

# GENERAL PURPOSE STANDING COMMITTEE No. 2

Wednesday 15 October 2008

Examination of proposed expenditure for the portfolio area

## COMMUNITY SERVICES

The Committee met at 3.00 p.m.

### MEMBERS

The Hon. R. M. Parker (Chair)

Mr I. Cohen  
The Hon. G. J. Donnelly  
The Hon. M. A. Ficarra

Reverend the Hon. G. K. M. Moyes  
The Hon. C. M. Robertson  
The Hon. M. S. Veitch

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### PRESENT

**The Hon. L. J. Burney**, *Minister for Community Services*

**Department of Community Services**

**Ms J. Mason**, *Director General*

**Ms A. Gallard**, *Deputy Director*

**Mr L. Favelle**, *Acting Chief Financial Officer*

**Ms S. Stewart**, *Executive Director Communities Division*

**New South Wales Office for Children**

**Ms K. Boland**, *Children's Guardian*

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## **CORRECTIONS TO TRANSCRIPT OF COMMITTEE PROCEEDINGS**

**Corrections should be marked on a photocopy of the proof and forwarded to:**

**Budget Estimates secretariat  
Room 812  
Parliament House  
Macquarie Street  
SYDNEY NSW 2000**

**CHAIR:** Welcome everyone to the inquiry into the budget estimates 2008-2009 for the portfolio of Community Services. I welcome Minister Burney and the numerous departmental officials to the inquiry. I should point out that the Hon. Michael Veitch is substituting for the Hon. Tony Catanzariti and Mr Ian Cohen is substituting for Ms Lee Rhiannon as Committee members this afternoon.

Before we commence I need to make some procedural announcements. A speaker's microphones will work only if the red light is eliminated. Only three lights can be displayed at any one time so you need to turn your microphone off when you are finished speaking. Members of the media should be well aware by now that the broadcasting rules are on the table near the door. Committee members and witnesses are the only people to be the subject of broadcasting. In the reporting of these proceedings the media must take responsibility for what they publish and what interpretation they place on anything that is said.

The passing of messages is allowed. If anyone would like to pass a message to Committee members that can be done through the Secretariat staff. All mobile phones and BlackBerry devices are to be switched off. However, if such devices were to be used to transmit data I would ask you to keep them away from the microphones because they interfere with the electrical equipment. At about 3.30 p.m. we will be taking a short five minute break for afternoon tea. I anticipate a lot of buzzers will be going off this afternoon and I would remind everyone that the more concise we are the less likely it will be for us to return for a supplementary hearing.

The return date for questions on notice has been determined as a period of 21 days. You will receive questions on notice, apart from those questions you indicate today that you will take on notice, within two working days. The transcript of today's proceedings will be on the website tomorrow. I now ask all witnesses to state their name and the capacity in which they appear when taking the oath or the affirmation. Minister Burney, you are not required to take an oath as you did so when you were appointed.

**ANNETTE DALE GALLARD**, Deputy Director General Operations, Department of Community Services,

**JENNIFER MASON**, Director General, Department of Community Services,

**KERRY ANN BOLAND**, Children's Guardian, New South Wales Office for Children,

**SONYA CHRISTINA STEWART**, Executive Director Communities Division, Department of Community Services, and

**LANCE CORRY FAVELLE**, Chief Financial Officer, Department of Community Services, affirmed and examined:

**CHAIR:** Minister, can you tell me how many projects the Community Services Grants program currently funds?

**Ms LINDA BURNEY:** The Community Services Grants program is a very important program run by the department. It provides a range of support to children, young people and families, with a focus on addressing risk and crisis and providing intensive support and intervention programs. It is also very significant in its funding to the non-government community. It aims to promote strong communities to cope effectively with change and to provide for the safety and well-being of its participants. In fact yesterday I had a meeting with a number of the recipients of the Community Grants program, including a number of the peak organisations.

**CHAIR:** I do not want to be rude but we have a limited amount of time and a number of really important questions to ask. We are aware of the Communities Services Grants program. Would you mind being concise in your answers and take the questions on notice if you do not know the answers. The question was how many projects?

**Ms LINDA BURNEY:** The number of projects I will take on notice, but what I can say is that the Community Grants Program funded projects range from neighbourhood centres and beyond. The program will spend \$81.4 million and fund 920 projects in the 2008-09 period.

**CHAIR:** I understand it is under review. The review has been going on for well over two years. How many projects have expired during that period of review?

**Ms LINDA BURNEY:** I will leave the review aside, but in relation to your question about how many programs have been—

**CHAIR:** How many projects ended?

**Ms LINDA BURNEY:** None.

**CHAIR:** How many have expired?

**Ms LINDA BURNEY:** None.

**CHAIR:** They have all kept just rolling on?

**Ms LINDA BURNEY:** No.

**CHAIR:** Have there been any new projects funded since the review began?

**Ms LINDA BURNEY:** No, there have not.

**CHAIR:** You must have a finalisation date for that review?

**Ms LINDA BURNEY:** I will backtrack a bit on that. Clearly members of this Committee would be very well aware of what is one of the most important undertakings in a number of generations in New South Wales: the Special Commission of Inquiry into Child Protection in New South Wales being conducted by Justice Wood. I am sure there will be other questions about that as the afternoon proceeds so I will not go into detail about that. People will appreciate that the Community Grants Program that you are referring to, and its future, will depend on the outcome of the report of Justice Wood. One of the significant and important things about the Community Grants Program is engaging the non-government sectors, which are crucial partners to the work of the Department of Community Services. We expect that some recommendations around the non-government sector and the government partnership and the grants program will be part of that consideration.

**CHAIR:** Am I to understand that you do not have a time for the end of the review period and therefore there is no introduction of new funding because of that, is that correct?

**Ms LINDA BURNEY:** No, what I am saying—and I do not want to have to repeat myself—is that the shape of the Community Grants program will be considered after we receive the report of Justice Wood. It would be irresponsible to do anything else. It would be irresponsible to even to begin to think about reshaping or looking at the level and the involvement of the community sector, except to say that I am very committed to the community sector and that consideration, as well as a number of other important considerations on the way forward, will be contained in terms of the report of Justice Wood.

**The Hon. MARIE FICARRA:** Do you plan any overseas trips as part of your current portfolio under the Department of Community Services?

**Ms LINDA BURNEY:** Not at the moment, no.

**The Hon. MARIE FICARRA:** Would you characterise your previous trip to the Cannes Arts Festival back in May as successful?

**Ms LINDA BURNEY:** I am glad we are getting to the heart of things here.

**The Hon. MARIE FICARRA:** Well, I would like to know where your priorities lie.

**Ms LINDA BURNEY:** I could refer you to the *Daily Telegraph* but let me go through some of the—

**The Hon. MARIE FICARRA:** I just want a summation of whether you thought it was successful. I do not want your itinerary dates.

**Ms LINDA BURNEY:** You have asked the question and I will answer it. The overseas undertaking to France and then onto New Zealand was done on behalf of the New South Wales Government. People would be aware that I was representing the Minister for the Arts at the Cannes Film Festival. That was essentially to do three things. The first was to promote New South Wales not only as a place for the production of local films but also to attract international films to New South Wales, in particular, Sydney. People may remember—

**The Hon. MARIE FICARRA:** So you declare it successful.

**Ms LINDA BURNEY:** Yes, it was successful.

**The Hon. MARIE FICARRA:** I only want a quick summation. We have limited time.

**Ms LINDA BURNEY:** In fact, there is a major conference coming to Sydney as a result of that visit.

**The Hon. MARIE FICARRA:** I am informed that out of the 11 official meetings that you conducted whilst on this trip that only 2 were meetings with persons or groups who were non-Australian. Do you think you could have had the meetings with the other 9 far more economically for New South Wales taxpayers?

**Ms LINDA BURNEY:** I have a full list of the itinerary, which I am happy to go through, if you wish.

**The Hon. MARIE FICARRA:** If you could table it that would be excellent.

**Ms LINDA BURNEY:** I am happy to table it. Of the 2½ days spent in France there was something like 12 to 14, maybe 16, meetings with people from Hong Kong, people from Canada, people from the United States and people from Germany, as well as a number of other places. I guess the most important thing was the onward trip to New Zealand, which was for a ministerial council for consumer affairs.

**The Hon. MARIE FICARRA:** Hopefully the New South Wales taxpayers will get more effective utilisation of money from any trips that you do under your current portfolio.

**Ms LINDA BURNEY:** The New South Wales economy will benefit significantly.

**The Hon. MARIE FICARRA:** Let us hope so.

**CHAIR:** Minister, I want to refer to early intervention issues, which are crucial to the Department of Community Services portfolio. In particular, as to the Brighter Futures early intervention program, I note your stated data in the Treasury budget papers. Those figures seem to suggest that in the period from September 2007 to June 2008 1,318 families began Bright futures support, is that correct?

**Ms LINDA BURNEY:** Can I refer that to Mr Favelle?

**Mr FAVELLE:** Could you please refer me to the page and the budget paper?

**CHAIR:** Budget Paper No. 3, where it has a breakdown of what was budgeted, what was revised and what was forecast.

**Mr FAVELLE:** They are the figures on page 7-11, I would imagine, in relation to the numbers for the Brighter Futures families?

**CHAIR:** Yes.

**Mr FAVELLE:** Those are the figures there. Those are the figures that we have.

**CHAIR:** Given we have had a great deal of information about families in rural and regional areas having to wait a length of time, at least three months, for access to Brighter Futures support, how many families in New South Wales currently receive Brighter Futures support?

**Ms LINDA BURNEY:** I can answer that. Thus far, 2,800 families have participated in the program.

**CHAIR:** How many at the moment?

**Ms LINDA BURNEY:** I will take that on notice, but we know that there have been 2,800 in the period that it has been going. There are 350 caseworkers and \$150 million for integrated child and family services, including case management, quality child care, parenting programs and stay-at-home visiting.

**CHAIR:** Would you take the question about the numbers on notice?

**Ms LINDA BURNEY:** Yes.

**CHAIR:** You may want to take these questions on notice or you may have the information here, given the number of departmental staff present. How many are on the waiting list? What is the average length of time that families are on the waiting list?

**Ms LINDA BURNEY:** I am happy to do that. The most important point to make about Brighter Futures is that it is an early intervention program.

**CHAIR:** I understand the program very well. Given the importance of that program, will you request that those 350 early intervention caseworkers will be quarantined? Will you recommend that, in terms of the mini-budget?

**Ms LINDA BURNEY:** There is no need to do that.

**CHAIR:** So you guarantee that?

**Ms LINDA BURNEY:** Yes.

**CHAIR:** You have mentioned that there are 350 early intervention caseworkers positions. Given there were 197 early intervention caseworkers and 57 early intervention manager caseworkers as at May 2008, how many additional caseworkers have you recruited since that date?

**Ms LINDA BURNEY:** Since which date?

**CHAIR:** Since 8 May 2008.

**Ms LINDA BURNEY:** We would have to check that. That is a very specific question. I am happy to take that on notice and check that. The most important point is that there are those 350 caseworkers in place and that the Brighter Futures program is one of the most significant programs within the agency.

**The Hon. MARIE FICARRA:** Minister, I am sure you would agree that children's education, particularly participation in preschool educational programs, is very important. After 13 years of this Labor Government, what is the participation rate for, say, four-year-olds in preschools in New South Wales, which is the year immediately before they commence compulsory full-time schooling? What is the percentage?

**Ms LINDA BURNEY:** One of the preliminary things that I would say is that the last time the Opposition was in Government they froze preschool funding.

**The Hon. MARIE FICARRA:** I am asking about your current rates.

**CHAIR:** You have been in Government for 13 years.

**The Hon. GREG DONNELLY:** Point of order: The question has been asked of the Minister and the Minister is entitled to answer the question as she sees fit without interruption.

