

# **PORTFOLIO COMMITTEE NO. 5 - LEGAL AFFAIRS**

**Friday, 26 February 2021**

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

## **FAMILIES, COMMUNITIES AND DISABILITY SERVICES**

<b>CORRECTED</b>
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**The Committee met at 9:30.**

### **MEMBERS**

The Hon. Robert Borsak (Chair)

The Hon. Rose Jackson  
The Hon. Trevor Khan  
The Hon. Taylor Martin  
The Hon. Penny Sharpe  
Mr David Shoebridge (Deputy Chair)  
The Hon. Natalie Ward

### **PRESENT**

**The Hon. Gareth Ward**, [*Minister for Families, Communities and Disability Services*]

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

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

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



**The CHAIR:** Welcome to the public hearing for the inquiry into budget estimates 2020-21. Before I commence, I acknowledge the Gadigal people, who are the traditional custodians of this land. I also pay respect to Elders past, present and emerging of the Eora nation and extend that respect to other Aboriginals present. I welcome Minister Ward and accompanying officials to this hearing. Today the Committee will examine the proposed expenditure for the Families, Communities and Disability Services portfolio. Today's hearing is open to the public and is being broadcast live via the Parliament's website. In accordance with broadcasting guidelines, while members of the media may film or record Committee members and witnesses, people in the public gallery should not be the primary focus of any filming or photography. I also remind media representatives that they must take responsibility for what they publish about the Committee's proceedings. The guidelines for the broadcast of proceedings are available from the secretariat.

All witnesses in budget estimates have a right to procedural fairness according to the procedural fairness resolution adopted by the House in 2018. There may be some questions that witnesses could only answer if they had more time or with certain documents to hand. In these circumstances, witnesses are advised that they can take a question on notice and provide an answer within 21 days. I remind Minister Ward and the accompanying officers that they are free to pass notes and refer directly to advisers. Any messages from advisers or members' staff seated in the public gallery should be delivered through the Committee secretariat. We expect the transcripts of this hearing to be available on the internet from tomorrow morning. Finally, could everyone turn their mobile phones to silent for the duration of the hearing.

**SIMONE WALKER**, Deputy Secretary, Strategy, Policy and Commissioning, Department of Communities and Justice, sworn and examined

**MICHAEL COUTTS-TROTTER**, Secretary, Department of Communities and Justice, sworn and examined

**PAUL VEVERS**, Deputy Secretary, Housing, Disability and District Services, Department of Communities and Justice, sworn and examined

**SIMONE CZECH**, Deputy Secretary, Child Protection and Permanency, District and Youth Justice Services, Department of Communities and Justice, affirmed and examined

**PAUL O'REILLY**, Executive Director, Youth Justice, Department of Communities and Justice, affirmed and examined

**The CHAIR:** Today's hearing will be conducted from 9.30 a.m. until 12.30 p.m. with the Minister and from 2.00 p.m. until 5.00 p.m. with departmental witnesses, with questions from Opposition and crossbench members only. If required, an additional 15 minutes is allocated at the end of each session for Government questions. As there is no provision for any witness to make an opening statement for the Committee commences questioning, we will begin with questions from the Opposition.

**The Hon. PENNY SHARPE:** Minister, the child death report that was tabled in Parliament late last year said that there were 97 deaths of children known to the department in 2019. That is a 4 per cent increase from 2018 but, perhaps more seriously, a 16 per cent increase since 2012. How do you account for the increasing number of deaths of children known to the department?

**Mr GARETH WARD:** Good morning, Ms Sharpe. Every child death is a tragedy. The numbers are relatively—given the numbers, any change can obviously have a significant percentage increase or decrease either way. But the reason we publish the report is so that there can be transparency about these matters, and we will continue to do that.

**The Hon. PENNY SHARPE:** Sure, but the numbers show an increase; how do you explain that?

**Mr GARETH WARD:** Do you want to answer that, Mr Coutts-Trotter?

**Mr COUTTS-TROTTER:** When you look at most children who are the subject of a reportable death review and the description is known to the department, most children who die do so as a result of disease and natural causes.

**The Hon. PENNY SHARPE:** Yes.

**Mr COUTTS-TROTTER:** If you look at the proportion of children who die either by suicide or in suspicious circumstances, the rate is fewer than one child per 100,000. That rate, to the best of my recollection, has remained constant.

**Mr GARETH WARD:** And of that 97, Ms Sharpe, my understanding is that—and I am sure I will be corrected if I am wrong—three of the child deaths are currently subject to inquiry by—or charges have been laid, another three are subject to inquiry and one was a murder-suicide.

**The Hon. PENNY SHARPE:** My interest in this is that these children have been reported as being at risk of serious harm, sometimes multiple times—and we will get to that. But of all the deaths of children, and you can quote as many numbers as you like—and I do not really want to get into this—18.5 per cent of the 518 children who died in New South Wales in 2019 were known to the department. That is an over-representation.

**Mr COUTTS-TROTTER:** And that has remained constant for 10 years.

**The Hon. PENNY SHARPE:** Yes. The point being that supposedly under our child protection system someone would have been alerted to the issues in these children's lives, and they are still dying and they are over-represented in deaths.

**Mr GARETH WARD:** Just to be clear, Ms Sharpe—and again, I will be corrected if I am wrong—90 of the 97 related to instances involving a complex disability or a health or medical issue that was not related to the original reason that child was known to Family and Community Services [FACS].

**The Hon. PENNY SHARPE:** If you want to argue that it was just because of the risk of harm issue then I think we are going to have a problem. Minister, four of those children had been reported 25 times. What was happening with the four children who had been reported 25 times?

**Mr GARETH WARD:** I will ask the secretary to answer that.

**Mr COUTTS-TROTTER:** I would have to take that on notice. But, again, I say that if you express this as a rate among every 100,000 children, and I wish the rate was zero—but the rate of children who die by suicide or in suspicious circumstances who are known to our department is fewer than one in every 100,000 children.

**The Hon. PENNY SHARPE:** So are you just saying that it is only the suspicious circumstances that we should be concerned about even though these children have previously been in contact with the department?

**Mr COUTTS-TROTTER:** No.

**The Hon. PENNY SHARPE:** Well, that is what it sounds like.

**Mr COUTTS-TROTTER:** But the report makes clear that the cause of death for most children is complex medical issues. Certainly, within the detail of a child's life who has experienced neglect and abuse, there could be cases where the child's medical needs were not met by their carers—which is why we got involved—but the cause of death is not abuse, the cause of death is a medical condition that the child experiences.

**The Hon. PENNY SHARPE:** But they are dying—I am not going to argue with you about this, Mr Coutts-Trotter. My issue is that we know that of the 97 children who died, 63 of them had been reported three years earlier to the department and another 53 have been reported in the past 12 months. Are you able to provide the Committee information around what the active involvement of the department was in relation to these children?

**Mr COUTTS-TROTTER:** We would, but we would need to take that on notice.

**The Hon. PENNY SHARPE:** I am happy for you to do so. Minister, are you concerned that 27 of the children had not been reported but their siblings had been?

**Mr GARETH WARD:** That is one of the reasons why they are included in the report. That is part of the reason why they are reported. We have done so since 2014 for transparency.

**The Hon. PENNY SHARPE:** I am very happy you report that, but now I am asking the questions and trying to dig into the reasons why. I am very pleased, and it is a very good thing, that the department reports this. All of us welcome that. The accountability and the understanding of what has happened to the deaths of children is extremely important.

**Mr GARETH WARD:** Absolutely.

**The Hon. PENNY SHARPE:** But I am just not going to accept from you, Minister, that "we report it so therefore that is enough".

**Mr GARETH WARD:** No, no.

**The Hon. PENNY SHARPE:** I want more information about that.

**Mr GARETH WARD:** It is not just the Child Death Review, Ms Sharpe. There are a number of ways in which child deaths are reviewable and recommendations can be made to us about how we can do things better. It may well be through the Coroner or other avenues, and we seek to improve practice at every stage. Every death is a tragedy, and I am sure everyone would agree with that.

**The Hon. PENNY SHARPE:** But as you know, the Coroner only really deals with one or two a year and they are several years behind. There is a long way along the way here. Minister, the report notes that the Serious Case Review Panel has identified that the decision-making for case allocation and closure has problems and needs to be reviewed. What has happened as a result of this observation and has there been a review?

**Mr GARETH WARD:** Because that is operational I might ask—

**Mr COUTTS-TROTTER:** I might ask my colleague, Simone Czech, who sits on that panel, to respond.

**Ms CZECH:** Thank you. The review is underway. It is close to completion. There will be some changes to the way we manage incoming reports and decisions about allocation and prioritisation.

**The Hon. PENNY SHARPE:** So you accept that there are problems at the moment with the numbers of cases that are being closed when children have been assessed as at risk? This is just one factor. We will get to the ROSH figures later.

**Ms CZECH:** My view is we would absolutely like to get to 100 per cent of children at risk of significant harm. We are working not only on policy documents about supporting our staff about how they make decisions

about allocation but also a quite a bit of work around how we free up caseworker time to get to more children at risk of significant harm. That work is currently underway.

**The Hon. PENNY SHARPE:** So the Serious Case Review Panel identified that there is a problem. Just take me through. Has there actually been a written review or is it just ongoing work across the department?

**Ms CZECH:** I might get my colleague, Simone Walker, to comment on this because the policy piece sits in her area. That said, my understanding is that the review has been ongoing since late last year. Simone, would you like to provide any further information?

**Ms WALKER:** Thank you, Simone. Simone and I do actually both sit on the Serious Case Review Panel so that we can get both a perspective from operational as well as policy. Of course, what we are always looking at is continuous improvement in this space. But what we want to make sure that we do, is use the opportunity from the child death review to look very specifically at our case closure policies, our opportunity to reduce administrative burden for caseworkers and our triage in processes. We use both a mix of internal people to do that review work as well as external so that we can maintain our accountability. That work is underway and I would expect that we will be able to bring it probably to the Department of Communities and Justice board towards the middle of the year.

**The Hon. PENNY SHARPE:** I am sure we will come back to that this afternoon. Minister, of the 97 children who died, the report says that there was a safety assessment of 39 siblings from those families. Can you tell the Committee how many were found to be unsafe and what action was taken as a result of that?

**Mr GARETH WARD:** I will have to take that on notice.

**The Hon. PENNY SHARPE:** Minister, there were 59 children under five who died in that group of 97. The department was working with only 17 per cent of them when they died. There is an open report for 13 children, but no intervention. Another six children had open reports but were not allocated a caseworker. Can you explain to the Committee how that occurs?

**Mr GARETH WARD:** As we mentioned earlier, a lot of the children that tragically passed away, their passing occurred because of things that were unrelated to their report. So files, because there may not have been an immediate risk, may not have been continued. Did you want to add anything to that, Mr Coutts-Trotter?

**The Hon. PENNY SHARPE:** Minister, there were 17 who have been actively looked at and clearly there has been a problem assessed. There was an open report for 13 of them. Again, an open report says that they have been reported and they have been assessed as at risk of serious harm but there had been no intervention. There are another six children who had open reports but were not allocated a caseworker. Yes, I understand that the children are dying from a complex range of reasons, but they are also being reported as at risk of serious harm with the department nowhere near them.

**Mr COUTTS-TROTTER:** We would need to have a look at the cases of individual children because there are occasions where we keep a report open but we have referred a family and they have engaged with an intensive family support service. It could well be that that accounts for what you are identifying, but we would need to go to the details of each individual child and come back to the Committee.

**The Hon. PENNY SHARPE:** Yes, I would appreciate that because the next point that I wanted to make is that there are 33 families who had previous intervention but their cases had been subsequently closed. I would expect that the situation that you have just described is what those 33 are likely to be. It is the ones who have been assessed as at serious risk. This is not just someone saying this. There has been a report; the helpline and others have assessed them as at serious risk of harm. But we do not know what intervention is happening with those kids. If you can come back to us, that would be most appreciated.

Two of the children were subject to a high risk birth alert from NSW Health. One had been reported as an issue of domestic violence in the family and the other was alcohol/drug use and mental health. But they had not been allocated any caseworkers. The other disturbing part of these cases is that they both had siblings who were living in out-of-home care. So there had already been an assessment with the parents of these children that it was not safe for the other children to be living at home. What was the delay in relation to high risk birth alerts? I would have thought they are at the top of the tree in relation to getting action. Can someone explain to me what happens with that?

**Mr GARETH WARD:** Chapter 3 of the review deals with those matters, but I would have to take those specific ones on notice.

**The Hon. PENNY SHARPE:** There is a very long and, again, very welcome discussion about what is happening in that pre-birth time and working with families and mothers. My question is, how is it possible that health workers have made a high risk birth alert—I assume it does not get any higher than that—for clearly issues of domestic violence and drug and alcohol use—these families already have children who are not allowed to live with them because it is deemed to be unsafe—how is it possible there were no caseworkers allocated to those children who then subsequently died?

**Mr COUTTS-TROTTER:** We would have to take that on notice to understand the individual circumstances. As I say, they could be connected with other support services either provided through Health or funded by us.

**The Hon. PENNY SHARPE:** I will come back to that. Minister, a 35-year-old woman has been charged with the murder of her eight-week-old baby in February this year. She is in western Sydney. Are you aware whether that child had been reported to the department?

**Mr GARETH WARD:** I think, Ms Sharpe, you would know well and truly by now that I do not like to comment on individual matters and it is entirely inappropriate that I do so.

**The Hon. PENNY SHARPE:** I am being very careful in the way that I ask this, Minister. I am not asking you to name the child; I am not asking you to go into any detail. It is a very simple question. Was this child known to the department under the definitions that we have just been going through under the child death review? Of course, these have happened in 2020 and 2021. We will not know publicly about this until at least the end of the year, if not the end of next year. I want to know whether these people were known to the department.

**Mr GARETH WARD:** Given the obvious sensitivities I will take it on notice.

**The Hon. PENNY SHARPE:** Minister, a 34-year-old man from Aberdeen has been charged with a range of offences as a result of the suspicious death of a seven-month-old boy in around May 2020. Do you know whether this child, this seven-month-old baby, was known to the department?

**Mr GARETH WARD:** Again, I will take that on notice given the obvious sensitivities.

**The Hon. PENNY SHARPE:** Minister, on 16 December a 24-year-old man from Maitland was charged with the murder and rape of a three-month-old baby in August last year. Do you know whether this child was known to the department?

**Mr GARETH WARD:** Ms Sharpe, I am happy to take all of these on notice. I do know that you and I frequently discuss matters outside of rooms like this and you have always got the opportunity to raise those matters with me privately. If there are other issues like this that you would like me to respond to, I am happy to take them on notice. But I cannot possibly be in every police station and in every lounge room of every home where there may have been an issue, as serious as they are. I am happy to take these on notice.

**The Hon. PENNY SHARPE:** Minister, is there a process when a child dies that you are informed whether they are known to the department?

**Mr GARETH WARD:** When a child passes away, if they are known to the department there is a process.

**The Hon. PENNY SHARPE:** So you do know?

**Mr GARETH WARD:** I have discussed these issues with the Secretary before and with my deputy secretaries and they are very experienced people, as you would know. They have been in child protection for many years and—

**The Hon. PENNY SHARPE:** I do not question your public servants. I have great respect for them, Minister. I am asking what you know and whether you are going to tell—

**The Hon. TREVOR KHAN:** Point of order: Some of these questions go to matters where, on the basis of the question, persons have been charged with criminal offences. Sub judice is not a basis upon which questions are necessarily ruled out of order. Nevertheless, it is a matter for the Chair as to whether it is appropriate for the Minister in this case to be answering questions where, on the basis of a question that has been asked, you have the most serious of criminal charges before the court. On that basis, I think it is appropriate that the questions be put on notice and the Minister answer them in an appropriate way through that mechanism rather than them being ventilated here.



**The Hon. PENNY SHARPE:** To the point of order: I am very careful about the way in which I am asking these questions. I am not seeking to have a view around what is going on around the charges. I am simply identifying deaths of children that have occurred and asking the question in the context of the child deaths and the child protection response that the department and the Government say they are continuously improving—spent quite a lot of time talking about that earlier. I am simply asking a yes-or-no question. The second question that I am going to be asking the Minister is I want to understand what processes there are between him and his department around notifying when a child has died and whether they have been known to the department. I do not believe they break any sub judice rules and they are not traversing any issues that are outside the care and protection Act.

**Mr DAVID SHOEBRIDGE:** To the point of order: I think the Hon. Penny Sharpe is conscious of the concerns raised by Trevor Khan. If the questions went to the criminal act itself, the conduct itself, I would absolutely expect the Chair to intervene at that point. These questions are about the department's knowledge, what the department was doing in response to issues and system-wide responses. I think that is where the dividing line would comfortably sit within budget estimates. But I think being conscious of it and having it raised is important.

**The Hon. TREVOR KHAN:** Further to the point of order: If material from this hearing that indicated, for instance, that a child had been subject of involvement of the department prior to that child's death, one might think that could be highly prejudicial in the context of the trial.

**The Hon. PENNY SHARPE:** I do not accept that.

**Mr GARETH WARD:** Can I make three points, Mr Chairman?

**The Hon. PENNY SHARPE:** Minister, you do not really get to make points of order.

**The CHAIR:** Sorry, Minister. You do not get to talk on points of order.

**Mr GARETH WARD:** I am sorry. I was not sure—

**The Hon. PENNY SHARPE:** Sorry, as much as you would like.

**Mr GARETH WARD:** Sorry. Apologies.

**The CHAIR:** I think we have ventilated that enough. I think the question has been explored very carefully. At the end of the day, it is up to the Minister to decide whether he will take it on notice or not. But I think the point really is that the questioning is around what systems, what controls et cetera are there. If the Minister decides to take it on notice, he can. But I think it would be nice to get some answers—not around specific cases. I think the point Mr Khan makes is a good one. We do not want to see anything that come out here that will prejudice any cases. I think that is what we are here to do—to explore the systems, to explore improvements if there are any, or where there are issues, what you are doing in trying to fix those issues. Under no circumstances should, obviously, anyone get into specific cases. If we cannot discuss those, then we will have the whole day taken up just taking questions on notice and that is also a waste of Parliament's time.

**Mr GARETH WARD:** Thank you, Mr Chairman. To answer Ms Sharpe's question directly, there is a briefing process directly to my office in relation to any child that is known to us. I receive a brief from the department on that. In relation to the deaths of children generally, I would simply point out that in 2010 there were 139 deaths. Obviously, the ROSH report reported 97. I also note that you have put questions of this nature on notice, which are due on 10 March.

**The Hon. PENNY SHARPE:** Yes, correct. When a child who is known to the department dies, are you informed of that?

**Mr GARETH WARD:** I am, by way of a briefing note.

**The Hon. PENNY SHARPE:** What is the time frame for that?

**Mr GARETH WARD:** Given the fact I do not prepare those notes, I will ask—

**The Hon. PENNY SHARPE:** I know sometimes it might take—

**Mr COUTTS-TROTTER:** It is as quickly as we can ascertain the basic facts of the matter. For example, critical incidents will include the death or serious injury of a child or young person known or reported to the department; the death or serious injury of a carer supported by DCJ; exposure of a child or young person to a confirmed and/or suspected person on the child protection register; and children or young people who may be missing from out-of-home care. We are reviewing, at the Minister's request, the mechanisms for identifying and

briefing up on serious incidents because, of course, there are a variety of different processes in play as a result of the history of the agency.

Different things happen in Corrective Services. Different things happen in Youth Justice, housing, disability and child protection. So, at the Minister's request, we are reviewing all of that to make it as efficient and consistent as possible. But in the child protection area, there are long-established practices to inform senior leaders and, of course, the Minister and his staff as quickly as possible and as accurately as possible. It is equally true that in almost every case, you never know the full story within the first 24 hours. Further facts are gathered and things change. So it tends to be an iterative process. Obviously, there are clear requirements about deaths of children that need to be reviewed and are contained in the report you are referring to. We have requirements to report to the Ombudsman and other oversight bodies as well, as you know.

**Ms CZECH:** Ms Sharpe, if I could just add, it is usually a two-stage process. When we become aware of a child death that is known to the department, we will alert the Minister's office that it has happened. Then, as Michael said, as we collect detail, a more fulsome briefing note will come. We try and do that as quickly as we are able to.

**Mr GARETH WARD:** Just to be clear, that is children that are in my care.

**The Hon. PENNY SHARPE:** So that is only for children that are in out-of-home care?

**Mr COUTTS-TROTTER:** No.

**Ms CZECH:** No. Sorry. Both.

**The Hon. PENNY SHARPE:** Is it for everyone who—if there have been reports of the child—

**Mr COUTTS-TROTTER:** It is any child that is known to the agency, which is the—

**The Hon. PENNY SHARPE:** Yes, that definition. On that basis, there were only seven kids in out-of-home care in the child deaths. That would not mean that you would only know about seven.

**Mr COUTTS-TROTTER:** No, no.

**Ms CZECH:** No.

**The Hon. PENNY SHARPE:** I thought it was broader than that.

**Mr COUTTS-TROTTER:** If a child has been reported at risk of significant harm or is the sibling of a child who has been reported at risk of significant harm in the previous three years—

**The Hon. PENNY SHARPE:** They are captured.

**Mr COUTTS-TROTTER:** —they are captured, yes.

**The Hon. PENNY SHARPE:** Minister, based on that, then clearly you have been informed in relation to those cases. I would appreciate it if you take it on notice and provide the Committee with an appropriate response to that. Minister, the risk of serious harm reporting continues to reach record levels. The most recent data shows in the quarter to the end of September that 112,517 reports were substantiated about children at serious risk of harm, yet it remains stubborn—I know it has bounced around a little bit—but between around 29 and 31 per cent of kids are ever seen by a caseworker. Minister, do you believe that is acceptable?

**Mr GARETH WARD:** I think everyone would agree that we want every child, in an ideal world, to be seen. But I would make the observation that the number of children seen has increased dramatically by 13.9 per cent, which is an awesome credit to our incredible caseworkers on the front line that have done a great job to see the most kids ever seen before in the State's history.

**The Hon. PENNY SHARPE:** Minister, I appreciate that they are seeing more kids, but given that the reports have increased 50 per cent in five years, they are seeing fewer kids. We can play the numbers game as much as you want—

**Mr GARETH WARD:** But can I just say—

**The Hon. PENNY SHARPE:** Let's be clear here: On those numbers, to the end of September 2020 year-on-year, over 77,000 children were assessed as at risk of serious harm and never saw a caseworker. In the past four years, the number of children with no response has increased 41 per cent. From 54,000, which we considered an outrage four years ago, it is now up to 77,000. I appreciate that you are seeing more people and

I know that there is work going on to free up the time of caseworkers, but do we just accept that 70 per cent of kids who are at risk of serious harm never see anyone?

**Mr GARETH WARD:** I would simply say a few things. Firstly, we have had a number of high-profile inquiries such as the royal commission which has encouraged people to come forward—and I would always encourage anyone to report anything that they believe places a child at risk. We have also increased the number of mandatory reporters, which means that people are reporting because they are required to do so and they have seen something that they believe is worthy of reporting. We have also made it easier for people to report through eReports and through providing a great service at the helpline. The fact that the number of reports is increasing is always concerning; we never want to see a child at risk. I point out that we are seeing less kids coming into the care of the State. We have a very vibrant non-government sector that is responding with incredible services, and providing support for kids that is seeing higher rates of permanency than ever before in our State's history.

**Mr COUTTS-TROTTER:** Sixteen thousand children last year received support from a family support service funded by DCJ, so some of those children may not have got a statutory response but they linked to a service. A further 22,000 children received a service through the targeted early intervention program, so 500-odd non-government organisations providing essentially primary support for families through community service centres. If you look at the Australian Early Development Census, which is unique in the world in being a population-wide survey of children to assess their developmental readiness at the age of five, what you see in New South Wales is that we have children who are more developmentally ready than the Australian average and more developmentally ready than any group of children except for Western Australia.

If you look at Indigenous children, while they are more developmentally vulnerable than non-Indigenous children, in New South Wales Indigenous kids are more likely to be at the appropriate stage of development than any other State and Territory. In other words, the work of the primary healthcare system, the work of maternal and infant health, the work of the early childhood system are supporting children to thrive and develop. And so, we do not bring that—

**The Hon. PENNY SHARPE:** Can I interrupt you there?

**Mr COUTTS-TROTTER:** Yes.

**The Hon. PENNY SHARPE:** That is all good news. Everyone would say that is good. It does not go to the fact that there are still 77,000 kids who have been assessed. They can be developmentally doing very well, and children and young people are incredibly resilient; they could also be living in unsafe situations without getting support. I will explore some of those breakdowns of numbers around referrals to other services and the kids that are not seen this afternoon, but my question remains.

**Mr COUTTS-TROTTER:** Okay.

**The Hon. PENNY SHARPE:** These are not just reports; these are actually children seen. There remains, stubbornly, 70 per cent of kids that are not going to be seen. Minister, is it really the policy of the Government that you accept that this is the way it is?

**Mr GARETH WARD:** It certainly is a lot higher than it was 10 years ago and we are seeing more children in real numbers. The Parliament voted—

**The Hon. PENNY SHARPE:** Sorry, more children? You are not. There are 41 per cent—

**The Hon. TREVOR KHAN:** Point of order—

**The Hon. PENNY SHARPE:** There are 77,000 children that are not being seen.

**The CHAIR:** Order!

**The Hon. PENNY SHARPE:** We can argue the numbers. I am asking the Minister about whether we accept that 77,000 is a reasonable number?

**The CHAIR:** Order!

**The Hon. TREVOR KHAN:** Putting aside the outrage, the member asked the Minister a question. He opens his mouth, gets about two words out and she jumps down his throat.

**The Hon. PENNY SHARPE:** That is because he spins the same numbers that do not accept the problem.

**The Hon. TREVOR KHAN:** Settle down.

**The CHAIR:** Order! Order!

**The Hon. TREVOR KHAN:** He really should be allowed to answer the question.

**The CHAIR:** And you should be allowed to take your point of order. The member will please refrain.

**The Hon. PENNY SHARPE:** My apologies, Chair.

**Mr GARETH WARD:** Ms Sharpe, I have said always that we would—

**The CHAIR:** Minister, I have not finished yet. I am happy to listen to you if you will listen to me. The point I have made is that the member should allow the point of order to be made. Please allow the Minister an opportunity to answer his question.

**Mr GARETH WARD:** Thank you, Mr Chairman. I simply say that of course we would want all children to be seen. We are investing like never before in services to make sure that when we do have a report that we can triage and refer, which we are doing to services like Brighter Futures, like multi-systemic therapy and functional family therapy. As I mentioned, Ms Sharpe, we are seeing more children than ever before in our State's history. That is the highest amount of children that we have ever seen. Is there more work to do? Of course, there is more work to do. But our caseworkers are doing the very best that they can and I am very proud of the work that they have achieved.

**The Hon. PENNY SHARPE:** Minister, why is it then that the number of children that are being re-reported after their cases are closed continues to rise and you are failing to meet the Premier's priority?

**Mr GARETH WARD:** Well, it has actually fallen.

**Mr COUTTS-TROTTER:** It has fallen from the starting point. It was trending down very positively until late 2018; it has subsequently risen. We think there is two reasons for that. It comes at a time when there was a change following the implementation of the recommendations of the McClellan royal commission to increase the sanctions for people who do not take child safety seriously. In other words, a strong message to the community is to: If in doubt, report. We have opened up an e-report channel that now accounts for 45 per cent of all reports; it used to be 13 per cent. We have increased the populations of people who are mandatory reporters, so there has been a 40 per cent increase in the number of reports and as a result there has been an increase in the number of re-reports as well.

Some of that is people being abundantly cautious and it does not signal a change in the risk profile or safety of a child. It could be a service working with a family that feel obliged to report even though they are in place and doing the work. Some of it though is that we work with a child for 12 months, we finish working with the child and the family, and then within the following 12 months that child is re-reported. We know the features of excellent casework practice is likely to reduce re-reports. We are focused now in developing and delivering enhanced training to caseworkers on the things they can do that will reduce the chance of re-reporting. There are a range of things in place to try and put that target back on track because it was travelling well for a while. It has weakened in the last 18 months and we are making every effort to try to get back on track to achieve it.

**Mr GARETH WARD:** We have also established regional action plans for each region in relation to re-ROSH and we are working with our districts one on one. I am actually going to each executive director meeting every month now, and that is one of the things that I raise with each executive director.

**The Hon. PENNY SHARPE:** Minister, you accept that—

**Mr DAVID SHOEBRIDGE:** Penny—

**The Hon. PENNY SHARPE:** Yes, sorry. You go.

**Mr DAVID SHOEBRIDGE:** Minister and all, thank you for coming. Minister, would you table those regional action plans with the Committee?

**Mr COUTTS-TROTTER:** We can, yes.

**Mr DAVID SHOEBRIDGE:** Excellent.

**Mr COUTTS-TROTTER:** We can provide copies of the regional plans. Contained within them are the top three or four things we think will make a difference.

**Mr DAVID SHOEBRIDGE:** Ideally, could we get them throughout the course of today so we can have them in front of us for the afternoon session?

**Mr GARETH WARD:** We will endeavour to do that, Mr Shoebridge.

**Mr DAVID SHOEBRIDGE:** Thanks, Minister. The dashboard has the children seen in a rolling year up to 30 June 2020. This is children who have been identified as at risk of serious harm—107,353 children identified at risk of serious harm, 30,923 of those children seen, 29 per cent as at 30 June 2020. What is your most current set of figures? Do you have figures after that?

**Mr GARETH WARD:** Yes, we were just talking about them earlier. I think it is 112,000.

**Mr COUTTS-TROTTER:** We are on track to see 40,000 children this year. How that relates to the number of children reported at ROSH I am not quite sure. I do not have the data.

**Mr DAVID SHOEBRIDGE:** I think the Minister mentioned 112,000.

**Mr GARETH WARD:** I thought the latest figures was 112,000.

**Mr COUTTS-TROTTER:** Okay, but based on the extraordinary performance of our frontline team so far this year we think we will see somewhere around 40,000 children this year.

**Mr DAVID SHOEBRIDGE:** In the most current figures that you have, how many children have been reported at risk of serious harm in the most current 12-month period?

**Mr GARETH WARD:** It is around 112,000, Mr Shoebridge. I will take it on notice as at today to get you the correct number, but it is about 112,000.

**Mr DAVID SHOEBRIDGE:** That is the year to date?

**Mr GARETH WARD:** Yes.

**Mr DAVID SHOEBRIDGE:** There are a series of reasons identified by caseworkers for the closure of a file and not seeing a child. The list that I have includes: assessment of risk indicate no further intervention required; case plan goal achieved; referred to external agency; assistance provided; children or young person accepted by another State or Territory; children or young person's family unable to be located; care support concluded or, tragically, the child or young person has died. But then there are also current competing priorities. What proportion of the cases were closed—how many because of current competing priorities, not because of the risk of serious harm but because they did not—

**Mr GARETH WARD:** I have just found the latest figures for you. Sorry, I am going to take a step back. So in 2019-20 there were 112,517 children reported at ROSH in New South Wales. That is a 6.4 per cent increase compared to 2018-19. But we saw, as Mr Coutts-Trotter pointed out, more children than ever before and we are on track to meet 40,000 this year. As I mentioned to Ms Sharpe earlier, obviously we would be concerned about any child that is reported at ROSH and I want to endeavour to see all children. I will let Mr Coutts-Trotter answer.

**Mr DAVID SHOEBRIDGE:** Minister, he gave the number of children reported. Was it 112,517?

**Mr GARETH WARD:** Yes.

**Mr DAVID SHOEBRIDGE:** As at when?

**Mr GARETH WARD:** It was for 2019-20, so that will be financial year to financial year.

**Mr DAVID SHOEBRIDGE:** That is the same as the dashboard and then 35,241 seen across the State. That is only as at the end of last financial year. You will get a more up-to-date set of figures?

**Mr GARETH WARD:** Yes.

**Mr COUTTS-TROTTER:** Yes. And to your question, Mr Shoebridge, we will have to take that on notice.

**Mr DAVID SHOEBRIDGE:** The very concept that a child has been reported at risk of serious harm and the case is closed not because of an assessment of the harm that the child is exposed to but because there is just other stuff to do—the fact that that has routinely been used to close cases—must unsettle you, Minister.

**Mr GARETH WARD:** It is a huge challenge to try to see every child, for whatever reason. It is impossible to balance all of the priorities that we have as an agency. We do the very best that we can, Mr Shoebridge, but any child that is not seen would unsettle me, you and everyone in this room.

**Mr DAVID SHOEBRIDGE:** One of the reasons that I am pressing for some answers now is because the Hon. Penny Sharpe asked about this in questions on notice and got stonewalled by the department and just referred to the dashboard. It seems to me a very reasonable request to be asking: How many children were not

seen, although they had been reported at risk of serious harm, because there just were competing priorities and they just were not important enough? I think the people of New South Wales deserve an answer to that, and not just the brush-off that was given to the Hon. Penny Sharpe when she asked this question on notice last year.

**Mr GARETH WARD:** What I will endeavour to do is get a more comprehensive answer to you—perhaps even something from the senior practitioner?

**Mr COUTTS-TROTTER:** Yes, sure.

**Mr GARETH WARD:** We might even ask our senior practitioner to provide a more comprehensive answer in relation to that.

**The Hon. PENNY SHARPE:** Could you tell the Committee how many cases that have been referred have been closed due to current competing priorities in 2019-20?

