

PORTFOLIO COMMITTEE NO. 5 - JUSTICE AND COMMUNITIES

Monday 4 March 2024

Examination of proposed expenditure for the portfolio area

FAMILIES AND COMMUNITIES, DISABILITY INCLUSION

CORRECTED

The Committee met at 9:15.

MEMBERS

Ms Sue Higginson (Acting Chair)

Ms Abigail Boyd
The Hon. Anthony D'Adam
The Hon. Greg Donnelly
The Hon. Stephen Lawrence
The Hon. Natasha Maclaren-Jones (Deputy Chair)
The Hon. Rachel Merton
The Hon. Tania Mihailuk

PRESENT

The Hon. Kate Washington, Minister for Families and Communities, and Minister for Disability Inclusion

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**

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The ACTING CHAIR: Welcome to the third hearing of Portfolio Committee No. 5 - Justice and Communities for the additional round of the inquiry into budget estimates 2023-2024. I acknowledge the Gadigal people of the Eora nation, the traditional custodians of the lands on which we are meeting today. I pay my respects to Elders past and present and celebrate the diversity of Aboriginal peoples and their ongoing cultures and connections to the lands and waters of New South Wales. I also acknowledge and pay my respects to any Aboriginal and Torres Strait Islander people joining us today. My name is Ms Sue Higginson. Today I'm the Acting Chair of the Committee. I welcome Minister Washington and accompanying officials to this hearing.

Today the Committee will examine the proposed expenditure for the portfolios of Families and Communities, and Disability Inclusion. I ask everyone in the room to please turn their mobile phones to silent. Parliamentary privilege applies to witnesses in relation to the evidence they give today. However, it does not apply to what witnesses say outside of the hearing. I urge witnesses to be careful about making comments to the media or to others after completing their evidence. In addition, the Legislative Council has adopted rules to provide procedural fairness for inquiry participants. I encourage Committee members and witnesses to be mindful of those procedures.

Welcome and thank you for making the time to give evidence. Minister, 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 Mr Tidball, Ms Campbell and Ms Czech that you do not need to be sworn as you have already been sworn at an earlier budget estimates hearing before this Committee.

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Mr MICHAEL TIDBALL, Secretary, Department of Communities and Justice, on former oath

Ms ANNE CAMPBELL, Deputy Secretary, Strategy, Policy and Commissioning, Department of Communities and Justice, on former affirmation

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

Ms CLAIRE BEATTIE, Acting Deputy Secretary, Transforming Aboriginal Outcomes, Department of Communities and Justice, affirmed and examined

Ms KATHRYN MCKENZIE, Director, Operations, NSW Ageing and Disability Commission, affirmed and examined

The ACTING CHAIR: Today's hearing will be conducted from 9.15 a.m. to 5.30 p.m. We are joined by the Minister for the morning session from 9.15 a.m. to 1.00 p.m., with a 15-minute break at 11.00 a.m. In the afternoon, we will hear from departmental witnesses from 2.00 p.m. to 5.30 p.m., with a 15-minute break at 3.30 p.m. During these sessions, there will be questions from the Opposition and the crossbench members only, and then 15 minutes is allocated for Government questions at 10.45 a.m., 12.45 p.m. and 5.15 p.m. We will now begin with questions from the Opposition.

The Hon. NATASHA MACLAREN-JONES: Welcome, everyone. Minister, you released the DCJ quarterly statistical report in late January this year. Your office would have received it months ago and you told the Committee that you would release the results in December. Why the delay?

Ms KATE WASHINGTON: Ms Maclaren-Jones, good morning, and good morning to all the Committee members as well and good morning to the officials and Kathryn for coming today. I'm pleased that we're going to be focusing on vulnerable children and vulnerable community members across the State today and pleased to have everyone's interest. In response to your question, Ms Maclaren-Jones, there was some data that we needed to ensure was accurate prior to its release, so I don't think anyone would expect us to be releasing data that was not finalised prior to its release. So we did it as promptly as we could but we did want to ensure the accuracy of all data prior to its release.

The Hon. NATASHA MACLAREN-JONES: Have you now put in place processes to ensure that when that information is received in your office you have enough time to be able to ensure that the accuracy of that information is correct before being released?

Ms KATE WASHINGTON: In every instance, there's obviously some aspects to data capture that is a little bit difficult at times, especially with a system that we have where we are reliant on data sometimes coming, and often coming, from non-government providers. So I can give every assurance to this Committee that we will be as transparent and open with all the data that we have when we can have it, when we have certainty over it. That stands for everything that we do here. We want to ensure that the community understands what we're doing.

The Hon. NATASHA MACLAREN-JONES: Minister, you are aware that this dashboard has been released for a number of years and on time. Can you guarantee that the next round—which is up to the December period, which you indicated to this Committee would be released in March; we are now in March. Do you commit that it will be released in coming days or weeks?

Ms KATE WASHINGTON: We will be doing our best to ensure that it is released as soon as it can with the accurate data.

The Hon. NATASHA MACLAREN-JONES: Do you have that data in your office now?

Ms KATE WASHINGTON: At this point, I am not sure. It's still being finalised at this stage.

The Hon. NATASHA MACLAREN-JONES: Minister, this is the last quarter. You said it would be available and released in March. You still haven't received it in your office. Why the delay?

Ms KATE WASHINGTON: As I said, it's around capturing data and making sure it's accurate.

The Hon. NATASHA MACLAREN-JONES: Are you deliberately avoiding this dashboard information because the current information we do have shows shocking rates of vacancies, number of kids not being seen—is that why you're deliberately delaying?

Ms KATE WASHINGTON: Absolutely not.

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The Hon. NATASHA MACLAREN-JONES: Minister, I put to you that the data that we do have shows that vacancy rates sit at 12 per cent for caseworkers. For the same quarter 12 months earlier it was 4 per cent. You're aware that the most severe area for caseworker vacancies is New England, northern New South Wales, North Coast area with a 23 per cent rate of vacancies. What are you doing about it?

Ms KATE WASHINGTON: Ms Maclaren-Jones, I really do value this question because it goes to the heart of many of the issues that we inherited from your Government. It speaks to—

The Hon. NATASHA MACLAREN-JONES: Minister, under your watch vacancy rates have risen to 12 per cent from 4 per cent. Caseworkers and your own union, the PSA, came out today saying that people are leaving; after 14 months, new caseworkers are leaving the profession. Have you got a plan?

Ms KATE WASHINGTON: Ms Maclaren-Jones, when we came into government we inherited a system that was spiralling out of control. What we are seeing playing out now is a symptom of that system, and I don't think anyone would expect us at this point—

The Hon. NATASHA MACLAREN-JONES: Minister, as I said to you before, you have been in the job now for 12 months. Those talking points you've been using non-stop for the last 12 months. We are seeing vacancy rates continue to rise. What is your plan to address caseworker vacancies?

The Hon. STEPHEN LAWRENCE: Point of order: The Minister was answering the previous question and was then interrupted not by way of redirection or a new question but by exactly the same question. I would suggest that was a discourteous interruption rather than a legitimate redirection.

The ACTING CHAIR: I think the member has a point. Are you content to move on?

The Hon. NATASHA MACLAREN-JONES: I'll move on to the next area. Minister, in relation to that same dashboard—because we have to rely on those figures because you haven't released the latest ones—it shows that the number of kids reported at risk of significant harm was 60,700. The data for the same quarter was 56,258. That's a 7.7 per cent increase in the number of children and young people reported at risk. I also put to you that the number of children and young people reported ROSH that were seen by a DCJ worker from September '23—which is, again, the data that you've released—is 7,740, and for the same 12-month period it was 28,514. That is 9.1 per cent less. So what we are seeing is less caseworkers, more young people reported to be at risk and less caseworkers being able to actually see these young people. Again, I put to you, what are you doing?

Ms KATE WASHINGTON: Ms Maclaren-Jones, we are doing an enormous amount of work to ensure that caseworkers feel valued, and they haven't felt valued for more than a decade. They had a wages cap imposed on them by the former Government. They had unreasonable expectations placed on them in their workplaces. There has been a spiral in caseworkers and the pressures placed on them in a system that is not working efficiently, and this has been the case of the system that we inherited. I will go to, if you give me the opportunity, actions we are taking to support workers, because we value them. We value them as essential workers. We value the complex and incredibly difficult work that they do. I have heard from them directly. I have heard from them firsthand about their concerns for the children that are in the system. I've heard from them about how difficult it is for them to do the work that they do and to continue—

The Hon. NATASHA MACLAREN-JONES: Minister, can I interrupt you because we do have limited time. You said you're happy to outline what you're actually doing to address the caseworker vacancies and I'll put to you that we're seeing vacancies—as I said, the mid North Coast area, 23 per cent; Nepean Blue Mountains, Western Sydney, sitting at 16 per cent vacancy; south-western Sydney, 13 per cent. As I said to you before, in the last 12 months since you became Minister, we have seen an increase of up to 12 per cent in vacancies. What specifically are you doing to address this?

Ms KATE WASHINGTON: This is a really critical issue and it goes to the heart of the system that we inherited, where we have got foster carer numbers plummeting, caseworker numbers plummeting. All on your watch it happened. As the former Minister—

The Hon. NATASHA MACLAREN-JONES: Minister, this is under your term as Minister. In the last 12 months it's gone from 4 per cent to 12 per cent. What are you doing?

Ms KATE WASHINGTON: We are doing everything we can to support the workers and we recognise that they are essential—

The Hon. NATASHA MACLAREN-JONES: Will you give them a 20 per cent increase in wages that the PSA has asked for?

Ms KATE WASHINGTON: There are a number of discussions going on with the PSA. I met with PSA delegates last week and I had a very frank and forthright conversation with them, as I always do, because

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I recognise and value the work that they do, as this department does. We realise that the work that they do is critical to a functioning system.

The Hon. NATASHA MACLAREN-JONES: Minister, the PSA have threatened a year of industrial action. You've got caseworkers leaving the profession. You've got vacancy rates across the State sitting at 12 per cent. That is extraordinarily high and all you're doing is talking to people. You actually don't have a plan. Have you spoken to the department asking for an action plan?

Ms KATE WASHINGTON: Ms Maclaren-Jones, we have lifted the wages cap on these essential frontline workers and there is more work to be done to ensure that they feel valued because, as I said—and they have told me directly that they have not felt valued for over a decade. Yes, I have spoken with the department and, yes, there are ongoing conversations with the union and with my colleague Minister Sophie Cotsis—

The Hon. NATASHA MACLAREN-JONES: What advice has the department given you?

Ms KATE WASHINGTON: —to start designing a system where workers feel valued for the first time in a very long time. Now, those conversations are ongoing and there will be ongoing conversations and respectful conversations and negotiations about wages. But this goes to everything I've been saying for the past 12 months—or almost. I haven't been here 12 months yet. Where they haven't felt valued, we have been trying to do everything we can with a system that is literally spiralling out of control, where we've got kids in hotels and motels.

The Hon. NATASHA MACLAREN-JONES: Yes, Minister, we'll move to that a bit later on. But, again, I'm focusing on what you've done to address the significant high number of vacancies within our caseworkers. As I said, we've seen a rise from 4 per cent to 12 per cent under your watch. The number of children who have been reported at risk of harm has risen by 7.7 per cent under your watch. The number of children being seen by caseworkers has decreased by 9 per cent—again, under your watch. What exactly are you doing? You said you're designing a new system. The question is what are you doing to address the caseworker vacancies right now? Because no doubt the next dashboard will show a further increase and this will continue to increase until you take action.

Ms KATE WASHINGTON: Ms Maclaren-Jones, we are trying to clean up the mess that we inherited from your Government. We are doing everything we can.

The Hon. NATASHA MACLAREN-JONES: Minister, we've heard these talking points. The question is what have you actually done? You were aware of these figures last year. You didn't release them until January, pretty much tried to hide them during the Christmas break. The fact is you have done nothing and you have no plan to address this issue.

Ms KATE WASHINGTON: Ms Maclaren-Jones, I can guarantee you that, since we came into government, we have been doing everything we can to ensure the community understands exactly the pressures that are on this system. We have been talking about this issue. There were articles in the papers yesterday and far before that because we are wanting people to understand what is going on in this system. I will never forget that at the heart of this are vulnerable children.

The Hon. NATASHA MACLAREN-JONES: Why have the caseworker numbers gone up under your watch? Why have they gone up from 4 per cent to 12 per cent under your watch?

Ms KATE WASHINGTON: Ms Maclaren-Jones, can I just correct you for the moment. You're referencing a 4 per cent vacancy rate, which was from 12 months ago. When we came into government, it was closer to 7 per cent.

The Hon. NATASHA MACLAREN-JONES: We can't compare to it the updated figures, because you failed to release them, and we don't know when you are. So all we can do is compare the time of the cut-off, which is—

Ms KATE WASHINGTON: We can compare what's right. When we came into government, it was closer to 7 per cent, and it has risen.

The Hon. NATASHA MACLAREN-JONES: What is it currently, Minister?

Ms KATE WASHINGTON: It has risen. The last—

The Hon. NATASHA MACLAREN-JONES: And what's the figure, Minister?

The Hon. GREG DONNELLY: Point of order: I am reluctant to take it, but I think I need to. We know this is a question followed by an answer, followed by a question followed by an answer. With the greatest respect, I don't think the Minister is being given an opportunity to complete her answer or at least even the sentence she's on before there's an interruption.

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The Hon. NATASHA MACLAREN-JONES: Because she's not answering it. I'll ask again. Minister, you said that the vacancy rate has now risen. What is that figure?

Ms KATE WASHINGTON: The last reported figure is 12 per cent, and that's—

The Hon. NATASHA MACLAREN-JONES: You just indicated then it has risen.

Ms KATE WASHINGTON: From 7 per cent when we came into government to 12 per cent as reported. I might say, Ms Maclaren-Jones, there was a significantly high vacancy rate that we inherited when we came into government. The spiral was already on, and it was on your watch as Minister that that occurred.

The Hon. NATASHA MACLAREN-JONES: Minister, what is the current vacancy rate for caseworkers?

Ms KATE WASHINGTON: The last reported vacancy rate is 12 per cent. That is the information I've got at the moment.

The Hon. NATASHA MACLAREN-JONES: Minister, it is budget estimates. Are you telling me you are not prepared with those figures? This is budget estimates. Didn't you ask your department for the information?

Ms KATE WASHINGTON: Ms Maclaren-Jones, I've got the information and the information that I currently have is 12 per cent.

The Hon. NATASHA MACLAREN-JONES: Minister, I am sure either you or the department will have a current figure of the vacancy rates as of 31 December, which should have been released by now.

Ms KATE WASHINGTON: As I've already said, those—

ANNE CAMPBELL: It's the 12 per cent.

MICHAEL TIDBALL: We do not have a subsequent finalised figure—12 per cent is the most recent figure.

The Hon. NATASHA MACLAREN-JONES: So let's keep comparing it with September 2022, because we would have nothing to compare the December figure to because you haven't released that figure. As I said, it has gone up from 4 per cent to 12 per cent. Minister, can I ask if you are aware of cases being closed due to competing priorities?

Ms KATE WASHINGTON: Yes, I am aware that that is a category of casework that sees cases closed, but it is not—and I will just say the description doesn't necessarily match the action that we know is happening on the ground.

The Hon. NATASHA MACLAREN-JONES: What are the number of ROSH reports that have been closed because of competing priorities?

Ms KATE WASHINGTON: I can get that figure to you. But can I just say that cases that are closed due to competing priority, there are—with children that are screened as being at risk of significant harm, it does not mean that those cases have not been assessed and determined as to their level of risk. If there are children not seen or cases closed due to competing priorities—I have sat in some of the community services meetings where they are looking at all the cases that have come to them, and a significant amount of work goes into determining whether or not a particular child is, at that time, considered at risk or whether there are other services, like education or health or other services in the community, that are available to them to ensure that there are enough services and support around that family and that child to ensure that they are safe.

The Hon. NATASHA MACLAREN-JONES: Minister, you said that you have that available data as to the number of cases that have been closed. Do you have that figure available now?

Ms KATE WASHINGTON: I might just refer—

MICHAEL TIDBALL: We will need to take it on notice.

Ms KATE WASHINGTON: We will have to take that one on notice.

The Hon. NATASHA MACLAREN-JONES: Will you also release that figure regularly?

Ms KATE WASHINGTON: Ms Maclaren-Jones, I think that that is something that changes so often. The amount of reporting that we have on the site already is meaningful and effective, and that's what we intend to ensure we make transparent and share with community.

The Hon. NATASHA MACLAREN-JONES: How many cases are closed because of workload—because caseworkers just physically can't deal with that case and another one has come in that's more pressing?

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Ms KATE WASHINGTON: As we have already discussed today, I am not going to say that the casework vacancy isn't having any impact on the ground in terms of caseworkers' ability to respond to families. That is a significant issue that we are seeing in the system, and it is of great concern to me and the department. In terms of ensuring that children are safe, those conversations and that work is being done every single day across this State by incredibly hardworking, passionate, dedicated caseworkers. They are making sure that services and supports are around them, even if they can't be provided from within the department itself.

The Hon. NATASHA MACLAREN-JONES: Minister, the PSA has indicated around 70 per cent of young people reported at risk are not being seen. Caseworkers are working more than 200 hours over the four-week period. You've said cases are being closed because they can't get to those young people. Are you confident that every single young person who is reported at risk is being seen?

Ms KATE WASHINGTON: I think you've misrepresented what I've said, and also I don't accept—there are two parts to that question.

The Hon. NATASHA MACLAREN-JONES: Are you confident that every young person that is reported at risk is being seen by a caseworker?

Ms KATE WASHINGTON: The statistics that we share regularly show that that's not the case. What I'm saying to you is that children who are being determined to be at risk of significant harm are being checked by the teams. They're triaged and it's made sure that there is capacity in the system somewhere to ensure that they're safe.

The Hon. NATASHA MACLAREN-JONES: But cases are being closed because of competing priorities. We also know that in that 12-month period there has been an increase by 9.1 per cent of reports where young people have not been seen. Again I ask you: What are you doing to fill the vacancies of caseworkers and provide that support on the ground so that vulnerable children are being assessed and being supported?

Ms KATE WASHINGTON: What we are doing is valuing caseworkers for the first time. In the lead-up to Christmas—

The Hon. NATASHA MACLAREN-JONES: I know they appreciate your value—

The Hon. GREG DONNELLY: Point of order: It's essentially the same point of order. The Minister isn't even getting a chance to complete the second sentence.

The ACTING CHAIR: I uphold that. The Minister was really attempting to answer a question. If you want to redirect her, then of course redirect.

The Hon. NATASHA MACLAREN-JONES: No, I'm interested to know what exactly you are doing to reduce the caseworker vacancy rate, which is currently sitting at 12 per cent.

Ms KATE WASHINGTON: In the two weeks prior to Christmas I held six statewide staff forums. I think I've met with more than half the workforce now since I've been Minister to try to understand from them the pressures that they have in the system. They are pressures that have been on them for years and years and years. They are saying that to me directly. I am hearing every single day that the systems in place are not allowing them to do the jobs that they want to do, that they have concerns not only for themselves—and very much not for themselves. They are concerns about the children, and the children that they can't get to sometimes. We are doing everything we can. They are, for the first time, saying that somebody is finally in government that is listening to them.

The Hon. NATASHA MACLAREN-JONES: But your vacancy rates are still going up. My time has expired.

The ACTING CHAIR: Minister, what are your key messages right now for this Committee in terms of your program to tell us what has changed for children in out-of-home care since you became the Minister last year?

Ms KATE WASHINGTON: Thanks, Ms Higginson. It's an important question. From being sworn in and gaining parental responsibility for about 13,000 children in the State, it's a weight that I wear very heavily every single day—and I will every day that I am in this role. Every single day we are trying to work out how we fix the broken system that we inherited. There has been a number of priorities. The first priority—well, they're of equal standing as well—is reducing high-cost emergency arrangements, where children are in hotels and motels getting very poor outcomes and costing taxpayers millions and millions of dollars. The second priority—and I will actually address that now, in terms of the high-cost emergency arrangements.

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What we have done is put in place a high-cost emergency arrangement team within the department. That team has now seen a reduction of 71 children in high-cost emergency arrangements just in the past four months. There are still more than 400 children in those arrangements, but a 42 per cent reduction in the least preferred version of those arrangements, in alternative care arrangements—a 42 per cent reduction is a significant start to fixing a problem that we inherited. There has been a lot of work that has gone into that, but it's work that could have been done before by the former Government. Instead, they let it spiral out of control.

The second priority is reducing the over-representation of Aboriginal children in out-of-home care. What we have done—it started with a forum back in August. I gave evidence to the Committee last time about that—a two-day forum with Aboriginal stakeholders from across the State. Ten priority immediate reforms came out of that, that we are focusing on. The first one was to create a Ministerial Aboriginal Partnership Group, which has now met, and that is consistent with our commitments under Closing the Gap to ensure that we have shared decision-making. That group will help design reforms to ensure Aboriginal children and families have the support they need in a targeted effort to try to turn around the shocking over-representation of Aboriginal children in the system.

The ACTING CHAIR: Thank you, Minister. I really appreciate getting some insight into what's happening, and I know there's a lot of work happening—I know that, obviously. My office works with your office quite a bit on certain matters. On that point, can I just ask something I had intended to ask a bit later. Is there a reason that we haven't appointed a First Nations commission or commissioner within the office to actually oversee that part of your reform work that you're very committed to?

Ms KATE WASHINGTON: That's in the Office of the Children's Guardian?

The ACTING CHAIR: Yes.

Ms KATE WASHINGTON: It's a decision for the guardian to make, ultimately, and I understand there are conversations being had.

The ACTING CHAIR: Are you advocating that there be a commissioner? Do you think that's something that would assist your work and assist the work that we all desperately need to see—the over-representation come down?

Ms KATE WASHINGTON: We're having conversations with AbSec, as the peak body, around what that role would look like and what they would like to see.

The ACTING CHAIR: So it's fair to say you're very supportive, if that's what—

Ms KATE WASHINGTON: Indeed. Yes, there has been a gap there for some time. We want to ensure that the role is meaningful and respectful and that it has the support of our Aboriginal stakeholders.

The ACTING CHAIR: I think that was a recommendation from the FIC review. It's good to know that that's something that your office is supporting. Yes, that was number two in terms of the over-representation and what you're doing there with the partnership.

Ms KATE WASHINGTON: The third piece is workforce. It has to be a priority, and it is a priority of our Government to ensure that we have a workforce that feels supported and valued for the incredibly difficult work they do. I can't tell you the number of times people have said to me that during COVID there was a lot of talk around frontline workers on all fronts—in health and even in shopping centres. There was not one mention by the former Government of the people that were doing the work in trying to keep children safe across the State, and they did not stop during that whole time. Workforce is a significant priority area as well. Then, of course, critical to our entire system are foster carers. There is a lot of work to be done to ensure that foster carers also feel supported.

The ACTING CHAIR: With that, what specific work is being done to redirect the investment from out-of-home care to effective early intervention programs and keeping families together? Acknowledging the Permanency Support Program evaluation, are you acting upon that?

Ms KATE WASHINGTON: In the early intervention space, there hasn't been an increase in resourcing for over a decade. Everyone knows that's where the greatest impact can be had from more resources by supporting families and showing they have the supports that they need to keep children home safely. But whilst we are managing a significant crisis in the system where we have high-cost emergency arrangements costing, over the past two years, half a billion dollars, this is why we are focused on significant systemic reform of the system. The only way that we're going to be able to start seeing additional support going to the end where it's needed most is if we reform the system and stop the haemorrhage of resources at one end, and not only the haemorrhage of

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resources but the really poor outcome for the children involved. That's the priority for us and our reforms and ensuring that we are getting the best outcomes for children and keeping them safe.

The ACTING CHAIR: Since you have become Minister, how many Aboriginal children in out-of-home care have actually now been transitioned from NGOs to ACCOs?

Ms KATE WASHINGTON: The short answer to that is: not nearly enough.

The ACTING CHAIR: Is that something you could take on notice in terms of the actual amount or something you could get back to me? Because I know it's not nearly enough but it would be good to get an idea and an indication of what we're talking about.

Ms KATE WASHINGTON: The figure is quite shocking and it shocked me when I found out. It's less than 20 since we came into government.

The ACTING CHAIR: Are you still committed to that transition and that work?

Ms KATE WASHINGTON: Absolutely. I respect that it's complex and complicated work, but this is an absolute priority for us to see the transition of Aboriginal children to Aboriginal controlled organisations. And to that end, last year I wrote to foster carers—those letters went through their non-government providers because we don't have direct access to all carers, so they went to the foster carers of Aboriginal children—confirming our ongoing commitment and priority of seeing the transition take place. Just last week, as well, I wrote to providers and again reiterated our commitment as a government to seeing these transitions occur. There just needs to be a greater sense of urgency to this and there hasn't been.

The ACTING CHAIR: I might just bring something forward. In June last year I wrote to you about an Aboriginal mother who had raised concerns about her child who was placed with Life Without Barriers. Your office looked into the matter and you provided a signed response to me 10 days later, but unfortunately the information that you provided to me was incorrect. Do you recall that matter?

Ms KATE WASHINGTON: I do.

The ACTING CHAIR: I'm not going to identify the case, obviously.

Ms KATE WASHINGTON: Obviously there are sensitivities, and I know once we realised—

The ACTING CHAIR: Sorry, if it's okay, can I just keep directing here for a moment. I just want to cut to it because what was patently obvious to me was that you had relied on information, as you ought to, in good faith but that information that you had been provided was incorrect.

Ms KATE WASHINGTON: Yes, I do recall this and you are correct, and I know that my office reached out to your office and apologised for the error, but we had relied on information that had been provided to us by non-government providers.

The ACTING CHAIR: Does that concern you, Minister? This is a large provider.

Ms KATE WASHINGTON: Yes.

The ACTING CHAIR: Does that concern you?

Ms KATE WASHINGTON: Yes, it absolutely does.

The ACTING CHAIR: Are you aware of any other instances of information being provided by these large organisations that might be inaccurate?

Ms KATE WASHINGTON: Short answer: yes. As a result—

The ACTING CHAIR: Is it happening regularly? Is it happening a lot?

Ms KATE WASHINGTON: That is the exact question I had to ask as well. What we did was—in response, when it was happening more than once—we put a new process in place to track the timeliness and accuracy of information we were seeking from non-government providers. It's regrettable that we had to put a process in place to try to track what we were getting back, but it proved to be important because it did show that there was a significant problem. Since we had that process in place, I think it's about 100 per cent, almost all of the information that we were getting wasn't either accurate—and about close to 90 per cent was significantly lacking in information.

The ACTING CHAIR: That's really alarming.

Ms KATE WASHINGTON: Indeed.

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The ACTING CHAIR: I know, from just the instances that I dealt with, we were talking about some really important matters regarding children and their wellbeing—impacts that would have lifelong, lasting impacts. As I understand it, you're suggesting that you wouldn't know about that. Even when somebody's inquiring, you may not even know the depth of the issue that we're raising.

Ms KATE WASHINGTON: Correct. We rely on information that's provided to us by the non-government providers. It is of significant concern to me that when we are getting information—

The ACTING CHAIR: How do you exercise and reconcile the fact that it is actually you who has the legal duty of care? You're the Minister—as in, you're legally responsible in every sense, as well as being morally, ethically, physically and mentally responsible. How can we now then be assured that you are getting accurate information and you can respond in the best interests of the child?

Ms KATE WASHINGTON: I had very direct conversations and meetings with the peak provider and other non-government providers about our expectations that information provided to us be accurate. I don't think that that should be an exceptional ask of our partners in delivering services.

The ACTING CHAIR: I'm sorry to interrupt. Have you been able to identify why or how this could happen? And how long it's been happening for?

Ms KATE WASHINGTON: I can't, apart from since we've been in government. But I can say that when members like yourself come to me and ask for information and are making representations on behalf of families that are obviously struggling, you deserve accurate information. The last thing I want to be doing is misrepresenting any setting whatsoever. To your question around parental responsibility, it sits very uncomfortably with me that I don't have direct access or control to information by virtue of this outsourced system that we have.

The ACTING CHAIR: Are we going to change that? If that is the problem, Minister, can we see some suggestion that that might change?

Ms KATE WASHINGTON: We are obviously undergoing significant systemic reform of the system. The experiences that we're having will obviously feed into that reform. What is really sitting uncomfortably with me is I know that information is coming to me that might not be accurate or isn't answering the questions, but then, if you go to a court setting, when children's matters are before the court and the department is representing the Government and me as having parental responsibility, they usually don't know the child because that information has to come from a non-government provider to one of the department officials representing my interests and that child's interests in court.

That's where it really starts getting very uncomfortable for me because, if that information isn't accurate, then we start getting outcomes that, for children, won't be in their best interests because it's not based on the information that's accurate. And we've seen this. We've seen magistrates getting so frustrated by this situation that they're publishing judgements, which is unusual in the Children's Court, because of frustrations around inaccurate information coming to the court. It comes from the system that we've inherited, which is largely outsourced, and it continues to sit very uncomfortably with me.

The ACTING CHAIR: Ultimately, Minister, what you're saying is we are actually in a position where it is the case that the department and you would be unable to report on when and if children in out-of-home care are being or have been abused by their carers.

Ms KATE WASHINGTON: Whilst I don't have a lot of visibility on what happens with non-government providers when we're talking about abuse in care, there are absolute responsibilities and mechanisms in place in terms of reporting and in terms of oversight.

The ACTING CHAIR: I'm just not hearing any ability to be assured that information is being passed through these unbelievably important chains of custody of care in terms of the duty of care—that the information is reliable or is reflecting reality. How would we know? The only situation I can contemplate is if somebody else knows, they come to a crossbencher or an Opposition member, they then prod the Minister or the department's office and say, "Hey, believe us. Believe us. This is what the child is telling us." But everybody else is not telling that.

Ms KATE WASHINGTON: There are other mechanisms of oversight as well, with the Office of the Children's Guardian responsible for accrediting non-government providers, as well as being responsible for other safety issues. Then you've got the Ombudsman, who is also able to deal with individual concerns and complaints.

The ACTING CHAIR: Some of these processes are very slow, Minister, and very hard to access.

CORRECTED

Ms KATE WASHINGTON: Indeed. The cumbersome nature of the system, the opaque nature of the arrangements, where—and, to be really clear, whilst the former Government was obviously obsessed with privatisation—obviously, I have significant concerns around that as a concept more broadly. But a basic tenet to that is, when you privatise something, you remove risk and liability from the Government in that process. In this system that doesn't even happen. I maintain parental responsibility. I maintain, and the Government maintains, statutory obligations, liabilities, responsibilities that aren't outsourced. So it's a system that doesn't make sense in terms of even the basic concepts.

