

PORTFOLIO COMMITTEE NO. 5 - JUSTICE AND COMMUNITIES

Thursday 9 November 2023

Examination of proposed expenditure for the portfolio areas

FAMILIES AND COMMUNITIES, DISABILITY INCLUSION

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The Committee met at 9:15.

MEMBERS

The Hon. Robert Borsak (Chair)

Ms Abigail Boyd

The Hon. Greg Donnelly

The Hon. Natasha Maclaren-Jones (Deputy Chair)

The Hon. Rachel Merton

The Hon. Tania Mihailuk

The Hon. Cameron Murphy

The Hon. Stephen Lawrence

PRESENT

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

CORRECTIONS TO TRANSCRIPT OF COMMITTEE PROCEEDINGS

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

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

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The CHAIR: Welcome to the third hearing of the Committee's inquiry into budget estimates 2023-24. I acknowledge the Gadigal people of the Eora nation, the traditional custodians of the lands on which we are meeting today. I pay my respects to the Elders past and present, and celebrate the diversity of Aboriginal peoples and their ongoing cultures and connections to the lands and waters of New South Wales. I also acknowledge and pay my respects to any Aboriginal and Torres Strait Islander people joining us today. My name is Robert Borsak and I am the Chair of the Committee. I welcome Minister Washington and accompanying officials to this hearing. Today the Committee will examine the proposed expenditure for the portfolios of Families and Communities, and Disability Inclusion.

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

Welcome, and thank you for making the time to give evidence. All witnesses will be sworn prior to giving evidence. Minister Washington, I remind you that you do not need to be sworn, as you have already sworn an oath to your office as a member of Parliament. I also would like to remind Mr Tidball, Ms Campbell and Mr Fitzgerald that you do not need to be sworn, as you have been sworn at earlier budget estimates hearings before this Committee.

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Mr BRENDAN THOMAS, Deputy Secretary, Transforming Aboriginal Outcomes, Department of Communities and Justice, sworn and examined

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

Ms ZOE DENDLE, Executive Director, Housing, Homelessness and Disability, Department of Communities and Justice, affirmed and examined

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

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

Mr ROBERT FITZGERALD, NSW Ageing and Disability Commissioner, NSW Ageing and Disability Commission, on former oath

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

The Hon. NATASHA MACLAREN-JONES: Thank you very much, Chair. Welcome, Minister, and also officials. Minister, are you aware of the Away from Placement Policy?

Ms KATE WASHINGTON: Good morning, Ms Maclaren-Jones. I appreciate your former position as the Minister and acknowledge that before we continue today. That particular policy, Away from Placement—

The Hon. NATASHA MACLAREN-JONES: When a young person is in out-of-home care. Maybe one of the officials might be able to elaborate.

Ms KATE WASHINGTON: On the Away from Placement Policy? I will ask Ms Czech to see if she can elaborate on that.

SIMONE CZECH: Can I just clarify what the question is about the policy?

The Hon. NATASHA MACLAREN-JONES: When a young person is away from their placement.

SIMONE CZECH: We do have a policy in place that details what caseworkers, whether they're caseworkers in DCJ or caseworkers in the non-government organisations, have to do when a child is not in their placement, which includes efforts to locate that child or young person, as well as notifying the appropriate delegate, which in this case is both me and the secretary.

The Hon. NATASHA MACLAREN-JONES: Is there a distinction between away from placement temporarily and also not in placement?

SIMONE CZECH: Yes is the short answer.

The Hon. NATASHA MACLAREN-JONES: Could you outline what the distinction is between the two?

SIMONE CZECH: Not in placement might be where children have self-placed back with either a birth parent or family, whereas away from placement might be the child's left the placement but we're still trying to locate their whereabouts.

The Hon. NATASHA MACLAREN-JONES: When a young person has self-placed, has that been authorised?

SIMONE CZECH: We make efforts to authorise the placements. In the first instance, actually, we locate where the child is and then undertake probity and what we call household inspections to make sure that the location or the premises that they're in is safe.

The Hon. NATASHA MACLAREN-JONES: If a young person is not in their placement, would you classify that they are missing?

SIMONE CZECH: It depends on the circumstances. Efforts are made, by the case worker predominantly, to not only make inquiries to the whereabouts of the child but actually to physically go to that

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location, sometimes with the assistance of police, depending on what the location is, to actually have a conversation with the child. It's typically children that are a little bit older, adolescents, older adolescents, and, basically, they have conversations with them to return them to their authorised placement. There is a process we go through, like I said, around probity checking, talking to the people that the young person is residing with or staying with, and then making a determination whether that placement or that arrangement could be authorised.

The Hon. NATASHA MACLAREN-JONES: If a young person has self-placed, how do you guarantee that they are safe, particularly if it's a home where they may have been removed from?

SIMONE CZECH: Again, we make inquiries on each individual circumstance. First of all, like I said, we'll do checks of things like our ChildStory system to see what we know about the people that they're residing with, and using your example, if it's a parent, depending on the length of time that might have elapsed between when the child was removed from the parent's care and when they've returned—circumstances may have changed. It's really on a case-by-case assessment of that particular situation and making a determination whether we authorise that arrangement or not and, obviously, attempt to return the child to their authorised placement if we don't think that that's suitable.

Ms KATE WASHINGTON: I might just add the department makes every step it can take to make sure that the safety and wellbeing of any child that's in the out-of-home care system, whether they are in a high-cost emergency arrangement, whether they are in a foster placement, whether they're in an intensive therapeutic care placement—wherever they are, the department and all of the amazing caseworkers on the ground do everything they can to ensure the safety and wellbeing of the children because, as you well know, these children are extraordinarily vulnerable. They have all been through an enormous amount to even be in the system in the first place. As we also know, sometimes the system itself doesn't support the best outcomes for the children, particularly when they are placed in high-cost emergency arrangements, where they are looked after, where they have shift workers 24/7—

The Hon. NATASHA MACLAREN-JONES: Thank you, Minister. I'm not referring to those types of placements. I'm talking about other types of placements and particularly the number of young people. If you're aware, how many young people are currently missing or not in their placements at the moment?

Ms KATE WASHINGTON: As I said, the paramount consideration for the department and for me as Minister, at all times, is to ensure the safety and wellbeing of children. But you also would be well aware that there are extraordinary complexities in the lives of these young people. As I said, before they've come into the system in the first place, they have experienced an enormous amount in their lives. When they are then placed in situations that aren't always—they're sometimes the last resort. When they're not necessarily in that safe home environment that we would like to see every child in, then there can be other outcomes. We have seen situations where some children make decisions of their own volition, particularly, as Ms Czech has said, to place themselves either back with their family or elsewhere. It is a particularly complex and difficult area. In terms of your specific question, I'll ask Ms Czech to further elaborate.

SIMONE CZECH: I might just add to my earlier response. We do have a critical incidents pathway system in which any critical event, including children not in placement or missing children, is reported, again, regardless of whether that child's case-managed by the department or by a non-government organisation. Depending on the severity of that critical incident, those incidents are reported in a timely manner, through to either—like I said earlier—myself, the secretary or the Minister and then there's regular follow-up in respect of those particular children.

In terms of the question about the number of missing children at the moment, there are four missing children at the moment. As I detailed earlier, efforts are being made to locate those children. They're typically older children who, as the Minister and I have said, have made a decision to either leave their placement or self-place with their parents. It's a process we go through just confirming their details and, as I mentioned, assessing their circumstances once we find them.

MICHAEL TIDBALL: If I may just supplement those, as Ms Czech has indicated, I am briefed on every critical incident. There is a close coordination with the police and they are, at any moment, our absolute highest priority.

The Hon. NATASHA MACLAREN-JONES: And the Minister has been advised of all four of those critical instances?

SIMONE CZECH: Correct.

The Hon. NATASHA MACLAREN-JONES: When was the last time that a young person went missing, and what was the outcome of that?

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SIMONE CZECH: I can get the actual answer during the course of this morning, if that's okay. You'll appreciate, having been the former Minister, that the data and details of children fluctuates sometimes on a daily basis, so I'm happy to source that information and come back to you with that during this morning.

The Hon. NATASHA MACLAREN-JONES: For the benefit of the Committee, could you outline the process when you're made aware that a young person has self-placed or left their care? What is the process to identify and find the young person? You did elaborate to say that police are sometimes called. Just for the benefit of the Committee, if you could just outline that in a bit more detail.

SIMONE CZECH: Yes, certainly. The first few days after a case worker becomes aware that a child has gone missing, they make all necessary attempts to locate that child or young person. They'll be things like contacting family, contacting other young people they might be friends with, contacting schools and services that the children might be involved with, and actually going to locations the children or young people might be known to frequent and having a look if they're physically there. There is a trigger point at the five-day mark of notifying police to make a formal missing persons report but also to activate usually a social media post about that missing young person.

The five-day rule is really about trying to, in those first five days, like I said, actually locate the child. If we are concerned about that five-day period sooner, then of course we'll notify the police immediately. Sometimes the police—who are fantastic, I have to say—will accompany us out to particular locations where we might be a little concerned for the safety of both the young person but also staff physically going out to those locations as well. But I suppose, in essence, it's really making every possible attempt to actually find that child or young person as quickly as possible.

Ms KATE WASHINGTON: I might just expand on that for a moment. There was one recent case that I am aware of. As you know, privacy prevents me from going into any particular details about any young person that's involved in the out-of-home care system. But the description of the efforts that the department, in combination with the police, went to in order to make a young, vulnerable teenage person who had of their own volition gone to regional New South Wales, was engaging in unsafe activities, was putting themselves at risk—as I've said, these children, their histories are complex and complicated, and they experience a lot of trauma in their lives, so their behaviours and the decisions they make can lead them to make unsafe decisions. The description that I saw in this particular case of the enormous effort that went to ensuring this young person was safe and then placed in somewhere secure, where they would be safe going into the future, was extraordinary and beyond what I thought was possible.

The Hon. NATASHA MACLAREN-JONES: Just to clarify, you said there are four young people missing. How many young people are away from placement? Do you have a breakdown of the two categories?

SIMONE CZECH: I don't have that handy but certainly can make efforts during this morning to get that number. Just to clarify, two numbers—away from placement and not in placement. Is that correct?

The Hon. NATASHA MACLAREN-JONES: That's correct. Are there any young people currently missing from Sherwood House?

SIMONE CZECH: Not that I understand, as of this morning.

The Hon. NATASHA MACLAREN-JONES: When was the last time a young person went missing?

SIMONE CZECH: I would have to take that on notice as well and come back to you.

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

Ms KATE WASHINGTON: I might just expand on that and say what an amazing and impressive service the Sherwood House service is and the important role that it plays in securing the safety of some of the most complex young people, who have been through the most traumatic events in their lifetime. It's a really important service, and the security and safety of the young people in that service is an absolute priority for me as the Minister and for the department.

The Hon. NATASHA MACLAREN-JONES: I might move on to another area. Minister, how many children in your care have become pregnant in the past six months?

Ms KATE WASHINGTON: As you would be well aware, there are a number of young people who are in care and who have experienced the worst things through their lifetimes. It does mean that they can sometimes, as I've already said, engage in unsafe and risky behaviour. The reports of young people who have become pregnant whilst in care come to me as Minister. I will come back to you later today with a figure on that but, again, it is something that we take incredibly seriously. Those reports that I read are sobering and very

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concerning. For any of those children, we ensure that they have the supports in place that they need to try to succeed, both in the steps that they want to take in their life and to keep their child safe as well.

The Hon. NATASHA MACLAREN-JONES: Minister, you said that you receive critical incident reports about those girls. What steps do you take when you've received those reports?

Ms KATE WASHINGTON: As I said, I read each of those reports. I read them thoroughly and they are, as I said, sobering and sometimes distressing. What I do when I read those briefs—and they are often very thorough, as you would know as the former Minister. They go into the history of the child and young person, both in care and prior to coming into care. Their histories are often lengthy and have often informed and led to decisions that they've made later in life. I ensure that, in those briefs, actions have been taken not only to ensure the safety of the young person but also to ensure that there's a plan in place for their pregnancy going forward.

The Hon. NATASHA MACLAREN-JONES: What supports are provided and offered to those young girls?

Ms KATE WASHINGTON: There are a number of supports. It depends on where they are and what's available to them. Obviously there are different options available depending on where they are in the State, because we've got to be clear about the practicalities in some of the areas in which children and young people live and are placed. There are a number of supports, in terms of referrals to the health services and referrals to our own internal services, on the therapeutic side. In terms of the pregnancy itself, I don't know if Ms Czech can elaborate as to specific services for those girls.

SIMONE CZECH: Just to echo the Minister's comments, certainly, linking in each young person, depending on their age of course, to relevant—

The Hon. NATASHA MACLAREN-JONES: Can I ask what the youngest age is?

SIMONE CZECH: We can get that information for you. I don't have it at hand right now.

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

SIMONE CZECH: Depending on the age of the young person, they've obviously got a relationship with their case worker, so that's an important person for the young person to be talking to, but then linking them in with appropriate health practitioners, in particular, and Family Planning and counselling services, because they need to make an informed decision about whether they're going to keep the baby or make another decision. We don't want those decisions to be made in the absence of those support services being provided to that young person. And it will really depend, in terms of other supports, on what the young person's circumstances are and what else they might need.

Ms KATE WASHINGTON: I would add that it very much depends on their placement. If they are in a placement with a foster carer in a secure and loving foster care home, the services and supports that young child would need would be very different to the services that a young child might need if they were in the last resort of a high-cost emergency arrangement. The supports needed for a young person who found themselves in that situation would be very different indeed. It's all dependent on what's in the best interests of the child and what's in the best interests of the unborn child as well.

The Hon. NATASHA MACLAREN-JONES: Are you aware of cases where a young girl has fallen pregnant due to a relationship with a much older man?

SIMONE CZECH: There have been instances previously where that has been the case, and the department then makes the necessary referrals to New South Wales police, in particular, or our joint child protection response team where that is alleged to have been the situation. We take those allegations with the utmost seriousness, as do our colleagues in the police and Health, to make sure that we have a health response as well.

