

# **PORTFOLIO COMMITTEE NO. 5 - JUSTICE AND COMMUNITIES**

**Tuesday 19 August 2025**

**Examination of proposed expenditure for the portfolio areas**

## **FAMILIES AND COMMUNITIES, AND DISABILITY INCLUSION**

**CORRECTED**

**The Committee met at 9:15.**

### **MEMBERS**

The Hon. Robert Borsak (Chair)

Ms Abigail Boyd

The Hon. Greg Donnelly

Ms Sue Higginson (Deputy Chair)

The Hon. Natasha Maclaren-Jones

The Hon. Rachel Merton

The Hon. Peter Primrose

The Hon. Emily Suvaal

### **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**

---

**CORRECTED**

---

**The CHAIR:** Welcome to the first hearing of Portfolio Committee No. 5 - Justice and Communities for the inquiry into budget estimates 2025-2026. 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 Robert Borsak. I am the 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 these procedures.

---

**CORRECTED**

---

**Mr MICHAEL TIDBALL**, Secretary, Department of Communities and Justice, sworn and examined

**Ms ANNE CAMPBELL**, Deputy Secretary, Strategy, Policy and Commissioning, Department of Communities and Justice, sworn and examined

**Ms LAUREN DEAN**, Acting Deputy Secretary, Child Protection and Permanency, Department of Communities and Justice, sworn and examined

**Mr PAUL O'REILLY**, Deputy Secretary, System Reform, Department of Communities and Justice, affirmed and examined

**Ms ZOE DENDLE**, Executive Director, Early Intervention, Disability and Inclusion Strategy, Department of Communities and Justice, affirmed and examined

**Ms BIANCA JARRETT**, Executive Director, Transforming Aboriginal Outcomes, Department of Communities and Justice, affirmed and examined

**Mr JEFF SMITH**, NSW Ageing and Disability Commissioner, NSW Ageing and Disability Commission, affirmed and examined

**Ms RACHAEL WARD**, Acting Children's Guardian, Office of the Children's Guardian, sworn and examined

**The CHAIR:** Today's hearing will be conducted from 9.15 a.m. until 5.30 p.m. We are joined by the Minister for the morning session from 9.15 a.m. until 1.15 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. until 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 crossbench members only and then 15 minutes allocated for Government questions at 10.45 a.m., 12.45 p.m. and 5.15 p.m. We will begin with questions from the crossbench.

**Ms SUE HIGGINSON:** Good morning, Minister. Thank you for being here. Can you please confirm that the not-for-profit out-of-home care provider that was the subject of the final report from Project Mareeba was Allambi Care?

**Ms KATE WASHINGTON:** Good morning, Ms Higginson. Yes, I can confirm that the provider, the subject of that report, is Allambi Care. I am willing to name that provider today because I'm honestly fed up. I'm fed up that we have a system, and we inherited a system, where funds that are intended and ought to be going to support vulnerable children haven't been going where they should.

**Ms SUE HIGGINSON:** Can you confirm that is a provider that receives about \$70 million per year from the New South Wales Government?

**Ms KATE WASHINGTON:** Yes, I can. I think it's one of the largest providers in terms of the funds it receives from us in the out-of-home care system, not in terms of the number of children in its care but by virtue of it being largely a residential care provider. I understand that this year it's around \$76 million that they will be receiving.

**Ms SUE HIGGINSON:** Can you confirm that it would appear that the provider ran a senior employee incentive scheme where employees purchased houses—as I understand it, 12 by various senior executives—and then rented those premises back to the provider at 20 per cent above market value?

**Ms KATE WASHINGTON:** Yes, I can, Ms Higginson. That was revealed in the report. It was also something uncovered in the system review that was co-authored by Ms Dean.

**Ms SUE HIGGINSON:** Is it correct that in their annual report of 2023-24 the provider claimed that "times are tough and the demand for our support is greater than at any time in our 40-year history"?

**Ms KATE WASHINGTON:** I haven't read that myself, Ms Higginson. I have read the Project Mareeba report that we received from the forensic auditors, but I believe that that's accurate, based on what you're saying.

**Ms SUE HIGGINSON:** Can you please explain what steps have already been undertaken to stop what would appear to be a significant misuse of public funds from continuing?

**Ms KATE WASHINGTON:** In relation to this particular instance, that is the subject of this report, and it's not just limited to the staff property investment scheme that you've referred to. There are other issues that have arisen as a result of the forensic audit that we had undertaken. What we have done in terms of this specific scheme is ensure that it's not continuing. When I first became aware of it last year, the department started looking into it. We continued to have concerns. It became apparent, through the system review and then by virtue of the system

---

**CORRECTED**

---

that we have where there are contracts in place with a lot of outsource providers where we'd have very little visibility of what's going on, that the only way we were really going to get to the bottom of it was with a forensic report being undertaken. That report has revealed that there are funds going where they ought not, and when that became known to us, I wrote to the provider, Allambi Care, and said that this kind of scheme is not okay in the system. We do not accept that it will be part of any system going forward, and they have confirmed it will end. In the process—in the time it will take for it to end—we have also ensured that the 20 per cent mark-up on those properties will not continue. I have also written to every provider in the system to ensure that this kind of financial scheme isn't part of the service that they are delivering either.

**Ms SUE HIGGINSON:** Is there any work being undertaken to be able to attribute any of the misuse of public funds to the denial of care or the negligence in care or how children may have been in a position where they have gone without because of the misuse of these moneys?

**Ms KATE WASHINGTON:** This is why I am particularly exercised by what we found. I'm no longer concerned or disappointed; I'm just fed up and quite angry that there are funds that ought to be going to vulnerable children that are being used in other ways. Directly attributing that is difficult. What we know is that every single dollar that we put into the system should be going to vulnerable children and not to senior executives or senior staff to prop up their own property investments. It is unacceptable that that has been occurring. It's been a system and an investment scheme that I understand has been in place for more than a decade. We are putting an end to it. We do have to do that carefully, of course, because there are vulnerable children at the heart of all this.

Every decision that we are making is in the best interests of children. When we see providers making decisions and setting up schemes supposedly designed to be an incentive for staff that do reap reward instead for those senior executives and staff members that are participating—and even some partners of staff who are participating in that scheme. It's not just that 20 per cent mark-up on the rent; it is also significant funds that were used to set up the properties, including \$20,000 spent on painting a property before it was even used for the purposes that they intended. Paying council rates and paying water rates—that has all come out of funds that should have been going to vulnerable children.

**Ms SUE HIGGINSON:** Is the department now looking at how to recover some of those funds as part of ongoing work?

**Ms KATE WASHINGTON:** By virtue of the accounting that was undertaken, there were admissions made by the provider through the process that certain funds that have been identified should not have been applied against the contract for caring for these kids. That is going to be accounted for.

**Ms SUE HIGGINSON:** Will DCJ now follow all of the recommendations from the Mareeba report and the findings in there?

**Ms KATE WASHINGTON:** They're the other steps that we are taking to ensure that these kinds of schemes and purchases aren't being continued elsewhere. We've got contract variations that have been issued to all providers. We are asking for some fairly simple financial accountability and transparency measures to be inserted into the contracts whilst they are on foot until mid-2027. What we inherited were these PSP contracts that are on foot. I don't accept that we have to wait until the end of that contract until we have a more accountable and transparent system. We want to ensure that we are doing everything we can to prevent the types of things that we saw in this report from occurring elsewhere.

**Ms SUE HIGGINSON:** Have you had particular consideration in relation to the variations and how they might impact on the ACCOs in a particular and detrimental way? Are you looking at how to implement any variations in co-design in partnership with the ACCOs?

**Ms KATE WASHINGTON:** I've certainly had lots of conversations with a number of ACCOs and with AbSec about that issue. What I have said very clearly is that I do not think there ought to be two separate systems of accountability and transparency when it comes to the contracts. We have been trying to ensure that the measures that we are asking don't impact on them differently. We haven't found that that's the case—that the impacts will be detrimental to them particularly. We cannot identify anything from any of the conversations that we've had that that would be the case. My view is that every single provider that we are funding to provide services to vulnerable children ought to have the same level of accountability and transparency when it comes to financial accounting.

**Ms SUE HIGGINSON:** I'll come back to the variations next round.

**The CHAIR:** I'd like to turn now to wheelchair-access taxis. After the last Government's deregulation, the number of wheelchair-accessible taxis dropped significantly, making it harder for people with disabilities to get around. In your press release you said:

We're working hard to clean up the mess left by the former government - their decisions literally left people with disability stranded.

---

**CORRECTED**

---

Your party supported the total deregulation. Surely the Government is also responsible for the current problems. Can you advise what the actual drop in numbers has been since the last election?

**Ms KATE WASHINGTON:** Thanks, Chair. It's an important question in terms of the availability of wheelchair-accessible taxis, an issue that is particularly challenging in regional areas. I don't accept that there was support provided through us for the direction taken by the former Government. What they did was walk knowingly into a different way of operating which has seen wheelchair-accessible taxis coming out of the system. They knew that before they made the decision. They were meant to put things in place before they did do that, and they didn't. The consequence is many taxis coming out of the system.

I can find out those details and provide them to you in terms of the sheer numbers. But what we've done in response—when we came into government, we held round tables in Sydney and across regional areas with a lot of taxi operators and providers and people with disability to work out what we needed to do to get more wheelchair-accessible taxis back on the road. That's why we've now got a \$15 million emergency package, which we hope will provide the incentives to taxi operators to increase the numbers on the road.

**The CHAIR:** I note that as of March 2025, the number of registered wheelchair-accessible taxis in New South Wales has fallen from 941 in 2019 to 625, a decline of around a third. I note also that the Premier has rolled out a funding package—which is what you're talking about, I think—to support the wheelchair-accessible taxi sector, including a one-year, \$2,500 grant to cover operational costs and driver incentives. There is also an interest-free loan scheme to help taxi operators buy or modify vehicles so they are wheelchair accessible, helping get more taxis on the road where they are needed. Have you consulted with the taxi industry itself in relation to how effective this grants program is? Will that, in your view, increase wheelchair-accessible taxis not just in Sydney but also across the State, especially in the bush?

**Ms KATE WASHINGTON:** The package was designed in consultation with the taxi industry. The Taxi Council was at the round tables that we held. They have been in close consultation with the point to point commissioner, who was also in attendance at those round tables. This has been led by the former Minister, and now Minister for Transport. It is a scheme, as you say, both in terms of support for operational costs as well as an incentive to make the alterations to taxis through the interest-free loan of up to \$125,000. Based on the consultation that we had with the round tables and in close consultation with the taxi industry itself and the Taxi Council, we are hoping that these measures will start to see a turnaround. We've also got a different way of operating in terms of the taxi transport subsidy, and we are seeing early signs that there is an increased mark-up on that. What we've allowed in that scheme is greater variability to ensure that there are different rates applying in the evenings, on weekends and during public holidays, because they were times when we knew that it was even more difficult for people who needed wheelchair-accessible taxis to access them.

**The CHAIR:** You talk about different rates. Do you want to elucidate what that means?

**Ms KATE WASHINGTON:** It just means that the transport taxi subsidy, as I understand, can vary and increase depending on what time of the week it is.

**The CHAIR:** The hours of operation, is that what you're saying?

**Ms KATE WASHINGTON:** Indeed, to try to address the greater difficulty of catching a wheelchair-accessible taxi in the evenings and during holiday periods.

**The CHAIR:** Does rural and regional New South Wales get any special consideration in relation to that program?

**Ms KATE WASHINGTON:** The program applies across the State, but it's certainly designed with a mind to the acute need in regional areas to see an increase in wheelchair-accessible taxis. That's why we held the round tables in Wagga, in Orange, in Ballina, because we wanted to hear from regional communities. I live in the regions as well. I know how difficult it is and how sparse they are and, more than that, how important it is to ensure that people who need wheelchair-accessible taxis can get them when they need them.

**The CHAIR:** Can you detail how that increase will actually come to effect in rural and regional areas? What special fine-tuning are they going to get that's going to guarantee that they're going to get an uplift in disabled taxi access?

**Ms KATE WASHINGTON:** As I said, the emergency package is available across the State, so that any taxi operator anywhere, including regional areas, can access an interest-free loan to do the modifications to their vehicle or access the additional support for operating a vehicle of \$2,500.

**The CHAIR:** Does that program apply to Uber drivers and their cars as well or is it just the taxi industry?

**Ms KATE WASHINGTON:** As I understand, it's just the taxi industry. I might have to get some—

---

**CORRECTED**

---

**The CHAIR:** I just wonder whether rideshare services would be able to put their hand up.

**Ms KATE WASHINGTON:** As I recall, with the Point to Point Transport Commissioner, it was more difficult to engage with the rideshare industry in terms of these conversations.

**The CHAIR:** Do you want to take that on notice?

**Ms KATE WASHINGTON:** I can do.

**The CHAIR:** How does the Government expect regional taxi operators to service these loans when demand is so low, especially given the competition in rural and regional areas from the likes of Uber et cetera?

**Ms KATE WASHINGTON:** What we've found—and the package was designed from consultation that was had with a lot of regional communities—in an area like mine, Uber's not something that is really operating, and I think that's the case in a lot of different regional areas. There is very little competition in regional areas, and the taxi operators—and, I know, my local taxi operators—desperately want to be in a position to be able to provide the services to people with disability in my community and elsewhere. They've been doing it for a long time, but it got more and more difficult for them to operate and to be able to support the operation of a wheelchair-accessible taxi under the changes that were made by the former Government. We are hoping that these changes—and they are the emergency package; there's more work being done by the point to point commissioner about next steps as well.

**The CHAIR:** I'd just like to turn for a moment to address some of the problems at Kingsford Smith airport—another transport war zone, I'll call it that, created by the support for deregulation. Minister, can you explain your understanding of issues facing disabled travellers amid the ongoing conflict between taxis and Ubers and other rideshare services at Sydney airport?

**Ms KATE WASHINGTON:** Chair, I'm afraid that's not something I am across or have been briefed on.

**The CHAIR:** It's certainly meant to be regulated by the Point to Point Transport Commissioner, especially if you look at the "handling yard", as they call it—or something along those lines.

**Ms KATE WASHINGTON:** It's certainly outside my portfolio responsibilities. When issues are affecting people with disability, I'm happy to speak with my colleagues and get involved. But this is not something that has come to me, Chair.

**The CHAIR:** Could I ask you to do that? I'd be interested to find out how disabled taxis get access to the airport to service the needs of the disabled coming off planes.

**Ms KATE WASHINGTON:** Certainly. Absolutely.

**The CHAIR:** What steps have you taken to liaise with the Minister for Transport to resolve these issues to ensure better access for wheelchair-accessible taxis at the airport? Is there any ongoing discussion or liaison?

**Ms KATE WASHINGTON:** I do speak with the Minister for Transport around the wheelchair-accessible taxi issue. As I said, this is not one, in terms of the airport specifically, that's come to me in any way. But I'm happy to have the conversation with him to understand what issues there are and if we can help solve any of the problems that people with disability are having there.

**The Hon. NATASHA MACLAREN-JONES:** Thank you, everyone, for coming today. Minister, how many children were reported at risk in the past 12 months, the 2024-25 period?

**Ms KATE WASHINGTON:** Are you talking concern reports or are you talking about ROSH reports?

**The Hon. NATASHA MACLAREN-JONES:** ROSH reports.

**Ms KATE WASHINGTON:** One moment and I will find that information for you. This is all on the public dashboard and I'm just going to—

**The Hon. NATASHA MACLAREN-JONES:** I'm looking for the 2024-25 figures.

**Ms KATE WASHINGTON:** According to the dashboard, the latest published figures are up to—I've got up to March 2025.

**The Hon. NATASHA MACLAREN-JONES:** I'm aware of that. I'm actually asking for the 2024-25 figures. I'm sure someone in your department would have those figures, coming to budget estimates.

---

**CORRECTED**

---

**Ms KATE WASHINGTON:** And what I'll say is, what we have so far, up to—for some areas we have got some preliminary data only. It still needs to be aged, so the figures that we'll share with you may well change. The secretary is kindly pointing out to me the preliminary data for ROSH reports for 2024-25 is 113,299.

**The Hon. NATASHA MACLAREN-JONES:** How many of those met the ROSH threshold? Is that the total figure of reports made?

**MICHAEL TIDBALL:** That's met the threshold.

**The Hon. NATASHA MACLAREN-JONES:** That's met the threshold?

**Ms KATE WASHINGTON:** That's concern reports that are suspected ROSH, and that's the 113,000.

**The Hon. NATASHA MACLAREN-JONES:** How many reports were made in total, non-threshold and threshold combined?

**Ms KATE WASHINGTON:** That's not how it works. The concern reports is a different question.

**The Hon. NATASHA MACLAREN-JONES:** No, it's the same question. How many reports were made?

**Ms KATE WASHINGTON:** There were a number of concern reports to the helpline—again, preliminary data—242,846, so far.

**The Hon. NATASHA MACLAREN-JONES:** Last year, for 2023-24, it was 158,795. That's quite a significant jump, even though it's preliminary data.

**Ms KATE WASHINGTON:** In terms of ROSH or concern reports?

**The Hon. NATASHA MACLAREN-JONES:** Overall reports made.

**Ms KATE WASHINGTON:** Yes.

**The Hon. NATASHA MACLAREN-JONES:** How many ROSH reports were closed due to competing priorities during 2024-25?

**Ms KATE WASHINGTON:** Sorry, I'll just go back to that question around the number of ROSH reports having increased. What hasn't increased, as I recall, is the number of children involved in those ROSH reports. Is that accurate? I think I've got a graph that demonstrates that the number of children involved in those ROSH reports hasn't increased and, in fact, the trajectory we're now on is lower than the trajectory under the former Government. By leave, I might just table that report.

**Document tabled.**

**The Hon. NATASHA MACLAREN-JONES:** That's fine. I've been provided some data and, Ms Dean, you would be given accurate information, up to date for the financial year. It shows that the number of reports that have come in is 27,838. Does that sound about right for this financial year?

**LAUREN DEAN:** I'd have to take that on notice, Ms Maclaren-Jones.

**The Hon. NATASHA MACLAREN-JONES:** You haven't been given up-to-date records ahead of budget.

**LAUREN DEAN:** You're talking about this financial year?

**The Hon. NATASHA MACLAREN-JONES:** Yes, this financial year, from 1 July.

**Ms KATE WASHINGTON:** Sorry, Ms Maclaren-Jones. I was distracted for a moment. Are you asking for data since the end of this—

**The Hon. NATASHA MACLAREN-JONES:** I'm asking about from this financial year, 1 July. I've been provided data from someone. They've run a report and it shows that 27,838 reports have been made to date.

**Ms KATE WASHINGTON:** Can you table that report?

**The Hon. NATASHA MACLAREN-JONES:** No, because it might indicate who the individual is.

**Ms KATE WASHINGTON:** If you're suggesting we might have data that's from the end of financial year, which is only five weeks ago—

---

**CORRECTED**

---

**The Hon. NATASHA MACLAREN-JONES:** Let's just say we look at the previous quarter. Around 58,000 reports were made—and this is the public record—for January to March. What I've been given is the last six weeks, which are estimated to be about 27,000.

**Ms KATE WASHINGTON:** There is no fidelity in that data. It has not been tested at all, given that it's only six weeks old, since the beginning of the financial year.

**The Hon. NATASHA MACLAREN-JONES:** What I've also got in this data is that it shows that 13,309 reports have been screened and are waiting for allocation. My question is what is the plan to actually allocate those 13,000 reports?

**Ms KATE WASHINGTON:** What you are talking about at the moment is raw, unaged data that I cannot be commenting on, because it has no accuracy or fidelity at this point in time.

**The Hon. NATASHA MACLAREN-JONES:** I'm sure someone in the department or yourself would be able to comment on whether or not there's a plan to assess potentially 13,000 young people that have not been allocated.

**Ms KATE WASHINGTON:** The job of the whole system is to try to ensure that children are safe, and those that are being seen need to be seen. That is, of course, the work that's being undertaken on a daily basis by our caseworkers across the State.

**The Hon. NATASHA MACLAREN-JONES:** That's my question. Ms Dean, what is being done to ensure that those potentially 13,000 young people that have been reported at risk are assessed and allocated?

**LAUREN DEAN:** Thanks for the question. Our very hardworking caseworkers will be doing everything, as per their usual, day-to-day job, to make sure that they are responding within our resource capability to address, where we can, the number of children and young people reported at risk of significant harm.

**The Hon. NATASHA MACLAREN-JONES:** So you're saying, due to a lack of resources, you were unable to assess 13,000 young people over the last six weeks?

**LAUREN DEAN:** Ms Maclaren-Jones, you're putting words in my mouth, so let me be clear. The process that you're suggesting—firstly you're referring to raw data that is unaged. We don't usually release that data to the public, of course, because there's a process that we go through to make sure that that data is comparing apples and apples, quarter on quarter, which is also why we then prepare and present that information via the dashboard. In relation to the number of children and young people reported at suspected risk of significant harm, the department continues to respond, where appropriate, to ensure that the children who are most vulnerable get a response from us. It's also important to note that the responses that the department delivers may include a face-to-face response. They may also include other responses.

**The Hon. NATASHA MACLAREN-JONES:** How many young people in the last financial year did not get a face-to-face response?

**LAUREN DEAN:** If you give me a moment, we can find that number for you.

**Ms KATE WASHINGTON:** Whilst Ms Dean is finding that number, I might add that what we are doing is trying to address the crisis in the system that we inherited where there were not—

**The Hon. NATASHA MACLAREN-JONES:** Minister, you've been in government for 2½ years. We're finding that close to 30,000 reports have been made in the last six weeks and potentially 13,000 of those have not been looked at.

**The Hon. EMILY SUVAAL:** Point of order: The Hon. Natasha Maclaren-Jones has now asked questions to witnesses a number of times, relying on information that she is in possession of but that the witnesses and, indeed, us as Committee members aren't party to. Chair, I would ask that you direct her to table that advice or whatever document it is that she's referring to, just in the interests of procedural fairness not only for the witnesses but also for Committee members. I don't think it's procedurally fair to be asking questions to these witnesses when we're relying on untested or unverified facts and information that not all Committee members are privy to.

**The Hon. NATASHA MACLAREN-JONES:** To the point of order: The member is actually now wasting time. It's not unusual, particularly in budget estimates, to be given material that is not provided to witnesses because it could actually reveal where it has come from. It's also the opportunity for the department to seek clarification on specific data if they want to. I'm sure there are a lot of people in the department watching this who would be able to run the report as this person has.

---

**CORRECTED**

---

**The Hon. EMILY SUVAAL:** Further to the point of order: We can choose to redact that information from the document. I would again ask that you request that the member table that and the Committee secretariat can, as they do, redact any sensitive information.

**The CHAIR:** Do you have anything to table?

**The Hon. NATASHA MACLAREN-JONES:** I won't provide it, because it will potentially reveal who provided it.

**The Hon. EMILY SUVAAL:** Then I'd ask you to direct her not to continue this line of questioning—

**The CHAIR:** No, I can't do that.

**The Hon. EMILY SUVAAL:** —unless it's the case that you're willing to provide it to us all.

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

**The CHAIR:** Order! There's no point of order.

**The Hon. EMILY SUVAAL:** Table the document. Perhaps you might scribble it out and table it.

**The Hon. NATASHA MACLAREN-JONES:** I will move on.

**Ms KATE WASHINGTON:** I'd like an opportunity to respond to the question that was asked. If you think that I could have resolved all the problems that we inherited in two years—

**The Hon. NATASHA MACLAREN-JONES:** Minister, I'm actually moving on to another line of questioning.

**Ms KATE WASHINGTON:** You could have done it in the two years when you were Minister or the 12 years you were in government.

**The CHAIR:** Order!

**The Hon. NATASHA MACLAREN-JONES:** I'm sure the department could, throughout today, run the report to verify—and we've got all day—exactly how many reports have been made since 1 July this year. I'd also like to know how many reports are waiting for allocation and how many children are in care, because this report shows that 917 young people are in care who have had a further report made and are still waiting to be assessed at six weeks.

**Ms KATE WASHINGTON:** What you are asking about is unvalidated data. We won't be commenting on it today. That will be available to you at budget estimates later when that data is validated, over time, as all of our processes—

**The Hon. NATASHA MACLAREN-JONES:** Minister, Ms Dean actually said that the only thing that is made public is the number of reports made. It does not actually break down the number of people in care that haven't been allocated during that period or the number of reports that haven't been reviewed at all. Will you provide that information for the last 12 months?

**Ms KATE WASHINGTON:** You've been asking questions in relation to the last six weeks, since the end of the financial year, in a system that is enormous.

**The Hon. NATASHA MACLAREN-JONES:** Exactly, and you've just said that—

**Ms KATE WASHINGTON:** And now you are asking for information for 2024-25. Is that accurate?

**The Hon. NATASHA MACLAREN-JONES:** That's accurate.

**Ms KATE WASHINGTON:** About?

**The Hon. NATASHA MACLAREN-JONES:** As I just went through, Minister, this report breaks it down to the number of reports that have been made—those that have been seen, those that have not been seen.

**Ms KATE WASHINGTON:** Yes, which we publish, and we have more accountability and transparency in the system than ever your Government showed. We are open and honest, and have been since we got into government, about the problems in the system. We publish—there is no-one here saying that the system is working perfectly. What we want to use is information that demonstrates any of the issues we've got. Yes, there are children that are in the system that are reported as at ROSH.

**The Hon. NATASHA MACLAREN-JONES:** That are not seen.

**Ms KATE WASHINGTON:** Sorry?

---

**CORRECTED**

---

**The Hon. NATASHA MACLAREN-JONES:** What's the average length of time that a young person needs to wait or a family needs to wait for a report to be assessed with a face-to-face assessment?

**Ms KATE WASHINGTON:** That depends on the priority that they are given and it depends on the assessment that is made. For example, if there is a child who is reported at ROSH and it's then assessed, at a CSC, that they are no longer in a place that was causing them issues before and their circumstances have changed, they may not be seen because we know that they've got therapeutic supports in place supporting them—

**The Hon. NATASHA MACLAREN-JONES:** But if you're not going to see them, you wouldn't know that.

**Ms KATE WASHINGTON:** —because the system is working, at times.

**The Hon. NATASHA MACLAREN-JONES:** Minister, has the risk of significant harm threshold changed?

**Ms KATE WASHINGTON:** No.

**The Hon. NATASHA MACLAREN-JONES:** Is there any plan to change the categories or the threshold?

**Ms KATE WASHINGTON:** We are looking at every aspect of the system to work out ways that we can make children safer and ensure—

**The Hon. NATASHA MACLAREN-JONES:** So you are intending to change the categories?

**Ms KATE WASHINGTON:** You are absolutely putting words in my mouth.

**The Hon. NATASHA MACLAREN-JONES:** No, I'm just asking. The question was quite specific, Minister. Are you intending to change the categories of the threshold for a ROSH report?

**Ms KATE WASHINGTON:** I am saying that everything is on the table when it comes to our reform.

**The Hon. NATASHA MACLAREN-JONES:** I take that as yes, you are. So what will be removed?

**Ms KATE WASHINGTON:** You cannot take that as given. I'm just saying that we are looking at every aspect of the system to ensure that children who need support and children who need a response get it. What that looks like in the future, it may look different, but that's because the crisis that we are trying to fix is still playing out.

**The Hon. NATASHA MACLAREN-JONES:** Minister, you're actually saying that you're going to potentially lower the threshold.

**Ms KATE WASHINGTON:** Did I say that?

**The Hon. NATASHA MACLAREN-JONES:** You said everything is on the table.

**Ms KATE WASHINGTON:** I don't think I said that.

**The Hon. NATASHA MACLAREN-JONES:** You didn't rule it out, Minister. This is not a game.

**Ms KATE WASHINGTON:** I don't think I said that.

**The Hon. PETER PRIMROSE:** Point of order—

**The Hon. NATASHA MACLAREN-JONES:** I asked you specifically—

**The CHAIR:** Order!

**The Hon. PETER PRIMROSE:** In terms of the procedural fairness resolution, it's very appropriate for the Hon. Natasha Maclaren-Jones to ask a question. It is not appropriate for her to then answer the question. That's appropriate for the Minister.

**The Hon. NATASHA MACLAREN-JONES:** Well, she's not answering it.

**The Hon. PETER PRIMROSE:** The Minister needs to be allowed time to actually respond—

**The Hon. NATASHA MACLAREN-JONES:** It was quite a specific question.

**The Hon. PETER PRIMROSE:** —to a question that's being asked.

---

**CORRECTED**

---

**The CHAIR:** I uphold the point of order. The Minister can answer the question any way she likes, or not. I think it would help the Opposition if she gets a chance to answer the question rather than you answer it yourself.

**The Hon. NATASHA MACLAREN-JONES:** Well, she doesn't answer it. Minister, here's a very specific question. Do you intend to remove under-age forced marriages from ROSH reports? And if you're not sure, I'm happy for someone from the department to answer that.

**Ms KATE WASHINGTON:** That is not something that has come to me at all and not something that's currently being considered, no.

**The Hon. NATASHA MACLAREN-JONES:** Could I ask, if someone from the department could answer, if you intend—or has the department issued any statements to staff regarding under-age forced marriages being removed?

**MICHAEL TIDBALL:** No, not to my knowledge, or Ms Dean's.

**LAUREN DEAN:** Correct.

**The Hon. NATASHA MACLAREN-JONES:** Minister, are you aware of any children that have been left at police stations overnight because they could not be assessed?

**Ms KATE WASHINGTON:** Are you saying they are in the system, or they're not in the system?

**The Hon. NATASHA MACLAREN-JONES:** A ROSH report's been made. Are you aware of any young people that have been left at police stations overnight because there was no-one available to see them?

**Ms KATE WASHINGTON:** I am aware of instances where there have been children that haven't had a response when they ought to have had a response.

**The Hon. NATASHA MACLAREN-JONES:** And they've been left at a police station.

**Ms KATE WASHINGTON:** I am uncertain of how that all played out, but I'm aware that the police were involved in the response and that police have been concerned about the responses that were coming from the Department of Communities and Justice.

**The Hon. NATASHA MACLAREN-JONES:** And where was that young person? Which police station or which region?

**Ms KATE WASHINGTON:** I'm not going to be talking about individual matters here.

**The Hon. NATASHA MACLAREN-JONES:** Where did that young person sleep? Were they in a cell?

**Ms KATE WASHINGTON:** I cannot and I do not know.

**The Hon. NATASHA MACLAREN-JONES:** Did you ask any questions? Obviously an incident report was provided to you. Did you ask these questions?

**Ms KATE WASHINGTON:** What I have done is ensured immediately that our after-hours response team was doing its job. Because as soon as I heard about an instance, I raised it with the department. The department has been doing an enormous amount of work since then to ensure that the after-hours response team was responding as it should.

**The Hon. NATASHA MACLAREN-JONES:** Do you know how old that young person was?

**Ms KATE WASHINGTON:** I do not.

**The Hon. NATASHA MACLAREN-JONES:** Or do you know what date this occurred?

**Ms KATE WASHINGTON:** I do not.

**The Hon. NATASHA MACLAREN-JONES:** Could someone else answer how young that person was?

**Ms KATE WASHINGTON:** We're talking about a specific case here. This forum is not appropriate for a specific case.

**The Hon. NATASHA MACLAREN-JONES:** Are you sure that this has not occurred anywhere else in the State?

**Ms KATE WASHINGTON:** The department has been doing an enormous amount of work since that issue and others arose in relation to after-hours responses. Again it is a symptom of the system that we inherited

---

**CORRECTED**

---

where there were not enough caseworkers, we had a spiralling system, caseworkers were walking out the door. We've been doing everything we can to improve—

**The Hon. NATASHA MACLAREN-JONES:** Minister, you have been there for 2½ years. I've asked earlier questions regarding ROSH reports and the claims that there are a number—thousands of reports that have not been looked at in the last six weeks, and you're saying you're addressing the issue of a young person being left at a police station. What exactly are you doing?

**Ms KATE WASHINGTON:** We are doing so much more than your Government ever did. What we are doing is we are having to rebuild—

**The Hon. NATASHA MACLAREN-JONES:** Minister, I'm asking you what you're doing. You've been there 2½ years. You have thousands of young people that aren't being assessed, young people potentially at police stations and not being looked after. I'm asking what you're doing.

**Ms KATE WASHINGTON:** We are rebuilding the system that you left to us that was broken and spiralling out of control. Given that you've had your platform for a moment, I want time to answer this question appropriately. What we are doing is valuing caseworkers for the very first time in decades, by providing—

**The Hon. NATASHA MACLAREN-JONES:** Minister, you have thousands and thousands of young people that are not being assessed.

**Ms KATE WASHINGTON:** I have asked for time to answer the question.

**The Hon. EMILY SUVAAL:** Point of order—

**Ms KATE WASHINGTON:** You have asked what we're doing.

**The CHAIR:** Order!

**Ms KATE WASHINGTON:** Who makes the assessments? You are the former Minister—maybe you should know. Caseworkers make the assessments.

**The Hon. NATASHA MACLAREN-JONES:** Minister, exactly. This is my point.

**Ms KATE WASHINGTON:** We need caseworkers on the ground.

**The CHAIR:** Order!

**The Hon. NATASHA MACLAREN-JONES:** You have thousands of young people who have had reports made, and they're not being assessed.

