to that core finding.

Mr COUTTS-TROTTER: Yes.

Ms CZECH: The work that is underway that relates to that recommendation is a review of the operating model. That encompasses everything from leadership, how we go about our business to some of the things I mentioned earlier about separation of high-risk youth and making sure appropriate supports are in place.

The Hon. ROSE JACKSON: Who is conducting that review?

Ms CZECH: That is something that is happening internally. It will be on the—we will table it at the end of today—the work program. It is on that.

The Hon. ROSE JACKSON: The other one that was identified as quite urgent was a review of policy and process for managing long-term workers compensation, particularly impediments to permanent positions being filled. I think there was some concern around the increased use of temporary or casual staff.

Ms CZECH: Correct.

The Hon. ROSE JACKSON: I wanted to ask about that recommendation.

Ms CZECH: We have made quite a bit of progress in that area. I think at last count—and we can get the accurate numbers on notice—there were 70 temporary or casual staff converted to ongoing positions, which is great. It was something that was well overdue. We have also asked each of the centres to avoid the employment on a first basis of temporary staff. We want people appointed on an ongoing basis. We know that that creates stability in the workforce and that we can manage any risks associated with attrition and whatnot better. About 70, the number is, but we can come back to you just in case I am off one or two.

The other thing we have done is devolved recruitment out to centres. Prior to the Lee Shearer review it was conducted centrally. We have actually given that task back to the local managers of the centres. There are a couple of reasons for that: one, they know their centre and they know what the needs are and they can recruit the right people, but it is much more timely and less bureaucratic than someone centrally doing it as well.

The Hon. ROSE JACKSON: One other that I wanted to ask about was recommendation 34, which related to the communication to the President of the Children's Court about the impact of extended remand on

young people in youth justice centres. Has that communication occurred and what is the status of that conversation?

Ms CZECH: There is ongoing communication on that. There is actually a remand working group or a committee working through that. We are as concerned as everyone else about the number of children on remand. One of the opportunities under the DCJ coming together is the child protection components of the business working much more closely with Youth Justice NSW where we have got shared clients and brokering a solution for those children to avoid remand where we can, or minimising the amount of time on remand.

Mr COUTTS-TROTTER: Particularly very short episodes of remand—less than 24 hours.

The Hon. ROSE JACKSON: Is that working group going to come up with specific recommendations—

Mr COUTTS-TROTTER: Yes.

Ms CZECH: Correct, yes.

The Hon. ROSE JACKSON: Is that then to go to the Attorney General [AG], presumably, and Minister Ward?

Ms CZECH: Yes. They have met a few times. We can come back with the detail of when we might have some deliverables for the Committee, but we are involved, AGs, police and obviously the President of the Children's Court and—

Mr COUTTS-TROTTER: Legal Aid NSW, Aboriginal Legal Service and a range of others.

Ms CZECH: Yes. Some of the decisions, as you will appreciate, are outside of the purview of DCJ, but that is a work in progress. I am happy to provide more detail.

The Hon. ROSE JACKSON: Yes, that would be useful. I do appreciate that, but I think it is one of those things of trying to turn those conversations into real action—

Ms CZECH: Absolutely.

The Hon. ROSE JACKSON: —and so if there is a plan on that, that would be useful. The Minister mentioned this in his comments and it does come up quite a bit in the recommendations around the importance of having a program of work, not necessarily in the employment sense but in terms of the activity sense—education and other things.

Mr COUTTS-TROTTER: Yes. Purposeful activity.

The Hon. ROSE JACKSON: That's right, for young people in Youth Justice. I see that there was a recommendation in relation to a program working group. Has that been established?

Ms CZECH: I will have to come back on notice as to whether there is a group established, but what I will say is there has been some work completed on what the strategy might look like really to keep young people occupied, whether it be through education—so formal education activities or vocational activities. We did trial some initiatives in the last school holidays and incorporated things like some cultural activities, because of the over-representation of Aboriginal children in the system, for example, and tried to really use every available minute, within reason, to keep kids occupied. We know when they are occupied they are less likely to do something they should not or misbehave.

The Hon. ROSE JACKSON: That is right—that was sort of the basis of the review. Certainly, culturally appropriate and specific Indigenous programs were mentioned. That is something that Youth Justice is working on, is that—

Ms CZECH: We are. There are some existing programs, but we certainly appreciate we need to do more. Again, we can provide that information on notice to the Committee.

The Hon. ROSE JACKSON: That would be useful. In fact, there was a group that came to Parliament and did a presentation for parliamentarians in relation to dance and music work that they were doing with a particular kind of cultural awareness focus. The feedback from that group—this was before the Shearer review—is that they were finding it difficult to secure access to youth justice centres, that that was—

Mr COUTTS-TROTTER: We are happy to—

Ms CZECH: Yes.