**The Hon. MARIE FICARRA:** I have asked about the last 13 years—not 20, not 18, 13.

**The Hon. GREG DONNELLY:** You are wasting your time. The Minister has been asked a question and the Minister can answer the question as she sees fit.

**CHAIR:** This is about the fourth budget estimates hearing that the Hon. Greg Donnelly has tried to defend Government Ministers. It is unnecessary. He is trying to waste Coalition time. There is no point of order. The Minister can be drawn back to the question. We have limited time.

**The Hon. GREG DONNELLY:** She is answering the question.

**CHAIR:** The question was about this Labor Government, which has been in Government for 13 years, not previous Governments.

**The Hon. GREG DONNELLY:** She was answering the question.

**Ms LINDA BURNEY:** I will go directly to the question and pursue the fact that one of the crucial commitments of this Government is what we term universal preschool access. The 2008-09 commitment is \$21 million. The current participation rate in New South Wales is 88 per cent. With the rollout of the preschool investment and reform plan, by 2015 the participation rate we anticipate will be 95 per cent. That means that every child in New South Wales will have access to at least two days of preschool.

**The Hon. MARIE FICARRA:** Why then does the Productivity Commission's Report on Government Services 2008 in table 3A.11 classify the New South Wales participation rate for children of four years at only 64.6 per cent, the lowest of any State in Australia, and the highest cost per week to Australian families of \$49.20? Do you think that is a good performance by your department?

**Ms LINDA BURNEY:** I will restate the actual participation rate. It is 88 per cent.

**The Hon. MARIE FICARRA:** Where do those figures come from?

**Ms LINDA BURNEY:** From our own agency. The claim of only 64 per cent of children in New South Wales benefiting from preschool programs is incorrect. I will ask Ms Stewart to talk further on that.

**Ms STEWART:** That rate that you were quoting does not take into account that there are a number of four-year-olds in New South Wales who do get a preschool program in a long day care setting. So the actual rate is, as the Minister said, 88 per cent.

**The Hon. MARIE FICARRA:** Is it true that the Productivity Commission looked at all the States on a similar basis and New South Wales still had the lowest performance? It used a similar assessment base for all States. Are you aware of that?

**Ms STEWART:** We are aware of the report.

**The Hon. MARIE FICARRA:** Could you table those internal statistics from your department?

**Ms LINDA BURNEY:** Not at this stage, no. I am not required to table papers. It is information that I have and I will discuss it.

**The Hon. MARIE FICARRA:** It differs remarkably from independent sources that have been published, but you refuse to table it.

**Ms LINDA BURNEY:** What Ms Stewart has said is clear. Perhaps it is a misunderstanding on your part. Preschool education in New South Wales is the year before school. It is for four-year-olds. In New South Wales we have a diversity of delivery. We have out-of-home care, long day care and—

**The Hon. MARIE FICARRA:** I am aware of that. If you were confident in your statistics you would table them.

**Ms LINDA BURNEY:** Madam Chair, if I can finish my question without being interrupted? We also have the preschool model that is probably in your mind, and that is the preschools attached to schools which are specifically for four-year-olds. The 60 per cent figure refers to that. The 88 per cent figure that Ms Stewart has referred to is all four-year-olds in New South Wales that are getting a preschool education.

**The Hon. MARIE FICARRA:** If that is the case then you can table the justification that your department uses, if you are so confident that it will stand up. My next question is what programs or policies have you got in place to actually increase preschool participation to bring it up to other States?

**Ms LINDA BURNEY:** I am very happy to respond to that because it is an extremely good story—I started answering it in my previous answer. In 2006 the New South Wales Government announced a program that would see a universal access for all four-year-olds in New South Wales. It was called the Preschool Investment and Reform Plan and its value is \$85 million. It is also significantly important to achieving the State Plan Priority F6, and that is increasing the proportion of children with skills for life and learning at school entry. Preschool education—I do not need to labour the point with anyone in this room—is absolutely crucial to getting a child ready for entry into a formal school situation: kindergarten.

We are extraordinarily committed to participation and quality early childhood education in New South Wales. The Preschool Investment and Reform Plan makes sure that every four-year-old in New South Wales has access to a quality and age-appropriate preschool program for two days per week. This means that all children have the opportunity to benefit from such a program.

**The Hon. MARIE FICARRA:** Minister, you can take up all the time you want in answering these questions but you are aware of the program. We are asking specific questions that need succinct answers. The duty should be to answer quickly and you still have not answered why the cost in New South Wales of preschool education is the highest in the country by far—\$49.20 per week compared with an average of \$28. Huge.

**Ms LINDA BURNEY:** With all due respect, your question was about access to preschool, which I am trying to answer.

**The Hon. MARIE FICARRA:** By making it more affordable it might make it more accessible. Can you explain why the cost is highest in New South Wales?

**Ms LINDA BURNEY:** The median weekly preschool costing in New South Wales in the Productivity Commission's annual report on government services—which I am assuming is where you are getting this information—indicates that the costs in New South Wales are higher than other States and Territories. But these figures should be treated with caution. As has been stated, "The Productivity Commission acknowledges by"—and this is the part that you probably did not read—"stating the estimates are not based on standardised measures of child age hours or services provided or preschool service delivery. The key determinant of the average weekly cost is how many days a child attends preschool", and I can continue if you wish.

**The Hon. MARIE FICARRA:** No. But you refuse to table your own departmental statistics? That is my final question. You refuse to do that?

**Ms LINDA BURNEY:** I am not required by this Committee to table those statistics. I am happy to take it on board, but you know as well as I do the trick of asking for the tabling of information; it is a trick.

**CHAIR:** Minister, I was going to ask for clarification because as the chair I am completely confused about whether you are going to table or not table it. With all due respect, it is not a trick; it was a request, and either you agree with it or you do not. But we are totally confused. Could you clarify that for our benefit? If we could see the minutes of this meeting it would be useful.

**Ms LINDA BURNEY:** I will seek some advice and get back to you on that.

**CHAIR:** Some advice on whether you are going to table it or not?

**Ms LINDA BURNEY:** I will take the question on notice.

**Reverend the Hon. Dr GORDON MOYES:** Minister, I want to raise first of all issues of the department in relation to out-of-school home care, long day care and those preschools that are attached to State government schools since the collapse of the ABC preschool centres. That has been placing a lot of stress on parents and other persons. How is DOCS involved since the collapse of ABC? Are you providing additional funding for, say, foster carers and NGOs who have to find alternative arrangements?



**Ms LINDA BURNEY:** I think that is in two parts. In relation to foster care and out-of-home care, that is quite a separate issue to the provision of preschool and early childhood education. I am happy to take either but they are quite separate issues.

**Reverend the Hon. Dr GORDON MOYES:** My concern was how is the department involved in helping those parents or foster parents and NGOs?

**Ms LINDA BURNEY:** In the ABC situation?

**Reverend the Hon. Dr GORDON MOYES:** Yes.

**Ms LINDA BURNEY:** Just for everyone's information—and that is a fairly relevant question—the ABC group represents 11.8 per cent of long day care centres in New South Wales: it is a massive provider. ABC and DOCS have obviously been in discussion and ABC has said to DOCS that—and we have all read it in the newspapers—whilst there have been problems in relation to the administration and obviously the director, they are still providing, if you like, business as usual care in their centres. That is a very important point. In relation to their counterpart agencies in other jurisdictions, we are watching developments very closely, but DOCS does expect ABC licences—and that is what we are responsible for—to comply with all legal requirements. We are obviously keeping a close eye on it, but they are still providing the services to children in their preschools.

**Reverend the Hon. Dr GORDON MOYES:** Could I continue on a different tack? Some time ago the department established a five-year longitudinal study on the effectiveness of out-of-home care. When will that study be complete and when will the results of that be released?

**Ms LINDA BURNEY:** I will take that question on notice. I am not actually aware of the longitudinal study as such. What I can say about out-of-home care though, because I think it is a really important point to canvass in a hearing such as this is—I have got some further information on the front of your question—out-of-home care in New South Wales is crucially important. Out-of-home care is what most people would think of, I guess, as foster care. In New South Wales at the moment there are 12,000-plus children who are in out-of-home care. These are children who for whatever reason—and there are a variety of reasons—can no longer live in their home and quite often, tragically, it is because they have been victims of extreme abuse or there has been some terrible breakdown in their circumstances. Just to answer your previous question in relation to the contracts: They have just been signed, and that is 2008 to 2013.

**Reverend the Hon. Dr GORDON MOYES:** Can I ask a financial question now, which you may want to pass over? I notice that funding for high and complex needs for out-of-home care children has significantly decreased in recent years. I would have imagined the number of children with high and complex needs in out-of-home care in point of fact should be demanding increased money not decreased money. But I notice also that the amount of monies budgeted for kinship care and foster care and NGO foster care have all been stable or have actually decreased.

**Ms LINDA BURNEY:** I will answer the first part of that question and then ask Ms Gallard to go to the specifics. What you have actually described are the various types of out-of-home care in New South Wales. Kinship care is one that is very interesting and one that we very much pursue because it means that children who are removed from their immediate family or carer can go and live with a relative. That is very relevant.

**Reverend the Hon. Dr GORDON MOYES:** I understand that and how significant it is for certain groups, particularly indigenous people. My concern is that the amount of money provided for them has either decreased or remained stable.

**Ms LINDA BURNEY:** It is a good reason for a decrease. I will hand over to Ms Gallard.

**Ms GALLARD:** The reason for the decrease in funding is that a few years ago—I think it was in 2005-06—the Department of Community Services signed contracts with four non-government organisations to provide contracted care to high-needs children and young people. As a result of those contracts we were able to save \$10 million. In addition, we have instituted a number of measures to ensure that the needs of children in out-of-home care, particularly at the high end of the scale, are reviewed regularly. Each of those children has their case plan reviewed by a senior panel of experts in the Department of Community Services regional offices on a regular basis. Through that mechanism, we have been able to move children from high-cost placements to low-cost placements according to their case plans and needs at that time.

**Reverend the Hon. Dr GORDON MOYES:** Ms Gallard, you would appreciate my concern that simply reclassifying them or putting them into contracted care does not change their high level of need nor, I suspect, the high cost involved. Therefore, someone else is picking up that cost. Given that those organisations are now providing that service for a lower cost than the Government could provide it, are you depending on the public and general fundraising by those organisations to meet the additional costs?

**Ms GALLARD:** A few things have happened. Some those things are internal to the Department of Community Services and some are external. Within DOCS we have designated 50 caseworkers specifically to work with high-needs children and young people. Those caseworkers carry lower caseloads—that is, five children and young people to one caseworker. That means that they work much more intensively with children and reduce their needs. The Department of Community Services invited expressions of interest in the new contracts from high-needs kids service providers. Organisations tendered for those contracts and we have been working with those providers. It is fair to say that in both the non-government sector and in government we have just got better at looking after high-needs children and young people over the past three or four years.

*[Short adjournment]*

**Mr IAN COHEN:** Why is the Community Services Grants Program, which was discussed earlier, now in the statutory child protection part of the Department of Community Services budget?

**Ms LINDA BURNEY:** Before answering that question, I refer to a question asked by the Hon. Marie Ficarra that I agreed to take on notice. I am happy to table the preschool numbers. I remind members that we also have with us the Children's Guardian. In answer to Mr Cohen's question, this issue has caused some concern and it has been raised with me by a number of community grants recipients. I assure the member and those recipients that there is no need for concern. The transfer of the Community Services Grants Program from "Community development and capacity building" to "Contracted child protection services" in the New South Wales budget papers relates to Treasury financial reporting requirements. It is simply an area in the budget against which the Department of Community Services reports results.

**Mr IAN COHEN:** It does not reflect that the program is now only being spent on child protection?

**Ms LINDA BURNEY:** No. I can understand how there could be that perception in the community. I have had discussions with community organisations. It is simply a budgetary accounting measure. It has no influence at all on the work those organisations do.

**Mr IAN COHEN:** In terms of transparency, it is very unclear, would you not agree? It is a bit confusing when one reads the budget papers?