**The Hon. EMILY SUVAAL:** My point of order relates to the number of interjections. I refer to your previous ruling around allowing the Minister to answer the question.

**The CHAIR:** I uphold the point of order.

**Ms KATE WASHINGTON:** We are recruiting and retaining caseworkers. We are finally seeing the caseworkers staying in the system that were walking out the door under the former Government. That left us vulnerable, and the system vulnerable, and vulnerable children in the State not being seen because we did not have any—

**The Hon. NATASHA MACLAREN-JONES:** Minister, how many caseworkers have left—

**Ms KATE WASHINGTON:** Chair, I ask you to uphold your order so I am given time to answer a question.

**The Hon. NATASHA MACLAREN-JONES:** —in the first 12 months?

**The Hon. PETER PRIMROSE:** Chair, the Minister must be allowed to answer.

**The CHAIR:** Order! I reiterate my previous ruling.

**The Hon. NATASHA MACLAREN-JONES:** Minister, you were talking about—

**Ms KATE WASHINGTON:** Thank you, Chair.

**The Hon. NATASHA MACLAREN-JONES:** —casework.

**Ms KATE WASHINGTON:** Thank you, Chair—which means I get to answer the question.

**The Hon. NATASHA MACLAREN-JONES:** Minister, I've only got limited time.

---

**CORRECTED**

---

**The Hon. GREG DONNELLY:** Point of order: Upon your ruling, the Minister was about to answer and the member came straight in. I think that's flouting a ruling.

**The CHAIR:** I uphold the point of order.

**The Hon. NATASHA MACLAREN-JONES:** I've only got time for one question left.

**Ms KATE WASHINGTON:** Thank you, Chair. What we are doing—

**The Hon. NATASHA MACLAREN-JONES:** She still hasn't answered. What is the answer?

**Ms KATE WASHINGTON:** —is valuing caseworkers.

**The Hon. NATASHA MACLAREN-JONES:** You can get your own members to ask you a Dixer at the end.

**Ms KATE WASHINGTON:** There's \$190 million in the budget to ensure that caseworkers are getting increased pay, increased support, increased specialised training to do the difficult work that they do. They were walking out the door under your former Government. We are finally starting to see that turn around. That is why and how we're going to start seeing more children, when we actually have caseworkers staying in the system, feeling valued, being supported and getting the training that they need.

**Ms SUE HIGGINSON:** Minister, can we just flip back to the variations that we were talking about on contracts? I'm particularly concerned about how variations are being approached in relation to the ACCOs. I understand that it may be the case that some ACCOs or an ACCO is struggling or has declined to sign on to a variation. I'm just concerned about—as I understand it, two contract variations have been won: Providers cannot keep unspent surplus funds over 2 per cent of their contract value. I just want to revert back to the fact that we saw 70,000 bucks spent on beanbags by a non-ACCO provider. I'm just concerned that—I don't know, but it may well be that such a spend comes because it comes to the end of a contract or a year and we don't want to have moneys unspent. I don't know if that's the case, but it could seem likely. I'm concerned that having that clause, whilst it may appear to be a safety measure, a transparency measure, and an accountability measure, could it have unintended and perverse consequences if we're now going to impose this?

**Ms KATE WASHINGTON:** Thanks, Ms Higginson. What we are doing with our contract variations is trying to address the very issues in the report that you first mentioned—Project Mareeba—but also the issues that arose from the numerous reports that have landed on my desk since I became Minister, from the Auditor-General, the Ombudsman, the system review that we conducted, from the Office of the Children's Guardian. Everyone is saying that the system is inefficient and ineffective. Part of fixing the crisis is ensuring that we are seeing taxpayer dollars spent on vulnerable children. I appreciate the question, but when it comes to the contract variations, there are two contract variations and two policy variations that we are seeking all providers to sign up to. We are trying to remove the ability of non-government providers to bank surplus or unspent funds, because that's what we are seeing that there are. What we want to do by that is encourage taxpayers to spend money supporting the children and young people in their care. That's one element of it.

The other element is seeking approval: that providers are going to need to seek approval for assets over \$10,000, and also groups of assets over that value, to try to address some of the issues that came up in Project Mareeba so that we've got greater visibility on where money is being spent, which will address the issue that you're talking about in terms of providers wanting to—potentially a perverse outcome being spending money towards the end of a year. Those purchases will need to be approved by DCJ.

**Ms SUE HIGGINSON:** I'm just concerned about the fact that it would appear—and I don't know the entire circumstances—that, if ACCOs are concerned about signing onto variations and accepting those variations, how do we have confidence that those variations have been generated with a co-design approach? I'm concerned. I understand your difficulty as the Minister having to respond to Mareeba and having to ensure the accountability and transparency in the use of public funds, but there is an overriding factor here when it comes to ACCOs, and that is self-determination of those organisations being able to do the most important work, which is providing for vulnerable children.

**Ms KATE WASHINGTON:** Yes. I understand and acknowledge that these contract variations were not co-designed. We wanted to act quickly, which we—

**Ms SUE HIGGINSON:** Is there scope to address that in terms of the—

**Ms KATE WASHINGTON:** We have been engaging closely with AbSec and ACCOs, and we have issued a lot of detail to address the questions—issued FAQs. Also, we've been speaking one on one with ACCOs to understand what impact it may have on them. What we haven't yet discerned is any distinct impact on the services that they're going to be able to provide. If they did, we would be looking at what else we could do. But

---

**CORRECTED**

---

we just haven't discerned that with these relatively small changes to increasing transparency and accountability. Like I say, we want to see consistency across the sector. I genuinely understand that every provider is looking out for its own interests. They want to ensure that they've got what they need. Their interests are different to mine. I've got a whole system to run and, when I'm seeing 20 per cent being shaved off somewhere or 10 per cent being shaved off somewhere else, that all adds up.

**Ms SUE HIGGINSON:** I understand, but are you not missing the real point here about the requirements and the commitment to co-design, and the fact that Allambi, Mareeba, which we were talking about, are absolutely not ACCOs? My concern is about ACCOs right now, with the over-representation of First Nations and the commitment that the Government says that it has made to genuine co-design and self-determination. I am really concerned that we're just not hearing that in this very important approach the Government's taking to fix what we found in Mareeba.

**Ms KATE WASHINGTON:** Can I say, we have an absolutely genuine—and are actioning our genuine—partnership with Aboriginal community organisations and AbSec. We have been partnering with them deeply on so many aspects of the system going forward. Those partnerships are ongoing. A pure demonstration of the partnership—and it translating to real, tangible results—has been the family preservation work that we have done with them: a 2½-year consultation period, which has now designed a different way of working with Aboriginal families and communities. That will then result in up to 40 per cent—in our recommissioning of family preservation—going to Aboriginal community controlled organisations.

We've also just signed a partnership agreement with ALS, with AbSec and DCJ—working together to work through some of the trickier, more complex issues around the long-term risk assessment strategy around emergency removals and around the restoration taskforce. That is a genuine partnership to work through some of the really difficult issues. When it comes to financial accountability and transparency, we had to move quickly and, yes, for this one aspect of a decision that we have made, I acknowledge that itself was not co-designed. We haven't been able, through our conversations, to discern how it impacts the self-determination and, in terms of delivery of services to Aboriginal children and families through ACCOs, how it affects those in a detrimental way. We haven't discerned that from any of the conversations we've had.

**Ms SUE HIGGINSON:** But, of course, if there is evidence or information that would come forward to that extent, you're open to receiving that and working with that?

**Ms KATE WASHINGTON:** We are working one on one with Aboriginal community controlled organisations across the State because we are committed to seeing them strengthened and we are committed to see them growing. We have that signalled that. I have said it expressly to AbSec often. It's in our out-of-home care reform plan.

**Ms SUE HIGGINSON:** Minister, what do you say to the independent review findings that governments have yet to commence any genuine transformative work? Have you seen Jumbunna's *Independent Aboriginal and Torres Strait Islander-led review of Closing the Gap*?

**Ms KATE WASHINGTON:** I'm not quite sure. After I saw the latest report by SNAICC, I met with Catherine Liddle and talked through the number of areas that we have worked on and already made movement on in terms of commitments we have made to Aboriginal communities, families and children. There are a number of pieces of work. They are really complex, but we are working across a whole range of areas and we have seen progress in terms of a risk assessment tool. That was a big ask from the community as soon as I came in. It was switched off and an interim tool is in place. The deep consultation is now going on about what that looks like going forward. There is a number of really important pieces of work that we are doing in genuine partnership, but it does take time. That's the work that we are doing right now.

**Ms SUE HIGGINSON:** Thank you. I'll come back to the report in the next session.

**The CHAIR:** Minister, talking about inclusiveness for fishers who are disabled, fishing is obviously one of the most accessible and popular outdoor activities in New South Wales. As disability Minister, what have you done to ensure fishing spots and boat ramps are made accessible to the people who need proper disability access to those facilities?

**Ms KATE WASHINGTON:** I couldn't agree with you more. I can't say I share any expertise in fishing, but I certainly know that it is something that is on the rise, and a lot of people are engaging in it in a really positive way. I see that, particularly in my community in Port Stephens, it is a pastime of many. As a result, I know that a lot of the programs and the changes being—the boat ramps and the expenditure from the Boating Now program, and I might have to correct that, is on making sure some of our boat ramps are more accessible. I'm aware of those particular changes being funded in Port Stephens alone.

---

**CORRECTED**

---

**The CHAIR:** Minister, are you up to date yourself or are you leaving it to other Ministers to implement those disability access programs?

**Ms KATE WASHINGTON:** We work across government on all aspects relating to disability. Whether it's fishing, wheelchair-accessible taxis, transport or education, we are working across all areas to improve our inclusion and access. It's reflected in the disability inclusion action plans that every department is currently engaged in in their development of—or rewriting of, depending on whether they've got them in place already or not. We've got our statewide Disability Inclusion Plan being finalised for release towards the end of this year. Every government agency then will be wrapping around the Disability Inclusion Plan their own disability inclusion action plans to ensure that there are tangible outcomes for people with disability coming from every government agency.

**The CHAIR:** Minister, maybe just drill down a bit more into that. What steps have you taken to ensure that new Maritime Infrastructure Plan, which is the master plan for all maritime infrastructure in the State, will be developed in accordance with the disability inclusion action plan that you mentioned earlier?

**Ms KATE WASHINGTON:** I've got to say that Minister Moriarty and I have had conversations around the importance of ensuring that people with disability are included in conversations, and around planning for the work that she is doing. I know that she's recently announced a latest round of recreational fishing grants of \$5 million, which will enable the types of inclusive changes that you were talking about before.

**The CHAIR:** Minister, why does the budget contain no dedicated funding line for disability inclusion fishing and boat access despite your Government's claims of prioritising inclusive recreation?

**Ms KATE WASHINGTON:** The grants that have recently been announced are targeted at upgrading infrastructure. Specifically mentioning accessibility, that program is in the budget and the program itself specifically references improving accessibility and inclusion for fishing. Also, the Fish for Life program is also targeting—again, this is an initiative that Minister Moriarty is pushing—people with disability to fish. We are working across all areas of government, including fishing, and Minister Moriarty's doing some really important work in terms of improving accessibility and inclusion around fishing.

**The CHAIR:** But it does seem, Minister, that your office hasn't even set a minimum on accessibility standards for boat ramps and fishing platforms. Are you aware of that?

**Ms KATE WASHINGTON:** As you would no doubt be aware, a lot of the infrastructure that we inherited was ageing. We are working our way through that with a lot of councils. The other area that we are focused on is working with councils on their disability inclusion action plans. We are also partnering with the Commonwealth in terms of—I think it's called the accessibility Australia program, which is about ensuring councils can access and apply for funds to improve inclusion and accessibility around beaches. That includes upgrading amenity blocks that would be used by fishers. I know that Port Stephens Council put a lot of the accessible Boating Now measures into place alongside an upgraded amenity block, trying to ensure that all of the services in areas are accessible and inclusive.

**The CHAIR:** Minister, you're right, but I think, from the information I have, that disability access modifications are not mandatory; they're only optional for councils and other agencies delivering recreational fishing upgrades. Would you be prepared to review that?

**Ms KATE WASHINGTON:** What we are working with councils across the State on is ensuring that their disability inclusion action plans are genuine and lead to tangible outcomes. We want to see infrastructure across the State for all people with disability to be able to access all kinds of activities, whether it's going for a swim at the beach or fishing or just visiting different areas. We are looking at all ways that we can improve inclusion and accessibility in New South Wales.

**The CHAIR:** But would you accept that it's really a matter of luck for people who want to go fishing and who are disabled actually being able to access the areas that they think they want to access in relation to the sort of fishing locations they want to attend?

**Ms KATE WASHINGTON:** Absolutely we've got more work to do—there is no question. I'm very proud of our Government's approach to ensuring inclusion and accessibility is part of the decisions that we are making when it comes to improving infrastructure. But we have got a lot of work to do to overcome a lot of the legacies of the past.

**The CHAIR:** Minister, just thinking about communities and clubs that are going through doing these modifications, is your department liaising or building partnerships with clubs and councils to ensure inclusive fishing events are funded and prioritised for the disabled?

---

**CORRECTED**

---

**Ms KATE WASHINGTON:** I did just mention the Fish for Life program. That's specifically targeted at people with disability to ensure that, and all clubs across the State, as I understand, could participate in that. But I'd actually have to check how broad that was.

**The CHAIR:** Minister, do you accept responsibility for the fact that people with disabilities remain shut out of some of the most popular recreational activities and fishing areas?

**Ms KATE WASHINGTON:** Like I said, I accept that we have a lot of work to do to improve inclusion and accessibility across the State—there is no question. And we are up for the job and making sure that new programs, new plans, councils' disability inclusion action plans and our Government's disability inclusion action plans are putting disability and inclusion at the heart of decisions that we're making.

**The Hon. NATASHA MACLAREN-JONES:** Are all adults required to retain a Working with Children Check to be a volunteer worker or mentor at a camp with people under the age of 18?

**Ms KATE WASHINGTON:** If they are working with children, yes.

**The Hon. NATASHA MACLAREN-JONES:** And that includes also volunteers and mentors, not just paid employees?

**Ms KATE WASHINGTON:** Anyone working with children is required to have a Working with Children Check.

**The Hon. NATASHA MACLAREN-JONES:** Is it correct that a child-safe organisation should not put children into situations where they are unsafe or encourage them to undertake illegal activities?

**Ms KATE WASHINGTON:** Sorry, can you ask that question again? Are you saying—

**The Hon. NATASHA MACLAREN-JONES:** Is it correct that a child-safe organisation should not put children into situations where they are unsafe or encourage them to undertake illegal activities?

**Ms KATE WASHINGTON:** Correct.

**The Hon. NATASHA MACLAREN-JONES:** And that would be grounds for revoking a Working with Children Check?

**Ms KATE WASHINGTON:** I am not responsible for making those decisions; that's the Office of the Children's Guardian, but that's—

**The Hon. NATASHA MACLAREN-JONES:** Could I just confirm, that would be correct?

**RACHAEL WARD:** Yes.

**The Hon. NATASHA MACLAREN-JONES:** Rising Tide supports its under-18 members to unlawfully enter shipping lanes, putting them into danger and providing coaching on how to get arrested. Do you consider these to be child-safe practices?

**Ms KATE WASHINGTON:** I'm aware of the Rising Tide movement; I'm not aware of what they actually do and how that—what we are responsible for is ensuring that people who are working with children have Working with Children Checks.

**The Hon. NATASHA MACLAREN-JONES:** Minister, they operate in Newcastle. You would be familiar—obviously things run in the local paper—they're advertising for a three-day camp at the end of this year for young people and recruiting young people—and it's all on their website—ages 10 and above. Minister, are you confident that they are following all procedures in how they manage confidential data about children that are under the age of 18?

**Ms KATE WASHINGTON:** I don't know what they would—I'm not privy to what they would do at a camp. I'm not privy to anything that they do. What I do know is that if they are working with children, they require a Working with Children Check.

**The Hon. NATASHA MACLAREN-JONES:** I've raised this, and it's on the public record, that they are recruiting young people. Are you confident that they are managing the information that they obtain, which is their personal information, and that every single person has a Working with Children Check?

**Ms KATE WASHINGTON:** I am responsible for ensuring that people that are working with children have a Working with Children Check, but it's the actual organisation's responsibility to ensure that everyone that is doing that has those checks. We are responsible for the system. It is up to the organisation themselves to ensure that anyone in their organisation that is working with children has those checks.

---

**CORRECTED**

---

**The Hon. NATASHA MACLAREN-JONES:** The fact that they're advertising upcoming camps but also further blockades later this year, where they will be putting young people at risk on the water—do you consider this safe practice? What action will you take?

**Ms KATE WASHINGTON:** I can't pre-empt what is going to be happening and what's being done at camps that may or may not be on. I don't know.

**The Hon. NATASHA MACLAREN-JONES:** Do you think the blockades that occurred previously, where there were young people out on the water, was safe practice?

**Ms KATE WASHINGTON:** I don't know if there were people that were under 18 there.

**The Hon. NATASHA MACLAREN-JONES:** Minister, this is information that was provided at the last budget estimates. It was question 13, in relation to the number of young people that were not in their authorised placement. It's all on the public record. As of 31 December, a total of 978 young people were not in their authorised placement. Of that, close to 950 were not with their carer; that meant that they either self-placed with a parent, they were self-placing but it was unknown where they were actually living, or they'd returned to their parent. Minister, what are you doing to support these young people financially when they're not at their allocated or their approved placement?

**Ms KATE WASHINGTON:** Every child that's in the system—and I'll probably have to refer to the department on this—has a caseworker allocated to them. It is the responsibility—when a child self-places, that caseworker stays connected to that child as best they can to ensure that they have the supports in place and to ensure that they are still safe.

**The Hon. NATASHA MACLAREN-JONES:** Minister, this says here that 266 young people have no placement or whereabouts recorded. Again, I ask you how are you supporting someone when you don't know where they are, and the caseworker can't place them? How do you provide financial support, because that financial support would be going to the carer?

**Ms KATE WASHINGTON:** It entirely depends on the situation. It might not be that they are in a foster care arrangement. It could be a residential care arrangement, and we don't lock the children up.

**The Hon. NATASHA MACLAREN-JONES:** Minister, this is your record that says 978 young people, as of 31 December, were not in their placement. They weren't in resi care; they weren't with a foster carer. As I just said, 266 were unknown. My question is what are you doing to support hundreds of young people that are away from their placement?

**Ms KATE WASHINGTON:** I'm going to defer to Ms Dean, but what we try to ensure is that every child in the system is safe. We aren't in the game of restraining kids and keeping them in particular placements, so we have—

**The Hon. NATASHA MACLAREN-JONES:** Minister, some of these young people have been removed from unsafe places, which could have been their parent or another place, and they've gone back to these placements. You are now saying they're safe when they've been removed.

**Ms KATE WASHINGTON:** I am saying that we do everything that we can to try to keep children safe. They do make decisions that involve sometimes self-placing elsewhere, and that does cause a lot of challenges for us in the system. We want to ensure that every child is safe, but when they are making their own decisions to go elsewhere, we try—I know that our caseworkers do everything they can to try to stay connected to those children so that we can ensure that they have got the supports that they need to continue to thrive.

**The Hon. NATASHA MACLAREN-JONES:** Minister, how soon after a young person self-places back with their parents does your department issue or apply for a section 90 to transfer that child back to their parent?

**Ms KATE WASHINGTON:** When we're talking self-placing, it would be wrong to suggest that it's primarily with family. Self-placement can mean a whole variety of different arrangements.

**The Hon. NATASHA MACLAREN-JONES:** Minister, my question is quite specific. How soon after a young person leaves the placement with a carer and they self-place back with their parent does the department issue a section 90?

**Ms KATE WASHINGTON:** As you would know, every case is complex and there is no set time for any kind of system like that when every assessment has to be made based on the circumstances. If we don't think that is an appropriate placement for them, we're not going to be applying for a section 90 application.

---

**CORRECTED**

---

**The Hon. NATASHA MACLAREN-JONES:** Are you confident that's never happened? I'm happy for you to take that on notice. Are you confident your department has never applied for a section 90 when it's not in the best interests of that child?

**Ms KATE WASHINGTON:** I am confident in that.

**The Hon. NATASHA MACLAREN-JONES:** So there's been no court—

**Ms KATE WASHINGTON:** I do not want it misrepresented that I have said that we have not applied for a section 90 in those circumstances. It might be that we have, because it might have been assessed that that was in the best interests of that child. But there is no way that we and the department are ever going to be supporting a section 90 application where we think a child is unsafe.

**The Hon. NATASHA MACLAREN-JONES:** How many of those section 90s have been rejected by the courts in the last 12 months?

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

**The Hon. NATASHA MACLAREN-JONES:** Minister, what is the youngest age of a person in an IPA at the moment?

**Ms KATE WASHINGTON:** I will try to find that information for you in a moment. I will say that we are relieved that ACAs and the non-accredited element of the emergency care arrangements are no longer part of the system. That has been an enormous amount of work that the department has done to get us to a place where there are no longer any kids in alternative care arrangements like hotels, motels and caravan parks. We have driven down those numbers. I think we inherited about 139 kids in those arrangements, and now there are none. In terms of all other high-cost emergency arrangements, we are doing everything we can to drive down that number. I think at its peak there were about 503 kids in high-cost emergency arrangements.

**The Hon. NATASHA MACLAREN-JONES:** Thank you, Minister. I think they may have the figure for currently the youngest person in an IPA at the moment.

**Ms KATE WASHINGTON:** I would say that's now only 336 kids in high-cost emergency arrangements. In terms of the age in an IPA, I think we might have to come back to you on that.

**The Hon. NATASHA MACLAREN-JONES:** Okay. Hopefully, you'll have that before this afternoon. Minister, how many young people are currently in serviced apartments?

**Ms KATE WASHINGTON:** As I have just said, we have been doing an enormous amount of work to drive down the system that we inherited where kids were going to high-cost emergency arrangements. Serviced apartments—

**The Hon. NATASHA MACLAREN-JONES:** Minister, it was a specific question.

**Ms KATE WASHINGTON:** Serviced apartments, they may be an element of the high-cost emergency arrangements that are still in place.

**The Hon. NATASHA MACLAREN-JONES:** I wasn't asking what an apartment was.

**Ms KATE WASHINGTON:** I can't give you that figure because it's defined as the high-cost emergency arrangements. I can tell you, as of 25 March, there is only remaining about—I think there are 336 kids. There were 503 kids in these types of arrangements when we came to government, and now there are 336.

**The Hon. NATASHA MACLAREN-JONES:** Minister, I would like to correct you. You actually can provide that breakdown because it's been provided previously in estimates with ACAs, listing caravans, motels, hotels, serviced apartments and also IPAs. I'm asking specifically about serviced apartments. How many young people are currently in serviced apartments?

**Ms KATE WASHINGTON:** What I'm amazed about, Ms Maclaren-Jones, is that you are talking about a system where your government had kids going into hotels and motels and caravan parks which were the worst outcomes ever for them, and now there are none.

**The Hon. NATASHA MACLAREN-JONES:** Well, there are. Clearly, there are young people in serviced apartments. What's the difference between a hotel and a serviced apartment, apart from one gets serviced daily and the other weekly?

**Ms KATE WASHINGTON:** There is no child that is currently in an arrangement with an unaccredited provider, which is what you had set up in the system and baked into the system that we inherited.

---

**CORRECTED**

---

**The Hon. NATASHA MACLAREN-JONES:** Minister, you currently have young people in serviced apartments.

**Ms KATE WASHINGTON:** I'd like to table a graph which shows the decline in the number of kids in high-cost emergency arrangements.

**The Hon. NATASHA MACLAREN-JONES:** Minister, you can do that during government time.

**Ms KATE WASHINGTON:** It was a system that you established, and where kids were getting the worst outcomes possible.

**The Hon. NATASHA MACLAREN-JONES:** Minister, I have a specific question for you. Can you take on notice the number of young people who are currently in serviced apartments? The Auditor-General's report actually said that the recommendation was to end the use of hotels, motels and serviced apartments, but at the moment we see that you're still using serviced apartments. How many for-profit providers are delivering IPAs?

**Ms KATE WASHINGTON:** Minister—sorry, former Minister, I am still just gobsmacked that you are asking questions about high-cost emergency arrangements—

**The Hon. NATASHA MACLAREN-JONES:** No, I'm asking about for-profit—

**Ms KATE WASHINGTON:** —which we have been open and honest about since we came into government—

**The Hon. NATASHA MACLAREN-JONES:** Minister, are you refusing to answer the question about the number of for-profits that are delivering IPAs?

**Ms KATE WASHINGTON:** —and you didn't talk about them at all whilst the numbers skyrocketed.

**The Hon. NATASHA MACLAREN-JONES:** Are you refusing to answer the question?

**Ms KATE WASHINGTON:** I am not refusing to answer anything at all. I have been open and honest the entire time I've been Minister.

**Ms SUE HIGGINSON:** Point of order: I wouldn't normally do this. I would never, ever normally interrupt, but I just can't imagine how Hansard is coping right now. That's my point.

**The Hon. NATASHA MACLAREN-JONES:** It's a fair point.

**Ms SUE HIGGINSON:** It really, really matters how Hansard records budget estimates hearings. So, please, both—thank you.

**The Hon. NATASHA MACLAREN-JONES:** Minister, I'll ask again: How many for-profits are delivering IPAs?

**Ms KATE WASHINGTON:** Our first priority was to get all kids out of hotels, motels and caravan parks in their unaccredited alternative care arrangements that you established, and now there are none.

**The Hon. NATASHA MACLAREN-JONES:** But, Minister, I might—

**Ms KATE WASHINGTON:** In terms of the next tranche, we are trying to ensure that there are no longer any for-profit providers in the system. I'll have to take on notice whether there still remains any. But that is our next priority in terms of turning the crisis around—

**The Hon. NATASHA MACLAREN-JONES:** Minister, that's fine, you've taken on notice the number.

**Ms KATE WASHINGTON:** —where kids were going into high-cost emergency arrangements, paying a million dollars a year for the worst outcomes possible.

**The Hon. NATASHA MACLAREN-JONES:** Minister, how many children have absconded from Sherwood in the last financial year?

**Ms KATE WASHINGTON:** I will have to take that on notice.

**The Hon. NATASHA MACLAREN-JONES:** How will the Government-run residential care cottages or homes be staffed, given there's no award provision for DCJ to be able to pay their residential staff directly?

**Ms KATE WASHINGTON:** As part of the measures that we have put into place to address the crisis we inherited, alongside recruiting foster carers, supporting caseworkers, we are now stepping into the game of standing up our own residential care places. They are called the Waratah Care Cottages. We have stood up four of five of those.

---

**CORRECTED**

---

**The Hon. NATASHA MACLAREN-JONES:** I'm asking about staffing.

**Ms KATE WASHINGTON:** And we are—

**The Hon. NATASHA MACLAREN-JONES:** Are they contracted?

**Ms KATE WASHINGTON:** We have got in place DCJ house managers. Then under them we have got contracted arrangements in place for these staff, whilst we work out an award—

**The Hon. NATASHA MACLAREN-JONES:** Sorry, Minister, just to clarify, you just said you do have contracted staff?

**Ms KATE WASHINGTON:** Yes, we do.

**The Hon. NATASHA MACLAREN-JONES:** And what are their qualifications?

**Ms KATE WASHINGTON:** Whilst we work out an award arrangement that is specific for residential care workers, because the Government hasn't done residential care for 20 years. So we've stepped back in urgently.

**The Hon. NATASHA MACLAREN-JONES:** What are the qualifications of contract staff?

**Ms KATE WASHINGTON:** I beg your pardon?

**The Hon. NATASHA MACLAREN-JONES:** What are the qualifications of these contract staff?

**Ms KATE WASHINGTON:** I do have that information somewhere but I will come back to you on that.

**The Hon. NATASHA MACLAREN-JONES:** Are the staff being provided by for-profit organisations?

**Ms KATE WASHINGTON:** I will have to clarify.

**PAUL O'REILLY:** I can respond to the question about qualifications, if it's helpful.

**Ms KATE WASHINGTON:** Yes.

**PAUL O'REILLY:** Would you like me to?

**The Hon. NATASHA MACLAREN-JONES:** And also are they contracted staff?

**PAUL O'REILLY:** Yes, the Waratah cottages are staffed by contracted staff through a contracting organisation that is supervised by DCJ staff. Work underway to complete the award is not finished yet. When that work is finished our view is that we want to move to a DCJ staff model, but that will take a bit more time. Staff need to be accredited and qualified. Residential care workers need to have a certificate IV in community services, social work, social welfare or similar fields. Their team leaders need to have diploma-level qualifications in similar fields.

**The Hon. NATASHA MACLAREN-JONES:** And you're confident that all contracted staff have got correct qualifications?

**PAUL O'REILLY:** That's the standard. If there is an example of where they don't, we would like to know about it and take action, but that's the standard.

**Ms KATE WASHINGTON:** And it's an extension of the program that we're using with Sherwood.

**The Hon. NATASHA MACLAREN-JONES:** Minister, how many DCJ districts are accredited at the moment?

**Ms KATE WASHINGTON:** All of them.

**The Hon. NATASHA MACLAREN-JONES:** How many districts currently have an accreditation condition placed on them?

**Ms KATE WASHINGTON:** I would defer to Ms Dean on that.

**The Hon. NATASHA MACLAREN-JONES:** Or maybe it might be easier if I use the term "performance improvement plan".

**RACHAEL WARD:** Would you like me to answer that question?

**The Hon. NATASHA MACLAREN-JONES:** Yes, please.

**RACHAEL WARD:** There's 16 accredited agencies. They're all accredited at the moment, but two of the DCJ districts have—sorry, I've forgotten the terminology. What was the question?

---

**CORRECTED**

---

**The Hon. NATASHA MACLAREN-JONES:** Performance improvement plans.

**LAUREN DEAN:** No, they're not.

**RACHAEL WARD:** No. They're not performance improvement plans. Sorry, that's the terminology.

**LAUREN DEAN:** Action plans.

**RACHAEL WARD:** Yes. Two currently have conditions placed on their accreditation.

**The Hon. NATASHA MACLAREN-JONES:** What are the conditions for?

**RACHAEL WARD:** To breaches of the standard—which I can come back to you after the break—the actual standards?

**The Hon. NATASHA MACLAREN-JONES:** Yes, that'd be great. Thank you very much. Minister, are you concerned that two of your districts have conditions placed on them and you weren't aware of it?

**Ms KATE WASHINGTON:** I'm well aware of the pressures in the system across the State. I'm well aware that one of the biggest issues that we have, and one that we've been trying to address, is around caseworker vacancies, which does impact the work that we can do. This was part of the system that we inherited where caseworkers were walking out the door.

**The Hon. NATASHA MACLAREN-JONES:** Minister, Ms Ward didn't actually say what the conditions were. I'm asking you: Are you concerned that you were not advised that two districts have conditions placed on them?

**Ms KATE WASHINGTON:** What I'm saying to you is that we have got a system that has been under immense pressure, and I'm unsurprised that there are areas—and I've visited a number of areas where they are really struggling because of caseworker vacancies. That's why we have prioritised support for caseworkers. It's why there's \$190 million in the budget to improve caseworker pay—

**The Hon. NATASHA MACLAREN-JONES:** We'll get to caseworkers in a minute, Minister.

**Ms KATE WASHINGTON:** —to improve their training and specialised supports for them.

**The Hon. NATASHA MACLAREN-JONES:** Minister, now that it's been brought to your attention that you have two districts that have conditions placed on them, what action will you take?

**Ms KATE WASHINGTON:** The department is already actioning all of the stresses and strains across the system. They have been doing it for two years now. What we are doing—

**The Hon. NATASHA MACLAREN-JONES:** I'm asking about two specific districts that have conditions placed on them, that you were not advised of, and you have no answer as to what action you will be taking to investigate what the conditions are, what's being changed. What action are you going to take?

**Ms KATE WASHINGTON:** There's already action being undertaken. We were well aware that there were districts that had conditions placed on them.

**The Hon. NATASHA MACLAREN-JONES:** Minister, I just asked you—

**Ms KATE WASHINGTON:** The work is being done.

**The Hon. NATASHA MACLAREN-JONES:** —and you couldn't answer.

**Ms KATE WASHINGTON:** I wasn't sure if the conditions had expired yet. Obviously that's up to the Office of the Children's Guardian to do that.

**The Hon. NATASHA MACLAREN-JONES:** Minister, I asked you specifically about it and you couldn't answer. Are you misleading the Committee?

**Ms KATE WASHINGTON:** I'm not misleading the Committee. It's just that we have a lot of moving parts to a very large—

**The Hon. NATASHA MACLAREN-JONES:** It's two districts, Minister, out of 16. They've got conditions placed. You were asked specifically about it and you failed to answer the question.