The ACTING CHAIR: When will we see a case to significantly change that system, where there is more capacity for you to exercise your duty of care with the standard that you would prefer?

Ms KATE WASHINGTON: When we are talking about reforming and a significant structural reform of the system, we are looking at the whole continuum of the child protection system as to where, and to what extent, the Government delivers services.

The Hon. NATASHA MACLAREN-JONES: I might also follow on from correspondence. It is nice to see that the Acting Chair has had some of her correspondence responded to. Minister, I wrote to you in August and September last year on behalf of two foster families—one regarding their experience as a carer, the other wanting to adopt—and I haven't received a response. I also wrote to you in November regarding a lady living in SDA whose brother was concerned for her safety. I also raised that matter with you at the last estimates. I still haven't received a response.

But the matter I wanted to raise was in relation to a foster carer who also wrote to you—and I wrote to you in December last year. This couple have been carers for 28 years and have fostered 68 children. They have adopted two children with Down syndrome, adopted a child with non-accidental brain injury and have been long-term carers for another young person with Down syndrome. In fact, they've cared for him since the age of five and this young person is now 17. Do you recall that matter?

Ms KATE WASHINGTON: Ms Maclaren-Jones, I believe I have signed that letter just last week, in response to you. Yes, I recall the amazing work that that family has been doing.

The Hon. NATASHA MACLAREN-JONES: So you would recall that they are trying to adopt the young person, having already adopted siblings, and they have actually written to you, asking for your support in this process. Their concern is this young person is going to turn 18 and will not be able to consent to be adopted. As I said, the correspondence was sent by that family and then again from me in December last year. It's now three months on.

Ms KATE WASHINGTON: I will have to check. I believe that the family came to me directly as well, and I understand—and I will check, but I think we have responded directly to them last year, and, unfortunately, there has been some delay in responding to you, in addition to that. That being the case, I am sorry for that delay. But I can assure you that when we get matters coming to us the department is doing the work to understand where the situation is at well before a response is received. So it does sometimes—because there are complexities, as in all cases. So that work obviously starts, and then we try to provide a meaningful response when we can, in the constraints of all the privacy issues.

The Hon. NATASHA MACLAREN-JONES: Minister, you would have seen the article yesterday in relation to approximately 1,000 authorised foster carers leaving the system in the last 12 months. The Office of the Children's Guardian, their latest data—which they released, I think, only last week—shows that DCJ carers, as of 31 December, was 7,401; 31 March last year was 7,817. Minister, why have around 400 carers left DCJ in the last 12 months?

Ms KATE WASHINGTON: Ms Maclaren-Jones, again, I start by saying that foster carers are a critical part of the care system. They play such an important role, and I have so much respect for the role that they play, opening their hearts and homes to some of the most vulnerable children in the State. They are experiencing many issues themselves as a consequence of the system that we inherited. The plummeting numbers of foster carers was already occurring under the former Government—

The Hon. NATASHA MACLAREN-JONES: Minister, sorry to interrupt, but I am actually asking about the 400 that have, again, left foster caring in the 12 months since you've been Minister. What action have you taken? Have you asked the department for a brief in relation to why this is occurring?

Ms KATE WASHINGTON: Ms Maclaren-Jones, I have met with many foster carers, and the decline in foster carers is consistent with the decline that was already occurring whilst your Government was responsible for the system.

The Hon. NATASHA MACLAREN-JONES: Minister, I am asking what action you're taking.

CORRECTED

Ms KATE WASHINGTON: I appreciate you might be trying to focus on the latest ones that have left, but this is another symptom of the system—

The Hon. NATASHA MACLAREN-JONES: Minister, what are you doing to address the shortage of foster carers and the number of foster carers leaving the system?

Ms KATE WASHINGTON: We are doing everything we can. In terms of emergency foster care, we have reinvigorated the process, where the department itself is now recruiting emergency foster carers. But for those—

The Hon. NATASHA MACLAREN-JONES: Minister, what's the difference between an emergency foster carer and a carer that may have been caring for this young person before the placement broke down?

Ms KATE WASHINGTON: Sorry, I don't understand the question. The emergency foster carers are just basic—are only short-term foster carers and aren't authorised for longer term—

The Hon. NATASHA MACLAREN-JONES: Do they receive any additional funding?

Ms KATE WASHINGTON: They receive the same funding as others, as I understand. It's just a shorter term, and they aren't—sometimes they are also longer accredited or have approval to have longer term care, but some are just for emergency shorter term care. We recognise that foster carers are doing it particularly tough. Particularly with cost-of-living pressures, there are pressures on them like no other. We know that there's more work to be done to try to provide the supports that they need. This will be a critical element of the significant systemic reform that we are embarking on.

The Hon. NATASHA MACLAREN-JONES: When are you going to announce the detail of these reforms? You keep referring to conversations and meetings you are having—"These significant reforms are going to address the falling number of caseworkers. It is going to address the number of foster carers leaving the system." When are you actually going to announce what these reforms are?

Ms KATE WASHINGTON: Ms Maclaren-Jones, as you'd appreciate, what we are dealing with is an incredibly complex system with many, many moving parts. At the heart of it are vulnerable children. We have to ensure that what we are doing is done in partnership collaboratively with every element of the system, from our partners—

The Hon. NATASHA MACLAREN-JONES: Minister, sorry to interrupt. This is why I'm raising it. I have foster carers coming to me and I have written to you about those; as I said before, I'm still waiting for responses. I know they're writing to you. The sector is concerned. You've got caseworkers raising concerns with their own union. You've got caseworkers going to the media. You've got foster carers going to the media. The community is crying out for answers and direction from you. You are the Minister. You've been there for 12 months. You keep producing the same stock standard lines. What is your time frame for this supposed reform that you're going to be introducing?

Ms KATE WASHINGTON: Ms Maclaren-Jones, we've been in government for less than 12 months. We inherited the system that you served us, which on multiple fronts—and it's recognised in the media that you refer to—has been plummeting and failing the most vulnerable families. This has been something that has been in train for the last decade. If you are trying to suggest that I could fix this mess that you left—

The Hon. NATASHA MACLAREN-JONES: No, Minister, I'm asking you—

Ms KATE WASHINGTON: —in nine months when you had 12 years where you could have fixed it yourself—

The Hon. NATASHA MACLAREN-JONES: —for some details. Minister, you don't seem to have any details, any plan. You can't answer simple questions: What is your plan to address vacancy numbers? What is your plan to address foster carer vacancies? You have no plan. I might move onto my next question. It's also in relation to the SMH carers article, which states that carers are under financial pressure. There are many cases where foster carers have also had to leave their jobs to care for the young person in their home. I'm interested to know what support you are giving to foster carers, particularly those reaching out to say that they're under financial strain.

Ms KATE WASHINGTON: Your Government introduced the PSP program, which provides to non-government providers resources in addition to allowances provided to foster carers. Those additional resources were designed to provide additional support and are there for additional support for foster carers, in terms of meeting the needs of the children in their care. That's part of the program. The evaluation of that program hasn't been flattering. It hasn't achieved the permanency outcomes that it was designed to achieve and it's cost a

CORRECTED

lot more than it should have. Foster carers have access to additional supports other than the payment allowance through that program, but—

The Hon. NATASHA MACLAREN-JONES: And they're the contingency payments?

Ms KATE WASHINGTON: —I'm not suggesting for a moment that there's not a lot more work to be done to ensure that foster carers feel supported, and feel supported enough to care for the children that are in their care.

The Hon. NATASHA MACLAREN-JONES: Minister, I put it to you that approximately \$80 million in the last financial year was spent on contingency payments for children and young people in addition to the care allowance. These are payments for items such as orthodontic work, psychology and travel to see family. In the same period the Government spent over \$250 million on emergency placements. My question is what is the Government doing to increase contingency spending, knowing that it would likely lead to a decline in high-cost emergency placements?

Ms KATE WASHINGTON: I'm trying to understand the logic of the question, but I'm also just trying to overcome—

The Hon. NATASHA MACLAREN-JONES: It's about providing more support to families.

Ms KATE WASHINGTON: —the suggestion that somehow this is our Government's fault when your Government created a situation where high-cost emergency arrangements became the norm in a system when they should never have been.

The Hon. NATASHA MACLAREN-JONES: Minister, this is not a laughing matter.

Ms KATE WASHINGTON: This is very far from a laughing matter.

The Hon. NATASHA MACLAREN-JONES: This is very serious. You have foster carers who are leaving their jobs to care for young people and who are under financial strain, particularly with cost-of-living pressures, and you have no clear answer as to what you're doing to financially support these families that are in dire need.

Ms KATE WASHINGTON: What we are doing is trying to stem the crisis end of the system that became part of the business as usual under your Government, where there were millions and millions—half a billion dollars in the past two years—spent on children in high-cost emergency arrangements, which is causing an enormous budget deficit. This is money that isn't budgeted. When we are having to find, like we have done this year—and this is budget estimates. We had to find \$200 million just to fill the hole that was left by your Government so that the system didn't collapse. When we are having to find that—and now you, as the former Minister, are asking why aren't we putting it elsewhere. It's because we're just trying to fix the mess that you left us.

The Hon. NATASHA MACLAREN-JONES: Minister, I keep asking you what are you specifically doing to support foster carers, what are you doing to address vacancies in caseworkers, and yet you have no answer. Minister, in response to a question put to you, you said at the last estimates that "high-cost emergency placement data will be recorded quarterly" and the dashboard would be provided commencing this year. Has that dashboard been finalised?

Ms KATE WASHINGTON: I understand it has, but I might just defer to—

The Hon. NATASHA MACLAREN-JONES: When will it be released?

ANNE CAMPBELL: It's not a public dashboard; it's for internal use at the moment, as I understand it.

The Hon. NATASHA MACLAREN-JONES: Minister, why won't you release the information? You're happy to dump it to the media.

Ms KATE WASHINGTON: Ms Maclaren-Jones, I made that commitment at the last budget estimates, and I believe that it has been delivered. I will say that your Government chose to hide it for the past 12 years, and we are committed to making sure it's transparent.

The Hon. NATASHA MACLAREN-JONES: Minister, I'm confirming that you have agreed to release that data in relation to high-cost emergency—

Ms KATE WASHINGTON: Indeed.

The Hon. NATASHA MACLAREN-JONES: Will you also release the financial amount?

CORRECTED

Ms KATE WASHINGTON: I've just been advised by the secretary that it should be available this month.

MICHAEL TIDBALL: Consistent with the commitment which was made at the last estimates, and it will be available by the end of March.

The Hon. NATASHA MACLAREN-JONES: Can I confirm that you will also add, with that, the cost of HCEAs?

Ms KATE WASHINGTON: At this point I don't think that that's going to be possible. Again, I point to the fact that this information was never made available by your Government, never discussed, and it was only in opportunities—

The Hon. NATASHA MACLAREN-JONES: Minister, the question was always put at budget estimates and the figures were released at budget estimates, so we do know. In fact, in previous questions that have been put to you, you said that from January to June 2023 ACAs were costing \$57.7 million. You've also indicated that the ACA highest cost was around \$829,000. The figures are there.

Ms KATE WASHINGTON: Sorry to interrupt. Providing them on a quarterly basis is a different matter. What we're able to do, after a period of time, is to be able to then go back and understand the costings, because this is a very volatile area where costs aren't set and where we are captive to a market that was established by many private providers that are exploiting the system that you broke. We can provide—

The Hon. NATASHA MACLAREN-JONES: Minister, will you commit to releasing the actual figures on a six-monthly basis? We do know that that is possible.

Ms KATE WASHINGTON: I will have to speak to my officials to understand whether that's possible. If I might just go back to the December quarterly data that you were saying is late. It's not late. It will be available this month and it'll be available on time.

The Hon. NATASHA MACLAREN-JONES: That is the dashboard. You've just said that you were releasing both the high-cost emergency arrangements along with the other statistical dashboard at the end of this month.

Ms KATE WASHINGTON: Yes, I believe so.

The Hon. NATASHA MACLAREN-JONES: Minister, you've come out this morning saying that the number of young people in HCEAs is down to—what was the figure?

Ms KATE WASHINGTON: As of the end of February, it's 435. We've seen a reduction in the number of children in high-cost emergency arrangements of 71 just in the past four months alone due to a directed effort from the department based on our priorities to try to turn this system around and stop the crisis and stop the terrible outcomes for the children that are placed in these settings.

The Hon. NATASHA MACLAREN-JONES: Three months prior, and in response to a question you were asked at estimates previously, the number was 471. So it's not actually a 71 decrease because you see an increase of around 30-odd over that three-month period to November which brought it up to then 500. The question, Minister, is that, as you've indicated before, the numbers are volatile and they do move.

Ms KATE WASHINGTON: They've only been going up and up and up under your Government and then we inherited the same scale of growth. What we have done is put a priority. Quite frankly, I was shocked when I came into this role and saw how many children were in these settings, and so I asked the department to put it as a priority to start turning the system around, and for the first time we've seen those numbers going backwards.

The Hon. NATASHA MACLAREN-JONES: Minister, just on these numbers—the 71 young people—where are their placements now? Can I get a breakdown?

Ms KATE WASHINGTON: I don't know to what end that would—

The Hon. NATASHA MACLAREN-JONES: Have you asked the question of your department where these young people have gone?

Ms KATE WASHINGTON: Absolutely, Ms Maclaren-Jones. I can't tell you how closely I am following this because it is a significant priority of mine. These children have—

The Hon. NATASHA MACLAREN-JONES: Minister, where are these young people placed?

CORRECTED

The Hon. STEPHEN LAWRENCE: Point of order: The Minister was endeavouring to answer that exact question and got about three seconds into it.

The ACTING CHAIR: Fair call. Are you happy to let—

The Hon. NATASHA MACLAREN-JONES: As long as she can answer the question directly. We have got limited time. Do you have a breakdown of where those 71 have gone?

Ms KATE WASHINGTON: These children have come from many different backgrounds and they have gone to—

The Hon. NATASHA MACLAREN-JONES: Minister, I'm not asking about their background.

Ms KATE WASHINGTON: No, they have—

The Hon. NATASHA MACLAREN-JONES: I'm asking where these young people have gone. What accommodation style are they currently in?

The Hon. ANTHONY D'ADAM: Point of order: The Minister was mid-sentence.

Ms KATE WASHINGTON: They have gone to a variety of different accommodations.

The Hon. NATASHA MACLAREN-JONES: Can you list those, please?

Ms KATE WASHINGTON: Some have even been—

The Hon. ANTHONY D'ADAM: Point of order: The Minister has to be given an opportunity to complete an answer.

The ACTING CHAIR: That's right, but the member also does have the capacity to redirect and I'm hearing redirection.

The Hon. ANTHONY D'ADAM: That wasn't redirection; that was just interjection in the middle of the Minister's—

The Hon. NATASHA MACLAREN-JONES: You're now wasting time.

The Hon. STEPHEN LAWRENCE: To the point of order: There was also a question to list the locations. I would query—

The Hon. NATASHA MACLAREN-JONES: There is a question before the Minister as to specifically—

The ACTING CHAIR: Hang on. We are hearing a point of order, and it's a very valid point of order.

The Hon. STEPHEN LAWRENCE: There was also a question to list the locations. I would suggest that that raises tension with the Act.

The Hon. NATASHA MACLAREN-JONES: It wasn't locations. It was asking where these young people have been placed. What type of placement are they currently—

The Hon. STEPHEN LAWRENCE: "List the locations" is what was said, as I recall.

The Hon. NATASHA MACLAREN-JONES: The Minister understands. I'm asking exactly what type of placement have these young people been placed in.

Ms KATE WASHINGTON: I do understand and I'd like to answer.

The ACTING CHAIR: Please do, Minister.

Ms KATE WASHINGTON: Some of these children have been restored to their families safely. Some of these children have been placed in foster homes. Some of these children will have been placed in other residential care arrangements that have therapeutic elements to them. So there is a range of different areas where these children have gone to. But the question that I have asked this team is, "Are these placements sticking?" This isn't just something designed to make sure that the Minister has a figure that I can point to. This is meaningful placement of these children in placements which provide them safety and permanency.

The Hon. NATASHA MACLAREN-JONES: Minister, how many have gone into residential home care placements?

Ms KATE WASHINGTON: That I would have to come back to you on.

The Hon. NATASHA MACLAREN-JONES: Could you get the answer before the end of the session?

CORRECTED

Ms KATE WASHINGTON: I'm not sure but we can try.

The Hon. TANIA MIHAILUK: Minister, I was listening to your answers. In fact, I've been listening online throughout the whole session. I just want to check, you made a comment earlier about having concern about the inaccurate information that NGOs provide to the department during matters that are before the court. Can you just elaborate where you're getting that information from or that evidence? Because that's quite a strong statement to make that you're suggesting that inaccurate information is being provided to the department at that point. I'm not sure if that has been supported by your department here. I just want to understand, because these NGOs are accredited by the Office of the Children's Guardian.

Ms KATE WASHINGTON: Correct.

The Hon. TANIA MIHAILUK: So I would've thought, if there's any concern about the information, you would raise that with the Office of the Children's Guardian and why they accredited that NGO in the first place. Perhaps you could elaborate what you meant by that.

Ms KATE WASHINGTON: Thanks, Ms Mihailuk, I appreciate further digging into this issue. It has come directly from a judgement of—I believe it was by—Magistrate Sheedy, who has published at least one judgement to this exact point where she has concerns about the accuracy of the information that's been provided to the court. Obviously what's really concerning is that we want to get the best outcome for children, and at that setting, it's imperative that the information being provided is accurate.

The Hon. TANIA MIHAILUK: So there's one example that we have at the moment?

Ms KATE WASHINGTON: Correct.

The Hon. TANIA MIHAILUK: Can I also ask you, are we now auditing NGOs appropriately?

Ms KATE WASHINGTON: In what sense?

The Hon. TANIA MIHAILUK: In the context that there has always been discussion around making sure that we audit the NGOs that are receiving significant amount of money in relation to managing foster care and, of course, in caring for children that are vulnerable. How are we managing or ensuring that that money is being well spent?

Ms KATE WASHINGTON: Again, a question that I've asked myself as Minister. The Auditor-General has been conducting an inquiry into expenditure in child protection, in particular using their "follow the dollar" powers. I believe that the Audit Office's report will be published in March, maybe.

The Hon. TANIA MIHAILUK: Wasn't it a significant commitment that your party made at the last election, and prior to the last election, that you did want to ensure there were "follow the money" orders being conducted in relation to NGOs in this area of child protection?

Ms KATE WASHINGTON: Sorry, what was the question?

The Hon. TANIA MIHAILUK: I understood that this was a commitment the Labor Party made that they wanted to ensure that the Auditor-General had further powers in relation to follow the money, in the context of making sure that all the money that's allocated to those NGOs for the purposes of child protection is properly spent.

Ms KATE WASHINGTON: Indeed.

The Hon. TANIA MIHAILUK: Where is that up to? That's not yet been implemented? Are we still waiting for an inquiry?

Ms KATE WASHINGTON: I did just say that the—

The Hon. TANIA MIHAILUK: You're saying that the Auditor-General is—what stage are they at?

Ms KATE WASHINGTON: I did just say that the Auditor-General is using its new "follow the dollar" powers.

The Hon. TANIA MIHAILUK: Are they working with you, together, to let you know which NGOs they're now assessing?

Ms KATE WASHINGTON: We are obviously assisting and providing the information that the Auditor-General requires for the investigation. But I understand it's almost complete and will be—

The Hon. TANIA MIHAILUK: That's what I want to know—where it's up to.

CORRECTED

SIMONE CZECH: We're awaiting a draft report from the Auditor-General. We understand it will be this month that the department will receive a draft report.

The Hon. TANIA MIHAILUK: But they've been liaising already with the Minister, and I assume the department, as to what level of investigation they're undertaking with NGOs?

SIMONE CZECH: Correct. They have made several requests for information and data, and we've provided that, both in respect of non-government organisations and the Department of Communities and Justice.

The Hon. TANIA MIHAILUK: Minister, are you expecting a plethora of recommendations coming out of that report? Or are they going to give some advice on how to better manage?

Ms KATE WASHINGTON: The Auditor-General doesn't usually—

The Hon. TANIA MIHAILUK: They do give some recommendations, or they certainly provide—

Ms KATE WASHINGTON: No, in terms of providing me a daily update about where they're at, I don't get that.

The Hon. TANIA MIHAILUK: I'm talking about this report. Are you expecting some—

Ms KATE WASHINGTON: I'm expecting a scathing report because, from the system that I'm seeing, it is not functioning as it should. I expect there to be—and that's not just about non-government providers. It's also about the department. I'm expecting it to be scathing of the entire system. I think it will speak to the need for the major systematic reform that we are talking about.

The Hon. TANIA MIHAILUK: Is that why there is some delay in you actually actioning the caseworker vacancy rates, for example the high caseworker vacancy rates? There seems to be a bit of a pause at the moment, in the last eight or nine months, in fact. I understand you absolutely inherited major problems from the last Government; there is no question of that. Everybody knows that foster carers are leaving the system. Everybody knows that it's really difficult to be a caseworker.

I mentioned this at the last budget estimates—why on earth does a caseworker need to have a degree when they could probably be better off with on-the-job training? I don't know if you're revisiting that issue, because that's making it incredibly burdensome for people to become caseworkers if you've got to then take on a three- or four-year degree that's worth 150 grand, for example. That's a big problem in the area and I asked you to have a look at that in the last budget estimates. There is a lot of action that you can take, Minister, rather than just waiting for this report. I appreciate you are waiting for this report, but there is a lot of action that you can take on how you can make it a better system in place to attract caseworkers, keep caseworkers—one being an easier path to become a caseworker.

Ms KATE WASHINGTON: I can assure you, Ms Mihailuk, we aren't on pause. There is no pause and there has not been any pause since we came into government. We are working on multiple fronts on all areas where there are massive problems across the system. One area, as you quite rightly say, is the caseworker area. But I'm not waiting for the Auditor-General's report to drop to be able to know what needs to be done. There are multiple other reports—the Advocate for Children and Young People also has a report that will be finalised shortly, as I understand. We've got an IPART review that will be undertaken throughout this year. There are numbers of pieces of work and I—

The Hon. TANIA MIHAILUK: But it's not into the caseworkers. The IPART report is not into the caseworker issue.

Ms KATE WASHINGTON: No, I'm just saying it is—

The Hon. TANIA MIHAILUK: The crux of the concern that I have is it is the caseworker numbers that are a major issue, Minister.

Ms KATE WASHINGTON: Indeed.

The Hon. TANIA MIHAILUK: And you do have to accept some responsibility there because there clearly are high rates of caseworker vacancies under your watch. There is no question of that. What I'm asking you is—you need to really sit down and bring in the best heads that you have in your department and really decipher what can we do in the immediate short term to address this matter beyond just paying public servants another 20 per cent, for example, or paying NGOs more money. Because that's not really the answer to get caseworkers, is it?

Ms KATE WASHINGTON: Ms Mihailuk, I can assure you that those conversations have been had last year, this year, especially after meeting with caseworkers across the State. I've heard from them firsthand

CORRECTED

about the pressures on them and immediately have sought the department's support and advice on the way forward. There has been a lot of work with the department, with Minister Cotsis' office on strategies to improve the workforce issues, including—

The Hon. TANIA MIHAILUK: But they're IR matters. That is not addressing the real issue of why caseworkers don't want to enter the system or stay in the system.

Ms KATE WASHINGTON: Industrial relations matters—

The Hon. TANIA MIHAILUK: That's why I gave you that example of degrees and how burdensome it is to become a caseworker. We've talked about this already. Aboriginal caseworkers don't need to have a degree. A non-Aboriginal has to have a degree. You're putting an incredible burden on potential people who could be a caseworker—to ask them to take on a degree that's probably worth around \$150,000. You just need compassion and common sense to be a caseworker, Minister.

Ms KATE WASHINGTON: If I may give you some reassurance—part of the work that we've been doing, and the discussion that has been had, includes qualifications of caseworkers. There are different opinions about that, but that is part of the discussion that has been had. In fact, it was being had prior to the last budget estimates hearing as well. I can give you some reassurance on that front. We are looking at every possible strategy to start trying to turn around the situation that we've got with caseworkers and trying to make sure that they feel valued to do the important work that they do and focus on keeping children safe.

The ACTING CHAIR: Minister, you answered earlier that there has been less than 20 transitions from NGOs to ACCOs in terms of children in out-of-home care. What are you doing? How will that number change and change as quickly as we possibly can get it? I just don't feel like we've got a line sight of what that looks like.

Ms KATE WASHINGTON: We are ensuring that all of the non-government providers know that this is an ongoing priority of our Government. Hopefully, the foster carers who have cared for those children received the letters that were sent to the non-government providers from me to them. Hopefully, they've received them. If they didn't, they can reach out to me and I can send one to them directly. I guess another concern that I've got in this is the lack of urgency in the way that this has been approached. There have been a lot of nice words said by a lot of providers, but when we saw the numbers, it was, quite frankly, shocking. We are continuing to work closely with providers to try to understand what barriers there might be to them making the transition. There has been a lot of work done at a very granular level across districts to understand where capacity is in ACCOs and where the children are. We've asked for plans from the providers—non-government providers.

The ACTING CHAIR: Minister, we've actually even heard that some providers are telling their carers that they don't have to transition to ACCOs. Is that something you're aware of? Have you been made aware that—I am not going to name anyone, but there's this cultural or some issue happening in there, and this is what's being said throughout those networks.

Ms KATE WASHINGTON: Ms Higginson, I have heard similar statements being made. I can't speak to their accuracy, but I have heard that anecdotally as well. That's deeply concerning to me, which is why we've made it very clear that this remains a priority of our Government to ensure that those transfers occur and to assist in the process in whatever way we can to reduce any barriers that non-government providers might be experiencing.

The ACTING CHAIR: DCJ has set a target of 30 per cent of targeted early intervention funding for ACCOs. My understanding at the moment is it's currently 11 per cent. Is that correct? What commitments are you making in the next two years to achieve that 30 per cent and as rapidly as possible?

Ms KATE WASHINGTON: There was enormous importance of ensuring that we get resources to the front end so that the early intervention and support for families and services are available to them to be able to stay safely together. Whilst we are managing the crisis end of the system and trying to turn that around, that is the beginning of that work where we have seen fewer children now, for the first time, going into HCEAs—so the high-cost emergency arrangements. That has seen avoided costs of almost \$50 million. But that system is still continuing. Until we undertake the significant reform of the system, it's the only way we're going to start seeing a change in what can come to targeted early intervention.

To your point, specifically around the percentage of funds to go to ACCOs, it is a priority, given that we've got 46 per cent of kids—or 45 per cent, I think, now of Aboriginal children in out-of-home care. We need to ensure that, on the ground, there are the Aboriginal community organisations that can provide that culturally safe support and services to families. DCJ is also leading a significant whole-of-government discussion, because we know that the answers to—and the drivers of disadvantage and poverty and the answers to some of the issues that lead to children coming into the system sit outside of our system. So it's in education; it's in health.

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The ACTING CHAIR: Have you got the full support of Cabinet right now with this priority, and Treasury in particular?

Ms KATE WASHINGTON: We are all working very closely together across our Government to ensure that communities across the State have the essential services that we need. In fact, we were elected on a mandate to start rebuilding those essential services that eroded over the past decade in health and education.

The ACTING CHAIR: New South Wales is the only jurisdiction without an independent commissioner for Aboriginal and Torres Strait Islander young people. Just going back to the point earlier, you're urging for that to come about and for us to not be the laggard there anymore?

Ms KATE WASHINGTON: Sorry, I don't want to—I think there are two—it might be a bit of a crossover here, Ms Higginson.

The ACTING CHAIR: Yes.

Ms KATE WASHINGTON: In the Office of the Children's Guardian there has been a deputy guardian position vacant for some time. The question around—

The ACTING CHAIR: An independent commissioner.

Ms KATE WASHINGTON: —an independent commission's a different question again.

The ACTING CHAIR: What are you doing about that?

Ms KATE WASHINGTON: That's something that I'm hearing loud and clear from Aboriginal stakeholders, particularly AbSec, ALS and the Aboriginal sector more broadly.

The ACTING CHAIR: That was noted in the February FIC progress report—

Ms KATE WASHINGTON: Indeed.

The ACTING CHAIR: —and something that will come later. Why is that not a priority for you at this point?

Ms KATE WASHINGTON: What we want to do is ensure, through the Ministerial Aboriginal Partnership Group, that we are designing a system that supports Aboriginal children and families. The commission conversation will be one that's had with that group and, obviously, other stakeholders outside it.

The ACTING CHAIR: I think it's fair to say that views around that have been very clear for a long time and that is a priority. That would drive the confidence in accountability and reform. It's a priority, is my understanding.

Ms KATE WASHINGTON: Indeed, but I don't want to be embarking on an entirely new agency when we are embarking on significant reform of the system as well. We want to make sure that if there is going to be an agency—an additional agency—that it sits and complements and supports a new system. I don't want it to be just added on.

The ACTING CHAIR: It's very concerning, Minister, in respect to the fact that it's been a long time since the FIC report was put on the table, the recommendations. We know the expertise and lived experience in that. The call was for that part of the reform, to get on with it. It seems like we really are delaying something we know. My understanding is that all the FIC groups are still requiring and calling for this urgent reform and the establishment of an independent commissioner.

Ms KATE WASHINGTON: Indeed. To the FIC recommendations themselves, the outstanding FIC recommendations are part of the conversation and the remit of the Ministerial Aboriginal Partnership Group. I revisited the FIC report and recommendations over Christmas—because that's what you do—along with Tune and some of the others that have been ignored in the past. I reflected that they were based on the system as is. I think what we've seen in the past is a lot of tweaking around the edges of the system as is. But when we are talking about major systemic reform, we've got to be careful that we aren't cherrypicking different recommendations from different reports that may not sit within a new system design. It's all got to be done together. I respect where the advocates have come from and the continued advocacy for the commission. I respect it entirely and appreciate the need for the independent—

The ACTING CHAIR: So is it a priority for you, or are you suggesting it's not a priority at the moment? I think where I'm trying to get at is that the feeling on the ground is that not enough is being done. There are some really clear articulations of what needs to be done and priority, and we're not seeing that.

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Ms KATE WASHINGTON: My priority is to ensure that we are designing a system that supports Aboriginal children, communities and families in partnership with the Aboriginal sector, particularly with the Ministerial Aboriginal Partnership Group. The conversation around the commission will be an integral part of that.