**Ms LINDA BURNEY:** I can only restate that it relates to the financial reporting requirements for Treasury, and is simply an area in the budget against the Department of Community Services programs and results. There is no change at all in the intention in relation to the work of the organisations or the things they get funded for.

**CHAIR:** You mentioned you were prepared to table a document. Would you mind passing that forward now, the statistics?

**Ms LINDA BURNEY:** I would have to get a copy of them. I am happy to do that at the appropriate point. I do not have them at my fingertips but I am happy to table them?

**Mr IAN COHEN:** Why is the Government waiting for the outcome of the special commission of inquiry into child protection services before making any decisions about increasing funding for the CSGP, when the department and the community service sectors have been working together for a number of years to reform and expand the program?

**Ms LINDA BURNEY:** It covers a number of points I have made already. Once again, I have had numerous discussions with heads of a number of non-government organisations. As I said, I had a meeting with a number of them yesterday; as well. I attended a large gathering of non-government sector organisations at a conference organised by the Council of Social Service of New South Wales [NCOSS] not very long ago. I have

had 14 years of my career working in the non-government sector, so I understand very much the importance of sustainability and some of the anxieties there.

In my view, it would be extremely irresponsible of me to make any decisions in relation to the issue that you have raised prior to Justice Wood bringing down his report. It does not mean things are suspended. It certainly does not mean that the work of the organisation has been on hold; anything but. But this issue is important because we know through submissions from many of the NGO sectors, from submissions from us and from discussions that he is going to be taking into consideration the balance between the role of the agency and the role of the non-government sector, particularly in relation to the wellbeing of young people in New South Wales.

**Mr IAN COHEN:** Understandably, the system currently focuses on the vital task of rescuing children at risk of harm. How do you see shifting the balance of investment towards programs that endeavour to prevent child neglect and abuse rather than the emergency ward situation?

**Ms LINDA BURNEY:** I think the issue you have raised is probably one of the key issues in front of us at the moment. That is the balance and the way in which we look at what you might call cases of neglect and also the upper end, where there is extreme abuse taking place. Clearly, that is one of the major tasks that the New South Wales Department of Community Services helpline deals with every hour, every day, every week of every year. People would be aware that the DOCS helpline will probably take about 300,000 calls from people concerned about the welfare of a young person in the State.

The point around neglect and the other high end is an important one. We know that for children who have experienced neglect that is an ongoing issue for them for the rest of their lives. One of the other key issues that Justice Wood will be considering—we have seen this grappled with in other States including Queensland and Victoria—is the balance and how, within the child protection framework in New South Wales, those two issues are dealt with. Obviously it is something that DOCS caseworkers deal with every single day. The young child who comes to school all winter without a jumper and without lunch. Perhaps not having any broken bones or bruises, but there is no question that the safety and wellbeing of that child is compromised. So the balance of neglect and what we might call abuse is an important one.

**Mr IAN COHEN:** Are you happy with the level of funds or do you think there is a need to expedite the transfer of funds to the non-government sector so that these organisations can continue to provide intervention and out-of-home-care services to vulnerable families?

**Ms LINDA BURNEY:** I indicated earlier that I have a deep understanding of the role of the non-government sector. It is a simple case that the partnership between the department and the non-government sector is absolutely fundamental. The non-government sector is responsible, for example, for providing 20 per cent of our out-of-home-care places. The department looks after 80 per cent and the non-government sector looks after 20 per cent. We are just about at the end of discussions and negotiations about future contractual arrangements for out-of-home care with the non-government sector.

**Mr IAN COHEN:** What, heading in the right direction, need more, or what? What is the situation?

**Ms LINDA BURNEY:** Once again, and I know this may sound difficult to you, that is one of the major considerations of Justice Wood's report. What is the balance between the non-government sector and the government sector in providing direct services, for example, out-of-home care, for children who are no longer able to live with their parents? That is one of the key things that Justice Wood will be talking about. People may or may not be aware that Justice Wood will be delivering his report in December and his end date is 31 December. Obviously he has undertaken lots of community consultations. There have been hundreds of submissions and we are very aware that he is working diligently with his team to have a full and final report to hand to the Governor of New South Wales on or prior to 31 December.

I want to make it very clear in this hearing that the New South Wales Government and the Wood commission report will be primarily about the way in which we do business at Community Services. It will also have relevance for Police, Education and Health. There will be a proper consideration of Justice Wood's recommendations and I can assure you that we, as a government, are very committed to making sure that Justice Wood's commission work does, in fact, reshape the way in which we do business in terms of child protection in New South Wales.

**Mr IAN COHEN:** I appreciate that, but the fact that the Wood commission is being undertaken at the moment and you are awaiting the results of that?

**Ms LINDA BURNEY:** Yes.

**Mr IAN COHEN:** Is that the reason agencies that provide out-of-home care to vulnerable children and young people feel they are in limbo; they are still unaware of what their level of enhancement funding will be to provide what, I understand, is wraparound support services for children, for example?

**Ms LINDA BURNEY:** That is correct.

**Mr IAN COHEN:** It is fine to state that it is in progress, but nevertheless there is a huge need out there?

**Ms LINDA BURNEY:** I can say on that topic that there has been an EI process and it is almost complete. The contract will be signed certainly by December or within the next couple of months. Whilst I am sure that a number of places have raised concerns with you, which is appropriate, the department has been in contact and in discussions with those services, and I have met personally with many of those services—places like Wesley and Burnside, over the last couple of weeks since becoming Minister, and they have raised these concerns with me directly. We have had direct discussions.

**CHAIR:** No doubt Government members have some exciting questions.

**The Hon. GREG DONNELLY:** We do, penetrating questions. My question is a follow-on, to some degree, from Mr Cohen's question on the important and serious issue of child deaths in New South Wales. Can you provide the latest information on reviewable deaths?

**Ms LINDA BURNEY:** I can, and I thank you for the opportunity to address this question. I understand the Committee's genuine concern about child deaths. It is a concern that is shared by the whole community and it is a question that goes to the heart of this portfolio. How can we, as a society and as the Government, protect children from harm, abuse and neglect? On becoming the Minister for Community Services I decided that I would speak frankly about the issues and honestly about the facts within the limitations placed on me by matters of privacy or legal proceedings.

Soon after becoming Minister I sought a meeting with the Ombudsman. As you know, the Ombudsman is responsible for reporting on deaths of children who have had contact with the Department of Community Services. I assured him and I welcomed the scrutiny of his office, and that I would seek to build a constructive relationship with him. This morning I called the Ombudsman to advise him that if I was asked about child deaths in this estimates hearing, I would answer the question as openly and as honestly as I was able.

The department's advice to me on this matter is that there has been a significant increase in reviewable deaths of children aged 0 to 18 between 2006 and 2007. Members will be aware that the Ombudsman reports on reviewable deaths each year. The Ombudsman's annual report is due out soon and members should refer to that report for the final 2007 figures. However, I can advise that according to the Department of Community Services there were 156 reviewable deaths in 2007. This is compared with 114 in 2006. The final figure in the Ombudsman's report may alter slightly due to definitional factors, but that is the figure I have from the Department of Community Services.

These figures can fluctuate significantly from year to year, as showed in the Child Death Review Team report, "Trends in the fatal assault of children in NSW: 1996-2005". That is why that Commission for Children and Young People, which convenes the Child Death Review Team, cautions against drawing conclusions from fluctuations year to year. However, we cannot avoid the fact that this is a very significant increase. It is deeply concerning to me, as I am sure it is to you and to all members of the community.

Members will recall very well some of the young children who died last year. Their stories are etched in our memories. These individual cases should not be discussed further in this place as they are subject to legal proceedings. Members will also be aware of the Special Commission of Inquiry into Child Protection Services in NSW and that Justice Wood's final report will be presented by the end of the year. As Minister for Community Services, I can advise you that the Government is fundamentally committed to making the

necessary changes to improve our child protection system. Change is needed in government agencies that have responsibility for child protection and change is needed in the community.

But before I provide some more details about these deaths, I would like to explain how these figures are calculated. The 156 children I refer are included in these statistics because they or their siblings had, in the previous three years, been the subject of a notification to the Department of Community Services. The department may have had no further involvement with the child or the family but once a child is reported to the DOCS helpline, even if no action needs to be taken, then a child is and will always be known to DOCS. That is an important point. I repeat: once a child is reported to the helpline, even if no action needs to be taken, then a child is and will always be known to DOCS.

We need to understand the context in which these child deaths occurred. The most frequently recorded risk factors in reports about children and young people who died in 2007 were domestic violence and parental substance abuse. These issues seriously erode our children's safety, accompanied by a third social problem—mental health issues for parents. The Committee will understand that social problems such as these cannot be viewed in isolation from factors such as poverty and intergenerational disadvantage. An analysis of the records of children who died in 2007 shows that domestic violence occurred in 55 per cent of cases; 55 per cent of the records show there was either suspicion or evidence of substance abuse by parents or carers and 24 per cent of the records show mental health concern in parents or carers. Drug and alcohol use, mental health issues, domestic violence are all issues we need to grapple with as a society.

In regard to the children and young people who died in 2007, I can provide the following information: 72 died of natural causes, including leukaemia, brain tumours, pneumonia and heart conditions; 24 of these children never left hospital—they died due to extreme prematurity; 18 babies died of SIDS, a number of deaths being the result of co-sleeping with a parent or a carer; eight died as a result of suicide or extreme risk-taking behaviour; another three young people died of drug overdoses; eight died in motor vehicles; five died of drowning; three young people lost their lives as a result of fire; three children died as a result of accidental choking or smothering; two children died of heat exhaustion; and 11 in uncommon circumstances, such as snake bite and being hit by a train; and four as a result of fatal, physical assault. The remaining 19 children died from causes currently unknown or undetermined until final coronial processes are completed.

Statistics are cold. It is disturbing to outline these figures when we know that each represents a human life, a child's life. We need to face these figures as a government and as a community. We need to carefully examine each case. We need to find out what happened and what might have been done differently. I can assure the Committee that the Department of Community Services does analyse each child's death. There are lessons to be learned. These lessons are applied, practices are updated, and systems are changed. The recommendations of the Ombudsman are taken seriously and applied. The Department of Community Services plays a critical role in protecting children, as do other government agencies such as education, health and police. Today in this public forum I pay tribute to our hardworking caseworkers and foster carers, our teachers and health workers, and our police. But let us not forget that a child's wellbeing is a collective responsibility. There is no more urgent task for us as a government and as a community.

**The Hon. MICHAEL VEITCH:** Minister, would you outline the progress of the preschool investment and reform plan?

**Ms LINDA BURNEY:** Yes. We touched on this in an earlier question, in relation to universal access. The preschool investment plan, as I said earlier, was a plan committed to in 2006 by the previous Premier, Morris Iemma. It was an \$85 million preschool investment reform and it was essentially to provide two days access as a minimum to all four-year-olds in New South Wales. It was essentially about making sure that every child in New South Wales gets access to an experience that provides pre-reading, pre-writing and all those things that little people need to make sure they fit into school well.

I have already referred to the funding. The first stage was \$8.3 million for emergency funding to assist preschools that were under immediate financial pressure. The second stage was \$17.6 million for additional funding to services and business development assessments, and \$8.8 million per annum was added to the funding base for that second stage. I am pleased to say that we are now in the third stage—that is, investing a further \$21 million each year to enable the expansion of preschool programs throughout the children's services sector. To finalise my answer, it is also important to note that through the work of Ms Stewart and others we are very involved in the COAG process and looking from a national perspective at making sure that preschoolers

right across this country have what is termed universal access to preschool, and New South Wales is a very constructive and important partner in that exercise.

**The Hon. GREG DONNELLY:** How is the Department of Community Services providing support to foster carers in this State?

