

## GENERAL PURPOSE STANDING COMMITTEE No. 2

Tuesday 25 June 2002

Examination of proposed expenditure for the portfolio areas

### Community Services, Ageing, Disability Services, and Women

The Committee met at 6.00 p.m.

#### MEMBERS

The Hon. Dr Arthur Chesterfield-Evans (Deputy-Chair)

The Hon. Jan Burnswoods  
The Hon. Alan Corbett  
The Hon. Amanda Fazio

The Hon. Patricia Forsythe  
The Hon. John Ryan  
The Hon. Ian West

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#### PRESENT

**The Hon. Faye Lo Po'**, *Minister for Community Services, Minister for Ageing, Minister for Disability Services, and Minister for Women*

##### **Ageing, Disability and Home Care**

Ms Margaret Allison, *Director-General*  
Mr Robert Griew, *Executive Director, Strategic Policy and Planning*  
Ms Ethel McAlpine, *Executive Director, Operations*  
Mr John Parisi, *Chief Finance Officer*

##### **Community Services**

Ms Carmel Niland, *Director-General*  
Ms Kerry Boland, *Deputy Director-General*  
Ms Jillian McCormick, *Director, Finance and Assets*  
Ms Toni Milne, *Acting Executive Director, Corporate Strategy and Governance*  
Mr Philip Wheeler, *Executive Director, Business Services and Corporate Communications*

##### **Women**

Ms Robyn Henderson, *Director-General*

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**DEPUTY-CHAIR:** I declare the meeting open. I welcome the Minister and departmental officers and thank them for their attendance at this public hearing by General Purpose Standing Committee No. 2. At this meeting the Committee will examine the proposed expenditure for the portfolio areas of Ageing, Disability and Home Care, Community Services, and Women, in that order, as requested by the Minister. Before questions commence, some procedural matters need to be dealt with.

Part 4 of the resolution referring the budget estimates requires evidence to be heard in public. The Committee has previously resolved to authorise the media to broadcast sound and video excerpts for public performance, but filming should concentrate on the people asking or answering the questions and not on the gallery as the primary focus of filming. In accordance with the proceedings of the Committee, the media must take responsibility for what is published or for interpretations based on anything that is said before the Committee.

There is no provision for members to refer directly to their own staff while at the table. Witnesses, members and their staff are advised that any messages should be delivered through the attendant on duty or the Committee clerk. For the benefit of the members and Hansard, I ask departmental officers to identify themselves by name, position and department or agency before answering any questions referred to them.

**Mrs LO PO':** Thank you very much for inviting us here and for the opportunity to make some opening remarks to the Committee. I will keep my remarks as short as I can because I know that time is limited. First I would like to state that the department you are examining tonight is still very new—in fact, one year old—but has managed to create an operating environment that has allowed significant developments and opportunity. The new department was created by taking Disability Services from the Department of Community Services [DOCS] and merging it with Ageing, Disability and Home Care into a new department of Ageing, Disability and Home Care.

I wish to highlight some of the key elements of the funding of this budget. Funding for the next financial year is projected to be \$1.166 billion. This is an increase of over 54 per cent since 1995. The service therefore looks very different today than it did a few years ago. The budget increase provides support for older people and their carers through a funding boost of \$28 million for the Home and Community Care Program, taking the total of this contribution to \$141 million in the joint Commonwealth-State funded project. There is funding of more than \$3 million for the new phase-in of the comprehensive dementia program, which is part of a program worth \$11 million over four years to support people with dementia and their carers. We are also providing just over \$570,000 for the seniors information technology [IT] strategy as part of the \$1.7 million program over three years. This strategy helps older people access the benefits of information technology and to access the Internet.

The total of \$828.2 million for community and accommodation support services for people with a disability is to fund both Government and non-government services. The budget provides an additional \$17 million, bringing the total annual funding to \$54 million for the Adult Training and Learning System [ATLAS] and post-school option programs that are designed to help school leavers with a disability to move from school to employment or vocational education and training.

Continued funding of \$8.3 million will be provided for respite services which provide a break for people with a disability and their families and carers, and \$3.5 million will be provided for the attendant care program, which provides personal care for people with physical disability to help them to stay longer in their own homes. There will also be \$5 million for early intervention and prevention assistance to support families with young children with a disability.

In conclusion, the focus for the coming year is to further develop the new approach, to strengthen family and community support and support from other government agencies, to continue to invest in low intensity services, and to provide maximum impact from the new investment in the specialist service system. In this way we will be delivering to the maximum number of people with a disability and older people a combination of mainstream and specialist supports to allow them to participate as they choose in their local communities.

**The Hon. JOHN RYAN:** The figures available in Budget Paper No. 3, volume 1, on page 5-44 give some estimates with regard to devolution, but they do not seem to suggest that a great deal

happened last year with regard to devolving large and mini residential centres. Will you give the Committee an update on what happened with regard to devolution last year? How much money was spent of the available budget on devolution last year? What do you propose to achieve in the forthcoming year?

**Mrs LO PO':** Since 1995 the New South Wales Government has allocated more than \$22 million in additional recurrent funding to enable people with a disability to progressively move from large residential centres to community-based accommodation. The current stage of the ongoing devolution program focuses on bringing about a change in the living arrangements for over 400 residents of larger institutions. This group includes all children living in institutions.

This strategy does not preclude other centres that are able to relocate residents to the community within their current resources from simultaneously beginning incremental relocation. Residents, families, advocates, guardians and staff of 11 large residential centres are working with the Department of Ageing, Disability and Home Care [DADHC] staff to plan the future living arrangements for centre residents. Sixty-six people have had alternative placements arranged since the program began in 2000.

As has been said in a number of forums, the current process for devolution is not sustainable. Clearly there is a need to streamline the processes used to make this program more effective and to improve the time frames for moving people into appropriate support arrangements. The department is working on a strategic framework for the devolution of the centres as well as addressing key policy and system questions arising from this and other related initiatives. Work on the devolution is also being co-ordinated with other relocation strategies to enable improved matching for compatible groupings of people in appropriate locations and models of service.

There is also a need to consider more flexible and innovative models of support for people who are involved in the devolution process, particularly those with higher medical support needs. The department is working closely with New South Wales Health to build up the appropriate service models of support for these people. The Department of Housing has also been involved in developing a property management strategy for housing purchase for the purpose of relocating residents from large centres, as well as accessing community housing for some residents.

**The Hon. JOHN RYAN:** You referred to appropriate models of support and more flexibility for people "with higher medical support needs". Does that suggest that there would be any compromise of the Disability Services Act with regard to congregate care, or that you are putting more people together than the requirements of the Disability Services Act would allow?

**Mrs LO PO':** It does not mean that, but I will ask the director-general, Margaret Allison, to expand on that.

**Ms ALLISON:** People with higher medical support needs pose vexed problems for both the health system and the disability system. In particular, there are people with degenerative conditions, such as multiple sclerosis, there is an increasing number of adults in the system who acquired brain injury through trauma or accident, and there are people whose physical conditions, such as quadriplegia, mean they have very high support needs. I think it is very clear that for some people with physical disability the flexibility of support that is available to them is actually of greater significance than the number of people with whom they live.

That having been said, we are conscious of the requirements of the disability service legislation. Given the high support needs that some of those people have, there is the issue of economies of scale. We believe that this can be done in a way that does not compromise the principles of the Act but enables us to provide a service in a flexible way that is valued by those individuals.

**The Hon. JOHN RYAN:** Does that mean that there might be more than eight individuals with high medical support needs who are housed together?

**Ms ALLISON:** It is not possible to say at this point. We have not reached that point in our discussions with the Department of Health. We have talked about the number of people who might be

co-residents. We have talked with the Department of Health about joint models of support, given that some of those people have medical needs.

**The Hon. JOHN RYAN:** Essentially, you are not talking about nursing home arrangements for people with high medical support needs, are you?

**Ms ALLISON:** No.

**The Hon. JOHN RYAN:** Mannix Children's Centre is not part of the first stage devolution. However, it has been reported that 10 children and young people died at that centre. Does the Government have plans to close Mannix this year? How much does the Government believe it might cost?

**Ms ALLISON:** Mannix Children's Centre received considerable publicity earlier this year after the release of a Community Services Commission report into the deaths of eight children. Following the public release of that report, a number of plans were implemented at the centre. I might add that a considerable number of those plans were implemented before the release of the report, such as the provision of additional staff to assist Mannix with improving the standard of care of residents. Since that time an agreement has been reached with the board of Mannix to close that centre in approximately 12 months time. So although Mannix was not formally part of the first stage of devolution, because of events that have occurred and because of the vulnerability of residents, it has been agreed that the movement of all residents to a range of community-based settings will be progressed over the next 12 months.

**The Hon. JOHN RYAN:** I refer now to the Adult Training, Learning and Support Program [ATLAS]. Of the \$17 million in new money that the Government announced for ATLAS, what recurrent funds were provided to 1999 school leavers? How many 1999 school leavers does the Minister estimate will benefit from the money? What funds were allocated to 2000 school leavers? Is there anything left over for people leaving school in 2001?