The Hon. NATASHA MACLAREN-JONES: Minister, in response to a question taken on notice at last estimates, you said:

... 280 children ... who are under the Parental Responsibility to the Minister ... were not in placement with authorised carer as at 30 September ...

Of those, 273 had self-placed. These children have been placed in your care to keep them safe, and yet they have self-placed in potentially unsafe environments. Minister, are you confident that all these young people who have self-placed are safe?

Ms KATE WASHINGTON: Ms Maclaren-Jones, you would appreciate the complexity of these young people's lives. I'm aware of children who are self-placing. These children are usually older children in the system. The department, obviously, whilst they are still under—it depends on what orders they've got. There are obviously a number of different orders that they might be placed under in terms of who actually has ultimate responsibility for them. But we, as a department, ensure that all children who are in my parental responsibility are safe, and we do our best, when they self-place, to ensure that they are safe as well.

The Hon. NATASHA MACLAREN-JONES: Minister, are you aware of the number of young people aged between 12 and 15 years of age who have presented to specialist homelessness services unaccompanied? That figure is 2,379 for 2021-22, which is the data that has been released from the Australian Institute of Health and Welfare. In the City of Newcastle alone it's 203. Again, I ask you, are you confident that every young person in your care who has self-placed is safe?

Ms KATE WASHINGTON: Ms Maclaren-Jones, the statistics that you've referred to I am aware of, and the thought of children of those ages not having elsewhere to go is quite horrifying. A lot of those children aren't in the system, as I understand it—aren't in out-of-home care, as such—so that's sometimes a different proposition when we're talking about that cohort of young children who are choosing, of their own volition, for whatever reason, to—

The Hon. NATASHA MACLAREN-JONES: You're saying that a young person as young as 12 is choosing to be homeless. Clearly that young person needs support and assistance. What action are you taking, either through your department or working with the Minister for Homelessness, to ensure that the close to 2,500 young people as young as 12 who are currently sleeping potentially rough or couch surfing are being protected and looked after?

Ms KATE WASHINGTON: We are working closely with the Minister for Housing and Minister for Homelessness on that particular cohort.

The ACTING CHAIR: Minister, finally, before the break, the *Family is Culture Progress Report* that was released in February—of the 44 recommendations in your priority areas, they still require further consideration. I just want to know what that means: "further consideration"? I accept the ministerial group that you have formed but, in particular, if you could turn to recommendation 64, it states:

The NSW Government amend the Children and Young Persons (Care and Protection) Act 1998 to require judicial officers to consider the known risks of harm to an Aboriginal child of being removed...

I know there were discussions around this when the former Government introduced their reform to the current law, but what is the reluctance to stipulate, in express terms, that danger so that judicial officers have that consideration, which was recommendation 64?

Ms KATE WASHINGTON: As I recall—sorry, you're going into some detail. What I'll say is that all of the outstanding FIC recommendations are to be considered by the Ministerial Aboriginal Partnership Group. I don't mean to dismiss your question by any stretch, Ms Higginson, but I don't want to be presuming any outcomes of that group. I want to be ensuring that that is a genuine shared decision-making process.

The ACTING CHAIR: Have you heard any view that stipulates a different desire, from anyone within the Aboriginal partnership group, that we don't want to see that kind of reform taking place: recommendation 64, that the legislation is amended to stipulate very clearly that it's harmful for Aboriginal children to be removed from family?

Ms KATE WASHINGTON: What I'll say is that there have been a lot of conversations about many aspects of the system, since I've become Minister, with the Aboriginal community. That particular item is not one that we have necessarily canvassed directly, given that there are so many other pressures on community right now.

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As I recall, I don't think that one specifically has been part of the conversation. A lot came out of the Aboriginal Child Safety and Wellbeing Reform Forum that we held, and nine immediate action items were agreed that came out of that. That was not one of them.

The ACTING CHAIR: It's now Government time.

The Hon. GREG DONNELLY: Minister, at the last estimates hearing we had significant lines of questioning from the Opposition that we haven't heard about today—at least up to this point—about the Stockton Centre.

The Hon. NATASHA MACLAREN-JONES: We're only halfway through the session.

The Hon. RACHEL MERTON: We've read the press release.

The Hon. GREG DONNELLY: I'm wondering if you would be able to update the Committee on any progress with the vacant Stockton Centre.

Ms KATE WASHINGTON: I can update the Committee on progress that has been made with the Stockton Centre. As members of this Committee might recall, during the former Government, whilst the Coalition saw the devolution of the Stockton Centre and left it sitting disused, a number of Labor members across the Hunter were calling on the former Government to make use of the disused site so that people experiencing homelessness might be able to use it. That request was refused outright by the former Government. It was considered too difficult; I don't know why. But one of the first actions I took when I became Minister was to ask for an onsite visit to the Stockton Centre. We did it with officials and we saw very clearly that there were possibilities there. When we, on a daily basis, are seeing heartbreaking situations of people experiencing homelessness, where people are couch surfing, sleeping in their cars, sleeping in the bush, we owe it to them and we owe it to our communities to be looking at every possible opportunity.

I'm really pleased that we've been able to now start the process of transforming seven of the buildings on that site to become transitional housing. I think five of those buildings are going to be five-bedroom homes. One of the really difficult homelessness challenges is for families, so we're going to now have five homes able to be stood up for those families so they don't have to be torn apart when they're experiencing the most difficult times. It's a start. It's not an entire solution by any stretch but it should support up to 25 people who would otherwise be sleeping rough. From having been onsite last year and to now be getting an outcome, I'm really hopeful that we're going to be able to change some people's lives, and I'm really grateful to the Minister for Housing, and Minister for Homelessness for working so closely with me on this to ensure that we can try and ensure people have somewhere safe to go when they need it most.

The ACTING CHAIR: Any further questions?

The Hon. STEPHEN LAWRENCE: Yes, thank you, Chair. Thanks, Minister. I want to return to the topic of the high-cost emergency arrangement team that you've stood up. You've obviously spoken publicly about this appalling situation of vulnerable children ending up in hotels and motels, but I was wondering if you could expand upon the need, the reasons for the establishment of that team and perhaps a bit more on how it's working.

Ms KATE WASHINGTON: Thanks, Mr Lawrence. As I said before, when I first became Minister and came into this role, to understand how many kids were being placed in high-cost emergency arrangements, some of which involved young children in hotels, motels, caravan parks—and we're not talking high class; we're talking really not good environments for any child to be in. And for this now to have become a part of a system that was never intended to be there and was just in response to a broken child protection system—it became part of the norm under the former Government, and the numbers just kept going up and up. It's so difficult to stem the tide in an environment where we also have foster carer numbers plummeting and caseworkers leaving.

It is a system spiralling out of control in many directions all at once, but the biggest demonstration of that are these poor kids in hotels and motels. Once we understood the enormity of the problem, I asked the department to prioritise our efforts on reducing the numbers of children in those hotels and motels. We didn't know if it was going to be possible, even. But after four months only, to have now reduced the number of children in those settings by 71 is a good start. That still means there are more than 400 children in those settings that ought not to be there, but we're going to be doing everything we can to keep the effort on to try and turn the system around.

I've got to say, the effort, whilst it's been done by a central unit, is reflected across the ground across the State. Every district is doing everything they can to try to find safe and loving homes for these children instead of them going into high-cost emergency arrangements. Through the process that we've implemented and the team, we have seen costs avoided of almost \$50 million. Even at that level of savings, there is so much still being spent on the remaining children in those settings. I will just mention, having spoken to a child who has been in one of these

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settings, all she could describe was how isolated she was. She was there for far too long. Her story I can't even share because of privacy issues.

The Hon. TANIA MIHAILUK: So why are you? Crikeys!

The Hon. STEPHEN LAWRENCE: Point of order—

The Hon. TANIA MIHAILUK: You just can't pretend to care for five minutes. Honestly, this is pathetic.

The Hon. STEPHEN LAWRENCE: It's now descending just into abuse. It's just appalling.

The ACTING CHAIR: A point of order has been taken. Ms Mihailuk, this is Government time and the Minister's responding. You don't have to stay, Ms Mihailuk.

The Hon. TANIA MIHAILUK: I will.

Ms KATE WASHINGTON: Ms Mihailuk, I am going to respond to that. The suggestion that I'm pretending to care for five minutes is highly offensive. Every moment that I'm in this role I'm thinking about those children that speak to me about their experiences in those settings, which is what is driving me and it's driving the department to try to turn this situation around that we inherited, where children are in high-cost emergency arrangements. The poor outcomes for those children is something that we must all, working with our non-government providers, working across communities—we can all be playing a role.

Part of the solution is trying to attract more foster carers into the system, so there are solutions that are in every community. But we will continue to do everything we can and come at this from every possible direction, turning on, reinvigorating the recruitment of emergency foster carers to give alternatives to these arrangements, trying to support foster carers more so that we can attract more foster carers whilst also doing the hard work of trying to find placements for these kids that are already in these settings. We're coming at it from every possible angle because these kids deserve it.

The ACTING CHAIR: Thank you, all. We will take a break and we'll be back at 11:15.

(Short adjournment)

The ACTING CHAIR: Welcome back. Minister, you are indicating—

Ms KATE WASHINGTON: Yes, I just wanted to make one clarification, if I may, Chair, just in relation to Ms Mihailuk's question and commentary around court cases. I just wanted to make it clear that there was only one judgement published where we were aware that there was inaccurate information provided via a non-government provider to the court through the department. There are a number of other non-published cases that we are aware of similar situations. I just wanted to make that clear.

The Hon. RACHEL MERTON: Thank you, Minister and your team. It's great to be here. Minister, if I could just pick up from the last estimates when we spoke about pregnancy relating to out-of-home care. It was 13 girls in out-of-home care were reported pregnant, the youngest being 14. Minister, I am wondering what the latest data is that you have on this.

Ms KATE WASHINGTON: Good morning, Ms Merton. The latest data we've got on this is currently, again, there are 14 young people who are pregnant in the system. They are provided intensive casework support to ensure that they have all their health and support needs addressed whilst they are in care. Obviously, their settings will differ. Whether they are with foster carers or if they are in residential care, it will depend on the level of support that they would need. But, obviously, the department tailors those supports, depending on their need.

The Hon. RACHEL MERTON: Minister, are you receiving critical incident reports every time a girl in an out-of-home care arrangement is pregnant?

Ms KATE WASHINGTON: Yes.

The Hon. RACHEL MERTON: Minister, if you could just elaborate a bit more, just in terms of actions you have taken to understand the circumstances in which they have fallen pregnant and whether they require any additional supports.

Ms KATE WASHINGTON: I have met with some amazing providers that provide the intensive support for young people in care. I have even met with some of the young women and girls that are in this situation. I've got to say that their stories, their backgrounds, are incredibly complex, and to really—and I am assured that they are getting the supports and services that they need. In terms of addressing the issue itself, it's a complex,

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complicated problem—often intergenerational—and we are doing everything we can, as a government, to ensure that there are services and supports available for families. But there's a lot of work to be done across communities to ensure that all of the supports not just within, obviously, our department but across the whole community services sector and in Health and in Education to try to tackle the drivers of disadvantage that lead to intergenerational disadvantage and trauma.

The Hon. RACHEL MERTON: Minister, just specific to you and your department—in terms of checks and follow-ups on this, are there arrangements? Is it every two weeks, every three months? It's nice to go and meet these girls, but just in terms of a bit of an ongoing arrangement.

Ms KATE WASHINGTON: I've got to say, as the Minister, I wasn't providing care to these young women. I was merely trying to understand the supports that are in place and available to them. The department provides the necessary supports and intensive casework support to these young girls, depending on their setting. So I can't say what the frequency is for every particular case. That would depend on the individual's needs.

The Hon. RACHEL MERTON: I recognise that my colleague Ms Higginson has touched on this earlier today, in terms of Aboriginal community-controlled organisations. Minister, if I could just refer you to a question on notice, No. 52, and it says that there are currently 20 ACCOs accredited by the OCG to deliver out-of-home care, and that there were no new ACCOs in the past 12 months. Minister, is that the case? Have there been any new ACCOs since the last estimates?

Ms KATE WASHINGTON: I see. Sorry, I was trying to understand what you were referring to. As I understand, there remain 20 ACCOs delivering services. Some 17 of those deliver PSP and the remaining three in either family pres or in TEI.

The Hon. RACHEL MERTON: There have been no new ACCOs since the last estimates? The figure still remains at 20?

Ms KATE WASHINGTON: I don't believe so.

The Hon. RACHEL MERTON: Is there greater support that can be provided to the ACCO sector? What are we doing in terms of this? We have all seen firsthand the community need for this and then we see no change in the number of providers.

Ms KATE WASHINGTON: This is an issue that we are taking very seriously as a government. I'm working very closely with the Minister for Aboriginal Affairs in terms of growing capacity within the Aboriginal community controlled sector. We obviously have our strong commitment to Closing the Gap and we report regularly to CAPO. This is going to be a critical part of the conversation that I am having with the Ministerial Aboriginal Partnership Group as well to ensure there is coverage across the State, because there are certain areas where there is very little coverage of Aboriginal community controlled organisations. There is work to be done to grow capacity to ensure that Aboriginal children and families get culturally appropriate support across the State.

The Hon. RACHEL MERTON: Thank you. Yes, discussions continue with the sector. Minister, if I could just take you back to your reference that there are 20 accredited ACCOs and 17 provide the out-of-home care services. There are three ACCOs that were accredited but are not providing services, is that right?

Ms KATE WASHINGTON: As I understand, they are providing services, just not in the out-of-home care part of the system. Outside of out-of-home care there are child protection services like family preservation or targeted early intervention. They're not providing care for kids that are under the care of the State but they are delivering supports to families before children come into care.

The Hon. RACHEL MERTON: If I could just take you to programs that are discontinuing, I refer to supplementary question No. 49. It refers to exits from out-of-home care to homelessness services. I understand that the answer says the department is working to improve the transparency of this data. I am just checking when we may have more data available on that, which is the transition from out-of-home care to homelessness services?

Ms KATE WASHINGTON: Ms Merton, data capture is something that I've actually been quite concerned by on a number of different areas where we haven't been capturing data. This is one of those. Coming into government, we learnt that there wasn't data captured about children in out-of-home care and their engagement with schooling. There wasn't data capture about where children, if they're not seen by the department, if other services are providing those services instead. We haven't got data capture on that, we haven't got visibility. In terms of exiting out-of-home care to homelessness services, again, this is an important area that we need to understand better so data capture is something that we are working on.

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The Hon. RACHEL MERTON: Is there a time frame we are working on this? We can operate on ad hoc feedback from providers we go and meet ourselves that report this, but in terms of the integrity of some data on this, is there a time frame? What do we say?

Ms KATE WASHINGTON: I might refer to Ms Campbell to see whether she can provide further information to you on that.

ANNE CAMPBELL: There are probably two issues there. You would recall the More than Shelter report that the Ombudsman did many years ago. One of the recommendations from that was looking at a dashboard to track children that are in out-of-home care and the children that were in specialist homelessness services from 12 to 15 years of age. We provided a draft of that dashboard to the Ombudsman for their review, to see if it meets that particular recommendation. In terms of the other data, in terms of children leaving out-of-home care and going into homelessness, I'd need to take that on notice. But I know we do have some data on that. We obviously fund, through Minister Jackson's area or portfolio, things like the Youth Initiative etcetera, which really target young out-of-home care leavers.

The Hon. RACHEL MERTON: Ms Campbell, I'm conscious of the Minister's time, and ours, so I'm happy to take that up this afternoon, but thank you very much for that. Minister, if I could just refer you to *The Newcastle Herald* on 20 January 2024 where you were quoted as saying, "We need to move to a system where families are supported before children are removed." I think there is good support across the sector in terms of early intervention relating to this. Minister, it was reported by *The Daily Telegraph* on 20 December that the Minns Government axed the Supporting Families into Early Childhood Education scheme. This one in particular related to the south-west of Sydney by the Uniting Church that put nearly 200 Fairfield kids and hundreds of regional kids into early education programs that otherwise would have missed out. I'm just wondering, Minister, where the Government's commitment is in terms of these programs that are being axed? The community are experiencing and reporting this firsthand.

Ms KATE WASHINGTON: Ms Merton, I assume you're talking about early childhood education. I can assure you that our Government is doing far more than has been done in the past in terms of ensuring young people can access early education. We've committed to 100 new public preschools across the State. They are going to be delivered. We are committed to ensuring that all young children can access the early education services that they need. This is a priority for our Government because we know how life-changing early education is for a young child over their entire lifetime.

The Hon. NATASHA MACLAREN-JONES: Minister, I might move to whether or not you're aware of the *Safe, Accessible & Available? Examining the temporary accommodation system in NSW* report that was released by Homelessness NSW in December last year.

Ms KATE WASHINGTON: Ms Maclaren-Jones, I'm not familiar with that report.

The Hon. NATASHA MACLAREN-JONES: The report from Homelessness NSW is looking at temporary accommodation and, in particular, they asked questions around accessibility for people with disability and asked people to rate, out of a scale of one to five, how accessible and appropriate temporary accommodation was. The score was as low as 1.6 out of five. What policy and procedures are currently in place to support people with disability into temporary accommodation?

Ms KATE WASHINGTON: Ms Maclaren-Jones, accessibility of housing, broadly, is a significant issue to the sector and to people with disability across the State. If we think that housing and homelessness is a problem for people across the State, it's an acute problem for people with disability. In terms of temporary accommodation, obviously that's something that falls under the responsibility of the Minister for Housing and Minister for Homelessness, but I am working very closely with her in terms of accessibility of housing, temporary accommodation and also domestic and family violence services. There are issues in all aspects of the system in terms of accessibility, and I'm working closely with the Minister for Housing and Minister for Homelessness. I'm also working really closely with the planning Minister as well, who also obviously has a role to play.

The Hon. NATASHA MACLAREN-JONES: Minister, Homelessness NSW has called for an audit of all current temporary accommodation to check for accessibility. In the disability royal commission, recommendation 7.35 (c) also calls for an audit of temporary accommodation. Will you commit to undertaking that audit of current temporary accommodation to see whether or not it is accessible?

Ms KATE WASHINGTON: Like all responses, our Government's responses to the disability royal commission recommendations, they are being—

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The Hon. NATASHA MACLAREN-JONES: But this is also Homelessness NSW who is also asking for this audit because of the fact that they have spoken to people who are experiencing homelessness, who are seeking temporary accommodation and who have been turned away because they have a disability.

Ms KATE WASHINGTON: This is a very serious issue and, like many of the recommendations that are in the disability royal commission, or that came from it should I say, they reflect calls from community, calls from various sectors and peak bodies over a number of years. Like all recommendations, the 222 recommendations that were made by the disability royal commission, we are working our way through those. We have a cross-agency taskforce.

The Hon. NATASHA MACLAREN-JONES: I understand that, but this is specific to temporary accommodation. Have you met with the Minister for Housing in regard to what crisis accommodation is available?

Ms KATE WASHINGTON: Yes, I've spoken with the Minister for Housing and Minister for Homelessness, particularly around the accessibility of housing and all forms of housing in the State.

The Hon. NATASHA MACLAREN-JONES: Minister, this morning you announced Stockton. You indicated, following a question from one of your colleagues, that there will be—is it five homes will be made available or 25 properties?

Ms KATE WASHINGTON: No, there are seven homes.

The Hon. NATASHA MACLAREN-JONES: Seven homes.

Ms KATE WASHINGTON: There are five five-bedroom homes—

The Hon. NATASHA MACLAREN-JONES: Seven five-bedroom homes.

Ms KATE WASHINGTON: —one two-bedroom unit and one one-bedroom unit, which should accommodate up to 25 people, although there may also be a requirement for support workers to be involved in there as well.

The Hon. NATASHA MACLAREN-JONES: Just to clarify, Minister, it's for 25 people. How many people could use Stockton previously? I thought it was over a hundred.

Ms KATE WASHINGTON: The Stockton Centre at one point housed maybe 400 people.

The Hon. NATASHA MACLAREN-JONES: You're only providing 25. Will they all be for people with disability?

Ms KATE WASHINGTON: Ms Maclaren-Jones, I don't know whether when you were Minister you took the opportunity to go to the site. It's a site that I'm—

The Hon. NATASHA MACLAREN-JONES: Minister, I'm asking you specifically. You announced this morning that up to 25 people will be able to access temporary accommodation. Will they all be for people with disability only?

Ms KATE WASHINGTON: Ms Maclaren-Jones, you're talking about a site where your Government said—

The Hon. NATASHA MACLAREN-JONES: Minister, I'm asking—

Ms KATE WASHINGTON: You're talking about a site where your Government said, "Absolutely not. We couldn't possibly."

The Hon. NATASHA MACLAREN-JONES: Minister, you organised for your own members to give you a Dixer on this question. Now I'm asking for some details. This site accommodated, you said, close to 400 people. You've announced this morning that the site will be able to accommodate 25 people. I think in that release you said "accommodating people with disability". I'm trying to find out whether the site will be accessible for people with disability.

Ms KATE WASHINGTON: And I'm just trying to put in the context—

The Hon. NATASHA MACLAREN-JONES: It's a simple "yes" or "no", Minister.

Ms KATE WASHINGTON: I'm putting in the context that this was a site that your Government said, "It couldn't possibly be used for transitional housing."

The Hon. NATASHA MACLAREN-JONES: Minister, you're not providing disability access to a site—

CORRECTED

The Hon. GREG DONNELLY: Point of order—

The ACTING CHAIR: A point of order has been taken.

The Hon. NATASHA MACLAREN-JONES: Again, it's not a laughing matter.

Ms KATE WASHINGTON: I'm not laughing.

The Hon. GREG DONNELLY: The general respect is that we allow sort of a back and forth and the ability to answer or redirect as the case may be. I think the Minister needs to be able to respond to the question.

Ms KATE WASHINGTON: You're referencing people with disability. This is going to be meanwhile-use for people in need of transitional accommodation. It was a site that was a former residential accommodation site at its peak when it was a disability service. There were a number of people on the site. Many of the buildings on that site have been left in ruin by your Government and many of them can never be used again.

The Hon. NATASHA MACLAREN-JONES: Minister, will this site be accessible for people with disability?

Ms KATE WASHINGTON: Absolutely.

The Hon. NATASHA MACLAREN-JONES: It will be?

Ms KATE WASHINGTON: Absolutely.

The Hon. NATASHA MACLAREN-JONES: In addition, Minister, you did a media interview before you came into government about Stockton along with Tomaree calling for both sites to be used for crisis accommodation. Does that mean Tomaree will also be turned into temporary accommodation?

Ms KATE WASHINGTON: When I came into this role, one of the first things I did was have a site inspection of both sites, Stockton Centre and Tomaree Lodge, to understand whether or not there were opportunities for temporary accommodation or meanwhile use in the midst of a housing and homelessness crisis. What came from those visits was the apparent opportunity at Stockton Centre—not the same opportunity at Tomaree Lodge.

The Hon. NATASHA MACLAREN-JONES: What is the outcome for Tomaree?

Ms KATE WASHINGTON: Tomaree Lodge—there's ongoing work being done in terms of the constraints and the future use of that site.

The Hon. NATASHA MACLAREN-JONES: When will the report that you announced last year be released to the public?

Ms KATE WASHINGTON: Sorry, which report are you taking about?

The Hon. NATASHA MACLAREN-JONES: In relation to Tomaree.

Ms KATE WASHINGTON: You did a consultation report that was largely meaningless when you were in government.

The Hon. NATASHA MACLAREN-JONES: Minister, you said last year that you were doing further consultation and looking at a further report. When will that be released?

Ms KATE WASHINGTON: And there's currently work being done to understand the constraints of the site.

The Hon. NATASHA MACLAREN-JONES: So yet another review.

The Hon. TANIA MIHAILUK: Minister, just back on alternative care arrangements, how many providers are there in New South Wales?

Ms KATE WASHINGTON: Ms Mihailuk, I might have to come back to you on that. But I can say that of those providers—I think the figure I saw was 89 per cent of them are for-profit providers.

The Hon. TANIA MIHAILUK: For profit?

Ms KATE WASHINGTON: Correct.

The Hon. TANIA MIHAILUK: So a very small percentage are then run by the department as well, is that right?

CORRECTED

Ms KATE WASHINGTON: No. There are others being provided by non-government providers who aren't for profit.

The Hon. TANIA MIHAILUK: Does the department provide any other alternative care arrangements?

Ms KATE WASHINGTON: No.¹

The Hon. TANIA MIHAILUK: Is that correct? Do you want to assist the Minister?

Ms KATE WASHINGTON: There are some children in alternative care arrangements that are—

The Hon. TANIA MIHAILUK: Minister, in a question that you've answered previously to another member in the other House you said there was 35 providers. I'll just help you out. There are 35 organisations in New South Wales. That includes the Department of Communities and Justice as one of the providers of alternative care arrangements in New South Wales.

Ms KATE WASHINGTON: We have a role to play in case managing some of the children that are in those settings. We don't provide—

The Hon. TANIA MIHAILUK: The specific question was providing the day-to-day care to children and young people in ACAs. Obviously the department plays some role, as do the not-for-profit and the for-profit organisations.

Ms KATE WASHINGTON: The only residential accommodation that the department is accredited to provide is a place called Sherwood House.

The Hon. TANIA MIHAILUK: So all of the kids that are currently in motels in New South Wales, their care is provided through for-profit organisations, NGOs? Who are you giving the contracts to? Because it's really big money. We are talking \$60 million in almost just six months is given to these organisations.

Ms KATE WASHINGTON: They are non-government providers—either for profit or not for profit.

The Hon. TANIA MIHAILUK: Both—a combination. You said in a response to a question back in September that you wanted to significantly reform this area. I might quote you so that you don't think I am misquoting you. You want to reduce the costly emergency arrangements and, I quote you, "I am considering and will announce in due course a range of reforms to address this issue." This is your response to a question put to you on notice back in September.

Ms KATE WASHINGTON: Correct.

The Hon. TANIA MIHAILUK: That is your answer. What have you announced since September in relation to ACAs?

Ms KATE WASHINGTON: I have announced that the number of children in ACAs have dropped by 42 per cent in the past four months.

The Hon. TANIA MIHAILUK: What have you announced about your reform? You announced back in September you were going to reform this area. I am asking what are you doing to reform it?

Ms KATE WASHINGTON: Ms Mihailuk—

The Hon. TANIA MIHAILUK: I'm just giving you an opportunity to—you said that you were going to announce some reform. I want to know what the reform is. Are you still thinking about it?

Ms KATE WASHINGTON: Part of the reform, and a significant part of the reform, is managing the crisis that we are dealing with right now. That's what we did by creating a team within the department that has prioritised the entry into high-cost emergency arrangements and the removal from high-cost emergency arrangements to get a better outcome for the children involved. We have seen a reduction, for the first time, since, I think, the beginning of 2022. Since then that figure has been rising, month on month. This is the first time we've seen a reduction.

The Hon. TANIA MIHAILUK: It rose significantly last year, is that right?

Ms KATE WASHINGTON: I beg your pardon?

¹ In [correspondence](#) to the committee received 4 April 2024, Hon Kate Washington MP, Minister for Families and Communities, Minister for Disability Inclusion, Department of Communities and Justice, clarified the evidence given.

CORRECTED

The Hon. TANIA MIHAILUK: The ACA numbers rose significantly last year.

Ms KATE WASHINGTON: They have been rising for the past three years, month on month, and this was the first time that we've seen a reduction.

The Hon. TANIA MIHAILUK: Minister, are the organisations that are receiving the funding to provide this type of care also receiving funding to provide foster care or any other child protection services?

Ms KATE WASHINGTON: Some of the organisations probably are. Yes, they are.

The Hon. TANIA MIHAILUK: So these organisations then compete for money for providing services for children in the alternative care arrangements and then they make a decision on whether they also seek funding to assist in foster care and child protection services? Is that right?

Ms KATE WASHINGTON: Yes, they are contracted by the department to provide foster care. Alternative care arrangements are not part of the contract system.

The Hon. TANIA MIHAILUK: No, they're separate contracts but they are still contracted. What I'm saying to you, Minister—is it likely that some of these NGOs or for-profit organisations are making a decision about what is in the interests of their organisation financially? Is it to compete for the grants for funding to provide foster care and child protection services? Or is it in their interests just to focus on the ACA part of their delivery of their models of their organisations? If you're providing such big money—and it's not just you but your department and your predecessor did this as well. If the ACAs are receiving millions and millions of dollars to provide care for children in motels and hotels and they're given a particular fund for that, it may be in the interests of that organisation to pursue those arrangements and to invest more in that part of their business model than, for example, in providing foster care services or child protection.

Ms KATE WASHINGTON: I understand where you're coming from, Ms Mihailuk. There are a number of pressures across the system. To your point particularly, there is an intensive therapeutic care model, which a lot of providers have, where it's more or less a house and there are contracted arrangements. This is a preferred model for children to be going into a high-cost emergency arrangement. What I found coming into this role was that the vacancy rates on some of those intensive therapeutic care models were sitting around 30 per cent, some maybe 40 per cent. When they are vacant, it then means that a child is going into a high-cost emergency arrangement instead of a more appropriate setting.²

The Hon. TANIA MIHAILUK: You've also got a problem, Minister, of 35 organisations—I'm sure they're not working together on any of this. They're based on regions, for example, or location or particular type of demographics. Is that right?

Ms KATE WASHINGTON: No, some of them work across the State.

The Hon. TANIA MIHAILUK: I put to you that I think there is a real conflict when one of these organisations is providing both foster care and child protection services, and at the same time the ACA.

Ms KATE WASHINGTON: What we are now doing—

The Hon. TANIA MIHAILUK: I think that that is one area of reform that this Government could think about.

Ms KATE WASHINGTON: What we are now doing as a department—if a non-government provider isn't willing to provide the level of service that we would expect them to, we are looking to step in as the department. We have had very robust conversations with many providers and I've had very direct conversations with the peak ACWA about this exact problem—

The Hon. TANIA MIHAILUK: Sorry to interrupt you, Minister. I think what you're saying is fine, but what I wanted to ask you is those contractual arrangements—and perhaps your department there can respond. Are they six months, 12 months, 24 months? Where are we up to? If we want to step in, you're working under existing contractual arrangements.

Ms KATE WASHINGTON: For the alternative care arrangements?

The Hon. TANIA MIHAILUK: Yes.