The Hon. NATASHA MACLAREN-JONES: Minister, are you aware of any critical incidents that have been referred to you regarding a girl who has fallen pregnant to an older man?

Ms KATE WASHINGTON: I can't recall one recently. That's not something I can recall.

The Hon. NATASHA MACLAREN-JONES: In my remaining time, I might ask Ms Czech whether or not ChildStory tracks missing children.

SIMONE CZECH: There is capacity in ChildStory for that to be recorded, so both the not-in-placement, away-from-placement and missing child record. We also, as I mentioned earlier, have the critical incident pathway that documents those critical events in what we call our mini app system, which is a document storage system, and we can run reports from that system as well. So there's a couple of systems where that information is recorded.

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Ms ABIGAIL BOYD: Good morning, Minister, and good morning to everyone else.

Ms KATE WASHINGTON: Good morning, Ms Boyd.

Ms ABIGAIL BOYD: In estimates last year the then Minister for disability inclusion, Natasha Maclaren-Jones, denied having any ministerial carriage over disability accessibility at train stations, buses, schools and hospitals. You published that on your website and labelled the Minister "incapable and uncaring". What are you doing now that you are the Minister for Disability Inclusion to improve disability accessibility in our State?

Ms KATE WASHINGTON: Thank you so much for the question, Ms Boyd. I appreciate your ongoing and longstanding interest in the area of disability inclusion and accessibility. Our Government is taking a very different approach, you might be surprised—or might not be surprised, hopefully—to disability inclusion and accessibility in the State of New South Wales. We are taking a collaborative approach to ensure that we are making decisions in partnership with people with disability and the entire disability community, particularly all of the peak organisations. We are also wanting to ensure that our approach is whole of government. As Minister for Disability Inclusion, I have been taking many steps to ensure that our whole-of-government, collaborative approach is being understood across all the different portfolios. I have met with my colleagues in Education, in Transport—

Ms ABIGAIL BOYD: Sorry, Minister, in relation to disability accessibility at train stations, buses, schools and hospitals, you had a particular critique of the former Minister on that. What have you personally been doing as the new Minister for Disability Inclusion to improve accessibility across transport in the State?

Ms KATE WASHINGTON: I have met with the Minister for Transport just recently and spoke with her at length about the different measures that Transport is taking and her department is taking. Minister Jo Haylen takes the issue of accessibility and inclusion on transport services, across all the different types of services, very seriously. I was very impressed to see the extent to which the services that she has responsibility for are accessible and inclusive. They have already undertaken audits across their services to make sure that they are continually striving to improve accessibility. We've also got \$800 million in the Transport budget to improve train station accessibility, which is an increase in \$300 million from the previous Government. So there are a number of upgrades occurring across the network to improve accessibility at train stations.

Ms ABIGAIL BOYD: On that amount, are you aware that the TAP, the Transport Access Program, was merged with the Commuter Car Park Program?

Ms KATE WASHINGTON: Yes, I'm aware of that.

Ms ABIGAIL BOYD: Were you consulted on that decision?

Ms KATE WASHINGTON: That decision was made by the Minister for Transport. The decisions that they are making in terms of accessibility upgrades are being made in accordance with need and speaking with the disability community.

Ms ABIGAIL BOYD: Can I just pick you up on that, though? I asked the transport Minister about that earlier this week, and she indicated that none of the disability advocacy groups had been consulted in that decision. Do you believe that's acceptable?

Ms KATE WASHINGTON: Going forward, I have made it very clear with all of the Ministers in Cabinet and that I've been speaking to recently that we are making decisions in collaboration with disability stakeholders to make sure that the decisions we are making that impact their lives are being made with their input.

Ms ABIGAIL BOYD: The merger of the TAP with the Commuter Car Park Program, as you say, there's been an increase overall of \$300,000?

Ms KATE WASHINGTON: No, 300 million.

Ms ABIGAIL BOYD: Is there any guarantee with the accessibility part of that, now that there's been that merger, that we won't just see all of that extra money going to commuter car parks and not to the long overdue upgrades of our transport system for accessibility purposes?

Ms KATE WASHINGTON: I can assure you, Ms Boyd, that the Minister for Transport and myself are going to be fierce advocates for people with disability and ensuring that there's accessibility and inclusion improvements across the network. There is a real commitment from us to ensure that people with all forms of disability can access the public transport services that they need to go about their daily lives. You would have been well aware of the sunflower lanyard initiative.

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Ms ABIGAIL BOYD: Yes, we covered that in Transport. In relation to the National Construction Code silver accessibility standards, as you are no doubt aware, New South Wales is one of only two States now holding out on implementing that minimum standard. I haven't seen anything from you on this. What is your position?

Ms KATE WASHINGTON: This is such an important issue. You would know how housing across the board is a really challenging issue for everyone. For people with disabilities, it's such a regular feature of conversations that I'm having with all stakeholders.

When it comes to the National Construction Code, when I was sworn in, one of the first meetings I arranged to have was with Minister Chanthivong and with Minister Jackson, the Minister for Housing. Minister Chanthivong has, as the Minister for Better Regulation and Fair Trading, responsibility for the decisions around the National Construction Code, but that's going to be in partnership with myself and Minister Jackson.

Ms ABIGAIL BOYD: Are we going to sign up to the code?

Ms KATE WASHINGTON: We are having many conversations, and I know Minister Chanthivong has been having conversations with colleagues in other States and Territories.

Ms ABIGAIL BOYD: Who are all doing it. I'm not sure what there is to discuss anymore.

Ms KATE WASHINGTON: Those conversations have revealed that they are all having their own challenges, and we want to ensure that we are learning from their experiences. We'll be continuing to—

Ms ABIGAIL BOYD: You can commit to doing the thing and then work out the details later. What I'm asking from you today is, will you commit to actually signing up to the minimum national accessibility standards?

Ms KATE WASHINGTON: What I can commit to is being a fierce advocate for people with disability and for continuing to have conversations with Minister Chanthivong and Minister Jackson to ensure that we allow people with disability the dignity of accessible and inclusive housing.

Ms ABIGAIL BOYD: The entire disability sector, the vast majority of the community, the rest of the States and the disability royal commission are all saying that New South Wales needs to sign up to these standards. What is there left to discuss? I don't understand why we have a new Labor Government, that was supposed to be a lot better than the old one, and we still can't have a commitment to the very basic demands of people with disability in this State.

Ms KATE WASHINGTON: Ms Boyd, as you'll be well aware, our first priority, coming into government, was to ensure that we address the budget crisis that we faced.

Ms ABIGAIL BOYD: There was nothing for people with disability, was there? There was nothing. Do you know how many people there are in New South Wales with a disability. Can you tell me the number of people with a disability in New South Wales?

Ms KATE WASHINGTON: There are 1.35 million people.

Ms ABIGAIL BOYD: Thank you for being the only disability Minister who I have ever asked that question to actually know the answer. Those 1.35 million people in New South Wales deserve a house. They deserve a home, just like everyone else. Why were they left out of the budget?

Ms KATE WASHINGTON: My absolute priority in this budget had to be ensuring that the child protection system did not collapse, and we faced a budget black hole of \$200 million that we had to fill. We had to find those funds from somewhere.

Ms ABIGAIL BOYD: There are a lot of revenue-raising measures that your Government could have taken and didn't.

Ms KATE WASHINGTON: Ms Boyd, coming into government, the enormous challenge we've had to face in terms of the fiscal repair that the budget needed and, particularly in child protection, where we had the risk of the child protection system collapsing—

Ms ABIGAIL BOYD: We're not pitting children against people with disability.

Ms KATE WASHINGTON: I can guarantee you that I will be a very fierce advocate for people with disability in this State. We have been engaging constantly, since I became Minister. When the disability royal commission recommendations came out—we are the first State to have held a stakeholder forum to get first feedback from the disability community to the disability royal commission recommendations. So we are undertaking a significant piece of work now on the disability royal commission recommendations and the NDIS review that will be made public later in December. There is an enormous amount of work that we are doing, and the National Construction Code, as you've said, feeds into all of the work that we are doing to respond to the

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disability royal commission and to address the challenges to make the NDIS sustainable and enduring into the future.

Ms ABIGAIL BOYD: And signing up to that construction code doesn't actually cost the budget anything, does it?

Ms KATE WASHINGTON: There will be significant work that comes with it because we have seen that in other States and Territories as well. We are all working as best we can, but I won't be making any announcements here today.

The Hon. TANIA MIHAILUK: Minister, the New South Wales Premier announced earlier in the month that he would not proceed with the New South Wales treaty beyond the consultation process. Have you now approached him or the Cabinet about ensuring that any money that was allocated for the listening tour and, indeed, for the treaty process, be redirected to kids in care?

Ms KATE WASHINGTON: I appreciate that you have an understanding of this sector and a longstanding interest in vulnerable children and young people. The conversations around—

The Hon. TANIA MIHAILUK: Minister, you just said you're a fierce advocate. I'm asking you if you've now had those direct conversations with the Premier and the Cabinet about where you think that money should be redirected to?

Ms KATE WASHINGTON: The conversations around treaty and the Premier's comments in relation to those are his to make.

The Hon. TANIA MIHAILUK: No. They're for your Cabinet to accept, Minister. Are you saying you don't agree with the Premier?

Ms KATE WASHINGTON: I absolutely back Premier Chris Minns—

The Hon. TANIA MIHAILUK: And you understand there won't be a treaty as a result.

Ms KATE WASHINGTON: — every step of the way.

The Hon. STEPHEN LAWRENCE: Point of order: There have been, I think, four interjections as the Minister has attempted to answer the first question. I would suggest that it is discourteous, at this point.

The CHAIR: Please allow the Minister to answer the question before proceeding.

Ms KATE WASHINGTON: Thank you, Chair. We have processes in place, as you would well know, in order to ensure that there are funds going where they need to be going. My focus, in terms of Aboriginal and Torres Strait Islander communities, is to ensure that we are meeting our target in Closing the Gap, particularly around target 12, and reducing the over-representation of Aboriginal children in the out-of-home care system.

The Hon. TANIA MIHAILUK: What percentage of kids in care are Aboriginal?

Ms KATE WASHINGTON: Right now, 45 per cent of the children in the out-of-home care system and—

The Hon. TANIA MIHAILUK: That's the highest number, isn't it? A couple of years ago it was a third of kids; it's now almost half.

Ms KATE WASHINGTON: The child protection system that we inherited has many problems with it. It's a broken child protection system. It's a system that's spiralling in the wrong direction and has been for some time. As you say, this figure—45 per cent of children in out-of-home care—is not going in the right direction in terms of meeting our target for Closing the Gap.

The Hon. TANIA MIHAILUK: I would have thought it would demand urgent attention of the Cabinet. It is a pretty high figure—the highest, I think, that New South Wales has seen.

Ms KATE WASHINGTON: I can assure you that urgent actions are being taken by the Minns Labor Government to address the over-representation of Aboriginal children in the out-of-home care system.

The Hon. TANIA MIHAILUK: You could start by redirecting the funding.

Ms KATE WASHINGTON: It is a very stark contrast to the former Government, where we just saw the statistics keep tracking in the wrong direction, when it comes to meeting the target. When we've got 14,609 children in out-of-home care right now, and 45 per cent of those are Aboriginal and Torres Strait Islander children, this is an absolute crisis in our State, and it ought to have had—

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The Hon. TANIA MIHAILUK: Yes, Minister, I agree with you. I've asked you whether you're going to redirect money from the treaty, and you haven't answered that. I'll move on from that, because I don't think you have an answer. I appreciate you've inherited a broken system, and you will pass on a broken system, Minister. Can I just ask you a question about the current vacancy rates for caseworkers? Obviously you would accept that they're pretty high?

Ms KATE WASHINGTON: Absolutely. Again, it's another part of the system that we inherited that's been spiralling out of control, and one of the symptoms of the spiral and the broken system is a high caseworker vacancy across the State.

The Hon. TANIA MIHAILUK: Minister, have you undertaken your own assessment as to why you believe there are a high number of vacancies, particularly in regional New South Wales? What do you believe are the obstacles?

Ms KATE WASHINGTON: One of the main obstacles—and I've travelled across the State to meet with caseworkers and child protection workers in community service centres in Sydney, Western Sydney, up north and out west. I have met with a lot of caseworkers since I became the Minister. I can tell you that one of the biggest factors that's been feeding into the caseworker vacancies is the fact that they have not felt valued for a very long time. Under the former Government, they had their wages—

The Hon. TANIA MIHAILUK: But, Minister, that's the people who are currently there as caseworkers.

Ms KATE WASHINGTON: Absolutely.

The Hon. TANIA MIHAILUK: I'm talking about there is a vacancy rate. That means we're trying to attract new people to become caseworkers.

Ms KATE WASHINGTON: It also goes to retaining workers, Ms Mihailuk. Recruiting and retaining workers—

The Hon. TANIA MIHAILUK: Minister, when you're travelling, are you visiting the FACS district director meetings? Is that where you're attending in your travels?

Ms KATE WASHINGTON: I'm attending all kinds of meetings in my travels, Ms Mihailuk.

The Hon. TANIA MIHAILUK: Specifically, do you attend the FACS district director meetings?

Ms KATE WASHINGTON: I have attended lots of different types of meetings.

The Hon. TANIA MIHAILUK: Have you attended those meetings that would have the most thorough and up-to-date knowledge in any particular region about the number of kids in care and the vacancy rates? Have you attended those meetings?

Ms KATE WASHINGTON: I don't know if the meetings I have attended at the CSCs themselves—certainly the directors of those areas have been in those meetings and decisions have been made. But just—

The Hon. TANIA MIHAILUK: Well maybe you can seek some clarification. You can take that on notice for me, if you have attended those.

Ms KATE WASHINGTON: No, I'm not going to take it on notice, Ms Mihailuk.

The Hon. TANIA MIHAILUK: Well, you're not answering it. You just told me you're not sure.