**Ms KATE WASHINGTON:** You asked about performance improvement plans. We don't do—

**The Hon. NATASHA MACLAREN-JONES:** And conditions.

---

**CORRECTED**

---

**Ms KATE WASHINGTON:** The department does performance improvement plans on non-government providers. We don't do that, and the Office of the Children's Guardian doesn't do that for the department—

**The Hon. NATASHA MACLAREN-JONES:** Minister, I asked about conditions.

**Ms KATE WASHINGTON:** —so there was a bit of confusion around the question you asked.

**The Hon. NATASHA MACLAREN-JONES:** No, I asked about conditions. You didn't have the answer. I can only assume that you weren't made aware of this.

**Ms KATE WASHINGTON:** I've absolutely been made aware, and it's one of many, many moving parts in a system which—we are trying to control the crisis that we inherited by doing a lot of work across the board with foster carer recruitment, staff recruitment and support.

**Ms SUE HIGGINSON:** Minister, I've just got a few minutes, if that's okay. I wrote to you quite recently, and to the secretary, asking if you were willing to look at undertaking some kind of workplace culture review of DCJ. It came as a result of—I have received concerns about workplace culture, management practices and the treatment of employees within the Department of Communities and Justice. I provided some examples, but I did put to you that it might be helpful given the system, with your oversight, is seeking to take a lot more control back into DCJ of providers and so on. Do you think that such an examination and review is appropriate and are you willing to commit to something like that at this point?

**Ms KATE WASHINGTON:** What we are committed to through our reform of the system is ensuring that there is a culture that is all focused on children and their welfare and making sure that we've got the right system for their support and safety.

**Ms SUE HIGGINSON:** I think this is just a little bit different, though. I appreciate and I see the breadth and the depth of the work you're seeking to do, but one of the suggestions would be an open and external and independent process to make sure that the culture within DCJ is the appropriate one given you're overseeing a significant reform of the broader system.

**Ms KATE WASHINGTON:** I appreciate where you're coming from, but part of the cultural issues that I saw when we came in were reflected in the conversations that I had with foster carers, for example, who said that they felt like they're at the bottom of the barrel, when they are actually the very foundations of a foster care system. I spoke to caseworkers who said that they hadn't felt valued for years and they felt like they were the former Government's dirty little secret because no-one spoke about them. I brought all of the senior executive together last year and had the conversation around the culture piece where we need to—everyone. The lowest-hanging fruit is to look after our foster carers better and to look after our caseworkers better. And a big part of that—and a centrepiece of the reforms and the direction we are heading—is around accountability, transparency, in every direction. We have to be accountable to foster carers. We have to be accountable to the kids that we seek to keep safe. We have to be accountable across all elements, and transparency is key to that.

One of the steps that we're taking in terms of the changes with our providers, alongside the two contract variations, is ensuring that every carer from now on, across the State, gets a carer support letter so they know what they're entitled to under the agreement that their provider has with the department. I'm going to table an example of the foster carer letter that is now being issued across the State, which also includes, importantly, every avenue that any carer has in terms of complaints and support. Where do they go if they need support? Who do they turn to? What numbers do they call? How do they complain? That is all part of trying to address the culture piece that I think that you are concerned about, as am I.

**The CHAIR:** We'll now go to Government questions.

**The Hon. EMILY SUVAAL:** No questions, Chair.

**The CHAIR:** No Government questions?

**The Hon. PETER PRIMROSE:** No. We're very satisfied with the Minister's response.

**The Hon. GREG DONNELLY:** Very comprehensive and detailed.

**The CHAIR:** No comprehensive examination of the Minister?

**The Hon. PETER PRIMROSE:** The Minister has answered all the questions appropriately.

**The CHAIR:** Okay, thank you. We'll now take a break and return at quarter past 11.

**(Short adjournment)**

---

**CORRECTED**

---

**Ms ABIGAIL BOYD:** Good morning to all of you. Good morning, Minister. I wanted to start with what we've been uncovering in the early childhood education inquiry that we started hearings on last week. As was disclosed there, we have received information that shows that one in three people who are subject to prohibition orders within the early childhood space did not have a Working with Children Check to begin with, even though they were found to have done some really horrible things to children within early childhood centres. But even when those reports are made by the regulator to the Office of the Children's Guardian, we're only looking at around 45 per cent of those cases where the Working with Children Check is actually cancelled. That shows that there are huge holes within the working with children system. I know that there have been discussions at a Federal level around a national Working with Children Check scheme. It seems like that's the bare minimum, but what is New South Wales's position on that, because I understand that there was not approval for all States and Territories to enter into that national scheme?

**Ms KATE WASHINGTON:** It's certainly an area of great concern not only to the Government but also, obviously, to families across the State. In terms of early education and the connection with Working with Children Checks, obviously, I'm working in lockstep with the acting education Minister and the Deputy Premier's office around their strengthening piece in relation to early childhood education and the regulation of it. In terms of the responsibility that I've got in terms of the Working with Children Check system, as you would be aware, we introduced legislation last sitting to strengthen our Working with Children Check system to close the loophole in relation to appeals that were going to NCAT but no longer will be. Where people were refused or cancelled their Working with Children Check, they previously could go to NCAT. We're now ensuring—assuming that the legislation passes—that we will have a system whereby the decisions being made will be made by the professionals in child safety at the Office of the Children's Guardian.

**Ms ABIGAIL BOYD:** I appreciate that that is one of the loopholes in the system, but I think what we're seeing here is a much larger loophole if we have authorities not even talking to each other and we've got the Office of the Children's Guardian not even cancelling Working with Children Checks where there have been prohibitions for people. We tendered some evidence at the hearing last week showing that there were workers who had been prohibited who were then given Working with Children Checks—new ones—and thought that meant that they could suddenly go and work with children again and have been found to have worked in these centres. This is something that is going to take a lot more than just stopping an appeal for someone who actually has had it cancelled because, in the majority of cases, it looks like it is not getting to that point to begin with.

**Ms KATE WASHINGTON:** I will defer to the Acting Children's Guardian on that issue. Sorry, I didn't address the national approach that we are taking as well. We are really pushing for mutual recognition of Working with Children Checks nationally, and we definitely took a position at the recent SCAG meeting whereby we wanted to see strengthening of the national system. Because we've got one of the strongest systems in the country, we don't want to see a weakening of our system in that process, and we were very clear on that. But we want to ensure that there's continuous monitoring across the country so that we can catch anyone that's trying to slip through the cracks across State borders.

**Ms ABIGAIL BOYD:** There is a difference between information sharing, and we're seeing that there is—I appreciate you were saying that we've got a really strong system, but when you actually look under the hood, it looks like, really, it's not a very strong system at all. We have no information sharing between our own agencies, and now you're suggesting that the national approach should be an information-sharing one. Why don't we just have a national body responsible for all Working with Children Checks?

**Ms KATE WASHINGTON:** I'm going to defer to the Acting Children's Guardian to respond to the issues you were asking about around sharing within agencies. I understand that there is sharing of information between agencies, but I'll defer to the Acting Children's Guardian.

**Ms ABIGAIL BOYD:** Sorry, but because of time, I will definitely come back to her this afternoon. There was an audit conducted by the Office of the Children's Guardian in 2023-24 that looked at compliance efforts around child protection, and it was looking at making sure that we had Working with Children Checks, that workers were verified, and that barred workers weren't being able to go and work with children. In that audit, 208 organisations were audited by the OCG, and 87 per cent of them were not compliant with the legislation, with the main problem being that no workers' checks had actually been verified before they were employed. When you got this information that 87 per cent were not complying, what steps did you take to try and close these loopholes before we ended up with really high-profile, shocking cases in the media?

**Ms KATE WASHINGTON:** As you know, it is an obligation of every employer of anyone working with children to ensure that their workforce has appropriate Working with Children Checks in place.

---

**CORRECTED**

---

**Ms ABIGAIL BOYD:** But they're not doing it, and you know they're not doing it because you were told. So I guess the question—

**Ms KATE WASHINGTON:** We've got work being done through the Office of the Children's Guardian around ensuring compliance and trying to improve compliance, noting that there definitely needs to be improvement across all sectors, and that work is being done by the Office of the Children's Guardian to ensure that we have got everyone understanding their obligations across the State when it comes to working with children and keeping them safe.

**Ms ABIGAIL BOYD:** I appreciate that that is being done now, but I am asking you, Minister, when you found out—when you came into this role, there was a period of time of getting to grips with what is going on. But when you get that kind of shocking audit report telling you that there is such low compliance, we now have a situation where we're seeing some really horrible things happening in the early childhood space from people who don't have Working with Children Checks or who had Working with Children Checks and were allowed to continue even after they were notified of having done really terrible breaches of the law. What have you done, prior to that point, to make sure that it's not just the responsibility of organisations but is something the Government is taking seriously?

**Ms KATE WASHINGTON:** We do take it very seriously. Prior to introducing the legislation just recently, we already had work being undertaken on how to strengthen the Working with Children Check scheme, and there is going to be a paper. I know the Office of the Children's Guardian has been working on a consultation paper that is going to be issued later this year to try to ensure that the system is working as it should and that organisations are aware of their legal responsibilities to ensure that every employer and every volunteer in their organisation that works with children has a check.

**Ms ABIGAIL BOYD:** I will come back to that this afternoon as well. In the interest of time, I will just move on. In the Federal Senate estimates in February this year it was revealed that around 50 per cent of NDIS eligibility reassessments are resulting in removal from the scheme. I know that we've spoken before about foundational supports and the progress of that, but we're still having this situation where people are being chucked off NDIS before they have the foundational supports at a State level. We spoke before about the zero to nine cohort, which I understand is the focus for the first set of foundational supports at State level, but now I'm hearing that people outside of that cohort are also getting chucked off the NDIS, and they have no foundational supports. What are you doing to ensure that people aren't falling through the cracks? Because the consequences for people when they are chucked off NDIS without any other support is really grim.

**Ms KATE WASHINGTON:** Yes. I'm very concerned about what I'm hearing in terms of the NDIA's decision-making at this point in time. What the State has signed up to with the Commonwealth is to try to work with them in making the scheme sustainable. What we have not signed up to is anyone who's eligible for the scheme missing out. We have made it very clear with the Commonwealth, and we have constant conversations around our and my responsibility, which I take very seriously, to ensure that our \$4.1 billion contribution to the NDIS annually translates to support and services for people with disability that ought to be getting them. I know you raised this at the last budget estimates, and I asked you, if you've got concrete examples of people who ought to be in the scheme being kicked off, to please provide them to me. I don't think you gave us any after the last one.

**Ms ABIGAIL BOYD:** I think we have but, yes, I will check.

**Ms KATE WASHINGTON:** I didn't see them. I'm after any examples, because I'm happy to take that up with the Commonwealth any day.

**Ms SUE HIGGINSON:** I have been made aware that a report has shown that 200 Aboriginal children in the past 12 months may have been transferred from ACCOs back to DCJ. Can you tell me something about that?

**Ms KATE WASHINGTON:** As everyone in this room no doubt understands, there is a range of complexities with every individual case, every individual child and every family that's involved in the child protection and at-home care system. There is a range of different circumstances that would lead to a transfer of an Aboriginal child from ACCOs back to DCJ—or even to NGOs, as has occurred. It can be around level of complexity. It can be the decision of the carer. I'm sure that Ms Dean can go further into some of the situations that might give rise to that. But I can assure you we remain firmly of the view that Aboriginal children are best served being supported by Aboriginal community controlled organisations. We would like to see Aboriginal children in the system being supported by these organisations. It is extraordinary circumstances where we might be having children coming back to us out of an ACCO. Ms Dean could no doubt provide more information.

**Ms SUE HIGGINSON:** I will come back to this. Thank you, Ms Dean.

---

**CORRECTED**

---

**LAUREN DEAN:** Sure.

**Ms SUE HIGGINSON:** It seems really rude. I do want to know, but I know I have more time with you a bit later, if that is okay.

**LAUREN DEAN:** Of course.

**Ms SUE HIGGINSON:** Minister, is the figure of 200 children with this reverse transition a number that really concerns you?

**Ms KATE WASHINGTON:** As I've said already today, we are committed to seeing a strengthened and growing Aboriginal community controlled sector because I remain firmly of the view that they are best placed to support Aboriginal children and families.

**Ms SUE HIGGINSON:** Can I just ask specifically—

**Ms KATE WASHINGTON:** The decisions for children to come from ACCOs to DCJ or to NGOs is done in collaboration with—

**LAUREN DEAN:** It's the ACCO requesting transfer.

**Ms KATE WASHINGTON:** And where the ACCOs are requesting. What we would like to see is reducing the pipeline of kids going into non-ACCOs—Aboriginal children who are coming into the system going to non-Aboriginal NGOs. We want to see more of the Aboriginal children going to ACCOs. It goes to carer recruitment and support amongst ACCOs to try and stop the pipeline. When we've got kids coming back to us—as Ms Dean has just reminded me, often at the request of the ACCOs themselves—because of capacity issues and because of complexity—

**Ms SUE HIGGINSON:** That's my question then, really. If you could elucidate what we do when an ACCO is saying, "Hey, we don't have the capacity to deal with this particular child." It looks like there is 200 cases of that in the last 12 months. What are the thresholds for saying, "Actually, we'll give you this capacity now", rather than the threshold of the child transitioning backwards and forwards?

**Ms KATE WASHINGTON:** It's certainly not a funding issue. The funding per child has been going up and up and up under the PSP program. It can be a workforce issue. It can be a carer—

**LAUREN DEAN:** Relationship issue.

**Ms KATE WASHINGTON:** A relationship issue with the provider themselves. Fundamentally, we respect carers. We respect that they also have choices. We respect that they want to make decisions that are in the best interests of the children in their care as well, and so decisions are made. We obviously work with NGOs and we work with ACCOs. We want to see the best interests of every child in the system being served. It has seen a number of children coming back to DCJ for a number of reasons.

**Ms SUE HIGGINSON:** Is that number something that you think might change over time, or are you suggesting that's a number of children that may, in fact, be typical of the system for some time?

**Ms KATE WASHINGTON:** No, I would absolutely hope that that number reduces. If we can ensure that ACCOs are strengthened, they're growing and have everything that they need to be able to support children in their care, then we want to see that number changing, where Aboriginal children are staying connected to community and culture with an Aboriginal organisation.

**Ms SUE HIGGINSON:** Can I just go briefly to early intervention funding. The budget includes a historic investment in out-of-home care. Whilst that is obviously very important, it is quite telling. The Government is investing seriously and spending big once a child is removed. Obviously there is a case for that, but when do we see the transition of that investment into the support that could have kept the children at home safely in the first place? I want to refer, if we can, to the Family Connect and Support program. There is an economic case—and obviously the moral case makes sense—for programs like Family Connect and Support resulting in a social return of between \$1.10 and \$4.90 for every dollar spent. When are we going to see that reflected in our budgets and in the investment in the early intervention?

**Ms KATE WASHINGTON:** When it comes to early intervention, we are enhancing and expanding early intervention services across a range of different programs. TEI has seen an increase of 13 per cent since we came into government. We've got a record investment going into Aboriginal child and family centres—I think there's almost \$100 million going into supporting those services—expanding to six new services and supporting the ones we've got by doubling their operational funding. We've got the Family Preservation program—we've got a \$900 million program, 40 per cent of which is going to go to Aboriginal community controlled organisations in

---

**CORRECTED**

---

a new recommissioning process. We are focused on ensuring families are getting the support and services that they need. Can we do more? Always.

**Ms SUE HIGGINSON:** Given that there is a good tranche of new funding for ACCOs, what allocation has been made for workforce training and capacity building? In particular, are workers given retraining opportunities on their paid time? Is that something that is being overseen?

**Ms KATE WASHINGTON:** I'll have to defer to Mr O'Reilly for that. You might want to have the conversation in the afternoon. There is certainly a lot of work we are doing hand in hand with ACCOs, particularly when it comes to the new Family Preservation program that has been designed over the last 2½ years in partnership with Aboriginal families, communities and organisations.

**Ms SUE HIGGINSON:** I will come back to Mr O'Reilly a little bit later. One of the things that came through quite clearly from the report I referred to earlier—which is the Jumbunna *Independent Aboriginal and Torres Strait Islander-led review of Closing the Gap*. One of the things that was very clear in there is about the cultural load that is carried. Has any specific budget allocation been made for cultural safety initiatives for First Nations staff who bear that cultural load in DCJ?

**Ms KATE WASHINGTON:** You're talking about the Aboriginal workforce within DCJ?

**Ms SUE HIGGINSON:** Firstly, yes, as a specific.

**Ms KATE WASHINGTON:** Again, I'll defer to Mr O'Reilly around the measures that we are taking to support our workforce. We recognise that they really do work—

**Ms SUE HIGGINSON:** They don't switch off.

**Ms KATE WASHINGTON:** They don't ever switch off. They are accountable to their own communities. I appreciate that accountability for them is important and enormous.

**Ms SUE HIGGINSON:** In terms of your directives or your communication with the agencies and the department, you're very clear that that is a fundamental part of the work and that the cultural load is managed appropriately and supported?

**Ms KATE WASHINGTON:** Absolutely. If we don't do that, we're not going to have the workforce that we want and need within our own ranks to be able to respond to Aboriginal children and communities and families. We desperately want to provide them with the support that they need to be able to feel comfortable with the work that they're doing, in an area that is really challenging for any Aboriginal person to work in, and we recognise that. So, yes, there's a lot we are doing to try to ensure that they've got the support that they need to do the difficult work that they do. Honestly, we value our Aboriginal workforce so much.

**The Hon. RACHEL MERTON:** Thank you all very much for your time. Minister, were you involved in the selection of members of the Tomaree Lodge Community Engagement Committee?

**Ms KATE WASHINGTON:** No, I wasn't, but Tomaree Lodge is a place of great significance and importance to the community that I represent and now, as Minister, have responsibility for. We are working closely with the community, through the community engagement committee, and also through an agency stakeholder committee to determine the future use of that site, to harness the enormous opportunity it presents and ensure that my community's aspirations are reflected in that planning.

**The Hon. RACHEL MERTON:** So, Minister, you value engagement with committees such as the Tomaree Lodge committee?

**Ms KATE WASHINGTON:** Absolutely. It's critical to ensuring we get the best outcome possible, through that community engagement committee. Actually, I'm hosting a forum next week, I think it's on 27 August, to introduce and unveil a concept plan for the site. Everyone in the community is welcome to attend, because we want to ensure that everyone who has an interest in the site understands what the opportunities are, and we want to hear from everyone about it.

**The Hon. RACHEL MERTON:** I note that long-term Labor Party councillor, former mayor of Randwick and Labor staff member Chris Bastic is a member of the committee. Are you aware that he was charged on 30 April with assaulting Mr Peter Arena, a worker from an opposition campaign? Minister, these are serious charges. How do you respond?

**Ms KATE WASHINGTON:** I am aware that that member of the committee has been charged, and we will let the justice system play out.

---

**CORRECTED**

---

**The Hon. RACHEL MERTON:** Could you step me through the selection process in terms of attracting community members to such committees? Is there any due diligence? Are there any checks? As the responsible Minister, are you aware of expressions of interest that might be received for membership of the committee?

**Ms KATE WASHINGTON:** There were expressions of interest issued by the department, put out to anyone in the community. Everyone was invited to express their interest in being part of the committee, and then it was decided by the department as to who would be on that committee.

**The Hon. RACHEL MERTON:** So you, as the responsible Minister, were aware of Mr Chris Bastic's appointment to membership of the committee with such charges in place?

**Ms KATE WASHINGTON:** I was aware that he's a member of the committee because I've met with the committee onsite, as part of my responsibilities to help guide this process. I wasn't responsible for the appointment or decisions about who was on that committee. And, again, we'll just let the justice system play out.

**The Hon. RACHEL MERTON:** Were you or your office involved in the selection of the committee members?

**Ms KATE WASHINGTON:** No.

**The Hon. RACHEL MERTON:** Minister, I very much share the views expressed here about the critical importance of caseworkers and their work in the community, particularly with vulnerable children and families. Of the newly announced caseworker positions, how many are genuinely new roles rather than refilled vacancies?

**Ms KATE WASHINGTON:** I welcome the question because I believe it's actually referring to the budget that we announced this year, which is the \$1.2 billion Child Protection Package, which includes \$190 million for expanding and recruiting 200 more caseworkers, and supporting the more than 2,000 caseworkers that we already have with increased pay and specialised training and mentoring. As part of that package, we are ensuring that we are addressing the caseworker vacancies that we inherited. The first step we took in that, that had a significant outcome, was lifting the wages cap. I would like to table another graph for the Committee's benefit. It shows that once Labor scrapped the wages cap the former Government imposed on our caseworkers, the vacancy rate started turning around. We will keep doing the work we need to do to make sure our caseworkers feel valued, have the support for the difficult work that they do—

**The Hon. RACHEL MERTON:** Thank you, Minister. My question is how many are new roles rather than refilled vacancies.

**Ms KATE WASHINGTON:** As part of the work we are doing to support caseworkers, we have a new award being negotiated with the Public Service Association.

**The Hon. RACHEL MERTON:** I appreciate there is discussion of the award.

**Ms KATE WASHINGTON:** Part of that includes 100 new leading caseworker positions, and 200 new caseworkers will fill vacant positions. The work that we're doing on a historic new award, the first time ever that child protection caseworkers will have their own award, that's being voted on by the—

**The Hon. RACHEL MERTON:** We've covered the award, thank you, Minister. Why were casework specialist roles removed?

**Ms KATE WASHINGTON:** There are still casework specialists. What we've done is ensured that our best and brightest are on the front line, doing the work that needs to be done to protect children. Because of that decision, I think we've got 43 casework specialists now on the front line across the State and they have seen hundreds of children that we might not have otherwise been able to get to and support. As part of their work, they are not only doing casework, they're supporting and mentoring some of our newest, youngest caseworkers and mentoring them in their roles, trying to improve their retention and their efficiencies as well.

**The Hon. RACHEL MERTON:** Minister, you talk about how critical these specialist caseworkers are, and you've cited examples, but I'm talking about the removal of the specialist caseworkers.

**Ms KATE WASHINGTON:** That is part of the award that we have agreed with the Public Service Association, that we are creating 100 new leading caseworker positions. The award that's being negotiated is on parameters that have been voted on by the PSA, and 90 per cent of the workforce has supported the changes and the proposal that we have put to them in terms of increased pay, increases in terms of leadership support, training and mentoring, and the positions that we are creating. It has 90 per cent support across the workforce. And I'm told, also, that it was an extraordinary number of workers that contributed to that vote as well.

**The Hon. RACHEL MERTON:** In terms of the retention of caseworkers, how many caseworkers leave in the first year of their tenure?

---

**CORRECTED**

---

**Ms KATE WASHINGTON:** The tricky point in terms of caseworkers and their tenure comes around the two-year mark. That is why, as part of our reform, we are ensuring that caseworkers around that two-year tenure time have got additional support. Now, in terms of increased pay and increased support, what I'm hearing from the front line, from the caseworkers that I meet around the State, is that the decisions that we have made and the reforms we have underway to support them better are seeing them choose to stay. I'm hearing that regularly and, for the first time in a very long time, I'm hearing directly from caseworkers who are saying they feel a sense of hope for the future; they lost it altogether under the former Government.

**The Hon. RACHEL MERTON:** We talk about the discussions that you may be having face to face with the workers. What data or metrics are you monitoring regarding the retention?

**Ms KATE WASHINGTON:** We are closely monitoring retention, and we are seeing caseworker vacancies heading in the right direction. As I said before, when we scrapped the wages cap, it turned around immediately. I've just tabled a graph to show exactly how that happened. Then, with our 12-month agreement to increase the pay of new caseworkers, which has been in place whilst we've been negotiating an award, that saw new caseworkers receive \$8,000 in the interim. All of our new reforms will be felt by caseworkers as soon as we've got the award agreed and through the court, but it will come into play for them as of 1 July this year. They're going to see increased pay in their packets as a result of the reform and the budget that we announced this year.

**The Hon. RACHEL MERTON:** Minister, have you developed targets for these metrics?

**Ms KATE WASHINGTON:** We just want to see it keep coming down. Currently, it's sitting at 7 per cent in terms of vacancy rate. That is from a high that was around, I think, 9 per cent. It is heading in the right direction, because of all of the measures we have put in place. It was 12 per cent at its peak, I'm told. When we came in, this was a spiralling situation. It was out of control. I met with so many caseworkers around the State and they were begging with me, saying, "Why would we stay? What are you going to do?" We have acted on everything we heard from the caseworkers in terms of their need for more support and to feel valued.

**The Hon. RACHEL MERTON:** Are we measuring retention?

**Ms KATE WASHINGTON:** Absolutely.

**The Hon. RACHEL MERTON:** We talk of vacancy. In terms of the data, how often would you get the data from the department on retention?

**Ms KATE WASHINGTON:** The vacancy data is based on retention. We capture the recruitment, how many we are recruiting and how many we are retaining, and that determines the vacancy rate.

**The Hon. RACHEL MERTON:** Is the data publicly available?

**Ms KATE WASHINGTON:** Yes, it is. It's on the dashboard.

**The Hon. RACHEL MERTON:** Minister, how many caseworkers would currently be on workers compensation?

**Ms KATE WASHINGTON:** That one I would have to take on notice. I'm not sure. But I will say that the work done by child protection and out-of-home care caseworkers is some of the most difficult work done by anyone in the State. It's incredibly complex, dealing with really complex situations constantly. As Minister, I want to do everything I can to make sure that they feel valued in the system.

**The Hon. RACHEL MERTON:** Would we be able to have that information for the afternoon session, if possible?

**Ms KATE WASHINGTON:** In terms of the workers compensation? We'll try to get that for you this afternoon.

**The Hon. RACHEL MERTON:** How were the appointments to the foundational supports advisory committee made?

**Ms KATE WASHINGTON:** That was a process that—sorry, no. That's Commonwealth. That was again through an expression of interest.

**The Hon. RACHEL MERTON:** Pick me up on my terminology here—was it an open nomination process?

**Ms KATE WASHINGTON:** Ms Campbell can address exactly how those appointments were made. It was done by the department.

---

**CORRECTED**

---

**ANNE CAMPBELL:** Yes, it was done by the department, and we wanted to make sure that we actually covered all the key groups—experiences with CALD, lived experience. We had 10 peaks and 10 NGO providers, because we wanted to understand different perspectives. We're augmenting that and we started yesterday with consultations with people with lived experience in the community. We had our first session on foundational supports yesterday in Liverpool.

**The Hon. RACHEL MERTON:** I think you've got one today in Parramatta?

**ANNE CAMPBELL:** Correct.

**The Hon. RACHEL MERTON:** We're happy to elaborate on that one in the afternoon, if that's okay. Minister, since the establishment of the committee, have meetings been held?

**Ms KATE WASHINGTON:** Yes.

**The Hon. RACHEL MERTON:** Is there public information on the reporting of these meetings?

**Ms KATE WASHINGTON:** I don't believe so. I think the process that we're going through at the moment is consulting as deeply and widely as we can to get input into the design of foundational supports, because that is our agreement with the Commonwealth—that we will work with them on designing foundational supports. We were hoping to have agreement landed with the Commonwealth by now, in terms of what exact parameters we would be working within. We don't have that agreement yet, but we can't wait any longer. We want to ensure that we have got the time that we need to be able to do the deep consultation that the community deserves.

**The Hon. RACHEL MERTON:** I note that in terms of the membership of the committee—and, Anne, please correct me on this—there doesn't seem to be representation including the peer support or the non-NDIS providers. In terms of the consultation with the sector, I just raise that.

**ANNE CAMPBELL:** I can answer that this afternoon as well, but I think it's fair to say some of the members are across both NDIS and non-NDIS, but we're also doing about 30 face-to-face consultations that will pick up a much broader group of services and people.

**Ms KATE WASHINGTON:** We also want to ensure that, as part of the consultation, families and children have got voices in this process as well.

**The Hon. RACHEL MERTON:** In terms of engaging with the New South Wales disability community, we have the foundational supports. What else is taking place?

**Ms KATE WASHINGTON:** I'm not quite sure in what regard.

**The Hon. RACHEL MERTON:** Just in terms of service providers that are—

**Ms KATE WASHINGTON:** I've got the New South Wales Disability Council that advises me. I was at one of their meetings just last week. We've got the New South Wales Disability Advocacy Network that meets regularly as well. I attend their meetings too. I'm personally hearing from a range of different organisations through NDAN and those that have been elected to the Disability Council on a range of matters, including the NDIS rules that the Commonwealth has decided won't be canvassed until next year, as I understand. Ms Campbell has just reminded me that we've also got the NDIS rules committee for engagement set up so that, when the NDIS rules do change or their proposals are put, we are ready to go with a group that can help us with the decision-making around those rules, because we've got tight timing when it comes to the decision-making on those.

**The Hon. NATASHA MACLAREN-JONES:** Was there any funding allocated for foundational supports in the budget? If so, how much?

**Ms KATE WASHINGTON:** The funding for foundational supports is essentially our funding for the NDIS—\$4.1 billion every year—because the bilateral agreement was for the Commonwealth Government to do that. We have agreed that we are all going to work together. In last year's budget there was \$7.1 million allocated over two years, so that's still in play, for us to have our taskforce that has been established to do the work that Ms Campbell is talking about—that is, the deep consultation around the design of foundational support.

**The Hon. NATASHA MACLAREN-JONES:** Could I just clarify, there's no new money for foundational supports? It needs to be rolled out. When the announcement is made towards the end of this year, it will be an existing—

**Ms KATE WASHINGTON:** That's a decision still to be made. That decision will be made once we reach agreement with the Commonwealth around foundational supports and what the future of them is.

**The Hon. NATASHA MACLAREN-JONES:** But there's no money—

---

**CORRECTED**

---

**Ms KATE WASHINGTON:** There's no agreement yet to stand up services, and that will be a decision that we will make. Of course, it will necessarily involve new money.

**The Hon. NATASHA MACLAREN-JONES:** But if there's no money allocated in this budget, if an announcement is made towards the end of this year, you're saying that you won't be able to stand up any services until 1 July next year?

**Ms KATE WASHINGTON:** We will be working our way through these issues, with the Commonwealth, and we are standing ready. If we can land agreement with the Commonwealth, we see foundational supports as an enormous opportunity and a game changer. We stand ready in New South Wales, based on the deep consultation that we're doing now, to move on foundational supports. It will involve another conversation with ERC.

**The Hon. NATASHA MACLAREN-JONES:** I understand that, Minister, but I'm trying to find out where the funding is coming from. Will it be taken from existing programs, or will you be looking to Health or Education? At the moment, you're saying there's no money allocated in your department.

**Ms KATE WASHINGTON:** I just said it would have involved—sorry, keep going with your question.

**The Hon. NATASHA MACLAREN-JONES:** I'm asking how you will fund foundational supports once it is announced because there's nothing in this budget in your departments. Are you confident the Treasurer has that money? Is it coming from Health or Education? How will you fund foundational supports? The sector out there is very nervous.

**Ms KATE WASHINGTON:** It will be a decision for Government if we can land the agreement with the Commonwealth in terms of future funding.

**The Hon. NATASHA MACLAREN-JONES:** How confident are you that you'll land the decision and you'll be able to fund it?

**Ms KATE WASHINGTON:** There are two questions there. In terms of the negotiations with the Commonwealth, they are being had in rooms that I'm not in. In terms of funding, it depends on how much we are talking and what the agreement is with the Commonwealth. That is necessarily tied with a long-term health agreement. We are not signing up to foundational supports unless we understand with NDIS and Health that our State will be better off overall. I don't think the people of New South Wales would expect any different.

**The Hon. NATASHA MACLAREN-JONES:** Are you the lead Minister responsible for this negotiation, or is it another Minister?

**Ms KATE WASHINGTON:** Those negotiations are being had by first Ministers.

**The CHAIR:** Minister, I direct your attention to vision-impaired target shooting. We did talk about it last year. As you remember, last year it was one of our hot topics in relation to impaired target shooting. We spent a significant amount of time liaising with the Minister and the New South Wales police trying to resolve the situation—in the end, not really satisfactorily in many cases. Minister, could you elaborate on how you kept in touch with Minister Catley and the New South Wales police to stay abreast of the solutions being reached with vision-impaired target shooters?

**Ms KATE WASHINGTON:** As you said in your question, we met about this issue and the vision-impaired target shooters. We've certainly been involved with the police Minister and the requirements around regulating those. My understanding was that there had been a landing that the vision-impaired shooters were comfortable with in terms of trying to address some of the transport issues involved in going to a different shooting club. As I recall, the club they were associated with was no longer going to be able to support them. It then became a question of how and where they could shoot. But if you're saying that there are still ongoing issues for them, I'm happy to take that and continue to work with them to try to find a solution.

**The CHAIR:** If you could. I might come back with a couple of questions on notice in relation to that as well, just to push it a little bit further.

**Ms KATE WASHINGTON:** Indeed.

**The CHAIR:** Minister, what sort of initiatives are you taking or sponsoring currently to get more vision-impaired New South Wales residents and disabled persons in general into the sport to encourage inclusivity in target shooting?

**Ms KATE WASHINGTON:** I certainly know that the Minister for Sport is extraordinarily focused on ensuring that people with disability have access to any sport across the State. There are a lot of conversations being had around community sporting organisations and how they can be more inclusive and accessible for all

---

**CORRECTED**

---

families with all types of different needs. I'm not privy to whether or not those conversations are being had with the shooting community, but I'm open to having those conversations further with you.