² In [correspondence](#) to the committee received 4 April 2024, Hon Kate Washington MP, Minister for Families and Communities, Minister for Disability Inclusion, Department of Communities and Justice, clarified the evidence given.

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Ms KATE WASHINGTON: They are on an ongoing basis. They are just one-offs.

The Hon. TANIA MIHAILUK: For what time frame?

Ms KATE WASHINGTON: They're not locked in at all.

The Hon. TANIA MIHAILUK: Maybe the department can give me an example. Is that a one-off payment for, "You look after this many kids", or—

MICHAEL TIDBALL: It is done on effectively a bespoke arrangement in relation to each young person. So the need arises, there is a problem with placement and an agency or organisation is approached and arrangements are put in place specifically for that child or young person.

The Hon. TANIA MIHAILUK: Then it's open ended, I'd imagine.

SIMONE CZECH: There's no set time frame on those arrangements. I think it's just important to call out there is no contractual arrangement. It's an individual agreement between the department and/or the NGO, and that particular provider.

The Hon. TANIA MIHAILUK: But then you must know who is providing this type of service, so you have to have a list of those providers so you know who to turn to.

SIMONE CZECH: We're getting that for you. We'll be able to provide that.

Ms KATE WASHINGTON: Ms Mihailuk, can I just make it really clear that I have made it abundantly clear to the non-government providers through the peak and to their board that we expect them to work with the Government on our priorities, which is reducing the number of children in high-cost emergency arrangements. Where they don't, then we will be looking to step in.

The Hon. TANIA MIHAILUK: Minister, I want to ask about the role of the Senior Practitioner within your department. How many people currently work for the Office of the Senior Practitioner, please?

Ms KATE WASHINGTON: I can find that for you in just a moment. I thought I could find it for you in just a moment.

The Hon. TANIA MIHAILUK: We can come back to that—or maybe perhaps one of the department secretaries can provide the answer.

SIMONE CZECH: I can. There are a range of teams and positions.

The Hon. TANIA MIHAILUK: In total, how many people work for the Office of the Senior Practitioner?

SIMONE CZECH: In total, 356 FTE.³

The Hon. TANIA MIHAILUK: Minister, are they predominantly working in policy areas? What's predominantly these teams—

Ms KATE WASHINGTON: The Office of the Senior Practitioner does a number of roles. They have the child death review team. They are in district offices as well and providing support to frontline caseworkers. So they provide a range of different services, including—

The Hon. TANIA MIHAILUK: Just on that, Minister, do they provide policy support? What type of support would they provide to the frontline caseworkers?

Ms KATE WASHINGTON: Practice guide—

The Hon. TANIA MIHAILUK: Practice guidelines?

Ms KATE WASHINGTON: Yes, and practice support, as well as undertaking reviews of decisions that have been made by the department that help guide future decisions and policy directions.

The Hon. TANIA MIHAILUK: Minister, are there actually any caseworkers that are hired to work within this office as well?

³ In [correspondence](#) to the committee received 20 March 2024, Ms Simon Czech, Deputy Secretary, Child Protection, Permanency, District and Youth Justice Services, Department of Communities and Justice, clarified the evidence given.

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Ms KATE WASHINGTON: Yes.

The Hon. TANIA MIHAILUK: So they've transferred out of that work into the department work or do they—

Ms KATE WASHINGTON: There are caseworkers within the OSP.

The Hon. TANIA MIHAILUK: The OSP. Okay. Of that 356—maybe the department could tell me—how many of them are caseworkers?

SIMONE CZECH: Eighty per cent of the 356 are considered frontline.⁴ There is a variety of different positions, like I said, from casework support—

The Hon. TANIA MIHAILUK: But they are not always frontline, right?

SIMONE CZECH: Sorry?

The Hon. TANIA MIHAILUK: They are sometimes taken off frontline work and then brought in back into the department to do other type of policy work—would that be right?

SIMONE CZECH: There are opportunities for caseworkers to do a whole range of different things, including some positions in the OSP. There are times where caseworkers will apply for those positions and move into the Office of the Senior Practitioner. But, as the Minister said, the majority of the staff that are in the Office of the Senior Practitioner are out supporting our caseworkers—particularly newer caseworkers—through mentoring and coaching and just—

The Hon. TANIA MIHAILUK: On site with them as well?

SIMONE CZECH: Yes, correct.

The ACTING CHAIR: Minister, at last estimates you said that you were reviewing and replacing the structured decision-making tools and the proposition that they have seen too many Aboriginal children separated from their families and placed in inappropriate out-of-home care. Where are you up to with that review?

Ms KATE WASHINGTON: The structured decision-making tool and the review of it was one of the immediate action items that came out of the Aboriginal reform forum that we held in August last year. We are now working closely in collaboration with AbSec and ALS on a review of the risk assessment tool and all of the—there is a suite of tools that are part of this. There is one element of it that we will be replacing with an interim approach very soon.

The ACTING CHAIR: Very soon is?

MICHAEL TIDBALL: I have this morning announced, Ms Higginson, that in the early months—in the first half of this year.

The ACTING CHAIR: Okay.

MICHAEL TIDBALL: We have announced that to all staff today. So it's very imminent.

The ACTING CHAIR: Great. So that's a suite of interim tools that you are saying that will be applied?

Ms KATE WASHINGTON: There is an element of that that the interim tool will replace. Then the whole suite will be part of ongoing work with AbSec and ALS to determine what we use going forward as well.

The ACTING CHAIR: Will I be hearing feedback from that announcement that it is what—

Ms KATE WASHINGTON: AbSec and ALS would like?

The ACTING CHAIR: —that AbSec and ALS were talking to you about in terms of their frontline work and the needs that would—

Ms KATE WASHINGTON: Indeed, or I hope so. As you're well aware, this is something called for by the sector and stakeholders for a very long time.

The ACTING CHAIR: Yes.

⁴ In [correspondence](#) to the committee received 20 March 2024, Ms Simon Czech, Deputy Secretary, Child Protection, Permanency, District and Youth Justice Services, Department of Communities and Justice, clarified the evidence given.

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Ms KATE WASHINGTON: At the forum it could not have been clearer the level of discontent with it. We've done what needed to be done and worked closely with AbSec and ALS. We will continue to do that as we go forward to ensure that all of the tools that we are using are culturally appropriate.

The ACTING CHAIR: Just going back to the question about transferring cases from NGOs to ACCOs, I realise that the number is incredibly low and we discussed that a little bit. When we spoke at the last budget estimates I think you were suggesting that you didn't have data accessible to you to know. Now that we can see that these numbers and transfers are incredibly low, are you suggesting that we have got better visibility of how that's happening and why it's not happening?

Ms KATE WASHINGTON: Yes, Ms Higginson. We've been working really closely with all of the providers. As I mentioned before, there was granular work done but certain requests made of providers to provide the planning for the transition. Then we've gone back to them for more detailed work on that and we've asked for that information to be provided. We haven't received all of those updated plans from the providers within the time frame that we'd asked for so I've written to them all this week saying that we need to get on with this job.

The ACTING CHAIR: How many Aboriginal children are currently in the out-of-care system?

Ms KATE WASHINGTON: It's around 6,000.

The ACTING CHAIR: If you want to get back to me with the number, that's fine. I can do that a bit later.

Ms KATE WASHINGTON: It was 6,563 as at 30 June.

The ACTING CHAIR: Last year?

Ms KATE WASHINGTON: Yes.

The ACTING CHAIR: What was the total number as at 30 June, sorry?

Ms KATE WASHINGTON: Total number of children in out-of-home care is 14,723 as at 30 June.

The ACTING CHAIR: Thank you. With the FIC progress report, did you discuss that report before its release last month with all of the peaks? Were they fully aware that was being dropped? Had they been involved? To what extent had they been involved with that progress report?

Ms KATE WASHINGTON: Ms Higginson, I might have to defer to Ms Czech to go into more detail in terms of the conversations that were had—I can assure you that there would have been a lot. But as I understand, when we were looking at publishing, it just wasn't up to date with everything that had been going on. We wanted to ensure that what we were publishing captured all of the work, including, I think, items out of the MAP Group or the creation of the MAP Group and things like that. But I'll pass to Ms Czech, who knows far more detail of the conversations that were had.

SIMONE CZECH: Thank you, Minister. Ms Higginson, I'm going to defer the question to Ms Beattie. Sorry, Ms Beattie!

CLAIRE BEATTIE: That's okay, thank you. I'm new to this role; I was reminded the other day I have been here about seven weeks. But my knowledge prior to me was that we have consulted and worked with our ACCO partners and peaks under the national partnership agreement—it's more firm now that we are working with these partners within the FIC process. However, I understand that the Children's Guardian, the New South Wales Children's Court and ALS and AbSec were consulted on the report. We've also noted that we're moving to more of a dashboard process because that will give the people of New South Wales more timely and easier-to-understand information moving forward, and we're working with them on that process now.

The ACTING CHAIR: Ms Beattie, and perhaps you too, Minister, we say that the FIC group and the peaks are consulted. I feel like we keep having this discussion about what that means and what that looks like. Is there any consideration about what it means to really, really sit down—and acknowledging the MAP Group, but also just really, really sitting down, opening the door and having those voices well and truly in the conversation, not just part of the conversation? Mr Tidball, I can see you're about to give me something.

Ms KATE WASHINGTON: Mr Tidball is champing at the bit.

MICHAEL TIDBALL: This is something that is very real to me in that I think the department is—and I do acknowledge the excellent work of Ms Beattie and the work undertaken, prior to her joining, by Brendan Thomas. I think the department needs to better—and is working to better—implement the spirit of the Closing the Gap agreement. When we established the former Transforming Aboriginal Outcomes division of the department, I think one of the challenges with that became that we had a group of staff who very often were, in a

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sense, located between senior decision-makers, people like me—the secretary and deputy secretaries—and the sector—CAPO and ACCOs. What we are seeking to do now is really work with CAPO so that we truly do partner and become better, in those certain areas of focus, in being Aboriginal-led through direct work between decision-makers and those in the sector or in the community.

The ACTING CHAIR: The frontliners.

MICHAEL TIDBALL: Yes. Can I just be really clear: That is very difficult, and we are trying very hard to do that and it's a change we're trying to make.

The ACTING CHAIR: I'm going to come back to you this afternoon and explore this a bit more, but, in my last 20 seconds, Minister, do you accept the recent Productivity Commission's finding in relation to Closing the Gap that the one fundamental reason we are failing—and we are failing across the board but particularly in your sector because obviously the problems are so large in this sector—is that we are not handing over the power? That is literally the identification of why we're failing. At the moment on FIC, Minister, you have some of the most incredible peaks who know exactly what to do and how to do it. They just need more access to the power to make it happen.

Ms KATE WASHINGTON: Ms Higginson, I hear you entirely and I hear the sector very clearly. I often get very frank feedback and I am regularly in forums. The AbSec quarterly forums—I've been to the last one just last week, and I'm hearing directly from them regularly. I accept entirely the importance of not only sharing decision-making but sharing power. We have to be doing government differently, and that's what the conversations in the MAP Group are going to be all around.

The ACTING CHAIR: Fantastic. So next budget estimates you will be telling me exactly how we have succeeded on that.

The Hon. RACHEL MERTON: Minister, could you provide an update on the indemnity program to cover providers of out-of-home care for physical and sexual abuse claims?

Ms KATE WASHINGTON: Mr Merton, the interim indemnity scheme has been extended until the end of this year whilst the long-term solution is still being bedded down. What's really pleasing in all of this, and through this process, is that there has been no provider that has left the system because they haven't got coverage.

The Hon. RACHEL MERTON: Beyond December 2024, what discussions are still—

Ms KATE WASHINGTON: There's an enormously complex piece of work going on. Initially there was discussion at a national level to see whether or not there could be a national scheme that could apply across all States and Territories, and then a national framework.

The Hon. RACHEL MERTON: So no agreement currently?

Ms KATE WASHINGTON: Not nationally, but New South Wales is working diligently—

The Hon. RACHEL MERTON: So this year's covered, but going forward, we're looking for an agreement which we don't have.

Ms KATE WASHINGTON: They have coverage until the end of this year and then there is certain proposals that have been considered about what that scheme looks like going forward. And there is significant consultation with the sector to ensure that they understand and are having input into what will work and what won't.

The Hon. RACHEL MERTON: Cover in place for this year; going forward is unknown.

Ms KATE WASHINGTON: Going forward, they will have cover.

The Hon. RACHEL MERTON: Unknown. If I could just refer to the disability royal commission and there was recommended a plan be put in place by the Australian Government and State and Territory governments to provide accessibility information and communication for people with disability by the end of the year. I'm just checking where the New South Wales Government might be at in terms of making websites, applications and documents digitally accessible for people with disability.

Ms KATE WASHINGTON: This is a really important area, Ms Merton, in terms of making sure that—often the conversation around disability accessibility is around physical accessibility of buildings and everything, but digital accessibility is really key to ensuring access for people with disability to all walks of life, to employment, to supports and services as well. So I've heard that really recently and clearly from a group I met with, which is a group of amazing public servants with disability called the Disability Employee Network—DENconnect. Their message to me was around the importance of ensuring that we have accessible information

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digitally in the government. Accessibility NSW has been doing a lot of work with the Council for Intellectual Disability to create a plan for the creation of easy read for government information that's relevant to people with intellectual disabilities.

The Hon. RACHEL MERTON: My understanding is that Accessibility NSW will run out of funding after 1 July this year. As the Minister for Disability Inclusion, what assurance can you provide that funding will continue?

Ms KATE WASHINGTON: Ms Merton, there are lots of conversations still being had around the work being done and where it's being done, so those conversations are going to be continuing.

The Hon. RACHEL MERTON: Minister, you're aware of your Government's housing solution to the housing crisis, rebalancing houses across the State with a focus on new housing at transport stops. Minister, have you been consulted on the plan to ensure properties are accessible?

Ms KATE WASHINGTON: Ms Merton, I've had many conversations with the Minister for planning, the Minister for better regulation, and the Minister for Housing, and Minister for Homelessness, about the importance of accessibility in housing, particularly around the plans, and I can share with this Committee that we are looking at absolutely every possible option in terms of ensuring there's greater accessible housing in the new builds that are going to be occurring across the State under our Government.

The Hon. RACHEL MERTON: Have you been consulted on the plan to ensure the provision of Aboriginal housing?

Ms KATE WASHINGTON: Through Homes NSW?

The Hon. RACHEL MERTON: In terms of the housing solution plan of high-density developments. Have you been consulted on the plan? Likewise, you talked about accessibility. I'm asking about the provision of Aboriginal housing. Does that fit into the plan?

Ms KATE WASHINGTON: I can say that any new social housing that's being built by this Government, any new builds on government land, there will be an increase in accessible housing.

The Hon. RACHEL MERTON: So the proportion of properties that will be available for people with disability under the Government's housing plan, is there a number on that?

Ms KATE WASHINGTON: We've got a commitment to ensure that there is at least 30 per cent social and affordable housing that will be applied to any new builds on government land. All social housing and new builds will be meeting the silver standard of the National Construction Code.

The Hon. RACHEL MERTON: Minister, if I could just take you back. At the last estimates we spoke about *Our Plan for New South Wales Public Education* and—you may recall, at that estimates—your colleague the Deputy Premier unveiled a big glossy brochure—New South Wales public education—and you stated you being a fierce advocate for children with disability. I questioned you at that time about the absence of any reference to disability in that plan. We spoke about the number of children with disability in our schools. Minister, how can that plan remain in circulation with no reference to disability, given your earlier comments on this?

Ms KATE WASHINGTON: Ms Merton, I take exception with the way that that plan was framed in this Committee on the last occasion. The plan speaks to the importance of an inclusive and equitable public education system across this State, which is something this Government is deeply committed to. I commend the education Minister, and the Deputy Premier for her commitment to inclusivity and equitable access to public education. With what we saw under the former Government—an erosion of the public education system—we are doing everything to ensure it is rebuilt in an inclusive and equitable way, and that is exactly what that plan speaks to. There is no particular cohort mentioned in that plan. That plan is for all children in the State of New South Wales.

The Hon. RACHEL MERTON: Minister, given the omission of any reference to disability in that plan—and that being a centrepiece, the hallmark of public education in New South Wales—are you confident you are sufficiently advocating for your portfolio regarding Disability Inclusion within Cabinet of this Government when documents such as this remain in circulation?

Ms KATE WASHINGTON: I won't speak to what my comments are in Cabinet. But I will tell this Committee that I am heartened by the plan that the education Minister released. The inclusive and equitable commentary throughout that plan relates to all children in New South Wales. They're not making any distinction between children coming from CALD communities or children coming from other backgrounds or children with disability. They are referring to all children in public education and making sure it is inclusive and equitable for all.

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The Hon. RACHEL MERTON: Within the community, the mums and dads of children with disability in the New South Wales public education still remain in shock that those kids are not recognised.

Ms KATE WASHINGTON: I can't say that that has come to me.

The Hon. RACHEL MERTON: They look to you as the Minister for Disability Inclusion.

Ms KATE WASHINGTON: It hasn't come directly to me, as far as I'm aware. I have to say that I have met with families of children with disability in public education. I've met teachers. Recently, I was at Nowra East Public School with the Deputy Premier. The inclusive nature of that school and what's going on in that space spoke volumes for the public education system and its inclusive and equitable access.

The Hon. RACHEL MERTON: Minister, I completely agree on the ground, the community—the mums, the dads and the teachers—do amazing stuff with this. But, then, to not be recognised in a key government brochure—it's disbelief.

Ms KATE WASHINGTON: There was no particular cohort recognised in that brochure at all. It was a plan with strong consultation with community, with the sector, with teachers that spoke to the importance of inclusive and equitable public education across this State, which is what our Government is deeply committed to.

The Hon. NATASHA MACLAREN-JONES: Minister, in relation to Stockton again, I want to check whether or not that site and management has been transferred to Homes NSW.

Ms KATE WASHINGTON: Not at this stage, no.

The Hon. NATASHA MACLAREN-JONES: Is the intent for Homes NSW to manage this?

Ms KATE WASHINGTON: Homes NSW will be managing the contracts—the community services provider on the ground for these seven homes. The future of that site is still being discussed.

The Hon. NATASHA MACLAREN-JONES: Minister, how many DCJ-owned properties are there that are being used as disability accommodation?

Ms KATE WASHINGTON: I think we'll be able to get that figure to you. I won't be able to get it right now but we'll attempt to get it to you by the end of this session. There are currently 805 properties in the portfolio. The number of actual—

The Hon. NATASHA MACLAREN-JONES: That's fine. So it hasn't changed since last estimates? It still remains 805?

Ms KATE WASHINGTON: Correct.

The Hon. NATASHA MACLAREN-JONES: How many of those are no longer under contract, so operating month by month? At last estimates you indicated 523 were operating month by month.

Ms KATE WASHINGTON: It's a similar figure now.

The Hon. NATASHA MACLAREN-JONES: At the last estimates you also said you were working through the process to determine the future of these properties. Considering these properties are being managed month by month with residents living there with disability, without certainty, what work has been done to determine the future of these properties?

Ms KATE WASHINGTON: Before I answer that, sorry, Ms Maclaren-Jones, I'm just going to correct that there are 804 properties now—a decrease of one since late last year. A property leased from—it's been transferred to the LAHC social housing portfolio. So it's 804 now.

The Hon. NATASHA MACLAREN-JONES: So it's now being managed by Homes NSW?

Ms KATE WASHINGTON: Correct. There are, as of January this year, 731 properties occupied for disability accommodation and 520 are operating under expired leases.

The Hon. NATASHA MACLAREN-JONES: Minister, can I check that the property that has been transferred to Homes NSW—is that still operating as a home for people with disability?

Ms KATE WASHINGTON: I can't say. I think it's being used as social housing now.

ANNE CAMPBELL: Yes, it was actually a vacant property and it was actually always LAHC owned and it was leased to DCJ. It's gone back to Land and Housing Corp and I presume it'll be used for social and affordable housing.

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The Hon. NATASHA MACLAREN-JONES: The future of the remaining 804 properties—is it your intention for them to all go to Homes NSW?

Ms KATE WASHINGTON: No.

The Hon. NATASHA MACLAREN-JONES: So you guarantee that they all remain as properties for people with disability?

Ms KATE WASHINGTON: I don't want you to misunderstand the evidence I've given. There are 804 properties in the portfolio. Not all of those are being used for disability accommodation already. So 731 properties are occupied for disability accommodation and services.

The Hon. NATASHA MACLAREN-JONES: I'm asking about the total 805. What is your plan for these homes?

Ms KATE WASHINGTON: What I've found, again, coming into this role was that there were a number of homes that had been vacated for various reasons, often because they weren't meeting the specialist disability accommodation standard. So people with disabilities were moving elsewhere. This was something that was happening before we came into government and we found that there were a number of properties that were sitting there vacant. Again, in a housing and homelessness crisis, I asked what we were doing to ensure that every single property that we've got could be used in any way possible. We've now got some vacant properties being used to address priorities of our Government, which was to help in the out-of-home care crisis as well as help in the homelessness crisis.

The Hon. NATASHA MACLAREN-JONES: But, Minister, what I'm trying to get to is ensuring that people with disability, whether they're at risk of homelessness, whether they're victims of domestic violence, whether they're young people in out-of-home care—I'm trying to find out where does the disability priority sit in relation to these homes, particularly if Homes NSW is looking at managing this as social and affordable housing. What conversations have you had with the Minister to guarantee that enough accommodation is being made available for people with disability? I outlined before that Homelessness NSW has raised it as a concern. It was raised in the royal commission. I want to know what you are doing to ensure that people with disability can access accommodation, particularly if accommodation in your portfolio is going over to Homes NSW.

Ms KATE WASHINGTON: This is a really important issue. I think Ms Campbell's evidence was that that home was already in Homes NSW.

The Hon. NATASHA MACLAREN-JONES: I am talking about the remaining homes.

Ms KATE WASHINGTON: None of which are currently with that.

The Hon. NATASHA MACLAREN-JONES: What guarantee will you give to this Committee—

Ms KATE WASHINGTON: As far as I recall, and from what I could see when we came into government, was that the only plan the former Government had for any of these sites was to sell them all off. In that setting, I'm finding it a bit—

The Hon. NATASHA MACLAREN-JONES: Minister, I'm not talking about the previous Government. At the moment what I'm gathering is that you don't have a plan as to what you will do with these properties. Homes NSW and the Minister for homes is—as she said in budget estimates the other day, she is identifying and going around knocking on doors of colleagues, hassling them for whatever vacant properties or land they have, and you can't guarantee these properties will remain to support people with disability.

Ms KATE WASHINGTON: We have a strong commitment that public assets will remain in public hands, and we will be using—

The Hon. NATASHA MACLAREN-JONES: I am not asking about public property. I am asking about whether or not you will fight and ensure that people with disability will have accommodation.

Ms KATE WASHINGTON: And we are working very closely with the disability sector and many disability providers and organisations, and sitting around tables with them to discuss what opportunities we have to ensure that we can maximise disability accommodation in this State, with the property portfolio that we have inherited that was largely falling into disrepair, that your Government's only plan was to sell it off.

The Hon. NATASHA MACLAREN-JONES: But you're providing no guarantee to individuals who are living in accommodation on a month-by-month lease. That is currently the situation. Providers have no certainty, and today you can't give them any answers, apart from, "I am in conversations, having discussions. Trust me."

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Ms KATE WASHINGTON: Indeed. We are consulting with those very providers so that they've got an understanding of where we want to head.

The Hon. NATASHA MACLAREN-JONES: What, when they have to move out?

Ms KATE WASHINGTON: Where we want to head is ensuring that we have got—

The Hon. NATASHA MACLAREN-JONES: Is that the conversation you're having?

Ms KATE WASHINGTON: We are wanting to ensure that we have got quality accommodation for people with disabilities across this State and particularly with the portfolio that we have. There's an enormous opportunity to maximise what we've got. Everything was just let to sit in disrepair for a decade—

The Hon. NATASHA MACLAREN-JONES: Minister, what are you going to say to the people that are currently in these homes that are living month by month?

Ms KATE WASHINGTON: Ms Maclaren-Jones—

The Hon. NATASHA MACLAREN-JONES: There is no certainty; you can't give them any certainty.

Ms KATE WASHINGTON: They are living in—

The Hon. NATASHA MACLAREN-JONES: I might move on to another topic. Minister, how many children and young people in your care are currently receiving palliative care?

Ms KATE WASHINGTON: Ms Maclaren-Jones, I am not aware of what that figure is.

The Hon. NATASHA MACLAREN-JONES: Do you know how many are Aboriginal?

Ms KATE WASHINGTON: I don't know if we have any children in palliative care, and I don't know if any of those children in palliative care are Aboriginal.

The Hon. NATASHA MACLAREN-JONES: Do you know how many young people are waiting for palliative care, who are in your care?

Ms KATE WASHINGTON: Ms Maclaren-Jones, I do not.

The Hon. NATASHA MACLAREN-JONES: Minister, are you confident that no young person in your care is missing out on receiving palliative care due to your Government's cuts?

Ms KATE WASHINGTON: Firstly, there are no cuts, and there's going to be more investment in palliative care from—

The Hon. NATASHA MACLAREN-JONES: The Minister for Health outlined that there have been cuts. I'm asking whether or not you've asked the questions. Are you are confident that no young person in your care is missing out on vital palliative care services.?

Ms KATE WASHINGTON: Sorry, Ms Maclaren-Jones, you put on the record that there were cuts to palliative care, and I'm just going to correct that record to say that there are no cuts to palliative care and that there's more than \$1.7 billion over four years provided to palliative care in the current budget. That funding for palliative care is 6.8 per cent higher this year, compared to last year.

The Hon. NATASHA MACLAREN-JONES: Minister, I will interrupt. My question is: Are you confident there is no young person in your care missing out on palliative care at the moment?

Ms KATE WASHINGTON: I will defer to Ms Czech to see if there are any children that we're aware of that are in the system that are currently seeking palliative care.

SIMONE CZECH: If it will assist the Committee and Ms Maclaren-Jones, we can get the numbers of children in care who have an approved end-of-life plan, which may include palliative care services. We can provide that either before the end—

The Hon. NATASHA MACLAREN-JONES: We can cover that this afternoon.

SIMONE CZECH: Yes. It's always a very small number of children, but we can provide the numbers for the Committee.

The Hon. NATASHA MACLAREN-JONES: Thank you. I will hand to my colleague Ms Boyd.

Ms ABIGAIL BOYD: Good morning—are we still morning? No, we're afternoon. Good afternoon. I understand quite a few questions have been asked already that I was going to ask you, so that saves me time. In

CORRECTED

relation to the NDIS review, have you met with your Federal and other State colleagues to discuss this already? When will the New South Wales Government be providing its response to that review?

Ms KATE WASHINGTON: To the NDIS review itself? Yes, I met with my Federal and State colleagues a number of times both prior to its release and after its release. Minister Bill Shorten and Minister Rishworth have regular conversations with us. They've kept us involved in the process. States and Territories obviously have a significant role to play in not only the funding but the co-management of the NDIS as well.

Ms ABIGAIL BOYD: Is there legislation being proposed at a Federal level, do you know? Is that something that's been discussed?

Ms KATE WASHINGTON: In December last year National Cabinet approved certain legislation reform.

Ms ABIGAIL BOYD: Okay. Do you know when it's going to be put in the Federal Parliament?

Ms KATE WASHINGTON: I can't say specifically. That's a matter for Minister Shorten.

Ms ABIGAIL BOYD: But it's already been consulted on at the last Commonwealth meeting?

Ms KATE WASHINGTON: There was discussion about the legislation, but that was an agreement from National Cabinet.

Ms ABIGAIL BOYD: Will you expect to see the legislation before it is put to Parliament?

Ms KATE WASHINGTON: I do expect that would—well, certainly it's going to be, I would think, a matter for the First Ministers, and through them, because of their agreement as well.

Ms ABIGAIL BOYD: When will the New South Wales Government be giving its formal response to that NDIS review final report?

Ms KATE WASHINGTON: That's an ongoing piece of work. We are obviously working really closely across all States and Territories and with the Commonwealth. The work before us right now is a design of the foundation of supports, and what that looks like across the country. That's the work that's before us right now.

Ms ABIGAIL BOYD: Is there a date for responding, though? Is there some sort of whole-of-government process for that?

Ms KATE WASHINGTON: It's certainly a whole-of-government process; I can say that. I think this is an approach that's going to be a staged approach, in any event, because we have the design and, as I said, the foundational supports as a key element. Setting up a system of supports outside the NDIS to create that ecosystem where people can access the supports where they need them, when they need them—that's the work before us all at the moment.

Ms ABIGAIL BOYD: Can you maybe take it on notice as to whether there's a time line for reporting on specific bits of it?

Ms KATE WASHINGTON: As I'm aware, there's not. But what's being proposed in the review isn't going to be implemented quickly. It's by design. It's a five-year process, in any event.

Ms ABIGAIL BOYD: Can I ask Ms Campbell, is there—

ANNE CAMPBELL: Yes, I was just going to add in to your comments, Minister.

Ms KATE WASHINGTON: Please do.

ANNE CAMPBELL: In terms of the New South Wales NDIS plan, as you know, that expires at the end of, I think, June 2028. The agreement through National Cabinet was the indexation that's currently in those agreements. Not just New South Wales but other States and Territories would go from 4 per cent to 8 per cent, so obviously everything needs to be in place by then. That's the drop-dead date.

Ms ABIGAIL BOYD: There's not an actual response being required, but now that that's happening there's a series of steps that we need to put in place before that?

Ms KATE WASHINGTON: Yes, correct. It's very much a staged approach to get to that point.

Ms ABIGAIL BOYD: Excellent. We had an inquiry through the Committee on Children and Young People in 2022 that was looking into, basically, children falling through the gaps of the family law system versus the child protection system. I don't think we've seen a response to that from the Government. We had a series of recommendations.

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Ms KATE WASHINGTON: I might let Mr Tidball answer that.

MICHAEL TIDBALL: You, Ms Boyd, asked that question the other day. I have gone searching for it. I suspect, to my knowledge, we have not responded. The intention would be to respond.

Ms ABIGAIL BOYD: Are you familiar with that report, Minister?

Ms KATE WASHINGTON: I recall the first meeting you had before the committee meeting, as well, with some of the stakeholders that were calling for that. Yes, I'm familiar with the report that came from it whilst I was in opposition at the time.

Ms ABIGAIL BOYD: I think the response has maybe fallen between the new Government. Can I ask you to look at that?

Ms KATE WASHINGTON: We'll revisit that.

Ms ABIGAIL BOYD: Are you aware of a relatively new organisation called the Australian Neurodivergent Parents Association, the ANPA?