Ms KATE WASHINGTON: Last week I met with all of the directors from all of the districts—

The Hon. TANIA MIHAILUK: I'm asking you how many FACS district director meetings have you attended since you've become Minister? If you can't answer that, you can take it on notice, Minister.

Ms KATE WASHINGTON: I attended one just last week.

The Hon. TANIA MIHAILUK: Just one? You've gone to your first one, just now?

Ms KATE WASHINGTON: And I've met with directors in every district. Every district that I have been to, I have met with the director, and sometimes there has been more than one director when I've been at those meetings as well.

The Hon. TANIA MIHAILUK: You're the Minister for FACS and you've been to one FACS district director meeting?

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The Hon. STEPHEN LAWRENCE: Point of order: That is an inaccurate restatement or attempted restatement of what the Minister said, and I would suggest intentionally so. Therefore, it is discourteous and a breach of the resolution.

The Hon. TANIA MIHAILUK: To the point of order: Mr Chair, I have given the Minister an opportunity to take it on notice. I would advise the Minister to take that on notice. If she doesn't have the accurate number, there is no point—

The CHAIR: The Minister can answer the way she likes, or not, just as you can ask questions as you like, as long as you're courteous at all times. There is no point of order.

Ms KATE WASHINGTON: Ms Mihailuk, just to be clear, since I became Minister I have visited 14 community service centres across the State. At every single one of those meetings, there has—

The Hon. TANIA MIHAILUK: Minister, I appreciate you've attended those. They're different from those district director meetings.

Ms KATE WASHINGTON: At every single one of those meetings there has been a director at those meetings, if not more, and last week I met with all of the directors across the State and had a thorough—

The Hon. TANIA MIHAILUK: Minister, those are meetings that are just designed for you—for them to meet with you at the time that you turn up. They're not the district director meetings.

The Hon. STEPHEN LAWRENCE: Point of order—

The CHAIR: I know what the point of order is.

The Hon. STEPHEN LAWRENCE: I think it's probably clear what it is. The Minister is actually attempting to answer.

The CHAIR: Please allow the Minister to answer a question before you ask the next one.

Ms KATE WASHINGTON: Those directors' meetings are also designed for the directors to get together and determine what the issues are that they are facing. They're not designed to set up just to meet with the Minister.

The Hon. TANIA MIHAILUK: Are they also designed to give you—

Ms KATE WASHINGTON: They are designed for them to be able to manage the extraordinary system that they are trying to deal with across the State and address the number of challenges and complexities that they face across the State.

The Hon. TANIA MIHAILUK: Do they discuss with you at any of these meetings alternative care arrangements for kids that are in motels, Minister?

Ms KATE WASHINGTON: Absolutely.

The Hon. TANIA MIHAILUK: What is the current number of kids in motels in New South Wales?

Ms KATE WASHINGTON: As at the end of August—well, let me start by saying that when it comes to alternative care arrangements, we are taking a very different approach to the former Government.

The Hon. TANIA MIHAILUK: Yes, how many kids are in care in motels?

Ms KATE WASHINGTON: What I want to do is to be really clear with you what the figure I'm giving you relates to. What we are doing as a Government is being honest, transparent, about—

The Hon. TANIA MIHAILUK: And you're supposed to be. You're supposed to be honest and transparent. Isn't that a given?

Ms KATE WASHINGTON: Absolutely, and it's in stark contrast—

The Hon. TANIA MIHAILUK: Isn't that a given?

Ms KATE WASHINGTON: —to what we've seen in the past, I can tell you, because we aren't hiding anything.

The Hon. TANIA MIHAILUK: Can you give me the answer?

Ms KATE WASHINGTON: We aren't hiding anything when it comes to high-cost emergency arrangements.

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The Hon. TANIA MIHAILUK: Okay.

Ms KATE WASHINGTON: Why I want to—

The Hon. TANIA MIHAILUK: How many kids are currently in hotels and motels?

The Hon. STEPHEN LAWRENCE: Point of order—

The Hon. TANIA MIHAILUK: You were about to give me the answer. You're now stopped.

The CHAIR: Order!

The Hon. STEPHEN LAWRENCE: There have now been four or five rude interjections.

The Hon. TANIA MIHAILUK: Most are from you.

The Hon. STEPHEN LAWRENCE: It's not assisting because the Minister is attempting to answer a question and continually being spoken over.

Ms KATE WASHINGTON: Can I answer the question?

The CHAIR: I find for the point of order. Please allow the Minister to answer. There is plenty of time.

Ms KATE WASHINGTON: If I could, I'd like to answer the question.

The CHAIR: Yes.

Ms KATE WASHINGTON: The approach that we are taking—and you've asked a question around alternative care arrangements. What we saw under the previous Government was an attempt to hide and change the way that things were reported, and alternative care arrangements were then broken down into different types of high-cost emergency arrangements. Are you interested in the answer, Ms Mihailuk?

The Hon. TANIA MIHAILUK: You're not giving me an answer.

Ms KATE WASHINGTON: No, I'm going to give—

The Hon. TANIA MIHAILUK: I asked you how many kids are in motels—

Ms KATE WASHINGTON: I can guarantee you, I—

The Hon. TANIA MIHAILUK: —and you won't answer that question.

Ms KATE WASHINGTON: I can guarantee you, I—

The Hon. TANIA MIHAILUK: You won't answer the question.

The Hon. NATASHA MACLAREN-JONES: Point of order—

The CHAIR: Order!

Ms KATE WASHINGTON: I can guarantee you, I—

The Hon. TANIA MIHAILUK: You've just given me a diatribe about the last Government.

The Hon. NATASHA MACLAREN-JONES: Point of order—

The Hon. STEPHEN LAWRENCE: Time.

Ms KATE WASHINGTON: I'm going to give you an answer, but you need to know what I'm giving you an answer to.

The CHAIR: I'm willing to let you answer the question because we're going into Opposition time now.

The Hon. TANIA MIHAILUK: I think we are, yes.

Ms KATE WASHINGTON: Thank you, Chair. The answer I'm giving you relates to high-cost emergency arrangements, which includes alternative care arrangements, then these other things that were created called an interim care model, a short-term emergency placement, individual placement arrangement, alternative care arrangement, special out-of-home care. All of those, the number of children at the end of August is 471. So that includes children in hotels and motels, and it includes all of these other arrangements. That's why it's very important that you understand that the figure I gave to you—

The Hon. TANIA MIHAILUK: I do understand. It's a pretty high number.

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Ms KATE WASHINGTON: It is a very, very high number and it is one that we are taking incredibly seriously and taking urgent action to respond to because the consequences, not only for the budget but for the children who are in these arrangements, are appalling.

The Hon. NATASHA MACLAREN-JONES: Just to follow on from that question, can you provide a breakdown of the number of young people in each of those types of care that you refer to?

Ms KATE WASHINGTON: I can.

The Hon. NATASHA MACLAREN-JONES: Because the original question was ACA.

Ms KATE WASHINGTON: Yes. If you would like a specific number for ACAs themselves, I can—

The Hon. NATASHA MACLAREN-JONES: No, all of them that you refer to. If you don't have it, I'm happy for you to come back.

Ms KATE WASHINGTON: I can actually provide it to you right now, Ms Maclaren-Jones.

The Hon. NATASHA MACLAREN-JONES: Yes, and what's the date?

Ms KATE WASHINGTON: These are the latest figures, as at 31 August. Of the 471 children in the high-cost emergency arrangements, it includes 142 children in alternative care arrangements, 178 children and young people in individual placement arrangements, 86 children and young people in interim care model, and 65 children and young people in short-term emergency placements, and the final one is 29 children and young people in special out-of-home care.

The Hon. NATASHA MACLAREN-JONES: Thank you very much.

Ms KATE WASHINGTON: As you would be well aware, these are an absolute last resort. They are a symptom of a system that is spiralling out of control.

The Hon. NATASHA MACLAREN-JONES: Thank you very much, Minister. Will you commit to providing that data on a quarterly or monthly basis publicly?

Ms KATE WASHINGTON: We are already reporting as—well, the answer is we are being as transparent as possible in relation to everything as part of the system, and I can't—

The Hon. NATASHA MACLAREN-JONES: Minister, will you commit to providing those figures on a quarterly basis as you do with ROSH reports and everything else?

Ms KATE WASHINGTON: I will just have to make sure with Ms Czech that that's actually possible and whether it's something that might already be happening.

The Hon. NATASHA MACLAREN-JONES: Ms Czech, is that data possible on a quarterly basis?

SIMONE CZECH: I think if we could take that on notice and come back to the Committee with some further advice. The number fluctuates, as you will know, Ms Maclaren-Jones, quite a lot. But certainly we can take the question.

The Hon. NATASHA MACLAREN-JONES: And if you could come back before the end of this session, so that we could get a clarification from the Minister whether or not she will commit? Because when people put forward questions on notice you're quite often able to provide it up to that month and, as you've just said, up to 31 August, so it's quite possible, I'm sure, on a quarterly basis.

Ms KATE WASHINGTON: Just as a follow-up to that, I just want to say that we are wanting to make this situation as transparent and open as possible, because under the former Government we saw this whole situation hidden and unknown to the community, and the community—

The Hon. NATASHA MACLAREN-JONES: Thank you, Minister.

Ms KATE WASHINGTON: The community is part of the response to this.

The Hon. NATASHA MACLAREN-JONES: Minister, thank you very much. We look forward to you actually committing that you will publicly make that information available on a quarterly basis.

Ms KATE WASHINGTON: We will be as transparent as we possibly can.

The Hon. NATASHA MACLAREN-JONES: Minister, how many young people have entered care in the last quarter? That's up to the June 2023 quarter.

Ms KATE WASHINGTON: I think I have those figures in front of me, Ms Maclaren-Jones, and if I don't, they will be something I come back to you with if it's going to take me a little bit to find them.

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The Hon. NATASHA MACLAREN-JONES: I might hand over to my colleague so that you can find time to get that information. Thank you.

Ms KATE WASHINGTON: I will come back to you on that.

The Hon. RACHEL MERTON: Minister, you said earlier that you are a fierce advocate for children with disability. How many meetings have you had with the Minister for Education and Early Learning relating to the New South Wales Government's Our Plan for NSW Public Education?

Ms KATE WASHINGTON: I've had a lengthy meeting just recently with the education Minister and I'm unfamiliar with the actual titles of the policies that the education department applies. Can you just say what that relates to because we've had a broad-ranging conversation about many aspects of the education department when it comes to children and young people with disabilities, but not—

The Hon. NATASHA MACLAREN-JONES: The schools plan.

The Hon. RACHEL MERTON: The schools plan. It's the New South Wales Government's school plan, big piece, big glossy—

The Hon. NATASHA MACLAREN-JONES: Big announcement last month.

The Hon. RACHEL MERTON: Big announcement, everyone all over it.

Ms KATE WASHINGTON: Got you.

The Hon. RACHEL MERTON: Our Plan for NSW Public Education.

Ms KATE WASHINGTON: Indeed. As I said, I've had a broad-ranging conversation with the education Minister about all aspects of disability and supporting children with disability in the education department and particularly within the schools. As you would be well aware, there were significant recommendations that came out of the disability royal commission that related to schools and the education department. They were part of the conversation that I had with the education Minister. That will be an ongoing conversation that I have with her combined with the many community advocates and people with disability to ensure that our response to those recommendations are appropriate.

The Hon. RACHEL MERTON: If I could just get back to the question. Minister, I note there is no reference to disability in the plan, not one single word. As the Minister who holds responsibility for disability inclusion across the New South Wales Government, were you not consulted on the report?

Ms KATE WASHINGTON: What I can say is, the education department and particularly my colleague the Deputy Premier, the Hon. Prue Car, are committed to ensuring that every child has access to education, regardless of whether they have a disability or not. It is their commitment to ensure that they have accessible, inclusive systems and supports in place. Indeed, the education department has a disability inclusion action plan that they report to annually that relates to their actions that they're taking to support children and families with disability.

The Hon. RACHEL MERTON: Minister, if I could just return to the question. Were you not consulted on the report, Our Plan for NSW Public Education?

Ms KATE WASHINGTON: The education Minister and I have many conversations and I'm sure that they have informed decisions that she has made.

The Hon. NATASHA MACLAREN-JONES: To not include it, yes.

The Hon. RACHEL MERTON: So consultation and processes, as the Minister for Disability Inclusion, how does that work here across the New South Wales Government—

Ms KATE WASHINGTON: It's working very well, Ms Merton.

The Hon. RACHEL MERTON: —when we're presented with big glossy headline brochures that are released the day of the Deputy Premier's appearance at budget estimates, and not one word of disability?

The Hon. NATASHA MACLAREN-JONES: Not one word.

Ms KATE WASHINGTON: I've got to say our conversations and the collaboration across our Government, when it comes to disability inclusion and disability accessibility, are going very well. We have a collaborative approach and a whole-of-government approach to disability inclusion and accessibility, and we will be continuing that as the years unfold.

Ms ABIGAIL BOYD: An error of that magnitude.

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The Hon. RACHEL MERTON: Minister, are you confident you are sufficiently advocating for your portfolio interest, particularly regarding disability inclusion within Cabinet of this Government when we're presented with documents such as this?

Ms KATE WASHINGTON: I'm not going to be disclosing any of the conversations that I have in Cabinet. I'm here today, obviously.

The Hon. RACHEL MERTON: I'm not asking for Cabinet detail.

Ms KATE WASHINGTON: I can tell you that I have been and will continue to be a fierce advocate for people with disability, and in response to the disability royal commission we have already stood up a task force. There are significant aspects, as I said, of the royal commission recommendations that relate to education and we have stood up a task force that includes representatives from the Department of Education, the Department of Transport, Housing. Across the board we have stood up a task force that is working across all of the different agencies to respond to these important recommendations that have come from the report and the four-and-a-half-year disability royal commission that will ensure that we have a whole-of-government approach and response to those recommendations.