**Mr GARETH WARD:** I will take that on notice.

**Mr DAVID SHOEBRIDGE:** The other reason given for closing a file was that the family were unable to be located—again, not because you were satisfied that the child was safe or that other arrangements had been made, but because you cannot find the family.

**Mr COUTTS-TROTTER:** I might invite Ms Czech to provide a practical example on that from her experience in the field.

**Ms CZECH:** Sometimes an example may be that a family, unbeknownst to the department, relocates interstate. I know that is one of the closure reasons as well, once it is confirmed.

**Mr DAVID SHOEBRIDGE:** That is a totally separate reason, Ms Czech.

**Ms CZECH:** No, let me finish. If our caseworker is making their best efforts to locate the child and the family in the State but comes to a dead end—so they have made reasonable efforts to do so—the matter will be closed under that criteria. It may eventuate later that we locate them, for example, in Queensland or another State or Territory. If that was to happen during the course of trying to locate them, we would use that closure reason.

**Mr DAVID SHOEBRIDGE:** Minister, in a prior committee hearing evidence was given of this practice happening in different offices: a huge amount of reports coming in and nowhere near enough caseworkers to deal with the reports coming in. The practice was that a file would be opened on the first report and then, if there was not a second report within four or five weeks, it would simply be closed. Are you aware of that kind of practice happening?

**Mr GARETH WARD:** What I am aware of is a record investment in a secondary service system to actually prevent any child that is reported at risk falling into not having a response. Obviously, we want to see as many kids as we can, and that is why we have invested into a secondary service system to be able to refer children to supports where possible. But it is very challenging to be able to see every child. It always has been a challenge. We are doing the best we can and the results that I mentioned earlier are significant and a great testament to the work of our caseworkers.

**Mr DAVID SHOEBRIDGE:** I will probably come back to this in more detail this afternoon. Minister, were you aware of the communication that was sent to the 46 Permanency Support Program [PSP] providers earlier this week, effectively asking for money back from many of them for the work they did in 2018-19?

**Mr GARETH WARD:** That would be an operational issue.

**Mr COUTTS-TROTTER:** I am happy to take it on notice, but we have contractual arrangements that aim to provide incentives for our permanency support providers to follow the permanency hierarchy: to safely preserve children at home; to successfully restore them to families. We know that with successful restorations, half of them take place within 12 months. In other words, there needs to be urgency to achieve it. We have moved from a world in which we paid foster care agencies to provide long-term, stable foster care to a world in which we try to provide an incentive for organisations to restore children safely.

**Mr DAVID SHOEBRIDGE:** That is what I am asking about.

**Mr COUTTS-TROTTER:** If they are unable to do that, there are financial consequences.

**Mr DAVID SHOEBRIDGE:** I will hand some documents to you.

**Mr GARETH WARD:** While that is happening, Mr Shoebridge, I think it is important that we need to ensure the system is focused on not just reporting but also responding. I think that is absolutely true and I am sure

you would agree with that. Compared to the reports we saw 10 years ago, where there were around 12,000 kids being seen and supported, we are now seeing 35,000 children seen, which is a significant increase. I acknowledge, though, there is a lot of work to do. I am not saying for one second that there is not; of course there is. I am doing the best that I can, together with the agency, to do that.

**Mr DAVID SHOEBRIDGE:** Minister, I think a communication has just been handed to you, or to the Secretary.

**Mr GARETH WARD:** As you know, Mr Shoebridge, you would have to email it to me because of my visual impairment.

**Mr DAVID SHOEBRIDGE:** Yes, I am sorry. The communication reads, "Dear PSP service provider, I am writing to you today to inform you that the 2018-19 reconciliation is now complete". Then it goes on to say, "Your reconciliation variance for 2018-19 is the difference between how much you were paid for service delivered against how much you should have been paid for the actual service you delivered".

**The Hon. NATALIE WARD:** Point of order: I am not trying to interrupt, but can we understand who this is from and who it is to? I am not sure I caught that.

**Mr DAVID SHOEBRIDGE:** It is to the 46 permanency support providers and it is from Eleri Morgan-Thomas, the Executive Director, Partnerships, at Strategy, Policy and Commissioning in the Department of Communities and Justice. She is at Cavill Avenue, Ashfield. This is to those 46 NGOs, which, as you know, run very tight budgets and have minimal reserves. A whole series of them are being told they have to pay back substantial debts for work that they did in 2018-19 because the data matching by the department is so out of date and so delayed that they have been given a debt in early 2021 for work they did in 2018-19. Secretary, how has that happened?

**Mr COUTTS-TROTTER:** Firstly, from memory, within a PSP system budget of \$630 million or \$640 million, we are talking about a couple of million dollars. Now, a couple of million dollars is a couple of million dollars. Some of the organisations you are talking about, Mr Shoebridge, are very, very large organisations. They are not all small NGOs. As for further detail, I will pass to my colleague Ms Walker.

**Ms WALKER:** Thank you. Just to clarify, Eleri Morgan-Thomas is the executive director in my area that looks after the partnerships. This has been a piece of work alongside the providers over the past year and the reconciliation has been an extensive piece of work. The PSP program was a new program two years ago, and so payment on outcomes is a very different way of working. I think that both for providers and for the department there was a learning curve there. I think, as Mr Coutts-Trotter has said, a number of these providers are very large. The work has been directly with those providers. So as much as this email covers off a broad message, each of the contract managers has been in direct contact with those providers. This is not a case of poor performance from the department but about making sure that agencies were well funded to do the work that they needed to do to get good permanency outcomes for children.

**Mr DAVID SHOEBRIDGE:** I understand what has led to it: initial funding based upon an assumption that a certain service would be provided but then, in the middle of providing that service, the goals changed and therefore the funding would change. The providers that I have spoken to have said that a big part of the problem is the failure of ChildStory, which is your database, to deliver what it should—including ensuring that the NGO systems and the ChildStory system are actually integrated and these data fields are being updated. Instead, it has all been manually done years after the event, with a historic debt being provided. Would that be a fair summary of what has gone wrong here?

**Ms WALKER:** No, I don't think so.

**Mr DAVID SHOEBRIDGE:** Tell me why I am wrong.

**Ms WALKER:** I think the ChildStory work and the reconciliation of what used to be a very manual process has been the work of the 2018-19 reconciliation. All credit to the NGO providers, who have got on board with the ChildStory work to make sure that we have a true and accurate reflection of the outcomes that we want for children and young people and that they are reflected in the system. This is what this work does. Again, the contracting process is to make sure that providers have adequate funding to do what they need to do. I need some clarification about your point about the goals changing halfway through.

**Mr DAVID SHOEBRIDGE:** I will illustrate. If there is a case plan shift away from seeking to achieve restoration, that triggers a difference in the funding that is provided—

**Ms WALKER:** Yes.

**Mr DAVID SHOEBRIDGE:** —and a funding adjustment. But the problem is that is not entered into the database. It is put in years later in reconciliation. So you are not tracking the change in the case plan, which would trigger the change in funding. It is not being tracked in ChildStory. That has created this historic problem and these debts.

**Ms WALKER:** There may be cases where there is a later recognition of the change in the case plan. I think the idea of long periods of time going by without kids' case plan goals being recognised on the system is not what we want and is problematic. That is part of the reconciliation as well.

**Mr DAVID SHOEBRIDGE:** Will you provide on notice the debts and/or credits to each of the 46 PSPs? Obviously you know them because they were sent out in the email of 24 February.

**Mr GARETH WARD:** I am just worried about commercial in confidence there.

**Ms WALKER:** I am conscious that there is a lot of information about providers who would not necessarily expect all of their information about their financial circumstances to be shared broadly.

**Mr DAVID SHOEBRIDGE:** I am not asking all of their information, I am asking about the relevant credit or debit that the reconciliation shows? Or do we have to Standing Order 52 it? Happy to do that.

**Mr GARETH WARD:** Mr Shoebridge, can I give you this undertaking, I am happy to have this discussion with you outside of this room. I just do not want to prejudice any commercial in confidence that may exist. If that is not an issue and on advice, then we will seek to take it on notice. If that is not the case, I am happy to have a conversation with you and share as much as I can.

**Mr DAVID SHOEBRIDGE:** So you will take it on notice, is that where we got to?

**Mr GARETH WARD:** I will take it on notice. I am sure you are aware that there will be some legal limitations on what I can provide in the context of an ongoing contract underfoot with the department in relation to the payment of monies or otherwise.

**Mr DAVID SHOEBRIDGE:** If there are legal limitations on you telling us the debt or the credit owed to the people who are receiving something in the order of \$600 million in public money, there is a major problem. There is a more significant problem than we are having here anyhow.

**Mr GARETH WARD:** I will seek to give you as much as I can. I am not trying to obfuscate. I will try to give you as much as I can.

**Mr COUTTS-TROTTER:** Perhaps we could seek the consent or otherwise of the providers to provide that information. Would that be acceptable?

**Mr DAVID SHOEBRIDGE:** I will leave it to you.

**The CHAIR:** Minister, has the Government approved the use of the New South Wales Government building at 414 Moppett Street, Hay, to be used by the Community Action for Suicide Elimination [CASE] organisation to create a much-needed safe house in Hay for people fleeing domestic violence?

**Mr GARETH WARD:** I am aware of the representations from the local member there who came to see me with some representatives. I think there was going to be some correspondence between her and the department. Unless officials at the table have any comment on that, I will take that on notice. I acknowledge the local member's very significant representations.

**The CHAIR:** Do you have something to contribute, Mr Coutts-Trotter?

**Mr COUTTS-TROTTER:** No, I am sorry. I am looking to see if my colleagues have awareness of it.

**The CHAIR:** No?

**Mr COUTTS-TROTTER:** No, I do not think so.

**The CHAIR:** The member for Murray tells me that she has been making representations to the Minister for over 18 months and has not been getting anywhere.

**Mr GARETH WARD:** I remember seeing her—I do not know if it was 18 months ago. I have seen her and I will certainly take that on notice. I am happy to have a conversation with her later today as well. I will follow it up.

**The CHAIR:** She is saying, "What is the delay? When can Hay CASE expect to receive an approval? If you live in Hay, do you know that the closest safe house you can go to when fleeing domestic violence is



Griffith, which is almost two hours drive away?" That is the issue for her. And, "Do you think it is acceptable for women to have to drive two hours at night to flee domestic violence, especially with lots of kangaroos on the roads?"

**Mr GARETH WARD:** I remember meeting Ms Dalton about this with representatives from her electorate. As I have said, I will endeavour to follow it up and I will try to have a conversation with her today.

**The CHAIR:** Why has the Government not addressed it up to now?

**Mr GARETH WARD:** I am not aware. That is why I have said I will follow it up.

**The CHAIR:** Also, has your department secured minor funding requested by the Hay CASE group to assist with refurbishing 414 Moppett Street to make it fit for purpose should you approve the use of that building?

**Mr GARETH WARD:** I will take that on notice as well.

**The CHAIR:** If not, what steps is your department taking to assist the Hay CASE for funding opportunities?

**Mr GARETH WARD:** I will take that on notice, and again thank the member for Murray for her representations.

**The CHAIR:** You said you will talk to her today?

**Mr GARETH WARD:** I will do my very best. I will try to get the answers to that question and either get back to her today or over the weekend.

**The CHAIR:** Thank you very much.

**The Hon. PENNY SHARPE:** In your previous answers you indicated that you believe that your caseworkers will see 40,000 children—

**Mr GARETH WARD:** The secretary indicated that.

**Mr COUTTS-TROTTER:** That was me.

**The Hon. PENNY SHARPE:** On basic trajectory that suggests to me that we have no reason to expect that the percentage of kids seen, as opposed to assessed at risk of harm, which is around 30 per cent—it has bounced around a little bit but it is around 30 per cent—

**Mr GARETH WARD:** It is 35 per cent now .

**The Hon. PENNY SHARPE:** No, 31 per cent.

**Mr GARETH WARD:** With the new numbers, is my understanding.

**The Hon. PENNY SHARPE:** You have not given those new numbers to us, Minister.

**Mr GARETH WARD:** I did earlier.

**The Hon. PENNY SHARPE:** No, you did not.

**Mr COUTTS-TROTTER:** To be fair, I did not have a comparable number within the current year of the number of children reported at risk of significant harm [ROSH]. If it is 40,000, it is a portion of a larger number of children.

**The Hon. PENNY SHARPE:** Yes, and if it is based on where we have been going, 40,000 means that is about 30 per cent. Do you accept, Minister, that means that there will be approximately 80,000 children—record numbers of children—who will not be seen by caseworkers this year?

**Mr GARETH WARD:** What I accept, Ms Sharpe, is that 10 years ago there were 12,000 children seen. Today there are 35,000 children seen.

**The Hon. PENNY SHARPE:** That is terrific, Minister.

**Mr GARETH WARD:** Which is the most children that have ever been seen.

**The Hon. PENNY SHARPE:** Yes. Let us compare that to the number of reports. We can go backwards and forwards with that. It is good that you are getting to more kids, but the reality is that the number of reports has increased. These are not just reports; this is 112,500 children who have been reported and assessed by your own department as being at risk of serious harm. The fact that you are seeing more is great, but you are still only

seeing 30 per cent of them. You seem to want to trumpet this as a great thing. There were 77,000 children last year who were not seen, who were assessed as at risk of serious harm, and you have just accepted and trumpeted that there will be 80,000.

**Mr GARETH WARD:** I am not trumpeting that, Ms Sharpe.

**The Hon. PENNY SHARPE:** How are you going to make a dent in that 80,000?

**Mr GARETH WARD:** There are a lot of things that we are doing. As I pointed out earlier, the Parliament voted to extend the number of mandatory reporters that exist as recently as 2019.

**The Hon. PENNY SHARPE:** You are blaming the reporters?

**The Hon. NATALIE WARD:** Point of order: It has now happened three times, Chair. I accept the member's enthusiasm and the Minister's enthusiasm but it would be helpful if a question could be posed, the answer given and allowed to be completed, and then the next question posed.

**The CHAIR:** I uphold the point of order. Please allow the Minister the opportunity to answer his questions before you cajole him further.

**Mr GARETH WARD:** I am seeking to explain one of the reasons why there has been an increase. We would like to do more and we are seeking to do more, and the numbers indicate, as you said earlier, that we are doing more.

**The Hon. PENNY SHARPE:** Will you invest in more caseworkers to ensure that 80,000 children do not go without face-to-face assessment this year?

**Mr GARETH WARD:** The 2,333 caseworkers is the highest number of caseworkers the State has ever had.

**The Hon. PENNY SHARPE:** That is not my question. The answer would be: No, there are no new caseworkers coming. Is that correct?

**Mr GARETH WARD:** I have said to you, we have more caseworkers and more funded service providers than ever before in the State's history, and that is why we are seeing more children.

**The Hon. PENNY SHARPE:** Funded services are not statutory child protection workers.

**Mr GARETH WARD:** No, that is true. But we are—

**The Hon. PENNY SHARPE:** Minister, are you considering changing the threshold for mandatory reporting from serious risk of harm to imminent risk of serious harm?

**Mr GARETH WARD:** I will take that on notice.

**The Hon. PENNY SHARPE:** This is a policy question. Is it something that you have considered?

**Mr GARETH WARD:** I will take it on notice .

**Mr DAVID SHOEBRIDGE:** Minister, given how significant that change would be, if there has been policy work done, simply saying that is not a fair answer, given how serious that would be.

**The Hon. PENNY SHARPE:** You have got blown out numbers.

**The Hon. NATALIE WARD:** The Minister is entitled to answer the question however he chooses.

**Mr GARETH WARD:** It is not something that I am personally aware of that has been considered. The secretary has just said to me that he is not aware of that either.

**The Hon. PENNY SHARPE:** There is no work going on in the department that has run the numbers about how these reporting figures would look better if you move from serious risk of harm to imminent risk of serious harm?

**Mr GARETH WARD:** Not that I am personally aware of, and the secretary has just said the same.

**Mr COUTTS-TROTTER:** I am not aware of it.

**The Hon. PENNY SHARPE:** Can you guarantee that you will not raise the threshold in relation to reporting on this matter?

**Mr GARETH WARD:** I am always open to making sure we have a transparent and accountable child protection system. I am not aware of any of the things you have just said. I have said I will take it on notice.

**The Hon. PENNY SHARPE:** Minister, I appreciate you want to be transparent, and we all appreciate that. I am interested in the welfare of children in this State.

**Mr GARETH WARD:** As we all are.

**The Hon. PENNY SHARPE:** As I know that you are. It is a serious matter to change the thresholds that would then give you a better number, rather than actually measuring whether kids are living in safe or unsafe places.

**Mr GARETH WARD:** I am not interested in doing number shuffles at all. I have said I am not aware of it, Ms Sharpe. I am not aware of that work going on inside the department. The secretary said the same thing.

**The Hon. PENNY SHARPE:** Are you considering downgrading the qualifications required for caseworkers from university to TAFE qualified?

**Mr GARETH WARD:** Do you object to the fact that in Victoria there is a vocational qualification of diploma level standard—

**The Hon. PENNY SHARPE:** Minister, I have asked you a very important question that has got nothing to do with what I think or not.

**Mr GARETH WARD:** No, it is an important policy decision.

**The Hon. PENNY SHARPE:** I am asking you a straightforward question. Are you considering downgrading the qualifications required for statutory child protection caseworkers in New South Wales from university qualified to TAFE qualified?

**Mr GARETH WARD:** I want more caseworkers. I want to make sure that we continue to have a zero net caseworker vacancy rate. I want to have caseworkers in the regions, in particular, where it is often very challenging to get caseworkers. I have asked my agency to commission some work on the skills and the capacities of caseworkers that come from vocational education and university qualified levels. I have had people in my agency say they think every caseworker should have a master's degree. I just simply point out that there are other States and Territories that have very different qualification entry points and, given the fact that a diploma level is a tertiary level qualification and the fact that we have an 18-week training course for caseworkers, I am open to discussing having more quality caseworkers. That should be the focus.

**The Hon. PENNY SHARPE:** Minister, with great respect, it sounds like a yes.

**Mr GARETH WARD:** I think it is somewhat elitist—

**The CHAIR:** Order!

**The Hon. PENNY SHARPE:** Oh, elitist? Okay.

**Mr GARETH WARD:** I think it is somewhat elitist of you to suggest that it is necessary to have a qualification like that when what I am interested in is the best outcomes for children.

**The Hon. PENNY SHARPE:** Minister, I am not sure that actually sending people out into the field with less qualifications and less experience is good, but I will leave you with that. I have got other things to ask you about. Minister, I appreciate that you have provided me with information about alternative care arrangements. There are 85, which is significantly down. We notice that the long stay of a young person in motels was around 190 days. Are you able to provide the Committee with a month-by-month breakdown, given that it jumps around so much? You can take that on notice.

**Mr GARETH WARD:** Yes, but can I just say in response, I want to thank the Committee because this came up as an issue when I first entered this role. I wanted to thank you and Mr David Shoebridge for your advocacy on these issues because what I have done is met with our executive district directors every month.

**The CHAIR:** Well done!

**Mr GARETH WARD:** We now have very solid plans for every child that comes into an alternate care arrangement [ACA]. We seek to get them out quicker. We have cut the number from when I got this job from 170 to 85, which is a more than 50 per cent decrease. I do not want to see any kids in an ACA, but because of carer-led models like Pitt, Burdekin, CASPA and others we have seen a huge reduction, not just in the number of kids in ACAs but also the time that they spend in an ACA.

**The Hon. PENNY SHARPE:** When you provide that information to the Committee, could you also provide—and I do not know whether this is true, so it is a genuine question—the proportion of Aboriginal children increasing in ACAs? I would appreciate it if you could provide a breakdown.

**Mr GARETH WARD:** Yes, I can. I simply say that like all areas of this portfolio, as you know, Aboriginal kids are tragically over-represented, but because there are so fewer kids, that includes fewer Aboriginal kids as well.

**The Hon. PENNY SHARPE:** We will come back to that, Minister. I want to ask some questions and I will come back to most of them this afternoon. There are 175 redundancies planned in your department. The restructure document suggests they are going to be taken from homelessness commissioning and all of those kinds of things, about which I have a couple of questions. With the number of jobs that will be permanently cut, what are the funding savings for the department.

**Mr GARETH WARD:** I will let the Secretary answer that.

**Mr COUTTS-TROTTER:** Across the agency we are currently looking to reduce, in some areas, 226 roles.

**The Hon. PENNY SHARPE:** The 175, I understand—

**Mr COUTTS-TROTTER:** Mostly in my colleague Ms Simone Walker's division.

**The Hon. PENNY SHARPE:** Yes, correct. Where are the others?

**Mr COUTTS-TROTTER:** All in metropolitan areas, all in support roles to the front line, but they are as a result of the two departments coming together—the former Department of Justice and the former Department of Family and Community Services. We had begun to identify areas where there was a duplication in roles between those two agencies that needed to be eliminated when we came together. We reduced executive numbers by 16 per cent but when COVID hit we put on pause plans to deliver my colleague's divisional restructure and some small related restructures. We are now able to continue with those restructures and they will be complete by the end of this financial year. But at the same time, for example, in Community Corrections, we are employing an additional 180, 190 staff around the State, half of them in regional areas.

**The Hon. PENNY SHARPE:** I am interested in this area and I want to know much money will you save as a result of getting rid of those positions?

**Mr COUTTS-TROTTER:** The overall saving both in employee-related expenses and operating expenses should be close to \$20 million a year ongoing as a result of the changes.

**The Hon. PENNY SHARPE:** Of the 815 positions currently in that area that you have identified, I notice there are Aboriginal roles and targeted roles. Are you able to tell us how many of the 815 there are of those?

**Mr COUTTS-TROTTER:** I will take that on notice.

**The Hon. PENNY SHARPE:** That is fine.

**Mr COUTTS-TROTTER:** They are excluded from the restructure.

**The Hon. PENNY SHARPE:** How many Aboriginal people are in non-identified or non-targeted roles?

**Mr COUTTS-TROTTER:** I will take that on notice.

**The Hon. PENNY SHARPE:** I also note that the recent annual report states that 3.3 per cent of your employees are people with disability.

**Mr COUTTS-TROTTER:** That is right.

**The Hon. PENNY SHARPE:** Which is better than many other agencies I would note, but still not close to the target.

**Mr COUTTS-TROTTER:** Five point six, yes.

**The Hon. PENNY SHARPE:** Will you guarantee in the restructure that this figure will not go backwards? What action are you taking to ensure this?

**Mr COUTTS-TROTTER:** I think the short answer is we are trying to deliver that guarantee. We know in our informal internal human resources systems, 3.3 per cent of our staff identify as people with disability. But in our People Matter Employee survey some 6 per cent of people—

**The Hon. PENNY SHARPE:** Sure, that is the same across the department.

**Mr COUTTS-TROTTER:** So there are people who we know have a disability and there are some people who may have a disability that we are not aware of formally as an employer. So we are trying to create an environment where people feel trusting of the organisation to identify a disability and any support or adjustment that may be required for that, but also through that process to enable people to feel confident to identify themselves so that we can, wherever possible, make sure that as a result of this restructure we are not displacing them.

**Mr GARETH WARD:** Can I add to that too? To the Secretary's credit, I think he is the patron of the Disability Employee Network, which I have attended. We also have a number of promotional materials that when we are recruiting we seek to make sure that people are aware that we are an inclusive workplace. That involves everything from social media through to making sure that our executive directors have training in how to support people with disabilities, not just in terms of inclusive workplaces but also having the training to support people with disabilities in the workplace with the support that they need so that they can do their jobs uninhibited because of their disability as best they can. But I am really pleased you have raised that target because it is important. I would hope that my appointment as the Minister for Families, Communities and Disability Services is an indication of how strongly the Premier feels about this. This target does fall under Minister Harwin, but I am seeing the Secretary of the Department of Premier—

**The Hon. PENNY SHARPE:** Minister, you do all the media releases about this, so I note that you would have to pay close attention.

**Mr GARETH WARD:** It is not about media releases, Ms Sharpe; it is about outcomes. I am seeing the Secretary of the Department of Premier and Cabinet next month, I think, to discuss this because I obviously have an interest in it.

**The CHAIR:** Minister, you have been in conversation with the member for Barwon, Roy Butler, regarding the NDIS Reserve Fund, the \$1.7 billion. Do you recall that accumulated funds?

**Mr GARETH WARD:** Actually I do. He is doing a great job in Barwon too.

**The CHAIR:** I am sure he is. Thank you very much for that. I think the number for New South Wales is about \$554 million sits in that fund? Have you made representations with your Victorian counterpart to the Federal Government to get those funds released to New South Wales?

**Mr GARETH WARD:** We sure have. I joined with my friend and colleague Luke Donnellan, who is the Minister for Disability in Victoria. We made very blunt representations to the Federal Minister. We want to see these funds supporting people with disabilities. I visited Silverdale in Roy's electorate and also another Social Enterprise Café that employs people with disabilities, or supports people with disabilities. The reason why that fund is important is that instead of funds sitting on the Treasurer's books in Canberra, we want to make sure that it is supporting disability service providers in regional areas. As you would be aware, the challenges of having choice and control are significantly more so if there is no choice. That is the point that Mr Butler has made to me very strongly and it is one that I was already making, in a bipartisan way, with my Victorian colleagues and, in fact, other States as well.

**The CHAIR:** When do you think those funds might be released?

**Mr GARETH WARD:** My understanding is—and perhaps one of my colleagues at the table might want to correct me—that that was going to the board of Treasurers to discuss. They were going to discuss how best to manage this matter. But I have made it clear to my Treasurer—and I know the Victorians have as well—that we want to see the scheme work. While there are issues with organisations like Silverlea being able to operate, because of the market nature of the system it is important to release these funds. To their credit, though, the Feds have engaged in some thin markets trials in Wentworth and Walgett—and I think that has been expanded to Bourke and Brewarrina—to look at how we can improve performance of the scheme. In fact, that was one of the three strategic objectives that I and other Ministers led when we were having these discussions with the Commonwealth.

**The CHAIR:** Would you go to Hay to talk to Ms Dalton?

**Mr GARETH WARD:** Of course.

**The CHAIR:** Okay, good. Thank you very much for that.

**Mr DAVID SHOEBRIDGE:** You had better get a date, Robert.

**The CHAIR:** That was my next question: When do you think you could go?

**Mr GARETH WARD:** Before your Senate preselection perhaps, Mr Shoebridge.

**The CHAIR:** Before his preselection.

**The Hon. ROSE JACKSON:** If there is not one joke about that at every hearing.

**The CHAIR:** Yes, I think there is a joke about that at every—

**Mr DAVID SHOEBRIDGE:** I would get a firmer date than that.

**The CHAIR:** I think if you tie your visit to Griffith and Hay to Mr Shoebridge's preselection you may never go.

**Mr GARETH WARD:** Can I just give you an update that I have just received? I wrote to the member for Murray on 9 September 2019 advising that the property at 414 Moppett Street that you referenced, Mr Chairman, is not owned or managed by the Department of Communities and Justice and is under the management of New South Wales property services. I am advised that I have referred the matter to the Minister for Water, Property and Housing as the property mentioned falls within her portfolio. As noted, the nearest women's refuge is located in Griffith and operated by Linking Communities Network, which is funded to deliver services in Hay, Griffith and other local government areas.

I am advised that Linking Communities Network provide a fortnightly outreach service to Hay and attend Hay on a demand-driven basis in response to domestic violence incidents. I have met with the member for Murray as well as the chairman of CASE and a number of other organisations on 24 October 2019 regarding the proposal, and encouraged CASE and Linking Communities Network to work together with the department to consider how support could best be considered.

**The CHAIR:** What date in 2019?

**Mr GARETH WARD:** It was 24 October.

**The CHAIR:** Twenty-four October 2019. Do you not think it is time that was updated?

**Mr GARETH WARD:** But as I mentioned, the property is not owned by my department; it is owned by the property Minister.

**The CHAIR:** No, I heard what you said, but the fact that it is owned by somebody else does not mean that you cannot get your hands on it—especially if it is vacant.

**Mr GARETH WARD:** That is true.

**The CHAIR:** Why would it take so long to sort that out?

**Mr GARETH WARD:** As I say, because the property rests with the Minister I have referred it to her and asked her to follow it up. But because you have requested and I have said I will speak with Ms Dalton again, I will follow it up for you.

**The CHAIR:** In Hay.

**Mr GARETH WARD:** I will do my very best to get there, yes.

**Mr DAVID SHOEBRIDGE:** Thanks, Chair. The—

**The CHAIR:** Penny?

**The Hon. PENNY SHARPE:** That is okay. Where are we up to, actually?

**Mr DAVID SHOEBRIDGE:** I think we are in crossbench time, aren't we?

**The CHAIR:** No, we are actually in the Labor Party time.

**The Hon. PENNY SHARPE:** Yes.

**Mr DAVID SHOEBRIDGE:** Are we?

**The CHAIR:** Yes.

**Mr DAVID SHOEBRIDGE:** Okay, sure. I am losing track of it.

**The Hon. PENNY SHARPE:** Yes, me too.

**The CHAIR:** Twenty-five minutes.

**The Hon. PENNY SHARPE:** That is okay.

**Mr GARETH WARD:** Time flies when you're having fun.

**The Hon. PENNY SHARPE:** Are you happy for me to go?

**Mr DAVID SHOEBRIDGE:** You go, Penny.

**The Hon. PENNY SHARPE:** We will keep going and we will work it out. Minister, there is currently a statewide shortage of around 350 foster carers, is that correct?

**Mr GARETH WARD:** That is about right, yes.

**The Hon. PENNY SHARPE:** The most recent information provided by the Children's Guardian—and I note that the Children's Guardian declined the offer of the Committee to come today, about which I wish to register my disappointment—

**Mr GARETH WARD:** Can I just say in response to that there is a committee of this Parliament that oversights the Children's Guardian and I—

**The Hon. PENNY SHARPE:** Correct.

**Mr GARETH WARD:** —do not think it is appropriate to express your disappointment at a statutory officer who already has an oversight committee. This is not it.

**The Hon. PENNY SHARPE:** Previously the Children's Guardian has actually attended these meetings. That is the point I am making. This is why I have not actually subpoenaed her or tried to ask the Committee to do that. I am just simply noting that in the past Children's Guardians—not all the time—have been willing to come to this Committee and answer questions but the current Children's Guardian has declined, and for that you are now going to have some more questions. Minister, the most recent information provided by the Children's Guardian suggests that there is a reduction of over 300 authorised carers since 2019. We have got a 350 foster carer gap already and we have also got a declining number of authorised carers. Are you concerned about that?

**Mr GARETH WARD:** Yes, I am. That is why we are continuing to promote the opportunities for carers to come into the system. I think when I talk to people about this opportunity for caring for young people I think the view is that you need to be a full-time carer. Obviously we need more full-time carers but respite is also incredibly important. I think it is incumbent upon all of us to continue to promote all of the opportunities, both short and long term, so that we sustain placements but also have more hearts and more homes for kids who need them.

**The Hon. PENNY SHARPE:** Minister, are you aware that the number of people actually applying to be authorised carers has dropped massively? I think in the last five years there has been a 25 per cent drop. In June 2016—and I know it is a moment in time—there were around 3½ thousand people applying to be carers. As at June last year, which are the last figures that we have got, that was down to around just over 2½ thousand. Minister, there is something going wrong with the system when we are (a) losing carers and (b) not attracting carers to the system. Do you agree?

**Mr GARETH WARD:** I will take that on notice. But I would say that I think Renée Carter and My Forever Family are doing an absolutely tremendous job supporting carers in their role. They played a really difficult role during COVID. I took part in many of the online lounge rooms with carers and fielded questions directly; I think I am doing one in the very near future. I try and do that as frequently as I can. Prior to COVID I was meeting with carers in open forums. I have continued to do that in an online way. I think all of us can certainly do more to support carers but My Forever Family—

**The Hon. PENNY SHARPE:** Minister, what is your Government doing? I do not doubt for a minute that you care passionately about this. My question is not about how passionately you care about it. It is the fact that we have got fewer carers and we have got gaps. We have got fewer carers actually applying. The My Forever Family carer survey found that 49 per cent of carers would not recommend caring to friends, family or the broader community. We have got a crisis in actually attracting and retaining foster carers. I want to know—beyond funding My Forever Family, who do a terrific job with not a lot of money—what you are doing to turn this around.

**Mr GARETH WARD:** As I mentioned earlier, we are promoting carers. We have just released the first 10-year Carers Strategy. The NSW Carers Advisory Council do an exception job in advocating directly to government, as does the peak Carers NSW. There is a range of—

**The Hon. PENNY SHARPE:** I am talking about foster carers specifically. I am aware of the carers strategy, which does not actually have any targets built into it to measure any of this. This is specifically about foster carers—

**Mr GARETH WARD:** Because the need changes. Because the demand changes, and it changes for foster care as well.

**The Hon. PENNY SHARPE:** Are you not hearing the warning bells from foster carers in relation to their frustration with the system?

**Mr GARETH WARD:** Frequently. That is why we are—

**The Hon. PENNY SHARPE:** Well what are you doing about it?

**Mr GARETH WARD:** Your question originally was about what we are doing to recruit more carers. We are promoting the caring opportunities that exist. We are trying to make it easier with supports that are available to carers. I mentioned that, but you cut me off and I was not allowed to talk about that.

**Mr DAVID SHOEBRIDGE:** You are allowed to talk about it, Minister, if you want to.

**Mr GARETH WARD:** We are doing all that we can to make what is a really difficult job as supported as possible. But it is a very difficult job. That is why My Forever Family is continuing to provide supports to carers so that we can encourage more of them. That is why we promote carers not just in Carers Week but throughout the entire year. There have been several social media campaigns for everything from individualised care that we needed for ACAs to care for some of the most difficult and challenging cases through to general foster carers.