Ms KATE WASHINGTON: I am aware of that organisation.

Ms ABIGAIL BOYD: They have reached out to your office requesting a meeting. Will you meet with them?

Ms KATE WASHINGTON: I have to say, I've met with a lot of different organisations. I think I've tried to see if that organisation would like to meet with department officials whilst trying to work out timing for me as well.

Ms ABIGAIL BOYD: They're very keen to meet with you.

Ms KATE WASHINGTON: Generally I don't find it a good way of trying to have a meeting with me by attacking me online.

Ms ABIGAIL BOYD: I'm not aware of that. Perhaps not meeting with them.

Ms KATE WASHINGTON: We'll try to organise a meeting with department officials to understand what their concerns are.

Ms ABIGAIL BOYD: I spoke with the Ageing and Disability Commissioner last week in estimates. He told the Committee that the additional funding of the \$2.5 million to allow the commission to do their statutory minimum was a one-off. Have you been advocating for that funding to allow them to do their job to be basically put in on a continuous basis or a regular basis?

Ms KATE WASHINGTON: The answer is yes, Ms Boyd. There are a lot of discussions going forward about the future funding for the important role of the Ageing and Disability Commission, particularly in light of it being held up as a model in the disability royal commission recommendations as well. There's a lot of important work that they do. For this current year we were able to find the \$2.5 million to prevent the fiscal cliff it was facing under the former Government. That was another element of the system that we've had to fix, coming in, to allow it to continue to do its important role. Those conversations are ongoing in terms of future funding.

Ms ABIGAIL BOYD: I understand there has been quite an increase in demand for the Official Community Visitors scheme. There is an ask from disability advocates for the funding to be increased by \$700,000 a year for the next four years to allow that scheme to do the important work that it was set up for. Is that something that you support?

Ms KATE WASHINGTON: Part of the \$2.5 million that we provided to the commission was to support the important work done by the Official Community Visitors. Going forward, that's part of the conversation about the future funding for Official Community Visitors. If you don't mind, can I just take a moment to recognise and thank the commissioner for his important work. We've got Kathryn McKenzie here today from the commission, but I just wanted, in this forum and for this Committee's benefit, to thank Robert Fitzgerald for the work that he has done as commissioner. Leaving us to become the Age Discrimination Commissioner with the AHRC is terrific for him, a bit of a loss for us, but he has done an impressive job ensuring that the issues that the Ageing and Disability Commission address are dealt with, and that's important.

Ms ABIGAIL BOYD: I 100 per cent agree with you on that.

Ms KATE WASHINGTON: Sorry to have eaten into your time, Ms Boyd.

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Ms ABIGAIL BOYD: Yes, but to the question there around the additional funding, that is something that he had been calling for for a long time, for that demand-based funding. Is that something you will be pushing for in Cabinet?

Ms KATE WASHINGTON: I will say that Commissioner Fitzgerald has been a very strong advocate for a very long time and we wish him well in his new role, and we will continue to work on ensuring the future of the ADC and the important role that it plays.

The Hon. TANIA MIHAILUK: Minister, I will ask a couple of quick questions on the NDIS too. I'm someone that has been very familiar with the system of the NDIS and indeed disability care in New South Wales for a very long time. I accept what you've just said. Certainly the Government has just received the review—the Federal Government that is—and it is a staged process on how they will respond to that. There will be, I think, significantly more pressure put back onto the States to provide that broader holistic care for people with a disability. Have you started the process within your own department and your own office of looking at how the State can re-enter the place of providing care for disability in New South Wales, because, as you know, post-2009 the then Labor Government moved itself away from having any public involvement or government involvement with providing holistic disability care in New South Wales. I'm just wondering how you're going to go about this because it's more than just disability inclusion. A lot of properties were handed over to the NGO sector, for example, and there has been a very clear reliance on the Federal Government in that space for funding, that is.

Ms KATE WASHINGTON: It's a very—

The Hon. TANIA MIHAILUK: Sorry, it's a broad—

Ms KATE WASHINGTON: —broad question and I just wanted to go back to the element where you referenced since 2009 that there has been a walking away from the State—

The Hon. TANIA MIHAILUK: Yes, DADHC handed over a lot of its department responsibilities.

Ms KATE WASHINGTON: It was certainly not 2009. It was closer to 2012-13, I believe.

The Hon. TANIA MIHAILUK: Sorry, the process started in 2009.

ANNE CAMPBELL: I think the process started with the trial in the Newcastle area, from memory, but I can take that on notice and come back.

Ms KATE WASHINGTON: And there was a walking away of obligations by the then Government of providing disability services with indecent haste at that time under the former Government. So what we are doing now is working very closely with the Commonwealth Government to determine who does what where and to create the system that the NDIS was originally envisioned to sit within.

The Hon. TANIA MIHAILUK: It was, Minister, as you know, envisioned originally just to support 10 per cent of people with the most profound disabilities. It has certainly moved away from that.

Ms KATE WASHINGTON: It was permanent, and the NDIS review is trying to restore the system to a sustainable model which reflects its original intentions. And the original intention, not only was it around a permanent profound disability, it was also around an ecosystem of supports in which it sits so that it didn't become the lifeboat in the ocean.

The Hon. TANIA MIHAILUK: It has becoming the *Titanic*.

Ms KATE WASHINGTON: We are working closely with the Federal Government to ensure that the NDIS stays—

The Hon. TANIA MIHAILUK: Of the 600,000 applicants of the NDIS, how many are in New South Wales that are recipients of NDIS nationally? How many of them are in New South Wales?

Ms KATE WASHINGTON: I have that figure for you. There are 182,920 active participants with approved plans as of 30 June 2023.

The Hon. TANIA MIHAILUK: Do you know how many NDIS providers there are in New South Wales?

Ms KATE WASHINGTON: I don't have that.

The Hon. TANIA MIHAILUK: Is this sort of information provided to you?

Ms KATE WASHINGTON: I don't have that information and that sits with the Commonwealth.

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The Hon. TANIA MIHAILUK: Has your office been privy to any information about waste and mismanagement in regards to NDIS?

Ms KATE WASHINGTON: It doesn't come to me in my office, although I hear—I should say, the responsibility doesn't sit with us. We hear about it all the time. So that is something that is a main part of this. The review and the actions being taken by Minister Shorten to ensure that the shonks and the waste within the system are held to account. The NDIS Quality and Safeguards Commission is responsible for ensuring that there is integrity in the system. I know that there's been significant investment from the Commonwealth into the commission to make sure that that safeguarding of that commission is effective. Arguably, for some time, it hasn't necessarily been, so he's really tightening up the system to rid the system of those people that aren't there for the right reasons—those providers, I should say, not participants.

The Hon. TANIA MIHAILUK: Minister, moving away from the NDIS, I wanted to ask you a couple of other questions. What is your view on the age of criminal responsibility? Do you have the view that the age be lifted?

Ms KATE WASHINGTON: Ms Mihailuk, that's a very active conversation that's being had, obviously in community and in government.

The Hon. TANIA MIHAILUK: But you must have a view on it, Minister.

Ms KATE WASHINGTON: My views are that we as a Government need to work holistically across the board to ensure that we are supporting communities and ensuring that everyone lives safely in their communities. And we are working—

The Hon. TANIA MIHAILUK: Do you have a view on what the age of criminal responsibility should be? Will it stay as it is? Or do you support it being lifted?

Ms KATE WASHINGTON: I support working with all of my colleagues to land in the right position on that.

The Hon. TANIA MIHAILUK: Would you accept, Minister, that currently it would actually assist, to some extent, as these children are charged or young adults are charged with a crime it's actually an opportunity for yourself and your department to intervene and provide that sort of support that that young person might need? There's one positive aspect of it. The child becomes, by being charged for committing a crime—you're then in a position where you could provide assistance to that child, because we know that most likely they come from a very difficult home environment and there's a whole range of other issues that this child or young person is facing. By default, by entering the system at that stage, there's an opportunity to provide them with a whole intensive therapeutic support, which your department oversees.

Ms KATE WASHINGTON: Ms Mihailuk, the department is responsible for ensuring children in the care of the State are safe and that families and children have the supports and services that they need prior to entering as well.

The Hon. TANIA MIHAILUK: If young people are charged at that point for committing a crime, it gives the department an opportunity—almost certainly they would be, almost instantly, a case needing to be reviewed, you'd have to say, wouldn't you? If they're being charged with a crime at 14, almost automatically, I would have thought, you'd have to think that the department would want to put some attention in finding out why that child is committing those sorts of crimes, right? It's almost an automatic ROSH report.

Ms KATE WASHINGTON: Except it's not.

The Hon. TANIA MIHAILUK: Why wouldn't it be? If someone is committing a crime at 14, you would have to ask why are they—

Ms KATE WASHINGTON: Unless the child is at risk of harm, it doesn't equate to a risk of significant harm report that then comes into our system. But I will say that the issue of crime in communities, and particularly youth crime in communities, is something that the Premier, all of us in Cabinet and all Government members are taking extremely seriously. We know that we all have a role to play in terms of ensuring those communities can live safely, as well as there being supports in place and more—

The Hon. TANIA MIHAILUK: But you've got an even more specific role to ensure that that young person is provided with the appropriate services and assistance they need so that you could explore why they are committing crime at that age.

Ms KATE WASHINGTON: There are a range of ways we can be looking at this, and we will be looking at all options in terms of ensuring that young vulnerable children are getting the supports that they need,

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including whether or not they have any disability and ensuring that there are diagnoses as they enter into any of the systems to see whether or not there are supports that they could be getting through the NDIS or otherwise, whether they are in the justice system or whether they are in the out-of-home care system. So there are a number of ways we are already working—

The Hon. TANIA MIHAILUK: But we know that, when they're charged, there's an opportunity at that point then for those holistic supports to be provided. It does actually happen, because they're brought into the system and attention is given to that young person that—maybe they didn't have that attention prior to those crimes being committed.

Ms KATE WASHINGTON: They're brought into the justice system; they're not brought into the out-of-home care system.

The Hon. TANIA MIHAILUK: A lot of these systems are intertwined and we know that. You'd accept that, Minister?

Ms KATE WASHINGTON: I accept that there are many intersections and that we work closely with all of our colleagues. Across the Government we are looking at what we can do to address the drivers of disadvantage, poverty and behaviour.

The Hon. NATASHA MACLAREN-JONES: In relation to a supplementary question in relation to school attendance, you stated that from 23 July DCJ has received monthly school attendance rates for all school-age children who are enrolled in New South Wales public schools and are under your responsibility and that by 24 February you'll have all the rates for 2023. What is the annual attendance rate?

Ms KATE WASHINGTON: From the information that we've managed to gain that wasn't information that was ever captured before—and this is obviously new data that we are now seeking to capture—we understand it's around 80 per cent, but I can take it on notice.

The Hon. NATASHA MACLAREN-JONES: Around 80 per cent attendance?

Ms KATE WASHINGTON: Yes.

The Hon. NATASHA MACLAREN-JONES: Do you have that breakdown on a monthly basis since it started to be captured in July?

Ms KATE WASHINGTON: I will have to find out from the department whether that's possible.

The Hon. NATASHA MACLAREN-JONES: Will you commit to providing that information at least annually?

Ms KATE WASHINGTON: To this Committee?

The Hon. NATASHA MACLAREN-JONES: Yes.

Ms KATE WASHINGTON: Sure.

The Hon. NATASHA MACLAREN-JONES: The other question I have is in relation to contracts. On 19 November you were quoted in the SMH as saying that there are "perverse financial incentives" written into contracts with NGOs that make you powerless to force them to fill vacancies. I was wondering if you've asked for advice from the department in relation to clause 7.6, variation to decrease contracted volumes, as per the PSP contracts?

Ms KATE WASHINGTON: I have sought advice on many fronts on the contracts that are before us that we inherited. The perverse incentives that I was referring to is around the answer I was trying to provide to Ms Mihailuk earlier, particularly around intensive therapeutic care models, where providers are already being paid—

The Hon. NATASHA MACLAREN-JONES: So you have sought advice around how to vary those contracts?

Ms KATE WASHINGTON: For various reasons, yes, I have sought that advice.

The Hon. NATASHA MACLAREN-JONES: The final thing is just in relation to the correspondence you referred to this morning. Just to clarify, I've checked with the office. The response that you've given to me was in relation to another piece of correspondence. The matter I was referring to was a foster carer who is trying to adopt a young person with Down syndrome. They wrote to you early December. I wrote to you on 14 December. We haven't received a response as yet. If you could follow that up—

Ms KATE WASHINGTON: I'll certainly follow that up.

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The ACTING CHAIR: The *Family Matters Report 2023* mentions that DCJ is funding several pilots in relation to the targeted early intervention that focuses on Aboriginal and Torres Strait Islander families. One of those was Family Connect and Support. Minister, are those pilots being implemented and are you satisfied at this point that they are the appropriate pilots and that they're being funded adequately?

Ms KATE WASHINGTON: I think the report that you're referring to—the Family Matters report—is prepared by SNAICC. So it's not a Government report.

The ACTING CHAIR: But DCJ was funding the pilots. That is what was mentioned in there.

Ms KATE WASHINGTON: Okay. Sorry. I am just trying to—

The ACTING CHAIR: It was all about the targeted early intervention, and it really is just about trying to ascertain whether you, as Minister, are satisfied with—whether those pilots are happening or whether we've had a change of direction or where things are up to with that. It might be something for the department this afternoon, but it was—

Ms KATE WASHINGTON: As you'd appreciate, there are so many programs, policies.

The ACTING CHAIR: This one is specific to Aboriginal and Torres Strait Islander families.

Ms KATE WASHINGTON: Like I said, there are a lot of pilots, programs across the continuum of the child protection system. I can't say whether or not those pilots are in play or not. It's maybe something for the department to respond to a bit later.

The ACTING CHAIR: Just finally, the fairly damning PCP evaluation released in August—have you and DCJ actually made a formal response to that evaluation? Is it a public document? Is it something that can be tabled, unless I've missed it?

Ms KATE WASHINGTON: Sorry, Ms Higginson. Whose report, sorry?

The ACTING CHAIR: It was the PCP—

Ms KATE WASHINGTON: Oh, PSP.

The ACTING CHAIR: Sorry, PSP. My apologies—acronyms overload.

Ms KATE WASHINGTON: Yes, I know—abound.

The ACTING CHAIR: Has the department made that formal response to that evaluation, or is there going to be one?

ANNE CAMPBELL: We've done an interim response—I think earlier in February. It's on the public website, and it went out to peaks and NGOs.

The ACTING CHAIR: Just very finally—I know it's Government time—are there any of those 19 recommendations that you are not acting on?

ANNE CAMPBELL: I think we're considering those, because there's a range of other reports. At this point we've been consulting with the sector. We have had regular meetings. We've obviously got the Aboriginal partnership groups. So I think there's a bit more time to look at the broader reform of out-of-home care.

The ACTING CHAIR: I will have a look at that interim.

The Hon. ANTHONY D'ADAM: Minister, when it comes to keeping kids safe and supporting families to stay safely together, we know that prevention and early intervention is key. Are you able to talk us through some of the challenges you're facing in relation to getting resources where they need to be most?

Ms KATE WASHINGTON: This has come up earlier today and quite rightly so, because it is the area where we know there is most impact from resourcing. If we can get more services and supports to families sooner to stay safely together, that's going to have the best impact on children's lives and on our communities more broadly. The challenges are quite significant. If I might, just for the Committee's purpose—today there have been lots of figures, lots of programs and lots of detailed conversation about what's going on—paint a picture. In fact, I might build a little pyramid, if that's all right.

I know it's a bit unusual for a committee, but if you picture the base of that pyramid—and this first pyramid is a reflection of the number of children and families that are being supported by the department—the base of the pyramid is the Targeted Earlier Intervention program, community-building support. The next part up is child protection, where we know that there are children who are experiencing some issues and families that are in trouble. So we wrap some supports around them and try to prevent them coming into the system. Then we go

CORRECTED

up further. If we haven't been able to prevent those children from coming into the system, then we're in out-of-home care. Then at the very top we've got high-cost emergency arrangements, where we've got the fewest number of kids, and then obviously the community support that's provided at the base. That's the continuum.

If you look at the current funding model, turn the pyramid over. The bulk of the funding, the base of the pyramid, is actually where the crisis end is, and where we know we want to be able to provide the support is the very tip of that pyramid. So the challenge for us all across our department, across the Government and community is how we flip that pyramid to make sure we've got the resources going to the most people where that's going to have the biggest impact. That's the broad challenge that we've got, just in terms of a picture.

The Hon. GREG DONNELLY: Minister, a landmark study called the Australian Child Maltreatment Study was released last year, as you'd be aware. It revealed some fairly shocking statistics around the prevalence of child maltreatment in Australia. What is the Government doing to respond to that study?

Ms KATE WASHINGTON: I think in the context of today's conversation, this is a good place to end. The Australian Child Maltreatment Study was a Commonwealth Government-funded national piece of work led by academics at the University of Queensland. It's internationally significant in terms of how it was done and what it's actually found, as well. I will share with the Committee some of the findings that are just so sobering. For context, this came out in April; it was very much around the timing of me becoming Minister. For me, this piece of work has to be embedded in all the work that we are doing as a department and as a government to reduce child maltreatment, neglect and abuse occurring right now in New South Wales.

As a quick sketch of what was found in this report, they found that not only is child maltreatment widespread—and maltreatment is neglect, physical abuse, sexual abuse, emotional abuse and exposure to domestic and family violence—but girls experience particularly high rates of sexual abuse and emotional abuse. Child maltreatment is a major problem affecting Australian children and youth now. This was an important part of this study: It's not something of the past; it's happening right now. It's an uncomfortable truth for Australians to hear but it's something that we all should be trying to understand and act on. Importantly, the study found that child maltreatment is associated with severe mental health problems and behavioural harms both in childhood and adulthood that they endure over time. It's also associated with severe health risk behaviours both in childhood and adulthood. It is a seminal piece of work that I'd like more people to know about.

As we go forward in the reform process and the significant systemic reform that we are undertaking to fix the broken child protection system, the findings in the Australian Child Maltreatment Study will be embedded in that. We will be working closely with the Commonwealth Government under *Safe and Supported: the National Framework for Protecting Australia's Children* and, importantly, taking a whole-of-government approach to try to reduce child maltreatment in New South Wales. There's a lot of evidence that we've now got about the extent of harm and these enduring impacts. We, as a government, are deeply committed to working closely with our Commonwealth partners and across other States and Territories to do everything we can to try to turn around these really sobering statistics that came out of this report.

The ACTING CHAIR: As there are no further questions from the Government, this morning's session is now concluding. Thank you, Minister, for attending this hearing. We are finished with your questioning. The Committee will now break for lunch. We will return at 2.00 p.m. for further questioning.

(The Minister withdrew.)

(Luncheon adjournment)

The ACTING CHAIR: Welcome to the afternoon session. We will start with some questions from the Opposition to the departmental staff.

The Hon. NATASHA MACLAREN-JONES: Thank you very much. I want to begin in relation to the child death review that was tabled earlier this year. I understand there were 111 deaths of children known to the department. Is that correct?

MICHAEL TIDBALL: Correct.

The Hon. NATASHA MACLAREN-JONES: How many of those had open cases with DCJ?

SIMONE CZECH: We would have to take that question on notice.

The Hon. NATASHA MACLAREN-JONES: Could I ask what action has been taken in response to some of the deaths that were identified in the report?

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SIMONE CZECH: Every reviewable child death is reviewed by the Office of the Senior Practitioner, and each has a series of recommendations. They will obviously be different, given the circumstances will be varied, but those recommendations can include things like training of staff, new resources, adjustments to policies, and other tools and supports that caseworkers might need. Some of the child deaths also involve NGOs, so there might be, from time to time, some broader, sector-wide recommendations, and we review all of those recommendations through what we call a Serious Case Review Panel. Also, with every district that has a child death and a subsequent review, each six months we go through each of the outstanding recommendations as an additional accountability measure.

The Hon. NATASHA MACLAREN-JONES: Looking at the report—and we know that suicide is, unfortunately, one of the leading causes of death for many young people between 13 and 17—of the 111 children known to DCJ, do you know how many of those died from suicide?

MICHAEL TIDBALL: In the '21 calendar, 15.

SIMONE CZECH: Yes, there were 15 in 2022, because it's always 12 months behind.

The Hon. NATASHA MACLAREN-JONES: How many of those children had siblings?

SIMONE CZECH: I'd have to take that on notice.

MICHAEL TIDBALL: Sorry, can you repeat that?

The Hon. NATASHA MACLAREN-JONES: How many of those young people that passed away due to suicide had siblings?

MICHAEL TIDBALL: Right. We'll take that on notice.

SIMONE CZECH: We'll take that on notice.

The Hon. NATASHA MACLAREN-JONES: Of those families that had siblings, was the safety and wellbeing of all children living in the same household assessed?

SIMONE CZECH: It'll vary from case to case. Every time there's a child death and there are siblings, a report is generated through our Child Protection Helpline. Each of those reports is then assessed on the individual merits of that report. What that means is some will result in a safety and risk assessment; some won't, depending on the circumstances. An example where we might not investigate is where there are no particular concerns and there are adequate supports in place for families already.

The Hon. NATASHA MACLAREN-JONES: At what stage is a decision made that DCJ no longer needs to be involved with that family?

SIMONE CZECH: That'll vary from case to case. A decision not to conduct a face-to-face assessment or a safety and risk assessment will be made, typically, within a day or two of receipt of that report. In the event we are not taking further action, a director community services, which is one of our executive staff, is delegated to close that case without a face-to-face assessment. On other matters, it'll depend on the individual circumstances. For example, if we go out and conduct a safety assessment, we may deem the siblings to be unsafe and bring those children into care. We may deem those children to be safe and there's no further action, so it'll vary from one case to the next.

The Hon. NATASHA MACLAREN-JONES: Have any of those cases been closed because of competing priorities or caseworker workload?

SIMONE CZECH: Not that I understand, but we can take that on notice and just double-check that.

The Hon. NATASHA MACLAREN-JONES: In relation to the number of young people who died from suicide, do you have the figures for how many of those were Aboriginal?

SIMONE CZECH: I think we might have to take that on notice. Of the 112, thirty-eight were Aboriginal or Torres Strait Islander children. But that specific cause of death—we might see if we can get that during the course of the afternoon.

The Hon. NATASHA MACLAREN-JONES: The report showed that the most common cause of death for young Aboriginal children was illness and disease. What action has been taken by the department to improve health outcomes for our young Aboriginal children?

SIMONE CZECH: There's a range of activities we undertake. Where we're involved, there'll be a case plan that details the needs of children and their families so specific interventions align to those needs. We obviously work quite closely with our colleagues in Health to make sure that appropriate services are in place.

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The Hon. NATASHA MACLAREN-JONES: I might turn to a couple of questions following on from this morning's session. When I talk about dashboards, I'm referring both to the quarterly statistical reports and the DCJ caseworker dashboard. Have those dashboards been provided to the Minister's office?

ANNE CAMPBELL: In terms of the current ones due at the end of March, we're currently looking at the data that came in on 1 March. That'll be made public before the end of March, and it will then go up to the Minister's office.

The Hon. NATASHA MACLAREN-JONES: And this is the information that relates to data from October to December?

ANNE CAMPBELL: Correct.

The Hon. NATASHA MACLAREN-JONES: Why the delay in collating that information until now?

ANNE CAMPBELL: I understand, particularly around the caseworker dashboard, there were some issues—and it gets a bit technical—when we moved across to the PaTH program in terms of getting access to, I think it was, staffing-related data.

The Hon. NATASHA MACLAREN-JONES: Did you say PaTH?

ANNE CAMPBELL: PaTH, which came in—

MICHAEL TIDBALL: Which is the IT platform for the whole of government and is being rolled out. It is a common IT platform which has been in a state of migration in recent months.

The Hon. NATASHA MACLAREN-JONES: When did it come into effect? I'm sorry. This is the first I've heard of it.

The ACTING CHAIR: What's it called?

The Hon. NATASHA MACLAREN-JONES: PaTH. When did that come into operation?

MICHAEL TIDBALL: Late last year.

ANNE CAMPBELL: Yes, correct.

MICHAEL TIDBALL: The first tranche was late last year.

The Hon. NATASHA MACLAREN-JONES: What information does PaTH gather or manage?

MICHAEL TIDBALL: PaTH, in an ultimate sense, is a common platform which allows for a whole lot of information and systems which have hitherto been held on separate platforms to be held on a common platform in the hope that it will roll out across government, which is the plan, to ensure that investments across different platforms over the longer term are—in terms of cost reduced and in terms of practicality—simplified.

The Hon. NATASHA MACLAREN-JONES: In relation to this portfolio specifically, what information is kept? Obviously it has caseworker vacancies. What other—

MICHAEL TIDBALL: PaTH, at its core, is a corporate platform, so payroll, procurement—all of those sorts of things. It has then got more specific applications which tend to go to the heart of a specific business in the parts of the department such as this.

The Hon. NATASHA MACLAREN-JONES: When it comes to caseworker numbers, because you're dealing with staffing across the whole of government—

MICHAEL TIDBALL: The data has to be sourced from PaTH for that purpose.

SIMONE CZECH: Ms Maclaren-Jones, could I just add that there's another factor that means the caseworker dashboard is always three months behind the actual date, and that's the ageing that we have to apply to the child protection data. That's the part of the dashboard, you might remember, that includes the number of children seen and the number of families in receipt of a service—targeted early intervention. There's some ageing of three months that has to be applied to that data so that we accurately represent what has actually happened for children in the system.

The Hon. NATASHA MACLAREN-JONES: I understand the caseworker dashboard and the delays, but I don't understand the statistical data, because that data has usually always been able to be produced on time, which is two to three months after the cut-off. That should have been generated, sent to the Minister's office late last year, to then be ready to be released in March this year. But the Minister's saying she hasn't received it or hasn't seen it.

CORRECTED

ANNE CAMPBELL: For the September to December quarter?

The Hon. NATASHA MACLAREN-JONES: Yes.

ANNE CAMPBELL: That's not due until—we've only just got the data—1 March, and that then has to be cleansed, for want of a better word, and that will go up to the Minister before the end of March.

The Hon. NATASHA MACLAREN-JONES: Has the Minister's office requested that information earlier?

ANNE CAMPBELL: No.

The Hon. NATASHA MACLAREN-JONES: Is it usual that the October to December data isn't available until 1 March?

ANNE CAMPBELL: Yes. That has been standard for some time, as I understand it.

The Hon. NATASHA MACLAREN-JONES: Are you confident that the future due dates for the data will be those months that effectively—

ANNE CAMPBELL: Have always been.

The Hon. NATASHA MACLAREN-JONES: Yes.

ANNE CAMPBELL: Yes.

The Hon. NATASHA MACLAREN-JONES: But it's likely to be always the end of the month, as opposed to the beginning?

ANNE CAMPBELL: That's my understanding, yes.

The Hon. RACHEL MERTON: If I could just pick up an issue that I raised in the previous estimates, which was relevant to the return to work. I was making mention at that time of the Premier's call for public servants to return to the office. We spoke about that relating to the department and non-caseworkers. I'm just wondering whether we may have an update about the call for the return to work in terms of what that has meant for the department in terms of where non-caseworkers are working from the office and possibly how many have returned to the office full-time.

MICHAEL TIDBALL: Ms Merton, I have no data to hand. Anecdotally, I must say, when I go to Parramatta, what I do see is an increasing presence in the office. In terms of any data that we may have of non-casework staff, I'm not sure that what we have—I could possibly take that on notice, unless any of my colleagues are able to supplement what I've said.

ANNE CAMPBELL: Just to add that we don't have a specific policy that says staff have to be back in the office for X number of days. A number of, certainly, staff in my division work quite flexibly so work either at Parramatta, sometimes at home or in other locations, depending on the nature of the work they're doing.

The Hon. RACHEL MERTON: Does the department track this in terms of where staff are working—in terms of whether it's from the office or remotely—specific to non-caseworking staff, that's all? Is it tracked? Is it monitored? Is it recorded? Can we see something like any trends.

MICHAEL TIDBALL: We do not, to my knowledge, track it. There are data collection points. What that would mean in terms of tracking, I do not know and would need to take on notice.

The Hon. RACHEL MERTON: So it's not recorded as to where people are working from?

MICHAEL TIDBALL: It's not tracked.

The Hon. RACHEL MERTON: Are there agreed hours of work in terms of allowing collaboration and interaction between staff? In terms of people that are working outside the office environment, is there an agreement of what the working hours of the day are?

MICHAEL TIDBALL: There are obviously conditions of employment. In terms of the configuration of a day and how that is to work in terms of remote, there is no requirement attached to that.

The Hon. RACHEL MERTON: I just cite examples where I've had reports—ringing someone at 10.00 a.m. but no answer, not picking up. "No, there's flexibility around this. Not sure when we can talk to him." This is an individual that—female, male—is a full-time employee. The absence of agreed working hours as to when interaction and contact can be made between staff, there's no sort of set arrangement?

MICHAEL TIDBALL: Not to my knowledge.

CORRECTED

The Hon. RACHEL MERTON: At the last estimates—I think Ms Campbell might have informed me of this—in terms of the number of operational staff, the location and the department's structure in terms of the seven districts and the community services centres, I want to confirm if my understanding is right that there were 3,504 operational staff relating to the department being across seven districts and 79 community services centres and a number of joint offices. Would that still be accurate?

ANNE CAMPBELL: I would have to hand over to Ms Czech.

SIMONE CZECH: That is correct.

The Hon. RACHEL MERTON: Relating to those staff and the community services centres and the joint offices, how many offices would the department occupy across New South Wales in terms of regions?

MICHAEL TIDBALL: It's 79, isn't it?

SIMONE CZECH: There are 79 community services centres. We'd have to take on notice to get an accurate figure of the number of district offices and other offices we may have. I think we have that data available so that shouldn't be an issue.

The Hon. RACHEL MERTON: Thank you. In response to Mr Tidball—and I appreciate your observations relating to the Parramatta office—when you know members of the public come and report and they're saying, "I step into this government office or agency and I see floors of unoccupied office space," and then they say, "Well, hang on a minute, does the Government not have a responsibility to the taxpayer here? Should there not be a realignment or a recontracting or a subletting or something?", how are those issues managed?