**Mrs LO PO':** I have an answer for the honourable member but I will take on notice that part of his question that refers to 1999 school leavers. The honourable member is aware that the Government's ATLAS program is designed to support school leavers. There are 2,866 people with disabilities in the ATLAS program. Expenditure on services reached \$46.3 million in the 2001-02 financial year. More than 600 school leavers are expected to apply for the program in 2002, which represents a doubling of the number of participants in the program since 1995. The additional \$17 million provided for new services in the 2002-03 budget will assist in building new services to meet growing demand for these services, as well as providing opportunities to reshape current services so that they are more responsive to those who need them.

The Government is committed to a process of reviewing and reforming the system, which will deliver improvements to the operation of community access and ATLAS components over the next financial year. The department, which is managing that reform on behalf of the Government, introduced improved assessment from May 2002, thus creating new pathways to vocational education and training, lifelong learning and employment for school leavers. Community access services will be provided for those who need them on an ongoing basis. In building these new gateways, DADHC is working with the education and training sector and the Commonwealth to develop and trial a new joint participation assessment gateway between State and Commonwealth governments.

This prospective reform initiative includes the New South Wales ATLAS review and the Commonwealth's reform project, Australians Working Together. The Commonwealth Rehabilitation Service will conduct these assessments on contract from DADHC. In other words, we have seen growth in the area of funding. When this Government first came into office, funding for those services was about \$4 million. Funding has now gone up to \$50 million. However, we must ensure that we provide appropriate services. We have not adequately utilised the employment capacity of some disabled people. We are looking at that issue. Some disabled people have been prevented from moving. As this is the bailiwick of the Commonwealth Government, we are negotiating with the Commonwealth on behalf of these people.

**The Hon. JOHN RYAN:** Does the ATLAS program have a recurrent base? If so, what is it?

**Mr GRIEW:** This year about 650 young people will enter from this cohort of school leavers. It has been about that number every year since 1999. The \$17 million figure, which has been added to the estimates for this coming year, is calculated for each of those cohorts—about 600 to 800 each year. The answer to the first part of the honourable member's question is that each of the 1999-2000 and the 2001-02 cohorts are covered by the amount that was put into the estimates for this year—the first time that the estimates for forward years include amounts for new young people coming through the system. So the base has actually increased.

**The Hon. JOHN RYAN:** Are there specific numbers for each of the school leavers involved in those cohorts? If so, could that information be provided to the Committee?

**Mr GRIEW:** It is of that order. We can supply the Committee with more detailed figures.

**The Hon. JOHN RYAN:** I refer to the service access system [SAS]. How many people are deemed eligible under the service access system? What does the Government estimate to be the cost of meeting the needs of those who are currently deemed eligible? I note that the Government allocated \$5.5 million in 2001-02 for one-off assistance to individuals on assessed need. How will the Government meet the recurrent needs of these people and others who are deemed eligible under SAS?

**Mrs LO PO':** The service access system, which was established in September 2000, has now been in operation for over 1½ years. This marks an appropriate time to conduct a reappraisal. I am pleased to inform the Committee that that reappraisal, which is now under way, is resulting in significant and tangible improvements to the system. More than 2,400 applications for support have been received through SAS since it began. Concerns expressed about the length of waiting times for support arrangements to be put in place are being taken into account as part of this reappraisal. Indeed, the initial focus is on finding ways to deal as quickly as possible with outstanding requests for support.

Further areas for consideration include clarification of guidelines, development and implementation of a comprehensive communication strategy, and transfer of the operation of the program from a central to a regional approach. Several outcomes will be achieved from the delivery of services in regional areas. Those outcomes will ensure a speedier matching of services to needs and build on regional management. More than \$22 million was spent in 2001-02 on interim support services for more than 550 people. The department has finalised, or is in the process of putting into place, long-term support arrangements for more than 150 people. There was another part to the honourable member's question.

**The Hon. JOHN RYAN:** There was an allocation in last year's budget of \$5.5 million for one-off assistance to individuals on assessed need. How will the Government meet the recurrent needs of those people, given that they were funded on a one-off basis?

**Mr GRIEW:** Of the 2,400 people who applied for SAS, 2,315 have been assessed and 891 have been deemed eligible at this point. The group in the interim funding arrangements are funded on an interim basis, with packages which may or may not be their final package once they have gone through the whole process. Quite appropriately, they were quick responses to urgent situations. The allowance in the budget build-up for next year is of the order of \$40 million, which we estimate is a ball park figure of what is needed for those clients. The reform of this program is really quite substantial. We will have to determine what is the average final figure of the package that we give to people as they come through the SAS program.

**The Hon. JOHN RYAN:** Last year I asked you a series of questions on notice that were designed to draw your attention to the fact that operating within the agencies funded by the Department of Community Services—now funded by DADHAC, I suspect—are residential care facilities for young children and young people, some of which accommodate people with high-support needs. It is important to compare the regulatory requirements of those agencies, which are largely that they adhere to the Disability Services Act, with the regulatory regime of, for example, a preschool, which has regulatory requirements relating to the minimum amount of first aid, the number of staff that are needed to be employed, appropriate qualifications of staff, and even things such as safety glass, codes of conduct for staff, and so on.

It seems odd that one can operate a respite care cottage, for example, for four or five high-support needs, yet there is no requirement for management to have a minimum number of staff; it can have one or two staff members, depending on whether there are four, five or six children. In some instances, there are also no minimum requirements for the training of staff with regard to the delivery of medical services. Is it not time to start a discussion about what is an appropriate regulatory regime for these organisations, to ensure that when they are funded by the department they employ a satisfactory number of staff and those staff members are appropriately trained? The potential for disaster for these individuals is obviously great.

It seems that if one compares the regulation applying to such organisations with the regulation applying to preschools or care for children at home, where the needs are not nearly as significant, there appears to be a disparity. Your answer to me last year was along the lines that the organisations are required to meet the needs of the Disability Services Act, which provides that "all residential services for children with disabilities are legally required to comply with the Disability Services Act. DADHAC has developed the "Standards in Action" manual, which provides a guide to practice requirements". Notwithstanding that, those organisations still lag well behind the regulatory regime of a preschool.

**Ms ALLISON:** In recognition of the particular needs of children, we are in the final stages of preparing a children's version of "Standards in Action", which are the standards that flow from the requirements of disability services legislation. We have recognised that there are particular needs for children in out-of-home care. I also point out that for children who are in out-of-home care for any significant periods at all, the provisions of the relevant child protection legislation will apply, and the Children's Guardian would be involved in the monitoring of care plans for those children as an additional safeguard when the relevant provisions are proclaimed.

Firstly, there is recognition of the particular needs of children, as expressed through the children's version of "Standards in Action". Secondly, there is a stronger legislative framework coming in through the out-of-home care provisions of the child protection legislation. Thirdly, I would add that the department is developing some new models for out-of-home care for children when children must live away from their families for a period; for example, the department has traditionally run residential care facilities. Increasingly, there is a commitment to the development of family-based models for young children.

**The Hon. JOHN RYAN:** Will those standards address matters such as the minimum number of staff, staff training, when it is appropriate for staff to administer medical requirements, and the procedures required for the administration of medication?

**Ms ALLISON:** The standards will certainly deal with most of those matters. There are some client safety issues on which we are quite prescriptive, and some matters in which we will clearly set the outcome for the non-government organisation but not prescribe precisely the way in which it is to meet that standard.

**The Hon. JOHN RYAN:** Do you propose to publish this in draft form for discussion before it is finalised?

**Mr GRIEW:** There is a very early draft of that document "Standards in Action", which has been released to some of the key non-government and peak organisations whom we normally talk to about these things, to call on their expertise. The answer to the question is yes. There is a matrix of regulatory responsibilities here which involve some of the health professional bodies. For example, arising from cases where young people's medical conditions are not properly managed, which are the sorts of issues you may be talking about, there will be other regulatory frameworks. We have a project going on to ensure that we are integrating our own more outcome-focused standards monitoring with the responsibilities of those other health agencies.

**The Hon. ALAN CORBETT:** How much funding has been allocated in this year's budget to the Care for Carers strategy, and is there a reference to it in the budget papers?

**Mrs LO PO':** The funding of \$12.9 million over four years, building up to \$5.1 million recurrent funding from 2001-02, is for the carers program. Delay in rolling out and evaluating our demonstration projects has put the timelines back for recurrent roll-out. The integration of carers issues into mainstream service delivery—for example, for health and community care—is certainly part of the agenda.

**The Hon. ALAN CORBETT:** I believe that \$100,000 per annum was allocated to the Young Carers Program, is that correct?

**Mrs LO PO':** DADAHC funded the Young Carers Program, auspiced by Carers New South Wales, at \$100,000.

**The Hon. ALAN CORBETT:** Is that funding continuing?

**Mrs LO PO':** Yes, it is continuing.

**The Hon. ALAN CORBETT:** In a letter I received from you about the Young Carers camps, you spoke very highly about the role of those camps. The camps are for the carers of parents—for example, schoolchildren who feed and wash their parents. Could you tell the Committee why you believe the Young Carers Program is important?