**The CHAIR:** Minister, the Minns Labor Government has announced \$250,000 funding to boost New South Wales school students that aims to increase the number of Australian para-athletes in the lead-up to the Brisbane 2032 Games and challenge stereotypes about people living with disability. Can you elaborate on how much of this funding will go towards target shooting? It's a very popular Paralympic sport.

**Ms KATE WASHINGTON:** I appreciate the acknowledgement of the program. As I said earlier, it reflects on the Minister for Sport's focus on improving inclusion and accessibility of all sports. In terms of target shooting, I'm happy to have that conversation with him and you to see how that can be accommodated as part of that program—indeed, it may well already be. I'm afraid I'll have to come back to you on that.

**The CHAIR:** Will you, or could you, advocate to have vision-impaired target shooting become a Paralympic sport? It's not included at the moment.

**Ms KATE WASHINGTON:** I'm happy to have those conversations. If I might, I will correct the record for an answer I gave you earlier around boating. I thought it was the Boating Now Program, but it's the Boating Infrastructure for Communities Grants Program that involved improving disability access to a number of different boating infrastructure pieces across the State. From the information I've got, there were 40 projects to enhance disability access and 22 upgrades to boat ramps. To your earlier question, in that program there's been a real focus in terms of improving accessibility.

**The CHAIR:** Maybe you could take it on notice since you've got some information there in relation to that. How many of those are being upgraded for disability access?

**Ms KATE WASHINGTON:** I can certainly take it on notice. I think that's the broader piece of work that's going on with councils in terms of their disability inclusion action plans and their access to other different grants to improve amenities and other areas as well.

**The CHAIR:** I just go back to my earlier question. It's totally optional for councils and agencies to even consider this as a thing. I think it's important that the Government consider it. Maybe you, as Minister, could consider recommending to the appropriate Minister in relation to the infrastructure that we change the law and make it compulsory that they consider it.

**Ms KATE WASHINGTON:** I think any council that's not considering it at this point is doing their community and visitors a disservice. I know when we are making infrastructure more inclusive, particularly in holiday areas like mine, it becomes a very popular tourist destination for people with disability to travel to. Communities are missing those opportunities if they are not harnessing them.

**Ms ABIGAIL BOYD:** Just going back to the foundational supports issue, it seems that you're between a rock and a hard place. You've got an agreement that has been made to put in foundational supports at a State level. There are consultations beginning on what foundational supports look like in New South Wales, but everything is being done without knowing exactly what the Commonwealth will pay for and won't pay for. It's almost like this should have happened before the decision to pare back people's benefits. I guess the disability community's concern is that people are already feeling the brunt of the cuts that have been made. Those cuts were made by the Federal Government with this shiny silver lining of, "Oh, yes, but the States will do everything for you." It's really looking like that's not the case. How do we give any kind of comfort to people with disability in New South Wales that they're going to have the support they need?

**Ms KATE WASHINGTON:** I appreciate that there's a lot of anxiety out there about the extent of the changes and reform that's underway. I hear it often. There are couple of things in your question. We haven't agreed to implement foundational supports. We've agreed with the Commonwealth that we will work with them to design foundational supports. There is no agreement for us to implement at this point, and that turns on the "better off overall" agreement that we have got to ensure that we're not signing up unless New South Wales is better off overall with the NDIS and a long-term health agreement. That's where we're at in terms of current agreement and the work that we are doing.

You said something else that wasn't quite where we're at as well, but you're right. We are obviously consulting on what we believe are the foundational supports needed. The other aspect you mentioned was cuts. The scheme continues to grow. The Commonwealth is not cutting its funding; it is on a target for growth—up to 8 per cent. That's going to be our cap for any future bilateral agreement. That's by the agreements we've got in place at the moment. It is continuing to grow, but the Commonwealth is only meant to be, at this point, ensuring that the NDIS is operating in accordance with its original intent, which is to support people with significant lifelong disability.

---

**CORRECTED**

---

When they are now making decisions that are either to reduce plans or to remove eligibility, we want examples if that's happening to people. As I said before, that ought to be in the system. But we also understand that, when the Labor Commonwealth Government came into place, they've expanded their ability to actually question some of the participants that are in the scheme already because, as we all know, the scheme was set up before under the Coalition Commonwealth Government. That was not robust. That allowed fraud, rort and all kinds of exploitation.

**Ms ABIGAIL BOYD:** I understand that there has been a narrative of fraud. No-one is saying that people who are defrauding the system should be allowed to continue that. But I think what we're actually seeing is a significant number of people who otherwise should be getting support not getting support. My concern is with those. We heard from people—students and young people who came to our foundational supports inquiry—who were saying, "We don't care what's happening at a government level. It just seems like everyone's passing the buck. We have the need for inclusivity within our school, within our homes and everywhere that we live."

This kind of focus on the NDIS as something that was supposed to come in and suddenly make life better for people with disability has not been realised. At a State level, we still don't have minimum accessibility standards. We still don't have most schools being accessible for people in wheelchairs, even, unless you make a request for it. What we have is a system and a society that is increasingly turning its back on people with disability, and we've now added this in. I understand what you're saying about the technicalities between what the NDIS will cover and what New South Wales will cover but, if you're a person with disability who genuinely needs support, at the moment you're going without. What are you doing to advocate at a Federal level to make sure that the NDIS does everything that we need it to do while you look at how to establish foundational supports in New South Wales?

**Ms KATE WASHINGTON:** The NDIS has been an absolute game changer for many, many people with disability. We don't want to lose sight of that in any conversations around the NDIS. Does it need reform for it to be sustainable? Absolutely. What we have done as a State is ensure that, when there are rule changes in terms of eligibility and in terms of some of the changes that will impact participants in the scheme, all States and Territories have a say in any of those rule changes. They've been pushed out to next year, but that was an important part of the NDIS review in terms of changes to the scheme itself. So what we should not be seeing is any major change in the NDIS in terms of people coming out of the scheme, because there have been no rule changes that should see that happening, because we still have control and a say in those rule changes. We did that deliberately because we don't want to see, as you say, people being kicked out of the scheme before we've got the supports around them. We've got a lot more work to do, but we are doing an enormous amount of work across government—in our mainstream services, in our schools, in our hospitals, in the justice system—to improve inclusion, accessibility and supports for people with disability.

**Ms ABIGAIL BOYD:** Can we go to accessible beaches—something a bit different. It's yet another part of our society that is not accessible for many people with disability. Some councils across New South Wales have funded initiatives to make beaches accessible. On the whole, though, we're doing a lot worse than places like Victoria. Even beaches that are listed as accessible end up being not well maintained: They're closed, they're dirty and they're not doing what they should be doing. Would you be open to advocating for a State-Federal framework or strategy, or putting something in place to ensure that we have all of our beaches being accessible within a certain period of time?

**Ms KATE WASHINGTON:** As a member for Port Stephens, which has many beautiful beaches, I say that we absolutely want to make sure that our beaches are accessible to people with disability and to anyone with mobility issues. You'll be pleased to know that the Commonwealth Government announced \$17.1 million in funding for the Accessible Australia initiative. It's over four years and it goes towards exactly this in terms of improving amenities. Councils can apply for these grants to improve accessibility of beaches, including Mobi-mats—

**Ms ABIGAIL BOYD:** On that, you mentioned the \$17.1 million from the Commonwealth. My understanding is that's for all States and Territories, and it's also not just for beaches but also for accessible national parks, Changing Places facilities and play spaces. That's too small an amount of funding to possibly reach every beach, so what will New South Wales be doing to have a strategy in place to ensure that all of our beaches are accessible?

**Ms KATE WASHINGTON:** We will keep working with the Commonwealth and make sure our councils know that they have got the ability to apply for funding that will improve the accessibility of their beaches—like Port Stephens Council has done, like Coffs Harbour Yacht Club has done, and like Ballina Shire Council, Port Macquarie Hastings and Eurobodalla have under the previous grant. This has now been expanded

---

**CORRECTED**

---

so that it can capture some of the work that council wants to do to make sure they become more accessible and be the tourist destinations that they should be as well.

**Ms ABIGAIL BOYD:** As I said, a lot of those beaches are listed as accessible but, if you look past the flyers, the beaches are poorly maintained, the matting isn't out and the toilets are rarely open. I'm not taking away from the work those councils have done, which has been great, but clearly they need more support. Will you commit to engaging with peaks like Accessible Beaches Australia to learn more and discuss what a strategy could look like?

**Ms KATE WASHINGTON:** Absolutely—very happy to do that. It's important work. We've also been engaging with, as part of our commitment, Get Skilled Access. They've been doing a tourism piece with the Government as well, to ensure that there's greater understanding of the real-time accessibility of particular infrastructure in sites around the State.

**Ms ABIGAIL BOYD:** Thank you. I have raised, year after year, my concerns about the lack of funding for the Ageing and Disability Commissioner. The commission is doing what we hoped it would do, which is growing in line with demand, receiving more complex and higher risk reports and getting involved in ensuring that the police can understand situations where you have, for example, coercive control of people with disability. They're doing incredible work, but they're still not being funded on a demand-based model. Did you advocate for a demand-based funding model for the commission in this latest budget process?

**Ms KATE WASHINGTON:** What we have got in this latest budget process is \$8 million over four years for the Ageing and Disability Commission to do its important work.

**MICHAEL TIDBALL:** Additional funding.

**Ms KATE WASHINGTON:** It's additional funding. If I might just also—

**Ms ABIGAIL BOYD:** Sorry, \$8 million?

**MICHAEL TIDBALL:** Additional.

**Ms KATE WASHINGTON:** Additional—\$8 million in additional funding.

**Ms ABIGAIL BOYD:** On top of?

**MICHAEL TIDBALL:** What it was previously—

**Ms ABIGAIL BOYD:** What was the previous amount?

**MICHAEL TIDBALL:** —which was, in part, being topped up from the department, which was placing the commission in a very difficult position. There was a real need to seek those funds from Treasury. That \$2 million has been funded times four for the next four years. I very much welcome the appointment of Mr Smith and we'll work closely with him to dialogue. But, in terms of the base of the ADC this year, 2025-26 actually is a significant step forward.

**Ms ABIGAIL BOYD:** Okay but, for the almost 1½ million people in New South Wales with a disability, we're still talking about pretty small amounts of money going to a commission that can really advocate on behalf of people with disability in so many places, and protect them in harm. Did you advocate for a demand-based funding model in the latest budget round?

**Ms KATE WASHINGTON:** There is not one organisation that I have done that for. What I did push for, and what we got, was \$8 million over four years to ensure that the ADC can continue to do its important work. I endorse—

**Ms ABIGAIL BOYD:** But that was pre—

**Ms KATE WASHINGTON:** Can I just endorse Mr Tidball's recognition of Mr Jeff Smith as commissioner. It's the first time, in a budget estimates hearing as well, and I apologise.

**Ms ABIGAIL BOYD:** But that \$2 million a year was previously DCJ top-up funding, so in terms of the actual amount that the commission is getting in order to do its work, which we all agree is incredibly valuable, it's not actually seeing a significant increase, then, in funding.

**MICHAEL TIDBALL:** The total quantum now per year is \$7.2 million. As I recall it, in the years I've been in this job, I don't think the funding is always supplemented by the department to the tune of \$2 million, although I might check on that and clarify this afternoon. In terms of certainty and the commission being able to plan its work, it does place the commission in a stronger position and provides a basis for us to further look at demand and other things, and look at how we resource the commission over the longer term.

---

**CORRECTED**

---

**Ms ABIGAIL BOYD:** I would still say it's wildly insufficient. In my final few seconds can I ask, the restrictive practices consultation closed about six months ago. What's the status of that work?

**Ms KATE WASHINGTON:** There is ongoing consideration of that really detailed work that we did with restrictive practices, and the consultation process was done closely with disability community. It's also really tied in with the work we're doing around supported decision-making and guardianship. They are all related, so there's a lot of complexities, as you would appreciate. As for where we're up to entirely, Ms Campbell will be able to give more detail.

**ANNE CAMPBELL:** Do you want me to do it now?

**Ms ABIGAIL BOYD:** Yes, please.

**ANNE CAMPBELL:** We've obviously done a lot of consultation this year, so we're currently reviewing the feedback from those consultations. That's all I can really say today.

**Ms ABIGAIL BOYD:** Thank you.

**The Hon. NATASHA MACLAREN-JONES:** Just going back to foundational supports, we know the Commonwealth is tightening around people being able to enter the NDIS, which is outside your control, but we have also seen in the last 12 to 18 months programs being cut. One example is travel allowance. Organisations that provide that early intervention for young children with learning difficulties that are not on the NDIS can no longer claim that travel. That cost is then having to be absorbed into an organisation. I'm interested to know what work you are doing to support particularly rural and regional organisations that can no longer receive funding from the Commonwealth. They're not NDIS children, so the view from the Federal Government is they're a State responsibility. What are you doing to support those organisations?

**Ms KATE WASHINGTON:** I don't understand the premise of the question, only because it sounds like you are mixing the pricing guide, where there has been a change in terms of travel expenses that relates to the provision of services under the NDIS to NDIS participants, not to children outside of the system. The pricing guide and the implications of the latest decision is something that I'm speaking closely with the sector about, and the impacts that it is having on them. I'm also speaking with people with disability about those as well. Obviously the Commonwealth is making some really difficult decisions. It's causing some consternation amongst States and Territories in terms of the impacts it might have, particularly in markets where there is limited access to services. We are doing that work. But in terms of support for children outside of the NDIS, there's no different scheme for them yet.

**The Hon. NATASHA MACLAREN-JONES:** My point is that there are a number of children—I think it was the Australian Early Development Census data that found that 60 per cent of children in rural and remote areas were not developmentally on track and ready to start school. One of the biggest challenges is those are identified, or they're still trying to get diagnoses, can't get on the NDIS—it can take a long period of time. They fall to the State's responsibility to provide that early intervention wraparound support. I'm interested to know what you're doing, as the disability Minister, to support those young people.

**Ms KATE WASHINGTON:** I'm still trying to understand. Are you trying to suggest that children outside the NDIS who—are you saying the NDIS was paying for the travel for their treatment before?

**The Hon. NATASHA MACLAREN-JONES:** No, I'm talking about young people who have disability that are not on the NDIS that need support services. What are you doing to support them?

**Ms KATE WASHINGTON:** These are the conversations we are having with the Commonwealth. What was meant to happen—

**The Hon. NATASHA MACLAREN-JONES:** But they're not on the NDIS.

**Ms KATE WASHINGTON:** What was meant to happen under the agreement with the Commonwealth, when your Government signed up with the Commonwealth, was for the Commonwealth to do those supports and services outside of the NDIS. The information linkages and capacity building outside of the NDIS was part of the agreement that States and Territories signed up to.

**The Hon. NATASHA MACLAREN-JONES:** I'm aware of that, and that has all changed.

**Ms KATE WASHINGTON:** They never emerged, and that is the gap that we want to fill. That is the—

**The Hon. NATASHA MACLAREN-JONES:** And that's what I'm asking: What exactly are you doing? My understanding is WA and Queensland have actually started and are well advanced in developing an initiative around supports, and actually commissioning, in some cases, with the sector. What exactly are you doing? You've

---

**CORRECTED**

---

got a taskforce that's been in operation now for 12 months with \$7.1 million, or whatever was allocated. What exactly has been done?

**Ms KATE WASHINGTON:** What we are doing is trying to design a system of foundational supports that will make the NDIS a sustainable system and capable of continuing to make the life-changing support for people who need it. The former Government—your Government—at the time when you signed up to the NDIS, privatised everything. We had nothing left in the State in terms of—

**The Hon. NATASHA MACLAREN-JONES:** No, Minister, that is not the case. Minister, you've been in government 2½ years. You come up with these standard lines that you roll out. That is not the case, and you know it. I might actually move on. Minister—

**Ms KATE WASHINGTON:** If I might answer—Chair, if I might have an opportunity—

**The CHAIR:** Order!

**The Hon. NATASHA MACLAREN-JONES:** Minister, I'm happy to move on to another. I've got limited time.

**The Hon. EMILY SUVAAL:** Point of order—

**Ms KATE WASHINGTON:** I would like an opportunity to answer the question.

**The Hon. NATASHA MACLAREN-JONES:** You can answer it during the Government's time. Minister, I've got a question around—

**The CHAIR:** Order! A point of order has been taken.

**Ms KATE WASHINGTON:** You asked a question and you made a statement. I'm entitled to answer it.

**The Hon. NATASHA MACLAREN-JONES:** No, I've got a new question to ask. You've got Government time at the end.

**The CHAIR:** Ms Maclaren-Jones, a point of order has been taken.

**The Hon. NATASHA MACLAREN-JONES:** They can answer it during Government time.

**The Hon. EMILY SUVAAL:** Chair, it was in relation to the amount of interjections and the lack of courtesy being shown to the Minister. The Minister is entitled to answer the question that's been put, including if that question is an inflammatory comment.

**The Hon. NATASHA MACLAREN-JONES:** But she wasn't answering the question anyway. I'm happy to move on. I've got limited time.

**The CHAIR:** Would you like to answer the question, Minister?

**Ms KATE WASHINGTON:** I would. Thank you, Chair.

**The CHAIR:** I uphold the point of order.

**Ms KATE WASHINGTON:** I would like to continue answering the question that I was interrupted from before. The reason why this is important is that other States and Territories still have some disability services operating. That's in contrast to what happened in New South Wales. There are no more disability services. They were all privatised when your Government signed up to the NDIS. We've got a standing start here in New South Wales because the whole landscape was lost when it came to disability services being delivered by the New South Wales Government.

**The Hon. NATASHA MACLAREN-JONES:** Minister, you're repeating what you've already said. I'm happy to move on. I've got limited time. Minister, on to the Carer Allowance, you talked about recruiting 200 emergency foster carers. I want to know how many of those are new carers and how many are existing carers that are now taking emergency placements?

**Ms KATE WASHINGTON:** When it comes to foster carers and the recruitment of foster carers, it is part of our effort and reform to fix the crisis that we inherited. We have switched back on the recruitment of foster carers that had been switched off, inexplicably, by your Government, and it was—

**The Hon. NATASHA MACLAREN-JONES:** Minister, I'm asking specifically, of the 200, how many are new carers and how many are existing carers?

---

**CORRECTED**

---

**Ms KATE WASHINGTON:** We now have more than 200 emergency foster carers as part of that recruitment.

**The Hon. NATASHA MACLAREN-JONES:** Yes, and how many—

**Ms KATE WASHINGTON:** I will have to take on notice the number of those that were existing carers.

**The Hon. NATASHA MACLAREN-JONES:** Thank you. Minister, you tabled a document that you asked the NGO sector to send out about carer support and allowance. Did you also instruct your department to send the same letter to families?

**Ms KATE WASHINGTON:** At this stage the NGOs are sending theirs out. I believe that we are also doing that.

**PAUL O'REILLY:** Yes, shortly.

**Ms KATE WASHINGTON:** Yes, ours are still to come.

**The Hon. NATASHA MACLAREN-JONES:** I just want to confirm that all carers will receive the 20 per cent increase.

**Ms KATE WASHINGTON:** What we have said—and we're still working through the exact way this is going to come into effect—is it is part of the \$144 million in our \$1.2 billion child protection package, which will see foster carers get the first increase in more than 20 years. What we are seeing will be a 20 per cent increase to the base foster carer allowance. Calculations are still being made as to how that's going to land.

**The Hon. NATASHA MACLAREN-JONES:** I just want to confirm that all carers with NGOs, ACCOs and the department will receive that 20 per cent.

**Ms KATE WASHINGTON:** Yes.

**The Hon. NATASHA MACLAREN-JONES:** Every single carer?

**Ms KATE WASHINGTON:** And people receiving the payments who have got children in guardianship.

**The Hon. NATASHA MACLAREN-JONES:** When can the NGOs and ACCOs expect to receive the additional funding to be able to pay the carers?

**Ms KATE WASHINGTON:** The lift in foster carer allowance, for the first time in 20 years, is coming into effect on 1 January.

**The Hon. NATASHA MACLAREN-JONES:** Why the delay, rather than 1 July?

**Ms KATE WASHINGTON:** We are going to take some time because it is a complex system. If you are being critical of the delay of something that hasn't changed for 20 years—

**The Hon. NATASHA MACLAREN-JONES:** No, only because there was an expectation—

**Ms KATE WASHINGTON:** It's something you could have done in government yourself if you want to be critical of it.

**The Hon. NATASHA MACLAREN-JONES:** No, there was an expectation from carers it would be paid on 1 July in your announcement. That's all. I was just interested.

**Ms KATE WASHINGTON:** We were very clear this was going to be coming into effect on 1 January. I am meeting with carers around the State who are relieved that it is coming and are grateful for the fact that they are starting to feel valued when they did not for very many years.

**The Hon. NATASHA MACLAREN-JONES:** Minister, it was touched on before regarding the 200 Aboriginal children that have transferred from ACCOs back to DCJ. I'm interested to know what work has been done to support ACCOs, particularly around training and capacity uplift. It's something I have asked about previously.

**Ms KATE WASHINGTON:** We fund AbSec as their peak through a range of different programs. We've got, obviously, the sector peaks program, but they are funded to support different other programs as well. I think this year they've got \$5.7 million in funding that will go towards, in various programs and ways, the support for ACCOs.

**The Hon. NATASHA MACLAREN-JONES:** Since the removal of the Structured Decision Making tool, how many Aboriginal children have entered care?

---

**CORRECTED**

---

**Ms KATE WASHINGTON:** I'll have to take that on notice, but we heard Aboriginal communities and families about the importance of switching off that tool and putting in place an interim tool. The work on the redesign of the tool going forward is being done closely in partnership with AbSec and ALS.

**The Hon. NATASHA MACLAREN-JONES:** That's okay. I can cover that this afternoon. Minister, you received a letter from an ACCO—this is in relation to contract variations—and the ACCO has advised that they do not intend to sign on to the variation. What have you put in place to manage the return of these children—I understand there's around 50 or more—from the case management of that ACCO to DCJ?

**Ms KATE WASHINGTON:** As part of the contract variations—which are our response to improving accountability and transparency across the system, and in response to the numerous reports that have landed on my desk saying that we need to improve accountability and transparency—anyone that's not signing up to the contract variations, we have not said that their contracts end.

**The Hon. NATASHA MACLAREN-JONES:** That's good. That's our understanding, that it would. Minister, I might move on. How many children between the ages of 14 and 16 who have been reported as ROSH are not in a secure home? Couch surfing or—

**Ms KATE WASHINGTON:** I will have to take that on notice.

**The Hon. NATASHA MACLAREN-JONES:** When a child or a young person presents to a homeless organisation, what support is provided by DCJ to ensure that they have a caseworker?

**Ms KATE WASHINGTON:** That would entirely depend on that child's circumstances as to what's appropriate in terms of which service is providing that support. There's a whole range of options, whether it's through homelessness support or through the department.

**The Hon. NATASHA MACLAREN-JONES:** Are they assigned a caseworker?

**Ms KATE WASHINGTON:** It depends if the child is in care or out of care.

**The Hon. NATASHA MACLAREN-JONES:** If they're in care and not in their placement, and they present to a homeless organisation, what actions are taken by your department?

**Ms KATE WASHINGTON:** Then we have casework support in place to ensure that those children are safe.

**The Hon. NATASHA MACLAREN-JONES:** What is the process you have for those that don't have a caseworker already assigned?

**Ms KATE WASHINGTON:** There isn't a child in out-of-home care that has not got a caseworker assigned to them.

**The Hon. NATASHA MACLAREN-JONES:** Sorry, I should rephrase. They're not in out-of-home care, so therefore they don't have a caseworker, but they present to a homelessness organisation.

**Ms KATE WASHINGTON:** If they are considered to be at risk, they should be reported to the child safety line and the supports will be provided by the homelessness service that they are turning up to. Then we will assess whether there are any safety concerns and determine what's the appropriate response to ensure the child is safe.

**The Hon. NATASHA MACLAREN-JONES:** But we have already found there's potentially 10,000 or more—13,000 reports that aren't being assessed as we speak.

**Ms KATE WASHINGTON:** There are issues in terms of our ability to respond. We are doing everything we can to rebuild the system to ensure that children get the response they need when they need it and where they need it.

**The Hon. NATASHA MACLAREN-JONES:** Minister, I ask each year usually about the education plans for young people. Last September, estimates were advised last year's figures were 70 per cent were enrolled—these are children in out-of-home care that were enrolled in school. We were advised that the figures for this year would be available in June '25. Do you have those?

**Ms KATE WASHINGTON:** In terms of—

**The Hon. NATASHA MACLAREN-JONES:** The number of children in out-of-home—

**Ms KATE WASHINGTON:** Their enrolment at schools? Yes, I believe we've got those and we can provide them to you. I can take it on notice and provide them to you.

---

**CORRECTED**

---

**The Hon. NATASHA MACLAREN-JONES:** Could you attempt to have that for this afternoon?

**Ms KATE WASHINGTON:** Yes, I think we've got them handy.

**The Hon. NATASHA MACLAREN-JONES:** Also, how many of those children have an education plan?

**Ms KATE WASHINGTON:** Under the human services agreement, we expect all children to have an education plan. Whether that's the case, we are still trying to ensure that our data captures exactly what's happening. But I can assure you that education and connection to education is a key priority for us, because we know that that determines lifetime outcomes.

**The Hon. NATASHA MACLAREN-JONES:** That's the same answer you pretty much gave at the last two estimates. Hopefully, next estimates you'll have an idea of how many children in your care have an education plan, because we all agree that having an education and ensuring all those children get one is a priority.

**Ms KATE WASHINGTON:** The data that we will be providing to you this afternoon is data that was not available before under your Government because we now have got arrangements with data sharing with the education department. Yes, it is the evidence I gave before that I was shocked when I became Minister that that education data was not being shared with DCJ. Now it is, and we're getting more of a picture of what it means in terms of our kids, the kids in the system, enrolling and staying at school, which is so critical.

**The Hon. NATASHA MACLAREN-JONES:** That includes their education plan?

**Ms KATE WASHINGTON:** Every child that comes into the system ought to have an education plan.

**The Hon. NATASHA MACLAREN-JONES:** I know what they're meant to have. I'm asking how many have one.

**Ms KATE WASHINGTON:** That is data that we are still ensuring we are capturing accurately.

**The Hon. NATASHA MACLAREN-JONES:** When will you be able to have that data, if you're still working on it and have been for quite some time?

**Ms KATE WASHINGTON:** I think you're talking about two things here. You're talking about whether they're enrolling at school—

**The Hon. NATASHA MACLAREN-JONES:** Yes, and we have established that is done.

**Ms KATE WASHINGTON:** —which has been the focus of our efforts because that's the critical point about whether or not the kids are actually going to school.

**The Hon. NATASHA MACLAREN-JONES:** As is an education plan.

**Ms KATE WASHINGTON:** The education plan, that's another data point that we're going to be trying to capture as well.

**The Hon. NATASHA MACLAREN-JONES:** Do you have a time frame?

**Ms KATE WASHINGTON:** As I have said numerous times, we have been open and honest about the system we have. Any data that we can capture, we are trying to make it as public as possible.

**The Hon. NATASHA MACLAREN-JONES:** Do you have a time frame of when you'd be expecting to know how many children in your care—

**Ms KATE WASHINGTON:** I don't have that for you right now.

**The Hon. NATASHA MACLAREN-JONES:** Can you take it on notice?

**Ms KATE WASHINGTON:** I can take that on notice, yes.

**The Hon. NATASHA MACLAREN-JONES:** How many children in your care have a healthcare plan?

**Ms KATE WASHINGTON:** Again, that is a requirement that every child who comes into the system has not only a healthcare plan but, more importantly, starts a health check within 30 days of coming into the system.

**The Hon. NATASHA MACLAREN-JONES:** And how many—

**Ms KATE WASHINGTON:** Again, we are doing the work that needs to be done to tighten up our capture of that data.

---

**CORRECTED**

---

**The Hon. NATASHA MACLAREN-JONES:** But no time frame?

**Ms KATE WASHINGTON:** I can provide that to you on notice.

**The Hon. NATASHA MACLAREN-JONES:** How many children have a cultural plan?

**Ms KATE WASHINGTON:** That is reported and I can provide that information to you. For Aboriginal children under my parental responsibility, as of June 2025 we've got 4,329, which is 71.4 per cent.

**The Hon. NATASHA MACLAREN-JONES:** Minister, why is it that you know how many children have cultural plans but you don't know how many are enrolled?

**Ms KATE WASHINGTON:** We are giving you that data this afternoon, in terms of enrolments at school. We know how many children are enrolled.

**The Hon. NATASHA MACLAREN-JONES:** I just find it interesting.

**Ms KATE WASHINGTON:** That's the data that we have been securing in a new arrangement with the education department, that your Government failed to do entirely.

**The Hon. NATASHA MACLAREN-JONES:** Minister, just looking at the family preservation funding, there's been \$5.6 million allocated for implementation. How much will be allocated to NGOs or peaks for the implementation.

**Ms KATE WASHINGTON:** Sorry, I missed the—

**The Hon. NATASHA MACLAREN-JONES:** Of the family preservation funding, in the budget it says \$5.6 million has been allocated for implementation. Can you outline what that is and how much will be allocated to NGOs or peaks, if any?

**Ms KATE WASHINGTON:** I'm going to defer to Mr O'Reilly, because he is the expert on everything to do with the family preservation program, but as I understand it is ensuring that we've got a rigorous evaluation program that sits alongside the new family preservation programs that we are recommissioning. Is that accurate, Mr O'Reilly?

**PAUL O'REILLY:** Yes, there is certainly \$5.6 million set aside for implementation, but the way that will be invested has not yet been determined. There are a couple of reasons for that. This model, unlike previous years, is a needs-based model. That will mean there will be changes in some locations about where services are going to be increased. We have just recently closed the tenders for that program about two weeks ago. The assessment of applications will commence shortly, and we'll have the contracts up and running by April. In between now and April there's a really complex transition plan coming together. Part of that is consultation with successful providers to identify what is going to be most effective and helpful in terms of investment of that implementation funding.

**Ms SUE HIGGINSON:** Minister, is it the case that the numbers at the moment are that on average 15 Aboriginal children are being removed each week? Is that your understanding?

**Ms KATE WASHINGTON:** Sorry, I missed the—

**Ms SUE HIGGINSON:** Fifteen Aboriginal children per week are being removed from their families. Is that your understanding?

**Ms KATE WASHINGTON:** I will have to check that, Ms Higginson.

**Ms SUE HIGGINSON:** I think that was from your annual statistics report. That's the figure I'm working on. On that basis, I'm just curious about what is your work at the moment, and your intention, in terms of the Family is Culture implementation? The last time we spoke at budget estimates you made comments to the effect that you are looking at significant changes to legislation, which will be informed by the work you're doing. Can you tell us where we're up to, particularly in that second tranche of Family is Culture reform that the peaks have been calling on for a long time now?

**Ms KATE WASHINGTON:** When it comes to the work being done to start seeing a reduction in the number of Aboriginal children coming into the system, there are a number of pieces at play, like the active efforts—

**Ms SUE HIGGINSON:** Which was a result of the first round of reforms. I'm just curious about the next round of reforms and where that's up to. Is that your intention whilst you're in this term of Government?

**Ms KATE WASHINGTON:** We've got a number of pieces of reform, which I have mentioned already, which all go to trying to ensure that we've got the support in place for Aboriginal families and communities to

---

**CORRECTED**

---

reduce children coming into the system. The implementation of active efforts is really significant, but the work that we're doing around the risk assessment tool, the work that we've done in expanding pregnancy family conferencing across the State, and the work that we've done with family group conferencing, which I think I reported to the Committee before, has got a significant number of workers that are going to be implementing that program. They're on a panel and 49 per cent of them are Aboriginal, so we're seeing most Aboriginal families going into the family group conferencing able to access support from an Aboriginal person. All of these pieces together go towards addressing some of the recommendations that came out of FIC. They also go to addressing issues that arose from the Aboriginal family and wellbeing conference that I held. They also go to addressing— Mr O'Reilly can tell me how many actual recommendations from each of the Auditor-General—

**Ms SUE HIGGINSON:** Minister, I hear all of this, and I accept that so much good work is happening, but I'm just going to a legislative agenda. We saw these reforms and changes enabled because of that first tranche of the implementation of the Family is Culture review and the legislative changes under the former Government. You did say that you had a plan. Is that plan not currently a priority plan, to do further legislative reform, and perhaps even the comprehensive review of the children and young persons legislation? Has there been a change and that's no longer a priority?

**Ms KATE WASHINGTON:** Nothing is off the table, in terms of our reform at this point.

**Ms SUE HIGGINSON:** Is it on the table?

**Ms KATE WASHINGTON:** But what we need to ensure is that the legislation reflects the reform and the reform work is still being done. So we are still redesigning and have really big decisions to make about what the system looks like. Any legislative change has to be done in lockstep with the changes that we're making.

**Ms SUE HIGGINSON:** Will that be done in this term?

**Ms KATE WASHINGTON:** There is invariably going to be legislative change.

**Ms SUE HIGGINSON:** In this term of Parliament? In this term?

**Ms KATE WASHINGTON:** I can't say whether it's going to be in this term of Parliament or not. It depends on the decisions that are to come.