MICHAEL TIDBALL: The expectation in a community services centre would clearly be in the first instance that the statutory priorities of the work we do are paramount. Although remote working is of little relevance to a child protection worker, I would hope that our child protection workers are out of the office a lot. It really comes down to the performance of the manager in that location to ensure that the interface with the public and the outward-facing services are available but that the workflows absolutely reflect the statutory priorities of that office. And there is very clear responsibility embedded in the documentation relevant to the duties and the performance requirements of all staff throughout the organisation about what their obligations are. And that clearly goes to the question of the good ordering of all of the elements of running an organisation which services the public but has some particular needs which arise from the statutory work which we undertake in DCJ.

The Hon. RACHEL MERTON: Would there be an example where possibly we have had a change of staff numbers or occupancy changes and we've had a realignment or a recontracting of that office space and we've reduced space where it was unoccupied?

SIMONE CZECH: Not that I'm aware of in the operational space. That said, we are always looking for opportunities where it makes sense and doesn't adversely affect the public to co-locate offices where that's suitable. There are times where we need to close an office for a period of time. One example that comes to mind is Lismore and the floods that happened in Lismore. Our office for community services or the community services centre was destroyed, and we're in the process of getting a new office. But that's an example where they don't currently have an office.

The Hon. RACHEL MERTON: Ms Czech, for the record in terms of the community, what was made available in terms of the temporary office services provided by the department was outstanding and very much well recognised by the community in meeting that. I was just wanting to move to the national ministerial forum discussions relevant to preventing child sexual abuse. I understand that on 24 November 2023 a Ministerial Forum on Child Safety was held, which was attended by a number of State and Territory Ministers, and a number of commitments related to child safety came out of that forum. I guess I'm just really seeking an update as to where some of those outcomes might be in terms of prioritising working with children checks and the alignment of reportable conduct schemes. If someone maybe wanted to comment on where discussions might be relating to those outcomes in New South Wales.

ANNE CAMPBELL: I attended with the Minister to that forum in November, and I think we've got one coming up I think this Friday, and so those issues are still being discussed and work is progressing. There are a number of working groups that occur outside those ministerial forums between States and Territories and the Commonwealth. So that work is progressing.

The ACTING CHAIR: I am wondering if we can just go back to some of the numbers of children just to get an update. Am I correct that there are currently 14,723 children in the out-of-home care system? Did I write that down right?

ANNE CAMPBELL: There are 14,271 children and young people in out-of-home care.

CORRECTED

The ACTING CHAIR: And these were all at the last reporting date?

ANNE CAMPBELL: Yes, June '23.

The ACTING CHAIR: Of those, I have 6,563 that are First Nations children?

ANNE CAMPBELL: Yes.

The ACTING CHAIR: And 400 children are currently in the high-cost emergency arrangements? Was that right, 400?

ANNE CAMPBELL: I think it's a little bit higher.

MICHAEL TIDBALL: Yes, 434 as of 29 February.

The ACTING CHAIR: Have you got available there how many of the 434 are First Nations children?

SIMONE CZECH: I've got a 30 November number, which is 45.2. I'll see if we can find a more recent number. If we can't find it, we can get it during the afternoon.⁵

The ACTING CHAIR: What I'm after as well is the age band of the First Nations children in high-cost emergency arrangements and also the type of that emergency arrangement. And what is the average or median duration of stay in those arrangements? They're the things I'm—

MICHAEL TIDBALL: We're happy to take those on notice.

The ACTING CHAIR: This may be available somewhere, but I'm also very interested to know what the total funding received by ACCOs is at the moment.

ANNE CAMPBELL: I think I've got that. I'll just find my note. I think, in total, across all of the relevant DCJ programs on the family and community services side, it's about \$260 million. I'll just double-check.

The ACTING CHAIR: What is the total funding received by the NGOs that aren't ACCOs?

ANNE CAMPBELL: I might go back on that question. The early investment amount into Aboriginal community-controlled organisations for 2022-23 was \$22,940,314. In terms of different programs, in terms of the family preservation, in 2023-24 it was \$14.4 million. That was about 9 per cent of the total program budget for that particular program. For the Permanency Support Program—of which, I should say, there was a question earlier about how many NGOs there were and there are 52, of which 20 are ACCOs—that's \$168.4 million, which is 14 per cent of the total budget for the Permanency Support Program. For targeted earlier intervention, in 2023-24 it was \$13.6 million, which is 7 per cent of the total funding of \$186 million.

The ACTING CHAIR: What is your understanding in terms of what the target allocation of funds is for ACCOs and where we're tracking in terms of that?

ANNE CAMPBELL: The target, as the Minister talked about this morning, is, ideally, 30 per cent. At the moment, we have different programs and different contract length dates. So we've got the targeted earlier intervention recommissioning coming up in June next year. One of the things we're doing at the moment is looking at options for the Minister about how we might meet that 30 per cent ACCO focus. That's a tricky thing in itself without additional funding invested in that program. I think that's the intent of the Government. That's certainly what we've been asked to look at.

The ACTING CHAIR: Sorry to interrupt, but the 14 per cent on the permanency program, is that the highest investment we're making at the moment?

ANNE CAMPBELL: Yes, other than the Aboriginal Child and Family Centres. They're all ACCOs. If you looked at all of the child and family programs—that's in the child protection, the out-of-home care and the earlier intervention—it would be about 12 per cent. It varies from program to program. Obviously, one of the lowest is the Targeted Earlier Intervention. That's an area that is coming up shortly for recommissioning.

The ACTING CHAIR: You're being tasked with looking at how we increase and we're looking for that 30 per cent target. Are we certain the 30 per cent target is still the appropriate target we should be striving for?

⁵ In [correspondence](#) to the committee received 4 April 2024, Hon Kate Washington MP, Minister for Families and Communities, Minister for Disability Inclusion, Department of Communities and Justice, clarified the evidence given.

CORRECTED

ANNE CAMPBELL: It could be more into the future. Some of the different programs vary. So, obviously, in the Permanency Support Program, I think it's about 46 per cent of children in out-of-home care are Aboriginal. So you'd probably want to look at the balances in different programs. But certainly the intent at the moment is to try to get to the 30 per cent.

The ACTING CHAIR: Sorry, just to be clear, for this coming financial year, you will be providing to the Minister ways of achieving that 30 per cent over the coming financial year?

ANNE CAMPBELL: Yes. It would be a contract. We'd be recommissioning for up to five years. Certainly the Government's intention is not to fund for shorter years but to look at five-year contracts like we have previously with the Permanency Support Program.

The ACTING CHAIR: And that one is coming up?

ANNE CAMPBELL: Yes.

The ACTING CHAIR: Going back to the FIC progress report—and this might be you, Ms Beattie—now that that progress report has been tabled, in addition to the MAP Group, what are the tangible, immediate things from that update review report that are feeding into the programs at the moment in terms of your scope and your responsibility?

CLAIRE BEATTIE: I think one of the things that Transforming Aboriginal Outcomes—the team that I am absolutely proud of leading at the moment—have been working on is closing out, in a very genuine and authentic way, the recommendations as part of FIC. What I will say is that we have several governance groups that meet quite often on FIC and these have AbSec, ALS and other ACCOs as part of this governance to ensure it is authentic. We aim to have an agreed plan by 30 June of this year. We also, as I said, intend to put up dashboarding as opposed to a really lengthy report that we're not sure is very easy for all people to engage with. We are deeply committed to making sure that people can read about this and actually understand it in a way that makes sense to their lived experience as well.

We're consulting with DCJ leads, as I said—the New South Wales Children's Court, the Office of the Children's Guardian, ALS and AbSec—constantly to make sure that we can work through what we are closing out. Right now there are quite a few remaining recommendations. When the team took over looking after FIC in 2022, it hadn't progressed as much as we had hoped it had. It is now at 37 per cent closed. So from 0 per cent to 37 per cent in two years—I think the team have worked very hard on closing those out, but I mean in an authentic way, not in a way that we're closing things out to tick them off.

We know that we've got quite a few recommendations around self-determination—as you mentioned previously this morning, the Independent Child Protection Commissioner role and what that might look like. We know that we need to—one of the recs is around establishing the independent statutory agency as well. So there are some that are up for broader conversation, maybe at the MAP Group and maybe outside of TAO themselves. But we're looking, as I said—the main thing that I think is quite interesting is the streamlining of the report and the progress on the dashboard. Because I think it's very important that First Nations people and the community in general can read Family is Culture and understand what it means to their daily lives and what it means to the support that they should have for self-determination, and in terms of active efforts, as well.

The ACTING CHAIR: Is that what you're hearing from the governance groups and the bodies that you're meeting with regularly—that they are the shared priorities? Or are you hearing—

CLAIRE BEATTIE: These are the recommendations as part of FIC. So what we've done is take quite a co-designed/project management approach. I know that sounds like a strange approach, but it's walking in two worlds—a project management response to closing out FIC recommendations but a co-design response to authentically speaking about the recommendations because they truly impact people and they're meaningful. Within these governance groups, we have people within ACCOs, within our national partnership agreement partners and within DCJ really having authentic conversations, not in a way that holds things up but in a way that allows us all to understand where we're up to with each recommendation.

To get to 37 per cent in two years, whilst it's not as fast as everyone would like, sometimes you've got to slow down to speed up. And sometimes you've really got to listen to what everyone is saying within those forums and have what I've couched with ALS and AbSec as positive tension, where we're working through things, all as First Nations people, towards the aspirational future. Voices need to be heard and sometimes we need to escalate via the MAP Group et cetera. I'm excited by the MAP Group because it adds a voice for our peak bodies directly to the Minister. They've had one meeting so far. I think it's an opportunity, and any time for First Nations voices to be heard is a fantastic opportunity. But I'm yet to know how that will quite work with the rest of the governance.

CORRECTED

The ACTING CHAIR: What's the intention with the MAP Group? What is the framework around it? How often will it meet? Does it convene in between the big meeting with the Minister? How does that work? Obviously, I'm in a particularly privileged, sideways space where I get to hear some concerns about the processes.

CLAIRE BEATTIE: I'm not involved in that space. DCJ are actually not in the MAP Group. What I understand is that AbSec are playing the function of secretariat within that space. I might be tasked with finding out information for the MAP group, perhaps from AbSec or from the Minister's office et cetera. Right now, how existing governance or working groups will work with the MAP Group are unclear to me. But I'm sure between all of us we'll work it out because we're all walking towards the same future.

The ACTING CHAIR: When the former Government was doing the reforms to the children's legislation, one of the things that the groups were very committed to was the recommendation around requiring the court to have an express consideration around child removals. Aboriginal children removal is harmful. The Minister said this morning—I don't want to say that the Minister said something she didn't but I thought it was along the lines of that she hasn't necessarily heard that as a priority at this point in time. Have you been hearing anything around that? If not, is it possible that that's because the organisations at the moment are not focused on that because they think that's now unreachable because that reform has happened? Do you know what I'm trying to say? Is what's on the table an opportunity to go back to the first principles of the FIC recommendations? Or are the groups and the peaks around FIC working with what they think is the most achievable in the immediate? Sorry, I know that was a really long question. I should have thought about how to articulate that better.

MICHAEL TIDBALL: If you disagree with any of this, colleague, stop me. I've not been a party to any contemporary conversations on that question. What I do think is that we are at a moment, and the initiative with the partnership group is obviously foundational and important. But I also think we are at a moment of recalibration with CAPO, AbSec and the ALS where we've had a couple of years of TAO, and we have come to the realisation—and perhaps I have been the slow one in coming to the realisation—that when you create a specific division, the risk is that the staff working in that division become the clearing house for a whole lot of things that need to be resolved rather than effective partnership and the organisation, in critical areas, learning about co-design and learning how to be Aboriginal led in certain areas. That is the discussion that is starting to happen. For my part, I am grateful for the interaction I've had with ALS and AbSec on that point. I think, going to Ms Beattie, that's sort of—in recent times, there are substantive issues, but the standing up of the MAP Group has meant that there is a bit of a focus around process, recognising that that group will have a role to play but there will every day be things happening where we should be talking to ALS and we should be talking to AbSec and we should be walking alongside and working with ACCOs across the State.

SIMONE CZECH: Ms Higginson, could I just add maybe an operational lens to your question. It's not specifically about the FIC recommendation but it may be helpful. Obviously, in my role caseworkers from time to time are removing children. We then have to present that matter to the Children's Court. Last financial year 2,145 children came into care. That then meant were in court that many times. The court has to determine two things. One is, is the child in need of care and protection according to the legislation? So that's the first thing. And the second thing is they need to have consideration of whether the paramount consideration has been taken into account as far as placement is concerned.

I have been made aware of cases where magistrates haven't been satisfied that out-of-home care is, in fact, the best option for children and have asked us to go back and look at restoration and how we might support families in a different way to what we might have previously, rather than leave that child into care. While the FIC recommendation hasn't been progressed at this stage, I think the magistrates in some cases are actually applying that permanent placement consideration. They want, quite rightly, quite a bit of detail around where the child is going to live, is that safe, is it permanent or long term for however long that might be needed. In some ways, that's coming into our court space in particular more than it has before.

The ACTING CHAIR: Is that something that has started happening because of the introduction of the active efforts and that framework? Or do you think it was happening anyway?

SIMONE CZECH: I think it was happening before that. I think active efforts has absolutely helped in that regard. I'd be guessing here, but I think about 12 months ago we started to see a change—and we welcome it—that the magistrates are challenging to make sure that whatever decision is made in respect of those children is the best one possible.

The ACTING CHAIR: I just know how staunch the advocacy around that part of the reforms was and that that was something that the former Government for whatever reasons weren't willing to implement. Is it something that the groups and the peaks feel they have the freedom and the capacity now with this new relationship—that if they thought, being on the front lines and literally in these court proceedings all the time, that that was something they wanted to bring back, there is that opportunity now for them to bring that back?

CORRECTED

SIMONE CZECH: As Ms Beattie explained earlier, while we're not a member of the ministerial advisory group, I would imagine there is an opportunity for members of that group to bring things like that into that forum for a discussion and a way forward.

CLAIRE BEATTIE: I think so. We all note the Productivity Commission report that came out recently that said a lot about the voice of ACCOs and the importance of ACCOs and also the piece around self-determination and First Nations people deciding things, funnily enough, for themselves. I have a lot of faith in the fact that we have a deep partnership through the national partnership agreement with our good partners, ALS and AbSec. We have CAPO that meets quite often around justice and community services matters. We also have the new MAP Group, which was a commitment that is being met and has met now once and has that voice there. But I think also, not to be a proxy for First Nations voices, there is a place for Aboriginal people in government. There's a place for everyone in government, as far as I'm concerned, because we reflect the customer that we serve. I deeply believe that, with all our voices combined and the fact that I believe we are being listened to, we can actually make some difference in this space for a place where, unfortunately, we've had a lot of interactions—and not great ones—with the system.

The Hon. NATASHA MACLAREN-JONES: We were talking about the Children's Court. I'm just wondering about the impact—or is there a delay in cases being seen in the Children's Court?

SIMONE CZECH: There certainly were some longer times from lodging to final order during the COVID period—so the lockdown periods—and that resulted in many more cases than the court ordinarily would need to deal with. My understanding—and we can certainly double-check this—is that the numbers of matters for the Children's Court are back to pre-COVID numbers, and I understand there are around 1,400 in any given time. But, like I said, we can double-check that and maybe get the answer to that during the course of this afternoon.

MICHAEL TIDBALL: Yes, I have the Attorney's estimates on Wednesday and characteristically turn up with a slew of backlog numbers for that hearing. I was reading yesterday, and I—

The Hon. NATASHA MACLAREN-JONES: You are pre-empting my future questions.

MICHAEL TIDBALL: My memory accords with what Ms Czech has just said. I'm unaware of a spike or an increase, but I will come prepped on Wednesday.

The ACTING CHAIR: We will see you there.

The Hon. NATASHA MACLAREN-JONES: Also, what's the average length of time for a case to be dealt with?

SIMONE CZECH: It's just under 12 months, from care application through to final order.

The Hon. NATASHA MACLAREN-JONES: Currently, how many magistrates are there in the Children's Court?

SIMONE CZECH: I think that's a question for the Attorney General, but—

The Hon. NATASHA MACLAREN-JONES: That's okay.

SIMONE CZECH: I could have a stab, but it may be way off.

The Hon. NATASHA MACLAREN-JONES: When you say a 12-month time, would you put that down to it takes 12 months to put all the information together, or is it that it takes that long to, effectively, be heard? Or could it be broken down? Could you truncate that time?

SIMONE CZECH: It's difficult. Like anything in child protection, there are always matters that will be much shorter than that. There will be matters that are outside of that average. There is a very—well, there's a process that the Children's Court goes through, which is, typically, we lodge an application; it has an initial hearing in front of the magistrate; there are directions given; usually it then goes to what they call a dispute resolution conference, and the idea is to get parties to try to agree on whether the child is in need of care and protection or what the way forward might be. There are at times court clinic assessments completed and they can take usually up to three months—sometimes a bit quicker than that. Then, of course, if you haven't got a position where everyone is consenting to the proposed orders, a hearing needs to be set down, and, again, the number of days required for a hearing will differ from one matter to the next. Some might be a day, some might be five, and then a magistrate will determine a date for those hearings.

There's a requirement for the department to lodge care plans, detailing things like where's the child's placement going to be, whether restoration is a realistic possibility or not; if so, what are the things we're going to do to support the family and parents to get those kids safely home. All of that information goes to the court. There are sometimes subpoenas involved as well from various stakeholders and then a hearing will happen and,

CORRECTED

subsequently, orders made. It's quite detailed. There's no set process. You might get some of that or all of that. But, like I said, on average, it's just under 12 months.

The Hon. NATASHA MACLAREN-JONES: When we look at a decision being made in relation to the permanency of that young person—whether it's restoration, adoption or foster care—and the time frame is meant to be the two-year period, does that two-year period include the 12 months of court proceedings or is that in addition?

SIMONE CZECH: From the time that the final order is made is when the two years commences, and the care plan will detail what the permanency goal is for that child. Like I said before, if it's restoration the care plan needs to detail what's going to happen to support parents to actually resume the care of the children. If it's guardianship, it will detail that—and adoption, of course. All staying in long-term out-of-home care is obviously the least preferred option for non-Aboriginal children.

The Hon. NATASHA MACLAREN-JONES: Do you have a breakdown, of the last 12 months, of how many cases have taken longer than 12 months, longer than 18 months?

SIMONE CZECH: I'm sure we could take that on notice and see if we could get that information.

The Hon. NATASHA MACLAREN-JONES: Moving to the More than Shelter report that was handed down in May last year, I'm interested in relation to one of the common reasons for those on a care and protection order presenting alone and what the findings were in relation to that.

ANNE CAMPBELL: I'll have a go at this. I don't think it was that specific, is my memory of the More than Shelter report, other than—

MICHAEL TIDBALL: Sorry, can you please repeat the question?

The Hon. NATASHA MACLAREN-JONES: Yes. I want to find out the main reason why a young person in out-of-home care is presenting to an SHS unaccompanied.

ANNE CAMPBELL: So not a child with a child protection history?

The Hon. NATASHA MACLAREN-JONES: Yes—so, both. Those that are currently—I know you don't have the statistics on those that might be in care at the moment.

ANNE CAMPBELL: Certainly in 2023 there were 13 per cent that had a care and protection order in place and 10 per cent were referred by child and family agencies, so may have touched the child protection system. And I'm sure Ms Czech can talk about it, but certainly in terms of those children in out-of-home care who may be in a specialist homelessness service, there's now, for want of a better word, protocols or escalation pathways that are in place within each of the DCJ districts. Certainly we spent quite a number of years working through developing that so that children who really did need a response from the child protection part of the agency actually got that response. There are a number of issues the More than Shelter report talked about in terms of parental responsibility. It really depends on the particular individual circumstances of that child or young person, but some of this also falls within Minister Jackson's portfolio as well. I don't know if you wanted to add anything further. You haven't had many escalated—

SIMONE CZECH: No. The protocol is really useful because it steps out roles and responsibilities between the department and the providers. I think in the last 12 months I've had three matters escalated to me, and on each occasion our child protection caseworkers have intervened and conducted a safety and risk assessment.

The Hon. NATASHA MACLAREN-JONES: Sorry to interrupt. These are the protocols where a decision must be made within the 48 hours of where that young person will go, if they present. Is that correct?

SIMONE CZECH: No. The protocol is where a young person may present to one of the homelessness refuges or centres. We may not be aware that that's the case. Providers may try to get a response from one of the local offices—and they may not, in a way that we would like. So there's an escalation through to me and my office, and at that point we make sure that we have appropriate supports in place for that particular child.

The Hon. NATASHA MACLAREN-JONES: I might move to caseworkers. Do you have a breakdown of length of service—so the number of years that caseworkers, by district, have been employed?

MICHAEL TIDBALL: We don't have that on us.

SIMONE CZECH: Bear with me for one moment.

MICHAEL TIDBALL: Oh, I think Ms Czech is optimistic.

The Hon. NATASHA MACLAREN-JONES: Ms Czech always has the information.

CORRECTED

SIMONE CZECH: I've got too many bits of paper. Okay, I have both age representation and tenure representation. There's quite a lot of it. Do you want me to rattle through it?

The Hon. NATASHA MACLAREN-JONES: I'm happy for you to table it. I'm interested to know if you've got the number of employees by district and then the length of service. You don't have to include their age.

SIMONE CZECH: I'm not sure. I have seen age data before, but I don't think I've got that with me today.

MICHAEL TIDBALL: We've certainly got numbers by district with us today; age, I do not have.

The Hon. NATASHA MACLAREN-JONES: I don't need the age but length of service.

SIMONE CZECH: This is sort of upside down, but in terms of tenure—and this data is for 2022-23: less than a year, 15.1 per cent; one to two years, 11.5 per cent; two to three years, 7.4 per cent; three to five years, 16.2 per cent; five to 10, 23.4 per cent; 10 to 15, 8.7 per cent; 15 to 20, 11.7 per cent; and 20 to less than 30, 5.1 per cent. You can see the bulk of our caseworkers, as far as tenure, is in that middle three- to 10-year period. In terms of attrition, what we know is if you're going to leave the organisation you typically leave within your first two years of tenure. We've got an incredible effort to support our new caseworkers to try and mitigate the risk of them going in that first two years because what we find, and it's demonstrated by the data, is that if you hit the two-year mark, you stay—also, wanting to give caseworkers different opportunities where we can to make sure that they are able to refresh, because this job is hard. It's rewarding but, as you know, it's incredibly challenging as well. There's a range of supports in place not just for the first two years but post that period of time as well.

The Hon. NATASHA MACLAREN-JONES: In relation to the district breakdown, do you have that as well?

SIMONE CZECH: I haven't got that with me but we can certainly provide that on notice, if that's okay?

The Hon. NATASHA MACLAREN-JONES: Yes, that would be fine.

MICHAEL TIDBALL: Do you mean tenure and age by district or numbers by district?

The Hon. NATASHA MACLAREN-JONES: Numbers by district.

MICHAEL TIDBALL: We have that with us.

SIMONE CZECH: Oh, the actual FTE?

The Hon. NATASHA MACLAREN-JONES: Yes.

SIMONE CZECH: Yes, we do have that.

MICHAEL TIDBALL: Do you want me to—

SIMONE CZECH: Yes, sorry.

The Hon. NATASHA MACLAREN-JONES: Otherwise, is it easier just to—

SIMONE CZECH: The numbers are on the dashboard. There is a breakdown on the publicly available dashboard.

MICHAEL TIDBALL: I can read them, but yes.

The Hon. NATASHA MACLAREN-JONES: What's the date of the information that you have?

MICHAEL TIDBALL: My extraction date was 30 June 2023.

SIMONE CZECH: It hasn't changed. There's 2,333 caseworkers—FTE, I should say.

The Hon. NATASHA MACLAREN-JONES: I was trying! How many caseworkers are you budgeted for?

SIMONE CZECH: It is 2,333.

The Hon. NATASHA MACLAREN-JONES: Do you have the capacity for more?

SIMONE CZECH: No, because we're funded for 2,333.

The Hon. NATASHA MACLAREN-JONES: Okay. There's a current vacancy across the State in relation to caseworkers, so even if you wanted to fill them you currently can't fund them?

CORRECTED

SIMONE CZECH: No, they're funded to the 2,333 number but we've got less. We've got the money.

The Hon. NATASHA MACLAREN-JONES: Yes. Just in relation to whether or not any caseworker salaries have increased in relation to the wage caps being removed last year?

SIMONE CZECH: All caseworkers, like public sector workers, received the 4 per cent wage increase.

The Hon. NATASHA MACLAREN-JONES: Can you quantify that amount for 2023-24?

MICHAEL TIDBALL: Do you mean in aggregate?

The Hon. NATASHA MACLAREN-JONES: Yes.

MICHAEL TIDBALL: Can we take that on notice?

The Hon. NATASHA MACLAREN-JONES: Yes. In relation to grant payments to NGOs by DCJ and also Health, I understand it's been indexed by 5.75 per cent for 2023-24. Do you have a dollar value for that amount?

ANNE CAMPBELL: I do, but I don't think I've got it on me today. I can certainly provide that.

The Hon. NATASHA MACLAREN-JONES: Are you able to also provide a breakdown of how much was received within the following sectors: child and family services, neighbourhood centres, homeless services, community mental health, and domestic and family violence?

ANNE CAMPBELL: Community mental health, I wouldn't have. That would be Health. And the homelessness would be under Minister Jackson. But the other ones—we may have a different categorisation, like targeted early intervention, where the neighbourhood centres would be within that, but, yes, we're happy to provide that.

The Hon. NATASHA MACLAREN-JONES: Thank you.

The Hon. RACHEL MERTON: Ms Campbell, if I could just pick up. We were speaking about the national ministerial forum discussions relating to the prevention of child sexual abuse, and you mentioned about the discussions continuing from that. I'm just checking. Were there any time frames as to when outcomes, resolutions or agreement was hoping to be reached on some of these issues?

ANNE CAMPBELL: There are quite a number of issues that that particular council's dealing with but I'm happy to take that on notice and provide any information we have in relation to time frames from the Commonwealth.

The Hon. RACHEL MERTON: Thank you. If I could just touch on now the Minister's recent announcement, with the Minister for education, relating to increasing support for students with disability through an expansion of support classes in mainstream schools. You may be aware that Portfolio Committee No. 3 also has an inquiry into current levels of access and attainment for children and young people with a disability in New South Wales's educational settings. Feedback from the community and one of the submissions from a teacher to that inquiry was seeking more information about, "Where will the 243 more support classes for students with disabilities be made available? Will it be the mainstream?"—just looking for a little bit more detail about what that announcement might mean.

ANNE CAMPBELL: I don't have that level of detail. It's probably best asked of the education department or the Minister.

The Hon. RACHEL MERTON: Just further to that, given the reported vacancies in public schools, for teachers who can support students with physical and intellectual disabilities, and given the Minister's responsibility for disability inclusion, is the department involved in working with the department on any of these issues relating to disability?

ANNE CAMPBELL: In terms of vacancies within the school system, I think that would be a matter for Education. Obviously, if there are impacts where students can't get access to particular services, I'm sure the Minister would be talking with the education Minister about those issues.

The Hon. NATASHA MACLAREN-JONES: Can I just jump in there? In relation to the sharing of data between DCJ and Education, obviously we've got it now for the number of young people in out-of-home care who aren't attending school. What other data is being shared?

ANNE CAMPBELL: I'd need to take that on notice. We've only just recently actually got that data. It came through, I think, last month or even earlier this month, so we're doing a bit of cleansing of that data as well.

CORRECTED

From my understanding, that was very preliminary data, so we'll have a better picture, and that's specific to out-of-home care, obviously.

The Hon. NATASHA MACLAREN-JONES: Definitely. I'm also interested in young people who've been suspended and, obviously, all those things that identify that more support needs to be given.

ANNE CAMPBELL: I'd need to take that on notice and see what's collected.

The Hon. NATASHA MACLAREN-JONES: That's fine.

The Hon. RACHEL MERTON: If I could just touch on the restoration taskforce and just seeking a little more information. Is the restoration taskforce only for Aboriginal children?

ANNE CAMPBELL: I think it is, yes.

CLAIRE BEATTIE: That's my understanding.

ANNE CAMPBELL: But I think whatever you do in that space will have benefits for non-Aboriginal children as well.

The Hon. RACHEL MERTON: Who sits on the restoration taskforce? How many people?

MICHAEL TIDBALL: Can I indicate it's not possible to—and I'm happy for my colleagues to correct me if they have a different understanding to mine. The restoration taskforce is something being worked through at the moment. The MAP Group will, obviously, be a critical forum in the way it is structured, stood up and configured. There are early discussions about the nature of any restoration taskforce at the moment, with AbSec, and there is a great deal of detail yet to be worked out. So the form it would take, the phasing of it, the types of orders that might be captured, all of those sorts of things are not yet at a point where I would be able to, with any accuracy, inform this Committee of detail of the plan, other than there is consideration being given to the taskforce.

The Hon. RACHEL MERTON: Further to that, in terms of appointments to the taskforce—unknown?

MICHAEL TIDBALL: That is correct.

The Hon. RACHEL MERTON: Is it envisaged that the taskforce will receive funding?

MICHAEL TIDBALL: I think any attempt to change the metrics in pursuit of the CTG target on restoration would require resourcing in pursuit of that objective.

The ACTING CHAIR: I know this is straight after the event, but do you know when the plan is to have the next FIC progress report? How long between—

CLAIRE BEATTIE: I have that here. Bear with me.

The ACTING CHAIR: I know it has just been tabled but looking ahead, as always.

CLAIRE BEATTIE: The last one was 6 February. I've got here that we're working on the streamlined approach for the dashboard—as I spoke about before—for future transparency. I will come back to you. I know I have it here, so if you bear with me.

The ACTING CHAIR: No problem. I just want to go back quickly to the—I think, Ms Czech, we were talking about the TEI funding. Sorry, that might have been you, Ms Campbell. I just want to get some clarity. When we go into this upcoming round for achieving or increasing the target for ACCO's share of that funding, if the intention is to extend the duration of some of the existing contracts, is there going to be an opportunity in the reallocating and reinvesting for additional resources where there has been underfunding or an underinvestment in some of the existing contracts?

ANNE CAMPBELL: Obviously if the envelope for the funding for that particular program stays as it is, we would have to look at all of those issues. If we are trying to move from where we've got 7 per cent of the funding going to non-ACCOs to move to 30 per cent of people recommissioned through the TEI, that would obviously signal some quite significant changes.⁶ I am just flagging, they're the sorts of things that we're teasing with at the moment. We've also got the evaluation, which is due soon. That will tell us something about the quality

⁶ In [correspondence](#) to the committee received 4 April 2024, Hon Kate Washington MP, Minister for Families and Communities, Minister for Disability Inclusion, Department of Communities and Justice, clarified the evidence given.