**The Hon. PENNY SHARPE:** Minister, how much extra money in the budget was provided for the recruitment of foster carers?

**Mr COUTTS-TROTTER:** We would need to take that on notice because it also includes an element in the funding packages for PSP providers.

**Mr GARETH WARD:** I wonder if my colleague Ms Simone Walker would not mind adding something to this on the carer experience?

**The Hon. PENNY SHARPE:** No, we are finished with my time now. We can come back to it. I will ask you about it this afternoon.

**Ms WALKER:** Okay. I am very happy to answer this afternoon.

**The Hon. PENNY SHARPE:** Don't worry, I have got plenty.

**Mr DAVID SHOEBRIDGE:** Minister, if I understood you correctly, you said that the number of children in alternative care arrangements—was it today?—is at 85.

**Mr GARETH WARD:** I think that is the most recent figure I am advised of, Mr Shoebridge.

**Mr COUTTS-TROTTER:** That data is at 16 February.

**Mr GARETH WARD:** It has actually been lower than that. It has actually been in the sixties at one point.

**Ms WALKER:** Yes, 64.

**Mr DAVID SHOEBRIDGE:** I am sure you would have come with this data. In the last 12 months what has been the longest period that a child has spent in alternative care arrangements.

**Mr GARETH WARD:** Any day is too long, but do we have the latest number?

**Mr COUTTS-TROTTER:** I am just looking to Ms Czech; do you have that to hand?

**Ms CZECH:** Yes. The longest stay at 16 February was 190 days.

**Mr DAVID SHOEBRIDGE:** What was the average stay?

**Ms CZECH:** Just bear with me for one minute. I do have it. Could I just look for it and I will come back?

**Mr DAVID SHOEBRIDGE:** Sure, Ms Czech. Minister, I know you made the commitment and I think it has been genuine and the numbers have gone down but—



**Mr GARETH WARD:** Can I just add to that answer? Sorry to cut you off. Of the children exiting ACAs during the 12 months ending 31 December 2020, 64.6 per cent did so within 90 days of entry. The median length of stay was eight weeks or 55 days.

**Mr DAVID SHOEBRIDGE:** All right.

**Ms CZECH:** I have just found it. The Minister sells me out.

**Mr GARETH WARD:** Ha, ha.

**Mr DAVID SHOEBRIDGE:** Well, it was a slightly better number. It was median, not average, so that is okay. Could I ask you: What is your response? You sit in these meetings monthly and for seven months the same child is still in alternative care. No adequate arrangements have been made to get a child out of alternative care. That is more than half a year of school that is probably lost because the rates of schooling are dramatically lower. That is half a year without having any parental figures; half a year of sometimes being looked after by caseworkers in a motel. What is your response to that? Can you explain how that happens?

**Mr GARETH WARD:** Well, I do not agree with the suggestion that school is necessarily being lost. In fact, often what ACAs are about is maintaining those arrangements—in a less than ideal circumstance, of course. But we have worked hard to reduce them and that is evident by the numbers that you have and is a source of not just interest but passion for me to make sure that we keep on working with the districts to ask those tough questions. I am actually bringing ACAs to the weekly secretaries meeting with Michael Coutts-Trotter and other departmental secretaries when ACAs are extending over six months to make sure that we do all we can to exit these kids into supportive, loving, appropriate families. But as you would be aware, a lot of ACAs are kids that are incredibly complex—disability and psychosocial needs—and they do require specialist care. And finding those people that can provide that is often really tough. But we have done more so in the last 12 and 18 months, and I am pleased with the results. But there is more work to do.

**Mr DAVID SHOEBRIDGE:** Minister, you say that these children are not missing education. Do you have the rate at which these children actually attend school?

**Mr GARETH WARD:** I will ask Ms Czech.

**Mr DAVID SHOEBRIDGE:** And I say this because there has been report after report after report that say the great majority of these kids miss weeks and months—months and months—of school. But Ms Czech?

**Ms CZECH:** No, that is not true. I monitor, as does the Minister, children in alternative care arrangements on a weekly basis. One of the things we look at is education and how that is being delivered to the child or young person. There are two scenarios that play out. Many children in ACAs do attend their school often with one of their support workers that are working with them in the accommodation setting. There are some children for various reasons that have been excluded from school: either they are suspended or there is an odd occasion where they have been expelled from school, typically because of their behaviour. In those circumstances we, in effect, homeschool them using the curriculum of the education department.

**Mr DAVID SHOEBRIDGE:** Perhaps we can get some data.

**Ms CZECH:** Absolutely, yes—happy to provide that to the Committee.

**Mr GARETH WARD:** I will take that on notice.

**Mr DAVID SHOEBRIDGE:** Yes. Minister, you may or may not be aware that the Department of Education is going through a process about reforming its behaviour management strategy.

**Mr GARETH WARD:** Yes.

**Mr DAVID SHOEBRIDGE:** Primarily it is about dealing with kids with disability.

**Mr GARETH WARD:** Yes, I am.

**Mr DAVID SHOEBRIDGE:** To what extent are you resourcing and working with Education in ensuring that that policy responds to the needs of kids with disability and their families?

**Mr COUTTS-TROTTER:** Yes. We are quite closely involved with Education.

**Ms WALKER:** Absolutely. So we have been commenting on their process to make sure that the children that we work with, who are some of the most vulnerable children in New South Wales, are considered through that process. But it is an ongoing conversation with Education.

**Mr DAVID SHOEBRIDGE:** Have you requested, as part of that policy, that the department be notified when it is a child who is foster care—a child in alternative care—that the department be notified and a case manager be part of the response from the school?

**Mr GARETH WARD:** That already—

**Mr DAVID SHOEBRIDGE:** Because it is not apparent in the education department's policy.

**Mr GARETH WARD:** My understanding is—and I will be corrected if I am wrong—that that already happens because every child that is in the care of the Minister that has a report like that would come back to their caseworker.

**Ms WALKER:** As part of their education.

**Mr DAVID SHOEBRIDGE:** It is just not happening on the ground. It is not happening.

**Ms WALKER:** So the other part that we are trying to do—so back to the micro level, wanting to know each individual child's circumstance—the other thing we are doing with the Department of Education is for data sharing across so we have an accurate view of what is happening for, particularly children in out-of-home care and that service system. That is some of the other work that is happening—so both at an individual and a systemic level.

**Mr DAVID SHOEBRIDGE:** Getting the data is one thing but we saw from the Auditor-General's report on the Brighter Futures program that the data sits over there in a pool and nobody swims in it. What are you doing to link that data with actual service provision?

**Mr GARETH WARD:** Actually on that, we had for the first time the Ministers for health, education and FACS in with all of our secretaries to follow through on what the Auditor-General has commented on and what she envisioned to make sure that we are co-designing programs to get better outcomes and to ask some tough questions, particularly around things like the first 2,000 days. Are we investing in the right things? Are there things that we should stop and change? We are doing that with a pilot in western Sydney at the moment. We are preparing for that. There has been a governance group established and the Ministers for those portfolios that I mentioned are overseeing exactly that to do that next significant part of the reform process. But I would note, Mr Shoebridge, that even if all of Mr Tune's reforms had been implemented, we are still well ahead of where he thought we would be in terms of kids entering care than with all of his reforms being implemented.

**Mr DAVID SHOEBRIDGE:** In terms of linking up data and linking up services, you would have seen reports today on both the ABC and in *The Sydney Morning Herald* about Walgett community high school. Are you aware that the Elders group have called for your agency, Health and Education to come together and meet with them to address the complex needs of that school, and to date that has not happened?

**Mr GARETH WARD:** I am not aware of that specific example, but what we are seeking to do is that and we have done that with the work we are preparing with this first initiative, which I mentioned earlier. But I will have a look at the specific example you reference after the hearing.

**Mr DAVID SHOEBRIDGE:** The group of Elders at Walgett—the Dharriwaa Elders group at Walgett, who I have met with and who are powerful leaders in their community—point to the empty policy settings of the Connected Communities Strategy that was rolled out in 2013, never resourced, never linked up Health with the Department of Communities and Justice [DCJ], with Education—never done.

**Mr GARETH WARD:** Just so I am clear, I am just being advised by my office that a letter came to us yesterday and I have asked for a briefing.

**Mr DAVID SHOEBRIDGE:** All right. Well, Minister, I think many people in Walgett would be disappointed at the way their community was portrayed in *The Sydney Morning Herald* today.

**The Hon. TREVOR KHAN:** You cannot hold him responsible for that.

**Mr DAVID SHOEBRIDGE:** What I am asking if you will do, rather than have a political exchange back and forth about Walgett, which is what I do not want—

**The Hon. TREVOR KHAN:** Well, that is what you are doing now.

**The CHAIR:** Order!

**Mr DAVID SHOEBRIDGE:** —I am asking if you will go, if you will use your best offices to either attend yourself or send senior secretary level attendants of those three agencies in particular—Health, DCJ and Education—to meet with the Elders group and map out a pathway forward for their school?

**Mr GARETH WARD:** As I have said, I have only just received the letter yesterday. I have asked for a briefing and I understand your view. I think that sounds like a very sensible suggestion but can I just get myself across the very specific details of the history and what needs to be done in that particular instance? But the suggestion you are putting forward is not unreasonable.

**Mr DAVID SHOEBRIDGE:** All right. Thanks, Minister. Last financial year how many placements received financial support to ensure a young person could remain with their carer?

**Mr GARETH WARD:** Are you talking after aging out of care?

**Mr DAVID SHOEBRIDGE:** I am talking about how many children in out-of-home care were able to remain in their out-of-home care placement, and I think it is the post-care education financial support for carers policy.

**Mr GARETH WARD:** So you are talking post 18.

**Mr DAVID SHOEBRIDGE:** Yes.

**Mr GARETH WARD:** About 1,700 and there was about \$8 million that was spent supporting young people in that circumstance, which was the most significant sum I have seen. As you are aware, the care Act allows us to extend leaving care supports up to the age of 25.

**Mr DAVID SHOEBRIDGE:** All right. So you say about 1,700. Can you give us the precise figure on those? I think Ms Walker—

**Ms WALKER:** Actually, this afternoon I will be able to provide it to you.

**Mr DAVID SHOEBRIDGE:** Thanks, Ms Walker.

**Mr GARETH WARD:** It is about 1,700.

**Ms WALKER:** The number of PSP packages that were provided was—

**Mr GARETH WARD:** No, no. It was about kids extended after the age—

**Mr DAVID SHOEBRIDGE:** Post-care education financial support.

**Ms WALKER:** Yes. And there is a range of options in that, so we can provide you with that.

**Mr DAVID SHOEBRIDGE:** Then can we also get—I will pre-empt some of the data requests so we can discuss it this afternoon—in the last financial year how many children leaving out-of-home care at age 18 were instead referred to homelessness support services within 12 months of leaving care?

**Mr GARETH WARD:** We can, but can I also say that I understand where you are going with this. There is evidence to suggest that extending the leaving care age simply puts off instances where kids fall into homelessness. I would be keen to show you, if you are interested.

**Mr DAVID SHOEBRIDGE:** I think most people would be happy to put off going homeless for a couple of years, even if that was the only outcome.

**The Hon. TREVOR KHAN:** Let him answer.

**Mr DAVID SHOEBRIDGE:** Sorry, Minister.

**Mr GARETH WARD:** That is alright. I understand that we have got a view on this. Just to give you the update: 1,757 young people received over \$8 million in aftercare assistance post-2018, an increase of 1,375 young people from 2018-19—to give you the most up-to-date information there. I would love to show you Foyer, which we have developed with Social Ventures Uniting and St George Community Housing in the city of Sydney. It is a really fantastic model that provides support for 54 kids who have left out-of-home care here in the city of Sydney, close to services, close to educational opportunities but also with services on site to support them. That is a new model that we are pioneering and I am very proud of that. We also have a range of supports like Rent Choice Youth and other supports that we can provide to care leavers, plus the Care Leaver's Line which is available. And, of course, leaving care planning, which is incredibly important as well.

**Mr DAVID SHOEBRIDGE:** Minister, did you say there were 54 young people who are being covered by that pilot program?

**Mr GARETH WARD:** They will be, yes.

**Mr DAVID SHOEBRIDGE:** They will be?

**Mr GARETH WARD:** Yes.

**Mr DAVID SHOEBRIDGE:** How many young people left out-of-home care by turning age 18 last year?

**Mr GARETH WARD:** It is between 800 and 900 each year, Mr Shoebridge. I think it was 850.

**Ms CZECH:** On average, Mr Shoebridge, it is about 900 a year from statutory care.

**Mr DAVID SHOEBRIDGE:** You see, Minister, you are talking about a pilot program for 54 kids—it sounds like it would be useful and it sounds like it would potentially change the future for those 54 kids—but I suppose what frustrates the sector, and what frustrates me, is that when you are talking about a cohort of between 800 and 900 teenagers, that is a soluble problem with the resources you have to hand, both to provide resources and to provide a pathway out of out-of-home care into education and into employment. It is 800 or 900 kids.

**Mr GARETH WARD:** I would make the observation, though, that a very large number of kids actually stay with their families after they age out of care. There is a misnomer that carers are not supporting kids beyond that age; they are. I also, though, acknowledge that there is a very high number of kids that leave care that do face considerable challenges. That is why we do have a range of supports available, and I have mentioned those supports, in larger numbers than ever before in relation to aftercare supports, plus the aftercare support agencies that provide ongoing supports to kids who are care leavers.

**Mr DAVID SHOEBRIDGE:** So of the 800 to 900 kids last year who left care because they turned 18, how many of them got support? What was the average financial contribution made to support those kids?

**Mr GARETH WARD:** I will take the first part of that on notice. The second thing I would say though is that every young person is different and that is why the care Act provides us with that flexibility to provide those supports based on the circumstances of every young person which is different.

**Mr DAVID SHOEBRIDGE:** Of course, they are different. We know that a large part of that cohort fall into chronic homelessness because they do not have the wraparound services that you see, for example, in Victoria, which has consciously moved to extend the care age because they have seen the data, they have responded to the data and they have looked at programs like you indicated for those 54 lucky kids and said, "That should be the model for all of them."

**Mr GARETH WARD:** To be clear, it is more than just 54 lucky kids. The Premier's Youth Initiative supports over 400 kids, Rent Choice Youth supports over 1,100 kids.

**The Hon. PENNY SHARPE:** Minister, the difference is that Victoria is providing every kid who is leaving care with \$10,000 a year for three years connected directly to a caseworker; we are nowhere near that.

**Mr GARETH WARD:** But what you are assuming, Ms Sharpe—and I think you and I might have a different view on this—is that simply doing that is in the best interests of every single young person. I think that we need child-centred approaches and responses, not necessarily just continuing to fund foster carers beyond the age of 18.

**The Hon. PENNY SHARPE:** We will come back to that.

**Mr DAVID SHOEBRIDGE:** I am finding it difficult to work out what child, who has gone through the trauma of being removed from family, being put into foster care and dealing with whatever complex problems happened in their life to that point, would not be assisted by a \$10,000 program aimed at helping them engage with young adulthood. I am trying to work out which kids will not be helped, Minister. Maybe you can identify which kids will not be helped.

**Mr GARETH WARD:** With respect though, Mr Shoebridge, what you are wrongly assuming is that we do not. We provide support to young people after they leave care and have that capacity and promote opportunities for care leavers to remain in contact or to come back in contact with us if they find that they need assistance.

**Mr DAVID SHOEBRIDGE:** Well—

**The Hon. TREVOR KHAN:** Let him finish, David.

**Mr DAVID SHOEBRIDGE:** But I asked you about the numbers and I asked you about the data.

**The Hon. TREVOR KHAN:** No.

**Mr DAVID SHOEBRIDGE:** I accept that. Had you finished, Minister?

**The CHAIR:** Are you going to take a point of order or are you going to interject as well?

**The Hon. TREVOR KHAN:** I am going to take a point of order. Apart from that this is a very interactive conversation, as opposed to questioning, the Minister is answering the question and the member is interrupting.

**Mr DAVID SHOEBRIDGE:** I accept your point of order. Minister, had you finished?

**Mr GARETH WARD:** All I would say is, I understand why you are asking the questions that you are. I am just simply saying that I think the arrangements in place that support kids up to the age of 25—I will be corrected if I am wrong, but I am not sure any State has a similar capacity, perhaps they do and I am not aware of it—is supporting more kids than ever before. We have a range of programs from private rental assistance products to Foyer Central, which I have mentioned, that are supporting more kids leaving care.

**Mr DAVID SHOEBRIDGE:** We will probably come back to that this afternoon when we have some richer data and numbers to have a look at. Minister, I assume you have been to Moree. You would know that, particularly after dark, there are real issues in providing services for, particularly, young Aboriginal kids, First Nations kids, in Moree and that more often than not the police end up being the only available service. Are you aware that that is the reality in Moree?

**Mr GARETH WARD:** Yes, I am aware and I have spoken on numerous occasions with the outstanding local member for Northern Tablelands, Adam Marshall, about these issues.

**Mr DAVID SHOEBRIDGE:** Alright, so why did your Government cut the funding for the Miyay Birray Youth Service's night patrol? How on earth could you have made that decision?

**Mr COUTTS-TROTTER:** I know we have got a note on this. I am sorry, perhaps we can take it in some detail this afternoon, Mr Shoebridge. I do not have it to hand.

**Mr DAVID SHOEBRIDGE:** Let's deal with it. That was a service that last year had 2,500 trips, transporting young people from town back to their homes, away from the attention of police and keeping them safe. There is no public transport in Moree; there is no other way of getting home. If the Government is seriously concerned about stopping young kids, particularly First Nations kids, coming to the attention of the police and going down the path of the DCJ, cutting this service is unconscionable, Minister. Were you ever advised about it?

**Mr GARETH WARD:** I will take that on notice, Mr Shoebridge. I will have to seek some more details.

**Mr DAVID SHOEBRIDGE:** Mr Coutts-Trotter, did the decision to cut this funding come across your desk?

**Mr COUTTS-TROTTER:** No. I recall the name of the service; I have no recollection of the detail. I am happy to get that and we can talk about it this afternoon.

**Mr DAVID SHOEBRIDGE:** Minister, will you meet with Glen Crump? I know Glen; he is an extremely strong advocate. This decision has really knocked him and his community about. Will you meet or have a phone call with Glen in the very near future to talk about this service?

**Mr GARETH WARD:** I am happy to do so.

**(Short adjournment)**

**The Hon. ROSE JACKSON:** Minister, have you read the report by Fiona Rafter, the Inspector of Custodial Services, into the six Youth Justice centres that was released in December last year.

**Mr GARETH WARD:** Yes I have, Ms Jackson.

**The Hon. ROSE JACKSON:** My understanding is that the Government has accepted all 52 of her recommendations. What is the status of that?

**Mr GARETH WARD:** The Inspector of Custodial Services recommendations—which ones did we accept?

**Mr O'REILLY:** The most recent report in December?

**Mr GARETH WARD:** Yes, December.

**Mr O'REILLY:** We have accepted all the recommendations concerning guiding principle except for one, which we are still having a think about, and that is the recommendation that our staff use body-worn cameras during use of force.

**The Hon. ROSE JACKSON:** That is fine. We might return to that later. In relation to those recommendations and that report, Minister, did it concern you that detainees at Youth Justice facilities were having their food and meals cut as a budget-saving measure?

**Mr GARETH WARD:** I might ask Mr O'Reilly.

**The Hon. ROSE JACKSON:** I am asking whether it concerned you. I am telling you that it was in that report that detainees were having their food and meals cut as a budget-saving measure, directed by Youth Justice.

**Mr GARETH WARD:** I will ask Mr O'Reilly to answer that.

**Mr O'REILLY:** Sure.

**The Hon. ROSE JACKSON:** Mr O'Reilly, did it concern the Minister?

**Mr O'REILLY:** I cannot answer about whether it concerns the Minister, but I can talk about the issue if you would like me to?

**The Hon. ROSE JACKSON:** Yes, please.

**Mr O'REILLY:** Yes, that was a finding or an observation in the report. We have a budget for meals and we apply that budget as efficiently as we can. But, in my view, it is not accurate to say that we directed our centres to reduce the size of meals for children in custody to save money.

**The Hon. ROSE JACKSON:** I am reading directly from the report:

... at the time of the inspection the centre—

**The Hon. TREVOR KHAN:** Point of order: Mr O'Reilly was answering the question and then Ms Jackson cut in. I will take the point of order that the witness should be entitled to complete the answer before Ms Jackson gets excited with the next question.

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

**The Hon. ROSE JACKSON:** Apologies, Mr O'Reilly.

**Mr O'REILLY:** That is okay. The other part of the response is that the review of the provision of meals is an ongoing process that we work on with Justice Health to make sure that we try to improve nutrition. We take feedback from the inspector in relation to this on a regular basis. We also take feedback from the Advocate for Children and Young People, who has contact with young people in custody. She and her team give us feedback on the dietary needs of young people in custody, and the children themselves also give us that feedback on a regular basis. We always try to improve.

**The Hon. ROSE JACKSON:** It is good that you are trying to improve. I will quote directly from Fiona Rafter. This is from the Acmena centre.

**Mr GARETH WARD:** Which is on the North Coast, near Grafton.

**The Hon. ROSE JACKSON:** She wrote:

... at the time of inspection the centre had reduced the amount of food being provided to young people at the request of YJNSW, as a cost savings measure.

That is a direct quote. Is it wrong?

**Mr O'REILLY:** It is a direct quote from the person doing that inspection. But because I was not there when that information was gathered, I do not know how it was gathered and who provided it. It could have been provided by a member of staff or by a young person or their advocate who was perhaps not aware of the budget process or the directions around the planning of meals. But certainly when I investigated that finding—because it certainly struck out at me—I found, when talking to senior managers from Acmena and around the system, that was not an accurate representation.

**The Hon. ROSE JACKSON:** Minister, were you concerned—as you indicated that you had read the report—about reports that detainees were being given second-hand underwear?

**Mr GARETH WARD:** I believe that is untrue.

**The Hon. ROSE JACKSON:** Again, this is a direct quote from the report.

**Mr GARETH WARD:** Just because it is in the report—we obviously make sure that—

**The Hon. NATALIE WARD:** Well, let him answer the question. You have asked it.

**The CHAIR:** Order!

**Mr GARETH WARD:** We obviously follow up those reports with our own inquiries, Ms Jackson, and that is what we have done.

**The Hon. ROSE JACKSON:** It is interesting that there are two instances in the report where there has been direct evidence provided by the Inspector of Custodial Services, and you are saying that she is lying?

**The Hon. NATALIE WARD:** That was not his evidence.

**Mr GARETH WARD:** I will ask Mr O'Reilly to elucidate further.

**Mr O'REILLY:** I am certainly not suggesting that Ms Rafter is lying, absolutely not. She is a very good, well-accomplished inspector, and she and I work together very closely, as is appropriate. In relation to the clothing issue, it has been very difficult to trace that back and find that example and I have been unable to do that, but I can tell you that our position on the provision of clothes is very clear: new clothes for every incoming young person.

**Mr GARETH WARD:** For every incoming detainee, that is right.

**Mr O'REILLY:** That is the practice across our system. There may have been a case where there was a mistake or a slip-up, but I have not been able to trace it myself.

**The Hon. ROSE JACKSON:** What about the concern that was raised in the report that toilet paper was being rationed, and that detainees were unable to access toilet paper and had to specifically request it? Was that something that concerned you, Minister? It is first the food, the second-hand underwear and then they cannot get toilet paper.

**Mr GARETH WARD:** Again, Ms Jackson, when these claims are made—and, like Mr O'Reilly, I am not suggesting that the inspector has misled—I have to ask my officials to investigate the veracity of these claims. That is what Mr O'Reilly has done and he is answering those questions for you.

**The Hon. ROSE JACKSON:** Mr O'Reilly, would you give the same answer? Do you not believe that occurred either?

**Mr O'REILLY:** Well, my response to that question is that toilet paper can be an issue at times in all of our centres. There are often behavioural issues with young people in custody, and often it features wasting of toilet paper or making a mess with toilet paper. Often the staff will make decisions about rationing—I guess that is a fair word because we decide how much to give out at a certain time, particularly if there is a history of young people making a mess with toilet paper. That is a sensible intervention around a behavioural issue, I think. As long as somebody always has access to toilet paper when they need it, I think it is a reasonable behavioural intervention.

**The Hon. ROSE JACKSON:** The inspector described it as "degrading"; that was the word that she used.

**Mr O'REILLY:** Yes. Certainly our starting point with a young person in custody is not, "You must always ask for toilet paper when you need to go to the toilet". That is not our position. But I can certainly see situations where we would need to take care with the provision of something like toilet paper because there is often a behavioural problem that we are trying to manage, absolutely. I think there are cases where it is a reasonable thing to do but it is not our policy or a practice to always distribute personal items in that way because, in the vast majority of cases, young people use toilet paper in the same way as everybody else in the community: when they need it.

**The Hon. ROSE JACKSON:** Minister, were you concerned when you read the report to read of facilities described as "unhygienic", "dirty" and "foul smelling", and that some areas in some facilities had not been cleaned for some time? Did it concern you that children were being detained in dirty, foul-smelling and unhygienic facilities?

**Mr GARETH WARD:** When I read things like that, Ms Jackson, of course they concern me, hence why Mr O'Reilly—who is an exceptional operator in this area—has worked incredibly hard to improve our system of youth justice. I am happy to elaborate more broadly on that if you would like, but in my experience of visiting these centres—and I am happy to extend this invitation to you if you would like to come with me to visit one of the centres—that has not been what I have seen. That is why I was concerned, but Mr O'Reilly assured me that is not the case.

**Mr O'REILLY:** The report was a compilation of findings over three years. I have been working at Youth Justice for 18 months and I visit all the centres on a regular basis. I was at Acmena last week, Frank Baxter the week before and I will be at Frank Baxter again on Monday. I inspect these units myself on a regular basis. In addition to the oversight that my management team provides and in addition to the work of the Official Visitors—the Ombudsman, the Inspector of Custodial Services and the other services that come and go through the system—there is an awful lot of oversight. Certainly one of the great things about this report and the previous one is that it is a really good reminder of the importance of standards in the system. We work closely with the inspector to implement the standards that her team develops for our system.

There may be days where, in a particular unit or a particular room, those things happen. I have walked into a room where it is foul smelling at various times because something has just happened or something has happened earlier in that day. Our response then is to address it as quickly as we can. But it is probably important to note, there are 200 young people in custody at the moment, 204 in fact, and they are, in many cases, young people with a lot of complexity—a long history of trauma and a history of behavioural problems in most cases. It is going to be a complex system and there are going to be rough days in those centres. But what I am focused on at the moment is driving those standards and maintaining those standards. At the moment the indicators are actually looking pretty good.

**Mr GARETH WARD:** What I would add to that is that those numbers that Mr O'Reilly just quoted are a more than 40 per cent reduction in kids in detention—that is very encouraging—because of targeted early intervention programs, which I am sure we all agree are incredibly important. Also there is the existence of things like Youth Justice conferencing, which has been a bipartisan policy of both sides, introduced to the very great credit of the Labor Government in 1997 off the back of New Zealand reforms that saw family group conferencing put at the heart of not just restoration but also criminogenic responses in that country that we followed and have supported and implemented here.

**The Hon. ROSE JACKSON:** In some ways I agree, the reduction in the number of young people in Youth Justice facilities is one of the few success stories. But I suppose what concerns me, based on reading this report, is that as the number of children has reduced, so has the budget. The squeeze is being put on so that meals are being cut, kids are being given second-hand underwear, cleaning has been cut, facilities are unhygienic, toilet paper is being rationed—

**The Hon. NATALIE WARD:** Is there a question to the Minister?

**The Hon. ROSE JACKSON:** Can you guarantee specifically that meals are not being cut and second-hand underwear and clothing are not being provided as a cost-saving measure in Youth Justice facilities?

**Mr GARETH WARD:** As was just mentioned, Mr O'Reilly investigated—

**The Hon. ROSE JACKSON:** I am asking you to provide a guarantee. He is saying it did not happen. I am saying can you guarantee it will not happen in future.

**Mr GARETH WARD:** Can I firstly challenge your assertion that there has been a cut in the budget to Youth Justice—that is absolutely not true. It has actually increased, that being for the centres we operate or indeed things like Youth on Track, which received a boost in this budget and is all about keeping kids out of Youth Justice. We know that the minute a young person goes through that courtroom door or through the door of a detention facility their outcomes are not going to be as great as any other young person. And the reason why they are there is often because of incredible trauma and tumult in their lives. Whilst you have absolutely every right to ask these questions about a report that is a public document, I have said here that Mr O'Reilly has commented on those claims and he has reflected on that. And I have also said I would be more than happy to take you to a Youth Justice centre, because my experience of our staff is that they are highly professional, dedicated and caring for the kids that are in their centres. They want to see them never come back.

**The Hon. ROSE JACKSON:** In relation to the budget, the Shearer report put the figure for the cost of implementing all of its recommendations, which the Government accepted, as \$50 million. At the time that we last discussed it, the Government had committed \$3.6 million for early implementation of some of the more



immediate recommendations. When I asked about the rest of the money, the answer to the question on notice was that the budget had not been set. When I look at the new budget, \$9.9 million is the only figure that I can easily identify in relation to the upgrade of some security infrastructure.

**Mr GARETH WARD:** That is accurate, yes.

**The Hon. ROSE JACKSON:** Has the full \$50 million been allocated for the implementation of the recommendations of the Shearer report?

**Mr GARETH WARD:** We triaged it into the responses, so it has been strategically rolled out. There were some things that we were able to do within existing budgets, others that we obviously need to make budget bids for. In relation to that, we have been able to deliver things like the enhanced support unit and the high-risk offenders unit. They are targeted around the Cobham and Baxter facilities, which are our two largest facilities. That has led to a more than 40 per cent reduction in detainee-on-staff assaults and a major reduction in detainee-on-detainee assaults. I really want to thank the staff and the Public Service Association [PSA] for working really closely with us during this time as well as following their advice in relation to security audits, which they requested and we did to make sure that we implemented these. The other things that we did, Ms Jackson, were things like protective tactics training for staff as well as the immediate response team. We also have an MOU with the special operations group, where if we need a more significant response we can utilise the support of that unit. But I do not believe we have needed to do that in the past 12 months, so that has been very encouraging.

**Mr O'REILLY:** Thirteen months.

**The Hon. ROSE JACKSON:** Of the \$50 million that the Shearer report identified as the cost of implementing those recommendations, your suggestion is that—

**Mr GARETH WARD:** It is going to be progressively rolled out. It is progressively rolled out.

**The Hon. ROSE JACKSON:** We were given this program of works. How many of those—

**Mr GARETH WARD:** I will let Mr O'Reilly add to that.

**Mr O'REILLY:** Sure. Of the 63 recommendations, 49 have been resolved. I can give you a summary of the work that is being done and a summary of the work not yet complete, if you would like. Would you like me to do that?

**The Hon. ROSE JACKSON:** No, I do not think that is necessary. What would be useful is to provide an update of the program of works on notice.

**Mr GARETH WARD:** Yes. We will take that on notice. Sure, we can do that. And would you like to come to one of the Youth Justice centres, by the way?

**The Hon. ROSE JACKSON:** Yes, that is fine. I am sure we can figure that out offline.

**Mr GARETH WARD:** Excellent.

**The CHAIR:** Minister, this week our office at Broken Hill was contacted by a constituent raising the issue of a primary school-aged child whose school attendance amounts to one term per year for the past five years. The child is aged 10, so we believe, and this has been going on for the school life of the child. The family has been in court for non-attendance but this improves the situation only for a short while—maybe a month or so. The parents are alleged to be substance users. The neighbourhood is very concerned about the welfare of this child and his future education level and have contacted the child protection system's helpline repeatedly over the past five years. At times they wait on this line for up to two hours without any contact. Minister, the Child Protection Helpline is reported to be available for contact 24 hours a day, seven days a week. Why are people who are making reports not answered promptly?

**Mr GARETH WARD:** Well, it is like any helpline. Sometimes there will be increased demand and sometimes that demand will fall. I have had a few text messages from Mr Butler—and I am sorry, if Roy is watching, I have not had a chance to respond to them yet—

**The CHAIR:** I would rather you respond to me so that it goes in *Hansard*.

**Mr GARETH WARD:** Of course, no. I will take that on notice. But there are peaks and troughs in the demand for the helpline and it depends on the cases that are being reported at the time.

**The CHAIR:** Can you confirm that this service is adequately resourced to handle the number of inquiries it gets?

**Mr GARETH WARD:** I believe it is.

**The CHAIR:** Can you give us some indication of the number of inquiries per week or per month?

**Mr COUTTS-TROTTER:** The number of reports to the helpline, Chair, is more than 300,000 reports in a year. The last time I checked, and I do check in monthly, the average wait time was about six minutes. What is happening now, particularly with police but also colleagues in education and health, is a lot of the reports are being made by email, which will hopefully free up the phone channel for community reporters who prefer that channel.

**Ms CZECH:** I can just confirm the average call wait for December, for example, was six minutes and 34 seconds. As Mr Coutts-Trotter just outlined, we have two channels into the Child Protection Helpline. One is people calling that phone line and the second channel is what we call an eReport. It is through the IT system, the reporter section in ChildStory. On average, most months the average call wait time is around six minutes. But as both the Minister and Mr Coutts-Trotter have outlined, there are peak periods. The peak periods are typically Monday to Friday between school hours, with teachers in particular or principals being one of the biggest reporters to the Child Protection Helpline.