**The Hon. NATASHA MACLAREN-JONES:** Just back to residential care, and the cottages that you are currently operating, I'm interested to know what the youngest age of a person is in that care.

**Ms KATE WASHINGTON:** What I'm particularly pleased with, in terms of the Waratah Care Cottages, is that they are designed to keep siblings together. So we do have children with quite an age range, where they are siblings. I'll get the detail to you in terms of the youngest in one of our cottages, but it does mean that there are age ranges, because it means that they can be together in one home instead of a high-cost emergency arrangement, or a hotel or motel, which we got them out of to come into the Waratah Care Cottages.

**The Hon. NATASHA MACLAREN-JONES:** While you're finding that data, do you have the number of children currently in serviced apartments? Are you able to source that figure?

**PAUL O'REILLY:** Yes.

**Ms KATE WASHINGTON:** Mr O'Reilly says that we can.

**PAUL O'REILLY:** Yes, we do. In the HCEA program, specifically in the IPA section, there are 18 children in serviced apartments. I should add, the serviced apartments are not hotels; they are apartments with cooking facilities, separate rooms, lounge rooms and everything.

**The Hon. NATASHA MACLAREN-JONES:** They're very similar to hotels. Serviced apartments— hotels.

**PAUL O'REILLY:** I don't think that a serviced apartment is the same as a hotel room. I think they're different.

**The Hon. NATASHA MACLAREN-JONES:** The Auditor-General made a view that serviced apartments, hotels, motels were all the same. What's the youngest age?

**PAUL O'REILLY:** I don't think that's exactly what the Auditor-General found. Certainly the Auditor-General's view was that we need to move away from them, and we certainly intend to. We've dramatically reduced the use of serviced apartments, but there are times when there is an emergency and something safe, secure, with separate rooms is needed, and that is sometimes what we fall back on.

---

**CORRECTED**

---

**The Hon. NATASHA MACLAREN-JONES:** What's the longest stay of a young person in a serviced apartment?

**PAUL O'REILLY:** I would have to come back to you on that.

**The Hon. NATASHA MACLAREN-JONES:** Just checking, are they contracted staff that are on 24-hour rotation?

**PAUL O'REILLY:** Yes but they're accredited providers providing that care.

**Ms KATE WASHINGTON:** As opposed to the unaccredited providers that were doing the alternative care arrangements that came into practice under your Government. If you're suggesting that there's—

**The Hon. NATASHA MACLAREN-JONES:** Minister, the point is you still have young people in serviced apartments with staff members rotating 24/7.

**Ms KATE WASHINGTON:** If you are suggesting that that is in any way like the system that you set up, where kids were in hotels and motels with unaccredited providers, you are very wrong. It is on your watch—

**The Hon. NATASHA MACLAREN-JONES:** Minister, you made an announcement last year that you were shutting down ACAs and all you've done is change the name, using "IPAs"—

**PAUL O'REILLY:** That's not true.

**The Hon. NATASHA MACLAREN-JONES:** —and shifting children into rostered accommodation in serviced apartments for we don't know how long.

**Ms KATE WASHINGTON:** Changing names of high-cost emergency arrangements is your game, not my game. What we have done has been—

**The Hon. NATASHA MACLAREN-JONES:** Minister, that is exactly what you did. You made a stunt last year saying you were shutting them down. You're still operating serviced apartments with rostered staff.

**Ms KATE WASHINGTON:** What we have done is shut down the unaccredited emergency accommodation that your Government set up. When we came in, there were 131 kids in those hotels, motels and caravan parks with unaccredited providers, and now there are none. If you want to be critical of that, go for it. You'll be the only one in the State.

**The Hon. NATASHA MACLAREN-JONES:** I'm not being critical, Minister. I'm pointing out that you've been playing on words. You've got kids in apartments, potentially for weeks or months. That is not "emergency placements".

**Ms KATE WASHINGTON:** When you were in government, high-cost emergency arrangements skyrocketed—

**The Hon. NATASHA MACLAREN-JONES:** IPAs are high-cost as well.

**Ms KATE WASHINGTON:** —and we have been doing everything we can to build back the basics and create more placements by recruiting foster carers, by supporting our caseworkers, by making sure kids have got somewhere else to go other than these high-cost arrangements that somehow you've—

**The Hon. NATASHA MACLAREN-JONES:** Minister, you've lost over 1,000 foster carers since you came into government.

**Ms KATE WASHINGTON:** Somehow you are affronted by the fact that we have children with accredited providers in serviced apartments—

**The Hon. NATASHA MACLAREN-JONES:** On rotational staff, staying in apartments.

**Ms KATE WASHINGTON:** —when you had them in unaccredited hotels and motels.

**The CHAIR:** Questioning has come to an end. I see Ms Suvaal is chafing at the bit to ask detailed questions of the Minister.

**The Hon. EMILY SUVAAL:** Minister, the Hon. Natasha Maclaren-Jones mentioned the Government's re-entry into the residential care space and the quality and qualifications of staffing. Do you have any further information about the Waratah Care Cottages that you wish to share with us?

**Ms KATE WASHINGTON:** There has been a suggestion today that somehow the Waratah Care Cottages might not be providing the care and support that these vulnerable kids need. I am particularly proud of the way the department has moved in a very short space of time to stand up residential care for the first time in

---

**CORRECTED**

---

two decades. What we have seen because of that is sibling groups being able to be kept together that would otherwise be in high-cost emergency arrangements. Under the previous Government, they would have been in hotels and motels, separately, with an unaccredited provider. We don't have those in the system anymore; they have been prohibited.

Waratah Care Cottages—I've visited two of them. They are places that are going to be able to provide therapeutic support and care for these kids, ensure that they are connected to school and ensure that they keep connected with their families as well. Pleasingly, what we have found through the good work of the Office of the Children's Guardian—they have confirmed that the Waratah Care Cottages meet the highest standard of care in New South Wales, which is the NSW Child Safe Standards, for permanent care. The review praised DCJ and the model for its responsive and holistic approach, including tailored care for sibling groups, strong family engagement and coordinated case planning.

I want to really thank the DCJ teams that have been part of standing up these really beautiful homes for kids who need them most, keeping siblings together. Any suggestion today that they don't somehow meet any standards, that they somehow aren't supporting these vulnerable kids in the best way possible, I refute entirely. I might also take this opportunity to thank the amazing DCJ teams here.

**The Hon. GREG DONNELLY:** Hear, hear!

**The Hon. NATASHA MACLAREN-JONES:** Hear, hear!

**Ms KATE WASHINGTON:** These people are leading the good work that's happening across the department. It's because of their good work that we were able to see the focus for vulnerable children become a centrepiece in this year's budget for the first time—certainly in my decade of being in Parliament, and I expect for much longer. Having a \$1.2 billion child protection package in this year's budget will make a difference to vulnerable kids in this State. We are determined to make that difference, and the people here are doing a lot of difficult work to make that happen.

I also really want to thank the people that it wouldn't have happened without: the Premier, who's backing us and our reform; the Treasurer, who's backing us and our reform; and the department is backing us and our reform; and all of the amazing workers who aren't here today behind the good people who are. I also want to acknowledge Ms Rachael Ward for stepping into a really difficult role—apologies for not doing that yet today, but you're doing an amazing job in acting in a really important role in keeping kids safe—and, again, Mr Jeff Smith for joining us as commissioner. Thank you very much.

**The Hon. EMILY SUVAAL:** Thanks, Minister. Do you have any further relevant graphs that you wish to table and share with the Committee in relation to the Government's reforms to turn around the broken child protection system that we inherited?

**Ms KATE WASHINGTON:** As it happens, I do, Ms Suvaal.

**The Hon. EMILY SUVAAL:** Wonderful.

**Ms KATE WASHINGTON:** I know. I have got a clear graph which shows that, in terms of the permanency support contract that the former Government put in place, as soon as the contract was introduced we saw authorised carer numbers plummet. We also saw, courtesy of that contract, funding per child increase, which demonstrates that fixing this system is not about pouring more and more money into it. It is about rebuilding the basics that we are doing right now. We also have a graph that goes to one of the questions asked earlier around HCEAs. We have a clear graph about the unaccredited emergency arrangements of ACAs—how they were, at their peak, at around 139 children. Now, we are relieved to say that there are no kids in hotels, motels and caravan parks with unaccredited providers in New South Wales, and there won't be in the future.

**The Hon. GREG DONNELLY:** Hear, hear!

**The Hon. NATASHA MACLAREN-JONES:** Hear, hear!

**The CHAIR:** Thank you, Minister. We're finished with your evidence. Thanks very much for your attendance today and answers to questions. The Committee will now break for lunch and return at 2.00 p.m. for further questioning.

**(The Minister withdrew.)**

**(Luncheon adjournment)**

---

**CORRECTED**

---

**Ms ABIGAIL BOYD:** If I could start with Ms Ward, on the Working with Children Check questions that I was asking before, do you want to provide a fuller response for us?

**RACHAEL WARD:** Absolutely. That was in relation to the prohibition notices and ECECRA?

**Ms ABIGAIL BOYD:** It was in relation to what has been done in addition to—we have the bill that has been announced now, which is designed to close a couple of the loopholes, but we're already seeing that there are lots of other problems with the Working with Children Check. The Minister suggested that there had been a broader review, which I understand was announced a couple of years ago. Can you give us an update of where that is at?

**RACHAEL WARD:** Absolutely. Before this amendment bill passed in relation to the NCAT appeal rights and having the internal review coming internally to the OCG, there was already work underway for the Working with Children Check amendment Act, and that is slated to commence—the discussion paper needs to be tabled with the Minister by the end of October, early November and then out for public consultation during November, December and January. That is after years of working within the Working with Children Check Act and noticing some of the nuances, and that framing will be within the discussion paper for public comment. It will enable all, really, to have their say as to what the New South Wales public thinks should be in the Working with Children Check Act.

**Ms ABIGAIL BOYD:** There have been a few ideas floated. One of them has been a more real-time Working with Children Check so that, instead of it being every five years, say, it is something that is a bit more nimble and will update people when there are changes to it so that employers know straightaway. Is that something that is anticipated to be part of the discussion paper and the review and, going forward, what we might end up with in New South Wales?

**RACHAEL WARD:** It is included in the discussion paper, but only to this end: to talk about it as a concept because, for New South Wales, even though it's a five-year check, we have a continuous monitoring system. Whether it's one year, three years, five years or ten years even, that continuous monitoring of New South Wales police and workplace records happens constantly. Say we get a hit one day—on that same day, a person can be issued an interim bar and, if they're verified, the employer will be contacted.

**Ms ABIGAIL BOYD:** Why would it be that some of the notifications from the early childhood education authority weren't coming through to OCG in a way that resulted in these checks being cancelled?

**RACHAEL WARD:** Yes. Prohibition notices that are issued by the ECECRA are not captured within the Working with Children Check legislation, which triggers an automatic risk assessment or disqualification. However, when we do receive the list of prohibition notices, ECECRA shares that with us under chapter 16A. That is a national register. With the figures that you talked about this morning, there were 235 in that list that you mentioned. They were not confined to New South Wales. Twenty-one of those were confined to New South Wales, and they were investigated and banned from working with children, as you rightly said. There are a number pending in the list for risk assessment, and there may be further bars as a result, but they automatically—if there's a check or there's somebody that has come through on a prohibition notice from another State, and if they don't have a Working with Children Check in New South Wales, it will just go into our system as a probity flag. But, other than that, unless they apply for a check, we wouldn't find it until we did a records review.

**Ms ABIGAIL BOYD:** There are a couple of things. One of the issues, for example, that we gave you last week in our hearing was in relation to somebody who had been prohibited from working with children by the early childhood education regulatory authority—within early childhood, I should say—but then, two years later, was given a full Working with Children Check and thought that they could continue to work. How does that happen? Did you look into that already?

**RACHAEL WARD:** I haven't, but I will. I will need some more details for a particular case, and I really would like to look into that case to see how that would happen, because it shouldn't. If an employer is verifying everybody that's working within their organisation—and the legislative requirement is that they should be doing that—it should not happen.

**Ms ABIGAIL BOYD:** That document was tabled, so it's part of the tabled documents on the hearing website. But that was one where it wasn't about the employer checking, because they actually had a Working with Children Check. The point was that they had been issued a new Working with Children Check after they had been prohibited from working in early childhood centres. My understanding is that this is not the only one of these that is out there. How does that happen?

**RACHAEL WARD:** I'd look into the particular case, but it could be the different standards. A prohibition notice from ECECRA, or the Department of Education for that matter, can be issued for any number

---

**CORRECTED**

---

of reasons. I'm instructed that it could be for non-child-related conduct, including theft or being absent from duty without approval. Those things necessarily might spark a prohibition notice, but it wouldn't spark anything for a Working with Children Check to say that this is a risk to work with children.

**Ms ABIGAIL BOYD:** That then brings us to another one of the ideas that has been put forward in relation to Working with Children Checks, which is that we have conditional approval so that, for example, you can work with children in this particular instance but not in that instance. For example, I've seen people given prohibition notices because they have lost their temper and treated children in a really poor way, but the regulator has said, "We think this is to do with you being under a particular stress or your particular centre not having the right supports," or whatever it is. Is there a proposal, or has any thought been given to the idea, that someone might be prohibited from working with children in an intense setting such as early childhood but might still be okay to go and do contract work on a school doing construction, for instance?

**RACHAEL WARD:** I'd have to take that question on notice. I can't recall whether or not it's in the discussion paper, but I would make this comment: I think it would be a slippery slope because, when we are already having compliance and verification issues, to then add an element of supervision or your check is only valid for this purpose, I think, could actually create a loophole.

**Ms ABIGAIL BOYD:** As we know, under the early childhood education regulatory framework, there is a requirement that all educators and teachers working in these centres have a Working with Children Check. But, again, what we were talking about last week was that huge numbers of these aren't actually checked and, when the regulator goes in, they're not being provided with evidence that there's been any check—that those Working with Children Checks have been verified. I understand that, under that regulation, the fine is basically nothing. What should we be doing, and what will be done in future to ensure that every single person in an early childhood centre, whether they are in the centre as a contractor or in there as a permanent employee, has the requisite check?

**RACHAEL WARD:** I think there needs to be almost a blitz to ensure current verification and compliance rates. I do have some figures, which I can find for you in a moment, but I think—and we spoke about this on Thursday—we need to normalise the idea of checking somebody's Working with Children Check. Whether you're a parent or whether you're a fellow worker, you can scan it on your own phone through the Service NSW app to ensure that someone is cleared and is working there that day with your child.

**Ms ABIGAIL BOYD:** Perhaps we'll take up the figures later. I am glad you say a "blitz", because that is the word I used. We put out a press release calling for a blitz.

**RACHAEL WARD:** Did you? A blitz.

**Ms ABIGAIL BOYD:** It's good that you support that.

**RACHAEL WARD:** Absolutely.

**Ms ABIGAIL BOYD:** Moving on to something entirely different, I did want to give you, Mr Tidball, the opportunity to talk about the work that is being done in relation to the Family Court and child protection when there is domestic and family violence in particular, but we are talking about child protection, so I believe it falls within this portfolio area. We finally got that report response from our 2022 New South Wales inquiry into child protection. It came through in February this year. Unfortunately, a lot of the recommendations were simply noted but, in relation to the ones that have been supported, has any work been done to implement those recommendations?

**MICHAEL TIDBALL:** I believe so. I can confirm, Ms Boyd, that the arrangements for information sharing between the Family Court jurisdiction and the State jurisdiction of child protection was a matter that was on the agenda of the standing committee of Attorneys General meeting held in Sydney last Friday. As I recall, there is a protocol that supports those arrangements to be updated. There is then the separate question of referrals—where matters are flagged or emerge in the course of Family Court proceedings—to the State for a response pursuant to the State's care and protection jurisdiction. Those arrangements are still the subject of regular discussion between the State—notably, myself as secretary—and the Family Court. If you recall, in previous evidence I indicated, I believe from memory, that the referral rate was low. We've centralised the response to those matters when they're referred with a view to ensuring that there is rigour and that any matters that should be taken up by the State are, in fact, followed up.

**Ms ABIGAIL BOYD:** A couple of the recommendations were in relation to training—there was one for training for legal professionals and one for training for the NSW Police Force—to better develop the understanding of the dynamics at play when you have children who have been subject to risk-of-harm reports and they're part of a domestic violence scenario. In relation to the Department of Communities and Justice working

---

**CORRECTED**

---

with the NSW Police Force to develop training and guidance, it was only noted in the response. Are you able to tell us why it was simply noted rather than the Government supporting that recommendation?

**MICHAEL TIDBALL:** It may have turned on resourcing. I recall the recommendation. I would like to give you a considered response on notice, if I may, to that question.

**Ms ABIGAIL BOYD:** That would be great.

**MICHAEL TIDBALL:** Can I just indicate, if it is something which I am able to take up with New South Wales police now, and if I could just assess the merits of it, I would be happy to undertake to do that.

**Ms ABIGAIL BOYD:** In the budget, there is a reference to \$8.5 million to fund disability initiatives and upgrade government-owned disability properties. I understand it includes critical upgrades to Tomaree Lodge. What are the other specific disability initiatives that will be funded under that allocation?

**MICHAEL TIDBALL:** I am going to turn, if I may, to Ms Campbell to respond.

**ANNE CAMPBELL:** Yes, there is some money set aside—I think it's \$3.5 million over two years—to look at existing assets—group homes—and to actually upgrade them. Some of the stock is very old and not fit for purpose. It's really to assist in that process of identifying some key properties in locations and improving the environment for people with disability.

**Ms ABIGAIL BOYD:** We had the \$8.5 million listed for that and the \$8 million listed for the Ageing and Disability Commission. That was an additional \$8 million over four years.

**MICHAEL TIDBALL:** Over four years. From memory, taking the total from I think \$5.72 million—uplifted to \$7.72 million.<sup>1</sup> Correct.

**Ms ABIGAIL BOYD:** Given that that additional \$2 million a year is not coming out of DCJ anymore, but previously it was, does that mean that there is now scope for DCJ to top that up even further?

**MICHAEL TIDBALL:** As I have indicated in my evidence this morning, Ms Boyd, I look forward to working closely and collaboratively with Mr Smith, the new commissioner. I am sure he will not be backward, as other commissioners have not been, in raising their need for resources. We needed certainty about that \$2 million. It hadn't always been \$2 million. From memory, it had been less. With that addressed, and with that certainty for four years, I am always up for discussion with the commission as to how we can help them better do their work. For me to venture beyond that response would be perilous. I'm really happy to engage with the commissioner, and am always happy to engage with him in working to progress the budget process.

**Ms ABIGAIL BOYD:** That is a very diplomatic response, thank you.

**ANNE CAMPBELL:** Can I just add to that too, Ms Boyd? Of the \$2 million, \$1 million did come from DCJ and \$1 million through the budget process.

**MICHAEL TIDBALL:** But guaranteed for four years, which is the difference.

**Ms ABIGAIL BOYD:** I understand, thank you.

**ANNE CAMPBELL:** Sorry, Ms Boyd, I just want to correct myself. I said \$3.5 million—it was \$3.9 million for the SDA group homes.

**Ms ABIGAIL BOYD:** Got it. In terms of overall funding of new things for the disability community coming out of the budget, that seems to be it. Is there anything else that was new that I have not found?

**ANNE CAMPBELL:** No. That's it.

**Ms ABIGAIL BOYD:** I thought so, thank you. A lot of disability orgs are telling us that there is—everybody is very happy that we have the new portable long service leave scheme. From a principled perspective, everyone believes that that is something that's good for workers and good for the sector. Across the social services sector, there is concern that the Government is not supporting the sector with that new cost. Is this something that DCJ has looked into or modelled or done any work on in relation to providing that support to the sector going forward?

**ANNE CAMPBELL:** I can jump in on that one. Obviously DCS is leading it, but we have been very heavily involved, given our workforce. Certainly we've looked at any additional costs or increase in costs. We get

---

<sup>1</sup> In [correspondence](#) to the committee dated 20 October 2025, Mr Michael Tidball, Secretary, Department of Communities and Justice, clarified their evidence.

---

**CORRECTED**

---

indexation, which partially covers that, and it is above the CPI. Normally service providers should be accommodating that, anyway—pre the portable long service leave. An initial increase in costs we've assessed at 0.5 per cent. We've also looked at what other States and Territories have been doing in this space. Our understanding from DCS's scan is that there has been no additional investment put in by State and Territory governments in relation to this matter. In Victoria, they have a levy of about 1.65 per cent; the ACT, 1.85 per cent; Queensland, 1.35 per cent; New South Wales, 1.7 per cent; South Australia, 2.2 per cent; and the Northern Territory have a proposed range between 2.05 per cent to 2.34 per cent. We're on the lower end of the scale in terms of the levy.

**Ms ABIGAIL BOYD:** I guess it's this age-old problem. We have services now looking—again, happily—at longer term contracts. At least five-year contracts are coming out, but there is real concern about what gets indexed into their funding amounts. You have to look at what the base is and what the pressures are on these organisations to begin with. If you put a 1.7 per cent levy on services that are already hugely underfunded, that's going to be different to if they're better funded. I'm not sure about the comparison being that relevant here. I am more interested in what we do in terms of ensuring that services are actually getting funding that is moving with the times, with whatever new bits of levies and other things that are put on it. Is that something that the department is looking into?

**ANNE CAMPBELL:** Definitely. We are monitoring it, because there are other impacts on funding as well. You've got the insurance scheme. Our providers have raised that with us as well. We are actively looking at it and then looking at what ability service providers have to deliver those services and the volume of those services given those costs.

**Ms ABIGAIL BOYD:** I have one last question. New South Wales is the only jurisdiction not to give core funding to neighbourhood and community centres. Was that something that was considered ahead of the last budget round and is it something that will be considered in the future?

**ANNE CAMPBELL:** I think it's always considered. That's all I can—

**Ms ABIGAIL BOYD:** What does that mean in practice though?

**ANNE CAMPBELL:** It means we would look at all opportunities in terms of gaps in services and core funding, and I think I can say that the Minister certainly discussed it with us. Obviously, it depends on the financial ability of the budget to be able to absorb those costs or get new funding.

**Ms ABIGAIL BOYD:** It's something I'll take up with the Treasurer.

**The Hon. NATASHA MACLAREN-JONES:** I might turn to specifics in the budget. Could you give me a breakdown of how the \$1.2 billion is being allocated?

**MICHAEL TIDBALL:** Yes, I can break it down. According to the Child Protection Package, which was obviously a highlight of the budget, along with out-of-home care, the investment includes \$199.5 million to recruit 200 and retain 2,126 caseworkers with higher pay and more specialised training, including 100 new leading caseworker roles; \$143.9 million to increase the foster care allowance for the first time in 20 years, as was spoken about by the Minister this morning; \$797.6 million to continue supporting children and young people in out-of-home care while reforms are designed and implemented, plus the investment for a reformed out-of-home care program; \$49.2 million for at least 44 government-owned, purpose-built or upgraded residential care homes that will deliver safe and stable housing for children over 12 years of age with complex needs; and, finally, \$10 million to support the Office of the Children's Guardian to continue to oversee organisations and uphold children's right to be safe.<sup>2</sup>

**The Hon. NATASHA MACLAREN-JONES:** Of the \$797.6 million, some of that's for the reform program and then also continuing to deliver existing services. How much of that is for budget shortfall or overspend? What was the overspend?

**MICHAEL TIDBALL:** None of it was for overspend.

**The Hon. NATASHA MACLAREN-JONES:** There was no overspend in high-cost placements or anything this financial year?

**MICHAEL TIDBALL:** No.

---

<sup>2</sup> In [correspondence](#) to the committee dated 20 October 2025, Mr Michael Tidball, Secretary, Department of Communities and Justice, clarified their evidence.

---

**CORRECTED**

---

**The Hon. NATASHA MACLAREN-JONES:** In relation to the new caseworkers, which I think was \$191 million, how much of that is for the increase in wages of existing staff?

**MICHAEL TIDBALL:** Yes, I can respond to that, with some help. Can we take that on notice? We can provide a figure; we'll just need to provide it on notice.

**The Hon. NATASHA MACLAREN-JONES:** How much is for employing new caseworkers?

**MICHAEL TIDBALL:** All of that, effectively. Sorry, \$191.5 million is focused on that caseworker component.

**The Hon. NATASHA MACLAREN-JONES:** Yes, and some will be for the increase in wages.

**MICHAEL TIDBALL:** Correct.

**The Hon. NATASHA MACLAREN-JONES:** And then some will be for new caseworkers.

**MICHAEL TIDBALL:** For specialised training. The reality has been, for our 2,126 caseworkers, there has been difficulty in recruiting and retaining those caseworkers. That money is focused on ensuring that we can do that and fully recruit.

**The Hon. NATASHA MACLAREN-JONES:** Can I get a breakdown of how much is being spent to retain the 2,126 caseworkers, and then, how much is for existing wages?

**MICHAEL TIDBALL:** I'm happy to take that on notice.

**The Hon. NATASHA MACLAREN-JONES:** And then, how much is for employing new caseworkers?

**MICHAEL TIDBALL:** I'm happy to take that on notice.

**The Hon. NATASHA MACLAREN-JONES:** In addition, there's currently a vacancy of about 2,100?

**MICHAEL TIDBALL:** Yes.

**The Hon. NATASHA MACLAREN-JONES:** Has that been factored into that amount or is it—

**MICHAEL TIDBALL:** That figure can't be right. Sorry, just on the number of caseworkers—

**The Hon. NATASHA MACLAREN-JONES:** It's a ballpark figure.

**MICHAEL TIDBALL:** I misunderstood the premise of your question. I don't think that metric works.

**The Hon. NATASHA MACLAREN-JONES:** So, there are currently over 2,000 vacant positions?

**MICHAEL TIDBALL:** Yes, a 7 per cent vacancy of a cohort of—how many caseworkers?

**LAUREN DEAN:** We've got 2,126 caseworkers that we're retaining, so that's in place. And then, on top of that, we currently have a 7 per cent vacancy rate.

**The Hon. NATASHA MACLAREN-JONES:** When you're talking about retaining, is it filling those 2,000 vacancies?

**LAUREN DEAN:** We don't have 2,000 vacancies. We've got 2,126 incredible caseworkers—

**MICHAEL TIDBALL:** And a vacancy rate of 7 per cent of that figure.

**The Hon. NATASHA MACLAREN-JONES:** Okay. Now, in relation to the ITC services, has any work been done to compare the unit price of running that here in New South Wales versus similar in Victoria or other divisions?

**PAUL O'REILLY:** There certainly will be. There are a few things happening with that program at the moment. The Ombudsman's inquiry into ITC is underway. It was announced last year, and it's reaching a point where we anticipate preliminary findings from the Ombudsman reasonably soon, and then we'll look at a number of issues inside their terms of reference. In addition, the department intends to commence an evaluation of ITC very soon and that will incorporate those cross-jurisdictional cost comparisons.

**The Hon. NATASHA MACLAREN-JONES:** Are you looking at any other types of models?

**PAUL O'REILLY:** Yes. What will need to occur with ITC is a redesign of the program to address the known issues, there will be issues in the Ombudsman's report which we'll need to respond to, and there will need to be results in the evaluation we respond to. It will amount to a redesign of the program, which will absolutely

---

**CORRECTED**

---

need to look at the alternative models and then some options for the Government to decide which of those options to go forward with.

**The Hon. NATASHA MACLAREN-JONES:** When is the report due?

**PAUL O'REILLY:** We don't have a date, but we work closely with the Ombudsman in response to their request for information. We meet with them regularly. We broadly expect it will be in the next few months, but we don't know exactly when. That's a question for the Ombudsman.

**The Hon. NATASHA MACLAREN-JONES:** In relation to residential care and, in particular, the cottages that are being stood up, was any costing provided to the Minister at the time in relation to standing up the first six and then the 44?

**PAUL O'REILLY:** The first six?

**The Hon. NATASHA MACLAREN-JONES:** I don't think it was six. The original ones that were announced—

**PAUL O'REILLY:** The original five Waratah Care Cottages?

**The Hon. NATASHA MACLAREN-JONES:** Five, sorry.

**PAUL O'REILLY:** The cottages cost around \$1.6 million per year per cottage, assuming they have four children in them. That's the general size, so that's broadly what the cost is, and there are five at the moment. The other announcement around up to 44 new residential—that's the \$49.5 million in the budget. There's been no decision about how those properties will be deployed. Whether they are an extension of the Waratah cottages or whether they are an extension of the ITC program, that's to be determined.

**The Hon. NATASHA MACLAREN-JONES:** I assume you haven't worked out where those locations will be either.

**PAUL O'REILLY:** No.

**The Hon. NATASHA MACLAREN-JONES:** Were any other options presented when you spoke to the Minister about the Waratah cottages? Were any other options considered?

**PAUL O'REILLY:** Not that I am aware of. But I was not in all the conversations myself, so I don't know. I'm not aware of other options being considered. The intention was to start, as we've said before, re-establishing DCJ's role and capability in providing direct residential care. That was the intention, and then it was a question of how quickly we can do that to take pressure off those younger sibling groups at HCEA. That was the course that was taken last year.

**The Hon. NATASHA MACLAREN-JONES:** And did that advice or recommendation to go down the residential care path come from the department or was it from the Minister?

**PAUL O'REILLY:** I would have to check exactly what the documents say about all of that and come back to you.

**The Hon. NATASHA MACLAREN-JONES:** Could you also then look at whether any other options were presented to address that very issue?

**PAUL O'REILLY:** Yes, happy to.

**The Hon. NATASHA MACLAREN-JONES:** Just to confirm, the residential care—the 44, it's intended they will be only for children over the age of 12?

**PAUL O'REILLY:** That was the announcement, yes, because it is ostensibly an expansion of the ITC program, and the policy settings for ITC, as you know, are 12 and up. That is, broadly, the approach, yes. The Waratah Cottages can take kids over 12, but they can also take kids under 12.

**The Hon. NATASHA MACLAREN-JONES:** Is it intended that the 44 cottages could take children under 12?

**PAUL O'REILLY:** Not at this stage. Again, the announcement is for kids 12 and up, so that was the position. But, as I said before, we're still working out the best way to deploy that capital investment as quickly as possible.

**The Hon. NATASHA MACLAREN-JONES:** Just in specifics around the actual properties, I'm interested to know whether or not you're using the old disability homes as part of that 44.

---

**CORRECTED**

---

**PAUL O'REILLY:** I can have a go at this response. Under the meanwhile use provisions, they can be used for a period of time, and there may be an opportunity to upgrade some of them using some of that money. But we also would seek to use some of that funding for new purpose-built properties where possible as well. I would suggest it will be a mix of those things, depending on availability and the Government's determination on the use of those disability properties. Is there anything you want to add there?

**ANNE CAMPBELL:** I could probably add that under the disability assets—the group homes that are out there that are vacant—we've got 51 of those being used for out-of-home care. It has increased quite significantly and will reduce the vacancies.

**The Hon. NATASHA MACLAREN-JONES:** Back to the 44, the \$49.2 million is over three years?

**PAUL O'REILLY:** I believe three or four, but I'll confirm that.

**MICHAEL TIDBALL:** Just let me check on that. Hopefully before the session is out, I can respond to you with a final answer.

**The Hon. NATASHA MACLAREN-JONES:** I'm interested because the budget papers show that \$1.5 million is allocated for this financial year. I'm interested to know how much is allocated for the remaining two or three for those cottages. Then this goes back to the time frame of when you're planning to start making those decisions of when they'll be stood up, and how many and where.

**PAUL O'REILLY:** It's a complex reform period ahead because that is happening at the same time as us responding to the Ombudsman's ITC report, the evaluation, the redesign of ITC. All these things are happening at the same time because the need is urgent. It will be complex, and not all the details are known yet, because each of those work streams in itself is complex and is still unfolding. Our job will be to put options to the Government for decision about those three work streams in the next few months.

**The Hon. NATASHA MACLAREN-JONES:** In relation to *Budget Paper No. 03* and the Sustaining Critical Infrastructure Program, is that under this part of DCJ?

**PAUL O'REILLY:** That's the SCIP program under Infrastructure and Assets.

**MICHAEL TIDBALL:** It is under DCJ corporate, which spans the entire department.

**The Hon. NATASHA MACLAREN-JONES:** Is it this portfolio? If so, what is it for?

**MICHAEL TIDBALL:** I don't believe so.

**PAUL O'REILLY:** The department has a central Corporate Services branch, which includes an Infrastructure and Assets branch, and they manage that SCIP funding program. They have a process of allocating resources across different divisions in the department. This is one division.

**MICHAEL TIDBALL:** It would be right across—

**The Hon. NATASHA MACLAREN-JONES:** That's fine. I want to go back to get some clarity around the report that I mentioned this morning and when a ROSH report is made and allocated. Can you talk me through when a child—basically the header is "Children with allocation decision pending" and then "Children with allocation decision pending, less than 28 days". How does that process work in it being allocated out to CSCs?

**LAUREN DEAN:** Just so I'm clear with the question, you're referring to the data that you didn't share earlier today. Is that the same thing?