The Hon. NATASHA MACLAREN-JONES: We can talk about the royal commission a bit later on. We're actually interested in the report, the actual plan for education that your Government has announced, this forward-thinking plan, that does not reference or have any reference to a child or a young person with disability. Do you think that's satisfactory?

The Hon. STEPHEN LAWRENCE: Point of order: That's now been asked, I think, either three or four times.

The Hon. NATASHA MACLAREN-JONES: To the point of order: I can ask many times the same question. It's up to the Minister how she answers.

The Hon. STEPHEN LAWRENCE: To the point of order—

The Hon. NATASHA MACLAREN-JONES: I'm interested to know if she thinks it's satisfactory.

The Hon. STEPHEN LAWRENCE: It's certainly the case that one can repeat the question, but at some point it becomes badgering, discourteous and outside the resolution.

The CHAIR: I don't think we've quite reached the badgering stage yet.

The Hon. NATASHA MACLAREN-JONES: I'll ask the question again, Minister. Do you think it's satisfactory that the education Minister has announced your Government's forward plan for education and it does not address or talk about any young person with disability?

Ms KATE WASHINGTON: What I can say of disability is the Department of Education and the education Minister have a strong commitment to ensuring—

The Hon. NATASHA MACLAREN-JONES: But just not in the forward plan.

Ms KATE WASHINGTON: —that education, the provision of education and the infrastructure that they have is inclusive and accessible. I've had a thorough run-through of what they offer in the system. I can tell you that there is an enormous—I'm not going to say that there's not an enormous amount of work to be done.

The Hon. NATASHA MACLAREN-JONES: Minister, the fact that the announcement was made and you weren't even aware of it is a concern in itself. I'll hand back to my colleague.

Ms KATE WASHINGTON: I can say that for the plan for education, the process involved in that included consultation with the Disability Strategy Reference Group. So there has been input into that plan and the result is that the education department has a suite of policies and plans that relate to children with disability that they care for in the system.

The Hon. NATASHA MACLAREN-JONES: But they just didn't include them in the plan.

The Hon. RACHEL MERTON: We asked them. They don't.

The Hon. NATASHA MACLAREN-JONES: Will you raise this with the education Minister? Will you advocate for people with disability, for families, for children, and ask her to, I suppose, maybe put out a new plan?

Ms KATE WASHINGTON: I will continue, as I will with all of my colleagues, to fiercely advocate for people with disabilities, particularly children with disabilities, across all of the different agencies to ensure

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that their voice is being heard through me, as Minister, but also ensuring that they are consulting with stakeholders in the disability sector as they go about their work as well.

The Hon. RACHEL MERTON: Minister, if I could just add, like many in the room and as the Minister yourself, no doubt, we hear the stories of families with children with disability and the importance of education. It is to them an opportunity, skills and inclusion. What do we say to those families today when the New South Wales public education plan ignores them—not one mention, no recognition?

Ms KATE WASHINGTON: The education—

The Hon. RACHEL MERTON: Do we say, "We're sorry. We're going to fix this. You deserve better."?

Ms KATE WASHINGTON: The education department has a suite of policies that relate to people with disabilities, and most recently the department has announced the inclusion of Auslan in the languages syllabus. So they are focused on ensuring that there is a whole suite of support and practical strategies to not only allow children with disabilities to access the education that they need and deserve, but to also provide opportunities and to change culture in terms of offering Auslan on the syllabus for the first time ever in the education department—

The Hon. RACHEL MERTON: Thank you for that.

Ms KATE WASHINGTON: —and to ensure that there is a greater understanding and appreciation of the challenges faced by children with disability. It's a change of culture that comes with those kinds of decisions that the education department is really leading on.

The Hon. RACHEL MERTON: And it's exactly that that's driving our questioning on this—the no mention, no reference to disability in the State Government's Our Plan for NSW Public Education. Minister, how many disabled children attend a government school in New South Wales?

Ms KATE WASHINGTON: I do believe I have that information, but I don't think I'm going to be able to put my hand on it quickly. It's something I can come back to you with later on today.

The Hon. RACHEL MERTON: Minister, I recognise the passion and commitment when you talk about consultation and some of the key stakeholders, but could I ask about consultation and your role as the Minister here in the New South Wales Government? Do you convene meetings with New South Wales Ministers relating to the Disability Inclusion portfolio?

Ms KATE WASHINGTON: Absolutely. I have recently had meetings with the Minister for Transport, the education Minister and the Attorney General. I have been having them across the board specifically in relation to my portfolio of Disability Inclusion.

The Hon. RACHEL MERTON: On 2 June 2023 Premier Minns called on people to return to the office, calling for a reduction in work-from-home days. Do you support the Premier's call?

Ms KATE WASHINGTON: Absolutely.

The Hon. RACHEL MERTON: The Premier also said in-office collaboration was especially important so younger workers could learn from their senior peers. Do you agree?

Ms KATE WASHINGTON: I wholeheartedly agree, and particularly in the context of the conversation we are having today in relation to child protection. The work that child protection workers do is incredibly complex and complicated. To Ms Mihailuk's point earlier around the caseworker vacancies, in order to recruit and retain caseworkers we need to ensure that they are getting the training and feel comfortable doing the jobs that they do. Often a big part of that is learning from others that have been on the job for a long time. If those people aren't getting that contact on site with those workers that have the experience and expertise, we are not going to get the quality that we need in the area that I've got responsibility for in child protection and the out-of-home care system. It is a really important part of any workplace that all young workers have access to the more experienced and expertise workers.

The Hon. RACHEL MERTON: Minister, did you follow the Premier's call for people to return to the office in your capacity as a Minister of State?

Ms KATE WASHINGTON: As the Minister for Families and Communities, and Minister for Disability Inclusion, I—

The Hon. RACHEL MERTON: Did you follow the call for people to return to the office, in your capacity as the Minister?

Ms KATE WASHINGTON: The department is going to be looking after their own office. And certainly I've got to say, in terms of my ministerial office, everyone is on deck.

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The Hon. RACHEL MERTON: Yes. I am asking relevant to the department staff. As the relevant Minister for Families and Communities, and Minister for Disability Inclusion, what were your actions in responding to the Premier's call? We just outlined the value and the importance of office collaboration. What were your actions?

Ms KATE WASHINGTON: We have got an extraordinary range of offices in the portfolio I have got responsibility for. They include sites just like Broken Hill, that I have been to, and elsewhere. There are a lot of people doing the hard work on the ground every single day across the State in the child protection and out-of-home care system. In terms of the Premier's call, there is nothing specifically that I have put out. But I've got to say that the workers are doing the hard work on the ground every single day, and doing it in the way that is in the best interests of children, safety and wellbeing—every single day.

The Hon. RACHEL MERTON: So there was not an official communication issued by the Minister following the Premier's call?

Ms KATE WASHINGTON: No, because it was something that was issued by the Premier himself that went across all of our different departments.

The Hon. RACHEL MERTON: So no instructions or advice—

Ms KATE WASHINGTON: Everything that the Premier says, I am not going to be repeating across my agency, you know—to keep repeating what he has already said.

The Hon. RACHEL MERTON: Minister, how many departmental employees currently work full time in the relevant department office? You cited some observations that you had made.

Ms KATE WASHINGTON: Ms Merton, as I have said, there are a whole range of different settings that people in child protection and the out-of-home care system work in. I have been to the community centres and the helpline centres—there's a helpline centre out at Liverpool. I have been in so many different places and every one looks very different in terms of what the need is on the ground. I don't know the figures on that, and I don't know if Ms Czech might be able to elaborate further.

SIMONE CZECH: Ms Merton, in respect of operational staff—you might know, I think—we are split across seven districts, 79 community services centres and a number of joint child protection response team offices. There are 3,504 operational staff, but that excludes staff that are in Ms Campbell's area or the secretary's office. Those staff are placed according to a resource allocation model that looks at relevant data points about where we need those resources most, and we review that every two years.

The Hon. RACHEL MERTON: Thank you. I am happy to pick this up with you guys this afternoon. I am conscious of the time.

Ms ABIGAIL BOYD: If I could just pick up on that schools plan issue—obviously schools are the heart of disability inclusion. It is at schools that people first develop either an appreciation of the values of people with disability, or they pick up a lack of knowledge, I guess, or an ignorance in relation to people with disability. You would be aware of the debate that has been going on around the inclusion of people with disability in schools, and the royal commission's recommendations in relation to disability inclusion in schools.

Ms KATE WASHINGTON: Yes.

Ms ABIGAIL BOYD: It is in that context that the Department of Education—the education Minister—released a plan setting out the vision of the Labor Government for our public schools. It didn't have a lot of detail, but included what they might have detail for in the future and what those plans would be. As I pointed out in those estimates hearings, there was no mention of disability—not once. I am asking you, if you weren't included in that consultation on that document, are you now concerned to learn that NSW Labor's plan for schools has no reference to people with disability in it?

Ms KATE WASHINGTON: The conversations that are had—and as I have referenced, my meeting with the Minister for education was a meeting specifically about disability inclusion and the response and the information that was provided to me about the amount of work being done by the Department of Education to ensure that our schools are inclusive and are accessible—

Ms ABIGAIL BOYD: I am asking about the plan, though, which is the marketing document, if you like, that sets out to the whole of New South Wales what Labor thinks about children with disability in our schools. I understand that you may not have been consulted directly on that plan, but now that it has been brought to your attention, do you think it should be corrected and that it was a mistake to leave out children with disability from that plan?

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Ms KATE WASHINGTON: I understand that the plan is not entirely silent on issues—

Ms ABIGAIL BOYD: No, it is. It talks about inclusion of people with—

Ms KATE WASHINGTON: Inclusive environments.

Ms ABIGAIL BOYD: Inclusive environment, which—

Ms KATE WASHINGTON: Inclusive curriculum.

Ms ABIGAIL BOYD: —is used to refer to people who are also queer students, students from First Nations backgrounds, students from CALD communities—a whole bunch of different types of students with different attributes. That's not what we are talking about. We are talking about the up to 20 per cent of children in our schools with a disability. Why are they not mentioned, in the context of having been excluded and overlooked under the previous Government for 12 years?

Was it a mistake not to refer to children with disability in the New South Wales schools plan?

Ms KATE WASHINGTON: I acknowledge your comments that reference to inclusive is a broad term and does cover a lot of different groups—

Ms ABIGAIL BOYD: It may as well refer to humans.

Ms KATE WASHINGTON: But the plan does mention inclusive environments, inclusive curriculum, inclusive learning, and inclusive and safe schools.

Ms ABIGAIL BOYD: So your role as disability inclusion Minister doesn't refer to the inclusion of disability as a specific thing? You're happy for us just to have generally inclusive environments in our schools?

Ms KATE WASHINGTON: I think that that's unfair, given the evidence that I've already given, which is that the schools do have, and the department has, significant policies—

Ms ABIGAIL BOYD: Minister, why are you doubling down on this? Why can't you just say that, yes, this was a mistake? This was a mistake and, in doing that, you have shown people with a disability in this State that, once again, they're being overlooked under a new Government. Why can't we have an acknowledgment rather than doubling down and saying, "Inclusion sort of covers people with disability"? How is that appropriate? We don't need your fierce advocacy, Minister. We had that when you were in opposition. What we need is your fierce action. Where is your fierce action in actually achieving something for people with disability in this State?

Ms KATE WASHINGTON: If you think a glossy is achieving action, then that's on you.

Ms ABIGAIL BOYD: Can I pick you up on that, Minister? The idea that a centrepiece policy from your Government that doesn't refer to people with a disability has no impact on people with disability—is that what you're saying?

Ms KATE WASHINGTON: I am not saying that.

Ms ABIGAIL BOYD: A big glossy brochure that overlooks—

Ms KATE WASHINGTON: I'm saying that the action that you are—

The Hon. STEPHEN LAWRENCE: Point of order: I think it's probably clear. The Minister was attempting to answer the question, which had already been put twice. She was immediately spoken over.

The CHAIR: I uphold the point of order. Please allow the Minister to answer before you ask the next question.

Ms KATE WASHINGTON: Ms Boyd, I'm merely saying that if you are after action—and I know that people with disability and all of the disability stakeholders have been impatient for action after 12 long years of a government that has been ignoring their interests—we are doing that on the ground. There is significant investment being undertaken by the education department, taking action in terms of responding to the needs of those enormous numbers of children and young people with disability in the system.

Ms ABIGAIL BOYD: What are those actions that are different from what they were doing under the previous Government?

Ms KATE WASHINGTON: There is going to be a lot of work done in terms of the response to the disability royal commission. As we've already said, there are a lot of recommendations that relate to education—

Ms ABIGAIL BOYD: If we take those recommendations, we'll be having education that refers to people with disability. If we are taking the royal commission findings and recommendations properly, are you saying

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then that the work that the Labor Government will be doing will include properly inclusive education for people with disability and an adoption of those National Construction Code minimum accessibility standards? Is that what we're saying?

Ms KATE WASHINGTON: What I'm saying is that, as a new Government, we acknowledge there's a lot of work to be done. As Minister for Disability Inclusion, I acknowledge that there is a lot of work that we need to be doing across the board to improve accessibility and inclusion, and our language and our culture around—

Ms ABIGAIL BOYD: It's really important, that language.

Ms KATE WASHINGTON: Indeed, and I accept that entirely. We have got that enormous amount of work to be done to ensure that people with disability can live with dignity and can have true inclusion and accessibility, and particularly in education. I acknowledge that entirely.

Ms ABIGAIL BOYD: Were you consulted on the decision to cut the Park'nPay app?

Ms KATE WASHINGTON: The Park'nPay app was a decision that was made by the relevant Minister.

Ms ABIGAIL BOYD: Do you understand the impact that that has had on people with disability?

Ms KATE WASHINGTON: I have spoken to the relevant advocacy group. I understand the concerns and I understand the impact of that. But can I say, when it does come to the Park'nPay app, that it was one of many programs—\$7 billion worth of programs—that were unfunded into the future. It was one of the many difficult decisions that our Government made when we were facing a difficult budget position.