**The CHAIR:** Sure. How many people would be sitting on the end of the phone ready to answer it? Are you talking about one person, 10 people?

**Ms CZECH:** There are about 240 staff at the helpline in terms of their staffing establishment. I could come back to you with the exact detail on how many per shift. We obviously, depending on peak periods and non-peak periods, alter rosters to accommodate—

**The CHAIR:** Will you take that on notice? Really, the total number that might be available is not necessarily relevant, based on the number of people that actually are there per shift. Is it at a centralised point or is it a decentralised service?

**Ms CZECH:** The helpline is a centralised service. During COVID we have taken the opportunity, as we have with our housing contact centre, to have much more flexible work arrangements. A high proportion, between 80 per cent and 90 per cent, of our staff at the helpline are working remotely from home—some of the time they are coming back in—and there are some staff who have made a decision that they would prefer to come into the centre, but we are incredibly flexible on that point and mobile.

**Mr GARETH WARD:** Can I also make a point on that that we rolled that out, with the assistance of our incredible team at IT, incredibly quickly throughout COVID. I know that no-one ever mentions the IT departments. They deserve a shout-out because they did do that incredibly well.

**The Hon. ROSE JACKSON:** How many of them are being made redundant?

**Mr GARETH WARD:** Also, the productivity of people working from home increased. So in spite of all the pressures that our staff were under, the helpline are not only outstanding caseworkers but they are an example of people to hold up for their dedication, their commitment and their delivery.

**The CHAIR:** Where is the helpline office located?

**Mr GARETH WARD:** It is in Liverpool.

**Ms CZECH:** Liverpool.

**The CHAIR:** Liverpool. Thank you. I thought you might say the Philippines or something—not something I wanted to hear.

**Mr GARETH WARD:** No, no. They are located here in our great State.

**The CHAIR:** At what point do children who are repeatedly not at school over a number of years meet the risk of significant harm, ROSH—the level at which the child protection system allocates a caseworker to investigate whether the child is being abused or neglected?

**Ms CZECH:** Every child and their circumstances will be different. What we find is you might have educational neglect—i.e., children not attending school as they should—but often that is accompanied by other factors, which might include domestic violence, drug and alcohol et cetera. A priority rating is allocated based on the information for every child. It typically takes the form of a response time being less than 24 hours, less than

72 hours or within 10 days. There are a portion of reports that might be information only because we already know about the circumstances being reported. That is a long way to say, every case is different. We do take educational neglect seriously. There are other processes—and I am sure we will go through this afternoon—it is one thing for a matter to be assessed at the helpline as meeting the threshold for risk of significant harm. There is another process that happens in our community services centres about allocation for a face-to-face assessment.

**The CHAIR:** I suppose that is where the question lies. What is the answer? Where does that threshold lie?

**Ms CZECH:** We have a suite of structured decision-making tools that we use—SDM, as they are known—and backed with significant evidence over about a 30-year period. So the threshold is based on that evidence, and we can certainly provide that information about our policy settings for the threshold and the policies on notice.

**The CHAIR:** Could you do that?

**Ms CZECH:** Absolutely.

**The CHAIR:** Especially in relation to repeat offenders in education and lack of attendance. If they are doing it again and again, then there is obviously something much deeper going on, and if it is alleged substance abuse or whatever. I do not know how your testing system works, whether it actually does work in the long run. Maybe it needs to be escalated even further. At a local level, school principals are prompt in seeking parental responses when a child has an unexplained absence. When did the Minister for Families, Communities and Disability Services last raise the issue with his colleague the education Minister to address the number of children who are absent from school and what is the proposed course of action?

**Mr GARETH WARD:** Just to be clear: Are you talking about children in my care or just children generally?

**The CHAIR:** Children in your care.

**Mr GARETH WARD:** Children in my care? We have a plan in place for every child that is in the education system. Our caseworkers are connected with that child. Any issues in relation to attendance would be reported directly to them and managed through ChildStory and through the department.

**The CHAIR:** How is the outreach done to the education department, then?

**Mr GARETH WARD:** It works both ways—between the school and the caseworker. The school would notify the caseworker.

**Ms CZECH:** If I could just add to the Minister's response. When children come into care there is a requirement that we notify the child's school that the child is in the care of the Minister. That is for a couple of reasons. Often children, as you would know, have some additional needs and there is additional funding available for those children. There is also a requirement, as the Minister said, for every child in out-of-home care to have an education or a learning plan. That is a tailored plan to their individual circumstances with additional support that they might require. The other thing we try and advocate, and we have done a lot of work on recently, is our district executive and local district people being caseworkers and their managers having really collaborative relationships with their local principals, schools, the education department more broadly, so that children do get the support that they need. That is a work in progress. There is always room for improvement but there are systems in place to make sure the children get the things that they need.

**The CHAIR:** Thank you.

**The Hon. ROSE JACKSON:** Minister, I return to the report of the Inspector of Custodial Services. After receiving the report and reading it, was the management of the Acmena centre provided some support and counselled on some of the very concerning issues that were raised?

**Mr GARETH WARD:** Because it is an operational question, I will ask Mr O'Reilly to answer.

**Mr O'REILLY:** Sure. The management team at Acmena is aware of these issues and has been for some time. I can't speak for the inspector, but I do know the inspector and/or her team visited Acmena on a number of occasions and have reported significant positive progress in those areas. There wasn't specifically a need for us to have a particular intervention in December when the report was tabled because that review—improvement process has been ongoing for some time. Again, while these issues identified in the report—I understand why they are concerning—are concerning, but that is not an accurate characterisation of the system or that centre. They were problems identified at that centre at that time and there has been a lot of work underway to correct those problems.

**The Hon. ROSE JACKSON:** Specifically on the centre, and then we might go to the system more broadly.

**Mr O'REILLY:** Sure.

**The Hon. ROSE JACKSON:** The female toilet in one of the holding rooms was visible to the officers room. Has that been resolved?

**Mr O'REILLY:** There has been a lot of capital works undertaken, including new holding rooms, new exercise yards and an expansion of the visiting centre at Acmena.

**The Hon. ROSE JACKSON:** The practice of removing bedding and mattresses and turning off the water supply for children in confinement, which is almost certainly a breach of the Children (Detention Centres) Act—has that practice ceased at that centre?

**Mr O'REILLY:** We certainly had a close look at that and there is a little bit more detail that is really relevant to that particular question. When a young person is put into confinement under the regulations relating to section 21 of the Act, there is an important risk assessment that needs to take place. It is possible to undergo confinement in a person's room, existing bedroom—and in many cases that is where it happens—but based on the particular behaviour of that young person at the time and recently we have to undertake risk assessment. There are times where it is very important to disconnect the water because the young person has an ongoing and current history of flooding rooms during confinement or during the night.

So turning off the water is a legitimate response in some cases, subject to risk assessment and approval at the centre at the time. So I don't think the observation that water has been disconnected is in itself alarming. What is important is: Is it fair? Is it an appropriate risk assessment? Is it a routine process or is it done on a case-by-case basis? Similarly, removing items from a room is also necessary in some cases. We don't want it to be a starting point. When someone needs to go into confinement, we want their room to be as normal as possible, but it is not always possible because of the presenting behaviour and the risks.

**The Hon. ROSE JACKSON:** I appreciate those comments in relation to the way confinement is managed. But, again, specifically quoting from the report, the inspector found "the centre was not complying with policy and legislation in relation to the use of confinement". To the extent that those things may be necessary in some circumstances, the inspector found that that was not being done in an appropriate way at this centre.

**Mr O'REILLY:** That is an observation. In the last—

**The Hon. ROSE JACKSON:** It is not an observation by anyone, though, Mr O'Reilly.

**The Hon. NATALIE WARD:** Do you have a question?

**The Hon. ROSE JACKSON:** It is an observation by the Inspector of Custodial Services. It is an extremely concerning finding.

**Mr O'REILLY:** Absolutely. I have enormous respect for her and for her work. I am not questioning the credibility of the finding at all. Please don't think that I am doing that. But in the last year, my policy and practice team, who are the lead in Youth Justice—and that is where all the expertise is or a lot of the expertise is in terms of standards, policy, regulation and continuous improvement—have done work specifically with Acmena around the implementation of confinement. That question—do you take everything out of the room for every confinement on a routine basis or do you do your risk assessment—that conversation has been had specifically with the team at Acmena last year and reached a resolution. We now have confidence that there is risk assessment underway and it is not a routine practice.

**The Hon. ROSE JACKSON:** In relation to the comment you made earlier that there was a suggestion there were a number of isolated incidents at some of the centres and they were not system-wide issues, again the inspector did raise a system-wide issue in relation to illegal body searches that were occurring at a number of the centres in a routine way and in breach of the legislation. Minister, are you concerned that young people in your care in youth detention are being routinely subjected to illegal body searches?

**Mr GARETH WARD:** My job is to be responsible for the policy, Ms Jackson, and our policy is quite clear that if a body search is to take place—strip searches are not done, they are partial body searches—they are done in accordance with the policy and staff training.

**The Hon. ROSE JACKSON:** And to the extent that the inspector found that that was not occurring in a routine way, did you do anything about that very concerning finding?

**Mr GARETH WARD:** Mr O'Reilly has responded to those as is appropriate as the manager responsible. I know that he has investigated all of these and has made our policy position very, very clear to staff, and if there has been any confusion about that, there is always national training that is on offer.

**The Hon. ROSE JACKSON:** Has additional training been provided, Mr O'Reilly? Because that was, again, a specific finding.

**Mr O'REILLY:** Yes.

**The Hon. ROSE JACKSON:** So all centres have now been provided with additional training in relation to body searches?

**Mr O'REILLY:** We work with the inspector and her team. We also work with the Ombudsman and we work with the legal advocates of young people to make sure that where there is a concern about the application of body searches we absolutely investigate and we make sure that people are making the right decisions. And just to be clear, when someone enters the centre from the community, a routine body search is within the policy. Body searches beyond that need to be done on the basis that there is a reasonable assessment of risk that it is necessary. The problem often arises when a team may, for example, consistently say, "Okay, there is a risk. We need to do a search", and then we start to cross over into the area of it actually becoming routine. That is the concern that I think the inspector was identifying.

**The Hon. ROSE JACKSON:** She was raising the concern that partial body searches were being routinely conducted after visits, which is, in fact, not within the policy or the legislation. So, yes. I understand what the law is. I am sure the Minister does and the inspector does, but unfortunately it seems as though the people actually working for you on the ground perhaps do not fully understand the legislative requirements.

**Mr O'REILLY:** They do understand the legislative requirements, but we do need to make sure that we maintain the quality. They would be reminding them all of the time. We have developed new materials to remind people of the rules—posters and training materials to remind them of the rules—and in the locations where the inspector has brought issues to our attention, we have absolutely gone and spoken to those managers and frontline staff. The questions we ask relate to: What is the nature of your risk assessment? What are the things that you are looking for when you are making a risk assessment decision that a search is required? And is that reasonable? Is that aligned with the standards of doing it well, for example? And then, what does the inspector's team think about that?

**The Hon. ROSE JACKSON:** And being very clear that the fact that a visit has occurred is not an adequate basis in and of itself?

**Mr O'REILLY:** Being very clear about that.

**The Hon. ROSE JACKSON:** Minister, have more phones been provided for detainees at Reiby, Acmena and Riverina, as identified by the Inspector of Custodial Services?

**Mr GARETH WARD:** I will ask Mr O'Reilly to answer that.

**Mr O'REILLY:** Yes.

**The Hon. ROSE JACKSON:** Good.

**Mr GARETH WARD:** Can I just add something on that? This was raised at the last Committee meeting as well too.

**The Hon. ROSE JACKSON:** Yes.

**Mr GARETH WARD:** There was a question in relation to when we would go back to face-to-face visits. We have done that, but I have to say that the experience from feedback we have received was that using technological devices was very good. Tragically, a lot of families sometimes do not show up to see their kids when they are due to be there, so this has helped bridge the technological divide. And because kids tend to be digital natives, it has actually been a way to guarantee, generally, that families show up. It does not replace contact with the family face to face, but it certainly is a lot for some children if they are in a detention centre away from home to have that contact, which is really important.

**The Hon. ROSE JACKSON:** That is good. Do all of the centres now have complaints management systems that are in alignment with policy?

**Mr GARETH WARD:** Yes.

**The Hon. ROSE JACKSON:** That was identified in a number of centres as something that was not occurring.

**Mr GARETH WARD:** Yes.

**The Hon. ROSE JACKSON:** That has been rectified?

**Mr GARETH WARD:** Yes.

**The Hon. ROSE JACKSON:** In relation to the system-wide issue, the "recurring" theme that programs and activities for detainees were not adequate, in particular although not limited to out-of-school-hours activities and programs, this is also something, Minister, that we discussed at a previous budget estimates. I understand from the response that I received on notice that Youth Justice is currently reviewing the range of programs available in the centres. Has that review occurred and what is being done to address this recurring theme?

**Mr O'REILLY:** This also featured in Lee Shearer's report about the important programming in two respects. One is the importance of programming so people are meaningfully occupied, stimulated and can support their education. The other element that was identified in the Shearer report was in relation to culturally appropriate programs for Aboriginal young people. In response to the Shearer report, this is one of the recommendations that is still in progress, but we are working with our Aboriginal policy team to make sure that our review of programs has that cultural sensitivity at the centre of it. The review of programs is ongoing at the moment, but it is not a process of waiting for the review to be finished and then have good programs. We are working with all sorts of agencies to have good programs right now, including in the school holidays in January when we trialled a new process with an NGO—at Acmena, in fact—to make sure that we had more creative and innovative programs for young people to have new experiences in the arts and in technology.

We continue to do that sort of thing in all of the centres. Riverina, for example, has a driver training program that comes into the centre on a regular basis. That is not just fun for the kids but is about helping them think about what they do when they leave custody—get their licence, help them with their employment. So in all the centres we have all of that. The concept of culturally appropriate programming is, again, central to get this right. In some of our centres we have some incredibly skilled senior Aboriginal staff who are leading that work. The Orana centre in Dubbo is a good example of that. Also the programming work at Cobham focuses not only on Aboriginal kids but also kids from the Pacific Islands as well.

**The Hon. ROSE JACKSON:** Does the Orana centre now have a full-time psychologist?

**Mr O'REILLY:** We do have a psychologist but we have a vacancy as well that we are trying to fill at the Orana centre. Filling psychology vacancies in the Central West is very challenging not only for Youth Justice but also for community services, health, education, NGOs and private practice. It is a market problem that we are all working together to try to resolve.

**The Hon. ROSE JACKSON:** Minister, are you concerned about this? Because the inspector noted evidence of particular self-harm issues at Orana. From what I can understand, there had been a 20 per cent increase in self-harm at that centre, particularly from 527 instances to 689. That seems to be something that would be quite concerning to you.

**Mr GARETH WARD:** Self-harm instances have fallen significantly. Self-harm generally occurs with a very small group of young people that are committing similar things over and over again and the threshold—I might get Mr O'Reilly to comment on the threshold for what self-harm can be. It might not be as extreme as you might think. We have seen a fall, from what I gather, in self-harm instances as well.

**Mr O'REILLY:** We have. We have seen a year-on-year increase up to 2018-19 to 2019-20, but since June 2020 we have seen a significant drop in self-harm. In fact, since earlier than that the decline began. We now have seen in some categories in some centres the lowest self-harm reports probably back to 2014. That is due to a number of things, including the continuous work that Justice Health do with our psychologists to try to improve the response to self-harm. In response to a question about Orana, I am familiar with those numbers but those numbers probably go back a fair while. The self-harm numbers at Orana are in the regular range—not an acceptable number by any means at all but certainly not anomalous.

**The Hon. ROSE JACKSON:** We might go back to some of those specific figures this afternoon. Minister, back to the question of the budget specifically. For example, in relation to the Shearer report, one of the issues there, as we know, was substantial property damage when the inspector visited the centres over the course of preparing the report.

**Mr GARETH WARD:** Insurance covered a lot of that.

**The Hon. ROSE JACKSON:** Four of the six Youth Justice centres had units closed or under repair because of property damage. There were identified areas in Orana that were easily scaled by young people. Has adequate funding been provided to ensure that facilities—

**Mr GARETH WARD:** As part of the Shearer review we did take steps, based on her recommendations, to ensure that it was much more difficult for young people to scale facilities. I do not want to see another riot like we did at Baxter in July 2019. That was a really difficult incident for the staff and very traumatic for the people who were in the centre who were not at the centre of it. Yes, we have taken steps.

**The Hon. ROSE JACKSON:** I think you mentioned that the formal security audit by Mark Wilson is now complete?

**Mr GARETH WARD:** Yes, as requested by the PSA. Yes, I was more than happy to do it.

**The Hon. ROSE JACKSON:** Are you able to table a copy of that report?

**Mr GARETH WARD:** Can I say no, and I will say why. If we release that publicly, that could highlight security issues with our centres that could then be used for a variety of nefarious means. I am happy to share it with you privately because I have had dealings with you for many, many years before we both came to this place. I am happy to share it with you as a member of Parliament on a confidential basis.

**The Hon. ROSE JACKSON:** That might be useful. I appreciate why you do not want to release it, but you would appreciate our concern that, if issues have been raised in that report, they have been properly followed through and action has been taken and the budget has been provided for that so our capacity to ensure that has occurred.

**Mr GARETH WARD:** I am happy to share it confidentially with members of the Committee but I would be opposed to sharing it publicly.

**The Hon. ROSE JACKSON:** I understand. Can we have some assurance, though, that to the extent that issues were raised, action has been taken?

**Mr GARETH WARD:** That is a very good question. The answer is yes. I am more than happy, as I said, to share a copy of that report in hard copy form in my office with any member of the Committee who wants to see it.

**The Hon. PENNY SHARPE:** The National Affordable Housing Agreement [NAHA] is up, as you would know, Minister.

**Mr GARETH WARD:** Yes.

**The Hon. PENNY SHARPE:** There seems to be some concern in relation to the Federal Government stumping up the money that it should be stumping up so that New South Wales can match the money. Can I confirm how much money is at stake if the Federal Government does not fund its part of NAHA?

**Mr GARETH WARD:** Across the country it is in the order of \$50 million. I think it is \$7.7 million—

**Mr COUTTS-TROTTER:** It is \$7.5 million for New South Wales.

**The Hon. PENNY SHARPE:** That is what I had. I just wanted to check that I was asking the right thing. My understanding is that New South Wales matches that money in New South Wales and that is in the budget.

**Mr GARETH WARD:** Yes.

**The Hon. PENNY SHARPE:** What happens if the Federal Government does not match that funding?

**Mr GARETH WARD:** I am not going to talk about hypotheticals. What I would say is that I have made it very clear to Minister Ruston and to the Commonwealth that I want them to honour their obligation to the State. I do not want to see cuts in services and I have made clear to the Commonwealth that we are going to need that extra support.

**The Hon. PENNY SHARPE:** Just to be clear, if the Federal Government does not stump up that extra money, homelessness services in New South Wales will face a cut.

**Mr GARETH WARD:** I am not going to comment on hypotheticals. I am trying to work with the Commonwealth to secure the support we need.

**The Hon. PENNY SHARPE:** When is that due to be complete?

**Mr GARETH WARD:** I would have liked it to be complete now, Ms Sharpe.

**The Hon. PENNY SHARPE:** The problem we have, which I know you are very aware of, is that our specialist homelessness services only have funding until 2021. I know that you are working through the next round of funding for that. Surely there is some significant impact without that \$7.5 million. I am assuming that New South Wales is not going to step up and fund that.

**Mr GARETH WARD:** There would be if the Commonwealth does not come good. It has not said it will not yet that I am aware of, but I am working as hard as I can to try to convince the Commonwealth to honour its full commitment—as I am sure everyone in this room would agree is important.

**The Hon. PENNY SHARPE:** Yes. Can you explain why Victoria gets \$25 million and New South Wales only get \$7 million?

**Mr GARETH WARD:** I am not going to answer questions for the Victorian Government.

**The Hon. PENNY SHARPE:** Great. Indexation is something that we talk about a lot. It is very important for community organisations. As we know, there is backwards and forwards in relation to indexation. We know that community services are very under the pump and there has been disagreement around the issue of providing indexation for the wage component of their operations and for the non-wage component. Minister, have you made a case to the Treasurer that both of those components should be included in the next budget? What is your ask in relation to indexation for community organisations?

**Mr GARETH WARD:** I frequently have conversations with my friend and colleague the Treasurer about many things. I am not going to go into the ins and outs of all of those here.

**The Hon. PENNY SHARPE:** Have you raised the issue of indexation?

**Mr GARETH WARD:** With the Treasurer?

**The Hon. PENNY SHARPE:** Yes.

**Mr GARETH WARD:** Absolutely.

**The Hon. PENNY SHARPE:** Have you raised specifically the issue of the way that indexation is applied to wage and non-wage components?

**Mr GARETH WARD:** I am not going to go into the ins and outs of conversations that are private. I think you know, based on previous performance, that I have always done my utmost to advocate for the sector—alongside people like Joanna Quilty and Narelle Clay and other people who have raised these issues with me constantly.

**The Hon. PENNY SHARPE:** Minister, they still face a 30 per cent cut because they do not receive indexation for their non-wage component.

**Mr GARETH WARD:** Indexation, as you know, is decided not by me but by Treasury. We do everything we can to support hardworking non-government community sector organisations.

**The Hon. PENNY SHARPE:** Minister, why do health NGOs get the full amount of indexation but yours do not?

**Mr COUTTS-TROTTER:** That is a peculiarity.

**The Hon. PENNY SHARPE:** It is very good for the NGOs, and important.

**Mr COUTTS-TROTTER:** Health has taken a decision to do that. They have a budget that has a growth component. They have a rather complex formula, but at least it allows for regular growth in their budget driven by a weighted series of demand and cost factors. While we have had an extremely good budget result last time around, we do not enjoy the same guaranteed growth in the budget driven by demand and we do rely on Treasury's best judgement about an appropriate indexation rate. So we do not have the freedom that Health has to do what it does.

**The Hon. PENNY SHARPE:** To be clear, it is actually a decision by Health rather than Treasury because they have money in their budget to do that—is that the bottom line?

**Mr COUTTS-TROTTER:** They have an overall budget that is indexed to growth. Therefore, within that they are able to accommodate that increase. We do not have the same arrangements for our budget and we do rely on a centrally set indexation for funding to non-government organisations.



**The Hon. PENNY SHARPE:** Minister, when will we see the legislation for the review of the Disability Inclusion Act?

**Mr GARETH WARD:** Mid this year.

**The Hon. PENNY SHARPE:** Do you expect it in the spring session?

**Mr GARETH WARD:** I hope it is by June.

**The Hon. PENNY SHARPE:** This is not a trick question. It was completed in November.

**Mr GARETH WARD:** I am hoping by June. It is still being drafted. We obviously had the report that came back to us from the consultation. We have listened to that. We have listened to the feedback from the Disability Council. I am hoping that the council has it back to us by June this year. I have given—I will not say to whom, because that would be inappropriate. But in relation to restrictive practices—I am sure you will ask me about that as well—we have given an extension to a particular party that wanted to comment further, and by "a particular party" I mean in this place. I was happy to do that because they were quite genuine about their interest.

**Mr DAVID SHOEBRIDGE:** Why, in that draft, are schools not roped into the binding principles and the binding obligations?

**Mr GARETH WARD:** Can I take that on notice? I will have to get back to you.

**The Hon. PENNY SHARPE:** I want to ask a question about what was a Their Futures Matter [TFM] project in south-west Sydney. It was called the Collaborative Support Pathways pilot. Its aim was to ensure that all children and young people assessed as at serious risk of harm were referred, and there were around 4,000 children. I want to understand what happened and where that is up to, and over what period. I understand that the number of children being reported in south-west Sydney is much larger than 4,000. Can someone give me some clarity around that?

**Mr GARETH WARD:** I will take it on notice, but I will say that in south-western Sydney you actually have a higher than average number of young people but a lower than average number of ROSH reports. So a lot of good things have happened in that district, not least of which because the person who now sits here as one of the executive directors was herself a caseworker and has worked from the ground up to be in the position that she is in and doing an exceptional job. But I will take that on notice.

**The Hon. PENNY SHARPE:** No-one is denying that, Minister. I actually want to know.

**Mr GARETH WARD:** She is absolutely fabulous.

**The Hon. PENNY SHARPE:** There was great hope for this project. It is fundamental for doing what you are trying to do, which is to get more support for kids who are at risk of harm. I want to understand how many kids have been referred.

**Mr GARETH WARD:** Various pilots are happening. I would be more comfortable taking it on notice and providing additional information should you seek it.

**Ms CZECH:** Ms Sharpe, I can add that the project continues and actually is being expanded into the Sydney districts as well. We have had enormous success. As the Minister said, we can provide the detailed numbers on notice. Not only have we been able to increase the number of children who receive a face-to-face assessment by a caseworker, but the nature and the name of the program, being Collaborative Support Pathways, means that we have, as you know, a range of NGOs that provide services in a collaborative way, seek advice but deliver services that go to mitigate any risk that might be present. So it is continuing. You are right in coining it as a Their Futures Matter project, but it continues. We have got expansion underway, and there is incredible optimism and hope that that is part of the answer to the ROSH numbers going up.

**The Hon. PENNY SHARPE:** We will come back to that one. I am very interested in that one. Minister, between 2008—and I know it was not when you were in government—and 2019—

**The Hon. ROSE JACKSON:** A lot of that period they were.

**The Hon. PENNY SHARPE:** —there have been four significant reviews into the child protection system. Obviously there was the Wood report in 2008, but since then there has been Tune, there has been an upper House inquiry and there is Family is Culture. I will leave Family is Culture separate.

**Mr GARETH WARD:** And the royal commission.

**The Hon. PENNY SHARPE:** Correct. There has been some excellent work done by Fams in relation to the recommendations out of all of those reports, which all are remarkably similar.

**Mr GARETH WARD:** I know Julie Hourigan Ruse well; she does a great job.

**The Hon. PENNY SHARPE:** Two-thirds of the recommendations, beyond some small pilots, have never actually been implemented. How do you explain that?

**Mr GARETH WARD:** You mentioned Tune. If we had implemented all of Tune's recommendations, not even he predicted that we would see the entries into care that we are seeing today. In fact, they are lower than he predicted.

**The Hon. PENNY SHARPE:** Yes.

**Mr GARETH WARD:** We have implemented the first recommendation of the Wood royal commission, which was to scrap KiDS, a system that was failing child protection because we now have a first-class system.

**The Hon. PENNY SHARPE:** Sure. I am not arguing the toss with you over what you have done. I am asking what you have not done.

**Mr GARETH WARD:** I am telling you in answering your question, Ms Sharpe.

**The Hon. TREVOR KHAN:** Point of order—

**Mr GARETH WARD:** We have implemented significant reforms in the last 10 years that mean that more children are safer, that permanency is up, that adoptions are the highest they have ever been as open adoptions in the State's history last year, in addition to guardianship, also for Aboriginal children. Those reforms have been significant, they have been systemic, they have been strategic. Have we achieved everything? No. But we are working hard to do even more each year. The results I have outlined to this Committee today explain exactly that.

**The Hon. PENNY SHARPE:** Minister, you stand by the idea that 77,000 kids reported at serious risk of harm is a good outcome?

**Mr GARETH WARD:** Labor's record of 12,000 children seen, versus 35,000, is one you should not be proud of.

**The Hon. PENNY SHARPE:** Mate, you can try those numbers all you like.

**The Hon. ROSE JACKSON:** It is a decade.

**The Hon. TREVOR KHAN:** Point of order—

**The Hon. PENNY SHARPE:** And it was also a third of the number of reports.

**The CHAIR:** Order! Order!

**The Hon. PENNY SHARPE:** A third of the number of reports.

**The Hon. TREVOR KHAN:** This inquiry has gone well with question and answer, certainly not heckling from Ms Jackson. I ask the members to restrain themselves and the matter proceed courteously.

**Mr DAVID SHOEBRIDGE:** To the point of order: If the Minister is going to lead his answer with implementing a 24-year-old recommendation from the Wood royal commission, you have to expect people to arc up.

**Mr GARETH WARD:** Actually I did not. I talked about Tune, Mr Shoebridge.

**Mr DAVID SHOEBRIDGE:** No, you said you implemented the recommendation of the Wood royal commission.

**Mr GARETH WARD:** That was the second point I made.

**The Hon. TREVOR KHAN:** I am not leading with the chin. There is a form to this, and we are all entitled to outrage at times.

**Mr DAVID SHOEBRIDGE:** I accept that.

**Mr GARETH WARD:** I was asked a question in relation to those inquiries and I did mention it.

**The CHAIR:** Order! I find that there is a point of order. Outrage is allowed, as long as it does not interrupt the answer.

**The Hon. ROSE JACKSON:** Is it still in our time?

**The CHAIR:** You have 31 seconds.

**The Hon. ROSE JACKSON:** I take the opportunity to ask one question and because my time is limited I acknowledge straight off the good work the Government did with the Together Home program in the pandemic regarding the temporary accommodation provided to 23,573 homeless people.

**The Hon. NATALIE WARD:** Hear, hear!

**The Hon. ROSE JACKSON:** In answer to questions on notice, the Minister advised that 2,955 of those people were assisted to move into stable housing. What happened to the other 20,618 people, and are we to assume that they have returned to homelessness?

**Mr GARETH WARD:** Firstly, I thank all sides of the House for their support of these homeless initiatives. There has not been a Liberal thing to do or a Labor thing to do; there has just been a right thing to do. We have worked really hard and housed more people as a result of the investments that we have made. I appreciated being out with the Hon. Natalie Ward this week on the second Statewide Street Count, which is part of benchmarking the efforts that we are making to halve and eliminate street sleeping—along with the member for Manly, James Griffin.

**The Hon. NATALIE WARD:** Thank you, Minister.

**Mr GARETH WARD:** I also appreciate all members of the Opposition, including the shadow Minister, who quite genuinely has engaged with me on this issue. I commend the work of Mr Park. No, I do not agree that all of those people have gone back into homelessness. Often people seek temporary accommodation for a very limited time and will find other accommodation, either through family or friends or through resulting in whatever issues have broken down in their lives. There are a range of private rental assistance products, like Rent Choice, Rent Choice Youth, Rent Choice Start Safely. I am the first to acknowledge, as someone who does assertive outreach frequently—in fact, I am with your colleague the member for Newcastle next week with our assertive outreach team in Newcastle, and a member on the Committee, Mr Martin, as the Parliamentary Secretary for the Hunter, and congratulations on your appointment. I have been with the member for Tweed in his electorate and I have been in the City of Sydney with the member for Sydney.

I know, Ms Jackson, you are—as we all are—very passionate about seeing people housed. To get a home has literally—if I can compare 1 April to the end of last year, we saw hundreds of people housed, in fact around 900—I will be corrected if I am wrong—in that period during COVID with all the things that we had to contend with. That is literally years of work from 2017 to 2019 into just a couple of months. Whilst I accept the premise of your question, I do not agree that those people have necessarily ended up back in homelessness. Is there more to be done? Absolutely, there is—particularly in relation to social housing and access to properties in regions where it is really difficult. The nature of Together Home is it is a wraparound service addressing the reasons, the symptoms, why people were homeless. People are not homeless because they do not have a roof over their head; they are homeless because of mental illness or drug and alcohol addiction or family problems.

**Mr DAVID SHOEBRIDGE:** Minister, Ms Jackson's question was predicated on saying what happened during the height of the pandemic was good. Tick. What about the 20,000—

**Mr GARETH WARD:** And I answered that, just simply saying that not every one of those people—in fact, far from it—will fall into homelessness.

**Mr DAVID SHOEBRIDGE:** Have you got the data of those who have fallen back into homelessness and those that have got some long-term, secure accommodation?

**Mr VEVERS:** We do not track every person who comes into temporary accommodation. We do not ask them beyond their period in temporary accommodation. I think that would be something of an invasion of privacy to do that. But I can tell you from experience that the overwhelming majority of those people have a short-term issue, particularly during COVID, that the overwhelming majority of them were able to resolve their own situation. For example, we helped 13,000 people with a loan for their bond to help them get into the private sector. There were multiple cases during COVID of people who had been living with their friends, one of them had to self-isolate and the friend had to leave.

**Mr DAVID SHOEBRIDGE:** I am sorry to interrupt. These are positive anecdotal stories, and I accept that. I accept the work you have done personally. No-one is criticising you—in fact, we are celebrating the work that was done during that time. What we are asking about is when they left the short-term temporary location, what happened? You must have known. You must have had at least some alert if they were going into homelessness. There must have been at least that.

**Mr COUTTS-TROTTER:** The best data source would be the data provided from the Australian Institute of Health and Welfare, which tracks incidents of repeat homelessness within a 12-month period. We will try to pull that data while we have lunch to give you a view. Incidents of repeat homelessness are low and have fallen, I think nationally, which is good news.

**Mr DAVID SHOEBRIDGE:** And happy to get good news, that is fine. Minister, one of the budget outcomes for last year's budget was \$50 million in 2020-2021 to establish a one-off, time-limited Social Sector Transformation Fund.

**Mr GARETH WARD:** Yes, very proud of this.

**Mr DAVID SHOEBRIDGE:** The grant process was meant to be designed in partnership with the sector—

**Mr GARETH WARD:** Yes, and it is.

**Mr DAVID SHOEBRIDGE:** —and applications for funding were meant to be open in early 2020-2021 to support not-for-profits in greatest need.