**The Hon. NATASHA MACLAREN-JONES:** Yes.

**LAUREN DEAN:** That data, of course, remains unverified. Because it's raw data, it changes all the time. I can give you a general answer but, without being privy to the data that you're looking at or, in fact, an understanding about when that data report was taken, I can't speak to it specifically. But generally the process is all information received by the department is reviewed. Of course, it's then prioritised. There are multiple pathways to then deal with that information. Obviously, issuing or delivering a face-to-face service is just one of those responses. In addition to those responses, we also engage with our family preservation avenue as well. In addition to that, there are some other things that come into play with that information. Our caseworkers are constantly determining whether we have sufficient information, insufficient information, and what other supports are available or working with families. You'd appreciate that the information that we receive is sometimes fulsome and sometimes less so, and that our caseworkers and managers do a terrific job trying to prioritise and respond to the children and young people that need us to respond most.

**The Hon. NATASHA MACLAREN-JONES:** I totally agree; the caseworkers do an amazing job. But I'm just interested in—that first column is the children with allocation decisions pending. What does that mean?

---

**CORRECTED**

---

**LAUREN DEAN:** I can't talk to something I can't see, with all due respect.

**The Hon. NATASHA MACLAREN-JONES:** But does that category exist?

**LAUREN DEAN:** You're reading off a report, so I'm not sure. It's unverified—the report that you're referring to. I'm unsure.

**The Hon. NATASHA MACLAREN-JONES:** But you'd obviously be aware of what's in your own database. Does that category exist?

**LAUREN DEAN:** I'm unable to refer to it, so I would be speculating otherwise.

**The Hon. NATASHA MACLAREN-JONES:** But do you know what's actually in your databases?

**LAUREN DEAN:** I do.

**The Hon. NATASHA MACLAREN-JONES:** And is that category in that?

**LAUREN DEAN:** I'm unsure.

**The Hon. NATASHA MACLAREN-JONES:** You don't know what's in the categories?

**LAUREN DEAN:** If you'd like to share it with me, I'm more than happy to have a look.

**The Hon. NATASHA MACLAREN-JONES:** I'm not giving you any data numbers; I'm just asking if a category exists.

**LAUREN DEAN:** I'm unsure. I'm not sure what you're referring to, in which case I'd be purely speculating. Our database sits and contains a variety of information. When we go through a proper and correct processes to share that information out, then obviously I've got confidence about that. In relation to information that's shared that's actually not consistent with our approved process, then I would be purely speculating, which I don't think it's appropriate for me to do.

**The Hon. NATASHA MACLAREN-JONES:** But I'm not asking about the accuracy of the data. I did ask, if you had any of that information in various categories, if you could come with it this afternoon. I'm actually asking if things like "children in care reported at ROSH that are waiting for an assessment"—does that exist in the category?

**LAUREN DEAN:** I have to take it on notice, Ms Maclaren-Jones, unless you're willing to share what you're referring to.

**The Hon. NATASHA MACLAREN-JONES:** Could you take on notice each category that is available. That would include children with allocation decisions pending; children with allocation decisions pending, less than 28 days; children allocated field assessment, not commenced; children in care reported at ROSH awaiting assessment; and then also children with allocations decisions pending, greater than 60 days.

**LAUREN DEAN:** I'm happy to take those items on notice Ms Maclaren-Jones, but not beyond that, given the size and scope of our database.

**The Hon. NATASHA MACLAREN-JONES:** Also, could you then provide the breakdown for the financial year? I'm not asking for this 1 July but the last 2024-25 data, which, I assume, you would have had looked at and cleansed by then.

**LAUREN DEAN:** I'll take that on notice. We'll supply what we can.

**The Hon. NATASHA MACLAREN-JONES:** Just on to—and I asked a little bit about this—the ROSH threshold and whether or not the criteria has changed. I asked specifically around the under-age forced marriages. You indicated—I'm just confirming—that that is still considered a ROSH?

**LAUREN DEAN:** I'll respond first and then my colleague Mr O'Reilly might like to consider. In relation to the threshold for what is reported at risk of significant harm, that is obviously referenced in the legislation. The department can't just change that. That would be a legislative change that's required as per a change under the legislation under the former Government. Beyond that, in relation to the specific reference about under-age forced marriage, I'm not aware of any activity that would suggest that that wouldn't meet a risk of significant harm, noting that every case is different and that sometimes you can't just do a blanket "everything on its face value is or is not risk of significant harm". But in relation to that, did you want to add anything about the threshold?

**PAUL O'REILLY:** As we mentioned previously, the reforms here are broad, addressing a lot of challenges in the system. While there are no plans to change that setting, because under-age forced marriage is clearly a risk of significant harm, I can't imagine that that would change, because of the obvious risk to those

---

**CORRECTED**

---

children. Beyond that, there is a broader policy question for the Government to consider about the child protection policy settings in the State. We are working with our Aboriginal CAPO colleagues on a range of policy settings around child protection. Whether that includes the specific thresholds for ROSH, we're not sure yet. We're open to looking at all of the options really, with some very obvious exceptions where there is unquestionably enormous risk. That example you've cited is one of those, I think. But I think that it is important that we have an open mind in terms of reforming child protection policy settings at this very early stage, and we work with the community, our frontline staff and families experiencing the system to make sure that we get the settings right.

**The Hon. NATASHA MACLAREN-JONES:** Just to clarify, who determines the criteria? I think, Ms Dean, you indicated there are some variables. Is there a directive at a CSC level that determines whether it's reached a threshold, or is there a universal policy that is sent out to say this is what must be included or not?

**LAUREN DEAN:** Yes, there's a tool that's applied at the helpline. Obviously that's the front door into the child protection system, not via your local community service centre. Then, obviously, it's determined by the legislation about where the threshold sits, and then there's a tool that's applied to assist our hardworking staff at the helpline in relation to the information. As you would see from all of our previously supplied data, there is an absolute mixture of information that we receive that sometimes meets the threshold and sometimes does not. The reality is also that the more fulsome the information shared with us in the first instance, we are more likely to have a more accurate outcome that determines whether that information does or does not meet the threshold.

**Ms SUE HIGGINSON:** I think this might be for the secretary. Firstly, are you aware of the *Independent Aboriginal and Torres Strait Islander-led review of Closing the Gap*?

**MICHAEL TIDBALL:** I am.

**Ms SUE HIGGINSON:** I assumed so, thank you. One of the recommendations found in there, or suggested, was that commitments be embedded into KPIs and contracts for department employees in relation to the priority reforms and the commitments. Is that something that's happening in the department, or is it something that's been discussed or considered?

**MICHAEL TIDBALL:** Thank you, Ms Higginson, for the question. The department is coming to grips with it. In all honesty, we have had to and are learning how to do it. How you move and work in partnership is something we are discovering. I acknowledge Ms Jarrett's presence here today and her role in leading the Transforming Aboriginal Outcomes division. TAO has a critical role to play, but it's a resource and an enabler for the department. The skill and the discipline we are seeking to deliver is to embed partnership and co-design throughout the department, and that is taking time. We will, over time, seek to embed and change the way we plan.

The way we were, quite frankly, seeking to do that three years ago or so was to have a division do it for the department. That doesn't work. That's not partnership. What we're seeking to do in working with AbSec, ALS and CAPO is seek to embed engagement so there is a clear expectation at senior level of senior leaders in the department that they'll be able to do that, noting that there is a reform division that is doing vital work, that there is the TAO work led by Ms Jarrett, and they are enablers within that, and then at any one point there are many, many pieces of project work happening throughout the organisation, the most critical one relevant to these estimates today is the reform work being led under the leadership of Mr O'Reilly within the reform division.

**Ms SUE HIGGINSON:** I hear all of that. I am just curious, though, about—this review is saying, "Actually, if we did this, if we had the embedded KPIs in contracts," and so on. That is the recommendation. That's the suggestion. Is the reluctance to just do that or enliven that recommendation because we know we're falling short on the targets and it's kind of a cart and a horse, or how do you get it to change? Please don't get me wrong: I'm not suggesting that the individuals right here, right now, are responsible for why we're falling short on some of the really important Closing the Gap targets. I can see Mr O'Reilly is scratching to say something. I'm just trying to understand at what point this report will not need to say this anymore, because it will say, "We attempted this, we've embedded these KPIs, we've done this and this is how." This is what the *Independent Aboriginal and Torres Strait Islander-led review of Closing the Gap* is telling us we should be doing now.

**MICHAEL TIDBALL:** My answer would be: We are moving to embed and we're starting that process. If Mr O'Reilly is happy to speak to some of the work he is doing in the reform division, I think we do have evidence that we're starting to go down that path.

**PAUL O'REILLY:** Yes. I think the other thing I'd say about that report is it talks about a misalignment of vision for Closing the Gap at a broad level, and it talks about joint council needing to work on that. That's one of the recommendations in the report. That's much broader than DCJ. Public sector senior leadership capabilities, performance agreements and contracts are broader than DCJ. This is a matter for the Public Service Commission

---

**CORRECTED**

---

as much as it is for any department individually. Part of the reform will, I presume, over time, happen at that level. Things happening slowly are not necessarily because of a reluctance.

Things are happening slowly because they are complex and happen slowly, as much as we would like them to happen faster. This is a good example of that, I think. While we work with the rest of government and CAPO to support whatever government's response is to these recommendations, and start to shift accountability measures into leadership agreements—if that's the way it goes—we would absolutely work with that process. But inside DCJ we have to find every opportunity we can to implement commitment to transforming the institution in line with priority reform 3 of Closing the Gap in the work that we do.

For example, in one part of my division, which is in Youth Justice, we've started implementing target 11 elements into performance plans for leaders. As part of their annual review, that's a piece of work that we do now. As we move through this reform area in child protection and out-of-home care, we need to consider what is it about recruitment of leaders, performance management and support and training for leaders that we need to implement so that we start to see these things coming to life more consistently. I would also say that there are leaders in the organisation already who are living this every day in the way that they work.

There are leaders in the organisation who are Aboriginal people themselves who live and breathe this already, so it is not a simple thing about it not happening and us being reluctant to change. It's complex. How do we implement and build on what's already going well while also addressing critical performance issues that we might find from day to day, as well? The Minister has made nine commitments in relation to supporting Aboriginal people in this system. One of those is addressing cultural safety and racism amongst the workforce. That's the ninth of the nine commitments. So we are doing an intensive piece of work with child protection—

**Ms SUE HIGGINSON:** We touched on this earlier just in terms of that. Could you elaborate a little bit in terms of what that looks like?

**PAUL O'REILLY:** Yes. A cultural review was undertaken last year of the workforce to look at cultural safety and issues around racism in the workforce. We're now working with that workforce on the next steps in trying to better support not only Aboriginal staff but also Aboriginal families, because there's clearly a link between the way Aboriginal staff experience safety at work and the way that services are delivered to the community. There's obviously a link there. That's a really critical bit of work that's happening right now. We work closely with our State Aboriginal Reference Group on designing the next steps and making sure that, as we do further consultation and design with our staff, they feel safe in doing that. We're also doing a whole heap of work around anti-racism capability. So around 150 leaders from DCJ have been through anti-racism training in the last year to make sure that we're starting to build that fundamental shift, and we have a team dedicated to the anti-racism capability work full-time.

**Ms SUE HIGGINSON:** With the 150 leaders training, what does that look like? How intensive, or is it spread out?

**PAUL O'REILLY:** They train in groups. They train in anti-racism capability in areas like anti-racism literacy, understanding racism, understanding people's experience of racism, cultural safety, and reflecting on the role of leaders in making the change, and supporting leaders who are already doing that. That's the beginning of the journey. Then there's an ongoing leadership development task that we need to work on as well.

**MICHAEL TIDBALL:** If I can just supplement that by saying that the Minister established the Ministerial Aboriginal Partnership Group. That is a serious group. The membership—again, established by the Minister but not selected by the Minister—was an EOI process managed by AbSec and SNAICC. Its priorities are Aboriginal community decision-making; strong families, including through reducing the use of emergency removal powers; bringing children home, including through increased focus on restoration; and bolstering the role of ACCOs through investment. So it's got some serious priorities, and they are foundational for the direction that is being set.

**Ms SUE HIGGINSON:** How often is the MAP group meeting? I think, at the last budget estimates hearing or the one before, we hadn't actually had that many gatherings of that group. How does that function? How does it inform the work of—

**MICHAEL TIDBALL:** The MAP group—the agendas are agreed to and set by the group. The discussions, as they should be, are fulsome and robust. There is transparency in the expectation and in the way the department presents. The group has met on a very significant number of occasions. The frequency of meetings will, I imagine, over time, ebb and flow according to what is on the agenda, as well as the will of the group.

**Ms SUE HIGGINSON:** So it's fair to say it's an agile system.

**MICHAEL TIDBALL:** Correct.

---

**CORRECTED**

---

**Ms SUE HIGGINSON:** So if, say, AbSec or the peak wanted to convene that group, it has the power to do that. Is that the way it functions, or is it a little bit different to that?

**BIANCA JARRETT:** The frequency that the group meet—they meet bimonthly. There have been a couple of one-off workshops that members have called for, and we have also had a couple of ad hoc workshops to work through particular issues if we wanted to consult with them on a particular initiative or proposal. But standard meetings are bimonthly, currently.

**Ms SUE HIGGINSON:** In relation to the ACCOs right now, in terms of the out-of-home care providers and the accreditation process, are there still ACCOs undertaking that accreditation process?

**RACHAEL WARD:** There are. There are two.

**Ms SUE HIGGINSON:** Is the process for achieving that accreditation again an agile process where assistance is sought and received?

**RACHAEL WARD:** Absolutely. That has been done under our new model of direct evidence gathering. There was a point in time where it was an assessment process which probably very much felt like an assessment process to an agency wanting to be accredited. However, now we work much more collaboratively and in partnership and are actually out there to help or assist them achieve their goals in obtaining that accreditation. So I would say it's a much more hands-on process from the assessment and monitoring team from our office.

**Ms SUE HIGGINSON:** Of the two organisations in the process of achieving that accreditation, does it look like they're far away?

**RACHAEL WARD:** They're on track.

**Ms SUE HIGGINSON:** Great. How many ACCOs are actually in existence now in the out-of-home care?

**RACHAEL WARD:** There are 24. One has been accredited this year and we have the two in progress.

**Ms SUE HIGGINSON:** What steps are currently being undertaken, in practical terms, to shift from the short-term competitive tendering to the direct investment models for those ACCOs? What steps are being taken in relation to changing the model? It has come from the broader review in terms of the targets, but what's the department doing to shift from any of that short-term competitive tendering to the direct investment models for those ACCOs? Have we transitioned to that system?

**PAUL O'REILLY:** In out-of-home care?

**Ms SUE HIGGINSON:** Yes.

**PAUL O'REILLY:** Whether there are any changes to the funding model or the commissioning model will need to be determined through the out-of-home care strategy, which will be submitted to Cabinet in a few months. That's where those considerations—things like market mix, commissioning approach and all those things—need to be considered. So I can't really give you a definitive answer on what will change, or if it will change.

**Ms SUE HIGGINSON:** Is the approach to that—is there a co-design happening at that level at this point in time?

**PAUL O'REILLY:** There is not a co-design happening at this point in time in relation to the development of that submission for Cabinet. This is what's challenging about implementing Closing the Gap in the way that it's intended by Jumbunna and others, because Cabinet processes are different. They have their own characteristics and restrictions in relation to that, so it's difficult to be as open as we would like to be. Partnership is difficult.

**Ms SUE HIGGINSON:** Is DCJ making some—obviously the Closing the Gap obligations fall particularly burdensome on DCJ. There's obviously other departments, but particularly so on DCJ. Is there something that you are doing internally to convey back to government, "We need some kind of exceptional circumstances so that we can co-design at a higher level, at the level that we know will make an actual difference"?

**PAUL O'REILLY:** I'm not trying to be difficult, I promise.

**Ms SUE HIGGINSON:** No, I totally understand.

**PAUL O'REILLY:** One of the reasons why we are not communicating that is because there are a lot of different things to manage here. We have to respond to the findings in the Ombudsman reports, the Audit Office report and the system review into out-of-home care, which all point to areas of the out-of-home care program—

---

**CORRECTED**

---

the PSP program—having gaps in terms of performance, value for money, client outcomes, client safety and financial viability. They are really important reform drivers for us that we have to get right, so a lot of the work involved is in shoring up those risk areas as quickly as possible in the design. They are urgent, and government needs urgent advice from us in relation to those things. That is the priority at the moment.

**MICHAEL TIDBALL:** And it's a whole-of-department, whole-of-agency challenge. To that end, if I can just ask Ms Campbell to supplement what has been said.

**ANNE CAMPBELL:** We've actually commenced doing the co-commissioning in the Staying Home Leaving Violence program, particularly out in western New South Wales, to look at how we co-design that particular program given it operates differently in Aboriginal communities. I think that has been a really positive process. We've also used other approaches to competitive tendering, like select tender for ACCOs. We've done that with a number of programs within the domestic and family and sexual violence portfolio, which I know is not subject to discussion today, but it's not that there aren't things happening in DCJ.

**Ms SUE HIGGINSON:** No, I wasn't suggesting there weren't things happening. I just wasn't sure—it seems so obviously fundamental that that part is where the co-design should be happening, particularly in relation to that support for consistent, long-term investment and funding.

**PAUL O'REILLY:** I understand. My response was specifically in relation to PSP and the out-of-home care program, where we're trying to address some significant sustainability issues across the sector.

**Ms SUE HIGGINSON:** Has the department established any dedicated targets or benchmarks for reducing the over-representation of Aboriginal children, again aligning with outcome number 12?

**PAUL O'REILLY:** There's probably a few people going through that, but my response to that is that we certainly have a goal to reduce the level of over-representation, but we have not reached the point where our policy reform has matured to the point where we could set step-by-step benchmarks for that at this stage.

**MICHAEL TIDBALL:** Can I just add that I understand the place from which the question comes. Clearly, with statutory processes where we have obligations to the court, there is a level of care and caution that we have to have about that, simply because we have very clear statutory obligations and, fundamentally, we must honour those. Clearly, there is reform and resourcing that enables and empowers change. That is the way to do it, in my view, rather than setting targets. I do see, particularly with statutory processes, a risk in targets.

**Ms SUE HIGGINSON:** I'm loath to ask questions of that nature sometimes, but I'm just trying to find out. Based on what you're saying, Mr Tidball—I think where I started when I came into this particular area is that our legislation is not quite right in terms of the settings, potentially. For example, one of the Family is Culture review recommendations was to have that clear statutory articulation that removing children from families is a harmful thing to do. We understand that sometimes it's necessary, but if we had that, would it, in your expertise, change the nature of the way we implement the priorities and the way we are delivering the work in the out-of-home care service and sector? I'm not asking you whether it should or shouldn't be there, because I know that it's not your job to advise on that level of policy here in this forum.

**MICHAEL TIDBALL:** I'm reluctant to comment on a policy matter that is not mine to determine, to be honest. I would say, though, that the policy and the legislative settings and the resourcing settings—all the elements—need to be in sync in order to change numbers and do it to mitigate risk.

**The Hon. RACHEL MERTON:** I might pick up an issue from this morning. Mr O'Reilly, this might have come to you. It was to do with how many caseworkers were on workers compensation.

**PAUL O'REILLY:** No, it wasn't me. It must have been—

**LAUREN DEAN:** Thanks for the question. I understand that there are currently 115 people on workers compensation.

**The Hon. RACHEL MERTON:** Caseworkers?

**LAUREN DEAN:** Workers from child protection. Let me just double-check on my note, Ms Merton.

**The Hon. RACHEL MERTON:** Ms Dean, you can take it on notice if you want to, and then you can be more full in your response, if you like.

**LAUREN DEAN:** I'm happy to hear the rest of the question, if that's useful, while I'm also looking for—

---

**CORRECTED**

---

**The Hon. RACHEL MERTON:** That was it. If I could pick up the issue my colleagues raised earlier relating to the *Gender Equality Budget Statement*. On page 10-15 there is a box with the heading "Gender Impact Assessment: Investing in purpose-built housing to deliver Intensive Therapeutic Care", which states:

This Budget invests \$49.2 million in the construction of a number of fit-for-purpose Intensive Therapeutic Care homes for children and young people in out-of-home care and upgrading a number of homes for residential out-of-home care.

I'm wondering, at this stage, whether we might be able to ascertain how many of those homes would be available for women and their children in terms of the domestic violence context.

**PAUL O'REILLY:** Is that question about the out-of-home care budget announcement?

**The Hon. RACHEL MERTON:** Yes.

**PAUL O'REILLY:** None of those homes will be available for families escaping DV because they're homes for children in out-of-home care who need residential care.

**The Hon. RACHEL MERTON:** Okay, thank you. It makes reference to also the gender impact assessment, identifying that a lot of the intensive therapeutic care workforce is predominantly female and the environment in which they're working. I wonder whether you might be able to elucidate on that in terms of the gender impact assessment.

**PAUL O'REILLY:** When proposals are put to Cabinet, it is a requirement for us to complete a gender impact assessment, so that would've gone in as part of the funding submission, I assume. I couldn't tell you off the top of my head what it said—and I'm not sure that I could, given that it's a Cabinet paper. A gender impact assessment is a standard assessment for decisions before government, and it is true that a lot of people working in residential care are women, absolutely.

**The Hon. RACHEL MERTON:** In terms of disability advocacy, in March 2024 the Minister announced that the Disability Advocacy Futures Program grants were extended to June 2026. What is the funding commitment post-2026?

**ANNE CAMPBELL:** According to my note, \$15.7 million has been allocated to deliver the program this financial year, and that includes 19 organisations funded to deliver disability advocacy, as well as a million dollars for special purposes and projects and sector development grants in 2025-26. In addition, the NSW Department of Education has also allocated \$1.5 million per annum for two years. For your next question, I might hand over to Ms Dendle.

**ZOE DENDLE:** The budget will be available post 26 June. Currently, just the existing advocacy providers are contracted to 26 June, and shortly we'll be undertaking a recommissioning process for contracts from 26 July onwards. So the budget as it currently stands—the \$15.7 million that Ms Campbell referenced—will continue, plus indexation.

**The Hon. RACHEL MERTON:** Ms Campbell, I think you might have answered in terms of how many organisations would fall under this program?

**ANNE CAMPBELL:** Yes, 19.

**The Hon. RACHEL MERTON:** I have another question on disability. We have previously been advised the New South Wales Disability Inclusion Plan for 2025 to 2029 will be released later this year. Do we have a date?

**ANNE CAMPBELL:** We don't have a date; it'll be towards the end of the year.

**The Hon. RACHEL MERTON:** Who has been consulted in the preparation of this plan?

**ANNE CAMPBELL:** Lots of people—obviously, all the government agencies. I might hand to Ms Dendle because she's managed it directly. She'll give you more granular detail than I would.

**ZOE DENDLE:** In the second half of last year, there was consultation on the development of the Disability Inclusion Plan. Then earlier this year, we did some more targeted consultation that was co-led with Parliamentary Secretary Liesl Tesch. That was really to try and reach some of the harder to reach groups that we weren't able to do in the broader consultation. All of that information, as well as information that we're gleaning from other consultations that are underway—whether it be about the disability royal commission recommendations or what we might gather through foundational supports. We've obviously spoken to a lot of people as well around the National Autism Strategy and what that could look like for New South Wales. That's all being captured as part of that consultation, which will inform the Disability Inclusion Plan that will be released towards the end of this year.

---

**CORRECTED**

---

**ANNE CAMPBELL:** To add to that, we're also looking at establishing an interdepartmental committee to include reps from each agency, DENconnect, the Disability Council and peak agencies, to monitor that, once we've got the Disability Inclusion Plan approved—so greater scrutiny and monitoring to make sure people are doing what they need to do in this space.

**LAUREN DEAN:** Ms Merton, I've got the answer to your question if you're okay for me to circle back to that.

**The Hon. RACHEL MERTON:** Thank you.

**LAUREN DEAN:** In relation to the financial year 2024-25, there were 125 injuries for caseworkers throughout that financial year. Obviously we'd like to acknowledge the incredible work that caseworkers do. They work with families in their darkest times. The complexity of the families is significant. Obviously we remain committed to ensuring that our staff are safe and supported in the workplace. We understand the impact of the current environment that they're working in as well. I'd like to acknowledge that, whilst we continue to work on a reform agenda that gives hope and promise for the future, there is an absolute need for our staff every day in the current environment to also make sure that they are taking every opportunity that's before them to change for children and young people and families in the current—both the child protection and out-of-home care cohort is very important. Obviously I acknowledge the staff that are currently absent from the workplace. I wish them the speediest recovery, and we welcome them back to the workplace as soon as they are fit and able.

**The Hon. RACHEL MERTON:** Thank you.

**The Hon. NATASHA MACLAREN-JONES:** Just following on from that, do you have the number of staff that are employed with the Joint Child Protection Response team?

**LAUREN DEAN:** I do, if you'd like to give me a moment to find that. There's 119 caseworkers allocated to the JCPRP area of work. Just a call-out to them: They do an immensely, incredibly difficult job each and every day, working with the tri-agency of the police and NSW Health as well.

**The Hon. NATASHA MACLAREN-JONES:** Yes, they do. How many vacancies are there?

**LAUREN DEAN:** I might have to take that on notice, Ms Maclaren-Jones. I don't think I've got a specific JCPRP vacancy rate, just the overall vacancy rate of 7 per cent.

**The Hon. NATASHA MACLAREN-JONES:** If you could provide that by district as well for the JCPRT.

**LAUREN DEAN:** The district rate for vacancies?

**The Hon. NATASHA MACLAREN-JONES:** Yes.

**LAUREN DEAN:** Yes, we can do that.

**The Hon. NATASHA MACLAREN-JONES:** Also, do you know how many are on workers compensation?

**LAUREN DEAN:** The number I just gave was 125 injuries—caseworkers who suffered an injury through the last financial year. I don't think I've got the number of current caseworkers that are absent from the workplace. I believe it's 115 in total across the entire division, noting that the division is full of caseworkers, managers, casework MCSs and a range of other positions that are supporting the incredible work of our frontline staff.

**The Hon. NATASHA MACLAREN-JONES:** Could you provide that as a breakdown by district and also those that are on workers comp from the JCPRT?

**LAUREN DEAN:** I'll take it on notice, as long as the number is large enough that we maintain confidentiality.

**The Hon. NATASHA MACLAREN-JONES:** Yes, that's fine, I understand. I might just touch on family preservation programs. In the DCJ funding approach paper, it states that there'll be additional funding for the cultural and linguistically diverse communities. Has that funding been allocated the amount?

**PAUL O'REILLY:** I don't have the funding approach paper with me right now, but I think what that comment or that statement refers to is the build-up of the funding model for the client group. People providing services to those clients will have a particular funding model for those clients, but I might take it on notice to provide a more detailed response.

---

**CORRECTED**

---

**The Hon. NATASHA MACLAREN-JONES:** Also around the CALD advisory service and when that will be implemented.

**PAUL O'REILLY:** I'll come back to you on that.

**The Hon. NATASHA MACLAREN-JONES:** There's an additional loading for CALD communities and also Aboriginal families. Was consideration given to rural, regional and remote communities?

**PAUL O'REILLY:** It was a very long consultation and co-design process before I started here in this program. I will check whether that came up in any of the other conversations or considerations and come back to you. It was a very long and complex process.

**The Hon. NATASHA MACLAREN-JONES:** That's fine. Then looking at the funding paper—and I'm mindful that you don't have it in front of you—but could you just outline how the funds were allocated to the various districts? Because some got a lot more than others.

**PAUL O'REILLY:** Yes. This is the first time it's been allocated on the basis of need as opposed to just a historical re-funding by location. Some of the differences that we will notice when we go live with the new program is that some of the metro locations will have less, and some of the regional locations will have more. That is one of the changes because it has become evident in review of need—child protection data, for example—that that is where there is more need, which is not a surprise, given some of the socio-economic issues in some of the regional locations.

**The Hon. NATASHA MACLAREN-JONES:** What were the data that was analysed? I noticed that the Hunter got a lot more versus somewhere like the Illawarra.

**PAUL O'REILLY:** The Hunter is a good example. The Hunter is a very big, complex area. It has a very high demand for child protection and out-of-home care. Surprising to a lot of people, the level of demand up there. It's not surprising to me that it would get more need-identified and family preservation resource allocation model. That makes sense to me in terms of a needs-based approach. If I was to give you all of the need metrics accurately—I don't want to mislead you—I will take it away because it is complex, and I don't want to mislead you.

**The Hon. NATASHA MACLAREN-JONES:** That's fine. Just on the community referral caps of 10 per cent. I'm interested to understand how that came about and also the consultation that was involved.

**PAUL O'REILLY:** There was a lot of consultation on that, and a lot of divergent or different views on that. There are still some strong views that it should be higher. I do appreciate that, and I understand the rationale for those views, giving community the opportunity to make referrals before people have had contact with the system. I do understand that. The challenge we have is that it is a limited resource, and it is a critical element of responding to reported risk through the helpline. As part of the assessment processes, as Ms Dean mentioned earlier, one of the steps that will often be taken is checking whether family preservation referral will be an opportunity to divert someone away from further involvement in the care system.

When the budget is limited, or when the program is limited, a decision needs to be made about having access to as much of that as possible to ensure that we can move families through the assessment process into a non-statutory response as quickly as possible. If we had opened up community referrals much bigger, the child protection teams would have had less access to that resource to divert families away. We have plans to undertake a pilot in a location yet to be determined with a higher community referral rate to see what happens, and see if that makes any difference, because there is so much interest in—we would also like to know what more community referrals would do, but given the level of demand on the child protection and assessment system we didn't feel it was safe or secure to relinquish more than 10 per cent of those referrals to the community while we try and get that throughput and diversion. I hope that makes sense.

**The Hon. NATASHA MACLAREN-JONES:** That does. Thank you. I might actually just follow up on some of the questions this morning around DCJ accreditation and, in particular, the two districts. If you could provide an outline of what are the conditions that have been imposed, and also when the reporting is due.

**RACHAEL WARD:** As I stated this morning, all 16 individual agencies are fully accredited through DCJ. There are two that have additional undertakings. One of those is New England. The condition was imposed following concerns regarding safety, welfare and wellbeing of some children and young people, and requires the district to provide an action plan and regular reporting on actions to address noncompliance with standards 1, 2, 3, 14 and 15. I can table those standards so you can—I won't read them out. The Children's Guardian also referred 10 matters of concern, like individual children, to the department requiring urgent attention, and the New England district remains under active monitoring, which includes additional monitoring visits at short notice. They are complying.

---

**CORRECTED**

---

The second district that is subject to additional conditions is the Far West district. A monitoring visit occurred in November-December 2024 and found significant gaps in practice. The condition's been imposed on the district's accreditation. It requires the district to prepare an action plan, setting out how it will meet the requirements of standards 2, 3, 11, 12, 13 and 15. The condition also requires regular written progress reports to the OCG. As I said, to date, both districts are fully compliant with the conditions.

**LAUREN DEAN:** Can I just add to that also, please, just a call out, because we do have staff and leaders working incredibly hard in those districts to ensure compliance with the standards. We do—as you would appreciate—have significant staffing recruitment challenges for both of those areas, so it's important to note that whilst we continue to focus on the increase of recruitment and retention for those two areas, by natural numbers it does mean that it continues to be an area of focus for us to make sure that the service delivery for children and young people in out-of-home care is consistent with the out-of-home care standards, whilst also acknowledging that we do struggle to recruit staff in those areas. We would appreciate any assistance from anyone in the room, or listening, in relation to checking out our employment opportunities to come and be a caseworker for the department. We think it's a great place to work. We've got an excellent authorising environment, and obviously these two particular areas, we're looking at every strategy we can to help ensure we recruit the right people to work in those areas.

**The Hon. NATASHA MACLAREN-JONES:** That brings me to my final bit: What is actually being done by the department to increase recruitment? Obviously there is money being put into it, but what exactly does that entail?

**LAUREN DEAN:** Yes. We know that the vacancy rate largely sits across our hard-to-recruit areas. In our metro areas we've got lots of caseworkers or lots of people willing to come and work for us. We know that there's some hard-to-fill locations. We're looking at a range of strategies. We're looking at other cross-government or cross-regional kind of incentives to get the right people to those places. We are about to initiate a recruitment strategy across all of our current and existing trained staff that says, "Would you be interested in moving to the country?" obviously for either a shorter period of time or longer period of time. We acknowledge that impacts families, friendships, relationships, but we are also keen to make sure that we have the best staff working in those areas.

In addition to that, we're working with our talent acquisition team, who are working tirelessly to try and help us find the right people to come in to work as caseworkers. We have a number of social media activities in place to be able to help increase the profile of the department and really provide clarity about the great role that being a caseworker is. In addition to that, we're working with universities to make sure that we've got a pipeline of people who are finishing their social work degrees. We also know that we are stronger as a division with a myriad of multidisciplinary work. There are people who were once nurses, people who were once childcare workers et cetera, who are moving to become a caseworker as well. We continue to look at all of those avenues.

**The Hon. NATASHA MACLAREN-JONES:** Are you confident that if you are able to recruit the staff into those two districts, it would address all of the conditions that have been placed on DCJ?