**Mrs LO PO':** I think it is rather self-evident. These are kids who give up their childhood for their parents.

**The Hon. ALAN CORBETT:** It places a large toll on children.

**Mrs LO PO':** Absolutely.

**The Hon. ALAN CORBETT:** With regard to the expected increase in the ageing population, is the department doing any forward planning to meet the demands that this will put on the department?

**Mrs LO PO':** The commitment for 2001-02 is \$4.875 million, and the program has also received top-up funding. The Ageing Program provides for a network of core information referral-type services across New South Wales for seniors and their families: a seniors information service; a basic telephone information referral service for older people; future directions for dementia care and support in New South Wales; and Experienced Hands, an initiative for older and younger people to become involved in helping each other in their communities on a voluntary basis. This was a project that we considered absolutely important, because in the hands of older people is the experience that probably we need to get into the hands of younger people.

I will give you the example of young families who struggle to be parents. In some cases, they do not know how to cook; certainly they do not know how to organise families. We train older people to give them a hand. It might just mean having a cup of tea with them, but the older people are able to impart knowledge of their experiences to these younger families. I think there is a great recognition that as older people pass through life, we are going to lose a lot of good information. We deal with people who were able to feed of family of 10 on the smell of an oily rag. They knew how to get children's fevers down without even going near a chemist shop. All of this older information is in the heads of older people, and I think it would be very helpful to younger people if we could skill them up.

The Experienced Hands Program has been a really successful project. We put volunteers in touch with young, struggling families who are really doing it tough but simply do not have a clue about how to look after families or even organise a household. The project has had two-way success. It has not only helped younger people, it has also helped older people to see how valued they are by this program. The Information Technology Program is one that has really taken off; it is a half-million-dollar program. It has surprised a lot of people who thought that older people were not able to take on new challenges such as computers. Many of them have taken to computers very well and are looking to return to the work force because they have now found a skill that they did not have previously. There are many projects being conducted in the Office of Ageing. I think the Office of

Ageing will have to become stronger and more focused, as you say, because of the way in which the community is ageing.

**The Hon. ALAN CORBETT:** Is there any specific task force within your department that is looking at this issue?

**Mrs LO PO':** We have the committee on ageing, which is a group of older people who have had a variety of experiences in life. At the moment one of the projects they have taken to heart is what happens with average income workers when they retire. We all know what happens to wealthy people when they retire: they can buy into some fairly plush retirement villages. The people at the lower end of the scale are probably going to be looked after in another way. One of the projects they are looking at is what happens to average income earners when they want to get rid of their family home and move into a retirement village that may be affordable.

**DEPUTY-CHAIR:** What funds have been allocated for advocacy support for people involved in the group homes project and the devolution program in 2002-03?

**Ms ALLISON:** We will take the specific part about advocacy for group homes on notice. All that information is available. The entire Advocacy and Information Service Program is about \$5 million. An additional \$1 million was allocated during this financial year, and that was allocated on the basis of providing improved advocacy services for people in rural and regional parts of the State and also a particular focus on Aboriginal services and services for people from culturally and linguistically diverse backgrounds. The evidence was that there was insufficient infrastructure for those parts of the State and for those particular population groups, hence the focus of additional funding.

**DEPUTY-CHAIR:** As well as advocacy, how many residents do you expect to devolve this year from group homes?

**Ms ALLISON:** With the group homes process that was announced several years ago, with 41 group homes proposed to be—

**DEPUTY-CHAIR:** I mean into group homes, not out of group homes—devolved from institutions for one reason or the other.

**Mr GRIEW:** At the moment there are about 90 people additional to the 66 who have already had a devolution plan developed. Another 90 are in some advanced stage of having a plan developed. So we would have a confident expectation of devolving a substantial proportion of those. Some 46 houses have been purchased as part of that program, so a number of places are ready for those people and, in addition, we are in discussions with the Department of Housing about accessing community housing through collaborative arrangements with the Office of Community Housing. So there are a number of factors that the director-general and the Minister have already referred to that will determine how fast we can place those people, but there are another 90 in some advanced stage.

**DEPUTY-CHAIR:** Can you provide hard numbers in relation to how many have actually been devolved as this time?

**Mr GRIEW:** Yes. In stage one, the 2000 to 2004 program, there are 427 people. As we said, of those, as at today 66 have had an approved devolution program plan, and another 90 are in an advanced stage of that.

**DEPUTY-CHAIR:** How many have gone into their new accommodation?

**Mr GRIEW:** To date, 66 have been relocated. We have given evidence at the standing committee inquiry into disability services that without some refinement of the policy it will not be possible to complete that 427, but we have talked also about the plans afoot for making those refinements in our processes and our strategies.

**Ms ALLISON:** May I add that, as we recently gave evidence before the Standing Committee on Social Issues, the way the policies in regard to the devolution of people from large residential



centres were conceived, the process was not only to move them but there were added elements of choice at every stage of the process about service provider, location and model of care, as well as some contestability being introduced into the process. These have slowed the process considerably. In addition, I think it is evident that many older families have found that process of choice to be quite stressful, and we are looking to engage with many of those families in a different way about how their family members might move.

**DEPUTY-CHAIR:** How many attendant care packages were allocated last year and how many more will be allocated this year?

**Mrs LO PO':** In 1999 an additional 100 places were allocated to the program over a four-year period, with total funding of \$2.5 million recurrent for people inappropriately placed in nursing homes and those at risk of being inappropriately institutionalised, and they are all fully allocated.

**DEPUTY-CHAIR:** All 25 per year?

**Mrs LO PO':** Yes, they are fully allocated.

**DEPUTY-CHAIR:** How many licensed boarding houses ceased operation in 2001-02? How many residents from those boarding houses have been displaced, and where have they been accommodated?

**Ms ALLISON:** We will need to take the question as to the number of boarding houses that have closed this year on notice, but we are able to give you some information about the movements of some of those people and the process by which they are supported when facilities close.

**DEPUTY-CHAIR:** How much funding was allocated for advocacy initiatives for people with disabilities who came in contact with the criminal justice system last year, and how much has been allocated for initiatives this year?

**Mrs LO PO':** It is \$500,000 recurrent.

**DEPUTY-CHAIR:** Has there been any funding in this current budget for the implementation of the recommendations of the Framework report?

**Mr GRIEW:** The grant provided to the Intellectual Disability Rights Service—that is the service with the funding to do that advocacy work—is a response to the recommendations of that report. In addition to that we have had discussions across both the human services portfolios and also the justice portfolios about a range of initiatives, including, for example, training a third of court officers, the enhancement of behavioural intervention services within our own portfolio—there is a range of initiatives across all those portfolios—as a response to that policy area and the issues affecting people with intellectual disabilities who have contact with the justice system. So quite a comprehensive range of strategies are in place. It is not a specific package called "Response to the Framework report" because it was already embraced by all those departments.

**DEPUTY-CHAIR:** What was the total level of funding under the Post-school Options Program last year and this year?

**Mr GRIEW:** Last year's total funding for the Post-school Options Program and the ATLAS Program was \$46.3 million—that is recurrent and one-off—and this year the funding enhancements bring that up to \$54 million, which is the recurrent amount.

**DEPUTY-CHAIR:** What is the total level of recurrent funding for early intervention services for last year and this year?

**Mr GRIEW:** There are two ways of answering that question. There is a specific program of activities we have headlined. Early intervention services include, for example, the local service co-ordinators program, which has just been increased from eight local service co-ordinators on the ground to 19, bringing the funding up to just short of \$3 million. That is part of a program called Early Intervention, which has a total budget of \$5 million. Things are done across the system—for example,

in the front end of the Disability Service directorate, with the Government providing for disabilities—and it also has an early intervention effect, with funding of early childhood support programs. There is a whole range of things we do but there is substantial activity with a budget of \$5 million which has that particular target.

**DEPUTY-CHAIR:** What is the total level of recurrent funding for centre-based respite care under the Disability Services Program for last year and this year?

**Mr GRIEW:** There are a number of components to respite care. You asked about centre-based respite care. There is funding this year of just under \$20 million within the Government-provided Disability Services provider for centre-based respite. Within the Home and Community Care Program, respite and day centres is worth \$49.5 million, and there is another \$6.5 million, increasing by about a further \$6.5 million, under the Disability Services Program for non-government centre-based respite care.

**The Hon. JOHN RYAN:** The Opposition has been given some documents which indicate that some people with disabilities, including young people, are given accommodation in hotels and motels with private nursing, costing up to \$8,000 a year, or more than \$400,000 a year for accommodation, nursing and transport. How can you justify the unfairness of a system in which some people get \$400 while others get \$400,000 and people with equal needs get nothing? How are you able to ensure that the department is managing the services needed by people with disabilities?

**Ms ALLISON:** The issue of equity of disability services is of considerable concern to the department. Certain high-cost arrangements do exist. Most of those are funded at the moment through the interim funding provided through SAS. Many of those have been arrangements in which the department has responded to emergencies in an expeditious way. Many people who enter the system at times of crisis have service packages that are high in cost, but because of their needs at the time they enter the care system, and also because of the cost of putting together packages at such short notice. So some private, for-profit providers are providing services. This is not necessarily seen as a desirable outcome. Hence the SAS reform initiatives that will reduce the time in which people are in receipt of interim funding. I guess that is of serious concern to us.