**Ms LINDA BURNEY:** Thank you for the question. As I alluded to earlier, in New South Wales we have about 3,000 foster carers and around 12,000 young people in foster care. The reasons for their being in foster care are wide ranging. Most often they involve issues of child protection. There are a number of ways in which we support foster care in New South Wales. There is a statewide network called the Carer Support Team. In fact, I met with our caseworkers who work with foster care at a conference at Eveleigh not so long ago. The Carer Support Team focuses on recruitment, assessment and training of new carers, and it is also pivotal in ensuring the child protection teams, out-of-home-care teams and foster care work in partnership to achieve that.

We also have a very important partnership between foster carers connecting Carers New South Wales and a non-government organisation called Karitani, and the role of that partnership with the involvement of community services to support foster carers in New South Wales. We also have very good feedback from our foster carers on what the community services agency needs to do in terms of lifting our game to provide the services needed.

**The Hon. CHRISTINE ROBERTSON:** They are telling you what to do?

**Ms LINDA BURNEY:** That is okay, because they are the ones who are doing the amazing job, often with children who have many disabilities. In my first week as Minister for Community Services I was lucky because it was Foster Carers Week. I have to say, I met some of the most incredible people I have met for a very long time. There is no capacity to put the value on the work they do. We also have an authorised carers training program, and regional foster care advisory groups. There is a partnership agreement between the department and foster carers, which was introduced in 2007 in New South Wales, as well as a newsletter and other forms of communication from the agency to foster carers.

**The Hon. CHRISTINE ROBERTSON:** Minister, can you report back on the progress of contract negotiations for the roll-out of out-of-home-care funding?

**Ms LINDA BURNEY:** Yes. The contract negotiations, as we have mentioned to some extent already, are underway. The out-of-home-care funding roll-out negotiations were commenced with 42 new existing out-of-home-care agencies. This goes to the question that Reverend the Hon. Dr Gordon Moyes asked earlier, and Mr Ian Cohen has touched on this as well. The aim of the funding roll-out is to build on our existing out-of-home-care service system. One of the things I would say upfront here is that this is probably one of the most important undertakings that Community Services has in front of it at the moment. One of the things that is taking place in our State is the need for more and more foster carers, which indicates that more and more children are unable to reside with their families. That is an issue we are grappling with, and it is certainly an issue we have touched on today.

The department has committed, through these contract negotiations, \$100 million in out-of-home-care services through the consolidation of existing agencies and the roll-out of new places. The other point with out-of-home care and foster carers is that we are embarking on a program to recruit more foster carers and to get them in place more quickly, which is in a sense demand driven but something that foster carers are telling us needs to happen. I can assure the Committee that this is a priority for Community Services, as is the funding roll-out.

We are negotiating with agencies to increase places that support young people in their transition to independent living, which is important. Depending on what type of foster care a child is in, if they are in a long-term foster care place there needs to be a proper transition for those young people once they turn 18 or leave that place. The new funded placements are right across New South Wales, which is also important, and young people will remain under fee-for-service arrangements with a number of non-government agencies as well. We are completely committed to continuing the program; we are completely committed to making sure that children are safe. Clearly, foster care and out-of-home care are absolutely fundamental; in fact, they are the backbone of that endeavour.

**The Hon. MICHAEL VEITCH:** How is the Department of Community Services responding to neglected children in New South Wales?

**Ms LINDA BURNEY:** The issue of neglect—and Mr Cohen touched on that—is extraordinarily complex. One of the things that are important to a hearing like this is that we understand the complexity of young people who are in abusive or neglectful situations. Quite often the media is fairly one-dimensional but I have learnt over the last six weeks as the Minister for Community Services that there is nothing one-dimensional about any of these cases and many people at this hearing would know that. There are often intergenerational issues—we all understand what that means. There are often mitigating factors, including things like poverty, family breakdown and mental illness that move into this area of neglect.

We need to be clear that when we are talking about neglect we are talking about something that really does affect a child's life of choice and chance. Neglect is the failure of a parent or a caregiver to provide a child with basic things like clothes, shelter, food, medical and dental attention, and emotional support, as well as adequate supervision. It is also more likely to recur than other types of maltreatment and its consequences can be serious. Probably one of the most serious things is that it really inhibits a child's capacity to develop a security attachment, and we now know how that can live on. It stops the child from learning to grow and thrive. So serious neglect can even lead to death. The second most prevalent type of child maltreatment in Australia after emotional abuse is in fact this.

**CHAIR:** Minister, we are conscious of the time. If there is a balance of that answer still to be given you can table it.

**Ms LINDA BURNEY:** I am happy to do that but can I just say that the 10-year State Plan of the New South Wales Government deals very much with specialist services around this particular issue and, as I have indicated, it will be one of the major points of discussion I am sure from the report of Justice Wood.

**The Hon. MARIE FICARRA:** Continuing on with the out-of-home care questioning, which we all agree is very important, are you aware of the William Campbell College out-of-home care development proposal in the Nowra area?

**Ms LINDA BURNEY:** I am not personally aware of that, no.

**The Hon. MARIE FICARRA:** So you would not be in a position to know whether the department has had any discussions with this organisation about their Nowra proposal?

**Ms LINDA BURNEY:** I am not personally aware but I am very happy to get that information and provide it subsequently to be Committee.

**The Hon. MARIE FICARRA:** I am told that the Nowra development has several group homes and an educational facility, and that it differs significantly from the usual Department of Community Services model of out-of-home care?

**Ms LINDA BURNEY:** No.

**The Hon. MARIE FICARRA:** It could be a trial but evidently if there is no real knowledge about that, it probably is not. Are you not aware that there is a trial of a new concept in delivering out-of-home care?

**Ms LINDA BURNEY:** As I have said, and I can defer to my colleagues here, but I am not personally aware of it. I am very happy to follow up the issue though.

**CHAIR:** As to reviewable deaths and your pre-emptive announcement, how many of the 156 children you have mentioned, or their siblings, were known to the Department of Community Services in the last three years?

**Ms LINDA BURNEY:** It is actually the 156.

**CHAIR:** All of those?

**Ms LINDA BURNEY:** Yes. I will not pre-empt the report of the Ombudsman but—

**CHAIR:** I understand why you have made that announcement today—that is fine.

**Ms LINDA BURNEY:** But it is the 156, yes.

**CHAIR:** I know that the Ombudsman's report made some recommendations as to improving the reporting into reviewable deaths by late 2007. I am wondering how many of those recommendations have been implemented?

**Ms LINDA BURNEY:** I will refer that to Ms Mason for answer.

**Ms MASON:** If I can respond by way of background, between 2002 and 2007 the Ombudsman published four annual reports on his reviewable deaths function work. There have been 65 recommendations that involved Community Services, although not always exclusively. In each of the annual reports the Ombudsman provides an account of the work done by agencies to implement previous recommendations and, in many cases, the recommendations of those of previous years may cascade in some form or another.

The Committee would understand that some of those recommendations could not be achieved overnight. That is not by way of excuse, but sometimes the recommendations may require a great deal of thought and consultation with different agencies, retraining staff and that sort of thing. For example, there have been recommendations in relation to the handling of prenatal reports and there has been some very good and solid work done between Community Services and Health to work collaboratively on a project for prenatal reports. Some of those have necessitated legislative change.

Returning to your question, I think the report on reviewable deaths in 2006 was published in 2007 and included summaries of the work done by the Department of Community Services to implement all 34 recommendations. The report made three recommendations that were directed towards Community Services and two to Health. One required a progress report, which has been provided. I suppose that illustrates the point I am making, that sometimes the recommendations may involve a big process when all they have asked us to do is to report whether we are achieving milestones—we have said that we have. One was about whether we can do data and analysis. We are complying in that sense but we are also feeding it into Justice Wood. Another one was the question of referrals to Brighter Futures, which again Justice Wood is looking at.

There were two joint recommendations with Community Services and Health. One was about advice to a methadone prescriber, which has been completed. There was also a recommendation about providing advice on adolescents reported to be at risk of harm. In that case updates have been provided. In a nutshell, we are pretty satisfied that we are on track and are complying. Personally I have spent the best part of a decade in the office of the Ombudsman so I have made it a personal mission to be very cooperative with the Ombudsman and to treat the recommendations as a resource rather than an obstacle. The Minister is also, as she has mentioned, very much of that orientation, so I am confident that will be engaging very constructively with the Ombudsman.

**CHAIR:** I guess then you will be across all the details of those recommendations over the last five years as it that has been your work experience so far. Can you tell me which recommendations have not been adopted and why?

**Ms MASON:** I have not got the table before me but I am happy to get that.

**CHAIR:** It would be great if you would provide that.

**Ms MASON:** In broad terms, we are pretty confident that we have either met them or are in the process of achieving them.

**The Hon. CHRISTINE ROBERTSON:** All of them?

**Ms MASON:** I believe so, but I will have to take that with a grain of salt until I have got that on notice for you.

**CHAIR:** With that table can you also tell us the dates of those recommendations and when they were adopted?



**Ms MASON:** Whatever detail is available we will get to you.

**CHAIR:** Has the memorandum of understanding with the New South Wales Police Force been completed and implemented?

**Ms LINDA BURNEY:** You are not talking about the memorandum of understanding with New South Wales Health?

**CHAIR:** No, with the New South Wales Police Force. We have heard today some alarming statistics on reviewable deaths. I would imagine that is integral.

**Ms MASON:** I understand that is currently with Police for finalisation. I will confirm that for you on notice.

**CHAIR:** Thank you. Could you also confirm when that might be implemented?

**Ms MASON:** Absolutely.

**CHAIR:** Thank you. Minister, you mentioned the Wood inquiry and a number of other reports. One report you touched on was the "Breaking the Silence" report. The Government sat on that report for a number of years. It was reported in 2004 with 119 recommendations. Given the Government's track record with the "Breaking the Silence" report, will you commit to adopting all the recommendations of the Wood special commission?

**Ms LINDA BURNEY:** I have already indicated that Wood will bring down his report in December. I have already made a commitment that the Government—and it will be a whole-of-government response—will seriously consider—

**CHAIR:** As part of that commitment—

**Ms LINDA BURNEY:** I am halfway through answering your question. Each recommendation will be considered very seriously.

**CHAIR:** We would also like a commitment from you that you will release the full text of Justice Wood's report and that will be immediate as public information.

**Ms LINDA BURNEY:** The report goes to the Governor and then it is passed on to the Premier. I do not think that is an appropriate question to me.

**CHAIR:** When will the remainder of the recommendations in the "Breaking the Silence" report be implemented?

**Ms LINDA BURNEY:** That is also a question you would need to direct to the Minister responsible for the overseeing of the implementation of that report.

**CHAIR:** Your department has a number of interagency requirements, surely.

**Ms LINDA BURNEY:** I am getting to that. Clearly, the Department of Community Services has a very important role in the implementation of that report. We are part of the interagency plan and that has commenced. Could you repeat your question?

**CHAIR:** When will the recommendations from the "Breaking the Silence" report be implemented, on the understanding that you are part of the interagency plan?

**Ms LINDA BURNEY:** I will ask Ms Gallard to take on that question.

**Ms GALLARD:** We are on track to implement the recommendations that have come from the Government response into the "Breaking the Silence" report. A number of those recommendations were directed to JERT [Juvenile Emergency Response Team]. As a result of that there have been five specific projects under JERT about improving services to JERT clients specifically and to Aboriginal communities and Aboriginal

child victims and their families. There has been a review of the interagency guidelines into child protection. We are developing a discussion paper on further strengthening the Aboriginal placement principles and there are a number of other recommendations where work is in train.

**CHAIR:** I understand that. It has been a long time since the preparation and release of that document in 2004. Would you take it on notice to give a timeline of when the implementation of those recommendations are likely to happen?