CORRECTED

and the impact of the services being delivered. I think there is still a bit more information we need as a department and government to make decisions around the TEI recommissioning.

The ACTING CHAIR: I mentioned with the Minister—and things may have changed. I thought there was a bit of—I think it was in relation to the Family Connect and Support program and the pilots that I think we had some visibility on were being implemented. I was just wondering if you could tell us where that is up to and what to expect?

ANNE CAMPBELL: Yes, I got some further information. That's the Family Connect and Support service. The previous name was the Family Referral Services. This financial year we've got \$21 million that is invested in those services. There is actually an interim evaluation that's on our website, which is showing promising results from that particular program. My understanding is that program, together with the TEI, will be part of the recommissioning going forward.

The ACTING CHAIR: Right. The pilots, it's clear where they are. That one will continue.

ANNE CAMPBELL: Subject to the evaluation outcomes and looking at what that's telling us about outcomes for the individuals accessing those services.

The ACTING CHAIR: This morning when I was talking with the Minister—it's apparent that inaccurate information has been coming back from providers to the Minister when questions are asked, and I understand that there has been broader work done to look at that. Are you able to explain to me what this new accountability process is? I hear that works happen, but what is that?

SIMONE CZECH: Yes, I'm happy to take that question. The Minister, as she said in evidence this morning, asked the department to implement a system to monitor all complaints about non-government organisations that deliver out-of-home care. From 1 December we've been capturing every complaint that is made in respect of a non-government organisation, and those matters are analysed to identify themes in the first instance, but then—

The ACTING CHAIR: When you say you monitor and have a look at every complaint, is that the complaints that are coming to you and the Minister directly? Is there still a system through the Ombudsman? Are you capturing all of them?

SIMONE CZECH: Yes, it doesn't replace what the Ombudsman does in terms of their complaint-handling system. It's typically matters where members of Parliament or members of the public have made a complaint directly to the Minister or my office about an NGO. What we'll do in my office is log that complaint. We then send the complaint out to the local district and the local non-government organisation, and we ask for a response back on the issues at hand. We then quality-check that response and make sure that we do a bit of a crosscheck against our systems in terms of any information we might have, and make sure in some ways that the information being provided actually passes the pub test but also answers the question that the constituent or the member of Parliament may have had. It's at that point, when we're satisfied with the response, that we will forward that on to the Minister's office for further consideration.

What we're doing for the Minister every quarter is providing a report on the number of complaints, the trends, how timely NGOs were in terms of their responses, but also what the quality was like. The Minister referenced this morning a number of complaints for December and January, and there were 23 in total. One hundred per cent of those complaints needed a rework, which meant that either the response didn't answer the question at hand or the quality was poor. So there's that happening. I'm also working with ACWA, as the peak body, to do some work with their members and the NGOs about the expectation and actually provide some resources as well. We have a style guide around how you respond to correspondence, so we're sharing some of those resources to try to lift the quality of the responses that are provided.

The ACTING CHAIR: Is there any concern now, leading from that, that inaccurate information has been provided to DCJ? I would find it hard to believe that inaccurate information hasn't been provided to DCJ lawyers who are acting in courts in these matters. Is that your concern too?

SIMONE CZECH: Absolutely. I have to say I was quite horrified when the matters came to my attention. I think the other thing, just to point out—apart from that system that I just described, there are two other levers we have at hand. One is to raise the issue through the contract manager for that provider so it can be dealt with under the contract. Secondly, we've got an MOU with the Office of the Children's Guardian where we can raise issues, through that MOU with the Children's Guardian, through regular meetings that we have with them. Whenever there's an issue with the provider—and of course we raise it with the provider as well—it'll go to the Office of the Children's Guardian if we don't have a satisfactory response at that local level.

CORRECTED

The ACTING CHAIR: Is there anything that has triggered the need to go back and look at matters that may have not gone as well or appropriately as they should have in court proceedings, possibly because of the reliance on misinformation?

SIMONE CZECH: Again, there are matters that come to my attention, not just because of misinformation but maybe some practice issues as well. I think there have been magistrates that have raised practice issues previously, or I may become aware of a practice issue, for example, through a complaint. One of the important roles our Office of the Senior Practitioner plays is a review function. Any time there's a criticism from a magistrate, it triggers a review by the Office of the Senior Practitioner. We'll do that review in collaboration with the non-government organisation, and we have done many reviews over the last little while. That review will ultimately result in a range of recommendations that we then follow up with the respective NGO and, again, feeding that through to the contract manager as well, and the Office of the Children's Guardian.

The ACTING CHAIR: What's the volume of concerns that may have been raised by the magistrates?

SIMONE CZECH: We'd have to take that on notice and provide that to the Committee.

The ACTING CHAIR: I'd be really interested to know, in a 12-month period, what we are talking about in terms of those concerns?

SIMONE CZECH: Yes, happy to take that on notice.

The ACTING CHAIR: Recognising that the court is a good forensic environment so, if there are, it's probably a good place to see and focus on where those concerns come from and what they are. I think it was in the FIC progress report in relation to—just on complaints—recommendation 10, the Ombudsman had the Aboriginal Assistant Ombudsman, George Blacklaws, and he is no longer there. In the report it stipulates that that part of the work had been taken up by an external consultant. I'm just wondering if any of you are aware of who is that external consultant. It might be something I could find on the Ombo's website, but I didn't have an opportunity to have a look.

SIMONE CZECH: I'm certainly not aware of who that might be. I do know from Ms Campbell and I meeting with the Ombudsman on a regular basis that they were still drafting the report, but there wasn't a time frame, from memory, that they could provide to us at this point in time.

The ACTING CHAIR: Would you perhaps take that on notice and, if it is appropriate to respond, just say who is the external consultant who has undertaken that work?

SIMONE CZECH: Yes, of course, we can do that.

CLAIRE BEATTIE: On your previous question, there are actually no plans at this stage to release, with a date, the next FIC report currently.

The ACTING CHAIR: For the next FIC report?

CLAIRE BEATTIE: Correct.

The ACTING CHAIR: I was just wondering if you had information that you could share. When the Minister this morning referred quite a lot to the fact that she and the department had been talking to caseworkers, and that they were sharing a story that they didn't feel valued—or whatever those terms are—whether there are instances that you can share that describe what the Minister is talking to. What is that experience? She definitely talked about the very important case of all of these workers being forgotten through the COVID period as frontline workers. But what else has been the experience so that we can best understand what that is she's referring to?

SIMONE CZECH: Of course. The Minister did two things just before Christmas: One was to send out a survey asking caseworkers to tell her about their experiences and, secondly, she conducted six face-to-face forums around the State, which was fabulous. At this point I probably should just shout-out to our caseworkers, some of whom might be watching—although they might be a little bit busy doing other things—just to say what a wonderful job they do day in, day out, and how valued they are by the department, and I know by Michael and myself in particular. Some of the things they told us both in the survey and during the face-to-face forums was that they had some challenges managing workload. Demand is such that there's always new work coming in, so it's managing your case load and how do you allocate new work, how do you close matters appropriately et cetera.

They needed to be better supported in the work that they did, and they particularly focused on what they coin the "administrative burden". I think it's fair to say that we've created a system that is overly complex, and there's a job for Michael, myself and the team to go through about how we might take away some of that administrative burden and free up their time. They wanted to spend more time out working with families to keep children safe at home. But, with my previous comment, they were saying that some of the things that hold them

CORRECTED

back in the office is the administration side of things. I should point out that administration is incredibly important. Sometimes there's some confusion between what you need to record, because it's important that we record that for children, versus what might be some add-ons that we've created that we might be able to take away for caseworkers.

The other overwhelming theme from both the survey and the forums was the pay. In particular, they make a comparison between what they get paid by government and how that compares to their colleagues in the NGO sector who now have pay parity, if not increased pay, in the NGO sector. They can also, in the NGO sector, access things like salary packaging so the actual package that they can get is much more attractive. Finally, a work-life balance—so how do we make sure that caseworkers can adopt some of the flexible work arrangements that we talked about earlier. They are field workers, so they do need to be out and about but there's no reason why caseworkers can't spend a day at home a week, for example, doing their admin work. It's making sure that all of our staff embrace that and we have some consistency around how that happens. I know that is a lot of words from me, but that's a bit of a sense from both the survey and the forums that the Minister held.

The ACTING CHAIR: No, that's great to know. With that, am I correct to say that now there is that parity—was that what you were saying—with the NGO and the government sector, or that's not quite reached? Where are we?

SIMONE CZECH: No, there's certainly parity. Over the last few years the NGO sector was subject to the—and I'm going to get the acronym wrong—ERO. Ms Campbell might be able to tell me exactly what that stands for.

ANNE CAMPBELL: You might want to be specific to the workforce we're talking about. We're talking about in the child protection and the caseworkers area.

SIMONE CZECH: Sorry, caseworkers, yes. An analysis that we've conducted means that if a DCJ caseworker was to move across to a non-government organisation at worst they would start on what they currently earn within DCJ, but in many cases it is \$10,000 to \$15,000 better off. The other bit about managing case loads is that NGOs have set case loads because that is the way we fund them whereas in DCJ, like I said, you actually can't manage demand that much—it's difficult. They often cite that as a reason for moving across.

CLAIRE BEATTIE: I might also add to Ms Czech's statement around First Nations caseworkers and what I've heard to be a significant cultural load that they feel working in the space. Often they're working in the community they're from and they know the people from that community so there's a both a cultural load for wanting to do the right thing for First Nations people to stay with kin and with family and to keep them safe but also a personal load for living in that community. So I would say that this can also be a reason for First Nations caseworkers to leave—if they're not staying in that same employment—because there is that load on top of a load in terms of emotional, cultural and psychological load that occurs within that space that I've heard since I've been in this role.

The ACTING CHAIR: On that, are the current plans and reforms that you're all talking about at all the levels—particularly with the idea that we are doing everything to transition children in the out-of-home care system overall to ACCOs from the NGOs, do you feel that the work is happening to get that culturally appropriate support within the system? Is that happening?

CLAIRE BEATTIE: Do you mean do we feel culturally safe within the system? Or do you mean that through transitioning to ACCOs? To us, the knowledge is that the best place for an Aboriginal child is with an Aboriginal family. Obviously we are looking to ACCOs, if not staying with kin, which is the best thing, or with their family if they can. I think for as long as you are working in a traumatic space and you can't leave that trauma when you leave work—and that's true of a lot of people who live in small towns, for example, but very true of First Nations people where you can't escape the conversation about it. Sometimes you can't escape it because you are related to the people. I think there is a deeper understanding within the system of that cultural load but I believe that the secretary and the Minister have been aware of the tensions within the system for First Nations people and within the system itself. But, again, it's important we work in the space because there is healing to be done, but at the same time we need to acknowledge the load that is within it.

MICHAEL TIDBALL: Part of that, if this is an honest exchange, is our PMES results in DCJ have pointed to the fact that we still in DCJ have a challenge with racism, and I do in his absence acknowledge the work of Brendan Thomas in establishing with the rest of the executive team an anti-racism taskforce. We're establishing a unit within the department to deal with racism in all of its guises, right across the organisation. Having critiqued or made some comments about the TAO division, I think that one of the vital roles that TAO needs to play is ensuring that we do a number of things to ensure that DCJ is a safe place for all of its employees.

CORRECTED

The first part of that is to become honest within the organisation, ensure that we have strategies and the mechanism to deal with it, but it is work that needs to be properly undertaken over several years.

The ACTING CHAIR: In terms of the way the transition that we're seeking to do now in the out-of-home care system from NGOs to ACCOs and this work in terms of all of the internal staff members and the people trying to drive that transition and the peaks and the communications we are having, is that where the self-determination work really needs to happen, on all of the internal staff members?

CLAIRE BEATTIE: I think there are two things. There's the systems world of DCJ and then there's the external world in partnership with our ACCOs and our CAPO partners. To me, we're one big family. We're all trying to, as I said, work towards the same achievement of self-determination, but I'd say that there is stuff that DCJ, as the secretary pointed out, needs to get right on its home front, which is: Are our people safe? Do they recommend this is a great place to work? If not, why not? Let's get on with it, because you can't do a good job if you don't feel safe yourself. So there's that internal work, and then externally to that, and as important as that, is how do we partner, and I mean truly partner, with our national partnership partners, so our AbSecs, our ALSs? How do we walk with CAPO? How do we make sure that their voices are heard and we are walking together and actually co-creating or co-designing, not consulting. And we work out where it's appropriate, and we've had these conversations through TAO.

And, again, shout-out to Brendan Thomas, who is amazing and has done amazing work, and TAO does amazing work. But when I first started, our first thing was to refresh the relationship and talk about defining consultation or co-design, defining the difference between noting in consultation and co-design because co-design is not consultation. We're getting our house in order internally. We're working externally, and then I think also in terms of the ACCO transition, that's a piece for self-determination. It's a piece for healing. It's a piece for best practice but it's also a peace for economic prosperity. So there are lots of things going on in that space so it's not an easy answer for that in a complex system, but it all starts with, as the secretary said, truth-telling and it starts with authenticity.

The ACTING CHAIR: That's the most promising thing I've heard in my two years so thank you very much.

The Hon. NATASHA MACLAREN-JONES: I'll just touch on the high-cost emergency accommodation. At the last estimates we were told there were 471 young people in that type of care as at 31 August. The release the Minister put out this morning showed that in early November last year it went to 506. Why the increase over that three-month period?

MICHAEL TIDBALL: It's a very unlucky person who is left to answer this question. There are a number of points in the cycle where there are different levels of pressure. For my part, there are times, if you look at the annual cycle, where there are historic or, in recent years, seasonal upticks. That period was one of extraordinary pressure. I don't know that we know all of the reasons for that.

SIMONE CZECH: If I could add to the secretary's response, the main reasons are a lack of foster carers that are available to take children, particularly older children. The second reason, which we have made some progress on, was the percentage of vacancies in our intensive therapeutic care services—so our residential care system. One of the things that I did around that period was met with each of the CEOs of the ITC providers to basically say how we're going to bridge this gap of your funded numbers versus the vacancies that you had. The agencies did step up to the plate, and the vacancy rate has reduced quite significantly. There was a question earlier in terms of transition—76 of the exits from 1 November to today have been into intensive therapeutic care.

MICHAEL TIDBALL: Just on that, I think we know what drives the numbers down. As to why they go up to the extent that they do at particular points in the cycle, that appears to be more difficult to understand. But, as Ms Czech has said, numbers of foster carers and minimising vacancies, particularly in ITC, through that work, has been crucial in reducing the number.

The Hon. NATASHA MACLAREN-JONES: What is the average cost of intensive therapeutic care placement?

ANNE CAMPBELL: I can come back after the break and give that to you.

The ACTING CHAIR: We will now break. We will return at 3.45 p.m.

(Short adjournment)

CORRECTED

The Hon. NATASHA MACLAREN-JONES: I've just got one question. In relation to Your Choice, Your Future and the number of young people that have taken that up, what work has been done to engage more young people to take that on?

ANNE CAMPBELL: In terms of the numbers for 2023-24, the budget is \$21.8 million for this financial year: 18.9 for allowances and 3.1 for the specialist aftercare service. I will just turn to my note; I have a breakdown of the two different categories. The grand total as of now is 1,730 children and young people, and the breakdown for Independent Living Allowance is 1,178 and the Staying on Allowance is 552. As at December 2023, 1,469 care leavers were benefiting from the allowances. So 989 were receiving Independent Living Allowance and 480 carers were receiving the Staying on Allowance. We have also, obviously, done some modelling to look at what we thought when we did the modelling originally, the number of young people that would be accessing that particular program. The data indicates that about 650 young people aged 18 to 20 remain eligible but have not yet applied for these particular allowances. We are following up with those young people to make sure they get the entitlements that they need.

The Hon. NATASHA MACLAREN-JONES: I'm mindful that young people do various different things, but is there any research as to why they haven't taken it up, or is it purely that they just haven't been tapped one way or another to know it's there?

ANNE CAMPBELL: It is hard to know, but that is something we would be looking at to understand better those young people that don't take up either of those two allowances. I think we thought it would be a little bit higher in the Staying on Allowance, but again it is still pretty early days and we need to make sure that we're working with young people earlier, before they leave out-of-home care, to make sure they get the information they need in terms of what's available to them.

The Hon. NATASHA MACLAREN-JONES: From memory, there's an evaluation that was built into the original announcement. When does that commence, or when is it due?

ANNE CAMPBELL: I'd need to take that on notice to give you some more specific information. But, yes, there is an evaluation of that particular program.

The Hon. RACHEL MERTON: If I could just touch on the targeted early intervention, in 2023 how many individual clients has the Targeted Earlier Intervention program seen?

ANNE CAMPBELL: In 2022-23, 170,229. That is an increase from 2021-22, which was 133,945.

The Hon. RACHEL MERTON: Ms Campbell, how many of these clients were Aboriginal?

ANNE CAMPBELL: I'll just see if that's in my note. I think quite a percentage—at least 30 per cent, from memory.

MICHAEL TIDBALL: It is 30 per cent.

ANNE CAMPBELL: Good, there you go. You're talking about the clients accessing the program, as opposed to the target.

MICHAEL TIDBALL: Yes, that's the target. The target is 30.

ANNE CAMPBELL: I'd need to take that on notice.

MICHAEL TIDBALL: Yes, need to take that on notice.

The Hon. RACHEL MERTON: Second to that, how many were Aboriginal children?

ANNE CAMPBELL: I'm not sure if we've got the breakdown of that detail, but I'm happy to take that on notice.

The Hon. RACHEL MERTON: In terms of location, what sort of local government areas saw the most clients relating to this?

ANNE CAMPBELL: It would probably link to where the demand is and what the population is. But, again, I'm happy to take that on notice if we've got that information.

The Hon. RACHEL MERTON: Further, what proportion of the Targeted Earlier Intervention funding is directed to Aboriginal community controlled organisations versus NGOs? Do we have a breakdown on that?

ANNE CAMPBELL: Yes, I mentioned that earlier—7 per cent goes to ACCOs.

CORRECTED

The Hon. RACHEL MERTON: In terms of the Targeted Earlier Intervention evaluation interim report, I understand that on the DCJ website it states the TEI evaluation interim report will be available in February 2024. It's now March. I'm checking when the report will be released?

ANNE CAMPBELL: I'm pretty sure it's on the website, but I'll see if I get someone responding to me in a minute and I'll let you know.

The Hon. RACHEL MERTON: If I could turn to contracts at the moment, under the Casework Support Scheme, a number of out-of-home care organisations will have their contracts ending on 3 November this year. As you are probably aware, this includes Wesley Mission, Life Without Barriers, CASPA, Boys to the Bush and Anglicare. What will happen to these organisations after 3 November?

ANNE CAMPBELL: I'll take that one on notice to give you specific details. I can tell you that with the Targeted Earlier Intervention program, 15 per cent of the individual clients are Aboriginal.

The Hon. RACHEL MERTON: Then further, in terms of Aboriginal children on that—

ANNE CAMPBELL: I'll see if I can get that breakdown.

The Hon. RACHEL MERTON: The Aboriginal Child and Family Centre enhancement program also ends on 30 June 2024. It delivers onsite allied health services and training opportunities for Aboriginal community members in the allied health field. What will happen to the program after 30 June?

CLAIRE BEATTIE: As you know, we have nine existing ACFCs across the State. We also have funding to extend six more and funding to maintain the nine that are existing. My understanding is, right now, we're going to be looking at what other sites we might build the additional six on, working with ACCOs. I'm proud to say that currently the ACFC program is 100 per cent ACCO. It is one of those areas where we are doing this a 100 per cent with Aboriginal people.

The Hon. RACHEL MERTON: In terms of the current providers that are on contracts now that will end on 30 June, I am checking what's next in terms of my reference to allied health services?

CLAIRE BEATTIE: I might take that on notice, but it's my understanding that the program is continuing, if not being extended, with six new centres. I will take that on notice.

The Hon. RACHEL MERTON: If I could touch on—this morning we had the announcement by the Minister of Stockton being made available for homeless accommodation. What is the current state of the Stockton housing dwelling? How does it represent today?

ANNE CAMPBELL: My understanding is there needs to be some works done to it. I think Land and Housing Corp are proceeding with doing those works.

The Hon. RACHEL MERTON: Are there any more specific concerns relating to amenities and the sewerage system concerning Stockton?

ANNE CAMPBELL: I'd need to take that one on notice.

The Hon. RACHEL MERTON: Ms Campbell, I'm just asking that because I was aware of a reported history related to the cost of restoration of the sewerage relating to that property and consideration that was given to that. Is there anything further? Has anything changed on that?

ANNE CAMPBELL: I'd need to take that on notice, but I think you may be talking about the main facility, which isn't currently being utilised. From this morning I know there was a question about when the transfer commenced in New South Wales. The NDIS was signed in 2012 and was legislated in 2013. There was then the Newcastle trial in 2013 and then the rollout of the transfer of specialist disability accommodation from government. So the ADHC—Ageing, Disability and Home Care—department to the NGO sector in preparation for full-scheme NDIS was July 2016 to June 2018.

The Hon. RACHEL MERTON: In terms of the announced new homelessness accommodation at Stockton, do we know anything more about who is going to be managing this accommodation service?

ANNE CAMPBELL: My understanding is a community housing provider. I can't recall the name, but I can get that on notice for you.

The Hon. NATASHA MACLAREN-JONES: The Minister said this morning—I think it was seven properties at Stockton that would be converted into temporary accommodation. She said it would be fully disability accessible. Has that been currently factored into the budget and into the plan?

ANNE CAMPBELL: I'm pretty sure it has but, again, I'm happy to verify that.

CORRECTED

The Hon. RACHEL MERTON: The Aboriginal Child Safety and Wellbeing Reform Forum—is the New South Wales Government involved in this forum?

MICHAEL TIDBALL: That is the event which occurred last year. Yes, it was organised—it was an initiative of the Minister and the logistics and the planning were developed through the advice of TAO.

The Hon. RACHEL MERTON: I'm just seeking an update on outcomes of the Aboriginal Child Safety and Wellbeing Reform Forum, which, as you stated, was held in August 2023. Is there anything specific regarding the development and implementation of cultural support plans?

SIMONE CZECH: Nothing specific on that. There were nine actions out of the forum and they're all being overseen by the Minister or the advisory partnership group.

The Hon. RACHEL MERTON: The forum was held on 15 and 16 August. Is this ongoing or a one-off forum?

MICHAEL TIDBALL: The forum itself was a one-off event. That's not to say that there won't be other events to be determined, but it was a one-off event.

The Hon. RACHEL MERTON: Ms Czech, just confirming that the cultural support plans—the development implementation was one of the outcomes and nine actions were reached on that. Is there any detail—

SIMONE CZECH: No, sorry, Ms Merton. No, it wasn't one of the nine actions.

CLAIRE BEATTIE: The nine actions were to increase restoration via a taskforce, review risk assessment tools, assess over-reliance on removal powers, involve Aboriginal people in decision-making, partner with ACCOs, improve family meeting process and establish the MAP Group—that is my understanding. But we'll take that on notice if you'd like to know the exact nine. That's just my understanding—oh and to look at DCJ in terms of anti-racism and racism within DCJ.

The Hon. NATASHA MACLAREN-JONES: Thank you very much. I might move back to high-cost emergency accommodation placements. Do you have a breakdown for the current date, or the latest date, for each service type and how many young people are in each of those service types?

MICHAEL TIDBALL: Yes. Sorry, can you just repeat that?

The Hon. NATASHA MACLAREN-JONES: I want a breakdown of the number of young people in each service type within the high-cost emergency arrangement?

MICHAEL TIDBALL: Yes, I do, if the extract from which I'll quote is 29 February. The total, as I believe has been explained in earlier evidence, is 434 and the breakdown—and I'm assuming these are the categories you're after—ACA is 76; IPA, 198; STEP, 51; Special Care, 16; ICM, 93.

The Hon. NATASHA MACLAREN-JONES: Do you have a costing for each of those—how much it cost for the 76?

MICHAEL TIDBALL: An average cost, do you mean?

The Hon. NATASHA MACLAREN-JONES: Yes, under each of those categories or service areas.

MICHAEL TIDBALL: I don't believe I do with me. Ms Merton, I think I'd need to take that on notice. I certainly don't have it with me in my folder.

The Hon. NATASHA MACLAREN-JONES: What is the age of the youngest child in an ACA as of that date?

SIMONE CZECH: The youngest child is part of a sibling group and this is at 29 February. That child is two.

The Hon. NATASHA MACLAREN-JONES: How long has that young person been in the ACA?

SIMONE CZECH: I haven't got that specific detail, but we might be able to get that during the afternoon.

The Hon. NATASHA MACLAREN-JONES: Also, what is the longest length of time that a child has been in ACA?

SIMONE CZECH: The ACA, as at again 29 February, 693 days.

The Hon. NATASHA MACLAREN-JONES: What type of accommodation was that?

SIMONE CZECH: That was the alternate care arrangement.

CORRECTED

The Hon. NATASHA MACLAREN-JONES: I might move on. In relation to the number of children subject to a substantiation of abuse in out-of-home care, do you have the 2023-24 figure, or the latest one?

SIMONE CZECH: If you will just bear with me for one moment, I think I do have that. The 2022-23 reporting period we have.

The Hon. NATASHA MACLAREN-JONES: Yes.

SIMONE CZECH: Those with the substantiation was 4.6 per cent, or 787 children. I think it's important to note the allegations contained in those reports could be about the placement, but they could have been things reported, or concerns that came about, prior to the child coming into care and sometimes it's hard to differentiate between the two. But, nevertheless, 4.6 and 787 children.

The Hon. NATASHA MACLAREN-JONES: That's actually quite an increase since 2022-23.

SIMONE CZECH: No, it's actually a decrease. The previous year, 2021-22, was 853 children, 4.8 per cent.

The Hon. NATASHA MACLAREN-JONES: I've got the 2022-23 figure as 654.

SIMONE CZECH: I would have to take that on notice to check. They're not the figures that I've got.

The Hon. NATASHA MACLAREN-JONES: You just gave me 2023-24?

SIMONE CZECH: Yes.

The Hon. NATASHA MACLAREN-JONES: Of 787?

SIMONE CZECH: And just the source, which might be the issue. That was the Productivity Commission 2024 report on government services.

The Hon. NATASHA MACLAREN-JONES: Okay. In relation to the Aboriginal transition program, I'm interested to know how many Aboriginal children and young people have been given an exemption from DCJ not to transfer?

CLAIRE BEATTIE: What do you mean by that?

The Hon. NATASHA MACLAREN-JONES: Where a young person is meant to transfer to an ACCO but, for one reason or another, has not. I'm just asking if there have been any cases that you're aware of.

CLAIRE BEATTIE: I'm sure that there could be. We will take that on notice. What we do know, generally, is that there are some places around the State—so western New South Wales or far western New South Wales—where there is no ACCO. Unfortunately, there is nowhere for that young Aboriginal person to be transferred to. We also know that there has been some tension around carers who have been with an organisation, an NGO, for a while and they feel it's hard for them to transition to a different organisation because of the care plans or other understandings that they have with the current organisation they are with, and also there's a lack of carers or a shortage of carers within the workforce for children.

In terms of transitioning, we hear sometimes that there aren't ACCOs in places around the State. We also hear sometimes that there aren't carers willing to move over, or they're hesitant to move over or they don't feel comfortable moving over. Sometimes there can be tensions in Aboriginal children being transferred to ACCOs that we hear from the ACCOs as well. What I would say is, whilst I don't have the numbers on hand for you right now and I will take it on notice, the complexity of the issue—and I'm not undermining it or trying to skirt around it—is something we want to solve because it's not happening as fast as we would like it to. We know that it is best for Aboriginal children to be with Aboriginal families or at least actually prefer them with kin. But we've got a lot to do, and there is certainly tension within this space that we're hearing both from NGOs and from ACCOs. There are places where it's working well too, by the way, where NGOs are working really well with ACCOs. I'm happy to take the numbers on notice for you, but it's a big story.

The Hon. NATASHA MACLAREN-JONES: You answered my second question—for reasons—so thank you very much for that.

The ACTING CHAIR: Could just I turn to—I think it was recommendation 45 of the FIC report:

DCJ should significantly expand the number of specialised prenatal caseworkers to ensure that expectant Aboriginal parents have access to early, targeted and coordinated intervention services and support.

I think that that is reported as on track. I'm just curious. What has actually changed? I would be very interested if there is something granular on that—

MICHAEL TIDBALL: Do you have it?

CORRECTED

SIMONE CZECH: I do, somewhere.

The ACTING CHAIR: —i.e., the number of caseworkers and whether it increased from last year and the year before.

SIMONE CZECH: I have it, Ms Higginson, if you can just bear with me for one second.

ANNE CAMPBELL: While Ms Czech is looking for it, I can just give some high-level information. It was 38.6 million over four years, of which 21.5 million goes to DCJ, and this particular initiative, obviously, is engaging with NSW Health. The funding has been distributed to districts for all the positions. Currently, it's operational in three districts, in three LHDs—south-east Sydney, northern Sydney, south-west Sydney and Nepean Blue Mountains—and statewide expansion is well underway in other districts, with prenatal caseworkers employed in 15 out of the 16 districts. Ms Czech, you might have some more detail.

SIMONE CZECH: I do. There are 23 positions all in total, and there's one vacancy that we're seeking to fill at the moment. As Ms Campbell said, it's fully operational in three districts, being Sydney, western Sydney and south-western Sydney. We're seeing some really promising results from those three sites and hoping that the remaining districts will be operational over the next few weeks, and we'll hopefully see similar results. We know when there's a prenatal report. If we can get in early with our colleagues in Health—and other services, of course—and provide early intervention services or support services, it does prevent children coming into care. If it's helpful, I can provide some data from the three districts.

The ACTING CHAIR: Yes, very much so. Thank you.

SIMONE CZECH: For Sydney—and some of this data is not consistent—but for 2021-22 there were 28 families referred; 23 participated in the process, being a voluntary process, being prenatal. Seven of those 23 were Aboriginal. There were 48 meetings in total, and 18 of the 23 babies, once born, were safely maintained in the care of their parents. Of those 18, five were Aboriginal. It meant two Aboriginal babies came into care in Sydney.