However, in the broader equity issues in the disability system, it is evident that some people have very high-cost services and some people have no services at all. The department is considering some approaches at the moment as to how we can better identify and monitor the extent of need and how we can better co-ordinate access to the system. In that context, one of the issues with the SAS system was that in the absence of any other clearly articulated entry points into the system, even though it was only ever a system designed for people who are at imminent risk of losing their community placement, it became a de facto entry point for the whole system and therefore became grossly overburdened very quickly. If we do have some entry points and if we are more in a position to provide timely support to individuals and families before crises are reached, I am of the view that we will be able to more equitably distribute resources in the disability sector.

**The Hon. JOHN RYAN:** Last year's budget allocated \$22 million for regional capacity building projects. How much of that money has been allocated, and to what?

**Mrs LO PO':** We will take that question on notice.

**The Hon. JOHN RYAN:** How much of the advocacy and information services program budget has been used to provide viability funding for non-advocacy and information services programs?

**Ms ALLISON:** I am happy to come back with a firm answer but, to the best of my knowledge, none.

**CHAIR:** We will now deal with the Department of Community Services [DOCS].

**The Hon. PATRICIA FORSYTHE:** I have a couple of questions for the director-general. In a recent issue of the Carmel Niland newsletter [CNN] you advised the Department of Community Services staff that you were seeking advice from the Crown as to what recourse you would have

against the *A Current Affair* program which had criticised the Department of Community Services. What was the cost of that advice, and what was the advice?

**Ms NILAND:** There was no cost to the advice, and there was no advice.

**The Hon. PATRICIA FORSYTHE:** Does that mean that you did not seek advice?

**Ms NILAND:** I sought advice. The advice was oral advice.

**The Hon. PATRICIA FORSYTHE:** In relation to another item in the Carmel Niland newsletter, after last year's estimates you reported that "preparing for those 55 minutes of budget estimates takes nearly 1,000 hours of work". You further said that every conceivable question is posed and a detailed answer is prepared. How do you justify the department undertaking nearly 1,000 hours of work preparing for these estimates when the department will have already undertaken a detailed submission to Treasury with reasons for programs being sought, the costings of the programs and the outcomes expected? What is the cost to taxpayers of those 1,000 hours of work?

**Ms NILAND:** The 1,000 hours of work is made up of not only preparing Treasury submissions. It is covering contentious issues or looking at the parliamentary files to make sure that every issue that is on the parliamentary files is current.

**The Hon. PATRICIA FORSYTHE:** Do the 1,000 hours in fact refer to work specifically related to the estimates?

**Ms NILAND:** It relates specifically to the estimates.

**The Hon. PATRICIA FORSYTHE:** Can you give an indication of the cost to the department of preparing for the estimates?

**Ms NILAND:** I am happy to take that on notice.

**The Hon. JOHN RYAN:** The 1,000 hours preparation sounds like an enormous amount of effort for an event that lasts only two hours. Given the other difficulties in your department, how can you justify spending 1,000 hours in the preparation of something that lasts two hours? Would it not be fair enough simply to turn up and answer the questions as they come and perhaps sometimes take them on notice? I feel somewhat disturbed that an event like a parliamentary estimates committee, which only lasts two hours, and at which you appear for only about an hour, results in 1,000 hours of work by the department.

**The Hon. JAN BURNSWOODS:** Are you including questions on notice in that?

**The Hon. AMANDA FAZIO:** Last year would not 1,000 hours have also included the Department of Ageing, Disability and Home Care [DADHC]?

**The Hon. PATRICIA FORSYTHE:** I do not think we need your assistance.

**The Hon. JAN BURNSWOODS:** I think you do.

**The Hon. AMANDA FAZIO:** I was trying to clarify the question.

**Ms NILAND:** That is correct. As you may recall, last year DADHC took over disability services in April. We were responsible for the delivery of disability services for most of that year. I want to assure you that we did not spend 1,000 hours this year.

**The Hon. JOHN RYAN:** But apparently you said in this article that every conceivable question is posed and a detailed answer is prepared. Are you suggesting that you prepared yourself for questions that nobody even asked?

**The Hon. JAN BURNSWOODS:** There have been many people who have overestimated the Opposition in New South Wales.

**CHAIR:** That is enough.

**The Hon. JOHN RYAN:** Did you seriously prepare for questions that had not even been asked?

**Ms NILAND:** Of course we do, because how do we know what you will ask? We cannot read your minds in advance so we have to try to prepare and answer every conceivable question—that does not mean that we are successful in that—otherwise, we would never have to take a question on notice.

**The Hon. JOHN RYAN:** I will quote another section of the CNN newsletter where you say, "By week end I had spent over 29 individual hours being prepared for, briefed on and responding to stories which ran and some that did not run". Why do you have such a preoccupation with spending so much time in managing the media, given that you are the director-general?

**Ms NILAND:** I work a seven-day week, and of that week I work between eight and 12 hours daily. I do not remember that particular week but, depending on what kind of a week it is, it is not unusual for me to work 70 hours. So you do your normal business and then you do other business on top of that.

**The Hon. JOHN RYAN:** That would suggest that you spent nearly half of an entire week's work being prepared and briefed for stories which ran and some that did not. As the director-general, do you not have a media person who does this sort of thing and prepares answers for the media, which would allow you to get on with running the department?

**Ms NILAND:** I have a small team who are devoted to communications and media. However, it is part of every director-general's statement of duties that their role includes issues management. In some weeks that issues management will be zero; in other weeks it will be considerable.

**The Hon. JOHN RYAN:** Minister, you have to manage the media. Do you spend 29 hours in any week being briefed for questions that may or may not be asked? I have worked for a Minister myself, and I do not think in any single week the Hon. Ted Pickering ever spent 30 hours preparing to be briefed for the media.

**Mrs LO PO':** I do not think that is a relevant question. I think we should get back to the issue here.

**The Hon. PATRICIA FORSYTHE:** Can I pursue a little bit further how the director-general uses her time. Director-General, is it still your practice to attend Parliament on each day when question time occurs?

**Ms NILAND:** No.

**The Hon. PATRICIA FORSYTHE:** When did you stop that practice?

**Ms NILAND:** About midway through last year.

**The Hon. JOHN RYAN:** Minister, I have an email from a DOCS union official to all staff advising that the department has said that "if we agree to their demands they would advertise 170 casework positions within a couple of days". If DOCS knows that on its own interpretation it needs 170 extra case workers, how do you justify not employing at least some of them when an average of at least one child dies every fortnight?

**Mrs LO PO':** You probably realise that there is the Kibble joint working party that was set up by me at the end of April. This independently chaired working party was established to examine the DOCS work load and includes representatives from DOCS, Treasury, the Premier's Department and the Cabinet Office. The joint working party chaired by Gabrielle Kibble, AO, former Director-General of the Department of Urban Affairs and Planning and currently chair of Sydney Water Corporation, has been asked to do two things: Firstly, to clarify the actual levels of demand by

reviewing the process of allocation of work to community services centres arising from reports made to the DOCS helpline; and, secondly, to verify the DOCS demand data, including a review of the rigour of the DOCS information systems and report counting rules. The results will be used to inform future discussion on the impact of new business processes, the nature and volume of work, and the distribution of resources in light of the requirements imposed by the new Children and Young People Care and Protection Act 1998.

It is intended that this committee will also be able to clear up the confusion surrounding data with various figures from different sources having been quoted, some of which are not substantiated. At the end of May the joint working group provided preliminary advice to the Government supporting provision of additional resources to DOCS to support child protection services. The Government has agreed to work with the Public Service Association [PSA] on a package which will include the allocation of additional staff and changes to work practices to facilitate the better use of existing and additional resources. The Government has agreed to provide extra resources as soon as negotiations with the PSA allow us to use these extra resources effectively. The final report from the joint working group is due shortly and will further influence decisions on work loads and resources.

**The Hon. JOHN RYAN:** I understand that there are negotiations with the PSA. Is there any truth to the matter that the numbers of staff which are being required to meet the needs of the department—which I think is a fair question for a member of Parliament to ask—are likely to number into something like 170 case workers, of which 70 might be existing vacant positions? Are we talking about numbers of that nature?

**Mrs LO PO':** My understanding is that it is public knowledge that there was a suggestion from the committee that about 100 workers would be required. But, as I said, this is about negotiation with the PSA on the conditions under which they will be employed.

**The Hon. JOHN RYAN:** Obviously, various reports, including media reports and reports to the Government, indicate that the needs of children are desperate. Is it appropriate to leave those needs unmet while the Government and the union carry out what are essentially industrial relations negotiations? At what point do we decide that the needs of children can no longer be held to ransom?

**Mrs LO PO':** I have said that we are in negotiation with the union. We want to make sure that when we put in new staff they are put in according to community needs. We are negotiating with the union and the union knows the staff are there. We just need to complete the negotiations.