Ms ABIGAIL BOYD: When you were Opposition spokesperson for disability, you felt very strongly about the role of the then Coalition Minister for disability, and you said:

She is the fourth minister in three years, she doesn't run any disability services, and now by her own admission, she's not interested in disability accessibility issues. It begs the question—as a Minister, what does she actually do?

I have heard from you now that you were not consulted on the schools plan that failed to mention children with disability. You were not consulted on the merger of the Transport Access Program with the Commuter Car Park Program. You were not consulted with relation to cutting the Park'nPay app. What have you been consulted in? What is it that you are doing as Minister for Disability Inclusion to ensure that the needs of people with a disability are being met in our State?

Ms KATE WASHINGTON: What we have inherited is a whole system where we do need to do a lot better, as I've already said, in terms of improving accessibility and inclusion. I will continue to be a fierce advocate.

Ms ABIGAIL BOYD: Again, I want fierce action.

Ms KATE WASHINGTON: As a new Government, we are ensuring that the conversations are being had across the board so that—

Ms ABIGAIL BOYD: But they're not, Minister. Time and time again—

Ms KATE WASHINGTON: —these decisions are being made, informed by the relevant stakeholders.

Ms ABIGAIL BOYD: Yes, but they're not.

The Hon. TANIA MIHAILUK: Minister, we were talking about the FACS district director meetings. Can you perhaps take on notice how many you've attended and, specifically, in June, July and August, I'd like to know if you attended any FACS district director meetings. I'll put to you, Minister—and I'm sure your secretary could explain to you as well—they are often held in Sydney, not in regional New South Wales. Directors are brought into Sydney for those specific meetings.

Ms KATE WASHINGTON: Was that a question, Ms Mihailuk?

The Hon. TANIA MIHAILUK: You didn't answer it before.

Ms KATE WASHINGTON: No, I did answer it.

The Hon. TANIA MIHAILUK: I'd like the specific number of meetings. It is that specific meeting I'm asking about, okay? It's not the meetings you were referring to in your last answer.

Ms KATE WASHINGTON: Ms Mihailuk, I've given my answer on that, and I won't be taking it on notice.

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The Hon. TANIA MIHAILUK: Well, I'll again ask you how many FACS district director meetings you have attended since you've become Minister. If you don't do that, I'll put it in the supplementary. You are required to answer questions, Minister.

Ms KATE WASHINGTON: I have answered it.

The Hon. TANIA MIHAILUK: You said you went to one meeting last month.

Ms KATE WASHINGTON: Correct.

The Hon. TANIA MIHAILUK: They are held every month, Minister, in case you don't know.

Ms KATE WASHINGTON: Is that a question or is it a comment? If it was a question, I'd like to answer it.

The Hon. TANIA MIHAILUK: You mentioned the number of kids in care before—471 kids. I'm going by the data you've provided previously to members of Parliament in the House. The number of kids in alternative care arrangements from January to June, ending at 23 June, was 355. Your figures tell me that in August that jumped to 471. So it jumped from 355 to 471 in a very short amount of time.

Ms KATE WASHINGTON: Correct.

The Hon. TANIA MIHAILUK: Could you explain that, Minister? And were you raising these at the FACS district director meetings yourself as to why that was happening?

Ms KATE WASHINGTON: This is a really important issue. It's one that we see as an urgent issue, and we are acting urgently to address it. But I've got to say that this is part of a spiralling problem as reflected in the numbers that you just mentioned. The increasing number of children in high-cost emergency arrangements is shocking, and it is costing the State and taxpayers an enormous amount of money. Worse still, it's the outcome for children and young people in these types of services that is of great concern to me as Minister. There are a number of factors that are leading to this. If you'll allow me, I would like to answer.

The Hon. TANIA MIHAILUK: I haven't interrupted you, Minister.

Ms KATE WASHINGTON: Great. The emergency foster care recruitment was switched off by the former Government a decade ago. It was switched on—

The Hon. TANIA MIHAILUK: Minister, this is June to August this year.

Ms KATE WASHINGTON: Correct.

The Hon. TANIA MIHAILUK: Please, let's stick with the relevant dates here.

Ms KATE WASHINGTON: Correct. This is a system that is spiralling out of control from a number of policy decisions that were made that have led to this position that we are now in, which I now want to explain. The lack of foster carers in the system—foster carer numbers have plummeted, so children that would otherwise have gone to foster carers, if they have nowhere else to go, as a very last resort are being placed in these high-cost emergency arrangements. That is a symptom of a system that we have inherited—

The Hon. TANIA MIHAILUK: Minister, an alternative to foster care is residential care. Would you accept that?

Ms KATE WASHINGTON: I'm glad you asked. There is intensive therapeutic care models and placements, and we've got a situation—again, we've inherited a policy position, when it comes to intensive therapeutic care placements, the outsourced system that we have inherited, which sees providers with vacancies in their services, when children are needing a place to go. These are funded places, places funded by the department, and those providers are saying, for whatever reason, that they can't take that child. But that's part of their contract, and that is—

The Hon. TANIA MIHAILUK: You're now reviewing this. Is that right? You and your department? You're going to propose alternative legislation shortly, Minister?

Ms KATE WASHINGTON: We are undertaking a number of different actions to try and address these drivers which are seeing kids end up in this situation.

The Hon. TANIA MIHAILUK: What legislation have you proposed into Parliament in relation to this?

Ms KATE WASHINGTON: We've got a significant systemic reform work underway, Ms Mihailuk.

The Hon. TANIA MIHAILUK: But you have already brought something to Parliament?

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Ms KATE WASHINGTON: This is going to take some time in order to address, but what I have done is stood up a high-cost emergency arrangement unit within the department. It is now centralising those decisions that were once made across different districts so that we've got some starting to try to take back some control of a system that is largely run, especially when we're talking about alternative care arrangements, by private providers—and many of them are for profit—who, in my view, do not belong in the system and ought not to be in the system, but they've exploited the broken child protection system that we have inherited.

The Hon. TANIA MIHAILUK: You're going to cancel those contracts, Minister. Is that what you're saying? Or review those contracts?

Ms KATE WASHINGTON: Ms Mihailuk, in reality—

The Hon. TANIA MIHAILUK: Given they cost \$57 million just in a six-month period to look after kids in alternative care arrangements, just between January and June of this year—that's a lot of money. You and I both accept that. What will you do in relation to those contracts that are probably still in place?

Ms KATE WASHINGTON: Ms Mihailuk, if we were to cancel those contracts now, those children would have nowhere to go. So that is just not—

The Hon. TANIA MIHAILUK: You could redirect the money to residential care. You could actually have a government that actually invests in residential care.

Ms KATE WASHINGTON: Ms Mihailuk, we are undertaking a number of different reforms, and we are looking at all options in terms of finding alternative, safer, relationship-based placements for children in these settings. I do want to take you back to the numbers. The figures that you gave weren't quite accurate. I will come back to you with—

The Hon. TANIA MIHAILUK: I'm going by the answer you provided in the House.

Ms KATE WASHINGTON: I didn't—

The Hon. TANIA MIHAILUK: You did. It's a question and answer on notice. You actually said "355 between January, ending at June '23". That's the number you gave. That's the number of alternative care arrangements. Perhaps your staff wrote it for you, but it's there. It's in writing. It's in *Hansard*.

Ms KATE WASHINGTON: Thanks, Ms Mihailuk. I will just check and make sure, because, as I said—

The Hon. TANIA MIHAILUK: That's okay. You can get across it later on, when you have time.

Ms KATE WASHINGTON: —we are wanting to be completely transparent.

The Hon. TANIA MIHAILUK: When you have time, get across it. Back to caseworker vacancy rates and caseworkers. What qualifications do caseworkers require to become a caseworker in New South Wales? Do they have to have tertiary qualifications?

Ms KATE WASHINGTON: Broadly, yes. Can I just say, on my travels around the State, how impressed I've been by the caseworkers that we have got in the system, the complex and complicated work that they do—

The Hon. TANIA MIHAILUK: What qualifications do they have to have to become a caseworker in New South Wales?

Ms KATE WASHINGTON: To be a caseworker in New South Wales and do the complex and complicated work that they do in making very difficult decisions on a daily basis, they have got a degree.

The Hon. TANIA MIHAILUK: They're required to have a degree. Is that right?

Ms KATE WASHINGTON: They do.

The Hon. TANIA MIHAILUK: A bachelor degree or a master's degree? Is that right?

Ms KATE WASHINGTON: I think it is just a bachelor's degree. Before I go to Ms Czech to confirm or to elaborate, there's also—given the figures that you mentioned earlier about the over-representation of Aboriginal children and that 45 per cent of children in out-of-home care are Aboriginal, I will also add that 47 per cent of children in high-cost emergency arrangements are Aboriginal children and young people. There is a departmental need to ensure that we, as a department, have the resources that we need to meet those. So what I'm—

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The Hon. TANIA MIHAILUK: Minister, you've answered my question. They have to have a bachelor degree. Is that the case for other States? Do all caseworkers across other States in Australia have to have a bachelor or a master's degree?

Ms KATE WASHINGTON: I believe so, but I will ask Ms Czech to answer that.

SIMONE CZECH: Thank you, Ms Mihailuk. The answer to your question is it varies. There's no consistent system across Australia. South Australia is an example. They only accept social work degrees, whereas Victoria accept degrees—

The Hon. TANIA MIHAILUK: What about Queensland?

SIMONE CZECH: Queensland is degree. We have done jurisdictional analysis previously. I'm happy to provide that to the Committee if that's helpful.

The Hon. TANIA MIHAILUK: What about your caseworker support workers? I'll go back to the Minister. What qualifications does the caseworker support worker, an assistant to a caseworker—

Ms KATE WASHINGTON: Can you ask the question again, Ms Mihailuk?

The Hon. TANIA MIHAILUK: An assistant to a caseworker. They're called caseworker support workers. What qualifications do they have to have?

Ms KATE WASHINGTON: I understand they only need diplomas.

The Hon. NATASHA MACLAREN-JONES: Just quickly I'll run through this. I'm happy for you to take them on notice. Minister, how many full-time staff are employed in your ministerial office?

Ms KATE WASHINGTON: My ministerial staff? I've got five.

The Hon. NATASHA MACLAREN-JONES: What is the breakdown of your staff by portfolio? How many are allocated to each?

Ms KATE WASHINGTON: I've got chief of staff; senior policy adviser, out-of-home care, child protection; policy adviser, disability; a media adviser; and an executive assistant. That's five.

The Hon. NATASHA MACLAREN-JONES: Are there any departmental staff seconded to your office, not DLOs?

Ms KATE WASHINGTON: Yes.

The Hon. NATASHA MACLAREN-JONES: How many are seconded?

Ms KATE WASHINGTON: One.

The Hon. NATASHA MACLAREN-JONES: How many DLOs are in your office?

Ms KATE WASHINGTON: There are 3.6.

The Hon. NATASHA MACLAREN-JONES: In relation to the DLOs in your office, have you or your office ever requested specific public servants to fill those positions?

Ms KATE WASHINGTON: No, and can I just say that I have always made it very clear that they are not decisions to be made by me, and I've made that very clear to the secretary. It's not a decision to be made. But I will also say that the DLOs in my office perform incredible work, and I couldn't do my job without them.

The Hon. NATASHA MACLAREN-JONES: Very true. Final questions on that. Can you confirm the DLOs, whilst in your office, have not undertaken work that would contravene the Cabinet memorandum?

Ms KATE WASHINGTON: Yes, I can confirm that.

The Hon. NATASHA MACLAREN-JONES: Thank you. Also, since you became Minister, have there been any changes to your ministerial staff or DLOs?

Ms KATE WASHINGTON: There have been. If we go to the DLOs first. We've had somebody that came on for a short time, in addition to the roles that we had, to assist in the very set-up of the office. He's no longer there. In terms of the ministerial staff, again, we had somebody in initially to help with the setting up of processes and systems, and she's no longer there, as well.

The Hon. NATASHA MACLAREN-JONES: In the remaining time, I was wondering if you had the figures in relation to ACA numbers and if your commitment is to provide that information on the dashboard on a quarterly basis.

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Ms KATE WASHINGTON: I will come back to you on that. Sorry, I'm just going to correct my previous answer as well. I also did have another policy adviser, and he is no longer—he left as well for his own personal family reasons.

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

The CHAIR: Are there any Government questions?

The Hon. CAMERON MURPHY: Yes, Chair. Minister, I might start with community service centres. I understand that you visited a lot of frontline child protection workers across the State over the past seven months. What are the main issues that have been raised with you? What actions are you taking to address those?

Ms KATE WASHINGTON: Thanks very much for the question. As I have said, I've considered it to be a really important task for me to meet with and visit many of the hardworking caseworkers and child protection workers on the ground across the State. I have visited 14 community service centres, from Lismore, Ballina, Broken Hill, Dubbo, Orange and in Sydney—East Sydney, Blacktown and Liverpool—all around the place. It's been a privilege of mine to be able to hear from them directly as to the work that they do and the decisions that they make, and I have been blown away by the complexity and the difficulty of their work.

The feedback that I've had has been not only to the challenges that they face but also, to their credit, the opportunities that they see and the work that they are doing to try to address some of the problems that I've been talking about already in the child protection system. But, certainly, one of the messages that I've been getting loud and clear from the caseworkers is the fact that they have felt undervalued for a very long time and that the unfair wages cap that was placed on them for so long meant that they weren't feeling valued. When COVID came around and all this talk about all the different essential workers that were on the front line doing all the hard work, child protection workers and out-of-home care workers were doing that work as well. There was nary a mention of them by the former Government. This has been something that I have heard loud and clear from those hardworking caseworkers on the ground.

When I heard that, and particularly from the first few visits, I've been redoubling my efforts to make sure that they understand that, as the new Government, we are committed to ensuring that they feel valued and that they are valued. Ms Mihailuk mentioned the number of caseworker vacancies. It does relate to retention as well, and the unfair wages cap meant that we saw experienced, good-quality caseworkers walking out the door, and we just can't afford for that to happen anymore. I'm really pleased that we've lifted the wages cap. They've now seen their first pay rise in a decade.