**Ms GALLARD:** Certainly the recommendations that are DOCS responsibilities, yes, we can.

**CHAIR:** That is fine. Minister, how many indigenous staff are employed by your department?

**Ms LINDA BURNEY:** The number of indigenous staff across the whole agency is 9 per cent. We have a very—aggressive is the wrong word—enthusiastic program of recruiting Aboriginal staff. One of the most important things to say is that whilst across the agency it is a 7 to 9 per cent Aboriginal staff ratio, in those areas where there are a high number of Aboriginal people, particularly out in the western and north-western divisions, the percentage is about 20 per cent. In relation to specific numbers, can I just say that our recruitment program in 2007-08 attracted 6,000 applicants and 1,000 of those were people of Aboriginal and Torres Strait Islander descent. One of the things that I was really thrilled about—

**CHAIR:** How many were employed out of that recruitment program?

**Ms LINDA BURNEY:** In terms of specific numbers, I may need to get that information for you. I am talking about a percentage across. I will take that on notice. One of the important points to make is what I think are really important recruitment strategies for Aboriginal staff. For example, our caseworkers in the main require a tertiary degree but for Aboriginal staff we have that and/or experience. I think that is really important.

**CHAIR:** I understand that.

**Ms LINDA BURNEY:** Including obviously adequate and proper training programs.

**CHAIR:** I understand that. Do you have a benchmark for the employment of Aboriginal staff and have you met that benchmark?

**Ms LINDA BURNEY:** I have some further information. There were 345 people that were Aboriginal employed by our organisation in 2007-08.

**CHAIR:** Out of the 1,000 that applied?

**Ms LINDA BURNEY:** No.

**Ms MASON:** Those were people who were on staff in 2007-08. We will have to take on notice the number that was successful in the latest recruitment round. They are two different things.

**The Hon. MARIE FICARRA:** Minister, a statement was made in the House on 13 May 2008 by former Minister Greene about the Department of Community Services filling every one of the 1,025 additional caseworker positions established under the five-year reform package. Has this target been met or is it close to being met?

**Ms LINDA BURNEY:** Can I ask the Director-General to deal with this operational issue?

**Ms MASON:** My advice at the moment is that we, in fact, have achieved 1,000. So I think we have still got 25 who were applicants but have not actually started yet. In general terms we are on track.

**The Hon. MARIE FICARRA:** Does that include the underlying deficit of 213 caseworkers who were identified by the former Director-General in the supplementary budget hearings in February this year?

**Ms MASON:** I will undertake to give you a little bit of precision on notice. I will just say in general terms we succeeded in, I think it was, 875 who were in the original package. We recruited or have nearly finished recruiting the final 150 extra out-of-home care caseworkers and there are additional other staff that we

have recruited, caseworkers, as Ms Gallard has mentioned, in terms of JERT, the intensive family-based services, different other additional staff. So it is a bit of a complex picture, but in general terms our recruitment is going gang busters and is well and truly on track. That is not to say that we will not always have some kind of underlying vacancy rate. Obviously, back then, 200 caseworkers out of 1,000 was quite a catastrophic vacancy rate. Now if we have a vacancy rate of whatever might be normal—five, seven, nine, whatever it ends up being—that is a much smaller number, from normal wastage and so on. We will get you that number with precision.

**The Hon. MARIE FICARRA:** Do you have an idea of the total number of caseworkers? Could you provide that?

**Ms MASON:** We can certainly get that for you.

**The Hon. MARIE FICARRA:** And if you could break that up into full-time and part-time positions?

**Ms MASON:** What I am told is that at the moment, as at 31 August, we had 2,197 caseworkers—that is the figure as at when we last did a count for you. But I will have to take it on notice for you in terms of the proportion of who are doing temporary and part-time.

**The Hon. MARIE FICARRA:** Given that in 2004-05 DOCS had a caseworker separation rate of 11.8 per cent and then in 2005-06 it was 9 per cent and in 2006-07 it was 8.9 per cent, so fairly high, and continuing reports of caseworker shortages that we have seen before, you are telling me that the uptake now is phenomenal, but are you recruiting to keep pace with separations?

**Ms MASON:** Our recruitment, as you have rightly alluded to, is still proceeding well. Our separation rate, as far as I know, is still at that 9 per cent figure. Having said that, as you would be aware probably from past estimates, it is done on a workforce profiling exercise that is done centrally by the Premier's Department so that we are hands-off. But the provisional intelligence is that it is still 9 per cent.

**The Hon. MARIE FICARRA:** I noticed in the answers given by the Minister that with indigenous caseworkers you are now less reliant on tertiary qualifications and more reliant on experience and then follow-up training. Is this a pattern that you see useful in perhaps recruiting more passionate caseworkers—not passionate but some who perhaps would not have the tertiary qualifications but would have the desire to work within the area?

**Ms LINDA BURNEY:** One of the points—and I will not labour it—that needs to be said here is that a caseworker's job is extraordinarily complex and the sorts of decisions and assessments that they need to make, particularly if they, for example, are working at the helpline, are difficult and they require experienced and trained people. The issue of course for Aboriginal people is that 30 per cent of children in out-of-home care are Aboriginal children and there is a lower level of tertiary qualifications for Aboriginal people. Certainly, with my own experience working in the education arena, we did some fantastic things for a number of Aboriginal positions within education that relied on intense interview and pre-service training and not necessarily having to have that tertiary qualification but with the goal of getting that tertiary qualification.

It does not mean all of our Aboriginal staff do not have that tertiary qualification, but I think it is a very sensible and appropriate strategy. In relation to your question about would it apply in other areas: certainly at the moment the department's policy is that wherever possible and appropriate people have a tertiary qualification. One of the other things I have seen since becoming Minister, and I had a discussion with some of the people who do it, is our in-house training, which is intense and very much thought out and it is also approved by the Board of Vocational Education and Training in New South Wales, so it is not Mickey Mouse training, it is actually proper training for all of our workers.

**Reverend the Hon. Dr GORDON MOYES:** Minister, how many journalists, media or PR individuals are employed by the department, and has it increased since this time last year?

**Ms LINDA BURNEY:** I will ask one of my departmental colleagues to answer that. I can say, just to kick that off, the first week and then last week I met all of the staff out at the head office of the agency and did, in fact, meet the people from the media unit. In terms of absolute numbers, I will ask the director general to respond to that.

**Ms MASON:** My professional advice to you is that we have six positions in the media unit. I cannot tell you definitely which of those are journalists and which are not. There is a director and two administrative staff there and I am told—which actually I know to be the case—that generally in that area we have three fewer positions in media and communications than this time last year.

**Reverend the Hon. Dr GORDON MOYES:** I noticed that the Premier made statements in the last 48 hours indicating that all departments will be asked to reduce the number of people involved in, to quote his words, spin.

**Ms LINDA BURNEY:** I do not want to put words in people's mouths but I understand that that was in part referring to ministerial offices. And before you ask the next question: I have one media staff.

**Reverend the Hon. Dr GORDON MOYES:** Could I go back to Ms Gallard? We were talking about the costs of high and complex needs for out-of-home care children and I asked you about why is the department now budgeting for less money for the care of those children, and your comment was because you have very effectively managed to put that out to contract to let others provide that. I did then ask, but you did not answer, basically is this a cost-shifting method of the department—instead of paying for the children at the proper rate of care, pass it on to the community to raise funds to care for those children?

**Ms GALLARD:** It is certainly not intended to be a cost-shifting mechanism. The Department of Community Services has developed, in consultation with the non-government sector, a costing manual, which outlines the elements that non-government organisations should consider when they are putting in proposals to the department. We run open tendering proposals and we encourage a wide range of non-government organisations to submit those proposals and then we enter into negotiations with them.

**Reverend the Hon. Dr GORDON MOYES:** I put it to you that because it is then a competitive tendering process the real costs are not funded by the Government at all, it is up to the NGOs to raise funds from the community to make up the difference?

**Ms GALLARD:** I am aware that a number of the non-government organisations are large charitable organisations and have a very long and illustrious history in providing those services—and of course we welcome any contribution that they make—but there is not an expectation that those services will automatically be fundraising to make up any gap. In fact, the costing manual and the negotiations that we have with service providers very clearly are keen to ensure that there is adequate funding there to meet the needs of children who are in care.

**Reverend the Hon. Dr GORDON MOYES:** I appreciate that, having run one of those organisations with several thousand children a year being cared for on behalf of your department, but it still makes the point that the tender amount is less than the cost, therefore it has to be raised by the charities from the community. Is this not a nice passing off of costs from the Government to the community at large?

**Ms MASON:** If I could just interpolate that this particular negotiation happened before my time, but speaking from the outside, as I then was in juvenile justice, I think, in essence, it is true to say that the whole reason behind the rationalisation of the high needs kids contracts was that not only were the contracts—they were not even contracts, there were various ad hoc arrangements and various expensive and inefficient arrangements for individual kids—absolutely not providing a high quality or stable placement for the kids themselves, they were analogous to our current and fairly notorious individual care agreements where kids get picked up and it is expensive and it is not a satisfactory basis to deliver service to these kids either. When expressions of interest are let, the first threshold is whether quality care can be provided and then it is an issue of costs. Those are the two gateways that the EOI has to go through. The primary issue is trying to get better care for the kids, not care on the cheap.

**Ms GALLARD:** Those four high-needs kids contracts provide \$33.4 million for 225 placements. They are providing a level of funding that is commensurate with needs of those children.

**Mr IAN COHEN:** This is in a way continuing with that line of concern. Troubled young people currently receive State support until the age of 18. However, given the ever-increasing complexity in our society, would it be reasonable to look at continuing financially supporting these vulnerable young people to the age of 21? The department might see that as an investment for society in general, quite apart from the personal support that would be afforded these young people.

**Ms LINDA BURNEY:** I will not give a long-winded answer by debating the question about whether financial assistance should be continued. A young person's transition from being in care, perhaps for their entire life until 18, into independent living is a challenging time. The department provides \$3 million to support young people who have left care for specialist after-care services, including young Aboriginal people.

**Mr IAN COHEN:** Is that post 18 years of age?

**Ms LINDA BURNEY:** Yes, it is. The young people are not told to leave when they are 18. They are provided with a great deal of support in moving to other types of accommodation.

**Reverend the Hon. Dr GORDON MOYES:** It used to be called the Independent Living Program.

**Ms LINDA BURNEY:** I am not sure. Reverend the Hon. Gordon Moyes would know. They are also assisted in undertaking training, accessing health care and referrals to counselling services. Of course, the director general has the capacity to make financial payments to young people after the age of 18 if they are undertaking some sort of study.

**Mr IAN COHEN:** Do I have it wrong? Am I misconstruing the situation?

**Ms LINDA BURNEY:** No. If you are talking about direct financial assistance—

**Mr IAN COHEN:** State support.

**Ms LINDA BURNEY:** There is continued State support.

**Mr IAN COHEN:** I appreciate the specific issues, particularly for those young people pursuing further education and specific accommodation needs. As a general principle, would it not be fair and reasonable to increase the eligibility age for the full regime of assistance from 18 to 21?

**Ms LINDA BURNEY:** The support for a young person who leaves our care at the age of 18 continues.

**Mr IAN COHEN:** Yes, but I think you appreciate my concerns.

**Ms MASON:** What the Minister says is entirely correct. However, academic research indicates that if young people remain statutorily under the care of the Minister in effect until 21, or even older, there are superior outcomes. Members may be tired of hearing about this, but that evidence has been presented to Justice Wood. Many of the non-government organisations are very interested in advocating that to him as a possible reform. We will see.

**Mr IAN COHEN:** Does your department support that advocacy?

**Ms MASON:** The researchers have spoken to our caseworkers and we are very interested in engaging with them to see whether we get the benefits for the young people and how that might be best arranged.

**Mr IAN COHEN:** I appreciate that we are moving around the edges. I am just looking for—

**Ms LINDA BURNEY:** The 21 thing?

**Mr IAN COHEN:** Yes. Various agencies have expressed real concerns. In this day and age, an 18-year-old who does not have proper support systems, family and so on is in trouble. It seems to me that it is a reasonable ask to continue that full support until 21.