**The Hon. PATRICIA FORSYTHE:** Ms Niland, why did you decide to stop attending question time? Who made the decision?

**The Hon. JAN BURNSWOODS:** What line item does this refer to?

**The Hon. PATRICIA FORSYTHE:** It refers to expenses in relation to the director-general.

**The Hon. JAN BURNSWOODS:** Can you give me a line item?

**The Hon. PATRICIA FORSYTHE:** I don't have to give you a line item.

**CHAIR:** The Committee may ask anything in relation to the function of the department and it does not have to relate to a line item in the budget. It is the Opposition's right to ask this question whether or not it is relevant.

**Ms NILAND:** I attend question time on an as-needs basis when there are likely to be questions about children which have had some currency. I have to attend with a series of files and these files provide detailed information on cases.

**The Hon. PATRICIA FORSYTHE:** Last year the Opposition asked a series of questions about the problems in the department, particularly in relation to the Helpline. At what point did you advise the Minister that there were problems in relation to the Helpline?

**Ms NILAND:** It would have been after the Helpline had been in operation for about three days.

**The Hon. JOHN RYAN:** Do you believe there ought to be additional front-line DOCS staff? If so, when do you propose to draw the line in the sand and appoint them?

**Mrs LO PO':** It goes without saying that there is a general consensus that we need some more DOCS staff. The Kibble committee certainly made that suggestion and generally that is understood. We will be moving to that when we finish negotiating with the union.

**The Hon. PATRICIA FORSYTHE:** I am intrigued by the Carmel Niland newsletter [CNN]. I have one that is 12 pages in length. How frequently are the CNN produced? Are they produced by the media unit within your department or are they your own work?

**Ms NILAND:** They used to be produced weekly. They are no longer produced weekly. CNN is about 60 to 70 per cent my own work and a variety of people might make contributions. Some of those contributions will come from the field. The media unit writes a section on the media as their regular contribution.

**The Hon. JOHN RYAN:** Given the recent scathing report of the Ombudsman that says, "DOCS child protection system operates more as a matter of good luck than good management" and the Community Services comment to the DOCS inquiry that says that, "the child protection by DOCS was manifestly inadequate", how can you justify continuing to allow Ms Niland to occupy the position of director-general given that it has taken so long to try to get it right?

**Mrs LO PO':** We accept that the Ombudsman has put a slide rule over some of our files and found them wanting, and we have accepted his recommendations. Certainly there has been commentary about that. But we are working towards the notion that we are improving consistently on the files. We expect the next Ombudsman's report, after this serious of reports, will show a vast improvement.

**The Hon. JOHN RYAN:** I recall asking many questions about data collection, but as gathering data appears to have been a huge problem for DOCS, can you explain why your director-general has failed to address this issue satisfactorily after five years to get the basic software for data collection working? How much time has been spent on consultants over the past five years in order to address this issue?

**Mrs LO PO':** In 2000, when Ms Niland had been in the job for some 18 months, after tendering in 1999 DOCS contracted a software developer to provide a custom built client information system [CIS] to cover child and family services, disability services, community grants, the Helpline and a service directory at a cost of \$6.3 million over two years. There were no suitable packages in existence and the client systems in other States, although in second generation, were at the end of their shelf life. We intend to have in place within the next nine months \$40 million worth of software which will be adequate to our services.

**The Hon. JOHN RYAN:** Is it a fact that during a management meeting of the Department of Community Services [DOCS] a person dressed in a tutu entered the room, wandered around the people who were present and sprinkled glitter around saying "That's fixed, that's fixed, that's fixed"? What was the purpose of that incident? Does that appear to be appropriate conduct for a management meeting?

**Ms NILAND:** I have no recall of being in any management meeting where that occurred. I am mystified. Fairies aren't part of my life.

**The Hon. PATRICIA FORSYTHE:** The Committee has heard the acknowledgement of problems with the Helpline within three days of it commencing. Can you indicate how long it was before you admitted to Parliament that there were any problems with the Helpline?

**Mrs LO PO':** The first question in 2001 was from the Leader of the Opposition to me about the Helpline. We certainly were dealing with the issues there. I am very pleased to say that the

Helpline and the waiting times have improved markedly. We were concerned because we were being inundated with calls that we did not expect. Given that it was new, people were certainly using the Helpline number. But the news is that this is a really important tool to us because it gives us a focus on where the hot-spots are, and we can do it centrally. It was not always easy previously to do that because people in various places collected data differently, or did not collect it at all. Now we have a centralised system that is throwing up some interesting statistics about where child abuse is now emerging as an issue. It gives us one of the best tools we have for moving resources around.

**The Hon. PATRICIA FORSYTHE:** Do you still stand by your view that DOCS is not in crisis? If so, what benchmark do you use to justify your position?

**Ms NILAND:** A definition of crisis is "a critical occasion". We have a series of critical occasions from time to time. When I think of "crisis" I think of being permanently in a critical occasion. We are perceived by many to be an emergency organisation. When you are constantly dealing with emergencies a system of urgency and immediacy comes about. When I was asked whether we were in crisis, I thought it was a ludicrous question because the organisation was running smoothly and effectively. Since being asked that question we have had some very testing times, but I am confident that we will come through them. I have never used the word "crisis" associated with DOCS.

**The Hon. ALAN CORBETT:** A strategic direction in 2002-03 relates to the rolling out of a new client system. I refer to your letter to me last year that reads:

DoCS is aware of the available international research which indicates a correlation between children committing violence against animals and the occurrence of abuse or emotional disturbance at home. The Department is currently undertaking the development of a new Client System which will incorporate information about children and families with whom DoCS has been involved. The inclusion of data relating to violence against animals will be considered during this process.

Has that been considered and is information about violence against animals included in the client system?

**Ms NILAND:** We certainly looked at the available research at the time. The research that emerged from America—mainly from the southern States and one northern State, Minnesota—was the result of liaison between child abuse systems and their equivalent of the RSPCA and material relating to abhorrent acts of violence against animals. I believe in one county they had gone so far as to make their equivalent of the RSPCA our equivalent of a mandatory notifier, so that if they were required to deal with horrific abuse, they became a mandatory notifier. We looked at it. To incorporate it in the client information system we would have to make a recommendation to the Government that the RSPCA became a mandatory notifier. There was some discussion about it at the time but it was not pursued.

**The Hon. ALAN CORBETT:** Would you consider it valuable information if it came to you?

**Ms NILAND:** We have got to wait until we can see the direct correlation. That is what the earlier research is showing. I have raised it with my colleagues in other States and they are also interested, but we are tentative until we can see some clear links in Australia. We have not commissioned any research, nor to my knowledge have they, but we continue to be very interested in it. In order to make change we would have to go to the Government with solid evidence of the link not only overseas but in Australia.

**The Hon. ALAN CORBETT:** Minister, the new Crimes Amendment (Child Protection and Physical Mistreatment) Act comes into effect on 6 December this year. The Commissioner for Children was given money by the Attorney General to conduct an education campaign, part of which was to liaise with the Department of Community Services [DOCS]. Obviously, that is because case workers would need to know about that legislation. Has that training commenced with DOCS? What is included in the training? Is the department incurring any costs in providing this training?

**Mrs LO PO':** Could we take that question on notice?

**The Hon. ALAN CORBETT:** Certainly. At page 52 of Budget Paper No.3, Volume 1, under the heading "Expenditure Trends and Recent Developments", an interesting phrase is used. I would like to ask you why it is used. This statement appears under that heading:

The Department is working in a climate where, more than ever, the long-term effects of unemployment, drug and alcohol abuse, domestic violence and isolation impact significantly on vulnerable and needy families, and on communities, families and individuals.

Why is the phrase "more than ever" used?

**Mrs LO PO':** It is probably a reflection of what we see. Last year, notifications to DOCS increased by 76 per cent. I take your point that it has always been so, but that reflects the 76 per cent increase last year. We are saying "more than ever" because an increase of that magnitude is occurring in one year. I take your point that domestic violence and drug and alcohol abuse have always been part of the drivers for child abuse. It is just that we are reflecting the increasing numbers we are dealing with.

**The Hon. ALAN CORBETT:** Obviously, it is very important to feed back into other government departments what you are experiencing and to suggest things that can be done as preventative measures. Does this happen?

**Mrs LO PO':** It is interesting you should say that. Our general understanding of what we are dealing with in child abuse is that 80 per cent of it is driven by those drivers: drugs and alcohol create domestic violence, which then moves into child abuse. We are talking to people about this, because it cannot be seen in isolation. One point I want to pick up is not only relevant to this answer but also to another answer. From time to time all human services move to the parameters of their capacity. It happens in education. When I was teaching, I once taught in a school that had 44 students in a class. That was recognised as not a good thing, and the class was reduced to a more moderate number.

This happens in health, it happens in policing and it has happened in DOCS. We have moved to the parameters of our capacity. Hence the Kibble committee, hence the promise for more workers. But people need to understand that this is the nature of human service businesses. You move to the edges of capacity, regroup, reshape, redirect, reresource and move on. In a few years time, given the nature of the community and the way it is moving, whoever is running the department in those years will find they have hit the edges of their capacity also. I just want people to put the matter into perspective and recognise that from time to time all human services go to the edges of their parameters and their capacity. We are conscious of this. We have been driven by the 76 per cent increase in one year of notifications, and we need to respond to that. But that is the nature of every human service portfolio.