The Hon. ROSE JACKSON: —expensive for them, that—they were expressing that they thought that their work was very impactful and was meaningful to the young people but that they could not roll out their programs as much as they would like. That is just one example, but they did come to Parliament House and presented to MPs.

Ms CZECH: If you have got those contact details I am more than happy, as is the Executive Director of Youth Justice NSW, to talk to those people.

The Hon. ROSE JACKSON: That would be useful.

Ms CZECH: We can provide the additional information on notice about programs. It varies from one centre to the next because of the different demographic and where they are located.

The Hon. ROSE JACKSON: That would be useful. I will pass that particular one on. Finally, are you aware of the National Indigenous Australians Agency trial that it is running on Indigenous youth through care? It has been funded federally through the National Indigenous Australians Agency.

Mr COUTTS-TROTTER: I am not, but I would be—

Ms CZECH: No, I am not either.

Mr COUTTS-TROTTER: —very surprised if someone in the organisation was not.

The Hon. ROSE JACKSON: My understanding is that it is running a trial at three sites—Northern Territory, Queensland and Victoria, so not New South Wales—

Mr COUTTS-TROTTER: Right.

Ms CZECH: Okay.

The Hon. ROSE JACKSON: —of a sort of best-practice Indigenous youth through care model.

Mr COUTTS-TROTTER: Okay.

Ms CZECH: Okay, alright.

The Hon. ROSE JACKSON: References to those kinds of practices are included in the Shearer review recommendation, but if someone were able to provide some information on notice about what New South Wales is doing to engage with that, even though it is not in New South Wales—I actually do not know why it is not in New South Wales; I suspect there was not a suitable site—to ensure that those principles, which are hoped to be best practice, are adopted in New South Wales.

Ms CZECH: Yes, and if we have not made contact with those States or organisations already we will.

The Hon. ROSE JACKSON: Okay. That was all from me; I am happy to put the rest on notice.

The Hon. PENNY SHARPE: I have got one more.

Mr COUTTS-TROTTER: Sure.

The Hon. PENNY SHARPE: It is coronavirus related. My question is whether there has been consideration given to providing 20 days' special leave for those in the community sector as part of the workforce planning issue. Obviously public servants have been given 20 days. Community sector organisations do not have that sort of money in their budget.

Mr COUTTS-TROTTER: I have not had a direct discussion about that with any organisations, individually or sector peaks, but I am happy to pick that up. We received correspondence through the Minister last night with some specific recommendations from the New South Wales Council of Social Service and Homelessness NSW Inc., so more than happy to do that.

The Hon. PENNY SHARPE: Thank you.

Mr COUTTS-TROTTER: Would I be able to table something? This is a red-letter day, Mr Shoebridge. This is the—

Mr DAVID SHOEBRIDGE: It is the restoration.

Mr COUTTS-TROTTER: This is the restoration advice, restoration mandate and a hard copy of the restoration tool.

Mr DAVID SHOEBRIDGE: Thank you very much.

Mr COUTTS-TROTTER: With Hansard's help I will table that for the Committee.

Mr DAVID SHOEBRIDGE: 17 March 2020.

Mr COUTTS-TROTTER: Thank you very much for your consideration of that.

Mr DAVID SHOEBRIDGE: There were a series of questions taken on notice.

Mr COUTTS-TROTTER: Yes.

Mr DAVID SHOEBRIDGE: I think the agreed position is 21 days, if you could do that?

Mr COUTTS-TROTTER: Yes.

The Hon. ROSE JACKSON: Sorry, can I just ask before we close: Does Youth Justice NSW have coronavirus managements plans?

Mr COUTTS-TROTTER: Yes, it has got a very explicit coronavirus management plan.

The Hon. ROSE JACKSON: Has anyone in Youth Justice NSW—has testing occurred? Has anyone been—

Mr COUTTS-TROTTER: Yes.

The Hon. ROSE JACKSON: —any self-isolation?

Mr COUTTS-TROTTER: Sorry, testing of individuals? I would need to confirm that. I do not think so. As at this morning there was no-one in isolation. It is a joint plan together with ourselves, Justice Health, Health and Education.

The Hon. ROSE JACKSON: Great, okay. Apologies, Mr Shoebridge.

Mr DAVID SHOEBRIDGE: No, that is okay—our last call for questions. Thank you very much. That concludes this budget estimates hearing.

Mr COUTTS-TROTTER: Thank you very much.

(The witnesses withdrew.)

The Committee proceeded to deliberate.