The amount of work that they do is enormous because of those caseworker vacancies. There's a lot of pressure on them in the system, combined with the challenges of the work that they're doing. The department has been conducting workforce planning. We've been working with—and, as Minister, I've been speaking with—the officials around what we can do as a government to put things in place to ensure that the workers are feeling valued, that they are respected in the jobs that they're doing.

As we head on this reform path, I'm ensuring that the input from the staff and the workforce is front and centre of that reform piece. I'm conducting five different staff reform forums over Christmas and January across different parts of the State. We're going to Queanbeyan, Coffs Harbour, Wagga and a couple in Sydney to ensure that the input from the caseworkers and from the people on the front line informs, from the outset, the reform that we'll be undertaking. They know what works on the ground because they've been doing it for a very long time, and they've been doing their best to keep young children and young people safe from harm and to ensure that their wellbeing is protected. I can't speak more highly of the incredible workforce in the system that I'm now responsible for.

The Hon. GREG DONNELLY: Welcome, Minister and officers, to budget estimates today. Minister, there have been some questions thus far on the issue of high-cost emergency arrangements, and you've been able to deal with them very adequately. Some very specific details were taken on notice, which I think we all fully understand because it may not be directly at hand. But could you elucidate a bit further on that important policy area with respect to any data that you may have at hand right now that we haven't heard about? That would be quite valuable. Secondly, is there further information that you would like to provide for the Committee about work that's being done in this area that has not been covered in answers thus far?

Ms KATE WASHINGTON: Thank you, Mr Donnelly. I've already indicated to the Committee that this is a really urgent area of work for us as a government to repair the budget in child protection, which we were shocked to see when we came into government had this enormous budget black hole that posed a risk to the entire operation of the child protection system. If we did not find the \$200 million rescue package, we would have seen the collapse of the child protection system. What that would have meant for young people and children, and vulnerable young people and children, is unthinkable, so we had to find that and we did. That rescue package was

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something that I secured, and we hope to be able to ensure that that is just the beginning of fixing the system that we inherited.

But we are undertaking two very clear paths of reform at the moment. When it comes to high-cost emergency arrangements, the question that hasn't been put by the Committee is how much is this actually costing. This is something that I want to be completely transparent about. There are currently 471 kids in there in those current settings. In the past two years the high-cost emergency arrangements have cost half a billion dollars. It was \$200 million the year before last; it was \$300 million in the last year. This is a situation that we have inherited where the costs are spiralling out of control, in this system where we've got private providers making a profit on the back of vulnerable children.

The Hon. CAMERON MURPHY: Shocking.

Ms KATE WASHINGTON: It is truly shocking, and we have taken urgent steps to try to start seeing this problem turn around. Not only is this cost shocking; it is the impact on the children and the young people that's shocking, because these children are in settings like hotels and motels with 24/7 shift workers. That is not any setting that any child ought to be in. We have undertaken a campaign to recruit more foster carers into the system, because the solutions to this problem don't just lie with government. That's why we want to be talking about the problem, unlike the former Government, which just wanted to try to hide it all away. We need to be talking about this problem because we need to be harnessing all of the community's interest in caring for young people to ensure that they have bright futures.

We've been recruiting foster carers, but also the emergency foster carer recruitment by the department has been given a real kickstart. We've now got a gateway. We've got intensive work in terms of trying to engage and recruit our own emergency foster carers so that, instead of a child having to go into a hotel or motel, there is an emergency foster carer available for them. We have also been doing—and I know Ms Czech has been doing—an enormous amount of work with the intensive therapeutic service providers to see their funded vacancies filled.

That is another part of the solution to ensuring that kids aren't going to hotels and motels but they are going to the very types of placements that we fund for children with complex needs, because it's a therapeutic model. It is a much safer model for them, and it's where many of these children ought to go. Currently, there are vacancies which are not acceptable, of around 30 per cent—one provider is up to 47 per cent vacancies—that are vacancies funded by the department. This is a contractual policy position that we inherited under the former Government. They made all of these different policy decisions that left this enormous mess that's spiralling out of control.

I'm not suggesting by any means that this is a situation that can be solved overnight. If it were something that we could have solved in six months, we would have. If it had been a situation that could have been solved in six months, the former Minister could have done it herself four times over. But that didn't happen. Instead, the former Government let this situation keep going and going, spiralling and spiralling. It is something that we are taking very seriously. As I mentioned before, we have set up a high-cost emergency arrangement unit within the department that is now trying to centralise the decisions that are being made about the children that are going into these placements, and to also focus on the children that are already there to determine whether or not there are better placement options for them.

Across all of the districts, we are also standing up panels to try and ensure that every possible placement option is being considered as part of the local community service district centre, as well as community alongside them, to determine whether there are other better placements available to that child before they enter into an arrangement like that. There are a number of pieces of work that we are doing to try and tackle the problem. This is also, I have got to say, just the urgent action that we are taking, because we need to act urgently to try and make the change that we need to make. But it's part of a longer term reform piece that we are working on because, ultimately, what we want to see is a system that is not driven by the crisis but where families get the support that they need when they need it so that their children aren't coming into the system in the first place.

The Hon. GREG DONNELLY: Thank you, Minister. That was a very detailed and helpful piece of evidence that you provided to the hearing today.

The CHAIR: Any more questions?

The Hon. STEPHEN LAWRENCE: No, Chair.

The CHAIR: We will now take a break and commence again at quarter past 11.

(Short adjournment)

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The CHAIR: We might recommence, Minister, if that's okay with you. We'll go to the Opposition.

Ms KATE WASHINGTON: Sorry to interrupt, but is it possible to come back with some answers to some of the questions? Should I do that now?

The CHAIR: If you can do it quickly. Otherwise you can do it at the end. It's up to you.

Ms KATE WASHINGTON: If I can just go quickly, in terms of the question around DLOs, there have been another couple of movements in terms of people taking leave and everything, so I want to take that one on notice and come back to you on that one in particular. In terms of pregnancies—

The Hon. NATASHA MACLAREN-JONES: I'm happy to cover these off towards the end because you will have time with Government questions as well.

Ms KATE WASHINGTON: This is a really quick answer, if you would like it.

The Hon. NATASHA MACLAREN-JONES: I'd prefer to just move into the session because we've got limited time. Minister, as of today, how many State-owned disability group home properties are there?

Ms KATE WASHINGTON: There are roughly 800 properties, as I understand. I can ask for greater clarification in a moment, but I will just say—

The Hon. NATASHA MACLAREN-JONES: If you've got the exact number of how many homes there are as of today—

ANNE CAMPBELL: It's about 803.

The Hon. NATASHA MACLAREN-JONES: How many were there as of 1 March this year?

ANNE CAMPBELL: I'd need to take that on notice, but I'm pretty sure it's about the same.

The Hon. NATASHA MACLAREN-JONES: So it hasn't decreased or—

ANNE CAMPBELL: Not that I'm aware of, no.

The Hon. NATASHA MACLAREN-JONES: How many residents are living in these 800-odd properties?

Ms KATE WASHINGTON: I'll start, if you don't mind. This is a thing that I have been asking a lot of questions about since I was sworn in because there is a significant property portfolio effectively held by me as the Minister for Families and Communities. When I learnt that there were empty and vacant properties as part of that portfolio, in the context of a housing and homelessness crisis, I sought immediate advice about what we can be doing to ensure that those properties that have been sitting vacant for some time could be utilised.

The Hon. NATASHA MACLAREN-JONES: How many properties are currently vacant?

Ms KATE WASHINGTON: I will go to Ms Campbell. But I understand that, of the properties that are vacant, 15 are already now being used for meanwhile use as transitional housing to support people who are at risk of homelessness, and women and children escaping domestic and family violence. In terms of the actual number of vacant properties still, I will defer to Ms Campbell.

ANNE CAMPBELL: Just to correct it, it's actually 805 properties. And 739 are currently occupied as disability housing, 19 are currently occupied for meanwhile use—so that's transitional housing, out-of-home care and private rental—and 60 properties are currently vacant, of which 15 are actively being considered for meanwhile use.

The Hon. NATASHA MACLAREN-JONES: Did you say 739 are occupied?

ANNE CAMPBELL: Correct.

The Hon. NATASHA MACLAREN-JONES: Approximately how many are living in the 739 properties?

ANNE CAMPBELL: We'll probably need to take that on notice because it does change. There are a number of vacancies in some of those properties.

The Hon. NATASHA MACLAREN-JONES: Who manages these properties?

Ms KATE WASHINGTON: A variety of different organisations.

The Hon. NATASHA MACLAREN-JONES: Currently, is it true that all of these properties and the managers are operating on a month-by-month lease?

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Ms KATE WASHINGTON: I'll again defer to Ms Campbell on this but, certainly, what we are looking at in terms of the way forward with this property portfolio is to ensure that it is getting the utmost utilisation, given the current housing and homelessness crisis. We know that there are people desperate for housing across our communities. We want to ensure that we are providing anything that's available. We also know that there's a lot of—

The Hon. NATASHA MACLAREN-JONES: I appreciate that, Minister, and I'm interested because these are homes to support people with disability. So you're saying every single property is now being utilised by a person with disability, or has it been transferred to social housing or to LAHC?

Ms KATE WASHINGTON: You're right that they were homes that were held for housing people with disability, and the fact that there have been a number of vacant properties for some time, in the environment where people with disability have been desperate for housing, is something that I took very seriously when I learnt it, when I was sworn in as Minister. So we are undertaking a large piece of work to determine how we best utilise the housing that's in that portfolio to ensure that we are meeting the needs of communities across this State, because that housing, as you would well know, is scattered right across the State.

The Hon. NATASHA MACLAREN-JONES: Back to my question—are they operating on a month-by-month basis?

Ms KATE WASHINGTON: Ms Campbell?

ANNE CAMPBELL: I don't have the current detail, but I'm happy to provide it on notice. I do know there are a number of properties that are on a month-by-month lease, which we're currently looking at.

The Hon. NATASHA MACLAREN-JONES: What happens when a room becomes vacant in one of those properties?

Ms KATE WASHINGTON: A lot of the properties, again, as you would well know, are SDA housing under the NDIS, so they are managed by specialist disability accommodation providers, and it is up to them to manage the properties in accordance with their operations.

The Hon. NATASHA MACLAREN-JONES: So you're saying it is a matter for the manager of that property to determine who is a resident in that home.

Ms KATE WASHINGTON: I think, previously, the State government had a role in disability services. That's why all these houses were actually there, when we ran services as a State, but, under your Government, everything was privatised. So now we don't have the control over who goes into what properties where, because that is now sitting with private providers that are funded by the NDIS, and they will be doing the work that they need to do under the contracts that they have.

The Hon. NATASHA MACLAREN-JONES: Is there a policy that only SDA-funded clients can move into these properties?

ANNE CAMPBELL: Yes, they're disability-specific.

The Hon. NATASHA MACLAREN-JONES: SDA-funded only?

ANNE CAMPBELL: Yes.

The Hon. NATASHA MACLAREN-JONES: What is the average age of those properties?

Ms KATE WASHINGTON: There is a range of ages of these properties. I understand there is even a service station as part of it; I haven't quite seen that one yet. It ranges from the Stockton Centre in the Hunter to Tomaree Lodge in my beautiful part of Port Stephens.

The Hon. NATASHA MACLAREN-JONES: I'm interested in the ones that people are currently living in.

Ms KATE WASHINGTON: I'm just saying that the portfolio has a whole range of different properties of different ages.

The Hon. NATASHA MACLAREN-JONES: I'll be more specific, Minister. What is the average age of properties that, currently, people with disability are living in?

Ms KATE WASHINGTON: I couldn't say the average age. That's something that I could come back to you with. But there is certainly—after many years of the former Government failing to provide any upkeep of these properties, I do understand that a lot of them are falling into disrepair, and that's why some of them are standing empty. Because there was nothing—

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The Hon. NATASHA MACLAREN-JONES: I'm not talking about the empty ones; I'm talking about the ones people live in currently. Are they at NDIS standard?

Ms KATE WASHINGTON: The ones that are standing empty formerly had people in them. Are they up to the NDIS standards? Some of them are and some of them aren't.

The Hon. NATASHA MACLAREN-JONES: Minister, I will go back to the month-by-month leasing. What message are you giving to providers and also, particularly, residents who are concerned that a provider may choose to walk away from a month-by-month lease? Where do these people go?

Ms KATE WASHINGTON: If there are residents who are coming to you with concerns, I will be very happy to have conversations with them and their providers, because we want to ensure everyone with a disability is feeling secure in their home.

The Hon. NATASHA MACLAREN-JONES: Minister, there are a number of properties, as you said, that are vacant. What is your forward plan for these properties and also for the current ones, particularly those that are not at standard, considering your Government has ruled out any asset recycling?

Ms KATE WASHINGTON: We are currently working through a process to determine the future use of those properties. But I will say this: We have a clear policy against privatisation. I'm just guessing that the last plan that the former Government had for these properties was to probably just sell them off. That is not part of our plan. Our plan is to utilise them to ensure that people across our communities that need the housing and are in desperate need of housing have it.

The Hon. NATASHA MACLAREN-JONES: But currently many of these residents are living in properties month by month. You have people that are concerned that the provider may choose not to continue to operate. They've been in these homes for many years—decades—and they're facing a potential rental crisis. What's your message to these people? What are you going to do about these properties?

Ms KATE WASHINGTON: As I said in my answer to the previous question, if there are people coming to you who have those concerns, I am happy to meet with them, and I'm happy to meet with the providers. But I'm also aware that there are a number of people with disability who are choosing to leave the properties due to the lack of maintenance. The state of those properties, over so many years, has—

The Hon. NATASHA MACLAREN-JONES: In this budget, how much have you committed to maintenance of these properties moving forward?