**Mr GARETH WARD:** It is still early 2021.

**Mr DAVID SHOEBRIDGE:** I think we might have got to the answer, just with that interjection. How much has been handed out, which non-government organisations have been helped, and how much has actually gone to the social sector, as opposed to health services?

**Mr GARETH WARD:** As you mentioned in prefacing your question, we have not had the opportunity to go to tenders yet because we are designing that with the sector. I wanted to get this right. The \$50 million is preserved. There are enormous opportunities. As I am sure all of us who have worked with particularly small and medium organisations in regional areas know, there are great opportunities to take advantage of what they learnt during COVID to implement that as business as usual and I want to make sure we get this right. I appreciate the question. We are not hiding the money. It is definitely going to be out the door. Tenders have not been called yet but that will occur shortly.

**Mr DAVID SHOEBRIDGE:** And do you have a date?

**Mr GARETH WARD:** Not yet.

**Mr DAVID SHOEBRIDGE:** How many of the recommendations in the Family is Culture report have been implemented?

**Mr COUTTS-TROTTER:** There were 125 systemic recommendations and there were about 3,000 recommendations relating to individual children. I can ask my colleagues to check to provide an update on both.

**Ms CZECH:** As of this morning for the individual recommendations, 74.6 per cent complete. We anticipate the remainder will be complete by the end of June. When I say "we anticipate" the reason I express it like that is some children, for example, are subject to restoration and there are some things that have happened in order to make that happen and make sure that it sticks and children do not come back into care. We will not tick off something, complete individual recommendations, until all of the recommendations for a child are complete. For some children, they might have five or six recommendations each. The systemic recommendations, I might hand over to Simone Walker if that is okay.

**Ms WALKER:** Thank you. In November we released the Government response where we had a number of the recommendations highlighted there. So I think we are up to 14 of the systemic recommendations, a number of which have been accepted beyond that and the work continues with the DCJ taskforce, as well the Aboriginal Knowledge Circle. So the establishment of the Knowledge Circle itself was one of the recommendations.

**Mr DAVID SHOEBRIDGE:** One? So far you have identified one recommendation that has been implemented?

**Ms WALKER:** I am more than happy to keep going with the other recommendations that have been implemented, yes, absolutely.

**Mr DAVID SHOEBRIDGE:** I have got a tally: one.

**Mr GARETH WARD:** There are much more than one.

**Ms WALKER:** Just to be clear, I said 14—so that is 11 per cent of the recommendations have already been completed. Knowing the nature of this review went over a considerable period of time, again, it goes to my colleague Paul O'Reilly's comments that we do not wait for the review necessarily to be finished for us to take corrective action on a whole range of issues. So there was already work underway. As I said, 44 of the recommendations have been accepted and you would also be aware that 24 of the recommendations will be considered in 2024 as part of the consideration of legislative change.

**Mr DAVID SHOEBRIDGE:** All right. There is a raft of recommendations that were accepted in principle.

**Mr GARETH WARD:** Yes.

**Mr DAVID SHOEBRIDGE:** None of which seem to have been progressed towards implementation.

**Mr GARETH WARD:** Which ones?

**Mr DAVID SHOEBRIDGE:** I cannot think of a single one that was identified as accepted in principle that I have seen implemented by the department. I could be wrong.

**The Hon. PENNY SHARPE:** I do not think you are.

**The Hon. TREVOR KHAN:** Say it dogmatically enough and everyone will believe you.

**The Hon. PENNY SHARPE:** No, I think he is right.

**Ms WALKER:** I am more than happy to come back this afternoon and work through each of the recommendations of where we are up to.

**Mr DAVID SHOEBRIDGE:** Minister, are you sticking to your position that there will be not a single statutory reform consistent with any of those 16 recommendations for statutory reform—not one of those will be progressed until the next Parliament?

**Mr GARETH WARD:** All of those reforms related to things that were recently legislated with a position established by the Government. I thought that it was not the best thing to rip up the whole system and start again when there was a statutory review process as part of those reforms that was on track to occur once we have seen whether or not they have worked.

**Mr DAVID SHOEBRIDGE:** One of the reforms related to a restriction on the Ombudsman that has been there for over a decade and a half which prevents the Ombudsman from handling complaints in matters that are before the Children's Court. That is not a new restriction; it has been there, from my knowledge, for at least a decade and a half. The Ombudsman said that that would be of assistance in a whole series of cases. The Family is Culture report said it would be of assistance in a whole series of cases. Everybody wants this to happen but you have just pressed "stop" on it until the next Parliament. Why?

**Mr GARETH WARD:** As I mentioned earlier, that was one but there is a range of things that are tied up with other legislative change and I felt that it was better not to say "no" but to look at them in the context of reviews that will take place that affect those issues at that time.

**Mr DAVID SHOEBRIDGE:** Minister, in the past year—be it the past financial year or the past calendar year, both datasets if you can—how many guardianship orders were made by consent? And you would expect me to ask: How many of those relate to Aboriginal and Torres Strait Islander children?

**Mr GARETH WARD:** I can tell you that guardianship orders for Aboriginal people were up over 30 per cent. Permanency overall, actually we saw an 8 per cent increase for Aboriginal people. I will make sure that we get the numbers.

**Mr COUTTS-TROTTER:** We may have to deal with that this afternoon, if that is okay?

**Mr DAVID SHOEBRIDGE:** All right. Obviously I will then ask: Of those guardianship orders in relation to Aboriginal and Torres Strait Islander children, how many were for non-Aboriginal carers?

**Mr GARETH WARD:** Yes. I think it was in the 70—

**Mr COUTTS-TROTTER:** No, no. The overwhelming majority were Aboriginal carers.

**Mr GARETH WARD:** Yes, it was a very small percentage. I will take that on notice.

**Mr DAVID SHOEBRIDGE:** How many Aboriginal and Torres Strait Islander children in New South Wales were adopted last year?

**Mr COUTTS-TROTTER:** Twenty-seven over the past 10 years. I will confirm that number for you right now.

**Mr GARETH WARD:** I have found some numbers.

**Mr DAVID SHOEBRIDGE:** Then I will ask of those adoptions how many, if any, were to non First Nations families?

**Mr COUTTS-TROTTER:** In the past year, I will have to confirm that.

**Mr GARETH WARD:** So 419 children in out-of-home care exited to guardianship. Of those, 172 were Aboriginal children—that is 41 per cent. As of 30 June 2020, 3,267 children and young people were under orders of guardianship—an increase of 7 per cent on the previous year. Of those, 1,144 were Aboriginal, representing 35 per cent of all children in guardianship arrangements. In 2019-20 there were 162 adoptions from out-of-home care in New South Wales and that is an increase of 20.9 per cent. Of these, seven were Aboriginal—which is 4.3 per cent of the total.

**Mr DAVID SHOEBRIDGE:** Were any of those seven children adopted by non-Aboriginal parents?

**Mr GARETH WARD:** I will take that on notice.

**Mr COUTTS-TROTTER:** Yes, I will just confirm that for you.

**Ms CZECH:** I have an answer to that. For 2019-20, as the Minister said, seven Aboriginal children were adopted. The adoptive parents' culture—of that seven, two were Aboriginal.

**Mr GARETH WARD:** Can I just add to that? Over the past 10 financial years there were 30 adoptions of Aboriginal children and young people, or 3 per cent of all adoptions from out-of-home care. Of the 30 children and young people, 15 provided their sole consent and they were over 12 years of age.

**Mr DAVID SHOEBRIDGE:** So 30 in the past decade, seven in the past year and almost 75 per cent of the adoptions in the past year were to non-Aboriginal families?

**Mr GARETH WARD:** Yes.

**Mr DAVID SHOEBRIDGE:** The Aboriginal and Torres Strait Islander community opposed the changes to the law to allow for adoptions of Aboriginal kids to be made without the consent of the parents or by any bureaucrat or by any court. That is because they were concerned that the majority of adoptions would, as history has shown, go to non-Aboriginal families. In the first year we see this big increase—almost three-quarters of the adoptions have gone to non-Aboriginal families. What do you say to the Aboriginal and Torres Strait Islander community that said "Don't do this? You'll take our kids from us. You've done it in the past."?

**Mr GARETH WARD:** I would say, like you, I am deeply conscious of the very strong, rightful feelings of Aboriginal communities and people because of the appalling treatment they received. But Mr Shoebidge I would say that only two adoption applications of those 30 were contested. If you want to see the files of the abuse, the neglect and the exploitation of those children, and you are telling me that you do not think that they deserve a safe and loving home and that somehow that is a reflection, then I totally and absolutely disagree with you.

**Mr DAVID SHOEBRIDGE:** Minister, at no point did I make that observation and it does you no credit to suggest I did. The observation that I make, and I would ask you to respond to, is the First Nations community said, "If you open up adoptions for our kids they will again be taken by non-Aboriginal families. They will again be taken out of country. They will again be taken out from our culture like happened in the past." And in the past 12 months almost 75 per cent of Aboriginal kids adopted under your watch went off country, went out of their culture and got adopted by non-Aboriginal parents. What do you say to the community who said this would happen and said "Don't repeat history."?

**Mr GARETH WARD:** I would say that to try to compare the permanent placement of Aboriginal children with loving families with the Stolen Generation is a terrible, terrible comparison.

**Mr DAVID SHOEBRIDGE:** Minister—

**The Hon. TREVOR KHAN:** I will take the point of order: David, you asked for an answer; He is entitled to finish it.

**Mr DAVID SHOEBRIDGE:** Had you finished, Minister?

**Mr GARETH WARD:** I would go on to say that there are additional safeguards in the law to protect Aboriginal children. We also have open adoption in this State and have had for quite some time. It has been bipartisan policy to make sure that we keep kids connected to family and culture. I appreciate your support of Aboriginal families and also the changes we made in relation to integrated birth certificates so that we can have greater clarity and transparency and lift what some would say is the veil of secrecy around adoption. But I do not agree with your contention in relation to this. You and I have a very different view, and we have discussed this here before. I respectfully disagree with you. I think that adoption is a beautiful thing for those who have secured it through the Supreme Court, which approves it. We do everything we can to make sure we find Aboriginal families and kids. I know that we can always do better but these children are receiving the safety and security that every child deserves. That is something that should be celebrated.

**Mr DAVID SHOEBRIDGE:** Minister, the majority of these Aboriginal children are being taken from their culture. That is the point you are failing to address. You talk of loving families; they made the same rhetoric when they took Aboriginal kids in the fifties and the sixties. The issue at stake here is that they are being taken from culture. They are being taken from the longest continuous culture on the planet and put with non-Aboriginal families. That is what you are refusing to address, Minister. You just say it is all okay.

**Mr GARETH WARD:** Mr Shoebridge, you and I have a different view in relation to this. I have simply said that of course we want to see Aboriginal kids connected to culture. That is why we have open adoption, that is why we have introduced integrated birth certificates and that is why we will continue to make sure that as a feature of our legislation there is appropriate cultural planning prior to the Supreme Court—not me, not the secretary but the Supreme Court—making that decision.

**Mr DAVID SHOEBRIDGE:** Of the case reviews that were undertaken of kids in out-of-home care in 2019-20, how many considered the potential for successful restoration?

**Mr COUTTS-TROTTER:** I will take it on notice. I can give you the current data on the permanency goals for children. There were around 2,092 children at the end of December that had as a goal restoration, guardianship or open adoption. The majority had restoration as a goal; that was over a thousand children. Guardianship was 881 children and adoption was 209 or 210. The share of children with restoration as a goal who were Aboriginal was around 46 per cent.

**Mr DAVID SHOEBRIDGE:** How does that 46 per cent for Aboriginal kids compare to non-Aboriginal kids?

**Mr COUTTS-TROTTER:** In terms of their representation within the child protection system?

**Mr DAVID SHOEBRIDGE:** Yes.

**Mr GARETH WARD:** Restoration is always considered as a—

**Mr DAVID SHOEBRIDGE:** Let me get this clear. The question I attempted but think I failed to ask was the proportion of Aboriginal kids where there is a case review that identifies the potential for successful restoration—

**Mr GARETH WARD:** Restoration is always a goal.

**Mr DAVID SHOEBRIDGE:** —as against non-Aboriginal kids where they identify a pathway to potential restoration.

**Mr COUTTS-TROTTER:** Restoration is considered for every child as part of the permanency hierarchy under the legislation. Are you asking where we triggered a review through our non-government partners of the permanency goals for kids in non-government supported care?

**Mr DAVID SHOEBRIDGE:** Yes.

**Mr COUTTS-TROTTER:** Okay, I will get that data for you.

**Mr GARETH WARD:** Can I just add to that? Restoration and guardianship accounts for almost all Aboriginal children exiting to permanency outcomes in 2018-19 and 2019-20. Between 2018-19 and 2019-20 there was a 21 per cent increase in restorations for Aboriginal children.

**Mr DAVID SHOEBRIDGE:** But we will get that relative data comparing Aboriginal kids in care as against non-Aboriginal kids in care and the proportion that get restored.

**Mr COUTTS-TROTTER:** Just to be really clear what we are getting: We asked non-government organisations providing care to work with us to review the permanency goal for the children in their care and, where possible, reconsider restoration.

**Mr DAVID SHOEBRIDGE:** Correct.

**Mr COUTTS-TROTTER:** Okay, we will get that data.

**The Hon. PENNY SHARPE:** And just to be clear on that, there is still a significant number of children and young people who are under DCJ and not transferred over. Can we get that data as well?

**Mr COUTTS-TROTTER:** Yes, we can. Most of the children in our care are with relatives and kin, as you know.

**Mr DAVID SHOEBRIDGE:** Minister, how many—and if you can, what proportion—of Aboriginal and Torres Strait Islander children in out-of-home care are placed in relative or kinship care? Do we know—

**Mr GARETH WARD:** I think it is 74—

**Mr COUTTS-TROTTER:** No.

**Mr DAVID SHOEBRIDGE:** Why don't I just give the cascade of questions and then that might answer it?

**Mr GARETH WARD:** I might take them on notice.

**Mr DAVID SHOEBRIDGE:** I would hope we have the figure here.

**Mr COUTTS-TROTTER:** No, we can come back this afternoon. Sure.

**Mr DAVID SHOEBRIDGE:** How many were placed in relative or kinship care? Of those children, how many and what proportion are placed in relative or kinship care with Aboriginal and Torres Strait Islander members of their family? How many and what proportion are placed with Aboriginal and Torres Strait Islander foster carers? How many and what proportion are managed by an Aboriginal community controlled organisation? I think that is the set of questions.

**The Hon. TREVOR KHAN:** Are you able to give Mr Coutts-Trotter that piece of paper?

**Mr DAVID SHOEBRIDGE:** I can, yes.

**Mr COUTTS-TROTTER:** We have got those data.

**Mr GARETH WARD:** The Australian Institute of Health and Welfare shows that at 30 June 2019 some 72.8 per cent of Aboriginal children in out-of-home care in New South Wales were living with Aboriginal or non-Aboriginal Indigenous relatives or kin or other Aboriginal caregivers. This comprises a national proportion of 63.1 per cent. The New South Wales result was second only to Victoria.

**Mr DAVID SHOEBRIDGE:** Minister, The Home Stretch campaign is now two years on. Is there any review happening internally about the costs or the efficacy of implementing that Home Stretch campaign, which is staying in care for 18- to 21-year-olds?

**Mr GARETH WARD:** As we discussed earlier I am always open to doing all that we can to make the care-leaving experience a better one to give kids the best possible start. We all know that outcomes from leaving care are sometimes not as good as everyone else. In fact, that is just a fact—

**The Hon. PENNY SHARPE:** Are mostly terrible.

**Mr GARETH WARD:** That is just a fact. Well, I would not say "mostly terrible". I would disagree—

**The Hon. PENNY SHARPE:** For some of the stats they really are.

**Mr GARETH WARD:** I would disagree that they are mostly terrible. I think we can always do better—

**The Hon. PENNY SHARPE:** Alright: often terrible.

**Mr GARETH WARD:** But I would say that a lot of the things that—

**The Hon. PENNY SHARPE:** Too often terrible.



**Mr GARETH WARD:** —Home Stretch are doing are simply pushing down the road the issues that children and young people will have in their lives and the experiences they will have, rather than investing in that young person—

**The Hon. PENNY SHARPE:** Minister, these are children—

**Mr DAVID SHOEBRIDGE:** No, sorry Penny. This is my question.

**The Hon. PENNY SHARPE:** I know. Sorry.

**Mr DAVID SHOEBRIDGE:** I get your frustration.

**Mr GARETH WARD:** I do not agree that simply raising the foster care leaving age—

**The Hon. PENNY SHARPE:** "You turn 18 and we will boot you out the door but we are just stopping you three years earlier."

**The Hon. NATALIE WARD:** Point of order—

**The CHAIR:** Order!

**Mr GARETH WARD:** —is the only answer to this particular situation. It is one answer. As I stated earlier—

**The Hon. PENNY SHARPE:** Sorry. I will be quiet.

**The CHAIR:** No soliloquies from members.

**Mr GARETH WARD:** —in my evidence, under this Government we are seeing more children than ever before supported while leaving care as a result of our reforms. More investment has been made than ever before.

**Mr DAVID SHOEBRIDGE:** We are going to get some of that data and explore it more afterwards, but you said in an earlier answer that the research shows that you are just kicking it down the road. What, if any, research—

**The Hon. TREVOR KHAN:** Has his time expired?

**Mr DAVID SHOEBRIDGE:** —can you point us to?

**The CHAIR:** No, he is coming to the question.

**Mr GARETH WARD:** I have had advice provided from the department that highlighted research that indicated that often things like homelessness are simply delayed rather than actually resolving the issues that relate to that child.

**Mr DAVID SHOEBRIDGE:** I am asking if you can table that advice.

**Mr GARETH WARD:** It is in a briefing note. I am not going to get into the habit of tabling briefing notes.

**Mr DAVID SHOEBRIDGE:** Table whatever. Provide whatever advice you have.

**Mr GARETH WARD:** I am happy to take it on notice and I will respond.

**The Hon. TREVOR KHAN:** I have no questions.

**The Hon. NATALIE WARD:** I do, unsurprisingly. One question.

**The CHAIR:** Okay. You have got 15 minutes—sorry, 13 minutes.

**The Hon. TAYLOR MARTIN:** It has got a long lead-in.

**The Hon. NATALIE WARD:** I will take one minute. Thank you, Minister, and all your team for your attendance today. Would you kindly convey a message on my behalf to thank all of your teams that sit behind you and in the department for their incredible work? I think the level of robust enthusiasm displayed by members today demonstrates our care and concern, but I was just interested in your contribution and I thank all those people who got through COVID and got the people that you care about through COVID. I thank all of them for their very hard and disciplined work, and for attending today. Thank you for answering the questions of Committee members, who are just as passionate about it.

**Mr GARETH WARD:** There is no doubt that this agency has some of the most challenging work. But I could not be prouder, Ms Ward, of the people who sit at the table here with me but, most importantly, the people who are on our front line who do an incredible job every day. I know that all members would agree with that. There are always things we can do better. I am the first to acknowledge that the system always needs change and reform. We are on this journey together and I look forward to continuing to work with each of you.

I note that just about everyone around this table has conversations with me privately about these issues. I know that everyone is passionate. We are all trying to do the best that we can. I appreciate that many of you take the opportunity to speak with me privately about issues of concern and work in a very professional way, particularly my shadow Ministers. I do greatly appreciate their genuine interest but also I feel an incredible amount of support from the Government members that also want to see better outcomes for vulnerable people, but particularly the staff, who do a sensational job. I am sure we can all agree with that.

**(The Minister withdrew.)**

**(Luncheon adjournment)**

**The CHAIR:** Opposition, questions?

**The Hon. PENNY SHARPE:** Okay.

**Ms CZECH:** Here we are.

**The Hon. PENNY SHARPE:** Thank you for coming back. I wanted to go back to the child death report issue.

**Mr COUTTS-TROTTER:** Yes.

**The Hon. PENNY SHARPE:** You would be aware that I have tried on notice to get further breakdowns. The response I received from the Minister's office referred me back to the report, which is fine, but it does not actually give me the detail that I was seeking. I am trying to understand the nature of the closure of cases for the 97 children who died. You may not be able to give it to me now but if I could ask for that? I am trying to get whether their cases had been closed. There is some information in the report—there is no doubt about that—but I think there were 33 of the under fives who had had their case closed. I am just trying to get an understanding of what their status was, within the 97, in relation to an open or closed case. The report provides some of it but it is not broken down.

**Mr COUTTS-TROTTER:** So whether a case was closed—

**The Hon. PENNY SHARPE:** And in what time frame.

**Mr COUTTS-TROTTER:** —and the reason for the case closure.

**The Hon. PENNY SHARPE:** Yes.

**Mr COUTTS-TROTTER:** Okay.

**The Hon. PENNY SHARPE:** I do not expect you to have that here.

**Mr COUTTS-TROTTER:** No. Understood.

**The Hon. PENNY SHARPE:** That would be good. As I said, the second question which we touched on earlier this morning was the issue around the Serious Case Review Panel and the recognition that there are issues around case allocation and closures, and that needs to be reviewed. You sort of started to outline what it was. Could you just give me a bit more of an update of the sort of what that looks like?

**Mr COUTTS-TROTTER:** I may ask Ms Czech to respond.

**Ms CZECH:** Yes, and I might need to hand over to my colleague Simone Walker, but the relevant policy in respect of this issue is the triage and assessment guidelines.

**The Hon. PENNY SHARPE:** Yes.

**Ms CZECH:** That is currently in review. I will get Simone Walker to update where we are up to on that.

**Mr COUTTS-TROTTER:** Okay.

**Ms WALKER:** So, yes: The triage and assessment mandate—I am sorry, I am just reading off my phone—is currently being reviewed.

**The Hon. PENNY SHARPE:** That is okay. So it is currently called the triage and assessment mandate, is it?

**Ms WALKER:** The triage and assessment mandate, yes. So the mandate is the piece of information that our caseworkers look to to guide their decision-making and their practice. So it will be completed after June 2021. The progress to date—so we have engaged with the key stakeholders linked with the coronial recommendation. There was a specific recommendation that had come out about amending policies that deal with the allocation of a ROSH report, that had been assessed as a triage, as requiring a caseworker.

**The Hon. PENNY SHARPE:** That was a result partly of the coronial inquiry.

**Mr COUTTS-TROTTER:** It was.

**Ms WALKER:** As a result of that, yes.

**The Hon. PENNY SHARPE:** Which one was it, do you know?

**Mr COUTTS-TROTTER:** It is two fifteen.

**Ms WALKER:** We might provide the detail for you out of session

**Mr COUTTS-TROTTER:** It was Deputy Coroner Grahame, I think. We can get the details.

**Ms WALKER:** Yes. I think it definitely was Coroner Grahame, and there is more detail there that I probably might be better providing to you.

**The Hon. PENNY SHARPE:** No, that is fine.

**Ms WALKER:** It is just an outline of the recommendation and our response to date.

**The Hon. PENNY SHARPE:** That is great. As I said, pursuing the issue around case closure and the numbers, do you track from your community services centres [CSCs] the number of cases closed due to competing priorities. Is there a figure put on that?

**Mr COUTTS-TROTTER:** Yes. We have tried to get it. We have not got it yet. We will provide it to you on notice.

**The Hon. PENNY SHARPE:** Can you provide it by district?

**Ms CZECH:** Yes, we can. I might just add that each of our districts and our community services centres now use what we call a resource management dashboard. That dashboard has a whole range of data in it but it is in part a workload management tool. It has the ability for managers to use it to determine capacity—where they can allocate a new report. The feedback from our managers is that they love that system. It is relatively new. When I say "relatively new", we have had it for probably three or four years now but that goes a long way to supporting them in what is often a very challenging position.

**The Hon. PENNY SHARPE:** Certainly. It is awful. Just to follow up on that, my understanding is that you have been trialling—I think it is in the Northern Rivers around Tweed and co where you have been doing some early triage through the helpline.

**Ms CZECH:** Yes, that is right.

**The Hon. PENNY SHARPE:** And I did notice that there numbers in terms of actually seeing kids has risen. What is the status of that project?

**Ms CZECH:** It is still going.

**Mr COUTTS-TROTTER:** Yes. I should not mansplain. I will leave it to you.

**The Hon. PENNY SHARPE:** So is it ongoing or is it a sort of a trial?

**Ms CZECH:** Yes. Initially it was a trial through Their Futures Matter as was the collaborative support pathways. We have expanded it. It was originally in two CSCs, or community services centres, in northern. It has expanded throughout the district. We are currently exploring further expansion around the State. That is a work in progress. What we did see—and you are right in describing it as the further follow-up work that the helpline do particularly with mandatory supporters but also any support services that might be working with a family, or might be able to work with a family—we saw a 20 per cent reduction during the trial period and the number of risks of significant harm reports for that particular district. What that meant was that the work that was going out

to the district after the helpline had assessed the information meant that they could more easily just go out and visit children and conduct an assessment. So you see that reflected in what we call their face-to-face numbers.

**The Hon. PENNY SHARPE:** So it does not mean that the helpline assessments mean that there are fewer children being—

**Mr COUTTS-TROTTER:** No.

**The Hon. PENNY SHARPE:** Because my understanding—I might be wrong: Please let me know—is that a call comes in and there are tools that are used by the staff of the helpline, and that is where the initial assessment is, which is yes this child is at risk of harm and then it is sort of given to the districts and they then work their way through and triage that through the process. So when you are saying that there are fewer kids at risk, is it more that actually they get to go out and they are doing an assessment and going, "Actually, no, this child is safe."

**Ms CZECH:** Yes. That is correct. The best way to describe it in very simplistic terms is that there is some further follow-up at the helpline to really get good information about whether the child is at risk of significant harm or not. That arms child protection caseworkers in the field with the information they need just to go out. They do not have to do any further triage or anything like that. They are able to go out and whether it is interview a child or talk to a parent and make sure that they are safe, or not for that matter.

**The Hon. PENNY SHARPE:** Sure. I am quite interested in this. I mean, you know that I am concerned about the number of reports versus the number who are seen. Are you able to provide—and I did ask a question about this idea that you could change the numbers to sort of imminent risk of harm, and you say there is nothing happening with that.

**Mr COUTTS-TROTTER:** No.

**The Hon. PENNY SHARPE:** I am very pleased to hear that, but I am worried that the system default essentially is imminent risk of harm in terms of how many kids you can get to. If you are running at 30 per cent, as I said I do not for a minute question the difficult decisions that caseworkers have to make every day; it is very stressful. But I am wondering what the data is, and I do not think this is in the statistical report—again, you can correct me if I am wrong. You talk about how there is a "must be seen within 24 hours" and then there is sort of three days and then 10 days. Are they the three?

**Mr COUTTS-TROTTER:** Yes, 72 to 10 days.

**The Hon. PENNY SHARPE:** What are you able to provide to me in terms of a breakdown by community services centres on that?

**Ms CZECH:** We can take that on notice, absolutely.

**The Hon. PENNY SHARPE:** If you could provide that, that would be—

**Ms CZECH:** That data is available; we just do not have it here today.

**The Hon. PENNY SHARPE:** No, that is completely fine. On the issue of mandatory reporting and the increase in reports, I am aware that there has been quite a lot of work done, it seems to me, with police and teachers and others around it. It was mentioned quite a bit this morning, but I do not know whether I was hearing it correctly. Is there a concern that the non-government sector is over-reporting as mandatory reporters? Is there a concern about over-reporting and if so where is that coming from?

**Mr COUTTS-TROTTER:** We know that one in two reports to the helpline are not screened in, so we know that going to the helpline is probably not the best option to find support for that child and that family. We are trying to work with child wellbeing units in our major mandatory reporting agencies—health, education, police—and also working with non-government partners to try and identify what it is that is causing people to report to the helpline. Are they applying the tools that are available to mandatory reporters to try and make better judgements and do they know about the services and supports that are available locally? We are trying to reduce—

**The Hon. PENNY SHARPE:** But that is getting the overall number down—the 216,000. It is just like stopping people reporting when it is clearly not going to meet the thing.

**Mr COUTTS-TROTTER:** No, which is really important. Secondly, the trial in the north of New South Wales that you were talking about revealed that if more time was taken at the helpline to better understand the context, talk to relevant people, in essence bring local knowledge to bear, around 20 per cent of reports that otherwise would have been screened in at ROSH were not because it was clear that there were really quite

appropriate supports in place for a child and the family. Obviously that is interesting because we want to see if we can do more of that so that child protection practitioners have greater confidence in the reports that go to a local level, do not spend time reviewing and re-reviewing and are just able, with confidence, to respond. What happens at the moment is that there is a re-review at a local level of a decision made in the helpline. That is appropriate to a point but we think there is an opportunity there for us to reduce the extent to which community services centres feel they need to do that so they can make better use of their time.

The backdrop to this is increased sanctions for people who do not actively address concerns of child safety, and that really comes out of the experience of institutions that actively protected the reputation of the institution by moving perpetrators and not sharing information. It is the sort of hard end but it does put additional pressure on people—"Oh, gosh, when in doubt, maybe I should report so I have got a record of reporting." That is just an understandable human reaction. Then we have got the eReport channel which is now accounting for, as I said, 45 per cent of our reports. The issue with the eReport channel is that it does not always capture enough information—

**The Hon. PENNY SHARPE:** I am not really familiar with it, but the frustration was always that you could be on the phone for hours so I am assuming that they can just go onto it and there are fields and they can make a report.

**Mr COUTTS-TROTTER:** We have learnt from using it for a couple of years now that we need to change it in ways that give us greater confidence we are capturing the right information for the helpline to make a better decision about whether a child is at risk of significant harm. No-one actually knows the prevalence of abuse and neglect of children in Australia; it is not something research has been able to pin down. We know the prevalence of reporting. We want to make sure that the reporting is purposeful and we also want to make sure that the screening we do accurately identifies those children that need a statutory response. So it is not about changing the threshold; it is not about trying to game numbers. It is about trying to understand where we can clarify things for reporters and for our staff so we know the children who have got to get the highest priority response from us in our statutory function.

**The Hon. PENNY SHARPE:** Thank you for that; that has actually been helpful. I do want to go back to this Collaborative Support Pathways pilot. It has been mentioned in a few places and, as I said, really the only information I have been able to work out is that it was a Their Futures Matter project. I am not sure what the time frame for that was. It made the claim that all kids that were assessed at ROSH were referred and it was around 4,000 children—again, I am not sure over what period. I am really just trying to get a handle on where that is up to.

**Ms CZECH:** The Collaborative Support Pathways project is in its second year, so it is continuing.

**The Hon. PENNY SHARPE:** When did it start?

**Ms CZECH:** Oh, God. So, 2019?

**Mr COUTTS-TROTTER:** Yes, 19.

**The Hon. PENNY SHARPE:** At the beginning of the year?

**Ms CZECH:** I would have to come back—

**The Hon. PENNY SHARPE:** You can take it on notice. I am just trying to understand how long.

**Ms CZECH:** Yes. It is in its second year. Its intent or purpose very much was that every child who is reported at risk of significant harm either receives a statutory assessment from DCJ or one of the services that are in south-western Sydney actually provides support to that family. I have not got the data with me, but I am happy to provide it on notice about how many children we are getting to. What I do know is that the number of face-to-face assessments that a DCJ caseworker was able to assess had gone up, but we were also able to get a significant additional number of children reported at ROSH seen by an NGO. But I can provide that on notice.

**The Hon. PENNY SHARPE:** That is great. What I am specifically interested in is: During that time was every child captured? How many kids were actually reported at ROSH? Even if we had 4,000, was that an underestimate? It seems a bit low to me but I am not sure of the time period. There is a referral to service but what is the follow-up and monitoring about whether someone actually gets a service?

**Ms CZECH:** As part of the project, each week DCJ and the service providers come together. They go through every single referral that we have got, or report, and decisions are made as a group about which way we are going to go with particular matters. The best indicator, if you like, of effectiveness is our re-report rate. For

south-western Sydney—and I would have to come back to you unless we can find the figure quickly—it is much lower than any other district.

**Mr COUTTS-TROTTER:** They are already at or below the 32 per cent re-report target, so it is a standout.

**The Hon. PENNY SHARPE:** That is very good.

**Ms CZECH:** But there is also an avenue if a service is concerned about what they might find when they go out for it to be fed back in to that panel-type concept that meets, like I said, each week.

**The Hon. PENNY SHARPE:** The services that you are referring to—I do not need a list of them, service by service—what type of service are they?

**Ms CZECH:** Typically, services we fund in family preservation and child protection—so multi-systemic therapy and functional family therapy for example—but some family support services. There is disability services often. Again, I can give you a list on notice of—

**The Hon. PENNY SHARPE:** I do get some reports from Community Services. This traditionally has not been their work and there are some concerns about being asked to pick up these children and young people or interact with families that they have not necessarily had any history with. They do not have any statutory power. They knock on the door, the family tells them to go away and what happens next. If you can give me any info about that, that would be great.

**Ms CZECH:** No problem.

**The Hon. PENNY SHARPE:** We have talked a little bit on the extended care issue. Are you able to point us to this idea that there is this research that extended care somehow just kicks the problem down the road? Can you point us to the report for the advice that was provided to the Minister?

**Mr COUTTS-TROTTER:** Obviously the Minister had a view about a briefing note, but we are trying to get advice and maybe we can respond on notice to identify the research base from which a briefing note was drawn. So we will point you to the research.