**The Hon. ALAN CORBETT:** Minister, on a lighter note, this will be your last estimates committee. What advice do you have for the person who takes your place next year?

**Mrs LO PO':** I think I will leave this job having a new-found respect for DOCS workers. They do an incredibly difficult job. They do a job that is equivalent in some cases to policing, but they do it without weapons. In Miss Universe contests the question often is asked, "What is your one wish?" They are all say, "World peace." Mine isn't that. Mine is that every parent takes responsibility for that for which they are responsible. Then, happily, we would not need a Minister for Community Services.

**CHAIR:** What are the case loads for DOCS case workers in child protection? How do they compare with those of other States?

**Mrs LO PO':** Could I take that question on notice?

**CHAIR:** Certainly. What are the numbers and proportions of cases unallocated at each CSC, by priority level?

**Mrs LO PO':** I want to take issue with the word "unallocated". Every case has been assessed and given a priority. The word unallocated is used as a tool for people who work in the field. I need to assure everyone that every case has been assessed and is certainly dealt with. I want to disabuse



people of the notion that we have unallocated numbers in the sense that no-one has ever seen them, cared about them or done anything for them. Every case has been assessed. What we do with them is another issue. I now read from a prepared brief.

The Priority One policy has been developed to assist casework managers in identifying and managing priorities. Priorities are determined with reference to the assessed safety and risk to the child, the interagency guidelines and consultation with relevant staff. Unallocated work is casework which meets our business criteria but cannot be responded to because resources available are fully committed to higher priority cases. The decision not to allocate work may be implemented at any stage of an assessment or investigation following an additional assessment at the Helpline. For example, if telephone calls made to another agency involved with the family, such as the child's school, indicate that there is a protective action by those agencies or family members, the case may be unallocated at that stage. So it does not mean we neglect or ignore it. It means it is taken up by some other government body.

The managers of casework keep a record of the factors that influence their decisions not to allocate the work. This information is included in a minimum four-weekly review with the Manager, Client Services. The Director, Child and Family in each area must ensure that quarterly reviews of all "unallocated" casework are conducted. The purpose of this review is to collate all the information collected locally to map trends about unallocated work, workload and gaps in our services and resources. This aids in future planning and resource allocation. We are saying that the word "unallocated" is used for another purpose, but those cases have been assessed.

**CHAIR:** What proportion of the assessed cases are not allocated?

**Mrs LO PO':** I will take that on notice.

**CHAIR:** As it is collated, can you give me that information by area?

**Mrs LO PO':** Yes.

**CHAIR:** I understand some of the out of home care provisions of the Children and Young Persons (Care and Protection) Act 1988 have not yet been proclaimed. Is that right?

**Mrs LO PO':** That is right.

**CHAIR:** When will those sections be proclaimed? What further resources do you need to be able to proclaim those provisions?

**Mrs LO PO':** On 15 February I announced an extension of the timetable for implementing parts of the Children and Young Persons (Care and Protection) Act 1998. The extension follows requests by agencies for more time to fully ready themselves. Much of the Act is already operational, and the extension relates only to the out of home care, child employment and compulsory assistance provisions. These were expected to be introduced over 12 months from March 2002. It is proposed they will now be proclaimed from July. In the meantime, all agencies will continue operating according to existing legislative requirements. I am aware that a letter from the Director General, Carmel Niland, to the Enact Reference Group caused some confusion about the implementation of sections of the Act to do with the role of the Children's Guardian. This was clearly an error as the role and responsibilities of the Children's Guardian under the Act are matters for me as Minister, in consultation with the Children's Guardian, Ms Linda Mallett.

I met with representatives from the peak out of home agencies—the Association of Children's Welfare Agencies [ACWA], Bernardo's, Burnside, AngliCare and CentreCare—to discuss their concerns about delayed proclamation. Last week I also meet with the Children's Guardian to gauge her views about the readiness of her office for proclamation of those sections of the Act which directly affect the role and functions of the Children's Guardian. This delay in proclamation is not—as claimed by some—proof that the Government is stepping back from its commitment to full implementation of the Act. If some agencies are ready and keen to implement the new standards without delay, they could do so immediately without waiting for parts of the legislation to be proclaimed.

**CHAIR:** Minister, while we are on the subject of the Children's Guardian, when will the powers necessary to carry out the guardian's legislated functions be proclaimed?

**Mrs LO PO':** I have been in touch with the Children's Guardian. She specifically requested that her dispute and resolution powers be deferred, while a number of other organisations have asked for consultation on draft regulations to be extended. So it is not that I am ignoring it. It is that I am doing this in consultation with the guardian herself.

**CHAIR:** Is she requesting that they not be proclaimed?

**Mrs LO PO':** Yes.

**CHAIR:** That seems extraordinary. Is there some financial reason for that? Why does she not want those provisions proclaimed? Surely she wants to get started as soon as possible.

**Mrs LO PO':** Other organisations with whom she deals have asked that consultation on the draft regulations be extended. She has asked that we do not proclaim at this point.

**CHAIR:** Minister, you do not seem to have responded to or acknowledged the Community Services Commission inquiry into substitute care. What has your response been to that?

**Mrs LO PO':** The out of home care?

**CHAIR:** Substitute care.

**Mrs LO PO':** The same thing.

**CHAIR:** Yes.

**Mrs LO PO':** We have spoken to the commissioner himself about this on several occasions. I am not sure what response you are requiring. Exactly which response is it?

**CHAIR:** It does not seem to have made a lot of difference to that area. Your department does not seem to have publicly acknowledged what the commissioner has suggested.

**Mrs LO PO':** I think the department has embraced all but one or two of the recommendations that we have discussed. I think there was no difficulty with it. I think one recommendation that we had some issue with at the time, and are still talking about it, is that all out of home care should move holus-bolus from the public sector into the non-government sector. We had some difficulty with that. Off the top of my head, I cannot remember what the other issue was, but we did have some difficulties. We have spoken about that. Certainly, the out of home care review done by the commissioner is something that we looked at fairly seriously. But I must say it is true that we had an issue with a couple of the recommendations that we thought were not able to be implemented at the time.

**CHAIR:** The Care 2000 and Care 2001 committees have been discussing this, have they not, and there were difficulties about case loads and funding. Is that right?

**Ms NILAND:** Yes.

**CHAIR:** Is that matter now resolved? If so, what is happening?

**Ms NILAND:** At the moment there is an upper House inquiry into out of home care. Although a great deal of work has been done to resolve those issues, it is not now appropriate to progress the matter until the Government receives that report. Some of the main references relate to out of home care.

**DEPUTY-CHAIR:** Surely it is pretty discouraging if committees discussing things actually stop the department implementing programs. That is going backwards, is it not? Surely that should speed things up, rather than slow them down.

**Ms NILAND:** I think that is an issue for Government, if there is an inquiry at the moment with specifically as one of its major terms of reference out-of-home care and the suitability of placements for out-of-home care. But whether the Government would wish to pre-empt that committee in taking particular action is an issue for the Government.

**DEPUTY-CHAIR:** I note your suggestion that you want to have the non-government sector do the large bulk of that work, and I note the financial differences in cost between the departmental award and the Social and Community Service [SACS] award. There is some problem with the SACS award which seems to be between the Commonwealth and the State.

**Ms NILAND:** Yes.

**DEPUTY-CHAIR:** In the Commonwealth-State Disability Agreement, it seems that both the Federal Government and the State Government blame each other. Is that award a secret? If not, can you tell us to what extent the State has funded its share of the award and the Commonwealth its share of the award?

**Mrs LO PO':** The State Government met its commitment to the SACS award to the tune of \$116 million. We are asking the Federal Government for its share of the SACS award. We are getting a bit out of kilter here. This is mainly about disability in group homes. The Federal Government has stated that it deals with employment for people with a disability and that it is the State Government's responsibility to deal with their accommodation, and that is not true. In the Commonwealth-State Disability Agreement Act, there is a component in clause 6.1 for the Commonwealth to be involved in accommodation.

The Commonwealth Government is trying to shift out from its responsibility of helping us to fund the new SACS award by suggesting that it is a State-only issue, and clearly that is not true. We have been asking the Commonwealth Government to look at this again. It is causing a great deal of concern. There is no doubt that the State Government has put in its \$116 million which is needed to fund the increase over the next four years. We are simply asking the Federal Government to put in its share, which is considerably less.

**The Hon. JOHN RYAN:** What are you going to do with State-auspiced services which are not funded? If the Commonwealth Government does not come to the party and provide extra funds, what are you going to do about the shortfall of States-only auspiced services that do not have funding?

**Mrs LO PO':** We are going back to disabilities, are we?

**CHAIR:** Are DOCS workers also not funded under the SACS award?

**Ms NILAND:** Yes.

**Mrs LO PO':** In disabilities, yes. But DOCS moved all its disabilities over to DADHC, so DOCS does not have the group homes any longer.

**DEPUTY-CHAIR:** But are not some of the DOCS services for children funded for people under the SACS award? Am I correct?