**LAUREN DEAN:** Yes, so recruitment is part of the story. The other part of the story is support and training. It is absolutely about retention. We know that—as the Minister mentioned this morning—we do have a challenge in the retention space post two years of the work. That's because it's hard work. Every day you're giving your best self to a number of children, young people, their families and communities in their toughest times. We know that it is hard work in trying to retain our staff. That's why obviously the award negotiations, the influx of the budget as well, to increase pay and conditions, only goes some of the way.

We know that increasing support, mentorship, as well as giving career progression for caseworkers as well is also part of the whole strategy to help us move forward. In relation to those specific areas that you identify, or the two regions, if you like, recruitment, retention, strong support and leadership, and hopefully keeping people in place to allow them to engage with and create good positive relationships for our children and young people—that's what will help us get through what is ultimately expected of us from the Children's Guardian.

**Ms SUE HIGGINSON:** If a First Nations child comes to the department's attention for the first time, is there an early notification system to the peaks—like, say, to AbSec? It came to my attention that there perhaps isn't anything like that. Is that something that should happen, or is that something that has been considered and is there any reason that wouldn't happen?

**LAUREN DEAN:** Ms Higginson, if I can respond first—I note the secretary was about to. No, we don't have that. In relation to information that the department receives about First Nations children or, in fact, any child or young person in this State, there's no legislative allowance, if you like, for us to then pass that on somewhere else.

---

**CORRECTED**

---

**MICHAEL TIDBALL:** A section 105 issue, I imagine, would be the difficulty.

**Ms SUE HIGGINSON:** It's been raised with me as an issue. If a child comes to the attention for the first time, then that is an obvious location where we could be putting the right—I'm not trying to detract from the existing entry procedure and process that might happen, but is it not something that we are overlooking that we could seek to remedy, in terms of that early notification, and AbSec and the networks and so on, rather than relying on it happening in the process?

**LAUREN DEAN:** I understand the intention of the question. I'll answer my part and then potentially Mr O'Reilly might want to add. I think we need to be very cautious that we don't make an assumption that all information that we receive, families would consent to us sharing. For instance, in relation to prescribed bodies and where we're allowed to share that information under chapter 16A et cetera, we'd need to be very cautious about that. Wherever possible we work with families, First Nations, and, in fact, families of any cultural background, to make sure that they would consent with us, and to us, before we would then necessarily go sharing their information. I understand the intention of your question. As I understand it, there's nothing that would currently come into play that would allow us to do that and, from my understanding, we'd have to be pretty cautious before we were to go and explore that. However, Mr O'Reilly, did you want to add anything?

**PAUL O'REILLY:** Just briefly. We totally appreciate the need for that first contact with an Aboriginal child and family to be the right contact. It needs to be respectful and it needs to identify every opportunity for family-led decision-making and shared decision making where possible, and assessing risk and assessing safety. Absolutely. So there are some locations around the State where our teams do that very naturally, particularly with Aboriginal caseworkers and managers. It is a natural way of working, but it is not everywhere, and this is what a lot of the reports that you've seen are saying.

By working closely with our CAPO partners in redesigning the assessment process in the next period and all of our child protection policy framework, we really want to implement effective family meetings as a first response. That means that, with internal family consent, the relevant family members are brought to the table and notified. Where all people around the table provide consent, we can then also bring in ACCOs and other agencies who would be helpful—but it is by consent. That's a really important consideration. As Ms Dean was saying, we have to be really careful not to breach confidentiality and breach the law in providing child protection information to people who do not have a legal right to it. That's a really important consideration.

Respectful, family-based interactions and assessment is critical to the reform, though. Not only do we need to design it carefully with our CAPO partners and community and other Aboriginal groups, but we also need to make sure that we're monitoring it effectively and we're asking families what their experience is like. The quality assurance, the ongoing monitoring, the evaluation of those new frameworks that we will implement all have to include family voice and child voice in assessing whether it has been, as intended, a respectful, accurate family sharing interaction. That's the goal with the reform, in terms of responding more effectively to Aboriginal families.

**The Hon. NATASHA MACLAREN-JONES:** Just following on from cultural plans, what happens when you have a young person who is Aboriginal and also from another multicultural background? How is the department managing the cultural plan for Aboriginal children and the cultural plan for when it's multicultural, particularly if they were then transferred to an ACCO?

**PAUL O'REILLY:** We might both have a response, but my understanding of the response is that it needs to be a child-led, child-centred approach. So there needs to be consultation to work out how a culturally responsive plan supports the young person's identity or search for identity—wherever that child is up to. I think it has to be a child-centred approach as opposed to a rigid approach.

**LAUREN DEAN:** I would add that, obviously, we ensure compliance with the placement principles if a child or young person is Aboriginal. If a child or young person is Aboriginal but also then identifies as a member or part of another CALD background, we work with the child or young person, their family and extended family in order to make sure that, ideally, they've got connection to both important cultures in their family history and their life. Obviously we are particularly committed to making sure children and young people who are Aboriginal are connected to their family, ideally placed on country and really part of their family and their mob.

But we do have a number of children in New South Wales who are in the PR of the Minister and who absolutely identify as an Aboriginal or First Nations person or people and also part of other CALD communities as well. We do our best to make sure that those children and young people are really clear of their cultural heritage—like many people, multiple heritages that feature in part of their cultural story—and making sure that, for instance, they have a cultural support plan that recognises and supports their Aboriginality and making sure of

---

**CORRECTED**

---

their connection to mob and country. But they would also have part of that cultural support plan to ensure that, for instance, whatever other culture is present is also part of their life as well.

**The Hon. NATASHA MACLAREN-JONES:** And how are you ensuring that the CALD plan is also being delivered if the child is placed with an ACCO?

**LAUREN DEAN:** We work with ACCOs. In relation to the policy position, it is, working with children and young people to recognise their heritage, regardless of what that is. An ACCO would work to make sure that that Aboriginal child or young person is supported within their Aboriginal community but then would also be supporting, for instance, contact with birth family, extended family, other members of the extended family from the other culture to make sure that they were exposed to and supported to embrace, to the extent of their choosing, the nature of that culture as well.

**The Hon. NATASHA MACLAREN-JONES:** Do you have a breakdown of the number of young people that would have a cultural plan that's both Aboriginal and CALD?

**LAUREN DEAN:** I do. If you wanted to give me a moment, I think I actually have that in my notes, Ms Maclaren-Jones. Do you want me to take that on notice and provide it back? Is that quicker?

**The Hon. NATASHA MACLAREN-JONES:** Yes, that's fine.

**The CHAIR:** We will have a break for 15 minutes and come back at 10 to four.

**(Short adjournment)**

**The CHAIR:** We might get started.

**The Hon. NATASHA MACLAREN-JONES:** Following on from this morning, around section 90 variations, I am specifically interested in young people who have been in residential care, predominantly, for maybe more than five years where they've obviously run away from placement and are self-placing with a parent. The section 90 is then initiated that the child return to the parent. What support is then provided to that young person? I assume they don't get leaving care when they turn 18 or anything like that.

**MICHAEL TIDBALL:** Are you happy to help with that?

**LAUREN DEAN:** Yes. A couple of things—in relation to leaving care entitlement, that is dependent on what age they are when they exit care and go home. In relation to the support that's provided, it depends on a case-by-case basis. Obviously, where children—well, young people, I assume you're talking about. Correct me if I'm wrong.

**The Hon. NATASHA MACLAREN-JONES:** I'm looking at that—

**LAUREN DEAN:** Teenage.

**The Hon. NATASHA MACLAREN-JONES:** Yes, 16 or so, when they're running away from a residential care placement. Not so much younger ones that the restoration or the—

**LAUREN DEAN:** Yes. It would still be considered a restoration if they are entering or going home. We know that most young people in out-of-home care absolutely have a—sorry, should I pause?

**Ms SUE HIGGINSON:** Sorry, that was my fault.

**LAUREN DEAN:** In relation to restoration activity, it depends on what's going on for that young person. In relation to obligations from the department, of course, we continue to have obligations, obviously, for a section 90 to be applied when they're not the decision-maker. Obviously, the decisions remain the decisions of the Children's Court in relation to where a PR is then allocated. Restoration activity can include a variety of things. Sometimes restoration activity for children and/or teenagers includes absolute full-on service delivery to be able to support parents to have successful restoration because, of course, we would view that as very important. In fact, for children who go home, getting that restoration successful is absolutely the highest priority for us.

**The Hon. NATASHA MACLAREN-JONES:** It's not so much about restoration. I'm actually interested in the young person that has left placement, so they are either self-placing with a parent and it is unauthorised leave—

**LAUREN DEAN:** Yes.

**The Hon. NATASHA MACLAREN-JONES:** —where the department then files for a section 90 for that young person to remain with their parent.

---

**CORRECTED**

---

**LAUREN DEAN:** That is, though—by virtue of a young person going home, it is reunification and restoration activity.

**The Hon. NATASHA MACLAREN-JONES:** Even though they've left their placement as unauthorised and it wasn't a decision by a caseworker for restoration, are you saying that if a young person runs away from placement and self-places, you then consider that as restoration?

**LAUREN DEAN:** Every child and every scenario is different but, essentially, if there is a section 90 being applied, then the department has formed a view and is making a recommendation to the Children's Court. On balance—not to say that this is every example—that is a restoration activity that would require our obliged support to make sure that that young person is safe at home. There are instances, though, when young people leave placement and for a variety of reasons go to a variety of different places. That might be home. It might be extended family. It might be someone they found on the internet. The reality is that we know young people, especially those young people in ITC, have a myriad of trauma history, and we work with them on a case-by-case basis about what it is that's required to support them.

**The Hon. NATASHA MACLAREN-JONES:** Are you confident that every single one of those young people is getting the financial support or assistance?

**LAUREN DEAN:** No, I would say that the young people that we have—are you talking about young people that have exited ITC?

**The Hon. NATASHA MACLAREN-JONES:** That have left the place unknown—not the ones that are authorised to leave, but the unauthorised. They could be self-placing unknown, placing with a parent or placing with friends.

**LAUREN DEAN:** Yes. Obviously, the department has limited visibility for some of those young people. There's a range of concerns that we have for that cohort of young people who do exit a safe place and go somewhere else, especially when that somewhere else is on the back of a non-existing or new relationship. There might be age differences. There are gender issues. There's a range of things that we might bring into that that are concerning. It would be remiss of me and I would be misleading if I was to suggest that, for every young person that's not currently in placement, we're comfortable about their circumstances, because that, in fact, wouldn't be the case.

**The Hon. NATASHA MACLAREN-JONES:** You took some of this on notice this morning, but could you advise the number of section 90s that the department has applied for in the past 12 months—I'm happy with financial year—broken down by how long they were in care and whether or not those section 90s were successful?

**LAUREN DEAN:** Yes, we can take those three aspects on notice.

**The Hon. NATASHA MACLAREN-JONES:** I might ask a couple of questions of Mr Smith.

**JEFF SMITH:** I'm very excited.

**The Hon. NATASHA MACLAREN-JONES:** This is just a broad question in relation to the 2023 to 2028 strategic plan. Looking at the five pillars that are part of that plan, what has been one of the most challenging for implementation and why is that?

**JEFF SMITH:** I think that the challenges for us are translating the vision of the Ageing and Disability Commission with the legislation writ large—translating that into a strategic plan and then having the operational resources to deliver on all of those things. In terms of the structure of our strategic plan, we've spent a lot, quite rightly, on safeguarding people from abuse, neglect and exploitation—that frontline work. That will always remain a priority. We would like to move to a model where, to evoke the language of this morning around early intervention and prevention, we would have more resources to do two things: firstly, to do work around education and awareness raising at all levels so that people recognise abuse, neglect and exploitation when they see it so that reporters—if I can call them that—which are generally service providers and members of the family, know how to deal with those matters when they see them.

That's about sending them to us when it's absolutely our role and sending them to the police when they would be more appropriately dealing with it, identifying domestic, family and sexual violence resources in those kinds of circumstances—more of that preventative and early intervention work to be built in. All of this is in our strategic plan because it reflects, essentially, the parameters of the legislation. Then the third thing would be around trying to get on the front foot around the ability to send those inquiries to the Minister and to move away from the footing where you're involving—and I totally understand that you want to do this. When the Government has proposals, we want to feed into those proposals. We would also like to be able to get on the front foot and

---

**CORRECTED**

---

report much more routinely—report to the Government and the community of New South Wales at large about what we are seeing out there and some of those priorities that we're seeing.

**The Hon. NATASHA MACLAREN-JONES:** I know this crosses over into Minister Harrison as well, but people with disability and coercive control—is there a body of work that you've been working on around not just raising awareness but also that reporting of it?

**JEFF SMITH:** Can you just say—I didn't quite?

**The Hon. NATASHA MACLAREN-JONES:** It's around coercive control and people with disabilities. What body of work has been done to raise awareness for people with disability about the new legislation in particular?

**JEFF SMITH:** In terms of our education and awareness raising, I would say—and this is my impression because I'm only new to the role—that it's rolled out in phases. The first phase was, quite rightly, that phase around telling the world at large that the commission had work to do, that this is what its statutory functions look like and this is the way we want to engage with the world. In more recent times, part of the issue with that—and that is absolutely what you want to do in that phase one. It is that if you tell them, they will come. You need to have the resources at the other end to deal with that.

The second phase has been twofold, if you like. It has been trying to have more targeted communications with particular cohorts around the work that we do and, secondly, focusing our education awareness raising on the particular role of the commission as part of the—I hate this word, but I'll use it because I can't think of another one—ecosystem that there is out there. When something should more rightly go to the Aged Care Quality and Safety Commission, this is what that looks like. When something should more rightly go to the police, this is what that should look like. To drill down into your question, I think that our education and awareness-raising work, because of the nature of the institution, must always—across that general education and awareness raising and even within those targeted education and awareness-raising initiatives—target people with disability and older people.

Most of the resources that we have are in plain English. There is a set of practices and initiatives which we use to ensure that we engage with those communities. Again—it's not a qualification, it's a fact—I've just walked in the door. Part of my priorities when I walked in the door was to be talking to stakeholders from the advocacy sector in the first instance in regard to older people and in regard to disability. I've worked in disability, but on the national stage. It was about finding out what is happening on the ground in New South Wales in those two areas and finding out what their priorities are and also what the relationship with the commission is—what they like about the relationship and what needs to change.

It's as simple as that, really. I've been building my information base around that. Perhaps not surprisingly, it is a very beloved—I use that expression a bit—authority. There is a lot that people do like about the work that we do. My role, obviously, is to look very closely at what we do and how we do it and at the feedback that I've got from those stakeholders to keep improving and maintaining the reputation that we do have, because we've got a great reputation across Australia. Hopefully, that answers your question.

**The Hon. NATASHA MACLAREN-JONES:** A final question, which is both to yourself and also to Ms Ward, around data sharing. I'm interested to know how many formal information sharing agreements you currently have and with which agencies.

**JEFF SMITH:** If I can answer that in general terms and then take the question on notice. I know that we've got, either signed or in train, quite a few. We've got one with police which, amongst other things, involves read-only access to the COPS database. That helps in much of the work that we do. We've got one in the late stages with the Aged Care Quality and Safety Commission. As I understand it, that work has been going on since 2019. I'm not quite sure when we're going to get the signature on that, but I approved the final version just the other day. We've got a pilot and a memorandum of understanding with the NDIS commission as well, and we've got one with the health department.

**The Hon. NATASHA MACLAREN-JONES:** Have there been any data breaches in the last 12 months?

**JEFF SMITH:** Not that I'm aware of, no.

**RACHAEL WARD:** The OCG has a number of memorandums of understanding between agencies. We have one between the Office of the Children's Guardian, the Ageing and Disability Commission and Official Community Visitors. We have one between us and the Office of the Children's Guardian and the regulatory authority for early childhood education and care services. That one is currently being reviewed in light of the

---

**CORRECTED**

---

information that needs to be shared between the two regulatory services. We have one between us and the national quality and safeguards commission.

**The Hon. NATASHA MACLAREN-JONES:** Have there been any data breaches?

**RACHAEL WARD:** Yes. We've just had a data breach that we've notified to the Privacy Commissioner.

**The Hon. NATASHA MACLAREN-JONES:** Are you able to explain what the nature of that is or what data was—

**RACHAEL WARD:** It's in relation to an employee matter. It was in relation to records received by GovConnect as a result of a ServiceNow request, which is our internal system for applying to GovConnect for leave and that sort of thing—but you can also apply for IT access.

**The Hon. NATASHA MACLAREN-JONES:** Mr Tidball, has there been any data breaches within DCJ in the last 12 months?

**MICHAEL TIDBALL:** Yes. DCJ is a very significant entity. The most significant data breach, which I think is more relevant to the Attorney General's estimates, but I don't mind indicating—

**The Hon. NATASHA MACLAREN-JONES:** I'm on that one as well.

**MICHAEL TIDBALL:** The registry end of JusticeLink in the court system was subject to a data breach. There has been comprehensive communication around it. I'm looking for help, and I don't have a note on it. There are—

**The Hon. NATASHA MACLAREN-JONES:** That's okay. We've got the AG next week, and I'm on that.

**MICHAEL TIDBALL:** I just want to ensure that I respond with precision. Can I advise of others, not on notice? There have been several data breaches. We're working with two providers, and currently working with another one, in relation to an incident that meets the threshold of requiring data breach notification—I'm talking service providers. The first incident, which has now been completed, was reported in July 2024, so it is just over a year ago. It arose from a phishing email being received by a staff member who opened an attachment giving the threat actors access to the organisation's systems.

The second incident, which has now also been completed, was reported in September 2024 and was as a result of a data breach involving a third-party provider which was used to provide email spam-filtering services. It was determined that this was a notifiable breach. Then there was a third incident reported on 14 January 2025 involving a threat actor and ransomware. That incident was contained, and the notification procedure is well advanced. The most recent incident continues to be managed by DCJ, by our data response team, in close collaboration with the impacted provider. I can indicate that DCJ liaised with the information and privacy commissioners on these matters, with notification approaches completed, and continues to liaise with them about the matter that is still underway.

**The Hon. NATASHA MACLAREN-JONES:** Did it involve young people or families?

**MICHAEL TIDBALL:** I would need to take that on notice.

**Ms SUE HIGGINSON:** Can I just ask about something we raised in last budget estimates and I haven't checked since. It was about the Aboriginal authority for restoring children. At the time, the Minister said that she was committed to standing up a restoration taskforce. Can I be updated on what has happened, if anything, since then?

**MICHAEL TIDBALL:** Indeed. The appropriate person to update—because he is overseeing the work or his division is working closely with the sector—is Mr O'Reilly.

**PAUL O'REILLY:** We are working with Associate Professor BJ Newton and AbSec on the development of the Aboriginal restoration model. It is a complex piece of work, but it is progressing well. The team is working inside DCJ part time doing some file reviews to try and work out how we can identify earlier opportunities to commence restoration proceedings. That is one aspect of the work. Another aspect of the work is developing a prototype or a model for engaging with out-of-home care providers directly and working alongside their caseworkers to drive restoration activity.

**Ms SUE HIGGINSON:** This thing that's happening—is that the south-west Sydney taskforce or is that different?

**PAUL O'REILLY:** No, it's different.

---

**CORRECTED**

---

**Ms SUE HIGGINSON:** It's different?

**PAUL O'REILLY:** Yes.

**Ms SUE HIGGINSON:** Does the south-west Sydney taskforce still exist or has that—

**PAUL O'REILLY:** It's not my area. That's operational.

**LAUREN DEAN:** As I understand, it's still in play. But it was a local initiative within that district in order to increase restoration activity.

**Ms SUE HIGGINSON:** Right. With the taskforce that is happening, how does it actually work? Is the intention that every child has a restoration case plan, or what are the objectives and where is it travelling to?

**PAUL O'REILLY:** A lot of that is still being worked out and elements of the model are still being worked out. But one of the key benefits of this approach, if it comes to fruition, will be Aboriginal-led expertise to assess opportunities to commence reunification work with families, restoration work with families, quickly. Potentially, where it may have been overlooked in the past, it's an opportunity to take a fresh look and commence those proceedings. But the model has to be developed in detail, and that hasn't completed. That is underway at the moment and that will take some time.

**Ms SUE HIGGINSON:** I understand that, obviously, you can't go and do harm. I accept that. Is other restoration work continuing for Aboriginal children?

**PAUL O'REILLY:** For all children, yes. There's restoration effort everywhere, but this is probably the most focused and concentrated innovation around restoration work in terms of doing things differently. Internally, we are also exploring other ways to drive an innovative approach to restoration. That might be establishing new restoration teams, it might be working with the legal services team, it might be working with some of our permanency coordinators. There's a whole range of models we can consider to drive a focused, dedicated effort around restoration. But all those things are being considered.

**Ms SUE HIGGINSON:** In terms of the details around that, do you have the numbers on how many Aboriginal children currently in out-of-home care have a case plan goal of restoration?

**PAUL O'REILLY:** I believe we have that somewhere.

**Ms SUE HIGGINSON:** Is the name of the taskforce the Aboriginal Authority for Restoring Children? Is there a particular name for this—

**PAUL O'REILLY:** That's how it is known, but all that stuff is being worked through.

**Ms SUE HIGGINSON:** So at the moment it's known as the AARC, internally?

**PAUL O'REILLY:** Yes.

**MICHAEL TIDBALL:** For the sake of accuracy, we would prefer to take it on notice.

**Ms SUE HIGGINSON:** I'm very interested in how many children currently in the system have a case plan goal of restoration, and then how many Aboriginal children exited care by way of a restoration.

**MICHAEL TIDBALL:** Ms Higginson, I just want to check this. I think I do have it. No, we'll take it on notice.

**Ms SUE HIGGINSON:** I know we ask for things in particular ways and it might not necessarily be the way that it's recorded.

**MICHAEL TIDBALL:** We'll take it on notice. Thank you.

**PAUL O'REILLY:** You'd have to tolerate a lot of paper shuffling, I think, in order for us to quickly answer that question.

**BIANCA JARRETT:** I've got the number for 2024-25. It's preliminary data, obviously, because it's still going through an ageing process, but 130 Aboriginal children exited to restoration and that accounted for 38.6 per cent of all children restored.

**Ms SUE HIGGINSON:** In 2024-25?

**BIANCA JARRETT:** Yes.

**Ms SUE HIGGINSON:** What is the total number of Aboriginal children currently in the out-of-home care system? I know you've got that one.

---

**CORRECTED**

---

**LAUREN DEAN:** I can answer that one, Ms Higginson. It's 13,551 children in PR to the Minister, and of that number, 6,297 of those children or young people are Aboriginal, and that is 46.5 per cent.

**Ms SUE HIGGINSON:** So in that one year, 130 were out of the system via a restoration. I'm very interested then in how many children currently have a restoration plan, so that we can get a better view of that. Is it also possible to know what financial commitment is currently provided to this taskforce or what was known as the Aboriginal Authority for Restoring Children? Is there a financial component for this financial year?

**PAUL O'REILLY:** Yes, DCJ is funding that work, working with those partners, and we're funding it to the value of \$1.5 million this year with a provision for \$1.5 million next year. At this stage it's a provisional allocation for the following year because we need to assess how the work has progressed in the first year, and then there may be an opportunity to seek recurrent funding. But that would be contingent on the model being established and being approved by Government.

**Ms SUE HIGGINSON:** Ms Jarrett, the 130 children that exited last year—is there any way to understand whether there's a margin that might return or is there firm certainty that these children have well and truly exited the out-of-home care system?

**BIANCA JARRETT:** Ms Dean is probably better placed to answer because it's operational data.

**LAUREN DEAN:** I'd have to take that specific question on notice. But at no point would we undertake a restoration activity with a margin that expects kids to re-enter out-of-home care. We would describe that as failure in its most extreme state.

**Ms SUE HIGGINSON:** In terms of that experience, from previous years, is there a percentage of understanding of a child coming back into the system?

**LAUREN DEAN:** I'd have to take that question on notice. It's not something that we're tracking to say this is the percentage that return, although I would suggest it's part of our annual reporting requirement. So if you're happy for us to take that question on notice—

**Ms SUE HIGGINSON:** Please. Thank you.

**LAUREN DEAN:** What we can provide is, of course, that there's been a continued reduction of the restoration numbers overall. We continue to work in partnership, as Mr O'Reilly has described, in order to embark upon more significant, more intentional and more purposeful restoration activity, noting that it's probably useful just to call out that, of course, the restoration decision remains with the Children's Court and that the department is obligated to work with the Children's Court in such a manner that we are not accused of pre-empting Children's Court magistrate's decisions et cetera. That means we have to follow the court process if the restoration is early on, while children and young people are still on interim PR orders.

Alternatively, where children and young people have been in out-of-home care for a longer period of time, restoration activity is still—essentially, we would undertake a section 90 back to the court in order to ensure that we are being transparent about who in fact is exercising parental responsibility for the child or young person. As a young person gets older, of course, we seek their input and ensure that their voice is heard about where they want to live and who they want to be able to exercise PR when reunification is the priority—absolutely acknowledging that we still have a lot of work to do, and this remains a priority for the division. All of our staff absolutely understand that there are times that children and young people unfortunately cannot remain with their birth family. However, obviously, the obligation for us to ensure or facilitate reunification, at the safest time in its urgency, is something that we continue to work on.

**Ms SUE HIGGINSON:** I think we touched on this in the last estimates. Can I ask what is happening internally around the data sovereignty for ACCOs? I know we were touching on it a little bit earlier in relation to early entrants, but is there work happening in terms of that piece around data sovereignty or is it all locked up in—

**PAUL O'REILLY:** There's a whole-of-government piece of work around data sovereignty.

**Ms SUE HIGGINSON:** I think what I'm trying to understand is how is that impacting on DCJ, particularly in the out-of-home care systems and functions in relation to ACCOs?

**PAUL O'REILLY:** Part of the child protection policy reform work we're doing in partnership with CAPO is starting at the beginning and doing a reform logic and outcomes framework for child protection. That is about identifying what the measures will be, what the goals will be and all of those elements of an outcomes framework and program logic, in partnership. That's about establishing those measures, and then the next step will be to work out the policies, how we review the policies to meet those measures, how we capture the data and then who's involved in the capturing. All those elements are normally done in a policy review process. With this policy

---

**CORRECTED**

---

review process being done in partnership, we seek to implement those data sovereignty principles from the beginning and all the way through, but it is very early days.

**Ms SUE HIGGINSON:** From the very early days and given the behemoth data system that DCJ has to run, is there likely to be the requirement of some kind of legislative change in order to give true to the data sovereignty requirements of First Nations families and communities?

**PAUL O'REILLY:** I don't know. Certainly there are different views about what it means to implement data sovereignty, absolutely. There are lots of different views. Any change that requires the sharing of personal information of people in contact with the system is clearly going to require significant consideration and, potentially, change. That is an important threshold, I think, in understanding the nature and scale of change and whether legislation reform is needed. We've not gotten to that stage of the analysis.

**MICHAEL TIDBALL:** I think it's really important that Bianca Jarrett speaks on this.

**BIANCA JARRETT:** There are a few various things. First and foremost, under PR4, CAPO has been funded to progress the work regarding Indigenous data sovereignty and governance, but we are doing a few things internally. Obviously we have funded data connectors under Closing the Gap. That continues. There's an Aboriginal governance panel that has been established for a while now, and AbSec chairs that. That's to provide oversight and direction for the Pathways of Care Longitudinal Study, which is the first larger scale prospective longitudinal study of children and young people in out-of-home care. That panel advises and supports the study on data collection, analysis, interpretation and translation of findings into policy practice.

In 2023 FACSIAR executed 10 service agreements for Aboriginal-led or partnered research projects, and they were selected by an all-Aboriginal panel, which was a mixture of DCJ Aboriginal staff and also stakeholders including AbSec. Dr Paul Gray was involved in selecting those research proposals. This is not in this portfolio but, just to quickly add, BOCSAR and the Aboriginal Legal Service have also jointly established an Aboriginal governance group, which oversees data and research related to criminal justice. So there are things happening. We also support many communities and many ACCOs with their data requests. They'll come to us and want specific data. We work with them and FACSIAR or BOCSAR to fulfil those data requests. Obviously BOCSAR has an information service as well, and FACSIAR are looking at—sorry, this is probably your space, Anne—

**ANNE CAMPBELL:** No—

**BIANCA JARRETT:** FACSIAR are looking at doing the same thing. We can provide more information on notice if that's helpful.

**Ms SUE HIGGINSON:** While we're talking in this regard, Ms Jarrett, we had a very brief exchange outside of the session in relation to what's happening in terms of that first contact with children. You had some very informative things, and I'm just wondering if you could share those with the Committee now.

**BIANCA JARRETT:** Thank you, Ms Higginson. I wanted a chance to circle back to that. Previously you had referenced Family is Culture recommendation 28, which was about establishing a notification service. There were a couple of things that we are funding under Closing the Gap which I think lend themselves to progressing or helping to build evidence around that. One of those is that we are funding the Aboriginal Legal Service to pilot the Aboriginal Child and Family Advocacy Service. They're doing that in Moree and Dubbo. They received four years of funding to pilot that service, and I'll just give you a quick overview about the intended objectives of that pilot.

They are to provide increased support for Aboriginal families to navigate child protection processes, to empower clients to access supports that are available to them, improved child protection and related support service provision for Aboriginal families in both Dubbo and Moree, early and effective legal advice and support for clients in need, and improved child protection outcomes and processes through a reduction in substantiated cases that proceed to court. That pilot is being evaluated. That's currently funded until 30 June 2026. In addition to that, we are also funding the AbSec Strong Families, Our Way project. That's to establish and evaluate 15 Aboriginal community controlled mechanisms. Currently there are three in operation. I believe another two or three are imminently about to commence.

The purpose of those is that when Aboriginal children and families first come into contact with the child protection system, where there is ACCM available, that family is offered a referral to an ACCM. That is to ensure that there is Aboriginal community oversight and support of that child protection case management process and to support families through that process. Again we don't know the impact and outcomes that that program is having yet. It will be evaluated. It is also funded until 30 June 2026. We are working with AbSec to consider how we continue to support them to progress that work and think about what is going to be achievable by 30 June next year.

---

**CORRECTED**

---

**Ms SUE HIGGINSON:** Given the ALS is running the family advocacy service, is there a connection there between the ALS work in the criminal justice space and that family advocacy service? Is there a nexus that's happening?

**BIANCA JARRETT:** Possibly where there are connections or links to families involved in the youth justice system in particular. That will be teased out further in the evaluation.

**Ms SUE HIGGINSON:** Do you know what the decision was to set it all up in Moree?

**BIANCA JARRETT:** I think just because of the advocacy by the ALS regarding the impact of the youth bail laws and the need for additional supports for Aboriginal families in Moree.

**Ms SUE HIGGINSON:** When was it set up?

**BIANCA JARRETT:** They were funded in 2022-23. There were some delays in getting those pilots started, with some recruitment challenges for the ALS, so it started a little bit later than that.

**Ms SUE HIGGINSON:** Was it something where the ALS came to DCJ with a proposal?

**BIANCA JARRETT:** Yes.

**Ms SUE HIGGINSON:** But it's only funded until 30 June 2026 at this point?

**BIANCA JARRETT:** Yes. They received four years of funding. We continue to manage that contract and monitor the progress, and we'll continue to review what the positives are. It's being evaluated.

**Ms SUE HIGGINSON:** Is there any anecdotal feedback at this point in time?

**BIANCA JARRETT:** I'm sure there is, but I don't have it here. But I'm happy to provide that on notice.

**Ms SUE HIGGINSON:** If you can, on notice, if there is any kind of anecdotal feedback—

**BIANCA JARRETT:** I believe there's a mid-term evaluation that may be almost complete. We may be able to share some of that information, but I'll have to confirm that on notice.

**LAUREN DEAN:** Ms Higginson, if I could also add that we are working closely with the ALS and Legal Aid across the entire division in the child protection system, referring children and young people and families for earlier legal advice, strong advocacy and increased transparency throughout the entire process. That remains a high priority also. I understand that there have been more than 2,000 referrals to LAFPA. We could take on notice to provide further information about that.

**Ms SUE HIGGINSON:** On that, with the new bail laws, obviously they're applying across the whole State—they're not subject to just Moree—and they've been extended for a number of years. We just saw from BOCSAR the most recent figures of significant increase in incarceration of Aboriginal young people and children. I think it's a 34 per cent increase. Are you hearing of, or noticing, any flow-on effects to families that you're working with at all? It's probably directed to you, Mr O'Reilly, because I know you cross over in the sections anyway.

**PAUL O'REILLY:** My knowledge of operational impact of those bail law changes is really focused on children in the youth justice system. I'm not aware of direct impacts being felt by child protection teams in relation to those bail law changes. I don't know.

**Ms SUE HIGGINSON:** And not through siblings and so on?

**PAUL O'REILLY:** No, I'm not aware of evidence of that sort of flow-on effect. I'm not aware of any.

**The Hon. NATASHA MACLAREN-JONES:** I've got a handful of final questions. Firstly, estimates of the ageing process of data have been referred to a number of times today. Could you outline what that is and how long it takes?