**The Hon. PENNY SHARPE:** Yes, that is what I am asking. You would be aware that there is a lot of research about—perhaps "majority" is wrong—the significantly poor outcomes for many kids leaving care and the level of support they receive. I have asked questions about the aftercare numbers and the expenditure. It is the first time we have received that information, so I am very happy about that.

**Mr COUTTS-TROTTER:** We can give you more if you want.

**The Hon. PENNY SHARPE:** I would like you to give me more because what I am trying to ascertain—the numbers have been going up but how many of those are counted twice? How many individual young people are counted? A young person might have started to get it at 18 who is now 19 or 20—I am trying to get that breakdown about how many—

**Mr COUTTS-TROTTER:** Okay.

**The Hon. PENNY SHARPE:** I am trying to match up the number of kids leaving care with the number getting support. I am trying to get more information on the variance in the report. Based on those figures, on average, it is \$4,700 per person but I know that is not accurate at all because I know there are different arrangements for different young people.

**Mr COUTTS-TROTTER:** And there is a subtle but important distinction between a child who turns 18 and therefore leaves formal care, and a child who turns 18 and needs to leave home.

**The Hon. PENNY SHARPE:** Correct.

**Ms WALKER:** And also to make the distinction as well, we have the nine aftercare specialist support services that are service provision.

**The Hon. PENNY SHARPE:** That is essentially casework, isn't it?

**Ms WALKER:** Yes, casework and support.

**The Hon. PENNY SHARPE:** There is not really brokering [technical malfunction] attached.

**Ms WALKER:** No. So there is that part and then there is the packages. Under the broader PSP there are leaving care packages, and that was for 1,400 young people.

**The Hon. PENNY SHARPE:** Is that what that figure is? Do they include those?

**Ms WALKER:** More than 1,400 young people benefited from leaving care packages to develop and implement leaving care plans. That was a total of \$2 million in 2019-20, and 500 young people were assisted with the 15+ Years Old Reconnect Package to develop what we call their "forever network of support", which totalled \$1 million. The service provision itself—there may well have been young people who received service from an aftercare service as well as a package. It would take a bit of digging to make sure that we are looking at—

**The Hon. PENNY SHARPE:** I am trying to uncouple that because, as I said, we have not had these figures before.

**Mr COUTTS-TROTTER:** Okay.

**The Hon. PENNY SHARPE:** They get a package but what is the nature of the package? I have spoken to a lot of carers and fewer young people, because they are obviously harder to talk to, but I talk to a lot of kids post-care and there seems to be an incredible mismatch between what they need and the ease with which they can get the support that they ask for. I am concerned that too many times the story that is told to me is, "No, I got no support at all and I am basically homeless" or "Yes, I got some support but it took nine months. I had this great caseworker who was tenacious and fought the system and eventually I got help with my TAFE fees" or things like that. I am trying to get a handle on it.

My attraction is obviously after examining the kinds of things that are happening in Victoria, where they have just said, "Look, we are just going to bite the bullet and say \$10,000 for three years guaranteed with your caseworker," whether it is housing—given that the Minister was very strong on the idea that the New South Wales system is better, which I disagree about and about which you do not have to comment—what is the difference and what is better in terms of what New South Wales is doing?

**Mr COUTTS-TROTTER:** One thing that we think has been effective is the Premier's Youth Initiative, which tried to identify young people prior to them turning 18 who we thought were at risk of homelessness. That is around \$11.2 million per year for 446 young people. That includes accommodation and wraparound supports. The evaluation of that has really been very positive.

**The Hon. PENNY SHARPE:** That is good.

**Mr COUTTS-TROTTER:** It is not universal. It is targeted and based on an assessment of the risk of a young person becoming homeless, but it seems to be a very effective response to that risk.

**The Hon. PENNY SHARPE:** I think that is good. I am interested in whether we do—my understanding of the Victorian decision-making was very much, "Yes, we have done the pilots and these things all work" and at the end of the day they said, "You know what, let's just make this universal because we want the outcomes." We will wait and see. It has obviously just started, but that is what I am trying to get to the bottom of.

**Ms WALKER:** When you look at the list of supports—the reconnect packages, care leavers receiving fortnightly aftercare allowance for some of those young people depending on their circumstances and post-education financial support—what you see is a targeting. I think that goes to the Premier's Youth Initiative and that may be the distinction. I think what we worry about—

**The Hon. PENNY SHARPE:** But also it is another systemic maze for young people to have to go through.

**Mr COUTTS-TROTTER:** That is right. The positive is that it takes finite resources and hopefully targets them to the young people who need them the most. The negative is that the moment you have targeting you have rules and access, and there are people who inevitably find it difficult to negotiate the systems we establish. So if you go with a universal position—of course, it is arguable that you could and you should—it costs more and it will put money in the hands of some people who, based on risk, will not need it. We have a targeted system but it comes with its risks as well.

**The Hon. PENNY SHARPE:** It is impossible for me—and I am sure it is quite difficult for you—to work out exactly how many young people are getting support and what that looks like. It seems it is very difficult. Anyway, we could talk about that for hours but I won't. I wanted to ask a question about the Targeted Early Intervention [TEI] program.

**Ms WALKER:** Yes, that is me.

**The Hon. PENNY SHARPE:** My understanding is that there used to be about 550 funded organisations and there is now about 510. Is that correct?

**Ms WALKER:** My latest figure is 514 service providers with 716 contracts. They were re-contracted—and I have to say all credit to not just the providers but also our district people—during the COVID period.

**The Hon. PENNY SHARPE:** Yes, I know.

**Ms WALKER:** So for 30 June 2020 that was quite extraordinary.

**The Hon. PENNY SHARPE:** Everyone was very happy about that. There are 514 but my understanding is that there was around 550 service providers. That means that there are about 36 missing. What has happened to those 36?

**Ms WALKER:** The dollar value of all the contracts remains the same. What we have over time is a combination of services, some services wanting to hand back funds and other services taking over other contracts. With that level of variation from 550 to 514—and I will check the previous number—we could look at what the themes are in that reduction.

**The Hon. PENNY SHARPE:** So they hand back their contract. So are you saying that the level of funding for TEI, whether there are 550 or 500 service providers, remains the same?

**Ms WALKER:** Yes, \$161 million.

**The Hon. PENNY SHARPE:** So the amount available for the program is the same. Does it mean that the money for those 36 service providers has been moved elsewhere?

**Mr COUTTS-TROTTER:** No.

**Ms WALKER:** No. It is usually recommissioned either with existing service providers or through a—we would prefer not to do a big open tender. There are lots of issues around that, so we often do select tenders or go directly to providers in those circumstances. But I will double-check the original number.

**The Hon. PENNY SHARPE:** You may need to take this question on notice: How much were the total contracts of the 36 service providers and what has happened to them? I am trying to follow the money.

**Ms WALKER:** I do think the agreement with the NGO service sector was that the money stays the same and we work with the existing providers.

**The Hon. PENNY SHARPE:** To redistribute.

**Ms WALKER:** We wanted to recommission with our existing provider cohort so that we went into the recommissioning in good faith.

**Mr COUTTS-TROTTER:** But to target what the evidence suggests about children and families, we should be addressing the effort too—which of course includes trying to dramatically increase the access for Aboriginal children and families to Targeted Early Intervention services and over time also have those provided by an increasing share of Aboriginal-controlled organisations.

**The Hon. PENNY SHARPE:** I understand that under that program, that share is pretty low.

**Mr COUTTS-TROTTER:** It is pretty low, yes.

**The Hon. PENNY SHARPE:** Are you able to provide that to us?

**Mr COUTTS-TROTTER:** It was 14 per cent or 15 per cent of clients of the program identified as Aboriginal.

**The Hon. PENNY SHARPE:** That sounds right.

**Mr COUTTS-TROTTER:** We are trying to get to 30 per cent.

**Ms WALKER:** And there was a very marginal increase.

**Mr COUTTS-TROTTER:** There was a marginal increase year on year.

**The Hon. PENNY SHARPE:** You say 30 per cent, which is good given the—

**Mr COUTTS-TROTTER:** I know, you could argue for 40 per cent but we—

**The Hon. PENNY SHARPE:** You could argue for 50. The point I am about to make is, with some of the more targeted programs under Their Futures Matter, the aim was always to have at least 50 per cent. I notice that we have barely hit 30 per cent, and that remains the case.



**Mr COUTTS-TROTTER:** That is absolutely true, but obviously when you are commissioning a new service, it is easier than when you are working—

**The Hon. PENNY SHARPE:** Sure, but we are not even hitting that target with the new services.

**Mr COUTTS-TROTTER:** —with a neighbourhood centre that has been funded since 1935.

**The Hon. PENNY SHARPE:** As I said, I am interested in that. What is your efficiency dividend for this budget?

**Mr COUTTS-TROTTER:** In the 2021 financial year we are delivering about \$30 million.

**The Hon. PENNY SHARPE:** Is that across all of DCJ?

**Mr COUTTS-TROTTER:** That is across all of DCJ. We had a so-called re-baselining of our budget as part of the 2021 budget and the budget paper contains an appendix A5 under the slightly delphically named "Measures". That shows the change in operating funding for different clusters over a five-year period from—

**The Hon. PENNY SHARPE:** Does that describe the re-baselining?

**Mr COUTTS-TROTTER:** That shows that the increase for the Stronger Communities cluster was \$7,000 million over five years. The reason for that is there were a considerable number of funded programs that were due to expire at a point in time, so reducing reoffending programs, family support services, a whole range of programs—

**The Hon. PENNY SHARPE:** I assume there is a bunch in Their Futures Matter.

**Mr COUTTS-TROTTER:** A bunch in Their Futures Matter and the Government gave it careful consideration. The Ministers in the cluster argued as hard as you can imagine and the decision was taken to provide a secure stable budget position for the agency and the cluster for the coming five years. It does not meet all of our needs or all of our wants, but it is \$7 billion better than it was prior to the last budget. That gives us the capacity to approach changes and improvements in service systems without having to have six-monthly anxious discussions with providers about whether the contract is going to get rolled over or not, which is a massive transactional cost for everybody but particularly our non-government partners.

**The Hon. PENNY SHARPE:** Yes.

**Mr COUTTS-TROTTER:** It gives us a chance to begin to work with non-government partners not on the silly administrative stuff but actually on what is being achieved and how we can do more.

**Mr DAVID SHOEBRIDGE:** I am now going to say, do you have some data?

**Mr COUTTS-TROTTER:** I have some data. It will not be all of your data but I think we can help with some of your data. Mr Shoebridge, you asked about—

**Mr DAVID SHOEBRIDGE:** Sorry, Mr Coutts-Trotter, you are probably going to give a whole lot of numbers.

**Mr COUTTS-TROTTER:** Yes.

**Mr DAVID SHOEBRIDGE:** Do you have them in a format that—

**Mr COUTTS-TROTTER:** No, no. We have them scribbled on sandwich bags.

**Mr DAVID SHOEBRIDGE:** Okay, here I am.

**Mr COUTTS-TROTTER:** As at 30 June 2020—you were asking about the breakdown of the placement type for Aboriginal kids and young people in care against the Aboriginal placement principles—36 per cent of Aboriginal children and young people were placed with Aboriginal relatives, 23 per cent were placed with non-Aboriginal relatives, 15 per cent were placed with Aboriginal carers and 23 per cent were placed with non-Aboriginal carers. I can and will get this data to you over a five-year period so you can see how those placement types have changed over that five-year period.

You wanted to know about the detail of children moving to restoration, guardianship and adoption by Aboriginality. In the 2019-20 financial year, seven Aboriginal children moved to adoption and 155 non-Aboriginal children were adopted; in guardianship, 172 Aboriginal children moved to guardianship, 247 non-Aboriginal children moved to guardianship; 244 Aboriginal kids were restored and 309 non-Aboriginal children. Again, I will give you the comparable data for the previous three years but, suffice to say, the number of Aboriginal children being restored has increased year by year, as has the number moving to guardianship. To answer what I suspect

is a related question, no Aboriginal child has moved from guardianship to adoption; no child has moved from guardianship to adoption, but no Aboriginal child has moved from guardianship to adoption since the legislative changes.

**Mr DAVID SHOEBRIDGE:** Of the 172 Aboriginal children who have been moved into guardianship, what proportion of those guardianship orders are made with Aboriginal guardians?

**Mr COUTTS-TROTTER:** Yes, I have asked that question. I do not have that answer yet.

**Mr DAVID SHOEBRIDGE:** We had the number earlier about the adoptions. Five of those seven adoptions were to non-Aboriginal adoptive parents?

**Mr COUTTS-TROTTER:** That is right. Of course, if a child is placed with extended family and is not able to be restored to birth family, those children would move to guardianship, not to adoption. Obviously, Aboriginal children placed with Aboriginal family—an Aboriginal grandmother is not going to adopt her Aboriginal extended kin, so it is not a surprise in a sense that the very, very small number of Aboriginal children who are adopted are not adopted by Aboriginal people, they are adopted by non-Aboriginal people.

**Mr DAVID SHOEBRIDGE:** We will be in a better position to assess that once we see the numbers for guardianship.

**Mr COUTTS-TROTTER:** We can break down the guardianship numbers by Aboriginal or non-Aboriginal kin because, of course, the overwhelming majority of children who obtain guardianship are with extended family.

**Mr DAVID SHOEBRIDGE:** Mr Coutts-Trotter, the caseworker dashboard—

**Mr COUTTS-TROTTER:** Yes.

**Mr DAVID SHOEBRIDGE:** The first page of which is moderately current.

**Mr COUTTS-TROTTER:** Thank you.

**Mr DAVID SHOEBRIDGE:** Well, I say moderately current because most of it is September 2020—some of it is June 2020. But when you go more deeply into the caseworker dashboard, it becomes increasingly less current. If we go to the very next dashboard—if we go from highlights to dashboard one—it is talking about children and young people receiving intensive family support service and there is a breakdown between Aboriginal and non-Aboriginal children. It is only as at 2017-18.

**Mr COUTTS-TROTTER:** Fair point. We have more recent data.

**Mr DAVID SHOEBRIDGE:** Can you give the more recent data for the children and young people who have been receiving an intensive family support service?

**Mr COUTTS-TROTTER:** We can definitely do it on notice. I will ask the colleagues to have a look through the material to see if we can do it now, but we can definitely do it on notice.

**Mr DAVID SHOEBRIDGE:** Assume that, on notice, what I have asked is for the data that is in the dashboard on the various subcategories of the dashboard, if we can have that updated?

**Mr COUTTS-TROTTER:** Okay.

**Mr DAVID SHOEBRIDGE:** The one that was most troubling me of all of them was the Brighter Futures.

**Mr COUTTS-TROTTER:** Troubling because of the age of the data?

**Mr DAVID SHOEBRIDGE:** Both the age of the data and the trend it was showing.

**Mr COUTTS-TROTTER:** Yes, we have seen fewer families participate in the program, that is right.

**Mr DAVID SHOEBRIDGE:** Significantly fewer families, and also the results in terms of re-reporting were quite distressing.

**Mr COUTTS-TROTTER:** We have more recent data, so we should provide that on notice. I think you will find the results are better than the results on the dashboard.

**Mr DAVID SHOEBRIDGE:** Can you give me an update on Brighter Futures?

**Mr COUTTS-TROTTER:** I do not have the number to hand but I know that the re-report rate—it is a little bit dangerous to speculate from a faulty memory before a parliamentary committee, so I think that we should take it on notice.

**Mr DAVID SHOEBRIDGE:** The Brighter Futures data ends on 30 June 2017. That is so out of date. This is the principle dashboard; this is where you go for your data. I suppose my first question is: How has it got so out of date? Is there not somebody responsible for this?

**Mr COUTTS-TROTTER:** Unfortunately, that is me, I think. I have to take accountability for that.

**Mr DAVID SHOEBRIDGE:** What it is showing is that in 2015-16—which is, remarkably, the last date that you have for this—the proportion of children and young people who are exiting Brighter Futures programs with goal plans that are not met—two-thirds of them—the number who are not reported at risk of serious harm within the 12 months had gone down year after year after year.

**Mr COUTTS-TROTTER:** Yes.

**Mr DAVID SHOEBRIDGE:** So where their goals are not met, the proportion of those children who are reported at risk of serious harm just keeps going up.

**Mr COUTTS-TROTTER:** We should get more recent data so that we can have a more contemporary discussion of that.

**Mr DAVID SHOEBRIDGE:** Is it working?

**The Hon. TREVOR KHAN:** David, do you think the way to go forward in future is, when we are having that first meeting for budget estimates, to look at this and maybe write a letter to the Secretary, inviting that it be updated before the day?

**Mr DAVID SHOEBRIDGE:** Trevor, you are preaching to the converted. I can assure you that having deep-dived into this last week, I came to that conclusion myself.

**Mr COUTTS-TROTTER:** What we know is that the re-report rate for children referred to some of our much more clinical and much more intensive family support services, like Multisystemic Therapy [MST] and Functional Family Therapy [FFT], is higher than the average. But we also know from high-quality external evaluation that that is but one indicator during a period of change, but actually those programs look to be very effective at resolving the issues that make children unsafe within families and are very effective at avoiding children coming into care.

**Mr DAVID SHOEBRIDGE:** This quite ancient data is not suggesting that.

**Mr COUTTS-TROTTER:** But the broader evaluation of MST and FFT is very positive against that test: Are children able to remain safely at home? For Brighter Futures, on the most recent data I can recall, the re-report rate is akin to the statewide re-report rate. Given the fact that, actually, the cohort of families that are referred to Brighter Futures—all of the providers used to be working with children who were not necessarily at ROSH. They are now working with children at ROSH and therefore with greater complexity in their family. Their re-report rate following support from the program is akin to the statewide re-report rate. So, on that measure, more to do but not the conclusion you would draw from the 2015-2016 data.

**Mr DAVID SHOEBRIDGE:** The front end of the caseworker dashboard website has the number of children at risk of serious harm in total reported for the financial year ending 30 June 2020 as 112,517. We discussed that earlier.

**Mr COUTTS-TROTTER:** Yes.

**Mr DAVID SHOEBRIDGE:** If I then go to dashboard 5 on your website, where it has risk of serious harm reports by district, for the whole of New South Wales it has the number of risk of serious harm reports at 167,436 in 2017-18. This is the distinction, I assume, between children and reports. Is that right?

**Mr COUTTS-TROTTER:** It is, Mr Shoebidge.

**Mr DAVID SHOEBRIDGE:** Do we know how many reports there were for the last financial year?

**Mr COUTTS-TROTTER:** Yes, we do—he says, without being able to put my hand on the data. I will allow my colleagues to have a bit of a look around on that. But we do have that data, I am sure.

**Mr DAVID SHOEBRIDGE:** Of the reports that were received by the Child Protection Helpline, I think they get categorised into ROSH and non-ROSH reports.

**Mr COUTTS-TROTTER:** Report of concern or risk of significant harm.

**Mr DAVID SHOEBRIDGE:** What was the number of reports of concern?

**Mr COUTTS-TROTTER:** Broadly, it is still 50 per cent of the reports received by the helpline are reports of concern, not reports of significant harm.

**Mr DAVID SHOEBRIDGE:** Yes. More recently it has tracked at about 60-40 ROSH as to reports of concern.

**Mr COUTTS-TROTTER:** Yes.

**Mr DAVID SHOEBRIDGE:** What happens to those reports of concern?

**Mr COUTTS-TROTTER:** They are reports overwhelmingly made by partner agencies: Health, Education and Police. I will invite Ms Czech to provide a bit of operational detail about the helpline. Essentially, they go back to that agency in the screening process and the agency is told, "Look, it doesn't clear a threshold to trigger a statutory response. Let's talk about the other options that are available to provide support to the family, both within your own agency—Education or Health—or within the local service system".

**Ms CZECH:** Mr Coutts-Trotter has explained that very well. Just to add a couple of things, it can also go back to a child wellbeing unit—

**Mr COUTTS-TROTTER:** Yes, within the departments.

**Ms CZECH:** —that is within the departments: Health, Education and the Police. They very much will refer out to services such as family support services that might be able to provide some additional support to families. Using the example of the northern New South Wales pilot that we talked about earlier, if it does not meet the threshold our helpline staff will make sure that there are appropriate supports in place for a family and, indeed, from the helpline will make referrals to local services to engage with that family.

**Mr COUTTS-TROTTER:** Mr Shoebridge, you may have missed the discussion earlier on, but we think that different way of working at the helpline is very effective and we are looking to expand that into other districts. What you are trading off, in a sense, is more time spent at the helpline forming a better view and providing better options if the child is not at risk of significant harm. But that will then free up time at the community service centre to enable it to do what only it can do: a statutory response.

**Mr DAVID SHOEBRIDGE:** One of the rationales for creating the new super-agency of the DCJ was you would join up the expertise in Justice and the data that you get about kids in the justice space with the data that you have from what was previously Families and Community Services.

**Mr COUTTS-TROTTER:** Yes.

**Mr DAVID SHOEBRIDGE:** Can you identify any concrete achievements that have come about as a result of that?

**Mr COUTTS-TROTTER:** I might ask Mr O'Reilly to talk about how his Youth Justice team, who are providing community-based supervision and supports for young people, and working alongside child protection teams. I might invite Ms Czech to describe the work being done by child protection caseworkers now placed in five New South Wales prisons that accept women, with the next step extending that service to Broken Hill and one other remote location.

**Mr O'REILLY:** In Youth Justice, there has always been an understanding that there is a big overlapping population between young people that our agency works with and young people in the out-of-home care system, but it has always been difficult to identify them in a way that is efficient and that enables immediate joined-up casework. From last year, one of my staff works full-time on working with both databases. So whenever we get a new person come into our system, that person's job is to identify if they are an out-of-home care person as well and then start the work of joining up the casework where appropriate. That means that it is a reliable gateway for joining up from the beginning, rather than having casework running off in different directions without joining up. Despite the goodwill of all caseworkers, sometimes I think we need a mechanical or a system fix to actually capture that goodwill and make it effective joint casework. That has been really successful. The ultimate goal, of course, is that it is automatic through the database system. In Youth Justice, we are in the process of reviewing our database, and hopefully one of the improvements coming out of that will be that joining up with ChildStory.

That is the first thing, and that has really made a difference. Then it is about actually driving and measuring the impact of joined-up casework. It needs to be different depending on the location. In the inner city

and out to Burwood, we do have a joint casework team where my team funds two caseworkers and Community Services funds three. Those teams work together, working with adolescents who are—sometimes they have had contact with the justice system or they may just be at risk, sometimes because of referrals and sometimes because of what we know about their siblings. They have a caseload they work on together to try to make sure that they do not progress in the criminal justice system. That is an experiment that we are doing through a joint funding arrangement. So far it is having some success and there will be an evaluation done to measure that properly later this year, hopefully. Across the State, as part of our performance management, we require all of our area managers—and we have 17 of them in Youth Justice—to demonstrate how they are doing business differently to collaborate with Community Services and Education, in fact, as well.

So that is pretty successful on the whole. But I would say that some areas are more successful than others. That could be because they are already co-located and that really makes it efficient, or it could be because they have that access to data quickly and they were a bit more on the ball, if you like, in terms of getting involved in the joint casework. It also has to do with the distribution of clients. Sometimes our distribution of clients is lower or higher than the out-of-home care distribution of clients, but we might have a much stronger drive to collaborate more specifically with education in that area because that is the pressing issue in that area. We could give you some details of some of those joined-up projects, if you like, or we could provide something on notice. There is quite a lot of stuff there.

**Mr DAVID SHOEBRIDGE:** I think if we get the individual ones on notice, that is useful.

**Ms CZECH:** If it is okay, I will give a brief update on the co-located corrections caseworker project. As Michael said, we have five child protection caseworkers in women's prisons around New South Wales and that started in July last year. They have seen 450 women to date—I think that was as of early February. We have been completely overwhelmed by the response because typically people do not come looking for a caseworker, but in this case, I think with the services the five caseworkers are providing, word of mouth in the jail spreads pretty quickly and women are queuing up.

**Mr DAVID SHOEBRIDGE:** It is a very distinct environment, is it not?

**Ms CZECH:** Yes.

**Mr DAVID SHOEBRIDGE:** They have already been taken from their kids. Rather than their kids taken from them, these are women who have been taken from their kids, so they are more likely to reach out to a caseworker than if they have got kids at home, to be quite frank.

**Ms CZECH:** Absolutely. Some of the work that they have been doing is—I would describe it as early intervention work, child protection work and out-of-home care work. In the early intervention or child protection work, as you would be aware, there are often women who are pregnant in jail and may have a date for an upcoming release. Part of the role of the caseworker is to make sure that those women have adequate supports in place, whether a house or other parenting support might be needed. In actual fact, with the 450 women, today I can say, hand on heart, that we have prevented newborn babies coming into the out-of-home care system through that support that has been provided.

The project will be subject to an evaluation, which we are working through at the moment. The other work that they are doing is reconnecting parents who have had a child in out-of-home care with their children. That might include things like contact arrangements, exchange of letters, discussions about whether restoration is something that might be possible, but really just reconnecting those women and children. Some of the examples I have heard about when I have been out have been women and children who have been disconnected for a number of years. There have been some lovely stories that have come out of that.

**Mr DAVID SHOEBRIDGE:** Ms Czech, I am not trying to stop you from giving us individual anecdotal reports, but those five caseworkers is one example which is actually working. Which women's jails are they at?

**Ms CZECH:** They are in all of them except, as Michael said, Broken Hill. There is one other that I cannot remember the name of; it is out west as well. But they are everywhere else.

**Mr DAVID SHOEBRIDGE:** What is the time frame for getting caseworkers at those last two jails?

**Ms CZECH:** It is in progression at the moment. We are going to use the existing cohort of the five to go out. We are just working through the detail of that.

**Mr DAVID SHOEBRIDGE:** But those five already sound to me to be overworked.

**Ms CZECH:** Yes. It is part of their role.

**Mr COUTTS-TROTTER:** You need to leave the management of my five staff to the agency I think, Mr Shoebridge.

**Mr DAVID SHOEBRIDGE:** I am only saying that because that is what Ms Czech basically said: They have been overwhelmed. I think that was the language used by Ms Czech: "overwhelmed".

**Mr COUTTS-TROTTER:** She meant it as a positive.

**Ms CZECH:** Yes, I did mean it as a positive. I think the important thing to note with their role is that what they try to do is have that initial contact with women, make an assessment of their circumstances and what needs to happen, and they will point them back to appropriate support services so someone can then take on the lead case management. They do not—

**Mr DAVID SHOEBRIDGE:** They are not taking on the primary case management—

**Ms CZECH:** Not always.

**Mr DAVID SHOEBRIDGE:** —they are linking up services.

**Ms CZECH:** Sometimes they will, but not always.

**Mr COUTTS-TROTTER:** The other example probably worth pointing to is the work that some of Paul's team have been doing inside prison to better, and earlier in the piece, plan with people we think are at risk of homelessness when they leave prison for their housing needs and the kind of support services that they would require in transition.

**Mr VEVERS:** We know that 7 per cent of people who are sleeping rough have recently left a correctional institution. In order to try to reduce that flow of people, we have a system that we piloted late last year and that is now going live in all prisons, and that is that for long-term prisoners, three months before they are due to be released, two things can happen. The first is they can have temporary accommodation pre-booked so that they will not come out of prison onto the streets. If they have no home to go to, they will at least come out of prison into temporary accommodation. We are also trying to do better than that and they will also be allowed a full housing needs assessment three months out. That takes about an hour to do. In correctional facilities, prisoners are allowed a six-minute telephone call. Corrective Services have agreed that those prisoners will now get a 60-minute telephone call for their housing needs assessment. We hit a slight snag on the way that the system automatically cuts people off after six minutes.

**Mr DAVID SHOEBRIDGE:** Ten phone calls.

**Mr VEVERS:** Yes. We have had to work with Corrections to overcome that but we are overcoming that and we are hopeful that will help us to stop at least some of the flow of people out of prison. It is a very good partnership between us and Community Corrections.

**Mr DAVID SHOEBRIDGE:** I have to say that sounds positive, but it is astounding, is it not, that we are only putting it in place now, once you realise the absence of a service like that for prisoners?

**Mr COUTTS-TROTTER:** No, it is true. But we are trying to fix it.

**Mr DAVID SHOEBRIDGE:** Mr Coutts-Trotter, what was your role on the TFM board?

**Mr COUTTS-TROTTER:** I was the Chair of the board.

**Mr DAVID SHOEBRIDGE:** I will give you an opportunity to respond to the Auditor-General's report, in high level terms.

**Mr COUTTS-TROTTER:** I responded in writing to the report, I think.

**Mr DAVID SHOEBRIDGE:** It was a damning report. You would agree with that, about Their Futures Matter.

**Mr COUTTS-TROTTER:** The point I made to the Auditor-General, who is a person I have great respect for and a former colleague, was that the report was addressed at some important issues, but it did not go anywhere near, by design, the fundamental question about—the trigger for the Tune review was the cost of out-of-home care breaking the billion dollar mark and the ever-rising rates of children coming into care in New South Wales. David Tune forecast, as the Minister alluded to in the morning, if the whole of his recommendations were adopted, the population of children in care in New South Wales by this year would be 2,500 children higher than it is.

I accept with some humility the criticisms of that report, but the simple fact of the matter is we have got the lowest rate of children coming into care in Australia. Five years ago Indigenous kids came into care in New South Wales at a rate higher than the rest of the nation. They now come into care at a rate less than half the rest of the nation. The rest of the nation, sadly, is seeing a trend that is rising; we are seeing a trend that is falling. There are a whole lot of things recommended by David Tune that the Government, the TFM board and everybody who played a part have made a success of.

What the criticism really turned on was the governance and the inability and I guess my inability as Chair of the board to get and retain the authorisation of key Ministers to enable a movement of resources between agencies from programs that did not have a strong evidence of impact for vulnerable kids and families to those that had a better evidence of impact. The assumption was that you could go into agency budgets and discretely identify the dollars that were quarantined for vulnerable kids and families. We discovered that the total amount there was about \$380 million across government. That money was put into a pool and that money was re-allocated as contractual arrangements rolled off.

**The Hon. PENNY SHARPE:** That was in each agency. No agency handed over their own money.

**Mr COUTTS-TROTTER:** The problem was you would go to Health and they would make the point that accident and emergency deal with a lot of very vulnerable children and families—and we can tell you how many—it is just we cannot identify which fraction of which nurse, which clinician, which hospital administrator is able to be moved upstream to an earlier intervention that might prevent people coming there. That was the problem we ran into. Minister Ward is taking leadership in bringing together key Ministers. In western Sydney we have now got a partnership between health, education, police, DCJ and, critically, primary health networks identifying a cohort of 10,000 families where children have experienced one or more adverse childhood events, looking at the services available to them and being prepared with ministerial authorisation to reconfigure what happens between agencies, so actually deliver on that element of Tune—ministerial level governance, resources going to where the evidence says we get impact. It was a bracing report for us. I was embarrassed to receive it. I think it missed some things that were genuine successes but I do think that some of what is happening now will substantially address the criticisms in that report.

**Mr DAVID SHOEBRIDGE:** So, Mr Coutts-Trotter, I invite you to table with the committee your written response to the Auditor-General, which I think would be useful.

**Mr COUTTS-TROTTER:** Sure.

**Mr DAVID SHOEBRIDGE:** I want to be clear: I do acknowledge the reduction that we have seen in the rates of Aboriginal children going into care. I think that has been a significant achievement, particularly given it was ramping up radically until some policy changes happened. I am not going to pretend there have not been successes in that space. There clearly have been. It is still at a rate that I think is inexcusably—

**Mr COUTTS-TROTTER:** No, it is too high. Sure. I agree.

**Mr DAVID SHOEBRIDGE:** —appallingly high. Nor am I going to suggest that you can look at the Auditor-General's conclusions in isolation.

**Mr COUTTS-TROTTER:** Sure.

**Mr DAVID SHOEBRIDGE:** But there are a number of them that I want to take you to. The first is I think you accept the conclusion of the Auditor-General that the TFM board, bringing together secretaries, did not have the capacity to reallocate resources as envisaged across agencies.

**Mr COUTTS-TROTTER:** No, that is true.

**Mr DAVID SHOEBRIDGE:** That model did not work then and cannot work in the future. Would that be a fair summary?

**Mr COUTTS-TROTTER:** I think it runs into the reality of a Westminster system of accountability, yes.

**Mr DAVID SHOEBRIDGE:** We will come back to this.

**The Hon. TREVOR KHAN:** Is there some way, seeing it is a discrete line, that you can fiddle—it does not matter to me.

**The Hon. ROSE JACKSON:** Perhaps. How long have you got on it, David?

**Mr DAVID SHOEBRIDGE:** I wanted a couple of minutes on the Family Investment Commission and/or that. Is that okay?

**The Hon. ROSE JACKSON:** Sure.

**Mr DAVID SHOEBRIDGE:** We have now had two recommendations: the Tune report recommendation for a commission that will sit across education, health, what was then FACS but DCJ. Then we have had the Family is Culture [FIC] recommendation for a separate commission that sits above, again, and is able to direct resources between those agencies. You have mentioned a project in western Sydney that is bringing people together. Is there anywhere in government we can look to see the kind of recommendations from Tune or Family is Culture actually being put in place in a de facto way, if not a legal way?

**Mr COUTTS-TROTTER:** At the risk of sounding a bit nerdy, if you look at the objectives of Outcome Budgeting, so the Government articulates a clear outcome and expects an agency, a Minister, to achieve—say, for example, reducing recidivism by 5 per cent—then allocates money to an outcome, it is allocating money in DCJ that formerly might have been discreetly allocated to a Minister for Corrections, a Minister for Family and Community Services, an Attorney General, a health Minister and others. In actual fact it is now being allocated to an outcome. So it is an alternative approach to try and crack the same problem. But it benefits from having a degree of ministerial involvement and accountability that, in my personal view, just the creation of a Family Investment Commission would not resolve.