**Mrs LO PO':** That is right, yes.

**DEPUTY-CHAIR:** Basically the argument is that the Federal Government believes you should pay for all of it because you are paying for the staffing, and you believe that you should pay a percentage based on an interpretation of the Commonwealth-State agreement. Is that right?

**Mrs LO PO':** That is right. That is exactly correct. In DOCS, an estimated \$13.1 million has been provided in this budget to assist our community partners with the increased costs of programs that are affected by the award. The major unresolved matter is the impact of the refusal by the Commonwealth Government to meet its fair share of these awards' increase. The Commonwealth's decision not to pass on its share of the award increase is placing some of those services that receive

funding under the Commonwealth-State agreement in some financial disadvantage. We are still negotiating with the Commonwealth Government.

**DEPUTY-CHAIR:** Do you have a broker? If there is an agreement to pay for the services, surely it must be clear who has to pay.

**Mrs LO PO':** Well, it is clear to us, but the Commonwealth seems to have some clouded vision over this.

**DEPUTY-CHAIR:** Is there a broker or someone who can come to an answer, because obviously the non-government organisation [NGO] sector is suffering badly through an inability to deliver the same service while this dispute rages on.

**Mrs LO PO':** My understanding is that the Prime Minister has now taken a vivid interest in this, so I am presuming that we might see some movement.

**The Hon. AMANDA FAZIO:** Minister, can you advise how the additional \$3.8 million in recurrent funds, which is shown in this year's budget, will be used for permanency planning?

**Mrs LO PO':** The Government has again demonstrated a firm commitment to better outcomes for some of the most vulnerable children and young people in New South Wales with the provision of an additional \$3.8 million in recurrent funding in support for the Children and Young Persons (Care and Protection) Amendment (Permanency Planning) Act 2001. The \$3.8 million will provide for additional caseworker positions, legal officers and adoption staff to undertake important work in the planning and implementing of permanency for those children and young people.

The additional caseworker positions and caseworker management positions will assist DOCS to provide more intense casework services to ensure that children and young people can return to their families where that is realistic, or to establish and support permanent placements for them. Those resources will also assist in moving these matters through the court system to ensure that placement issues are resolved as soon as possible.

The additional adoption staff have been provided to assist in matters where permanency can be established through adoption. The additional legal officers have been provided to assist in additional legal work that is anticipated as a result of this legislation, particularly in relation to applications for sole parental responsibility. The Children and Young Persons (Care and Protection) Amendment (Permanency Planning) Act 2001 ensures that planning for permanent placements for children who are removed from their families occurs from the earliest stages. This is more critical in relation to younger children as the attachment needs of young children cannot be delayed while courts and caseworkers deliberate about their placements.

The permanency includes options such as restoration to the care of a parent or parents, placement with a relative or kinship group, long-term placements with authorised foster carers, placement under an order for sole parental responsibility where a foster carer can take on responsibility for the child or, ultimately, adoption. This planning is supported by court orders and recognises the need of children and young persons for a safe, stable and nurturing home in order to have their developmental needs met and to protect their emotional wellbeing.

We cannot let babies drift along and suffer irreparable damage. However, this level of intervention happens only when there is serious danger to a child or abuse has occurred. Before we get to this point, the family is offered support, advice and assistance in caring for their children. We want the child to remain in or return to the family. In most cases, this is successful, and the child is able to stay in the family.

**The Hon. JAN BURNSWOODS:** Minister, can you fill us in on what the Government is doing about prevention and early intervention in child protection?

**Mrs LO PO':** I thank the honourable member for her question. The Department of Community Services recently redefined its program structure to more accurately reflect and outline the core business of the department. Our key programs now include prevention, early intervention,

intensive and statutory intervention services and out-of-home care and adoption services. This represents a continuum of care with prevention and early intervention programs vital to reducing the risk of harm to children and young people from abuse and neglect, and the subsequent likelihood of their entering into care.

The DOCS budget reflects our commitment to this important area, with 50 per cent of the 2002-03 budget allocated to prevention and early intervention services—some \$324 million. This is a significant commitment to the future of children and young people and the communities they live in. Overseas research suggests that every \$1 spent in prevention saves \$7 later in the legacy of child abuse and neglect, juvenile crime, mental illness, poor educational outcomes, and drug and alcohol abuse.

In 2002-03 DOCS will spend \$170.4 million on prevention services, an increase of \$2.3 million on the previous budget. Prevention services include children's services, family services, youth development, parenting services, community development and support services, and essential concessions. The services support and assist children and young people and families under stress or in crisis. They support and assist people and families to be able to care for themselves and their children. They provide young people with opportunities for self-development and provide child-care and related services. They also reduce the isolation of people in communities by increasing their ability to engage in community activities.

In 2002-03 DOCS will spend \$153.6 million on early intervention services, an increase of 11.1 per cent or \$15.4 million in the previous budget. Early intervention improves parenting confidence and assists parents to provide loving and supportive home environments for children.

In the long term, early intervention can break the intergenerational cycle of abuse and neglect and it is extremely cost effective. Early intervention services support services to children, young people and families at risk of abuse and family breakdown. This includes support services to deal with drug and alcohol abuse and domestic violence. It also includes transitional support and accommodation services for people and families who are in crisis or who are homeless. It includes initiatives such as Families First, which aims to strengthen and extend the skills of parents with children under the age of eight.

In this year's budget there is an additional \$4.8 million to continue to roll out Families First across New South Wales, with an additional \$18.1 million allocated this year. Families First will also receive an additional \$20.9 million over three years from 2003-04. Funding of \$1million for the drug strategy is also included under early intervention, with initiatives planned to enhance telephone and online support for families, provide training, and expand family-based support in five areas across New South Wales. I thank you for the question.

**The Hon. IAN WEST:** Minister, can you provide some information about the Christmas 2001 Bushfire Appeal?

**The Hon. JOHN RYAN:** While the Minister is finding the papers can we suggest that we have an additional 15 minutes for this hearing, given that we do not have to reconfigure the room for the purpose of the Chamber reconvening and we have until 8.30 p.m.?

**The Hon. JAN BURNSWOODS:** Mr Chairman, I draw your attention to the fact that we have not yet moved on to the Department of Women.

**DEPUTY-CHAIR:** That is true.

**The Hon. JAN BURNSWOODS:** Whatever the Hon. John Ryan is trying to interrupt with now, he might politely hold that until later.

**The Hon. JOHN RYAN:** It has not been normal for Government members to ask so many Dorothy Dixers. You have spent nearly 20 minutes.

**The Hon. JAN BURNSWOODS:** We are currently asking our third question in two hours.

**The Hon. AMANDA FAZIO:** Questions relevant to the portfolio, not questions about fairies wandering around sprinkling fairy dust. We have been asking about relevant matters.

**The Hon. JOHN RYAN:** We have a lot of questions that we would like to ask. We had plenty of time, but you have wasted it, and you are wasting time now.

**DEPUTY-CHAIR:** I suggest that bickering should cease among Committee members. The Government members have been asking questions for eight minutes of the 10 that I allocated to them, so they have another two minutes remaining. I propose to deal with the Department of Women from 8 o'clock until 10 past eight, which will mean that we will have dealt with three parts of the portfolio within two hours.

**Mrs LO PO':** I thank the honourable member for the question. The Christmas 2001 Bushfire Appeal committee is holding its final meeting on 2 July 2002 to endorse the final expenditure reports of payments made from the appeal fund. The total amount of appeal funds received as at 20 June 2002 was \$11,108,074. The total amount of grants distributed as at 20 June 2002 was \$10,284,902.

As at 20 June 2002 grants were made to the following categories of people: 1,020 households, 234 farm families and primary producers, 261 small businesses and 26 community organisations. A contribution of half a million dollars was paid to volunteer emergency services. The remaining \$323,172 will be transferred to a new ongoing Community Disaster Relief Fund to assist victims of future disasters.

**The Hon. JOHN RYAN:** A Department of Community Services media release issued on 8 April this year said:

We assess every report that is made to us. We track the outcome of every report. There is simply no evidence to suggest that one in 10 reports are being investigated.

Does the director-general still stand by that comment in view of the report by the Ombudsman, who said that the department's records were in an appalling state?

**Ms NILAND:** Yes.

**The Hon. JOHN RYAN:** How many reports were made to the Minister's office with regard to child abuse matters during the last 12 months?

**Mrs LO PO':** Is the honourable member referring to telephone calls that were made to my ministerial office?

**The Hon. JOHN RYAN:** Yes.

**Mrs LO PO':** I do not have that information with me. I will obtain that information for the honourable member.

**The Hon. JOHN RYAN:** I ask the Minister also to provide the Committee with information about the quantity of mail that arrives in her office in relation to that issue. Apparently Mr Greg O'Donohue from the Public Service Association [PSA] said:

In some parts of the State, fewer than 10 per cent of reports are fully investigated and assessed. Overall, more than 80 per cent of reports are culled without full investigation.

Does the Minister deny that a massive number of child abuse reports are going uninvestigated?