Ms KATE WASHINGTON: My focus in this budget, as you well know, had to be repairing the child protection—

The Hon. NATASHA MACLAREN-JONES: So you've allocated no funds to maintenance of those properties moving forward.

Ms KATE WASHINGTON: There is an allocation to those properties. But I will say this: My focus is in—

The Hon. NATASHA MACLAREN-JONES: How much has been allocated in the budget for maintenance of these properties?

Ms KATE WASHINGTON: I can come back to you later on that one, but I will say that the urgent focus of our Government was to ensure that the child protection system did not collapse, and we had to have a rescue package of \$200 million.

The Hon. NATASHA MACLAREN-JONES: But, Minister, you are responsible for disability inclusion.

Ms KATE WASHINGTON: Absolutely.

The Hon. NATASHA MACLAREN-JONES: I'll now move on to Tomaree Lodge, which you referred to. There was a report given to you in May in relation to the site, which you have refused to release. When will you release that consultation paper?

Ms KATE WASHINGTON: I have made a clear commitment to my community and to everyone involved and who has an interest in that site that I will be completely transparent in this process. I will say that the Tomaree Lodge site is something that I have a very long history with. I have been a strong advocate for the residents, before they moved from the site, to ensure that they had the dignity and respect that they deserved.

The Hon. NATASHA MACLAREN-JONES: I am talking about moving forward, not the work in the past.

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Ms KATE WASHINGTON: And I'm just saying that this is a site I have a very long history with, and I continue to consult with the Tomaree Headland Heritage Group. I met with them not long ago to discuss—

The Hon. NATASHA MACLAREN-JONES: When was that?

Ms KATE WASHINGTON: It was a couple of months go. I would have to come back to you.

The Hon. NATASHA MACLAREN-JONES: Did you disclose that meeting, as required?

Ms KATE WASHINGTON: I try to comply with all of my disclosures, but, if that is not in there, I can correct that. It's sometimes a little bit difficult, as a local member—

The Hon. NATASHA MACLAREN-JONES: But you're still required, as a local member and a Minister, to disclose every single meeting that you have.

Ms KATE WASHINGTON: Indeed—that relates to my portfolio. I will make sure that is disclosed.

The Hon. NATASHA MACLAREN-JONES: Are you saying that Tomaree Lodge does not relate to your portfolio?

Ms KATE WASHINGTON: No, I'm not saying that at all.

The Hon. NATASHA MACLAREN-JONES: So you should disclose every single meeting you've had with any community group or organisation in relation to that site.

Ms KATE WASHINGTON: Correct. Yes, absolutely. I'm not saying—absolutely.

The Hon. NATASHA MACLAREN-JONES: But you're not sure if you actually disclosed a meeting.

Ms KATE WASHINGTON: I will make sure that is disclosed, if I haven't done that. That is an oversight, if it's not in my disclosures. It might be. I suspect that it's not in the latest disclosures, because the meeting I have had is more recent than the current disclosure period. I will have to check and make sure, because I'm well aware that any meeting I have that relates to anything in my portfolio must be disclosed, and I do my utmost to make sure I do. The consultation that you referred to and the paper that went to my community asking them for their ideas—what it didn't do was discuss the constraints on the site.

The Hon. NATASHA MACLAREN-JONES: Minister, I've got limited time. Are you going to release that consultation paper that was given to you in May? When will you release that?

Ms KATE WASHINGTON: I will absolutely release that consultation paper when we have done the work that's necessary that makes it a productive piece of work, which includes the work that we are doing to understand what the actual constraints are, on the site.

The Hon. NATASHA MACLAREN-JONES: What I gather, Minister, is that there is no time frame. How much is being spent on maintenance and security in regards to Tomaree?

Ms KATE WASHINGTON: The Tomaree Lodge—because it is such a special site, I think it is about \$1 million for the security on the site.

The Hon. NATASHA MACLAREN-JONES: Security and maintenance?

Ms KATE WASHINGTON: And on maintenance, it's about \$800,000.

The Hon. NATASHA MACLAREN-JONES: Close to \$2 million all up.

Ms KATE WASHINGTON: I beg your pardon?

The Hon. NATASHA MACLAREN-JONES: So it is \$1.8 million across maintenance and security per year.

Ms KATE WASHINGTON: Yes, I believe so. There are many heritage buildings on the site.

The Hon. NATASHA MACLAREN-JONES: I'm aware of that, Minister. Are there any squatters currently occupying the site?

Ms KATE WASHINGTON: Not that I'm aware of.

The Hon. NATASHA MACLAREN-JONES: Minister, you've said that you're thinking about what you're going to do with the site. Each year you're spending close to \$2 million on the site. When will you make a decision?

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Ms KATE WASHINGTON: What I want to make sure is that we optimise the opportunity of that very special site. I can't—

The Hon. NATASHA MACLAREN-JONES: I just need to know when you intend to make a decision, rather than wasting taxpayers' money. Do you have a time frame?

Ms KATE WASHINGTON: If you want to talk about wasting taxpayer money—

The Hon. NATASHA MACLAREN-JONES: No, I just want a time frame.

Ms KATE WASHINGTON: If you want to talk about wasting taxpayer money, I will just say—

The Hon. NATASHA MACLAREN-JONES: Minister, do you have a time frame for the Tomaree site?

Ms KATE WASHINGTON: —that your Government—

The Hon. NATASHA MACLAREN-JONES: All right, Minister, I will move on. Obviously, you don't have a time frame.

Ms KATE WASHINGTON: Can I just answer the question?

The Hon. NATASHA MACLAREN-JONES: No, that's okay, we'll move on. We have limited time, Minister.

Ms KATE WASHINGTON: You had a significant time when you knew that this was closing—

The Hon. NATASHA MACLAREN-JONES: Minister, we have limited time.

Ms KATE WASHINGTON: —and you did nothing to create a plan.

The Hon. CAMERON MURPHY: Point of order—

The Hon. NATASHA MACLAREN-JONES: We've moved on.

The Hon. CAMERON MURPHY: The process is one where, under the ruling of the House, there has to be courtesy and respect given to witnesses. The honourable member asked a question.

The Hon. NATASHA MACLAREN-JONES: The Minister is quite capable of answering questions.

The CHAIR: Order!

The Hon. CAMERON MURPHY: The Minister wasn't even able to answer it before she was speaking over the Minister.

The Hon. NATASHA MACLAREN-JONES: I don't think you're really helping her. She's quite capable.

The CHAIR: We're conducting a point of order, not an argument.

The Hon. NATASHA MACLAREN-JONES: I'm happy to move on to the next question.

The CHAIR: Okay. Thank you. I accept the point of order.

The Hon. RACHEL MERTON: Minister, I note in the diary disclosure two meetings concerning the Stockton Centre, the first with then Minister Crakanthorp on 2 June. Minister, were these meetings with your colleague in his capacity as the Minister for the Hunter or as the local MP?

Ms KATE WASHINGTON: The meetings on site at the Stockton Centre were with the member for Newcastle in his role as the member for Newcastle, because the Stockton Centre is in his electorate and he has a really longstanding association with it as well, as do I.

The Hon. RACHEL MERTON: Are there any conflicts of interest relating to your colleague Tim Crakanthorp and the Stockton Centre? Was the Stockton Centre part of the property portfolio that led to his ministerial resignation?

Ms KATE WASHINGTON: No.

The Hon. RACHEL MERTON: Minister, you refer to the Stockton Centre as being one of the vacant properties that is of concern to you. We've established what the costs are of maintaining these. Minister, what's holding up the decision relating to the future of the Stockton Centre?

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Ms KATE WASHINGTON: The Stockton Centre, alongside the Tomaree Lodge, were former homes for people with significant and complex disabilities.

The Hon. RACHEL MERTON: We're aware of the history, but what's holding up the decision relating to the future?

Ms KATE WASHINGTON: Their history means that the devolution of both of those centres was undertaken by your Government over a number of years. And during that time, when you knew that they were going to close, when the former Government knew that there was going to be these sites available for use, there was no future planning done around these sites. Coming into government, we are undertaking the work that we need to do to ensure that there are plans in place. I'm soon to also be meeting with the mayor of Newcastle, because the Newcastle City Council and the Port Stephens Council combined have been doing some master planning involved in the Stockton Centre site. I will also be looking to return soon to the site with a—no, actually, I think a community housing provider is going to be going to the site soon to determine whether or not there is going to be—

The Hon. RACHEL MERTON: Minister, if I could return to the question? When are we likely to see a decision on the future of the site? There is lots of consultation. I appreciate the history of it. When will a decision be made?

Ms KATE WASHINGTON: Ms Merton, there is a meeting happening on site soon for the community housing provider to look at some of the vacant buildings that we identified on my previous meeting there. We took action, went onsite, saw with my own eyes that there were buildings there that were capable, we thought—with my untrained non-builder eyes—of possibly being utilised for meanwhile use whilst the broader master planning is done by the councils. So that work and that meeting is going to be happening again soon so we can progress to try to assist those that are facing homelessness or needing transitional housing for women and children escaping domestic and family violence.

The Hon. RACHEL MERTON: Thank you—and people with disability. I note in the media that the University of Newcastle has shown interest in the site. Is selling the land a possibility?

Ms KATE WASHINGTON: The community group, when I met with them, the Tomaree Lodge, the heritage—I always get their name mixed up. It's changed a couple of times.

The Hon. RACHEL MERTON: That's okay. The Stockton Centre?

Ms KATE WASHINGTON: Which?

The Hon. NATASHA MACLAREN-JONES: This is Stockton.

Ms KATE WASHINGTON: I have not seen reporting relating to the university being interested in the Stockton Centre. I have seen reporting relating to the university being interested in the Tomaree Lodge site and that's, I understand, come from the community group who has met with people from Newcastle university to discuss their thoughts on what could possibly happen at the Tomaree Lodge site. I am unaware that the university has had any conversations with the department or me.

The Hon. RACHEL MERTON: So what is the plan today on Stockton? It's vacant, it's costly.

Ms KATE WASHINGTON: The planning will rest—and I'm going to be having the conversation to understand with the councils what their master plan is that they have for that site so that we can be working with them—

The Hon. RACHEL MERTON: Is selling the land a possibility?

Ms KATE WASHINGTON: No, we have a clear policy—

The Hon. RACHEL MERTON: Is selling the land a possibility, Minister?

Ms KATE WASHINGTON: We have a clear policy position that there are no privatisations.

Ms SUE HIGGINSON: Good morning, Minister, and welcome to all of your wonderful staff. Minister, could you please describe what the department was like when you became Minister?

Ms KATE WASHINGTON: Thank you, Ms Higginson, and good morning. The department itself? In what sense? That's a very broad question.

Ms SUE HIGGINSON: It is.

Ms KATE WASHINGTON: Any specifics?

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Ms SUE HIGGINSON: In terms of its capacity to undertake its functions in the way that you would see it ought to be able to.

Ms KATE WASHINGTON: Where do I start? There was a lot that we found. I guess the most alarming issue that we saw was the significant, perilous budget position which, if we did not fill that budget black hole, would have meant the collapse of the child protection system in New South Wales. So that was the most pressing and urgent item that we had to undertake immediately. But the issues and the priorities that I'm seeking to tackle urgently as well relate to the high-cost emergency arrangements and ensuring that we start stopping the crisis-driven end of the system where we are paying millions and millions—half a billion dollars in the past two financial years—to keep children in the least favourable settings.

We are doing all the work that we need to do to prioritise our efforts on that, and undertaking significant reform in the process, as well as tackling the over-representation of Aboriginal children and young people in the child protection system. And, again, one of the first things that I undertook as Minister was to host an Aboriginal child safety and wellbeing reform forum, which was attended by about 100 Aboriginal stakeholders from across the State, to discuss the way forward, including the outstanding FIC recommendations.

Ms SUE HIGGINSON: I'll get to that in one sec.

Ms KATE WASHINGTON: I'm sure you will. But, honestly, everything was on the table.

Ms SUE HIGGINSON: Great.

Ms KATE WASHINGTON: In terms of the department itself—and I have mentioned earlier—morale is very low. Workers on the ground—I've visited 14 community service centres—are feeling very devalued. It's a really difficult environment to be working in at the best of times, but when you're having difficulty attracting and retaining staff, there is really a lot of pressure in the system at the moment and the spiral is definitely on, on many fronts, and we are working urgently on many fronts to try to turn things around.

Ms SUE HIGGINSON: What is the cost per day to keep a child in the high-cost emergency care?

Ms KATE WASHINGTON: On a per day, I will ask maybe Ms Campbell to answer.

Ms SUE HIGGINSON: You can take it on notice. I can get that later.

Ms KATE WASHINGTON: But I will say, the average, as I understand, on an annual basis is \$800,000, but it can be over \$2 million. So on average, on an annual basis, it's \$800,000. On a per day, it would range enormously, depending on where they were. I don't know if you were here earlier but the—

Ms SUE HIGGINSON: I heard him. What about service providers? Have you ended or changed any of the relationships with any of the service providers, particularly the out-of-home care service providers in terms of the ones that were there when you came in?

Ms KATE WASHINGTON: There was a number of service providers that deliver all kinds of services across the whole spectrum of child protection, from the targeted early intervention through to out-of-home care providers as well as for family preservation. There are so many different contracts for different services across the system, so undoubtedly in that there have been some changes, but in terms of major changes of providers, not at this point. But I have flagged very clearly to the sector that, in terms of particularly the alternative care arrangement end, where kids are in hotels and motels and those providers are for-profit providers—I have flagged very loudly to the sector that I do not think it is remotely appropriate for there to be for-profit providers in a system caring for vulnerable children and then making a profit from it.

Ms SUE HIGGINSON: Thank you. What about Life Without Barriers? Is that an organisation you've identified that there might be issues to resolve?

Ms KATE WASHINGTON: Life Without Barriers is one of the organisations that the department contracts with for a range of services. They have a large number of children in out-of-home care as part of their contract. I have met with them individually as well to discuss—

Ms SUE HIGGINSON: Are you satisfied that things will improve? I'm not suggesting you're saying they need to, but I'm suggesting they need to.