It is conceptually an interesting approach but I actually challenge proponents to point to an example around the world—people point to New Zealand but when you get under the bonnet in New Zealand I do not think it has done anything like what people think it has achieved in, kind of, dealing with silos, moving money, the sort of intent of David Tune's recommendations or, indeed, the FIC recommendations. I do not think the institutional arrangement is the key. I think it is the commitment of government. It is the routines of accountability against an outcome. We meet with the Premier every three months to account for our progress towards an outcome. There are three key Ministers who sit around the table at the same time to be accountable together. I think that is a mechanism that is an alternative approach that could be a very effective one.

**The Hon. PENNY SHARPE:** Just a very brief follow-up to that: I am interested in the ministerial buy-in. The largest criticism from the Auditor-General for Their Futures Matter was that there was no Cabinet subcommittee that was oversighting the work. Is there a Cabinet subcommittee? The process that you have just outlined, is that meeting with the Premier to just deal with the Premier's Priorities?

**Mr COUTTS-TROTTER:** That is meeting with the Premier to deal with the Premier's Priorities but the new feature of our reporting to Treasury is that we now report on progress against the outcomes—not just the Premier's priority outcomes but the other outcomes that have been assigned to the agency. So instead of a kind of report on "Are you under or over budget?"—it is certainly that but that is no longer the primary focus. The focus is: Are you on track to achieve the outcome you have been asked to achieve?

**The Hon. PENNY SHARPE:** Is that overseen by the Expenditure Review Committee [ERC]?

**Mr COUTTS-TROTTER:** Yes, that is a report to ERC.

**The Hon. PENNY SHARPE:** But there is still not a Cabinet committee that is dealing with the issues picked up through Their Futures Matter.

**Mr COUTTS-TROTTER:** There are only two Cabinet subcommittees now. One is essentially focused on delivery, the Delivery and Performance Committee, or DAPCO, and one is focused on resource allocation, ERC. But the report on progress on outcomes goes to ERC.

**Ms WALKER:** May I make a comment just about TFM and the suggestions that there was no money that passed between agencies? There was actually an incredible outcome that did not get captured in the Auditor-General's report which is the money that sat with Health, under their Family Referral Service—

**The Hon. PENNY SHARPE:** That has come across. I am aware of that.

**Ms WALKER:** So it remains health funding, but the work was done with what was then FACS to recommission and redesign the service to meet the service system needs. The money remains with Health and comes through the department and the service was recommissioned. In a way, that in a nutshell was one of the core aims of TFM. It was about: How do you move money to then be responsive? I know it is a much more low-level example—

**The Hon. PENNY SHARPE:** No, but I am aware of that example.



**Ms WALKER:** —than outcomes based budgeting but it was probably for us one of the more exciting aspects. Once people see it happen, all of a sudden it becomes much more possible because you are less worried about letting go and more about the shared outcomes. So that was a real positive.

**Mr COUTTS-TROTTER:** We have sole responsibility for nine Aboriginal Child and Family Centres, just fantastic community organisations which members of the committee are probably familiar with. We are now co-funding those with Education because it is quite clear that they produce outcomes that we have been charged to deliver but they also ready children for school. They ready children for school who are at risk of arriving at school very un-ready. So Education are now co-funding that with us. The pace of change is slow. It is probably frustratingly slow for many people but there are plenty of solid examples of a shift happening I think.

**The Hon. ROSE JACKSON:** I might ask some question about Youth Justice. I think they will primarily be to Mr O'Reilly and Ms Czech. Some of these you might have to take on notice because I am after some figures although some might be available. What was the level of self-harm overall in Youth Justice facilities within the last reporting period?

**Mr O'REILLY:** It reduced significantly and I can give you the numbers in a moment.

**The Hon. ROSE JACKSON:** That is good because obviously the previous time we discussed this it had increased significantly. So it is good to hear that it has gone down.

**Mr O'REILLY:** It has. You mentioned earlier the Orana self-harm rates as well. In total in 2018-19 there were 800 self-harm incidents and in 2019-20 there were 468 self-harm incidents. The thing about self-harm is that there are three categories measured in that figure: actual self-harm, attempted self-harm and threatened self-harm. We make sure we record all of that because they are all indicators of risk and all require a response. But all three categories reduced dramatically.

**The Hon. ROSE JACKSON:** Are you able to give us that figure broken down by each centre? Is that something that you have?

**Mr O'REILLY:** By centre? Yes, I can give you that. It is in a different document—just give me one second. That came through during lunch, thankfully.

**The Hon. PENNY SHARPE:** The ministerial support unit has done good work over lunch.

**Mr O'REILLY:** At Acmena we had—what I got over lunch is the actual self-harm numbers; I did not get the threats or the attempts. I can give you the actuals now and give you the rest on notice.

**The Hon. ROSE JACKSON:** That would be useful.

**Mr O'REILLY:** Acmena Youth Justice Centre reduced from 15 incidents to 13 incidents. Frank Baxter Youth Justice Centre reduced from 146 incidents to 144 incidents. Cobham Youth Justice Centre reduced from 124 incidents to 72 incidents. Reiby Youth Justice Centre reduced from 260 incidents to 148 incidents. The significance of those last three is that they are three big metro centres where all of our high-risk young people are and they all achieved very big reductions. Riverina Youth Justice Centre reduced from 13 incidents to seven incidents. Orana Youth Justice Centre reduced from 32 incidents to 23 incidents from 2018-19 to 2019-20.

They all went down, which is really encouraging. That is partly to do with a change in approach and certainly an increased joint focus between Justice Health's adolescent psychiatry team, the unit nurses in each centre and our psychology team. We have a joint clinical governance meeting that is chaired by the principal psychologist with Youth Justice and they meet with the psychiatry team from Justice Health. Last year we instituted a new process where every single case of actual self-harm has a case review by that joint clinical governance committee. That is important because it helps us really identify what some of the patterns mean.

You will notice the Reiby figures were very high even though they reduced. Reiby is where we have our young women and our very young boys—those under 15. Almost all of the young women who come into Reiby have very deep histories of trauma, abuse and neglect—almost all—and self-harm is prevalent in that cohort, absolutely. What also happens is we do have a very small number of young women who come through Reiby repeatedly. They are very frequent self-harmers. When they are in Reiby the numbers go up and when they are not in Reiby the numbers stabilise.

**The Hon. ROSE JACKSON:** It still would be the case that a significant number of those overall figures are repeat instances of actual self-harm by a smaller number of detainees?

**Mr O'REILLY:** Yes.

**The Hon. ROSE JACKSON:** I think when we discussed it last time 50 per cent of the figures as they were then were self-harm attributable to 17 children and young people.

**Mr O'REILLY:** That is correct.

**The Hon. ROSE JACKSON:** You are saying that the review process that you have implemented is able to sort of dig down into the issues that that particular smaller group of obviously very traumatised young people is experiencing?

**Mr O'REILLY:** Yes, that is true. The complexity of the issue is that our staff are trained to respond and stop an actual self-harm incident as quickly as possible. But the clinical advice draws from the evidence base and the evidence base is now saying that is not always the best response. We have to be really careful in guiding our staff to be responsive and change their approach based on the evidence base. But it is not a lever you would flick quickly. We are working with the forensic hospital adolescent psychiatry team in Justice Health and other agencies such as Redbank House that have a really good track record in reducing self-harm and reducing use of force at the same time. Here I am referring to use of force to stop self-harm.

**The Hon. ROSE JACKSON:** Do you have figures on the number and/or percentage of detainees in Youth Justice facilities that have a mental illness?

**Mr O'REILLY:** We do. Certainly we have some estimates around that. Not all young people have a clear diagnosis when they arrive and not all young people stay for very long. Probably the most reliable method is the Australian Institute of Health and Welfare health in Youth Justice survey<sup>1</sup>, which occurs every five years. The most recent one estimates the instance of mental illness in Youth Justice custody is 83 per cent alongside a very similar rate of alcohol and drug abuse and a history of abuse and neglect of just under 70 per cent. Those three issues are clearly enmeshed.

**The Hon. ROSE JACKSON:** Yes. My understanding is that when a young person enters a Youth Justice facility they are to be assessed by a nurse or a health professional within 48 hours of that entry.

**Mr O'REILLY:** Yes.

**The Hon. ROSE JACKSON:** How many young people were not assessed within that time period?

**Mr O'REILLY:** It is difficult to give that answer now. It is rare that it does not happen because we have nurses there every day and we have psychologists on staff five days a week. It is rare that a nurse does not see them the same day but there may be some occasions, sure, where it is happened. We could probably come up with an estimate.

**The Hon. ROSE JACKSON:** That would be useful.

**Mr O'REILLY:** But we would have to be very clear that it is an estimate and what some of the assumptions are.

**The Hon. ROSE JACKSON:** Back to the Inspector of Custodial Services' report: One of the things that she raised on a couple of occasions were concerns around some staff in those facilities not necessarily understanding the—she did not use this language, but maybe the full contours of their role. They saw their role primarily as a disciplinarian with the attendant use of restrictive practices because people saw themselves primarily in a disciplinary role—which, in terms of the language that we receive from people such as yourselves is not necessarily the way that the Government approaches supporting people who enter Youth Justice. Has there been training or support—what has your section done in response to those concerns?

**Mr O'REILLY:** The Government's policy position—in fact, the legislation for the Children (Detention Centres) Act 1987—is absolutely about understanding the impact of trauma and providing a rehabilitative response. That is what guides everything that we do: all of our recruitment, all of our induction, all of our training, all of our performance management—all of that. But I understand the point, certainly. We have a very diverse work group. My view, having spent time with the work group—the staff—is that all of our staff care about the welfare of the young people, not because it is right to do that but because that is our statutory responsibility as well. There are a few things that we do to try to support them with that and try to deliver on that commitment every day. In every centre there is sometimes tension around how teams should respond to a particular incident

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<sup>1</sup> In [correspondence](#) to the committee received 25 March 2021, Mr Paul O'Reilly, Executive Director, Youth Justice NSW requested an amendment to his evidence.

or a particular young person or group of young people because there is a diversity of views around which would be more effective here: a confinement or a more therapeutic response. Those debates happen.

There are a couple of things that we have done in the last year to try and improve that. The first one arises from the Shearer report. We implemented the high-risk young offenders review panel. This was a really important shift because we know from previous policies that implementing a high-risk unit when trauma-driven young people are violent might provide a short-term drop in the risk, but if we do not get the balance right between security, trauma response and therapeutic response it actually creates a bigger risk in the long run and can be harmful to the young people. Lee Shearer recommended a mix of internal and external people on a panel to guide better decision-making in putting young people in those units and the implementation of a therapeutic unit. We did that last year.

Now this panel meets monthly. It includes the head of adolescent psychiatry from Justice Health, head of psychology from FACS, psychology from Youth Justice and a range of managers from the two high-risk centres in Youth Justice. The PSA is on the committee and we have frontline staff on the committee. For particular cases we might invite another expert. It reviews the high-risk cases that are referred to it and it regulates the movement of people in and out of the therapeutic unit and the high-risk unit. The value of having that big group is that there is a good representation of views. People who have the view that we need to shift the balance more towards security are represented on that group and they have an equal voice.

What we have seen since we have been using that every month for 13 months now is a massive reduction in incidents of violence in the high-risk units because I think we are getting better decision-making. It is also driving much more informed conversations amongst our staff about how we get that balance right.

I do not think there is anybody in our system, who works in our system who does not believe in the importance of a therapeutic response. But the truth of it is it is hard to deliver that every single day in every single unit with every single interaction, particularly when the violence is unfolding. So the challenge is about making sure that we have a much more intelligent approach to making decisions.

**The Hon. ROSE JACKSON:** Yes. I appreciate that. I suppose that the challenge is also ensuring that those frontline staff—who are, as you say, day to day dealing with extremely troubled and difficult young people who are often if not being violent, being verbally or otherwise abusive towards them—make sure that they are as skilled as they can be with the most up-to-date training and support to respond to that.

**Mr O'REILLY:** Yes.

**The Hon. ROSE JACKSON:** Is that commitment there? It is good to have that team meeting monthly to deal with those high-risk detainees.

**Mr O'REILLY:** Yes.

**The Hon. ROSE JACKSON:** But it is day to day on the ground. That support is there for the staff to ensure they have got best practice at their fingertips?

**Mr O'REILLY:** Yes, absolutely. The training is diverse and constant, in fact. It is constant training and in the next 12 months we are increasing the training even more around a lot of issues, including those issues, but in particular around making sure that we get things like the use of force right; de-escalation training; protective tactics, working together as a team; and, in particular, we need to make sure that our unit managers have the right supervision skills to provide support and guidance for staff who are dealing with those incidents every day.

**The Hon. ROSE JACKSON:** Yes. One particular issue is the use of confinement. That was raised by the inspector.

**Mr O'REILLY:** Yes, it was.

**The Hon. ROSE JACKSON:** For obvious reasons, in some ways it is continuing to be a problem at Frank Baxter after the issues there. It was mentioned in other centres. I think there were concerns there that some young people were receiving only five hours out of their room, which is obviously, from my understanding, less than half of what is recommended. Is there some support? Just going back to those earlier figures, so many of these young people have mental illness and substance abuse problems.

**Mr O'REILLY:** Yes.

**The Hon. ROSE JACKSON:** These are very, very troubled young people.

**Mr O'REILLY:** They are.

**The Hon. ROSE JACKSON:** To consistently use confinement as a behavioural management tool and have them by themselves in their room for long periods obviously is potentially exacerbating some of those issues.

**Mr O'REILLY:** At Frank Baxter, the use of confinement has reduced; it has not increased. From 2018-19 to 2019-20 the incidence of confinement at Baxter reduced from 1,102 to 644, which is an almost 50 per cent reduction. That was through very hard work from all the staff and the support agencies and great intervention from the ombudsman and the inspector in the period following the riot to make sure there was no over-correction and to make sure that we achieved that time out of room. The standard in the regulation is 10 hours out of room for the mainstream juvenile justice and custody population. However, as long as the right controls are in place, if there is a risk management plan in place in the high-risk units, the policy is a minimum of six hours out per day. That is the policy.

That is monitored really closely. We provide our data from the high-risk units to the inspector practically every week to make sure that there is independent oversight on the time out of room in particular. There are some young people who choose to stay in their room, and when that happens we need to work with a psychologist to try to assess what that is all about. So I think all of our staff understand that confinement is not in and of itself a great intervention, but I think it is an important tool, which is why it is in the legislation. The trick is to make sure that, once again, we get the balance right and that when confinement is used, all the controls are in place, all the monitoring is in place, and that we monitor the trends effectively and we do not lose sight of those trends.

**The Hon. ROSE JACKSON:** The figures that you have are presumably more up to date than the report of the inspector, which was released in December. But, again, it is a little bit challenging because, reading directly from that report, she discusses the issue of extended confinement. She says:

This was partly addressed following the inspection; however an analysis of time out of room records confirmed that the majority of young people continued to receive two hours or less out of their room for six weeks following our inspection.

To be fair, the context of that was that, I believe, they were a number of the young people involved in the riot.

**Mr O'REILLY:** Yes.

**The Hon. ROSE JACKSON:** I accept that they are a difficult group. But, again, if it is not intended to be used as a punitive measure, six weeks following the visit and less than two hours out of room sounds punitive.

**Mr O'REILLY:** Yes. We would have to know more about the circumstances around those cases that were witnessed and when they were witnessed. But the figure I quoted of a reduction from 1,100 to 600 roughly, that is from the report. That reduction in Frank Baxter is cited in that report. Similarly, the numbers at Cobham reduced from 1,400 to 1,000. I hear what you are saying, and two hours out of the room is not a lot of time out of the room. There needs to be a really good reason for that and there needs to be really careful monitoring of that and a very carefully controlled risk management plan and an end game plan to move out of that risk management plan.

In all of those cases, I would expect that they would have been a plan. But, again, I would need to know more about the individual cases to understand why. I think one of the issues with this report is that the inspector has very rightly pinpointed problems and gaps and examples of where the system has not worked very well. But, as I said this morning, I do not think it is—those things are important for us to act on and certainly engage with the inspector on, which we do, and the ombudsman, but I do not think that they characterise what is happening in the system across the board at the moment, and certainly not in the last 12 months.

**The Hon. ROSE JACKSON:** Yes, I appreciate that. Obviously, this is partly a process of these committees as well—we do not sit here and ask you for extended soliloquies on the great work that you are doing, although I am sure that you are doing that—and partly this is a process of, yes, we are focused on the issues because we all have a shared interest in resolving them. But I think my time has expired.

**Mr DAVID SHOEBRIDGE:** That was your time.

**The Hon. ROSE JACKSON:** So we are back 20 minutes, are we?

**Mr DAVID SHOEBRIDGE:** Ten for crossbench and then 20, 20, 20. While we are on Youth Justice, you have given data for Reiby and Baxter about the use of confinement. There are six Juvenile Justice centres in New South Wales.

**Mr O'REILLY:** Yes.

**Mr DAVID SHOEBRIDGE:** Can you run us through the data for each?

**Mr O'REILLY:** Yes. This is in the inspector's report.

**Mr DAVID SHOEBRIDGE:** So this is as at when, which year?

**Mr O'REILLY:** This is an inspector's report comparing 2018 to 2019 and 2020. I would just give you the full figures on confinement. Overall, confinement reduced from 5,214 incidents in 2018-19 to 4,401 incidents between 2019-20—a significant reduction of 800 or so over a 12-month period. From centre to centre, Riverina reduced from 515 to 500; Reiby reduced from 1,149 to 906; Orana increased from 570 to 689; Cobham reduced from 1,439 to 1,077; Baxter reduced from 1,102 to 644; and Acmena increased from 438 to 485. Again, this is in the public report.

**Mr DAVID SHOEBRIDGE:** Yes. Do you have an understanding about why some centres such as Baxter and Reiby saw significant reductions and some centres such as Orana actually had increases in use of confinement?

**Mr O'REILLY:** I certainly have some theories about it and I have discussed that with the staff and the managers. Part of it is the numbers over the previous years for all centres are fairly volatile in some respects, particularly the smaller centres, but we are seeing big drops in the bigger ones because there has been a big change in the whole high-risk management model. It has fundamentally changed. I think that changes the way staff work with high-risk young people. For example, a standard unit of accommodation in Youth Justice has 15 young people and three staff on a shift at a time for the morning shift, three in the afternoon and one overnight. In the high-risk units they are capped at six young people and they have four staff on instead of three. So it is a very different dynamic in those units. That allows staff to manage behavioural issues and risks in a much more positive way, if you like, or a more proactive way. In Baxter and Cobham in particular where the high-risk units are, that is what has been implemented, so I am not surprised that there would be a reduction there.

**Mr DAVID SHOEBRIDGE:** Has this partly been able to be achieved because of the reduction of children going into detention centres—

**Mr O'REILLY:** Possibly.

**Mr DAVID SHOEBRIDGE:** —so the resourcing is actually now available for the high-risk units?

**Mr O'REILLY:** No, the resourcing for high-risk units was partly additional resources, but the reduction in the overall numbers of young people has impacted the regional centres more. So Cobham, for example, which is a big remand centre in western Sydney, the numbers have not changed a great deal. In Frank Baxter they have changed a little bit as well. They have reduced a little bit. But for those two centres that have achieved those bigger reductions—and certainly at Reiby, yes, the numbers have dropped but not dramatically compared to the other centres.

**Mr DAVID SHOEBRIDGE:** Do you have the most current set of numbers about the number of kids in detention in New South Wales?

**Mr O'REILLY:** Today's numbers?

**Mr DAVID SHOEBRIDGE:** Yes.

**Mr O'REILLY:** There are 204 in custody and 133 of those are on remand, so that is 65 per cent. Eighty-two—

**Mr DAVID SHOEBRIDGE:** Sorry, 77 are sentenced.

**Mr O'REILLY:** Yes.

**Mr DAVID SHOEBRIDGE:** Of the 173 on remand and the 77 who have been sentenced, what proportion are Aboriginal or Torres Strait Islander?

**Mr O'REILLY:** There are 82 Aboriginal young people in custody, which is 40 per cent of the total number in custody.

**Mr DAVID SHOEBRIDGE:** Those numbers have all ticked up in the past three months, I think. Last time I saw the numbers they were in the high hundreds.

**Mr O'REILLY:** The 190s maybe.

**Mr COUTTS-TROTTER:** Yes, we got to the 190s.

**Mr DAVID SHOEBRIDGE:** But they are still significantly lower than they were two years ago. I think in a committee hearing at the end of last year, Mr Coutts-Trotter, you had indicated that you expected those numbers of children in detention to stabilise at a low figure.

**Mr COUTTS-TROTTER:** Yes.

**Mr DAVID SHOEBRIDGE:** You distinguished that from adult detention.

**Mr COUTTS-TROTTER:** Yes.

**Mr DAVID SHOEBRIDGE:** Is that still your expectation?

**Mr COUTTS-TROTTER:** Yes.

**Mr DAVID SHOEBRIDGE:** What has led to that?

**Mr COUTTS-TROTTER:** The effectiveness of diversionary methods of one kind or another; the emerging evaluation of the impact of the Youth on Track initiative; the use of the diversionary measures available under the Young Offenders Act; the review of the Act and potential changes and improvements. I will embarrass Simone and Paul, but I think the quality of the broad leadership inside Youth Justice now is just exceptional. Aboriginal staff in Youth Justice report a staff engagement score well above the public sector average and well above non-Aboriginal staff. There is a cohort of Aboriginal leaders within Youth Justice who are able to use those roles to great effect to reduce the continuing contact of young Aboriginal people with the justice system. I just think that there are a range of pieces in place that offer real hope that the trend of the last 10 years can be continued.

**Mr DAVID SHOEBRIDGE:** Has any of that happened as a result of sentencing trends coming out of COVID or delays in hearings as a result of COVID?

**Mr O'REILLY:** I think some of that has yet to play out because, I guess, some hearings have been deferred and that is still working its way through.

**Mr DAVID SHOEBRIDGE:** Has that shown up in an increase in remand?

**Mr O'REILLY:** No, I have to say, the remand rate in the time that I have been in Youth Justice, which is only a year and a half, has been between 53 per cent and 68 per cent roughly and bouncing around that number. The remand numbers are volatile even in the course of a day because of the nature of short-term remand. So we take our snapshot at six o'clock every morning and we land on about 60 per cent to 65 per cent most days.

**Mr COUTTS-TROTTER:** And we have had some impact in reducing those young people that experience very short-term periods of detention—24 hours or less.

**Mr O'REILLY:** Yes, there has been some impact and there is ongoing work with police and the Children's Court to improve that.

**Mr DAVID SHOEBRIDGE:** How does New South Wales now benchmark against other States and Territories in terms of the proportion of children in detention?

**Mr O'REILLY:** The proportion of children in a population?

**Mr DAVID SHOEBRIDGE:** Correct.

**Mr O'REILLY:** I have to dig for that one I am afraid—just bear with me.

**Mr DAVID SHOEBRIDGE:** While that is happening, is there anything across the Federation where juvenile detention authorities and agencies actually share successes?

**Mr O'REILLY:** Yes, we do have an association where the heads of each youth justice agency meet across Australia and New Zealand every couple of months.

**Mr COUTTS-TROTTER:** New Zealand is very important. They have got a really interesting system.

**Mr DAVID SHOEBRIDGE:** Is that every couple of years?

**Mr O'REILLY:** Every couple of months we get together, and we also have subcommittees that do projects in the background and we talk about challenges. We certainly collaborated very closely on the management of the COVID pandemic. We also talk about issues like preventing avoidable remand. New Zealand has got an innovative approach there that we are currently looking very closely at.

**Mr DAVID SHOEBRIDGE:** Indeed. I will let you give the data first, Mr O'Reilly. I am okay if those figures are taken on notice.

**Ms CZECH:** We might have to do that.

**Mr O'REILLY:** I just do not want to mislead you by having a stab there.

**Mr DAVID SHOEBRIDGE:** No, that is okay. In terms of the reforms that have been rolled out, I think, in the past two years in New Zealand, which were aimed at, as I understand it, specifically preventing short-term remand stays, is there any policy work in New South Wales aimed at implementing those? Does it require legislative reform or policy change?

**Mr O'REILLY:** There are a few things happening. It is not necessarily about implementing the same thing as New Zealand but certainly learning from that. The key areas I would probably highlight would be working with the police youth command on understanding what it is about the bail decision-making process that could be improved to affect bail decision-making. That is one thing that is really showing some promise. We are working closely with the police on that and the police would probably be best placed to advise on how that is going in detail, but we do work very closely with them on that. We also work with the supported accommodation system to make sure that there are options available for young people. In Youth Justice we are reviewing our casework model to make sure that in each location we are doing everything that we can in the court to make sure that there is an appropriate bail response in the court. The Inspector referred to the Dubbo model in her report; we have similar models in other parts of the State.

**Mr DAVID SHOEBRIDGE:** Is it your plan to roll the Dubbo model out across the State?

**Mr O'REILLY:** Not specifically, but something like that. The reason why we would not just do Dubbo automatically is it is a very effective model but we have other models in other places like A Place to Go in western Sydney, which is a really effective model and which is about to be evaluated. That is a very effective model and brings education and health into the picture a lot more directly. At Broadmeadow court we have a similar model with dedicated staff working at the court; in Maitland we do the same. It is about drawing together all of those quick responses to work out that, okay, police and courts may make the decisions about bail and remand but what can our system do to influence decisions and build robust case plans to give the system confidence around its risk decision-making for remand and bail. The broader piece is about exploring alternatives to custody. There is a bigger policy piece that we are working on with other jurisdictions, not just here but overseas, and it is not clear yet whether that would require legislative reform, but it may.

**The Hon. PENNY SHARPE:** Did you use consultants for the most recent restructure?

**Mr COUTTS-TROTTER:** No.

**The Hon. PENNY SHARPE:** All in-house?

**Ms WALKER:** All internal.

**The Hon. PENNY SHARPE:** The tendering and the long story of ChildStory is coming to an end, I note. There is a \$20 million tender with Ernst & Young that is due to finish at the end of June. Are you expecting any other additional costs after that time regarding ChildStory?

**Mr COUTTS-TROTTER:** ChildStory is a service we get from its providers.

**The Hon. PENNY SHARPE:** I suppose I mean outside of that.

**Mr COUTTS-TROTTER:** There are a range of further changes that we have programmed to continually improve the system for everyone who uses it, which now is, in numerical terms, actually overwhelmingly people outside the agency. I would need to check and come back to you on whether those changes can be done with the existing internal ChildStory team or whether it is going to initiate any additional cost outside the agency. I am happy to take that on notice.

**The Hon. PENNY SHARPE:** Would you be able to give me the total cost of ChildStory to date?

**Mr COUTTS-TROTTER:** Yes.

**The Hon. PENNY SHARPE:** On the Justice Advocacy Service funding, I know you were at the royal commission yesterday and you were asked about the Cognitive Impairment Diversion Program [CIDP]. I am not asking you about that; I am going to ask you though about the Justice—

**Mr COUTTS-TROTTER:** I wish you would because I am very well-briefed.

**The Hon. PENNY SHARPE:** No, I saw your evidence yesterday so I have got all of the answers that I need on that point. I am interested in the Justice Advocacy Service. Obviously the current contract runs out on 30 June. Can you tell me what the status is for re-tendering that project? Is it going to be re-tendered? Is it funded?

**Mr COUTTS-TROTTER:** On 4 February we received a really, I think, quite high-quality evaluation of Justice Advocacy Service led by Ernst & Young but involving the Youth Law network, First Nations Disability

and Social Policy Research Centre at the University of New South Wales. I am yet to, through the agency, present that to the Attorney General. It is an input, as I said under oath yesterday, into some work to consider both a diversionary program to replace CIDP—an improved model for assessing and diverting people with intellectual disability and cognitive impairment. The kind of question is whether you would seek to combine in one commissioning exercise those two things: diversionary service together with the services provided through Youth Justice advocacy, which is not a diversionary service but it is complimentary to diversionary service.

**The Hon. PENNY SHARPE:** It is support for people going through the court process.

**Mr COUTTS-TROTTER:** Yes.

**The Hon. PENNY SHARPE:** That is great. You funded it for about \$11 million for the last two years. Is there \$11 million for a similar service, understanding that you might look at doing things slightly differently? How much money is there in the budget for a service like this post-June?

**Mr COUTTS-TROTTER:** We have got to work with government to find—one, for Government to make a decision about whether it wants to continue the service in its current form or in the form I was describing; and two, how we fund it.

**The Hon. PENNY SHARPE:** I am interested in the attrition rates in relation to caseworkers.

**Mr COUTTS-TROTTER:** Eleven per cent in 2019-20, which was below the public sector rate of 11.7 and down from the previous year of 12.3. The features of the attrition rate that we are working on, it is not consistent across all points in your career.

**The Hon. PENNY SHARPE:** No. It concerns me in the number that we are losing in the first two years.

**Mr COUTTS-TROTTER:** In the first two years, yes. The attrition rate in the first two years is much higher. I do recall in education the attrition rate of teachers in the first two years rose to be 50 per cent, and it is true of many professions. There are a number of things we are doing to try to reduce that attrition rate. One is working with frontline leaders—managers casework, managers client service—to build their skills in managing and supporting teams generally, but particularly people early in their career. We have changed, fundamentally, the caseworker development program. So the support, training and development that people get on entry is—

**The Hon. PENNY SHARPE:** That is the 18 weeks?

**Mr COUTTS-TROTTER:** Yes, that is the 18 weeks. We have done it with a whole range of external stakeholders, including Stolen Generations organisations. We are a bit proud of it and we think it is a really good piece of work. What we are doing now is actually working firstly with the Western Sydney University to see whether that could be delivered within a degree, so delivered as part of someone's undergraduate study during their 1,000 hours of professional placement. Really what we are trying to do is identify people earlier in their course of study who want to do child protection casework, child protection social work, child protection psychology.

**The Hon. PENNY SHARPE:** So currently what are they required to do? Is it three to four years?

**Mr COUTTS-TROTTER:** They do three or four years but those 1,000 hours of professional placement tend to be a bit random. People try a bit of this and a bit of that. Sometimes that can be great because it reveals something to people.

**The Hon. PENNY SHARPE:** It often works out what you do not want to do, so that is not a bad thing.

**Mr COUTTS-TROTTER:** Exactly. But where you have someone like my daughter, who is doing social work at the University of Sydney and wants to be a child protection worker, you target people like that and say, "Working with the university, let us try to really direct someone's attention towards child protection practice", and we would deliver those 18 weeks of preparatory training with the university prior to someone arriving in the workplace as a full-time staff member. So they would get work experience, training, a combination of academic study and vocational experience and coaching. We think that that really would significantly increase the people who know they are right for the job, who do not get a nasty surprise when they get here and go, "This is not what I expected."

**Ms CZECH:** If I could just add to the initiatives Michael mentioned and it really goes to the attrition rate, particularly in the first 12 months, which is much higher—2½ times higher, actually, than the overall attrition rate. We are about to launch a peer support program and it is directly aimed at experienced staff working with or mentoring and supporting caseworkers in their first 12 months of employment. The other thing we have invested quite heavily in over the last 12 months is training for our managers and building their capability, particularly in



delivering both group supervision and individual supervision. We had a report commissioned last year by Charles Sturt University, which was about wellbeing generally. One of the things that report highlighted was that caseworkers did not have enough access or support from their managers, typically because they were incredibly busy. So we think both the peer support program and the additional training around supervision for managers will hopefully arrest that attrition rate.

The other thing I would mention, and it is a work in progress, but we are working with the Public Service Association and our colleagues in Family and Community Services Insights, Research and Analysis [FACSIAR] to develop a new workload planner and it is well, well overdue, in my opinion. We have currently got our fantastic caseworkers filling in what they do day in, day out. We have asked them to do another task in addition to their casework, but that will be formed to understand better how long it takes caseworkers to do different components of their work and that will then, in consultation and collaboration with the PSA, eventuate in the new workload planner, which we hope to launch later in the year.

**The Hon. ROSE JACKSON:** I would like to ask a few questions about housing.

**Mr COUTTS-TROTTER:** Hey!

**The Hon. PENNY SHARPE:** It has not been a waste.

**Mr COUTTS-TROTTER:** Sorry, he was really down in the mouth at lunch because he did not get any questions.

**The Hon. ROSE JACKSON:** I am sure you were devastated.

**The Hon. PENNY SHARPE:** Last year it was all you.

**Mr VEVERS:** I would prefer any form of questioning than none.

**The Hon. ROSE JACKSON:** What was the temporary accommodation budget for 2019-20?

**Mr VEVERS:** For 2019-20 it was \$55 million.

**The Hon. ROSE JACKSON:** What is the budget for 2020-21?

**Mr VEVERS:** It is \$36 million.

**The Hon. ROSE JACKSON:** That is quite a significant drop isn't it, Mr Vevers?

**Mr VEVERS:** Yes, but we took an extraordinarily large number of people into temporary accommodation during the COVID period. On any given night we had 2,200 households in temporary accommodation at the peak of COVID. That has now reduced to a level of around about 800 or 900 a night. So it is a demand-led product that we produce. I will not pretend the budget is not stretched—it is. It is actually very difficult to live within that budget, but I think we will just about get there.