**Ms LINDA BURNEY:** I understand what you are saying.

**Mr IAN COHEN:** Agree with me then.

**Ms LINDA BURNEY:** There is no arbitrary age.

**Mr IAN COHEN:** I agree with that. However, given that there is no arbitrary age, surely 21 is reasonable?

**Ms LINDA BURNEY:** At this point there is no plan for that. Members should remember that a great deal of Commonwealth support is provided in that transition period.

**Mr IAN COHEN:** But you appreciate what I am trying to say.

**Ms LINDA BURNEY:** I do.

**Mr IAN COHEN:** Concerns have been expressed by people working in the field, particularly those on the Far North Coast. As we move away from the cities we also move away from some of the presumed support of properly trained people. Real concern has been expressed about taking into account the co-morbidity issues of associated drug and alcohol abuse when the department is dealing with, for example, mental health issues. Can you comment on how you are covering that, particularly in country areas, where there is a lack of resources and it is difficult to get adequate treatment programs for families dealing with mental health issues?

**Ms LINDA BURNEY:** That is an important question about an operational issue.

**Ms GALLARD:** You are correct. Those families are very difficult to deal with. That is why the interagency relationships that exist in the child protection sphere are very important and why the Department of Community Services works very closely with its colleagues in Health. We have noticed an increasing trend in reports associated with drug and alcohol use. One in five reports these days will involve some element of alcohol and other drug use. The Department of Community Services has responded in a number of ways to try to strengthen the advice we are providing to caseworkers in the field when they are dealing with families who are addressing drug issues.

**Mr IAN COHEN:** Does that involve specific training?

**Ms GALLARD:** Part of it involves training. We also have a drug expertise unit.

**Mr IAN COHEN:** How much of the State does that sort of expertise cover? I know it is pretty thin on the ground on the North Coast and almost non-existent out west.

**Ms GALLARD:** We have a director and a couple of consultants. They provide consultancy services over the phone and by email for casework staff. That resource has been used by a large number of caseworkers. During 2007-08 the service provided a total of 774 individual drug and alcohol consultations. We also did a great deal of training with staff about the pharmacology of drugs. We have provided training to staff in some of the issues that are important for families with young babies where the parents may be indulging in drugs and alcohol. We have been addressing that issue as well. We also have a methadone protocol operating with New South Wales Health. There is a register and our casework staff can ring up to get information from prescribers about the risks to children and families. So, a range of things have been put into place. It is a very serious issue and it has been increasing in importance. That is why we have placed such an emphasis on doing a range of different things, putting those elements together to provide more support to casework staff.

**Ms LINDA BURNEY:** To add to what has been said, the issue of pharmacology is important. We know drugs such as ice, particularly, pose particular challenges, if you like, in the way in which people using that drug act and the violence that comes with it.

**The Hon. CHRISTINE ROBERTSON:** Minister, will you update the Committee on adoptions in New South Wales?

**Ms LINDA BURNEY:** Yes. In New South Wales, the overall adoption numbers might sound surprisingly low to some people. We had 125 people adopted in New South Wales last year and 73 of those young people were from overseas; 15 were local adoptions and 37 were adoptions in other circumstances—that is usually when Nan has had a grandchild for a while or there are stepparents involved or there is foster care. On 25 September Parliament introduced the Adoption Amendment Bill. That bill proposed a number of changes. I was rather surprised at the slightly archaic nature of some of our adoption bill, including the fact that if you are on an IVF program you could not be on the list for adoption. That has gone. I found that to be rather surprising. In the lead-up to that Act, we undertook a review. I will not go through the details of it but there were more than

230 submissions, both from private individuals and organisations, about adoption. When the former Minister for Community Services Reba Meagher was in office, her ministerial advisory committee, which was a group of experts in child welfare and law and practice, was very important to that consultation.

It is a very long process in New South Wales to adopt a child, particularly if a child is unknown to you. One of the things we were very keen to do with the new legislation was to streamline and quicken, if you like, the adoption process, especially where stepparents and relatives were looking to adopt a child. So, the timeframes have been changed. Obviously child protection issues were important. We have looked at eligibility and assessment criteria. We have looked at the issue of foster carers who want to adopt. We have in New South Wales 3,000 children in long-term foster care and, obviously, they develop great and important relationships. Obviously, the issues around overseas adoptions are very complex. We had a unit at our head office specifically to look at adoptions and work on intercountry adoptions, making sure that the assessment processes are in place

One the other things we looked at in the adoption bill was the issue of access to information and the issue of a child over the age of 12 being part of the decision-making process if they were moving into an adoption situation. The children who are adopted in New South Wales are very well served by the agency. We also have six regional adoption caseworkers, so they are not just based in Sydney. Obviously the Commonwealth is an important player when it comes to overseas adoptions, and we work closely with the Commonwealth on intercountry agreements and the continued operation of Australia's intercountry adoption program.

The issue of adoption is important when you think about what has happened with community attitudes that have changed over the years. There are fewer children available in Australia for adoption now. Most people want to keep their children, and that is the most desirable thing, but there are situations where that is not the case. We are very committed to the adoption program and I think the legislative reforms that we tabled on 25 September modernised and streamlined adoption processes in New South Wales.

**The Hon. GREG DONNELLY:** Minister, would you provide the Committee with information about what the Government has achieved in the past five years to improve accommodation as part of the Department of Community Services enhanced services delivery program?

**Ms LINDA BURNEY:** I am happy to address that question. Obviously with a \$1.2 billion commitment in 2002 to improve services provided by the Department of Community Services, that involved additional jobs, both in child protection and in out-of-home care. Clearly, that also required additional accommodation and appropriate accommodation for our staff. We have undertaken a considered and progressive program of making sure that people are accommodated appropriately. When you think about some of the complex issues our staff deal with, the accommodation has to consider things like that. The other thing of course is making sure that our ESD accommodation program considers not only the type of accommodation we need but also security standards. Obviously we deal with some very upset people and with some very difficult issues. So, one of the major considerations for our workplace is the security of staff and the security standards in place. That is an important consideration as well.

The other thing is to make sure that where we are located is appropriate to the needs of the community. We have an environmentally friendly strategy in place within the agency, particularly when it comes to the motor fleet, and we are committed to the government departments environmental performance score. That is also an important consideration. In closing, one of the other challenges is to make sure that our accommodation in remote, regional and rural areas is appropriate. Sometimes that is difficult but that is one of the major undertakings of this endeavour. We do not believe in measures, and people need appropriate accommodation, accommodation that suits the nature of the work they do.

**The Hon. MICHAEL VEITCH:** I am keen to hear about DOCS' role in the State Plan?

**Ms LINDA BURNEY:** One of the very early things I did in the short period I have been Minister for Community Services was address, as I mentioned earlier, an NCOSS conference of well over 100 community members at that fantastic piece of architecture down in Castlereagh Street, the Masonic Centre. In essence, the two priorities that we spoke about at the NCOSS meeting are State Plan Priority F6 "increased proportion of children with skills for life and learning at school entry" and State Plan Priority F7, "reduced rates of child abuse and neglect". I have probably canvassed those things fairly well and Ms Stewart spoke at length about the importance of preschool endeavours. We have touched on other issues around early childhood education.

One thing happening at the moment is a regulatory review of the New South Wales Children's Services Regulation. That is about to go out for consultation and will look at a whole range of issues in terms of provision of childcare in New South Wales, licensing regulations, staff-baby-children ratios, fines and qualifications. That is an important part in meeting Priority F6. Of course, this is also about lifelong wellbeing and in terms of the underlying rate of child abuse, Priority F7 and neglect, we have probably spoken about that at length, except to say that it is false economy to think about addressing child abuse through the helpline and through caseworkers alone.

The other part of community services that Ms Stewart is responsible for is communities. We have talked about the role of the non-government sector. Unless you have sustainable community organisations, which are important in terms of issues around child neglect and social capital, you are only talking about half the issue. This is about community services, that arm of child neglect and child abuse, but it is also about early intervention programs like Brighter Futures and Families; it is about the work we do in early childhood education. All that needs to be considered when addressing child abuse and neglect. That is a crucial point to make.

**The Hon. CHRISTINE ROBERTSON:** You touched on the review of the New South Wales Children's Services Regulation 2004. Can you provide more detail on how you will ensure that families and child care providers will be included in that review?

**Ms LINDA BURNEY:** I will ask Sonya to answer that as it falls under her responsibility, except to say that this is a normal regulatory review. It is a rolling review of regulation that we go through from a legislative point of view, in this case, the New South Wales Children's Services Regulation 2004. In New South Wales we have 3,400 licensed children's services, with about 150 little people in those services, so it is a very important review. I will ask Ms Stewart to elaborate on that.

**Ms STEWART:** As the Minister said, this is an important review that is done every four years to make sure that the regulation is right. The interesting thing about the review of the regulation this time is that we are trying to move from descriptive-type measure to more outcomes-type measures, which is quite important. Some things in the regulation, dealing with the safety of children, need to be prescriptive but we are moving more to outcomes. The way we will engage families will be through a couple of mechanisms. Importantly, regional consultations will take place—one will start next week at Moruya—and they will run all the way through to 12 November.

We are also doing some focus groups. It is quite important to talk to small groups of parents. It will not be available to every parent; they will be selected, but we will be mindful to ensure that they represent the families that use children's services in New South Wales. The third way is quite interesting, given the new technology. Surveys can be done online; there will not be pages and pages, but key questions that people can ask online and if people do not want to use the Internet, they can also write to us about that.

We have done a discussion paper and we have an industry reference group. The table is about three times the size of this and, as the Minister said, there are 3,300 providers with licences. We have an industry reference group of some 25 people that I chair. It has met three times. That is a really important mechanism as well because it represents the family day carers, who are very important, or the mobile preschools that are also very important and the for-profit organisations. We have mechanisms through them. They have actually helped us draft a discussion paper. We tested it with them to see whether we are asking the right questions on the right issues. That is how we have gone about engaging families. We are doing it through a whole range of media. We have a document that you can answer 20 questions; you can go online or you can attend consultations and some people will actually choose to do focus groups.

**The Hon. CHRISTINE ROBERTSON:** How are you planning to ensure that the information goes right across the sector? I understand that you have contacts but it is often difficult to involve people who live in country areas, even though you have groups going to rural areas? For example, what is your strategy for ensuring that the discussion paper gets out to those people?

**Ms STEWART:** That is one of the benefits of having the discussion paper on the Web. The Minister launched the discussion paper three weeks ago, which attracted some media. We could see from the clippings that the news is getting out to the regional locations. People can also get on to the website. The Department of Community Services has publications and we are promoting it through those. The people who sit around the big



table at the industry reference group have their own newsletter and I was actually encouraged to read one of those the other day and they are getting the message out to their networks and their providers.

I am hoping that with the media, consultation and promoting these regional consultations and through us getting the message out through our grapevine, and by industry experts getting the message out through theirs, that we will have good feedback on this regulation. Making it a bit more user friendly, rather than the white pages book that people have to trawl through, is another way of ensuring that people engage in this issue.

**The Hon. GREG DONNELLY:** My question relates to permanency planning. Can you explain how decisions for children in care are being made earlier to bring stability in their young lives?

**Ms LINDA BURNEY:** Yes. I am sure this is another issue that Justice Wood will be considering. When a child comes into our care, that child is usually very traumatised and it can be a very difficult process for everyone involved. The only real constant in their life has been violence, trauma, chaos and often instability, and it is the issue of instability that I want to focus on because that is what the permanency planning approach is about: it is about making early decisions in a child's placement that reduces trauma. It avoids going from one person to another, one place to another. They are with their family, something has happened, they are removed, the court has made a decision, they go back; and it goes back and forth. Also, they could have been moved between foster carers so the permanency placement is designed to stop all that.