**Mrs LO PO':** Statements such as that are taken seriously by me. As a result I established the Kibble committee, and Mr Greg O'Donohue is a member of that committee. He has a forum which he can use to bring all these issues to the attention of the Kibble committee, which then advises the Government. The Kibble committee was established because we were receiving conflicting reports from the PSA and various other organisations. People were giving some statistics to some groups and they were giving different statistics to other groups. The Kibble committee was established to flesh

out and identify the numbers. If Mr O'Donohue has any information it should be handled by the Kibble committee. We will take those issues seriously.

**The Hon. JOHN RYAN:** I refer to an incident that was described earlier as the sprinkling of fairy dust.

**The Hon. JAN BURNSWOODS:** Mr Deputy-Chair, I draw your attention to the time.

**The Hon. JOHN RYAN:** As I understand it, a senior member of the director-general's staff—

**The Hon. JAN BURNSWOODS:** Mr Deputy-Chair, you said earlier that there was only one minute remaining for questions. Government members gave up their time. Opposition members are not adhering to your ruling. I suggest that we deal now with the Department of Women. I do not regard the Department of Women as a token area.

**The Hon. JOHN RYAN:** Does that suggest that your senior staff have enormous respect for your leadership? Or does it suggest that they are somewhat critical of your style?

**The Hon. JAN BURNSWOODS:** Mr Deputy-Chair I ask you to call the honourable member to order.

**DEPUTY-CHAIR:** The honourable member was finishing his question.

**The Hon. JAN BURNSWOODS:** He was given one minute to ask a question. He has now asked his third question.

**DEPUTY-CHAIR:** I gave the honourable member one minute and he has taken three minutes.

**The Hon. JAN BURNSWOODS:** He has just asked his third question.

**DEPUTY-CHAIR:** If the Minister answers the honourable member's question we will be able to move on to the Department of Women.

**Mrs LO PO':** I have no intention of answering the honourable member's question.

**CHAIR:** We will deal now with the Department of Women.

**The Hon. PATRICIA FORSYTHE:** Page 5-17 of Budget Paper No. 3, Volume 1, refers to the Department of Women as the "key agent in improving the economic and social well-being of the women of New South Wales". Does the department have benchmarks which it uses to judge its performance in providing that improvement? If so, what are those benchmarks?

**Ms HENDERSON:** The department has the role of leading and facilitating work, in conjunction with other agencies. Obviously, the majority of work is undertaken by other departments. So, for example, in relation to achieving equity in health, the Department of Health has its own benchmarks for equity in women's health. Our role is to work in partnership with those agencies. It is almost impossible for us to judge the extent to which our input has influenced, or actually changed, the roles of individual departments.

Our role is, as I said earlier, one of providing leadership. It is difficult, as you would know, to measure that. So, in answer to your question, no. The department does not have benchmarks for those sorts of outcomes. It does, however, conduct an audit of government activities and services. That provides a useful picture of the degree to which government agencies are actually undertaking gender-based work.

**The Hon. PATRICIA FORSYTHE:** The strategic directions of the department are described as "shaping a whole-of-government policy". Does each Cabinet minute provide for a women's impact statement? If not, can the director-general indicate—and she might need to take this

question on notice—what percentage of Cabinet minutes require the policy advice of the Department of Women?

**Mrs LO PO':** We will take that question on notice. The Department for Women runs a slide rule over Cabinet minutes and it then makes decisions. However, we will provide the numbers later.

**The Hon. PATRICIA FORSYTHE:** Is that done by way of an impact statement?

**Mrs LO PO':** The department puts a slide rule over Cabinet minutes and it then makes a statement.

**The Hon. PATRICIA FORSYTHE:** In relation to the role of the department, the strategic directions state that the average effective full-time staffing of the department is 48. How many staff are involved in the Women's Information and Referral Service?

**Ms HENDERSON:** Five staff are involved in the Women's Information and Referral Service. Other staff in the department provide assistance to the referral service as the demand requires, particularly in relation to the needs of diverse language groups in our community. Staff have a large number of language skills between them. When required, they are called on to respond to those issues. Equally, it is true that, when questions relate to aboriginality or to specific cultural groups, the department responds to those questions.

**The Hon. PATRICIA FORSYTHE:** How many staff are employed in the Women's Grants Program?

**Ms HENDERSON:** There is one full-time staff member. For one-third of the time two other staff members are employed on that program. The work involved in that program fluctuates, depending on the time of year. Obviously, when grants are being assessed, it is a time-consuming exercise to provide all the documentation that is required to the grants committee. Clearly, when grants have been assessed, individual agencies are notified.

**The Hon. PATRICIA FORSYTHE:** Are they considered to be the two core programs of the department? If not, what are the additional what I would call core programs—the key work and role of the department?

**Ms HENDERSON:** The department has four primary core roles: the information provision role, which is undertaken through the Women's Information and Referral Service; the web site publications; the women's gateway, which is the portal through which people, in particular women, can access almost 5,000 individual agencies; and the research and policy role. We are entering into partnership research with universities and other government agencies using Australian research funding money. An important role is played in strategic partnerships, which focus on particular projects with the private sector and the non-government sector. We also play a role in undertaking events in consultation, through activities such as the Women on Wheels project. The partnership role is an important role.

**The Hon. PATRICIA FORSYTHE:** How many staff would be involved in the partnership role? How many staff would be involved in activities which I understand include taking the department to regional centres? Is support work included in those activities?

**Ms HENDERSON:** Yes. From time to time about 20 or more staff would be involved in partnership projects. They may be projects or they may be consultations. At the moment about 15 staff members are on the road with the Women on Wheels project. We have been through almost 60 towns promoting that project and we visited 28 towns on the last project. We have covered approximately 30,000 kilometres. We are constantly in contact with rural communities. One staff member is located in Orange on a permanent basis.

**The Hon. PATRICIA FORSYTHE:** Did the department apply for additional funding for the Women's Grants project this year?

**Ms HENDERSON:** No.



**The Hon. ALAN CORBETT:** Does the director-general see a need for a child care centre in Parliament House? If she does see a need for such a facility, has she approached, or does she intend to approach, the Speaker and the President about the provision of child care facilities?

**Ms HENDERSON:** The area of child care actually lies with the Department of Community Services. I am afraid I am not empowered to answer that question.

**Mrs LO PO':** That is an issue that has been talked about from time to time. One of the difficulties is that a lot of people in the paid work force do not have child care. If we were to establish such a facility in Parliament House it would appear as though politicians were being self-serving. Other people do not have that facility. Given that people think that politicians get a fair whack of everything, I think the community would find it very difficult to understand.

**The Hon. ALAN CORBETT:** We are talking about staff and members.

**Mrs LO PO':** Yes, I understand what you are talking about. It is something that we have looked at and talked over, and we are fairly sensitive to the fact that the general community would probably see that as politicians being self-serving, not only for themselves but for the people who deal with them. It is a vexed question. It certainly has attractions, and many people in this building would regard it as being useful, but it is just a matter of getting over the difficulty of the perception of politicians looking after themselves and their own.

**The Hon. Dr ARTHUR CHESTERFIELD-EVANS:** Ms Henderson, since the establishment of the Department of Women in 1995, have you seen improvements in major benchmarks? What are those benchmarks, and how much improvement have you seen, if any?

**Ms HENDERSON:** As I said before, it is very difficult to see the reflection of what we do. But I would say that we have now worked in partnership with many of the other government agencies on the issue of the prevention of violence against women. Surprisingly, one of the indicators of the success of some of these programs is that crime statistics are increasing, not decreasing.

Women in the community now tell us that they are more empowered to take these issues through the criminal justice system than they were five years ago. I personally believe there has been considerable success in acknowledging violence. I would say this is one area in which people have gained some considerable success.

**The Hon. Dr ARTHUR CHESTERFIELD-EVANS:** You are saying that the increase in crimes against women is a result of the reporting of those crimes, rather than that we are going backwards because there are now more of those crimes?

**Ms HENDERSON:** I think that is right. I think we have now succeeded in acknowledging that there are systems in place, such as court support services, that have assisted women in coming forward to identify their issues within the system. I also think we have made major inroads into the area of pay equity. We have had the conclusion of a successful pay equity inquiry in the Industrial Relations Commission. We have had the first of those cases heard before the commission, in relation to librarians. So I would say there has been considerable success.

**The Hon. Dr ARTHUR CHESTERFIELD-EVANS:** Have you looked at the gender bias of certain professions with regard to the percentage of women in those professions?

**Ms HENDERSON:** We have, and we have worked closely with the professional associations, particularly the Law Society and the Bar Association. We have also done quite specific work within different industry groups. I think we have also had major success with the motor vehicle industry. We now see a higher predominance of women employed in all parts of the industry and an acknowledgement by the industry. In fact, the Anti-Discrimination Board has given exemptions to a number of individual firms to work on projects specifically for women. So I think there have been considerable successes.

**DEPUTY-CHAIR:** Minister, will you accept further questions within 48 hours and will you reply to those questions within 35 days?

**Mrs LO PO':** Yes.

**DEPUTY-CHAIR:** Would you be available to return before the Committee if members wish to clarify specific aspects of those questions?

**Mrs LO PO':** Yes.

**The Committee proceeded to deliberate.**

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