**The Hon. ROSE JACKSON:** We might get back to some of the ways in which you are trying to make that work. Of course I appreciate that you are doing your best. Of that \$36 million, how much has been expended to date?

**Mr VEVERS:** It is \$17.8 million.

**The Hon. ROSE JACKSON:** One of the things—going back to the issues around managing—that is always challenging budgetary restraints is concerns around the length of temporary accommodation for people, that that has been restricted or reduced, or whatever language you want to use, so that I think people are now being offered four nights for a Thursday, three nights for a Friday and two nights on any other day of the week. That has been raised quite consistently as a concern. Are you worried about that? Is that something that has come across your desk as an issue?

**Mr VEVERS:** During COVID we obviously changed that, particularly for rough sleepers where we offered rough sleepers straight off one month and often renewed that. That is the initial amount that people get when they approach Link2home. They get, effectively, the time to come in and see us or call us. The actual average that people get is 14.5 nights temporary accommodation. We just want to make sure that we can gauge with people that we know that they have a sense of urgency about looking for a more permanent solution. We try to get them into specialist homelessness services—that is better than temporary accommodation—and we try to make sure that they understand the range of help that we can give them.

**The Hon. ROSE JACKSON:** Are you concerned that because of those constraints, despite the good work that you are trying to do and the urgency that you are trying to impart, that people are returning to homelessness once those lengths of stay have been exhausted?

**Mr VEVERS:** Some people do. We absolutely never knowingly exit someone from temporary accommodation into homelessness, but there are occasions when people move into something that is also quite temporary. So they might move into a shared house or couch-surfing arrangements. So, yes, it does happen. What has been the biggest circuit-breaker for us is the Together Home program. That has given us, in its first year, 400 places to place rough sleepers out of accommodation, and now another 400 places have been committed. It is a complete circuit-breaker because it gives us two years' accommodation for those people. But equally importantly it gives us a really intensive support service to work with those people to help them get into something more permanent, and that has seriously changed the landscape we work in.

**The Hon. ROSE JACKSON:** Indeed. You just said the figure in terms of how many places there are available under that program. I think you said 400—

**Mr VEVERS:** Four hundred.

**The Hon. ROSE JACKSON:** —which is great, but obviously nowhere near enough. We have already all acknowledged the good work that the department did during COVID, but that points to the issue which is that when the commitment and resources are there, when those funding restraints are lifted, come off—whatever language you want to use—because we are at a crisis point we can make major inroads into the homelessness crisis, but we are reverting back to what we were doing before, which is you and your department doing your best with the little bandaids but not having the resources you really need to fundamentally address the challenge. That was more of a statement than a question—for which I apologise, Mr Ververs. What representations have you made to the Minister in relation to the success of that program and trying to ensure that it is more than just 400 of the thousands of places that are actually needed?

**Mr VEVERS:** Can I say I think any public housing authority in Australia—and probably across the world—could always make good use of extra funding, and we would be no different. So resources do matter. But I would say that with the two Together Home programs, it does give 800 two-year leases directed at rough sleepers. Even at the peak in COVID, we had 600 rough sleepers with us. For the most acute end of homelessness, I think that program will help people we can help get off the streets. There are other people who we all try hard to get off the streets and we can't. So I do think those programs are enough, and two years is quite a long time to be able to get people stable and into something else. Yes, of course we could make good use of extra resources, undoubtedly.

**The Hon. ROSE JACKSON:** One of the other issues that has been raised in relation to temporary accommodation is some of the quality of the accommodation and access issues. Obviously, a number of people who are making use of temporary accommodation perhaps have disabilities, including physical disabilities. There are also general cleanliness issues and suitability issues. Is that something that you are aware of, those concerns?

**Mr VEVERS:** Temporary accommodation is definitely the very modest end of hotel accommodation, other than during COVID. Yes, it is very modest. We would not take on somewhere that is not clean and we do look at those facilities. Our biggest concern is probably security, especially for people escaping domestic violence. Before we appoint any temporary accommodation provider, we run checks with the police service and with local homelessness services and ask about the reputation—and in some cases we make them men only. Yes, it is modest, but it should be clean and habitable.

**The Hon. ROSE JACKSON:** There was some suggestion at budget estimates last year of an audit of specialist homelessness services [SHS]. Is that something that has occurred?

**Mr VEVERS:** I will hand over to Simone on that. Sorry.

**Ms WALKER:** Sorry, Paul. I don't want to take your opportunity away from you. Just to make the distinction between the temporary accommodation services and our specialists homeless services that are working with usually a different cohort of clients, it is fair to say; all clients that may come from temporary accommodation to specialist homelessness services. I would have to look back and check which one you are talking about, but certainly during COVID, what we know is our specialists homelessness services did an amazing job at continuing their service provision.

You talked about cleanliness in service provision. I think that is one of the shining lights of the SHS service system during that time. They were responsive. They were very acutely aware of people who may need to self-isolate. It did change for some of our large congregate care providers. It changed the make-up of their service provision, but I think Paul would agree with me to say that has worked for the better in a lot of cases, meaning

that we can provide strong, safe environments for people that may have ended up in those congregate care arrangements.

I know you passed the comment before that 800 places isn't a lot, but we do have other programs like our Social and Affordable Housing Fund—our SAHF; we love our acronym—which is a billion dollars of Government investment and that return on the investment provides ongoing funding. Three thousand and four hundred homes will be provided out of that. That is Social and Affordable Housing—70 per cent for social; 30 per cent for affordable. It is already making a huge difference. For example, 756 of those houses that have already been provided have gone to women over 55, which is the largest growing cohort of homeless people.

**The Hon. ROSE JACKSON:** While we are on that, my understanding is that nine contracts under the SAHF have been awarded, and you mentioned the end of 2023 deadline.

**Ms WALKER:** Three hundred and forty—sorry, 3,400.

**The Hon. ROSE JACKSON:** Three thousand four hundred dwellings.

**Ms WALKER:** Quite a few more than 340.

**The Hon. ROSE JACKSON:** How many have been provided so far?

**Ms WALKER:** One thousand, eight hundred and ninety-one.

**The Hon. ROSE JACKSON:** Are they all tenanted? Are they all being utilised?

**Ms WALKER:** Part of the contract arrangement is the speedy tenanting of those services. Many of those people who are entering that service system are coming out of the service system that Paul is in charge of.

**The Hon. ROSE JACKSON:** Are you then on track to meet that deadline of 3,400 dwellings?

**Ms WALKER:** Absolutely. Categorically, yes.

**The Hon. ROSE JACKSON:** Can we keep going, Robert, or do you have questions? Yes. I might just jump around a bit as we touch on different issues. It is good to hear that—I think you said 700 had gone to older women, which obviously—

**Ms WALKER:** Women over 55. That's right.

**The Hon. ROSE JACKSON:** Women over 55. How many women—let's just say people. How many people over 55 are currently on the priority waiting list for social housing?

**Mr VEVERS:** I would have to take that on notice. Our total priority list is currently 5,300, but I would have to take that on notice.

**The Hon. ROSE JACKSON:** It would be useful to have how many over 55, how many women over 55 and also how many Indigenous, if you have that. Thank you. Has there been any thought given internally to the parameters for priority in relation to age? Because my understanding is that currently the age in terms of—if age were the only determinant of priority status, the age is in fact 80. I am sure you are aware that a number of community advocates have suggested that that is in fact quite old and, considering the serious issues that we know women over 55 in particular are facing, that there should be some consideration of lowering that age. Is that something that is under consideration?

**Mr VEVERS:** Can I just put a bit of context around this? The priority housing system works irrespective of your age to prioritise people who are in urgent need of housing and cannot satisfy that need in the private market. So people who satisfy those two tests at any age whatsoever will go to the top priority group. Sitting below that, we have a lower category but higher-than-general waiting list of people aged over 80 so that if a property becomes available, it is offered first to people on the priority list. If it does not meet their needs, it will then drop down to that list. I think there is the safety net that anybody who is, say, 60 or 70 and can neither meet their needs in the private market and is in urgent need of housing will go to the priority list. We also have the ability to give that cohort of people a subsidy into the private market so that if we have not got an appropriate property available, they can look in the private market. We will give them a subsidy such that they pay the same rent that they would have if they were in public housing.

**The Hon. ROSE JACKSON:** I appreciate that distinction between priority A and priority B—obviously I just made that up, but the two-step process. The point remains that there is the suggestion that we know that the fastest-growing group of people experiencing homelessness are women over 55. Yes, as you say, if they are in a particular housing crisis, or experiencing stress or a serious situation, they can go on the priority list regardless.

But has there been any consideration given to amending that priority B group so that there could be some extra support to ensure that women have access to housing that might become available?

**Mr VEVERS:** It is not a policy that we are currently reviewing.

**The Hon. ROSE JACKSON:** How many people are on the general social housing waiting list?

**Mr VEVERS:** As of 30 June last year—it is published annually—51,395.

**The Hon. ROSE JACKSON:** How many social housing properties are there in New South Wales?

**Mr VEVERS:** If you include community and public housing, I think it is roughly 140,000.

**The Hon. ROSE JACKSON:** Do you have figures on travel times in relation to access to temporary accommodation? Are people being asked to travel more than 90 minutes to access temporary accommodation?

**Mr VEVERS:** Generally speaking, no. There are some regional towns where we simply cannot get a provider that is willing to take our clients. That means that, at times, people have to travel. If that person has children, we will try our best to make an arrangement to get some travel for them. That may be a taxi, but we probably would not do that for a very long distance. Our call centre has the ability to make those arrangements. We are about to embark on a tour around the State to try to plug some of the gaps in those towns. People are often afraid of damage, so we are going to look at how we can perhaps provide some reassurance to those providers that if there is damage we will help to pay reasonable costs so that we can get a better spread, particularly in regional areas.

**The Hon. ROSE JACKSON:** In relation to people who access temporary accommodation, do you have figures on how many of those people were placed in permanent social housing?

**Mr VEVERS:** No, but I can take that on notice.

**The Hon. ROSE JACKSON:** That would be useful. Going back to the question that we asked the Minister earlier about the people who accessed housing support during the COVID crisis, the 23,242—

**Mr COUTTS-TROTTER:** Yes, 23,242.

**The Hon. ROSE JACKSON:** The Minister had advised in response to questions on notice that 2,955 of those people who were provided with temporary accommodation have received assistance to access or maintain stable housing. There is a further breakdown there, and in general that is fantastic, but I am interested in the other 20-odd thousand. I appreciate that you said, Mr Vevers, that you do not track those people individually—and I am not asking you to be Big Brother—but surely there was some sense from the department of where they were going when those people were exiting temporary accommodation? Surely you asked, "Do you have somewhere to go?", "Where are you going?" or "What is next for you?"

**Mr COUTTS-TROTTER:** My hardworking colleagues back at the ranch got us some data during lunchtime. Over the period 1 April 2020 to 31 January 2021, of the 23,242 people who received temporary accommodation assistance, 2,708 moved to social housing—including 650 people who had previously experienced rough sleeping—and 2,251 left with some form of private rental assistance from us, including 243 people who had previously experienced rough sleeping. As Mr Vevers explained earlier, we do not have any data for that group about repeat homelessness. I did undertake to Mr Shoebridge to have a look at the Australian Institute of Health and Welfare data on that. The most recent data is from 2019-2020 and it measures something slightly different.

Temporary accommodation is not included in the definition of the Specialist Homelessness Service system for the purposes of national data gathering. Of those who came to the Specialist Homelessness Service system in New South Wales who were homeless in 2019-2020, 5.8 per cent had an experience of repeat homelessness. That compares to a national average of 5.6 per cent, so it is slightly above but generally in line. That does not answer the question that you are asking, but within an adjacent system that deals with some of the same people who need temporary accommodation, the incidence of repeat homelessness was 5.8 per cent during 2019-2020.

**Mr VEVERS:** Can I add to that?

**The Hon. ROSE JACKSON:** Yes, go ahead.

**Mr VEVERS:** Without exception, everybody who approaches Link2home—which is how nearly everybody gets into temporary accommodation—is asked to go to their local office. We are currently setting up an appointment system so that we can engage with them. A large proportion of people never turn up at the local

office, so we assume that they have made their own arrangements. It is more anecdotal than it is data, but a lot of those people manage to make some other form of temporary arrangement. Quite a few of the people we get in temporary accommodation have had a family dispute that has led to them leaving the family home, and a few nights of temporary accommodation is sometimes enough for them to reconcile and go back home. But it is a gap in our knowledge. Going back a very long time, we tried to do a sample survey of some people who had left temporary accommodation. It proved exceptionally difficult to get people to engage with us, but I think that it is something that we should think about doing again.

**The Hon. ROSE JACKSON:** Clearly engagement is a problem and I appreciate what you are saying. These are people who, even in the best of circumstances, are going through a very difficult time in their lives—needing to access Link2home and temporary accommodation. They do not want to engage in your survey. You say they have to make an appointment and they do not or they do not turn up. We know that thousands of people are in some sort of strife. I am not really sure that it is fair to just assume that they have made other arrangements.

**Mr VEVERS:** No.

**The Hon. ROSE JACKSON:** I hear that you are trying to improve that, but is it a resource constraint? Why has that not been able to happen? Again, going back to Mr Shoebridge's question, part of the purpose of bringing everyone together was to say, "Well, whether there has been a domestic violence experience, engagement with the criminal justice system or whatever has gone on that has led someone to temporary accommodation, how can we ensure that they are connected with the support services they need?" That is as opposed to making an appointment at the local housing office and then saying, "Oh, you didn't show up—see ya!"

**Mr VEVERS:** It is obviously quite a resource-intensive thing to do, but I think we should—and I will make a commitment to do this—do a piece of research as best we can with the willingness of people who have been in temporary accommodation to try to understand what has happened to them. I will very happily make a commitment over time to do that. We could probably use some of our Link2home staff perhaps outside of peak times to try to contact some of those people.

**The Hon. ROSE JACKSON:** Good. It would be useful to hear the outcomes of that in the future. I wanted to touch on the program that you raised in relation to prisoners and the homelessness issues that they are experiencing. We all know that the number of dedicated beds for those people is very limited, so it is good to hear that there are other programs available. Is the program that you are describing Set to Go? Is that the Set to Go program or is Set to Go a different program?

**Mr VEVERS:** Set to Go is giving people temporary accommodation as they leave prison, so the prisons have dedicated line to call.

**The Hon. ROSE JACKSON:** Yes. My understanding was that people in prison could not access Link2home while they were in prison.

**Mr VEVERS:** Yes.

**Mr COUTTS-TROTTER:** Yes.

**The Hon. ROSE JACKSON:** So that has now been expanded past people who are on parole? Everyone can now access that hotline?

**Mr VEVERS:** Yes, that was never confined to people on parole—it is anybody who is leaving prison who would otherwise be homeless. But the different thing that we are doing is to try to look at the longer-term solution for people who are identified by Community Corrections as at risk of homelessness. They are the people who we are currently doing a full housing needs assessment three months before they leave. In many cases, we may offer them assistance to go into private rental; in other cases, they will get approved priority housing three months before they leave, which in many cases will get them quite high up the priority housing list for when they leave. It is a more planned approach to try to stop the flow of people ending up literally on the streets.

**The Hon. ROSE JACKSON:** Again—and this is the context in which it was raised—there is a pretty significant link between leaving prison, being homeless and recommitting crime.

**Mr VEVERS:** Yes, totally.

**The Hon. ROSE JACKSON:** So in terms of our recidivism goals it is important.

**Mr VEVERS:** Yes.

**The Hon. ROSE JACKSON:** People who I have spoken to who work in that sector have acknowledged that the program is good and an improvement, and have acknowledged the advocacy of you and your team in overcoming the issues with Corrections, but they suggest that there is still not enough knowledge about the good programs that are available. And unless there are those good caseworkers in particular areas who are able to ensure that people are accessing this, quite a lot of prisoners who would really benefit just do not know that the support is there. Are you going to work to ensure with Corrections that people are informed that they now have access to the services?

**Mr VEVEERS:** Yes. That has been an issue, undoubtedly. We expanded this from four prisons into all prisons in November and the take-up has not been as rapid as we expected it to be.

**The Hon. ROSE JACKSON:** Please do not be concerned—from what I have heard, and what I am sure you are hearing too—it is not because it is not a needed program.

**Mr VEVEERS:** No, totally.

**The Hon. ROSE JACKSON:** People do not know about the program.

**Mr VEVEERS:** Yes. It is completely that. Peter Severin, the Commissioner for Corrective Services, and I meet every month together with our management teams and there is a lot of active promotion of this within the prison services. It is particularly within Community Corrections, who get engaged with the prisoners as they are coming up to release. Sandra Crawford and I have been engaging a lot about making sure that all of the staff know that this facility is available to long-term prisoners who are coming to the end of their time in prison.

**The Hon. ROSE JACKSON:** That is good. I want to go back to a couple of Youth Justice issues in relation to some of the questions my colleague Mr Shoebridge was asking about young people on short-term remand. Was that work that you were describing, Mr O'Reilly, part of the Short-Term Remand Project Steering Committee? Is that still an operational group that is leading the project?

**Mr O'REILLY:** Yes.

**The Hon. ROSE JACKSON:** I do not think you asked, Mr Shoebridge—although I may have missed it if you did—what is the average length of stay of a young person on remand? Was that a figure that you had?

**Mr O'REILLY:** Yes. The average length of stay on remand in 2019-20 was 16.6 days, which is up from the previous year of 15.4 days. That is the average stay.

**The Hon. ROSE JACKSON:** And that was, in fact, up from the previous year of 14.3 days. The previous year was—

**Mr O'REILLY:** My data says 2017-18 was 19 days, but we can work out what is different there. We can work that out.

**Mr COUTTS-TROTTER:** What we have really been targeting at young people who are detained for 24 hours or fewer—

**Mr O'REILLY:** That cohort can be as high as half of the kids on remand at the same time.

**The Hon. ROSE JACKSON:** You mentioned A Place to Go, which we had discussed previously as a trial in Penrith. In the budget there is some money committed—\$8.6 million—to continue the diversionary programs Youth on Track and A Place to Go. You mentioned an evaluation. The sense is that it has been a successful program, I suppose? I am awaiting the evaluation.

**Mr O'REILLY:** We are awaiting the evaluation because we really want to look at the outcomes in more depth, but certainly on face value it is achieving great things.

**The Hon. ROSE JACKSON:** What is the time frame to the evaluation?

**Mr O'REILLY:** This year.

**The Hon. ROSE JACKSON:** If it is a successful program, would there be interest, at least from your end—obviously, I appreciate there are budgetary constraints everywhere—in terms of expanding that program?

**Mr O'REILLY:** Yes. The process for both Youth on Track and A Place to Go is to draw on the evaluation and then determine recommendations for government, and they could include an expansion.

**The Hon. ROSE JACKSON:** Is Youth Justice subject to the efficiency dividend?

**Mr COUTTS-TROTTER:** The agency as a whole has savings to achieve next year—\$30-odd million in procurement. There is also an arrangement where the Digital Restart Fund was, in part, funded by agencies contributing a share of their forward information and communications technology budgets, so we have a small share of that as well.

**The Hon. ROSE JACKSON:** From Youth Justice?

**Mr COUTTS-TROTTER:** From DCJ as a whole.

**The Hon. ROSE JACKSON:** Yes, from DCJ generally not Youth Justice specifically.

**Mr COUTTS-TROTTER:** Yes. It is not a pro rata for every function necessarily. We will respond in the most sensible way we can to deliver those savings.

**The Hon. ROSE JACKSON:** Excuse my ignorance, I have obviously never run a department myself. Do you say to Youth Justice, do you say to Mr O'Reilly, "Here are your savings targets. You have to"—

**Mr COUTTS-TROTTER:** We would build a budget for the 2021-22 financial year and we would give it to Ms Czech and Mr O'Reilly and say, "Here is your budget." It will either contain savings will not.

**The Hon. ROSE JACKSON:** Does it contain savings?

**Mr COUTTS-TROTTER:** Or it will not. We are doing the work to identify the best way to deliver \$30-odd million in procurement savings across the agency.

**Mr DAVID SHOEBRIDGE:** I will be brief. I only have a few mopping-up questions. I was asking about isolation in juvenile justice and you gave the numbers, Mr O'Reilly, about the overall reduction. Were there any instances where a detainee under the age of 16 had been detained for greater than 12 hours?

**Mr O'REILLY:** I am not aware of any but we can have a look at that.

**Mr DAVID SHOEBRIDGE:** And were there any instances where a juvenile 16 or older had been detained for greater than 24 hours?

**Mr O'REILLY:** There was one recorded in the inspector's report at Cobham in the 2019-20 year. Subsequent to that, that is not appearing in the data and we are examining it at the moment. What we think has happened, which happens a lot with segregation and confinement, is that there is often a data error. If you will bear with me for the details, the way it works is that sometimes in our system when somebody is closing out the confinement period or a segregation period in the system, if they do it in a certain way the end time will be recorded as the time they are entering the data, not the time the confinement or segregation finished, so it is inaccurate. Then there is a process of going back, mopping up those and correcting them where they need to be corrected. We think that is what has happened with that one case.

**Mr DAVID SHOEBRIDGE:** We have previously in other estimates tried to get a distinction drawn between segregation and confinement. Do you have a clear policy?

**Mr O'REILLY:** Yes.

**Mr DAVID SHOEBRIDGE:** Can you table that?

**Mr O'REILLY:** Yes. I can explain it now or I can table it. I can do both.

**Mr DAVID SHOEBRIDGE:** That might be helpful.

**Mr O'REILLY:** Sure. Confinement is used in response to a behavioural problem. In the regulation it is described as a punishment but really it is about making sure that we can put a circuit-breaker in that behaviour, and put the young person on their own and work with them to either calm down, or it might be about reducing stimuli or making sure that there is a clear link between the misbehaviour and the confinement. Confinement is not the only option in response to misbehaviour, but is frequently used, as you can see, and that is appropriate. Segregation is about a particular kind of separation from the group in response to a risk.

**Mr DAVID SHOEBRIDGE:** What if a detainee objects to the segregation and says, "I don't want to be segregated and kept in a cell by myself for 12 hours or 24 hours"? That effectively becomes a form of punishment. How do you draw the boundary between the two?

**Mr O'REILLY:** One of the key differences is that in segregation it is important that we maintain access to programs as much as possible during that period and access to the normal things that other young people in the unit are engaged in during that period. There is strong oversight and governance in the management of segregation,

with various approvals after a certain number of hours, and that is reviewed and reported on. The Ombudsman monitors that very closely. They can access our system, of course, and there is a process of automatically sending the extended segregation data directly to the Ombudsman. That comes to me as well, for me to scrutinise. The truth is that, certainly, young people would experience segregation as a punishment. They would feel that, but that is not the intention. The intention is to give the people who are running the centre tools to prevent what is very obviously an escalating risk. To not take action and to not segregate would inevitably lead to injury or damage.

**Mr DAVID SHOEBRIDGE:** I am not here to suggest there are not obvious reasons why segregation may be necessary at some point. I am asking how do you know that the segregation is not a punishment and that, therefore, you are in breach of section 21 of the juvenile detention Act?

**Mr O'REILLY:** Sure. One of the important things about segregation is the risk management thinking and discussion and decision has to be documented and reviewed, and it needs to read and be credibly reviewed as a risk management decision and not a reaction to a particular misbehaviour.

**Mr DAVID SHOEBRIDGE:** So it is the intent of the person imposing the action that distinguishes the two in juvenile detention?

**Mr O'REILLY:** In a sense, that is true, yes, and the oversight and the way that decision is documented. It needs to be demonstrated that it is about managing risk.

**Mr DAVID SHOEBRIDGE:** I understand your position, but have you had that legally tested?

**Mr O'REILLY:** I believe so, yes. It is in the legislation and it is the way the system has been running.

**Mr DAVID SHOEBRIDGE:** I have read the legislation. It does not talk about intent; it just talks about the 12 hours and the 24 hours and punishment. There is no reference to intent that I can read in the legislation, unless you read it into the use of the term "punishment". Have you tested whether the segregation policies are in breach of section 21 of the Act?

**Mr O'REILLY:** Not during my time at Youth Justice, but we can come back to you on that. It may have been done previously.

**Mr DAVID SHOEBRIDGE:** Thank you. This may have been answered; I may have caught the tail end of it when I came in. Is there work done by the department to link prisoners exiting jail with the NDIS? Has that work matured?

**Mr COUTTS-TROTTER:** It has. Talking to a colleague in Corrections who leads the specialist disability service, there still remains work to be done to improve how that happens. Our perspective would be that too often that happens too late with the National Disability Insurance Agency [NDIA]. Our perspective would be that sometimes people with sufficient expertise are not involved. For people who come into jail as participants in the NDIS, they have to have their plan reviewed prior to transition. Sometimes the expertise involved in that is insufficient, so we are working with the NDIA and their newly appointed justice liaison officers to try to improve the operational arrangements between our two agencies. But I would readily concede that it can and should be improved.

**Mr DAVID SHOEBRIDGE:** My final series of questions is about housing. Do you know what the current waitlist is—in terms of time and the number of applicants—for social housing? I apologise if that was asked while I was away.

**Mr VEVERS:** Yes. The waiting list is 51,395. The waiting times vary incredibly according to where you are. We do publish those in bands on our website.

**Mr DAVID SHOEBRIDGE:** Yes. What is the average waiting time across the State?

**Mr VEVERS:** The median waiting time for people who have been priority housed is 2.5 months. The median waiting time for general housing is 29.1 months, and then it is shorter if you have selected Aboriginal housing.

**Mr DAVID SHOEBRIDGE:** Do you have data on the number of social housing units that have been funded over the past three financial years, particularly given the crunch we have seen on housing from COVID-19? Can you point to that data?

**Mr VEVERS:** Do you mean new housing?

**Mr DAVID SHOEBRIDGE:** New housing.



**Mr VEVERS:** That would be something you would need to ask Land and Housing.

**Mr COUTTS-TROTTER:** We have good data on the houses funded through the Social and Affordable Housing Fund that remain with us. The public housing portfolio, of course, has moved to Minister Pavey. So we will take that on notice and provide a coordinated response with the Land and Housing Corporation.

**Mr DAVID SHOEBRIDGE:** Thank you all for your cooperation today.

**The Hon. ROSE JACKSON:** Mr O'Reilly, I want to follow up on the issue of body-worn cameras that was recommended. You mentioned that you had not acted on that. Where is that up to in terms of the consideration of that?

**Mr O'REILLY:** Sure. One of the things that we need to be careful of is that it does not elevate risk. While there is a lot of literature around the impact of body-worn cameras in the adult system—that, in particular, it can improve the management of incidents and the incidence of violence—there is very, very little evidence of how it operates in a juvenile setting. There is a Queensland report—I believe it is North Queensland—which is the closest we could get. This looks at the impact of body-worn cameras on incidents with men in custody. What it shows is that for older men in custody involved in an incident, it is very effective; for younger men, it is ineffective and it exacerbates the situation. While a body-worn camera will absolutely improve transparency and make it easier to unpack incidents and address use of force and behavioural problems, it is probably not the right decision if it increases the risk of violence. So we still need to work through that, tease through the evidence base and see if we can find something else to help us make that decision.

**The Hon. ROSE JACKSON:** So you have not ruled it out? It is still under active consideration?

**Mr O'REILLY:** Yes, we have not landed.

**The Hon. ROSE JACKSON:** I want to ask about workers compensation in Youth Justice. How many workplace injuries were recorded, and what was the total amount spent on workers compensation in 2019-20?

**Mr O'REILLY:** Sure. I will need a little bit of time to pull that out. I can tell you there has been a significant reduction in terms of the number of incidents and the cost over the two reporting periods. The reduction, from memory, is in between \$1 million and \$2 million. I just need to find the number of incidents for you. That may take a little time.

**Mr COUTTS-TROTTER:** I do not know if Mr O'Reilly has yet been informed, but he is going to get a hindsight credit as a result of this good performance.

**Mr O'REILLY:** Yes, I have.

**Ms CZECH:** Yes, we have been informed. We will happily take that.

**Mr O'REILLY:** We have got the reduction of assaults, which is in Ms Rafter's report, but I do not have the workers compensation numbers.

**Mr COUTTS-TROTTER:** We can get the data for you.

**The Hon. ROSE JACKSON:** It would be useful also to know how many of those workers compensation claims were recorded as mental health or psychological injury.

**Mr O'REILLY:** Yes, we have that information.

**The Hon. ROSE JACKSON:** That would be useful, if you could take that on notice.

**Mr O'REILLY:** I was reviewing it recently; I just do not have it with me.

**The Hon. ROSE JACKSON:** That is fine. It can be provided on notice. In relation to recommendation 48 of the Shearer review, which was a review of the way that young people who had committed sex offences are managed, where is that up to?

**Mr O'REILLY:** Yes, we have worked that through. We worked that through with a few people: with our principal psychologist and her team, who brought the evidence base to us. We also worked it through with the PSA and with the governance board that is overseeing the implementation of the recommendations. There are a couple of options for the management of young people with sexual offences in custody. One option is a separation model, where they are housed in the one location. There are a couple of reasons why we have ruled that out, based on what the evidence says. The first reason is that it absolutely draws attention to those young people and could potentially make them a target. The second reason is that—and I do not express this as articulately as our principal

psychologist—the evidence base indicates that for young people who are in custody with sexual offences, the psychology of that and the criminogenic intervention is different to working with adults with sexual offences.

It is really important that we are very mindful of the impact of stigmatising young people in custody because it impacts the effectiveness of the criminogenic intervention. The wash-up of that analysis led us to weighing up those two options, and the option that we have landed with, which we have discussed with our staff, is that we will integrate young people into the other units. We will place them in each unit on the basis of a careful individual risk assessment. One of the challenges is that young people in custody often make poor decisions and will disclose their offences to other people and then there will need to be a fresh assessment about where they should be located. But provided that does not happen, we find very few incidents of targeting young people by keeping them integrated with the right risk assessment and the right intervention.

**The Hon. ROSE JACKSON:** I assume this goes without saying, but for the purpose of clarity, many of those young people are themselves victims of sex offences perpetrated by other people?

**Mr O'REILLY:** Yes.

**The Hon. ROSE JACKSON:** This is part of the reason—it is not always the case—that has driven their own criminal behaviour. There is a specific intervention based on—

**Mr O'REILLY:** The complexity of all of that.

**The Hon. ROSE JACKSON:** That is right, the complex nature of their trauma as victims as well as perpetrators.

**Mr O'REILLY:** Yes. That policy really needs to be driven by the evidence base, which is what we have tried to do.

**The Hon. ROSE JACKSON:** Recommendations 58 and 59 of the Shearer review went to a review of the leadership culture and capabilities. This one was quite important, although I did not read it fresh for this hearing, but as I recall one of the bases of the Shearer review was that in fact that was quite critical in terms of what occurred. It was not about one individual making a mistake or something that led to the incidents at Frank Baxter, it was more leadership, culture and capabilities needing a review and refresh. What is the progress of that?

**Mr O'REILLY:** It is in progress and there are a few elements to that. One of the key elements is the kind of training that managers, from very first level of low manager all the way up, need to be effective in this high-risk environment. That is leading us to develop a number of training and development products, including everything from coaching right down to personal development. Then there is practical: how to do supervision properly, how to do group supervision, how to have performance conversations with staff, how to support staff, how to better make risk decisions and how to take on different views. Those training processes are partially in development and partially already rolling out. Then there are other important considerations like the span of control of managers in a centre.

One of the challenges in a 24/7 custodial environment is that you need lots of staff to run it and it is difficult to have reporting lines that are manageable. We are currently reviewing what is the appropriate level of reporting, the number of reports that a manager should have, and we need to reduce that. That is one of the things that we are working on at the moment. One of the other issues around leadership in the lead-up to that event—a system-wide issue—was there were a lot of vacancies in operational leadership positions, which were often caused by people acting up, with the domino effect of vacancies. In the last 12 months we have filled all of those leadership positions on an ongoing basis. Naturally there is attrition and there is a churn. We have a couple at the moment that we are filling but certainly we have filled all those vacancies.

**The Hon. ROSE JACKSON:** The last question I had—you may want to take this on notice—is that do you have a figure on the number of detainees returning to detention over the past three years? I am using three years because I know that with those returning-to-detention figures, if your time frame is too short it can skew data or be a bit misleading. Presumably you track those things.

**Mr O'REILLY:** We do. We do not have the three-year figure on us. We have a contribution to the Premier's Priorities around reducing reoffending and that is about young people not reoffending after 12 months. That is probably the primary focus at the moment: not reoffending after leaving a youth justice conference, parole supervision or custody. That is our primary focus in terms of our contribution to the Premier's Priorities, but we also track separately returning to court and returning to custody for each of those three categories as well. We can provide that on notice.

**The Hon. ROSE JACKSON:** Do you have those figures available or you will provide them on notice?

**Mr O'REILLY:** We can provide them on notice.

**The Hon. TREVOR KHAN:** I will be quick. To Mr O'Reilly: In the question on body cameras, I think you referred to some form of study done in north Queensland.

**Mr O'REILLY:** Yes.

**The Hon. TREVOR KHAN:** If that is available, could you provide us with a copy?

**Mr COUTTS-TROTTER:** Yes, certainly.

**Mr O'REILLY:** Sure.

**The Hon. TREVOR KHAN:** That is great. That is my question. That is it.

**The CHAIR:** Thank you very much. There is a whole lot of stuff you have taken on notice today.

**Mr COUTTS-TROTTER:** Yes, there is.

**The CHAIR:** You have 21 days to produce it. Thank you very much.

**(The witnesses withdrew.)**

**The Committee proceeded to deliberate.**