Since 2006 the project has dealt with 187 young people up to two years of age, and they have been the subject of final court orders. I think one of the things a lot of people do not understand in this discussion is that the courts make the final decision about a child being taken from a situation and the child being put back into that situation, and obviously the Department of Community Services has a very important role in that. But a permanent decision is about a child's future. Of the children I have just referred to, 77 per cent were placed permanently with a relative, or a longer-term foster carer or an adoptive family. So you can see that many situations are long-term situations. The project has trained caseworkers who work with the assessments. There is, of course, the possibility of the child being placed with his or her own family if the situation improves.

May I conclude by saying that 42 community service centres across New South Wales have this program up and running, and almost 1,400 staff are already trained to work with the program. The remaining 38 officers will have completed their two-day training project by the end of the year. Obviously, a really important aspect in a child's wellbeing is that they are in a stable, safe environment. Community Services is absolutely committed to providing that stability and, most importantly, the security.

**CHAIR:** Ms Stewart may have answered this question when she spoke about the review. What is the cost of that review in terms of budgetary allocation, and what is the report date?

**Ms STEWART:** Do you mean the cost we will incur in getting the review finalised?

**CHAIR:** Yes.

**Ms STEWART:** We will get back to you with the figure on that. With the implementation of the new regulation, we have got the discussion paper out and, as I said, consultations are available. People can provide submissions some time in December. We will then do the drafting of the regulation, and then we will put it out again for comment from the stakeholders. The regulation expires in September 2009, so that is the timing we are working on. But then, of course, the regulation has to pass through the Parliament. It may not be operational until 2010.

**CHAIR:** Minister, earlier you spoke about adoption and a new bill introduced in Parliament. How many non-relative adoptions are currently being sought in New South Wales?

**Ms LINDA BURNEY:** I would have to do the sums for you. If I could go over the numbers I have mentioned. Of the 125 children adopted in New South Wales, 73 were from overseas, 15 were local adoptions, and 37 were adoptions in other circumstances—for example, step parents and foster carers. I think that is the number you are looking for.

**CHAIR:** No, that is not what I was asking about. It is useful information. I wanted to know how many non-relative adoptions are currently being sought.

**Ms LINDA BURNEY:** I will have to take that on notice and provide you with the information.

**CHAIR:** You may also want to take this on notice. How many of those applicants for an Australian child have been waiting more than 12 months? Could you also provide the period for which they have been waiting?

**Ms LINDA BURNEY:** Yes, I am happy to do that.

**CHAIR:** With regard to overseas adoptions, you have referred to plans and so on. With regard to deliverable outcomes, what can you tell us in terms of the numbers of overseas adoptions last year?

**Ms LINDA BURNEY:** There were 73.

**CHAIR:** How have your changes impacted on those numbers?

**Ms LINDA BURNEY:** We will not know that for a little while because the bill only came into the House on 25 September. I cannot say that I am an expert in this area, but one of the things I found interesting when meeting the adoption unit staff at the department's head office was some of the work they were telling me about in relation to overseas adoptions and having legal protocols in place for overseas adoptions. Ms Gallard is much more of an expert on this. One of the other great things I saw was that a number of the people we had employed were bilingual, particularly in the languages where there are a number of overseas adoptions.

**Ms GALLARD:** A couple of years ago the Commonwealth took over responsibility for the agreements with other countries around overseas adoptions. New South Wales Department of Community Services' role in this is to assess applicants, and then to put forward their files to overseas countries. What we are seeing at the moment is that more countries are deciding to keep their own children within their own borders, and as well as that there is competition not only from other States for a smaller pool of children overseas but also from other countries. So a lot of the factors that are involved in overseas adoption are not within our control.

**CHAIR:** I would like to go back to earlier questions about staffing. I am sure you will not be surprised by this question. Could you tell us how many DOCS staff are on the New South Wales public service displaced employees or unattached list?

**Ms LINDA BURNEY:** I will ask the Director General to respond to that.

**Ms MASON:** We do have that information. We have four formally displaced staff, and each of those at the moment is in temporary employment within DOCS or another agency. Therefore, we do not have anyone who has been declared excess at this point.

**CHAIR:** Did you say how much the cost of employing DOCS staff is?

**Ms MASON:** I do not have that figure but I can get it for you, I presume.

**Mr FAVELLE:** Yes, we can.

**CHAIR:** And how long each of those employees has been on the unattached list?

**Ms MASON:** Yes.

**CHAIR:** I am sure you will also not be surprised to hear this question. In the 2007-08 year how much was spent on the salary packages for senior executive services?

**Ms MASON:** I can tell you that we have 24 staff paid as senior executive services staff. We have two staff in acting senior executive service positions, one to backfill for an officer who is on quite extended sick leave and one who is on secondment to another agency. I do not have the dollar figure for you, but I presume that can be readily obtained.

**CHAIR:** You will take that on notice?

**Ms MASON:** Yes.

**CHAIR:** As you would be aware, the Premier announced yesterday that some senior executive positions will be eliminated. Could you tell us which ones will go from your department?

**Ms MASON:** What I can say is that as part of our more general positioning post-Wood, and also looking at savings and so on, we were already in the process of looking at the structure and functions in head office. Looking at our top structure in the department will be part of the ordinary process that we are undertaking as we get ready for the report of Justice Wood. I do not have a definite answer for you yet.

**The Hon. MARIE FICARRA:** On 29 January 2007 a person identified as Mason J. of New South Wales donated \$480 to the election campaign for the member for Blue Mountains, a seat formerly held by Mr Bob Debus. Is this the same person as the Jenny Mason who, according to the Election Funding Authority, on 26 March 1999 donated \$1,000 to the election campaign of the former member for the Blue Mountains?

**The Hon. GREG DONNELLY:** Point of order.

**The Hon. MARIE FICARRA:** It is legitimate. This is the behaviour of senior executive officers.

**The Hon. GREG DONNELLY:** Point of order. I seek a ruling on this particular question. The question is outside the scope of the nature of questions to be asked in budget estimates hearings. I do not believe that it fits within the scope of the questioning that would normally be presented at budget estimates hearings. I seek a ruling about whether in fact that question is in order.

**CHAIR:** I am not sure. We have been broad ranging in terms of the numbers of questions that have been asked.

**The Hon. GREG DONNELLY:** We have been prepared to give a bit of latitude—

**CHAIR:** And likewise.

**The Hon. GREG DONNELLY:** In the good natured cooperation of the Government members in terms of these hearings, but clearly it would be my view—and other members might want to support this or otherwise—that is clearly beyond the scope of a question that a Minister or any other person would be expected to answer at a budget estimates hearing.

**The Hon. MARIE FICARRA:** To the point of order, this goes to the behaviour of senior executive officers in government departments. Juvenile Justice has previously employed Ms Jennifer Mason. She has been in senior positions of a government executive nature. My question to the Minister is whether this is a pattern of behaviour that she is going to allow?

**The Hon. GREG DONNELLY:** Sure, but we are talking about the portfolio of Community Services.

**The Hon. MARIE FICARRA:** And the management of by the Minister.

**Ms LINDA BURNEY:** Come on. That is just nasty.

**The Hon. MARIE FICARRA:** No it is not, it is legitimate.

**CHAIR:** The budget estimates questions have been broad ranging and you allowed questions about the Minister's trip overseas and—

**The Hon. GREG DONNELLY:** The Minister was not even the Minister for Community Services at that time.

**CHAIR:** Excuse me, you have asked for a ruling on this point of order. You have had plenty to say and the questions have been broad ranging. We can put some questions on notice—

**The Hon. GREG DONNELLY:** That is your choice.

**CHAIR:** If you want to take this action—

**The Hon. GREG DONNELLY:** Yes, I am.

**CHAIR:** The questions have been very broad ranging and we have been very tolerant of the Dorothy Dixier's that have gone on endlessly.

**The Hon. GREG DONNELLY:** It is clearly outside the scope of the nature of the inquiry.

**The Hon. MARIE FICARRA:** I will put it on notice.

**CHAIR:** Thank you, we will put the question on notice.

**The Hon. GREG DONNELLY:** That is if you want too.

**The Hon. MARIE FICARRA:** We will.

**CHAIR:** I well note that the objective of that point of order was particularly to use up the time of the Coalition.

**The Hon. CHRISTINE ROBERTSON:** It was not!

**The Hon. GREG DONNELLY:** No, that was not the reason at all. It was going to the integrity—

**CHAIR:** Well, you will not mind if we use some of your time.

**The Hon. GREG DONNELLY:** It was going to the integrity of the nature of questions at a budget estimates time hearing.

**The Hon. CHRISTINE ROBERTSON:** You are now debating your own ruling.

**The Hon. MARIE FICARRA:** I now move to questions on the childcare centre register. Has the New South Wales childcare preschool register been launched yet, as promised by the former Minister and former Premier on 4 August to be operational by September of this year?

**Ms STEWART:** Can I clarify when you said the "register"? Did you mean on our website?

**The Hon. MARIE FICARRA:** Yes.

**Ms STEWART:** Yes it was, and it was done in the time undertaken by the Minister for it to be on the website. What it deals with is serious licensing events under our regulations that the department has responsibility for. At the moment on the website there are five prosecutions against five different licensees, as well as four licensing actions, there are two prosecutions, one refusal of a further notice, and one imposition of a condition against four different licences. Yes, it has been done and does appear on the website of the Department of Community Services at the moment.

**Ms LINDA BURNEY:** Which you can access.

**The Hon. MARIE FICARRA:** I will, thank you. Will you confirm that as late as last Thursday the Department of Community Services was still holding meetings to sort out what actually will comprise a significant event that needs to be recorded on this register?

**Ms LINDA BURNEY:** I will take that on notice. I think Ms Stewart has responded to the question that you can easily access yourself.

**The Hon. MARIE FICARRA:** I will rephrase my question. Are there clear guidelines as to what sort of significant event needs to be recorded on the register?

**Ms LINDA BURNEY:** I will ask Ms Stewart to respond to that.

**Ms STEWART:** The regulations and the Act actually talk about what serious licensing events are. You referred to a meeting held last Friday, did you?

**The Hon. MARIE FICARRA:** Yes, or if there is any group that is currently working on those guidelines?

**Ms STEWART:** I am responsible for Children's Services and I was very clear that before we went up on that website we were clear as to what was an event. In fact we actually talked to our stakeholders, a representation of children service providers, about this matter before we actually launched the website. So there was no confusion—

**The Hon. MARIE FICARRA:** So are providers provided with information as to what is a significant event or is the public?

**Ms STEWART:** It is on the website. We wanted it to be very plain. We want parents, families and carers to access this and the website defines what these sorts of events are.

**The Hon. MARIE FICARRA:** Will it include incidents or accidents with adverse consequences to children? Will it include apparent or actual failure to meet requirements of the Act or the regulations? Will it include the outcome of a court or tribunal action? Will it include significant changes to the status of a licensee or events that could arise for concern? You can take that on notice if you wish?

**Ms STEWART:** I do not mind answering it now. You are referring to some things that are breaches. Breaches are not on the website. What we are talking about are very serious events where the department has taken action, such as the prosecution of a licensee of a service, such as a revoked licence, such as a refused further licence, and such as the imposition of some conditions on a licence. They are the types of serious events which are on the website. Ordinary breaches are not on the website.

**Reverend the Hon. Dr GORDON MOYES:** Minister, I ask this question from the point of view of clarification and transparency. For the past year what are the number of allegations against the staff of the Department of Community Services for breaches of procedure or policy, particularly those front-line staff such as caseworkers that are working with clients? I would like to have those numbers and I would be quite happy for the Director General to answer the question. I would like to know under different categories, for example, child mistreatments, inappropriate treatments and assaults of any kind. Also, what numbers were referred to other follow-ups, such as the Department of Public Prosecutions or the police? I would like to know the number of investigations that actually were substantiated, the number of investigations that have been finalised or those that are still pending and, if you are aware of them, what kind of penalties were imposed by both the department and/or courts?