Then, for Western Sydney, the 2022 data, we've had 34 referrals, 24 families participating, 17 babies delivered, seven not yet delivered. Of those babies that have been born, again, 17 of the 24 have maintained the care of their babies, including seven Aboriginal mums and dads. And then, in south-western Sydney, we've had 59 referrals—sorry, 2022 data again. So, 59 families referred, 31 families participating, and we have had 20 babies maintained safely in the care of their parents. I haven't got a breakdown of the Aboriginal/non-Aboriginal breakdown for south-western Sydney. But those three, they're three of our biggest districts—certainly promising results, and we're expecting to see similar results in our other districts as well.

ANNE CAMPBELL: Can I just add to that, too?

The ACTING CHAIR: Yes.

ANNE CAMPBELL: In terms of the earlier part of your question in terms of how we're engaging with Aboriginal peaks and ACCOs, we're actually reviewing the prenatal policy jointly with Health. We're hoping to have a draft discussion paper in April to start getting engagement with key stakeholders, including AbSec and a range of different organisations in this space, to look at it as to whether it's operating in the right way for Aboriginal families.

The ACTING CHAIR: Great. I'm just trying to grasp the newer system. If that's the case, does that mean that it then goes through the ministerial advisory—through that new group in terms of the governance arrangements?

CLAIRE BEATTIE: It's really unclear right now how that will work with the governance that's existing. I suppose best practice is that self-determination occurs and we work best with our partners and they have a voice in this, but in terms of mapping to the Closing the Gap areas that I work in, in TAO, we're still working out with the MAP Group how it will work, and the cadence and the cascading.

The ACTING CHAIR: I see. It's one of those things, isn't it? It seems like such a good opportunity now to be sitting down and saying, "Hey, this is priority work." It sounds like we're getting some good responses from a program that's come out of FIC and the department has responded. If we're reviewing that, is this going to be, "We were consulted and that happened and that," or will this be kind of embracing the new walk-in partnership with the peaks et cetera about that part of the work? Because the prenatal work is the place where all of that should happen. I suppose what I'm asking is: Do you anticipate there will be the opportunity with this—what sounds like a great opportunity—to review this with some data and the programs through this new system so that next budget estimates we're not looking at a missed opportunity? So those groups who have an organisation—the peaks, who have so much knowledge and insight—can feed into that early and fulsomely, I suppose.

CORRECTED

SIMONE CZECH: I'd agree with you on that, and we'd certainly be hoping to. I think what Ms Beattie was saying is it's still early days. We don't want to say, "You've got to look at this," or, "You don't." But certainly our intention would be to use that mechanism, because I think it's got great stakeholder engagement. It's early days. And if it means it takes a bit longer, the policy, that's fine. Meanwhile, we're rolling out additional caseworkers to do it and we can always retrofit if the model changes going forward.

The ACTING CHAIR: Going back, with those caseworkers, what are we actually talking about in terms of the description of those incredibly valuable and important roles that we have now got as caseworkers? What does that look like?

SIMONE CZECH: We can take that on notice and provide a copy of the role description to the Committee. But it is many of the same attributes that you would ask of a child protection caseworker generally, but there are some exceptions to that—or some additions, if you like. But yes, happy to provide that on notice.

The ACTING CHAIR: Are we looking at requiring people to have had prior working experience in that prenatal setting?

SIMONE CZECH: Not necessarily. I think the point on capabilities is people, one, that have the motivation and believe in the concept—that's the first thing—but also have some really good engagement skills and referral skills and collaboration skills as well, in order to get the services around the family to prevent that child coming into care. Now, you'd argue that's what we expect any caseworker to have, but it is a particular program, of course, in collaboration with NSW Health.

The ACTING CHAIR: The following recommendation with FIC is that DCJ should design and implement in partnership with Aboriginal community groups and reps a system of post-removal support for Aboriginal mothers and fathers who have had a newborn or an infant child removed from their care. It states:

The system should include the mandatory provision of information to parents about their ability to seek post-removal support from the Secretary ...

As I understand it, that's reported as on hold. Is there any particular reason why that's currently not being progressed?

MICHAEL TIDBALL: To my knowledge, at this juncture it is not being progressed. I would be very happy, Ms Higginson, to come back with a considered response rather than indicate intent when I'm not quite sure what the reasons are. I'm very happy to come back with the position.

The ACTING CHAIR: Yes, I would be super grateful. Thank you.

SIMONE CZECH: Could I just add one thing that relates to that FIC recommendation? We have been working with Legal Aid NSW and the ALS and have implemented an early referral to legal advice for any parent, but particularly for Aboriginal parents, not just at the point of removal but at the point that we first become involved with the family. We've had considerable uptake in referrals to Legal Aid and the ALS in the last six months or so. Again, we can provide the details to the Committee on notice in terms of the numbers. But that's really about making sure that parents have got an advocate—in this case, a legal advocate—so that they understand their rights, they can advocate for them and hopefully try and prevent removal as well. It's early days but promising.

The ACTING CHAIR: On that, I would be very grateful, so that we can understand where we are—the considered response would be great—but, if it's possible, could you—I'm happy for you to take it on notice, unless you have—provide a breakdown of all babies removed from hospital or removed in their first two weeks of life from each of the years 2021-22, 2022-23 and from 1 July to current; then, for each district that that happens, to please provide the number of Aboriginal and non-Aboriginal babies removed?

MICHAEL TIDBALL: We can do that.

The ACTING CHAIR: Also with that is the breakdown. What I'm looking for is the percentage of the total Aboriginal and non-Aboriginal babies born by the time of removal, so at birth, within 24 hours of the child being born, with the percentage being removed from hospital—sorry, removed from hospital within one to three days after birth; within four to seven days after birth, with the percentage being removed from hospital; and then, again, eight to 14 days after birth with the percentage being removed from hospital. Thank you. What has been the expenditure on the pregnancy family conferencing—which was, as I understand, 2021-2023 across the State by DCJ—out of the \$38.6 million that was provided four years ago?

ANNE CAMPBELL: I can give this year's, which is \$21.5 million. I'm happy to get the other information that you requested.

CORRECTED

The ACTING CHAIR: Great. Thank you very much. You spoke about the work that DCJ's doing with Health in that prenatal space. What does that look like? Clearly, we've got the caseworkers, and they're providing that link between DCJ and Health and then the families or the mothers. What else does it look like in terms of that Health relationship?

SIMONE CZECH: Health have coordinator positions that manage the program. I don't think I've got the actual number of them around the State, but we can provide that on notice. But they have very much a coordinating role and are, obviously, integral to the process, because we want the health services, where appropriate, engaged. So that person's very much a coordinator but a navigator of those services, whereas our caseworker might not be always familiar with all of the health services that might be available.

The ACTING CHAIR: So, with the review that's happening, that involves Health.

ANNE CAMPBELL: Absolutely.

The ACTING CHAIR: Fantastic. Thank you. I think my colleague was asking earlier about the data on the abuse of children in care. At the moment, is that provided? Is that available publicly? Are you reporting on that still?

SIMONE CZECH: It's provided nationally as part of the Report on Government Services.

The ACTING CHAIR: In terms of your analysis and your observation and response to that data, are you seeing particular improvements or trends down that are really concerning?

SIMONE CZECH: We've seen a positive trend down, using the RoGS data. I know Ms Maclaren-Jones had slightly different data. But certainly we're seeing a downward trend, which is promising. We've done a lot of work inside the department to make sure that every time there's an allegation of a child in out-of-home care, regardless of what it is, there is always a safety and risk assessment completed, even if the case is managed by the non-government organisation. As the statutory child protection agency, that's our responsibility, and we do provide a response to each and every one of those matters.

The ACTING CHAIR: I don't know whether you have any available information on this, but have interventions been generally increasing, or decreasing, in the Northern Rivers area post the floods? Is that data that you've captured?

SIMONE CZECH: When you say "interventions", what do you mean?

The ACTING CHAIR: With child protection.

MICHAEL TIDBALL: We can take that on notice.

SIMONE CZECH: Yes, we can take that on notice. We do capture it. We capture a number of data points: obviously, the number of risk of significant harm reports, the number of re-reports, the types of abuse being reported and, of course, a number of metrics regarding children in out-of-home care. But we can provide a breakdown of that.

The ACTING CHAIR: I would be very grateful. I'd like to understand the North Coast or Northern Rivers area compared to the State, that analysis—the North Coast, Northern Rivers, post the flood period and relative to the rest of the State—if there's anything there.

SIMONE CZECH: Absolutely. Our recollection—certainly there was an increase.

MICHAEL TIDBALL: There was a targeted piece of work I did, which I do not have with me, and my clear recollection is that there was an increase.

The ACTING CHAIR: I get these anecdotal—

MICHAEL TIDBALL: We did look at the data at the time. But we'll revert.

The ACTING CHAIR: Thank you. Who are the primary organisations that you would be working with, particularly in the Northern Rivers? And have any of those been the subject of the audit around information, that you're aware of, that was undertaken by the department, in relation to the misinformation?

SIMONE CZECH: Not the northern part of New South Wales—is my understanding.

The ACTING CHAIR: Are you aware of an organisation called Human Nature, in the Northern Rivers? Have you come across that—

SIMONE CZECH: Only the band.

The ACTING CHAIR: Is there a band?

CORRECTED

SIMONE CZECH: There is. I think they were in Las Vegas for a number of years.

ANNE CAMPBELL: In the '80s, I think.

The Hon. NATASHA MACLAREN-JONES: You have never heard of Human Nature?

The ACTING CHAIR: I am so not—I don't know. Clearly, I should have.

The Hon. RACHEL MERTON: We must YouTube it.

The ACTING CHAIR: Are they a punk rock band?

CLAIRE BEATTIE: No.

SIMONE CZECH: No.

The ACTING CHAIR: That's why I haven't heard of them. My apologies. Are you aware of an incredible organisation in the Northern Rivers called Human Nature? It's an organisation that's working with young people, and particularly young people in real need. Is that something DCJ is aware of?

ANNE CAMPBELL: I haven't come across that in either the homelessness space or out-of-home care, but I can take that on notice. You never know, we do fund a lot of services.

SIMONE CZECH: I'm not aware of the service either, but happy to follow that up.

The ACTING CHAIR: They're doing the diversionary programs, I think, for young people. I only became aware of their work recently through the mental health inquiry, as a participating member, when we were doing a hearing in the Northern Rivers. I know they're looking for more support and potentially more funding for these programs. In terms of young people, the work that it sounded like they were doing was a phenomenal kind of work. It was quite surprising that they were perhaps looking for more support. Just something on the radar there, perhaps, to be aware of.

The Hon. NATASHA MACLAREN-JONES: Just to go back to the two-year-old who's currently in an ACA right now, I wanted to get a better understanding of the reason that this young person is currently in an ACA.

SIMONE CZECH: My understanding is that they're part of a sibling group. I have asked how big the sibling group is, anticipating that that might be the next question. I haven't got that back just yet.

MICHAEL TIDBALL: I think I have something on it too.

SIMONE CZECH: Sorry, I do. It's a sibling group of two. The reason that they're in the ACA is a lack of available foster carers.

The Hon. NATASHA MACLAREN-JONES: This young person has one other sibling?

SIMONE CZECH: Correct.

The Hon. NATASHA MACLAREN-JONES: How old is that sibling?

SIMONE CZECH: I'll just check that for you.

The Hon. NATASHA MACLAREN-JONES: And then also how long they've both been in ACA care.

MICHAEL TIDBALL: It's 163 days.

The Hon. NATASHA MACLAREN-JONES: That's quite long for two young people. Without obviously going into privacy matters, is there anything that makes this case unique, that two young people can't be placed with foster carers?

MICHAEL TIDBALL: Sibling groups—and Ms Czech can speak to this—in terms of the work that we have been doing with ACAs particularly, are probably our greatest challenge.

SIMONE CZECH: It is about the lack of available foster carers which, in part, as the Minister said this morning, is why we're recruiting emergency foster carers—to hopefully move those children. Many children have moved across. I think it's in excess of 100 to date, since we've started the recruitment of emergency foster carers. But we're really needing to do more work with the sector, as well, to make sure that there are carers that can take little children—but all children—in particular.

The Hon. NATASHA MACLAREN-JONES: When you're talking about emergency foster carers, what's the length of time that they're deemed as being emergency as opposed to non-emergency?

CORRECTED

SIMONE CZECH: The definition of an emergency foster carer is up to 12 weeks, but it can be extended and is extended in the absence of a more permanent arrangement.

The Hon. NATASHA MACLAREN-JONES: What happens at the 12-week period without extension? Would that young person end up—

SIMONE CZECH: If it needs to be extended, it will be. But in that period of time many children may return home, we may find a permanent foster family they can go to, or there might be a relative or kinship assessment that has been completed in that time and they can transition across to a family placement. It varies depending on the particular child and their circumstances.

The Hon. NATASHA MACLAREN-JONES: Do you have a breakdown of how many foster carers are emergency carers?

SIMONE CZECH: We do for DCJ. We'll just have to find it.

MICHAEL TIDBALL: There are 60 emergency foster carers statewide.

The Hon. NATASHA MACLAREN-JONES: As of what date is that?

MICHAEL TIDBALL: Through to 4 January, so recruited between 1 July 2022 and 4 January 2024.

The Hon. NATASHA MACLAREN-JONES: Thank you. I might move on to—

SIMONE CZECH: And 119 children and young people were placed with these carers.

The Hon. NATASHA MACLAREN-JONES: Sorry, what was that?

MICHAEL TIDBALL: There were 119 children placed with those carers.

The Hon. NATASHA MACLAREN-JONES: So that's a total of 60. How many were recruited during that period?

MICHAEL TIDBALL: It was 60 recruited—just bear with me.

The Hon. NATASHA MACLAREN-JONES: And what is the total number as of 4 January?

MICHAEL TIDBALL: The total pool is 60 recruited between those two dates that I've said—1 July 2022 and 4 January 2024.

The Hon. NATASHA MACLAREN-JONES: Okay, I get it. And of those people, how many have had to have their length of stay with the young person extended?

MICHAEL TIDBALL: I don't have that on me.

SIMONE CZECH: We'd have to take that on notice.

The Hon. NATASHA MACLAREN-JONES: That's fine.

SIMONE CZECH: Sorry, Ms Maclaren-Jones, can I go back to the sibling groups? The second of the children is four years of age.

The Hon. NATASHA MACLAREN-JONES: Okay. Just in relation to care plans, in response to a previous question, the information provided was around 87 per cent of children in care had a case plan, 77 per cent had the exiting care plan and 79 per cent had regional cultural plans. I just wondered if you had an updated figure on that?

SIMONE CZECH: We've only got figures to 30 June '23. Were they the figures that—

The Hon. NATASHA MACLAREN-JONES: Yes.

SIMONE CZECH: They haven't been released yet.

The Hon. NATASHA MACLAREN-JONES: That's fine. The other thing is in relation to the personalised learning and support plans that are currently in place. Do you have a figure on the number of plans that are in place?

CLAIRE BEATTIE: Are you talking about PLPs in the Department of Education?

The Hon. NATASHA MACLAREN-JONES: Yes.

CLAIRE BEATTIE: So that would be something that Education would hold.

CORRECTED

The Hon. NATASHA MACLAREN-JONES: That's fine. In regards to the safeguarding panels, how many DCJ districts have safeguarding panels? Do you have dates of when they've met?

SIMONE CZECH: All of the DCJ districts have got a safeguarding panel. Some have more than one. For example, our Western NSW district has three districts in total—or three sub-districts—Far West NSW, Western NSW and Murrumbidgee. You can't have one that covers the entire breadth. There's been in excess of 40 panels held to date. They were operational, all of them, by the end of November last year. We can certainly provide further detail on notice about the number of children that have come before that panel and the outcomes.

They're really designed to slow down decision-making and make sure that we have ruled out every possible support option to prevent a child coming into care, and also exhausted any legal opportunities—trying to get caseworkers to use less intrusive options in a care application like a parental responsibility contract, a parent capacity order or a care plan by consent. That means it's less traumatic for everyone involved and, more importantly, families get the support they need to prevent escalation into care. But it's important to note that the panels do endorse any care applications and that is an additional safeguard for the Children's Court—but for more myself and Michael—to make sure that we've exhausted everything we possibly can for a family.

The Hon. NATASHA MACLAREN-JONES: Do you have a breakdown of the membership of the panel? As a percentage, how many are Aboriginal and non-Aboriginal?

SIMONE CZECH: We do. Again, we can provide that on notice. I don't have it with me today. I think it's important to call out that we're still working on non-prescribed bodies being members of panels. We're working through a process at the moment of having confidentiality agreements with Elders and community members who may be interested in sitting on those panels as an additional safeguard around privacy and confidentiality. I expect that process is going to take a few months to complete. We currently have a number of ACCOs that sit on those panels, which is great, where they exist but there's more work to be done to incorporate community members onto those panels.

The Hon. NATASHA MACLAREN-JONES: This is just in relation to the Indigenous young people who were in the UK, which was reported on the other month—just an update. Are they back in New South Wales and Australia now?

SIMONE CZECH: I think it has been widely reported that they have returned.

MICHAEL TIDBALL: Yes, they are.

CLAIRE BEATTIE: Ms Maclaren-Jones, you asked a question around ACCO transitions and numbers. Can I give you that information? In terms of how many children have transitioned, I have a total of 30 Aboriginal children have transitioned since July 2022. There have been 13 transfers from January 2023 to December 2023; zero transfers occurring from an NGO to an ACCO recorded in January 2024.

The Hon. NATASHA MACLAREN-JONES: Since we're touching on that, I might go back to a couple of questions. You mentioned some of the difficulties in relation to transitions. I'm interested to know what work's being done I suppose in part to support ACCOs, particularly in those areas where ACCOs don't exist, and what the department is doing in and around those areas.

CLAIRE BEATTIE: There are a few things that we've done to, one, support the transition to also work with NGOs who might not have transitioned yet, so I might step it out a little bit more broadly if that's okay because it's kind of a bigger picture than just this bit. The Minister noted this morning that she has written to NGOs to say, "You need to transition." That's the first thing. We also asked NGOs for plans of how they were going to transition, and in the last budget estimates Mr Thomas talked about those coming. Only nine out of 25 were received so far from the NGOs, so this has led to the Minister writing to the NGOs saying, "Where are your transition plans?" Some of the ones that were received weren't very clear on the how, so we do want to be clear on the how and the when as well within this.

In terms of building ACCOs in areas that they're not, I guess it's true of any workforce shortage around the State. It's not an instant, "We want an ACCO in Broken Hill or an ACCO in Dubbo." We'd love all of those things, but starting an ACCO and building the—not the capability because that's the wrong term—ACCO itself in that space does take time. It doesn't happen overnight. I will take it on notice as to the way that we're doing an ACCO development plan and the ACCO transitions, and we can give more detail to that if you'd like. But I can say absolutely that we are committed to it. It's just the complexity of the workforce shortages in carers, the complexity around areas where there isn't one, and the complexity around some carers not wanting to transition to an ACCO. It's all happening at once, so it's just a matter of how we absolutely push the line with NGOs who don't have plans or who haven't indicated how they will, which is what the Minister has written to them about.

CORRECTED

We have to get there. We just have to get there. But I think it's going to take a bit of a process around building the sector at the same time as handing over, because if you've got no-one to hand over to, you can't—

The Hon. NATASHA MACLAREN-JONES: Exactly.

CLAIRE BEATTIE: Yes.

The Hon. NATASHA MACLAREN-JONES: I suppose also in that a lot of my focus and interest is the capacity building of ACCOs because it's all well and good to say to NGOs, "You must reach this target," but if there is nowhere for the young person to transition to, it puts more pressure on the NGOs as well as the families that are foster carers and things. So I'm interested to know what the department is doing.

CLAIRE BEATTIE: That's fine, and it's on all sides. There are some ACCOs who are desperate to have the children transferred to and they're not coming, so we can see it from both sides from where we are but we need to step it out in a full plan and really hold people accountable who aren't transferring if they have no reason to not.

The Hon. NATASHA MACLAREN-JONES: I just wanted to know a little bit more about the difference between de-identification and misidentification.

SIMONE CZECH: Do you want me to take it?

MICHAEL TIDBALL: I'd love you to take it. It's a difficult question.

SIMONE CZECH: When someone calls our Child Protection Helpline, one of the questions they get asked, if it's a phone call but also it's contained in the e-report template as well, is the child or children Aboriginal or Torres Strait Islander?

At the helpline, there's a process. Like I said, they will verify that at that point. When those reports go out to a local office or a community services centre, there's a further check of that. It's unusual for us to change that from the original determination at the Child Protection Helpline. And then, of course, as we work with families, it's important that we find out more about their cultural background, where they come from and what their story is. Of course, if children come into out-of-home care, they have cultural care plans, as you referenced earlier.

Like I said, it's unusual that we will change that determination. We have been made aware of some instances where children have been de-identified. De-identified is where they were identified as Aboriginal or Torres Strait Islander and someone has changed it to not. That delegation, up until 1 March, was sitting with executive district directors—a very senior level in our districts. As of 1 March, the secretary and Minister have made a determination that there are to be no de-identifications of any child until the finalisation of the de-identification policy, which my colleague Ms Beattie is working on at the moment.

The Hon. NATASHA MACLAREN-JONES: In relation to foster carers, the Minister indicated at the last estimates that there was a campaign undertaken to recruit more foster carers. What was the cost of that campaign?

ANNE CAMPBELL: I think we'd need to take that one on notice.

The Hon. NATASHA MACLAREN-JONES: Also, what was the outcome? How many have you recruited? I also wanted to know what is the current policy in relation to foster carers and NGOs? Is there a focus now to have foster carers more within DCJ?

ANNE CAMPBELL: I think that's one of the areas where we're currently looking at a whole range of options, given the out-of-home care financial issues, and looking at ensuring that we have the ability to place children in much more home-like foster care arrangements rather than into high-cost emergency arrangements. That is work that is being progressed at the moment within the department for the Minister.

The Hon. NATASHA MACLAREN-JONES: In relation to caseworkers, the last dashboard that came out indicated that the New England area had the highest, with 23 per cent, and then it might've been the Western Sydney area sitting around 13 or so. Is there a reason that the New England area has got the 23, then you have got another area with 13 and then it padded out across the State?

SIMONE CZECH: There are some reasons. There's never one reason in any of this work. I will go back a step. We capture that 23 per cent for three districts that are seen as one—the northern New South Wales, Mid North Coast and New England districts all together. One of the reasons, in northern New South Wales, that we've been impacted quite considerably as far as vacancies go is the floods in Lismore. As I mentioned earlier, we've lost our office. We've also had some challenges with our office in Ballina, which is the next closest office. Trying to recruit to that area, in particular, has been hard. Of course, there are shortages of housing that workers might be able to relocate to if, in fact, they don't come from the local area.

CORRECTED

New England's got slightly different reasons. Some of the community services centres in New England are quite remote. They are small CSCs. They have notoriously been harder to recruit to and retain staff in. We are seeing some improvements in those numbers, and we've mentioned that the next dashboard will be released by the end of March. We are hoping that those numbers come down. There's an incredible amount of activity, particularly in those three districts, around quite a targeted social media campaign that we have revised just recently. We are getting the applicants through. It's promising, but there have been some unusual factors, like I said, with floods and housing, in particular.

The Hon. NATASHA MACLAREN-JONES: Are all caseworkers located in the area that they have the young person in their care, or are responsible for?

SIMONE CZECH: The way we allocate work is that a caseworker will be allocated children who live in the area that the CSC—the community services centre—is responsible for. There may be cases—and there are cases—where, if a child is in out-of-home care and moves placement, it might be outside of that district. But there are quite stringent policies around the time in which that case is to be transferred from that particular community services centre to the one that is closest to that child, with the principle being that case management should be as close to where the child lives as is possible.

The Hon. NATASHA MACLAREN-JONES: So there are caseworkers that have young people that they are responsible for and they don't live in that CSC?

SIMONE CZECH: Yes, there may well be a number of children in that case. But, like I said, there are efforts made to make sure that we transfer those cases to the local CSC as soon as we possibly can.

The Hon. NATASHA MACLAREN-JONES: Do you have a breakdown of the number of caseworkers who are responsible for young people where they do not live?

SIMONE CZECH: We can certainly provide that on notice. I don't have that with me today, but we can take it on notice.

ANNE CAMPBELL: Ms Maclaren-Jones, can I just interrupt. On the caseworker dashboard, I just wanted to clarify the process for approving the dashboard to be made public. The approval actually happens by the secretary now to change the process, and it goes to the Minister for noting only.

The Hon. NATASHA MACLAREN-JONES: Thank you very much. In relation to the PSA's announcement this morning that we will see a year of strikes, I am just interested to know what provisions would be in place in the event that there are strikes?

MICHAEL TIDBALL: I have only heard of that action this morning. It's an important question. The answer to that question is important; I would need to take that on notice.

The Hon. NATASHA MACLAREN-JONES: That is fine. Thank you. In relation to an article in *The Daily Telegraph* of 7 February in relation to—they've used the name John Smith, and it was about a foster carer in Dubbo. Do you recall that matter? In essence, the foster carer has complained that it took quite a length of time for a provider—and I won't name the provider—to make the assessment in relation to the young person in their care and then receive funding in relation to therapeutic, home-based care. I was just interested to know what action was taken, either as soon as you were made aware of the matter or when the story broke, as to why that case took so long by the provider to assess it.

SIMONE CZECH: Yes, thank you. We, and I, conducted a review into that matter to understand what had happened, because I think it resulted in the young person not actually being in that person's care and there may have been an opportunity to do so. What that review showed was that the provision of information to that person wasn't where it needed to be. It also showed there were some gaps in the information available to casework staff to then on-provide to carers such as that gentleman. We have, along with my colleague Ms Campbell, made sure that that information is available for caseworkers, so that when they're having conversations with any carer, they are able to be open and honest about what entitlements or provisions—whether they're financial or otherwise—are available for the care of a child, particularly for children who might have some additional support needs.

The Hon. NATASHA MACLAREN-JONES: It came up before in relation to TEI funding and a focus of, I think, 30 per cent going to ACCOs. I assume that there are no additional funds being made available because the contracts are not up for another 18 months. How will that operate in their current contracts? Is the 30 per cent transfer being looked at for the next round of contracts, or is this something that is being put to the providers now to say you need to vacate the space?

CORRECTED

ANNE CAMPBELL: We're working at the moment on the options. We have to provide those options to the Minister. The new contracts would start from 1 July 2025. Shortly we'll be engaging with the sector about the directions of this particular program.

The Hon. NATASHA MACLAREN-JONES: But there's no change to their current contracts?

ANNE CAMPBELL: No.

The Hon. NATASHA MACLAREN-JONES: This is all moving forward?

ANNE CAMPBELL: All into the future. On the TEI interim evaluation, I think I've had a couple of questions from Ms Merton and the Chair. It isn't yet public. There were some ethics approvals that they needed to go through, so it's likely to be made public in April-May this year.

The Hon. NATASHA MACLAREN-JONES: My last question is, it wasn't clear this morning from the Minister's response in relation to Tomaree Lodge and the time frame for their review. I understand that it costs around \$1 million a year just in maintenance and security to operate?

ANNE CAMPBELL: I think that's correct. I will just double-check for you. For Tomaree, yes, it's \$1 million per annum.

The Hon. NATASHA MACLAREN-JONES: Is there a time frame as to when the decision will be made?

ANNE CAMPBELL: I'll need to come back on notice on that one.

SIMONE CZECH: Ms Maclaren-Jones, you asked a question earlier about the breakdown by Aboriginality of children who suicided. Of the 15 children who died by suicide, three were Aboriginal. That's detailed on page 35 of the DCJ child death annual review report.

ANNE CAMPBELL: There's one question I can answer, too. I think, Chair, you asked about human nature.

The ACTING CHAIR: Yes. And everybody broke out into song and dance.

CLAIRE BEATTIE: Please listen to it on the way home. You have to.

ANNE CAMPBELL: It's called the Human Nature Adventure Therapy and it was funded through the flood support program. Their funding finished in September 2023.

The ACTING CHAIR: My understanding around that is that somehow it has managed to keep going because the support from the community has been overwhelming, because the evidence of its success is overwhelming. So if it's something that it's possible DCJ could keep an eye on, it may well be in everybody's best interest.

SIMONE CZECH: Could I make one other correction on the safety and care data? The data I reported on RoGS data was correct but that was about any allegation. There is another piece of RoGS data which is a subset measure about whether the allegation was by someone in the household. Those numbers are 556 or 3.3 per cent of the out-of-home care population for 2022-23 and 546 or 3.1 per cent for 2021-22. So that number has increased by 0.2 per cent.

The Hon. NATASHA MACLAREN-JONES: I also want to clarify, my previous question in relation to the substantiation of abuse came from an answer that was asked by my colleague, Ms Higginson. The response that we received was that in 2022-23 there was 654 children who were the subjects of substantiation of abuse in out-of-home care, of which 109 had sexual abuse as the primary abuse type.

SIMONE CZECH: We can take that on notice and clarify. One other question from this morning, if that's okay—sorry, I'm taking your time, Ms Higginson.

The ACTING CHAIR: No, it's fine. I think we're heading to an early mark.

SIMONE CZECH: There was a question about cases being closed due to competing priorities. In 2022-23 approximately 60 per cent of children suspected at ROSH could be described as not seen. This can mean that they did not receive a face-to-face assessment from a DCJ caseworker or did not access early intervention or preservation services. It should be said that not all of those children require further action or response and, importantly, caseworkers can refer families to a specialist service as well.

The Hon. NATASHA MACLAREN-JONES: Do you have a breakdown of where they're located by district?

CORRECTED

SIMONE CZECH: We can take that on notice.

ANNE CAMPBELL: There was just one clarification. I think, Ms Merton, you were asking about the sewerage at Stockton centre. It wasn't Stockton. It's Tomaree—not that that's good, but I'm just saying it's Tomaree, not Stockton.

SIMONE CZECH: I'm sorry, I have one more addition. There was also a question—and, forgive me, I can't recall who asked it; it might've been Ms Mihailuk. The number of ACA providers—there are 24 alternative care arrangement providers as of today. We will come back on the number of for-profit of that 24. We didn't have that at hand, but we'll come back on notice with that.

The ACTING CHAIR: Thank you very much. The Government has no questions.

The Hon. GREG DONNELLY: We appreciate all the very detailed answers, thank you.

The ACTING CHAIR: We'll draw the proceedings to a close. Thank you very much, government officers, for your attendance today. We know how much goes into preparing for budget estimates. We're always very grateful to you. The Committee secretariat will be in touch in the very near future, as you are well versed in, regarding any questions taken on notice and any supplementary questions.

(The witnesses withdrew.)

The Committee proceeded to deliberate.