**LAUREN DEAN:** I think we've got a bit on it, but in its simplest terms, essentially we can't rely on raw data and that's because the data moves, as silly as that might sound. But the reality is, for instance, if you take case plan compliance, staff are obliged to have a case plan meeting with a family about children and young people in out-of-home care. They are required to have that meeting by the end of June, but not required to record it until the end of August. That ageing process essentially means that, for that particular example, you record it at one point in time and then you record something else at a different point in time. The reality is the scheduling of estimates today for us means that we do not have our usual two months ageing data applied to the numbers, which is why we've been referring to our data as preliminary—noting that there will be a period of time after that data is aged that we then comply with our usual data information-sharing protocols to ensure that the data we then release is reliable, valid and of course has been through the same ageing process.

---

**CORRECTED**

---

**The Hon. NATASHA MACLAREN-JONES:** For something that ends on 30 June, it's two months from that date?

**LAUREN DEAN:** Yes. That's why we've got preliminary data because it's possible that some of the exact numbers we've referred to could potentially move post the ageing process.

**The Hon. NATASHA MACLAREN-JONES:** Do you have the ratio of caseworker to child case management for DCJ?

**LAUREN DEAN:** Which child? As in children and young people in out-of-home care case management?

**The Hon. NATASHA MACLAREN-JONES:** Yes.

**LAUREN DEAN:** Just remembering that the department only has case management for about 50 per cent of children, and noting that that number fluctuates, I'll just see if I've got the ratio. If I don't have it, Mrs Maclaren-Jones, can I take it on notice?

**The Hon. NATASHA MACLAREN-JONES:** Yes, that's fine.

**LAUREN DEAN:** I don't think we've got the specific case allocation number, so I'll have to take that on notice, please.

**The Hon. NATASHA MACLAREN-JONES:** Is that something that you capture on an annual basis?

**LAUREN DEAN:** The number fluctuates all the time for obvious reasons because we've got children and young people coming in and out of the cohort and we have caseworkers coming in and out of the cohort, so the number fluctuates. I can take on notice to give you an average for the last financial year.

**The Hon. NATASHA MACLAREN-JONES:** Yes, that's perfect.

**LAUREN DEAN:** Sorry, just to clarify, for children and young people that are case managed by DCJ?

**The Hon. NATASHA MACLAREN-JONES:** Yes, just DCJ.

**LAUREN DEAN:** That are in PR of the Minister?

**The Hon. NATASHA MACLAREN-JONES:** Yes. In relation to local adoption contracts, which I understand are now managed by DCJ—is that correct?

**MICHAEL TIDBALL:** Yes.

**The Hon. NATASHA MACLAREN-JONES:** When did that occur? Was it 12 months ago, the change?

**MICHAEL TIDBALL:** Just over, I think.

**The Hon. NATASHA MACLAREN-JONES:** Could I get a breakdown of the number of adoptions before those contracts changed and to the current financial year—so 2023-24 and 2024-25? I'm happy for you to take that on notice.

**MICHAEL TIDBALL:** Yes. We'll take that on notice.

**The Hon. NATASHA MACLAREN-JONES:** Also whether or not the department has or intends to do any modelling around what impact that change has had. Have you seen more adoptions, or less?

**ANNE CAMPBELL:** Just to note, it was local adoptions?

**The Hon. NATASHA MACLAREN-JONES:** Yes, just local.

**ANNE CAMPBELL:** Not in out-of-home care.

**The Hon. NATASHA MACLAREN-JONES:** Yes. That brings me to unaccompanied humanitarian minors. How many are currently in DCJ or under the supervision of the Minister?

**MICHAEL TIDBALL:** We will need to take that on notice.

**The Hon. NATASHA MACLAREN-JONES:** That's fine. Another one just about the former Premier's Youth Initiative. I understand that's been extended to 30 June next year. That's for supporting young people leaving out-of-home care.

**MICHAEL TIDBALL:** I think that is a question for Minister Jackson.

---

**CORRECTED**

---

**The Hon. NATASHA MACLAREN-JONES:** That's fine. A question in the previous estimates was in relation to 30 June, the number of young people in out-of-home care with a case plan goal. I asked for the breakdown of adoption, restoration, guardianship, long-term care, assess restoration and then there were a number who are blank. What does blank mean?

**MICHAEL TIDBALL:** I would really prefer to take that on notice for the sake of accuracy.

**The Hon. NATASHA MACLAREN-JONES:** That's fine. This might be another one—a similar thing. When asked about case plan goals from zero to 17, it states that there were a number of children—for this one it's around 4,000—that did not require a case plan, or a small proportion has missing goals. I'm just interested to know why they wouldn't have a case plan and what the missing goals would be.

**LAUREN DEAN:** We'll have to take on notice in relation to the missing goals. As to why they might not need a plan, it depends where they've entered out-of-home care; it depends when they've exited; it depends on the order and a range of other things. Can I just circle back? You asked a question about local adoption numbers. I've got some of those here if it's useful for me to share with you. In relation to 2024-25 preliminary numbers, were you asking about local adoption, or adoption generally?

**The Hon. NATASHA MACLAREN-JONES:** Local adoption.

**LAUREN DEAN:** There were zero Aboriginal children adopted and then I understand it's 55 children adopted for the whole year, and that is a decrease from the year prior. The year prior it was 64 in total and five of those children were Aboriginal. Sorry, can I have another go at that? In relation to 2024-25, it was zero Aboriginal children adopted and 55 non-Aboriginal children adopted—a total of 55. For the year prior—I think you asked about also—it was five Aboriginal children adopted, 64 non-Aboriginal children adopted, and 69 in total.

**The Hon. NATASHA MACLAREN-JONES:** How does that reflect the number of young people that have a case plan goal of adoption? Has that also decreased?

**LAUREN DEAN:** I'd have to take that on notice to confirm that we're providing you with accurate information about that.

**The Hon. NATASHA MACLAREN-JONES:** Is there a reason why there's been a drop?

**MICHAEL TIDBALL:** It's a small number, so we can look at the last two or three years when it does. It's never completely linear. It does move, given the low numbers from year to year.

**LAUREN DEAN:** And just to clarify, they are open adoption numbers and then the local adoption numbers are very, very small. The local adoption numbers for 2024-25 are zero Aboriginal children adopted and less than five non-Aboriginal, so less than five in total. Then for 2023-24, it was less than five Aboriginal children adopted, less than nine non-Aboriginal children adopted and a total of nine.

**The Hon. NATASHA MACLAREN-JONES:** Is there any work or funding attached specifically to increase or promote adoption as a permitted pathway?

**LAUREN DEAN:** Adoption remains on the permanency pathway options list, if you like, but I would say no actual promotion.

**The Hon. NATASHA MACLAREN-JONES:** Is there any actual work that the department does, or you focus on?

**PAUL O'REILLY:** The reform plan in relation to adoption—adoption remains available where it's appropriate, but our real focus is trying to make sure that children have contact with the system only when necessary and only as long as necessary. Restoration has been high on the options on the priority list for case planning goals for a long time. Under our old system, we haven't managed to achieve it. So the reform is about making sure that we achieve restoration much more frequently than we have so far. That is the top priority in terms of outcomes.

**The Hon. NATASHA MACLAREN-JONES:** A couple of final questions about the Auditor-General's report, recommendation 3, dot point 2, around "collecting referral data in each district to monitor the therapeutic service requirements of children and families". Where's that up to?

**PAUL O'REILLY:** I'm sorry, which recommendation was it? Is this the *Oversight of the child protection system* report?

**The Hon. NATASHA MACLAREN-JONES:** Yes—recommendation 3, dot point 2.

**PAUL O'REILLY:** Recommendation 3 of the oversight report focuses on addressing inefficiencies and duplications in child protection reporting. Is that the one you're asking about?

---

**CORRECTED**

---

**The Hon. NATASHA MACLAREN-JONES:** No, sorry. It's the Auditor-General audit report that came out, I think, last year.

**PAUL O'REILLY:** Is it perhaps recommendation 1, which is about understanding wellbeing experiences of children and recording them at a locational level, maybe?

**The Hon. NATASHA MACLAREN-JONES:** I'm happy to pass this down. That's a screenshot of the recommendations, if that helps. It's tiny font, I apologise.

**PAUL O'REILLY:** What the department is doing in relation to that is a couple of things. The first one is identifying, as quickly as possible, how there can be a much more reliable measure of the children's wellbeing, at least annually and more frequently when needed. For many children, that is what occurs. But what the auditor found was that the department is unable to demonstrate that through its data. It's internal or external reporting. So there is an acceptance of that recommendation, and we are currently working hard to try to build the wellbeing reporting as quickly as possible and produce an externally appropriate external reporting system.

The second part that you've circled here in the highlighter is about formalising arrangements with relevant government agencies to improve services. There are arrangements in place, but they are clearly not adequate. That's what the audit found, and we would agree with that. We are in the process of working with our counterparts in health and education, in particular, to develop a new council for driving the reform collectively—the out-of-home care reform. One of the first orders of business is about establishing a much more effective dataset so we can be much clearer about the reach and impact of the services that are currently being applied for children, and then work out how we can improve those services.

**The Hon. NATASHA MACLAREN-JONES:** Is the issue a reluctance to share the data, or is it a computer sharing issue?

**PAUL O'REILLY:** I think it's a number of things. Again, reluctance is not quite the right word, but there are barriers to sharing information. Each of these big institutions, including ours, have to be really clear on what the limits and risks are around sharing information, what the benefits are, and then whether there are any obstacles that need to be overcome to deliver that—and what would be the reason for doing that and how would it actually improve services. Then, of course, there is the IT challenges on top of that.

**The Hon. NATASHA MACLAREN-JONES:** Has any funding been allocated to address the IT?

**PAUL O'REILLY:** That's a stage we haven't got to yet. Our first stage is getting together with those organisations—those other departments—to work out what is the scope of our joint work as opposed to the work we need to do independently. What is that scope and then what resources do we need to apply to improve that?

**The Hon. NATASHA MACLAREN-JONES:** The cross-agency—is that a regular meeting that occurs?

**PAUL O'REILLY:** It will be, yes.

**The Hon. NATASHA MACLAREN-JONES:** When does it commence?

**PAUL O'REILLY:** We hope to commence in the next six months.

**Ms SUE HIGGINSON:** I've written to the Minister and I spoke about it with her in the last budget estimates hearing. Interestingly, I've received a letter from Minister Dib about an Aboriginal children's commissioner. He has said that he understands that that work and discussion is happening. It may be Ms Jarrett who might know something about it, or you, Mr Tidball. I'm interested in any update and progress.

**MICHAEL TIDBALL:** If you're referring to the initiative that, as I understand it, is effectively led by SNAICC, we're working nationally, led by Minister Washington, at that table. That work on Safe and Supported is progressing, but it is, by necessity, part of a national federated response. It's in that spirit that we are proceeding.

**Ms SUE HIGGINSON:** Is it correct that New South Wales remains the only State without a children's commissioner?

**PAUL O'REILLY:** Not exactly, no. The work at the moment, working with the other States and the coalition of Aboriginal peaks nationally, is about establishing agreement on the minimum requirements for such a commissioner's role. Then, if that is agreed, each jurisdiction needs to determine how and whether it implements that function to those minimum requirements. That's a subsequent step. But the first step has not yet been agreed, at a national level, around the minimum requirements. That will take some time. Each State has different arrangements. There are some States where there are commissioners who happen to be Aboriginal people, and there are some States that have dedicated—and, as you know, the Commonwealth has a dedicated commissioner

---

**CORRECTED**

---

as well. But each State is very different. That's why the work is focused on consistent requirements to try to overcome that variability around the country.

**Ms SUE HIGGINSON:** Is there a view that has been put forward, to your understanding and knowledge, that a commissioner role might have an oversight function? Is that part of the discussion?

**PAUL O'REILLY:** That's part of the minimum requirements conversation, but the nature of the oversight is yet to be determined.

**Ms SUE HIGGINSON:** At the moment, the oversight role is managed by the Ombudsman, by the Office of the Children's Guardian et cetera. Are there any conversations about the effectiveness of the current system? I know this has been a bigger conversation, but are there discussions internally about—because it's clearly been very difficult having to respond to all the oversight and accountability bodies.

**PAUL O'REILLY:** The reports are certainly helpful for the reform, I would say.

**Ms SUE HIGGINSON:** To have a kind of overarching—

**PAUL O'REILLY:** No, the reports, as they are now, are helpful, is what I'm saying.

**Ms SUE HIGGINSON:** They are helpful?

**PAUL O'REILLY:** Yes. But, in answer to your question, I think it's probably best to say that the decisions or the real conversations about whether the current regulatory environment is the right mix is really a Cabinet and ministerial conversation rather than a departmental conversation, because we are subject to that regulation, so we wouldn't really form a view. We certainly wouldn't have a public view on whether the right mix of regulation is the right mix.

**Ms SUE HIGGINSON:** I was just offering you this fabulous public forum to say whatever you want to those people—no, I'm not being trite. I was just wondering whether there is any kind of internal, open invitation—whether those discussions, that feedback is being sought.

**PAUL O'REILLY:** A question for the Minister, I would think.

**Ms SUE HIGGINSON:** Fair enough. Thank you very much. I go back to the Family is Culture review and some points in there. As you know, it identified profound systemic failures in how the child protection system responds to Aboriginal children and parents with disability. It found that disability, particularly intellectual or cognitive disability amongst parents, was frequently viewed as a risk justifying child removal rather than a factor warranting support. I'm wondering if there's any way of articulating what the department has implemented around recommendation 35 to design with Aboriginal stakeholders a data collection strategy for children and parents with disability.

**PAUL O'REILLY:** Can I just say it's an open question at the moment? Because the work we're doing with CAPO around the partnership we've recently signed to develop a child protection policy framework together, focusing firstly on risk assessment, that process is going to be a very detailed process. In the course of that work, we will work with CAPO to map and track progress of the work alongside the FIC recommendations so that the integration of the work will continue. We will continue our response to the FIC recommendations, and it will move along with that child protection reform partnership. It'll all be done together.

**Ms SUE HIGGINSON:** I know that it's not necessarily great practice to say, "We'll be done exactly by this date," because I understand it's important, but is there an anticipated broader time frame or trajectory?

**PAUL O'REILLY:** No, there isn't. I appreciate the frustration that people might feel about that—absolutely—but there is a real paradox or complexity here, which is that if people commit to doing partnership as well as they can, and consultation as well as they can, it will take time. We cannot pre-empt the outcome because there is all of this work for us to do together to understand the drivers, understand the evidence and the options, and put options to government for approval. It's not possible to forecast how that will work out, what will happen after each decision or how long it will take. The family preservation consultation took more than two years, for example. I anticipate this is going to be a complex process, but we want to get it right and we want to do partnership as well as we possibly can.

**Ms SUE HIGGINSON:** I understand. As part of that work—obviously there are things that happen along the way—is the department settled on a definition of disability at this point in time, in terms of how you're—

**ANNE CAMPBELL:** Yes, definitely. We obviously follow the NDIS definition of disability.

**Ms SUE HIGGINSON:** In terms of how that's operationalised, is that done in partnership with the Aboriginal peaks? That definition—

---

**CORRECTED**

---

**ANNE CAMPBELL:** I'm pretty sure it wasn't, because I don't think they did—going back to when the NDIS was stood up—any co-commissioning or discussion at that point in time. It was probably pre-Closing the Gap or close. I think it would have been pre-Closing the Gap.

**Ms SUE HIGGINSON:** Does the department currently publish data on the prevalence of disability amongst Aboriginal children and young people in the out-of-home care space?

**ANNE CAMPBELL:** We do publish it more broadly. I'm not sure if it's broken down by Aboriginal versus non-Aboriginal, but I can take that on notice. Certainly, there were a number of recommendations from the disability royal commission around Aboriginal children and data. We've had a number of consultations over the last year-and-a-half, particularly with First Nations. I think it's the First People's Aboriginal network that have raised issues about the lack of disability data, both within the child protection system but equally within the justice system, so we are trying to progress joint work on that.

One of the other bits of work that one of my teams, FACSIAR, are doing is looking at the number of children recorded in the ChildStory system who are notified as having a disability versus what we now have access to through the NDIA data, in which I suspect the prevalence is much higher. We have a higher number of children and young people in out-of-home care that have an NDIS plan than what's reported at the moment, which is that about 19 per cent of children in out-of-home care have a disability. I think it's likely to be closer to 38 or 39 per cent, but don't hold me to that; we're just finalising the cross-check and getting permission from the NDIA to share that data.

**Ms SUE HIGGINSON:** When do you anticipate that work might be complete, to have a—

**ANNE CAMPBELL:** Shortly, I hope, subject to getting approval from the NDIA to report on that.

**Ms SUE HIGGINSON:** Then will that harmonisation be the practice from there on?

**ANNE CAMPBELL:** Yes, I would imagine so. It'll inform Mr O'Reilly's work in terms of the reform of out-of-home care, in terms of looking at what kinds of services, people and supports do you need for children with disability. It could probably go some way to explaining why you've got more children in those IPA agreements as well. I think it could inform a whole range of things.

**Ms SUE HIGGINSON:** It's kind of reckless not to have it, isn't it? It's quite dangerous, in the sense that we're running around without—

**ANNE CAMPBELL:** It's also making sure that children in out-of-home care are drawing down on those plans as well, and have access to the supports that they can get, rather than the department necessarily funding that.

**Ms SUE HIGGINSON:** What investment is currently being made to support disability-informed and culturally safe practice amongst caseworkers, particularly for Aboriginal parents with intellectual disability? There's the real-life experience of dealing with human beings, obviously, in the caseworkers, as you say—these remarkable human beings on the front line doing this work—and then there's a bunch of data that may not support or assist them in the real world. What happens there?

**LAUREN DEAN:** Ms Higginson, I can suggest two things that happen. The first is that our division has an amazing team led by Alison Sweep, who has a very longstanding work history working with children, young people and families with disability. Her and her team, we consult with frequently. Staff know to go and consult with her if we are concerned that, for instance, a disability might be present and not yet diagnosed, and also in relation to the NDIS plans and any difficulties or challenges we might have. We also then bring that into the work of the out-of-home care space as well for children and young people, where they're obviously in the PR of the Minister. We continue to look at training options et cetera. I think we've come a very long way over the last few years bringing to the forefront for caseworkers to really understand when disability is present in either children and young people and/or their parents, and then how we can work better with them to ensure or improve service delivery.

**Ms SUE HIGGINSON:** Before, we spoke—I think it was with you, Mr O'Reilly—about not the correlation between the justice system but, in particular, in relation to the bail laws. What do we have in terms of the data connection or the relationship connection between a child who leaves the out-of-home care system to the justice system? Is there a figure? Is there a data set on that?

**PAUL O'REILLY:** Yes.

**Ms SUE HIGGINSON:** How is that collected?

---

**CORRECTED**

---

**PAUL O'REILLY:** We have some data on that. There are a few ways of looking at this through the data. The first piece of data tells us that 3.8 per cent of children in the out-of-home care system over 10 have had contact with the criminal justice system in the last 12 months. That's measured through cautions under the Young Offenders Act, court finalisation and also Youth Justice Conference referrals under the Young Offenders Act as well. So it's 3.8 per cent of the out-of-home care population over 10.

**Ms SUE HIGGINSON:** Over 10 and under 18?

**PAUL O'REILLY:** Yes, that's right. Then in terms of the other way of looking at it—at the Youth Justice population—12.2 per cent of children are in custody. This snapshot was taken in February, but it's fairly consistent—12.2 per cent of those in detention with Youth Justice were recorded as having parental responsibility to the Minister. That's 29 children. Of the kids in remand—as you know, there's a high remand population—11 per cent of kids on remand were recorded as having a parental responsibility to the Minister.

**Ms SUE HIGGINSON:** How many, sorry?

**PAUL O'REILLY:** It is 11.7 per cent. Those two numbers sit like that because most of the kids are on remand—70 per cent of the kids are on remand. For kids who are under supervision in the community—not in detention, but under Youth Justice orders in the community—13.9 per cent were recorded as having a parental responsibility order to the Minister. So that's about PR to the Minister, but there are obviously other ways to have contact with the child protection system. There's been a longitudinal or a longer study. Over the 10 years between 2013 and 2023, it was found that 62 per cent of kids who were under Youth Justice supervision had had some interaction with the child protection system. That could be a report or an assessment, or it could also be part of that 11 to 12 to 13 per cent of kids who are PR to the Minister.

**Ms SUE HIGGINSON:** I'll ask you when we're in the other room about—

**PAUL O'REILLY:** I look forward to that.

**Ms SUE HIGGINSON:** I will ask you when we're in the other estimates about whether we capture that number in relation to also presenting with a disability. I think I'd have to do that from the Justice end, wouldn't I, to get that?

**PAUL O'REILLY:** Yes, you would, and I may well take it on notice. Thanks for the heads-up. We'll try and get something earlier. This is a very complex question.

**Ms SUE HIGGINSON:** I know. Thank you. That would be great. I also want to go into, just very briefly in the little bit of time, kids exiting the out-of-home care system. Given the high risk of homelessness that can follow out-of-home care—it was identified in the 2023 pathways to homelessness report—are there any initiatives that are happening at this end in the system for when people exit the system and the prevalence of homelessness? Or is that something that has to be in Minister Jackson's estimates?

**MICHAEL TIDBALL:** I think we're happy to, at a high level, deal with it now. Arising from the Ombudsman's report, one of the issues that arose was data capture. To that end, a dashboard was initiated and has been developed.

**Ms SUE HIGGINSON:** One of the things I am interested in is there work happening to identify those at-risk groups of young people before they leave the out-of-home care system? Is there anything like that that's underway or conceptualised?

**LAUREN DEAN:** Yes. All young people, once they turn 15, if they are in the PR of the Minister, should have leaving care plan activity. What we can see from our data is that that is more prevalent for over 17 year olds, so over 17 and less than 18. We are working hard to ensure that we liaise with our homes colleagues to make sure that young people don't exit into homelessness. Connection back with their family, extended family, friends, employment—there's a range of activities that we are incorporating into that leaving care planning to make sure that they are supported for the future.

The introduction of the after-care activity as well should also ensure that no young person is exiting out-of-home care into homelessness. We have a close relationship with homelessness services. Obviously, the department funds those and we work across service delivery from child protection contract management for some of those providers and our housing partners to make sure that all of the systems are connected. I would say there is still work to do and that there are still some young people who are still exiting to less than ideal situations. We continue to work with those young people so then they can step in to adulthood fully supported.

**Ms SUE HIGGINSON:** Just very briefly, and you may not have much, but I'm told that there are a bunch of really protracted court proceedings continuing. I recognise that's a matter for the AG's and the court

---

**CORRECTED**

---

system, but is DCJ aware of the reasons for protracted court proceedings and identified any trends that may be happening in terms of proceedings you're involved in?

**MICHAEL TIDBALL:** You are referring, I take it, to Children's Court proceedings?

**Ms SUE HIGGINSON:** Yes.

**MICHAEL TIDBALL:** I would like to know more, because I met with all, as I should, heads of jurisdiction recently in terms of the purview of these estimates today which are being examined. I dialogue with the President of the Children's Court on matters of process. I'm not aware—

**Ms SUE HIGGINSON:** Sorry, I probably should be a bit more specific. It was more in terms of whether it's around caseworker evidence—the preparation on the part of DCJ and caseworkers and so on involved in court proceedings. Is anything coming to your awareness about further assistance that's needed in terms of participation in court proceedings and so on?

**MICHAEL TIDBALL:** There is feedback and there are, on occasions, judgements which are published which indicate areas where we can improve. We take those matters seriously. They are raised. The Minister has initiated a dialogue with the Children's Court magistrates with a view to ensuring that the processes are as good as they can be. There is dialogue. It's really hard for me to be more granular than that. It's a very busy jurisdiction. The matters are complex. There is the work that we do in the department, there is the work that occurs in the sector, there is the caseloads of the court itself. There are complexities in there and, as I say, there is ongoing dialogue and we constantly seek to refine their processes. There, of course, are moments of imperfection, but we do try and ensure that we, as we ought, in pursuit of our statutory responsibilities, provide everything to the court in a timely way.

**The Hon. NATASHA MACLAREN-JONES:** I just have a couple of quick questions. One is in relation to the dashboard, Mr Tidball, that you mentioned before around out-of-home and homelessness. Is that something that will be run through Minister Washington, or is it Minister Jackson?

**MICHAEL TIDBALL:** That would be, I believe, Minister Jackson.

**The Hon. NATASHA MACLAREN-JONES:** The other is just to clarify the 20 per cent increase for the statutory care allowance. Just confirming the Minister said that NGOs, ACCOs and DCJ carers will all receive that 20 per cent increase.

**MICHAEL TIDBALL:** The Minister gave her evidence.

**The Hon. NATASHA MACLAREN-JONES:** That is correct. Yes. I just wanted to double-check. Then if you could just clarify—I suppose there's three levels of care, being low, high and medium—how that will be measured or modelled to ensure that all carers get the allocation that they need. How is that factored in?

**PAUL O'REILLY:** One of the reasons why the allowance starts in January and not now is because we need time to work that out and model it. There's been an allocation announced in the budget, as you know, \$143 million over the forward estimates. We have to work out how the increase fits into that allocation and so there are a number of variables that have to be modelled. One of them is there are things like Youth Allowance offsets that are currently in play. There's decisions to be made by government about whether they will continue or change. The treatment of Care Plus One and Care Plus Two also has to be assessed and considered.

The question of whether there would instead be a universal allowance is a policy question that has not been resolved. We also need to understand what additional payments PSP providers are making to carers in addition to the basic allowance. We need to understand the impact of that as well. We are pulling all that data in and analysing it and modelling what that will look like and how that flows to comprehensive allowance increase for all of those groups that you've mentioned within the budget. That takes a little bit of time, and then that goes to government for decisions in the next couple of months.

**The Hon. NATASHA MACLAREN-JONES:** Does that mean that there is a risk that some carers could be worse off?

**PAUL O'REILLY:** How do you mean, worse-off?

**The Hon. NATASHA MACLAREN-JONES:** If you have an NGO that's currently paying more based on the data that you will then take in, your view is actually that they've been being paid more, or that the category that has been allocated is not right, therefore, a carer could actually not—

**PAUL O'REILLY:** No, that's getting ahead of the analysis, I think. The goal here is to make sure that everybody gets an increase of 20 per cent on a base DCJ rate. That's the policy decision and announcement, and that's what will be implemented. But it is complex. The carer payment structure hasn't been reformed for a very

---

**CORRECTED**

---

long time, so it is going to be complex to get all that modelling right. The information we're getting back from the providers about the supplementary payments they're making is also complex. We have to understand that. It is not the intention of this reform to make anybody worse off, but we do have to understand the complexity.

**MICHAEL TIDBALL:** Can I supplement that, if I may? I just want to be categorically clear that the intent is that all carers are absolutely better off. That's been the driver.

**Ms SUE HIGGINSON:** I just wanted to finish off about the DCJ's program of setting up the government controlled residential care. I just want to understand how will outcomes and economic efficiency be measured or evaluated in these operated house models? Because I think we're pioneering some new territory in real terms, so what do we have?

**PAUL O'REILLY:** It's new territory for a while, that's for sure

**Ms SUE HIGGINSON:** Yes.

**PAUL O'REILLY:** For a long while, absolutely.

**Ms SUE HIGGINSON:** We're in the new world as well, so it's completely new.

**PAUL O'REILLY:** But it's residential care and it's part of the broader program of residential care. Earlier today I spoke a little bit about the process of reviewing, evaluating and redesigning the residential care system. Part of that is establishing the future performance measures, outcomes measures, financial efficiencies and future financial planning for that model so they can be redesigned and, after this contract period, recontracted. During that period, again, there are a number of work streams that are happening concurrently. There is this decision about whether DCJ-led residential care will be expanded or not, and if so, how, where and why.

There's the question about the evaluation and responding to the Ombudsman. There's the question about the capital investment rollout. All those things are happening together and in the course of that the development of new measures of all of those outcomes. The kind of outcomes that we absolutely need to capture are the safety and wellbeing of children in those settings, the quality of care in those settings, connection with family, opportunity for step-down, provision of therapeutic services. They're the kind of key elements but, in addition to that, we have to consult and work out where else we should be measuring.

**Ms SUE HIGGINSON:** With that, for example, how will the models—there's no award provisions, is there, for DCJ?

**PAUL O'REILLY:** There will be.

**Ms SUE HIGGINSON:** That's what I'm saying. That's what I mean: There is this pioneering aspect to it.

**PAUL O'REILLY:** Yes. But work has started to develop an award, yes.

**Ms SUE HIGGINSON:** With that, is that all happening internally? Are you getting inputs from other systems, from other experiences, or is it all coming from the work directly in front of you and the input from the people managing it now?

**PAUL O'REILLY:** Those three work streams I described are going to be a mix of internally-led work and then consultation with other sectors. Certainly there's a lot of people out there providing residential care now who have been doing it for a very long time. We'll be certainly seeking their input and we do work closely with the CEOs of many of those organisations now anyway. That will continue. Just referring back to an answer I gave earlier today, we will look at other models and other jurisdictions in that design process, but we can't really forecast how that will all end up, because it is about looking at options and putting the recommendations to government for decision.

**Ms SUE HIGGINSON:** Will there be scope for children and young people?

**PAUL O'REILLY:** To have input?

**Ms SUE HIGGINSON:** To have input.

**PAUL O'REILLY:** Absolutely.

**Ms SUE HIGGINSON:** Great. Do you anticipate being able to measure—I think you alluded to it—the wellbeing factors, in terms of the overall economy, the cost in terms of the wellbeing of a child all the way through the system? Are you looking at that in terms of that form of innovation? Because you could quite easily, through some crude economics, say, "Actually, it's more cost effective to outsource it. Let's go again and go back to a privatised model." But this system, will you be capturing—

---

**CORRECTED**

---

**PAUL O'REILLY:** Again, I can't forecast what it will look like in the end, because we're at the beginning of a design process, but I will say one of the lessons from the PSP implementation, and the evaluation in the end of 2023 made this very clear, was that the implementation wasn't great. The financial planning fell short. The out-of-home care system review also found that. Those two things fell short and the outcomes have not been great. We know that step-down from residential care hasn't been as it was intended in the program. We know that wellbeing is not as it was intended, and we're not measuring it well.

So all those things have to change, and there are very clear lessons from the last reform that we need to absolutely apply in taking a much more considered, careful and staged approach this time so that we get it right, understanding the complexity and the risk. Again, sometimes people will find it frustrating that it is not as fast as they want, but we must stage it. We must stabilise what we have now as best we can—carefully design, carefully invest for more effective programs. But it is a slow, careful and considered process putting appropriate weight on the evidence and the consultation.

**The Hon. NATASHA MACLAREN-JONES:** Will you also be looking at the Queensland Government's current review into government-run residential care and the lessons learnt?

**PAUL O'REILLY:** Absolutely, yes. That's a really helpful input, I'm sure.

**The Hon. NATASHA MACLAREN-JONES:** And the role of both the commissioners and the Children's Guardian as well—will they be involved in that process as well?

**PAUL O'REILLY:** Absolutely. We would absolutely talk to the regulator, most certainly.

**The CHAIR:** Are there any Government questions?

**The Hon. EMILY SUVAAL:** We do have just one question, Chair. Thank you very much to you all for appearing today on the first day of estimates. This question is to Ms Dean, I believe. Earlier in questions asked today there was a case of a young person presenting to a police station. I just wonder if you could step the Committee through the actions that the department took in relation to that.

**LAUREN DEAN:** Thank you for the question. I understand the secretary—

**MICHAEL TIDBALL:** Ms Suvaal, can I respond, simply because there's an element of the Government Sector Employment Act responsibilities which I'm required to acquit as secretary I think are important in this?

**The Hon. EMILY SUVAAL:** Yes, please.

**MICHAEL TIDBALL:** If I can say that as secretary I certainly was aware of a child being in a police station. This event was some time ago. It was over a year. The matter was immediately briefed up to me. It was immediately briefed up to the Minister<sup>3</sup>, who took a close interest in the matter. The Minister was very clear—as was I, I might add—that she would want the department to work, which we have done, to ensure children receive timely support outside of hours. The only other thing which I think is material to this is if I can at high level indicate that there was a disciplinary process which was instigated under my direction. If I can finally say, in acknowledging the need for this never to happen, that after-hours work is difficult and, again, I do wish to call out and acknowledge the work of our caseworkers. I will be the first to acknowledge that the department does not always get it right. I'll also acknowledge that our caseworkers, day in and day out, are doing very difficult work.

**The Hon. EMILY SUVAAL:** Thank you. Thanks, Chair. No further questions.

**The CHAIR:** Okay. Thanks very much.

**MICHAEL TIDBALL:** Can I add one other—

**The CHAIR:** Please do.

**MICHAEL TIDBALL:** It's a general correction—without wishing to sever the Government's question—which is just in response to Ms Maclaren-Jones' question about the \$49.2 million for government-owned purpose-built upgrade of residential homes. That is funding applied over a three-year period. Thank you.

---

<sup>3</sup> In [correspondence](#) to the committee dated 3 September 2025, Mr Michael Tidball, Secretary, Department of Communities and Justice, clarified their evidence.

---

**CORRECTED**

---

**The CHAIR:** If there are no more questions and no more answers, thank you all very much for coming today. The Committee secretariat will be in touch with you in the near future regarding any questions you've taken on notice and any supplementary questions.

**(The witnesses withdrew.)**

**The Committee proceeded to deliberate.**