**Ms MASON:** As you are possibly anticipating I will have to take a substantial portion of that on notice. I can tell you that we have got seven staff currently under disciplinary investigation but for the purposes of elucidating, as you would appreciate, we have investigations that we do into what we call reportable conduct, where there is a whole process, and then there are disciplinary investigations. Does your question go to the latter category?

**Reverend the Hon. Dr GORDON MOYES:** I wanted to cover both of those. That is why I used the terms of caseworkers and child mistreatment or inappropriate treatment or issues concerning breaches of policy or procedures.

**Ms MASON:** So you want our paid staff but you want in both categories reportable conduct, the disciplinary ones, outcomes if we have them in that period and any onward referrals?

**Reverend the Hon. Dr GORDON MOYES:** Yes.

**Ms MASON:** We will get that for you.

**Reverend the Hon. Dr GORDON MOYES:** Thank you.

**Mr IAN COHEN:** Minister, you have mentioned State Plan priority F7. Can you provide the data against which we can evaluate the department's performance in relation to State Plan priority F7, specifically how the department quantifies rates of child of abuse and neglect?

**Ms LINDA BURNEY:** I can answer a good bit of that now without having to take that on notice. Clearly, we all understand that F7 is around the reduction of child abuse and neglect. Also, the other couple of bits to that are to improve the efficiency of services that protect vulnerable children and support their families. There has been an increase, as I referred to earlier, in the number of reports to Community Services. I think it is important that we understand some of the reasons for that. When you look at the bold number, one reason is that there are now very clear mandatory reporting requirements in New South Wales. In fact, New South Wales has the most stringent or highest number of people or groups required to mandatory report child abuse in New South Wales. There is also much more capacity and understanding within the community for people to make those reports themselves.

Going to the heart of what you said, in December 2007 the Government established a special commission of inquiry. We have talked about that. We have also talked about the fact that the inquiry will examine critical child protection issues. We have also talked about the number of government agencies involved in child protection, including health, police, education and training, disciplinary services, housing, the Children's Court, the Ombudsman and a number of non-government organisations. In terms of the progress report, the commissioner is due to deliver his report, as we have said, at the end of this year and recommend strategic reform. At the heart of this is the cross-agency work. That is what is going to deliver the point that you are making—a reduction in neglect and abuse.

**Mr IAN COHEN:** I was specifically asking for the data so that we could evaluate the department's performance.

**Ms LINDA BURNEY:** Do you want the indicators that we would be looking at?

**Mr IAN COHEN:** The data, as I understand it.

**Ms LINDA BURNEY:** I will ask the Director-General to speak to this as well. Some of the things we talk about are child protection reports, the rate of children reported, the average reports per child per year, the JERT or CSC [Community Service Centre] assessments. We look at children in out-of-home care who have had more than five placements and the number of families that have gone through the Brighter Futures program. You have heard those numbers. They are the sorts of things we look at to see how we are progressing with the implementation of F7. I am not quite sure whether that answers your question.

**Mr IAN COHEN:** In part. We can continue the debate another time. I was interested in how the department quantifies the rate of child abuse and neglect.

**Ms MASON:** If I could give a little bit of elucidation. You have put your finger on it in that the indicator calls for a measure of the underlying rate of child abuse. How to define that is the subject of contention around the world. We have various indicators that we use as the best that we can get. The Minister has described some of those and they will be reported, I believe, in our own annual report—which will be tabled fairly shortly—in terms of all those statistical indicators, the number of reports, the number of re-reports and the number of placement changes for a child, which is another indicator.

You would understand the relevance of that. We have various indicators that we use as our best indicator that we can get. We have a very highly regarded statistics and data team. They too have been wrestling with and talking to the Australian Bureau of Statistics and engaging in quite a lot of detail with Justice Wood. You are probably tired of hearing his name by now but the commission is very interested in exactly that question about how to measure where child abuse is going and what is really happening, as opposed to reports that are influenced by all sorts of factors.

**Ms LINDA BURNEY:** The other thing is you can say that you want numbers and measures but, at the end of the day, if a family with five children comes into the Brighter Futures program, for example, you can record that and you can say what programs they access. But a lot of it is about human nature. You do not always have the information, such as, we were helping Karen's family when she was eight and she has now finished high school. They are the sorts of measures you want but you will not necessarily know. That is the kind of outcome you want. These programs, such as F7, do lead to children having a life.

**Mr IAN COHEN:** I appreciate that. Minister, could you advise the Committee on what the agencies in your portfolio are doing to ensure that they are participating fully in the implementation of the actions in the New South Wales interagency plan to tackle child sexual assault in Aboriginal communities, including the actions that require them to fund joint initiatives and work effectively with other agencies beyond the portfolio?

**Ms LINDA BURNEY:** Ms Gallard spoke earlier in some detail to that point. I will ask her to build on what she said. Clearly, that issue is at the front of my mind, I can assure you, especially when you look at the number of Aboriginal children, which is completely disturbing, who find their way into the that work we do.

**Mr IAN COHEN:** Are you saying, therefore, that you are not satisfied with the portfolio agencies' progress in funding and implementing the actions of the interagency plan?

**Ms LINDA BURNEY:** No, I am not saying that at all. I am planning a visit to the Toomelah-Bogabilla project in December. Perhaps Ms Gallard would like to build on that.

**Ms GALLARD:** The Department of Community Services has been a major contributor to the interagency approach to work on Aboriginal child sexual assault. Not only has that been in the recommendations that have been part of the Government response but we have also had workers on the ground working in Toomelah-Bogabilla. We have had a principal project officer and five team members there in Toomelah-Bogabilla working with the community over a couple of years. That has involved extensive engagement with agencies such as police, education and health and has involved work that goes across the border. So we have been working with the Queensland child protection authorities as well. That work has been successful, and this may sound a little counterintuitive, in lifting the number of reports to DOCS because people are now more confident, I think, that those reports can be investigated.

We have done more investigations and we have also seen a number of prominent members in that community where questions have been raised about their involvement in activities with young children move out of the area. That appears to be as a result of the increased scrutiny that has been placed on people within that community and the increased involvement not only by DOCS but by a number of government agencies. You will also be aware that as part of the Government response there are a number of other focus communities. We have recently started work in Nowra with a dedicated position who is working with both the JERT in Wollongong and with the Aboriginal community agencies and our own DOCS officers in Nowra and Ulladulla to improve the response to Aboriginal families and children where there may be allegations of child sexual assault.

That links with the work that I have spoke about earlier in terms of JERT and improved responses and procedures in JERT. We are also a participant in the Safe Families Program where the next focus communities are five communities out in the far west starting with Wilcannia. DOCS will be recruiting specialist staff to work on Aboriginal child sexual assault in each of those five communities and as well we will be working with police on a new joint investigation and response team that will be set up in Bourke.

**Mr IAN COHEN:** What other agencies or portfolios are you working with there?

**Ms GALLARD:** Obviously the Department of Aboriginal Affairs is coordinating a lot of the work, particularly around Safe Families and we are reporting to them on our activities through our share of the Government response to the "Breaking the Silence" report. But the other key players include police, health, education—they are the main ones—and there are other government agencies as well.

**Ms LINDA BURNEY:** Just to build on that, it is important to say that this issue, of course, is broader than the report in New South Wales. The "Breaking the Silence" report in New South Wales is involved very much in the COAG process that has a specific working group on indigenous issues and we are part of the Rudd Government's call for closing the gap. I guess one of the important things to say is that this issue is going to be an issue that needs to be dealt with over a long period of time—there are no quick fixes here—and closing the gap and the responsibility of governments working together is one way to deal with it.

**The Hon. MICHAEL VEITCH:** My question to the Minister relates to the intensive family-based services for Aboriginal families in New South Wales. Could you provide some information on the progress of that program?

**Ms LINDA BURNEY:** One of the things we have not been asked a question about this afternoon and it is very important, in part, to answering that question, is some of the work that we are doing with the Aboriginal maternal and infant health strategy. This is something that I am really very excited about because it is that really important preventative early intervention work where you work with families so that babies are born at a decent health weight, and we know the ongoing effects of that. The State Plan and the Aboriginal Affairs plan, Two Ways Together, are fundamental to the commitment of dealing with this particular issue.

We have got the intensive family-based services program, and this is for children who are at risk of entering an out-of-home care situation—that is, becoming a foster child—due to protection concerns and where children who have been placed in out-of-home care have had a case plan goal for restoration. That is very important, and the whole building in of the kinship carers and the kinship care placement is important to that. One of the issues about the intensive family-based service work is that it is actually in partnership with families. I have a very strong view that unless things are done in partnership then they are probably not going to be as successful as they ought to be.

One of the important aspects is having an Aboriginal cultural overview on something like the intensive family-based service and also the capacity for that to work with Aboriginal people and Aboriginal organisations that are culturally appropriate. This can be by way of child-rearing practices, communication, negotiation skills, mediation and so forth. We are doing it in a number of locations, including Bourke, Dapto, Campbelltown, Casino, Redfern and Mount Druitt, and we are going to be moving it to the Hunter and the Central Coast as well.

That probably gives you enough information in relation to it except to say that it is a real commitment from this agency and it has also got an evaluation component to it, which is incredibly important. Therefore, what we are saying is that it is very important in dealing with Aboriginal issues, whether it be health or education, that we have an evidence-based approach so that we actually know what works and what does not work and what the parameters are for that. The evaluation, for those interested, has been about \$44,000, but we do think it is crucial. The intervention is between 12 and 16 weeks. Obviously it is about alternative services and picks up a lot of the other issues that we have talked about this evening. I have figures here if you want me to table them. But I can just say that it is a program that is crucial in terms of that overrepresentation that I have mentioned a number of times this afternoon.

**Document tabled.**

**The Hon. GREG DONNELLY:** My question is on the issue of support and assistance to families, and specifically parents, in New South Wales. Could you explain to the Committee, Minister, what the Government has been doing to assist parents in New South Wales?

**Ms LINDA BURNEY:** Parents broadly?

**The Hon. GREG DONNELLY:** Yes.

**Ms LINDA BURNEY:** Most of our support comes through the community service area. Obviously, on a broader level the Government is doing a number of things to assist parents across New South Wales. Within our own agency the commitment is to achieving better outcomes for families and young people, and it is through things that we have mentioned; for example, the Families NSW initiative, which was launched in 1998, \$235 million; things like playgroups; the Positive Parenting Program, which is for children three to eight years living in New South Wales. I am happy if you want to go into more details about that. The other really important thing is Brighter Futures, of course, which is that early intervention program that I have mentioned a number of times.

I think that the most important thing to say is that this is not just a community services' responsibility, it is a joint responsibility across five agencies—health, education, housing, ageing, disability and home care. Clearly, we are working closely with those other departments. The importance of the strengthening of families is really both a social justice goal and a very important economic thing. Early intervention with a family in crisis is going to not only be better for the community but it is going to be a better outcome for the family as well. I do not know if Sonia wants to build on that.

**Ms STEWART:** The only other thing I think is important to say is that Families NSW is in its tenth year now, which is really quite significant. It was one of the first around Australia and it is probably at its peak in terms of the funding for it. The Minister referred to the Positive Parenting Program [PPP]. The other



initiatives we have been doing—we work with Health around a home visit by a nurse, for example, or we work with NGOs around a volunteer home visit, which is sort of around the babies. But the parenting program is around parents of three to eight. So we are really mindful that parenting is not just around those early weeks, which are very important, but it is also around the end. And PPP will be rolled out all around New South Wales in regional locations and in urban locations, encouraging any families to come along and get the right support—and it is a universal access, which is very important for Families NSW, and then those families that need extra support can be referred on to agencies, as appropriate.

**Ms LINDA BURNEY:** Which is the crucial bit.

**CHAIR:** That concludes the budget estimates hearing. Thank you, Minister, and the departmental representatives. The questions on notice will come to you in two days. We will remind you of the documents to be tabled.

**(The witnesses withdrew)**

**The Committee proceeded to deliberate.**

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