Ms KATE WASHINGTON: I think there's improvement that we need across the board from everyone. I'm going to say that. I think there's a lot of work that we need to be doing—NGOs, the department. This is a shared responsibility and we do work in partnership with the NGOs that we contract with to ensure that the children are getting the outcomes that they need and to be safe.

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Ms SUE HIGGINSON: Thank you. In relation to Aboriginal children that have been removed from their families, I know that there were numbers given earlier and that we're looking at—nearly half of the children are First Nations children, the ones in the high-cost emergency care. What are you doing in terms of actual steps to improve Aboriginal people's involvement in shared decision-making?

Ms KATE WASHINGTON: There are a number of things. As I said, I hosted the reform forum and it was a two-day forum. It was a powerful exercise, for me particularly. I was just pleased that the stakeholders were willing to turn up in the first instance, to be honest, given the history and relationship with government of any type. I just was really grateful that they were willing to engage with us as a new government and me as a new Minister. To be honest, the first step for me is trying to start rebuilding that trust and there's a lot of work to be done on that front.

In terms of outcomes from that reform forum, there are a number of urgent actions I committed to the sector to come back to act on. The very first one is the creation of the ministerial Aboriginal partnership group. That is being finalised as we speak and there's a process in play. I'm hoping that we will be meeting before the end of the year. It is a group, and the membership was decided by AbSec and SNAICC. I had no say in the membership of that group. We will be working in partnership with them to determine how we achieve better outcomes for Aboriginal families and children.

Ms SUE HIGGINSON: My understanding is that DCJ is still not following the Aboriginal child placement principle. What are you doing to change that?

Ms KATE WASHINGTON: As I've said a number of times to the Committee today, there's a lot of work that we need to do to improve the work that we do. There's never any question about that. It's us and our partners.

Ms SUE HIGGINSON: Is there something that is preventing DCJ from following that child placement principle?

Ms KATE WASHINGTON: Absolutely not. There's clear work being done across all of our districts to ensure that we are responding to Aboriginal children and families better than we've done in the past. There are safeguarding panels that are being stood up across districts which will be responsible for making those decisions before a child comes into care to determine whether or not the appropriate action is for a statutory response. The other—

Ms SUE HIGGINSON: Just on that—sorry, I can see the clock, you can't, and my time is clicking away. Is your plan to implement all 126 recommendations of the FIC review?

Ms KATE WASHINGTON: Well, as I've said to the stakeholders that came to the reform forum, everything is on the table for discussion. I don't want it to be confined in terms of the reform conversation to be confined to the outstanding FIC recommendations. I've heard from some Aboriginal stakeholders that things have somewhat moved on from some particular recommendations that were made. I don't want to be confined and locked into any of those.

Ms SUE HIGGINSON: Can I just ask finally on that, are you considering the establishment of the independent child protection commission with an Aboriginal child and family commissioner?

Ms KATE WASHINGTON: Again, that's going to be part of the conversation with my ministerial Aboriginal partnership group.

Ms SUE HIGGINSON: But you're open to that, if that's what the group comes forward and says, "That's what we need"?

Ms KATE WASHINGTON: Well, it's going to be part of the conversation.

The Hon. TANIA MIHAILUK: Just on that question, you were asked about an Aboriginal child commissioner—whatever the title was—that is a position that obviously doesn't exist so would it need to be funded? Has there been any kind of discussion about what that would cost, that specific position?

Ms KATE WASHINGTON: Before we looked at what it would cost, we'd be looking at whether or not that was something we were proceeding with, so I just don't know.

The Hon. TANIA MIHAILUK: Whether you'd want to do it, yes, but you'd want to look at both. Right.

Ms KATE WASHINGTON: The answer is no. Those discussions have not been had because it's going to be part of the conversation that I'm having with the ministerial Aboriginal partnership group as to where they want to go with the system that's going to get the best outcomes for Aboriginal children and families.

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The Hon. TANIA MIHAILUK: How many Aboriginal caseworkers do you have right now, Minister, on the books?

Ms KATE WASHINGTON: I am unsure of that.

The Hon. TANIA MIHAILUK: Ms Czech, can you answer that?

Ms KATE WASHINGTON: We'll come back to you on that one, Ms Mihailuk.

The Hon. TANIA MIHAILUK: You can answer it now?

SIMONE CZECH: Yes. I've got a percentage. It's about 8 per cent, but we can certainly come back with that actual number.

The Hon. TANIA MIHAILUK: Eight per cent of current caseworkers are Aboriginal?

SIMONE CZECH: Sorry. It's not 8 per cent. It's actually about 12. Can we come back with actual figures, if that's okay?

The Hon. TANIA MIHAILUK: Okay, 12 per cent of caseworkers are Aboriginal. I asked you earlier about the qualifications that are required for caseworkers and you mentioned South Australia, which I double-checked: It doesn't require a degree. I've noted in Queensland that the NGOs don't require a degree. I'm putting to you, Minister, will you, as a Minister, revisit what qualifications a caseworker is required to have, given that assistant and support workers don't have to have a degree; they have a TAFE diploma. I want to put to you also that your Aboriginal caseworkers don't have to have a tertiary qualification.

Ms KATE WASHINGTON: Correct.

The Hon. TANIA MIHAILUK: They only need to demonstrate cultural capability, including connection to community and country.

Ms KATE WASHINGTON: Correct. I was hoping to be able to expand on the answer I gave you earlier to ensure that that was on the record.

The Hon. TANIA MIHAILUK: Yes.

Ms KATE WASHINGTON: So thank you for making sure that I'll have that opportunity now. The answer is yes. It's been part of conversations I've been having with the department in terms of how we get more caseworkers recruited and how do we keep them, whilst also maintaining the quality and consistency of the casework that families and children deserve? Those are definitely part of the conversation we're having. And you're right: In order to try to increase the number of Aboriginal caseworkers on the ground, there was that relaxation.

The Hon. TANIA MIHAILUK: There are no qualifications required at all? Are TAFE qualifications required for Aboriginal caseworkers?

Ms KATE WASHINGTON: I don't think so. If they are coming into the department, then there is training and a whole lot of work that goes—

The Hon. TANIA MIHAILUK: Minister, couldn't you also take the same approach to the non-Indigenous caseworkers? I can't understand why a non-Indigenous caseworker is required to have a bachelor degree or a masters in psychology or social work, but an Aboriginal caseworker doesn't require that or even a TAFE diploma—

Ms KATE WASHINGTON: Indeed.

The Hon. TANIA MIHAILUK: —just a demonstration that they have had some connectivity with the country that they're working at.

Ms KATE WASHINGTON: Indeed. But I will say, having spoken to a lot of caseworkers, that they have—and this has actually come from part of the conversations I have had with some of the caseworkers. "Can we change the requirements, in terms of coming in and being employed as a caseworker?" That's coming from them, themselves. But, saying that, they also qualify it, saying that the complexity and the difficulty of the work that they do makes it very difficult if—

The Hon. TANIA MIHAILUK: Vulnerable kids don't care if a caseworker has a degree or not—don't they? I mean, let's be clear about that. I don't think it matters for the purposes of these vulnerable children when they're dealing with the caseworkers. The fact that we already have Aboriginal caseworkers that don't have tertiary qualifications would mean that—and we could see them as being qualified, right? I'm sure they have had the

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required training undertaken within the department. Why couldn't we just transfer that same process to the non-Indigenous caseworkers?

Ms KATE WASHINGTON: As I said, those conversations are being had. But what I was trying to say before was that caseworkers who do have degrees, who are in the system already, are saying that the complexity and difficulty of the work means that the study that they did, and the work and the placement that they did as part of their degrees, set them up to be able to do the work much better. They feel like, had they not had that experience, had they not had the degree training that they had, that they would not have been able to do the work that they're doing, given, as you would well know—

The Hon. TANIA MIHAILUK: You're saying that qualified tertiary-trained caseworkers themselves don't want other caseworkers to come into the system that don't have qualifications?

Ms KATE WASHINGTON: No, I'm not saying that.

The Hon. TANIA MIHAILUK: I'm just understanding what your point here is. Aren't you saying that—

Ms KATE WASHINGTON: I'm saying that the conversation has come from both directions, in terms of, "Can we have caseworkers coming in without degrees?", and others saying, "I have really appreciated the foundations that I got from doing my degree to be able to do this difficult job." Something that surprised me, and I was unaware of it until I became Minister, is the extent of the work that caseworkers do in a court in terms of preparing evidence and preparing and drafting affidavits.

The Hon. TANIA MIHAILUK: They're not going to learn that doing a psychology degree.

Ms KATE WASHINGTON: This is complex and difficult work.

The Hon. TANIA MIHAILUK: They learn that by being in the department and work experience.

Ms KATE WASHINGTON: But, Ms Mihailuk, I'm—

The Hon. TANIA MIHAILUK: Okay, you said that you'll obviously review it, and I accept that.

Ms KATE WASHINGTON: It is already part of the conversations we are having, yes.

The Hon. TANIA MIHAILUK: Okay. Can I also ask you a couple of questions on notice as well? Through you, Minister, to Ms Czech. Can I have the exact qualifications required—both NGOs and government caseworkers—not only for New South Wales but also in the other States? I want to be very clear what Queensland, South Australia—because, as I checked, South Australia said a degree wasn't required. Earlier you said a degree was required.

SIMONE CZECH: I did, and that's not my understanding, but we will clarify that. We do have that information available.

The Hon. TANIA MIHAILUK: During the break.

SIMONE CZECH: Yes, we've got it.

The Hon. TANIA MIHAILUK: If we can have the breakdown? I would also like a breakdown of the retention rates and the number of vacancies where a tertiary qualification is not required for caseworkers, for comparison. For example, in Queensland NGOs, they don't have to have a tertiary qualification. Do they have a lower number in terms of their vacancies? If that information is available, yes.

SIMONE CZECH: It is a really good question, and it is something that has been challenging to get out of the other States and Territories. New South Wales is the only jurisdiction that publicly publishes the caseworker numbers. We do have some information which we can provide the Committee. Just as a quick example, Victoria has a diploma entry and up. They have a much higher vacancy rate, last I spoke to them, which was only a couple of months ago, at about 15 per cent—so much higher than New South Wales. Their feedback to us, because we were asking them—

The Hon. TANIA MIHAILUK: Ms Czech, I'll ask you a little bit further in the time in the afternoon.

SIMONE CZECH: Sure, no problem.

The Hon. TANIA MIHAILUK: Minister, can I ask you about your visit to Broken Hill? That was on 25 October. Did you say you met with staff there or you were there for a meeting?

Ms KATE WASHINGTON: I did.

The Hon. TANIA MIHAILUK: What was the meeting that you were there for on the 25th?

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Ms KATE WASHINGTON: As I have done across the State in 13 other community service centres, I met with the department staff that work in the community service centre there. I believe they came from other towns to be there as well.

The Hon. TANIA MIHAILUK: That meeting was specifically on the 25th?

Ms KATE WASHINGTON: I will have to check the date.

The Hon. TANIA MIHAILUK: You arrived at Broken Hill only for the purposes of that meeting?

Ms KATE WASHINGTON: Correct.

The Hon. TANIA MIHAILUK: Were there any other events that you held or undertook in Broken Hill?

Ms KATE WASHINGTON: No, it was entirely to meet with the department, as I have done across the State.

The Hon. TANIA MIHAILUK: You didn't meet with Minister Plibersek while you were in Broken Hill?

Ms KATE WASHINGTON: Minister Plibersek actually happened to be in Broken Hill doing different things as part of her portfolio. I met with her in the evening, but I spent about three hours with the department and that was purely a by-chance meeting with Minister Plibersek. It was delightful and just a complete coincidence.

The Hon. TANIA MIHAILUK: So you had dinner together?

Ms KATE WASHINGTON: No, we didn't.

The Hon. TANIA MIHAILUK: Just a catch-up?

Ms SUE HIGGINSON: Oh, you should have.

Ms KATE WASHINGTON: I didn't get a chance.

The Hon. TANIA MIHAILUK: Did you happen to ask her about the Hunter offshore wind farm proposal?

Ms KATE WASHINGTON: I did not even get a chance to have dinner with her.

The Hon. TANIA MIHAILUK: Did you ask her about the Hunter offshore—

Ms KATE WASHINGTON: I certainly did mention that, Ms Mihailuk.

The Hon. TANIA MIHAILUK: And did you raise your community's concerns in relation to that?

Ms KATE WASHINGTON: I sure did.

The Hon. TANIA MIHAILUK: Are you supporting the offshore wind zone in the Hunter?

Ms KATE WASHINGTON: As you well know, it is an entirely Federal issue.

The Hon. TANIA MIHAILUK: You have to have a view on it, Minister. You're the local member there.

Ms KATE WASHINGTON: It is an entirely Federal issue. As you also know, there is currently no proposal for a windfarm. There is no proposal that has been submitted.

The Hon. TANIA MIHAILUK: Sorry, there is no proposal that has been submitted by a private corporation, but Bowen has ticked off on the opportunities for that. You know that. It's pretty far down the track.

Ms KATE WASHINGTON: Minister Bowen has declared an area from Swansea to Port Stephens, 20 kilometres to 35 kilometres offshore, as a possible site for offshore—

The Hon. TANIA MIHAILUK: Do you support it?

Ms SUE HIGGINSON: Point of order: How is this relevant to this portfolio?

Ms KATE WASHINGTON: —wind zones.

The Hon. TANIA MIHAILUK: She's the member there. You can ask—she's answering the question.

Ms SUE HIGGINSON: I know, but this is the Committee about—

The Hon. TANIA MIHAILUK: I have been here all morning, Ms Higginson.

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Ms SUE HIGGINSON: I know you have, and I haven't.

The Hon. TANIA MIHAILUK: So I have asked lots of questions, yes, and it is my time. Thank you for that.

Ms SUE HIGGINSON: Actually, it is crossbench time.

The Hon. TANIA MIHAILUK: Well, it was.

The Hon. NATASHA MACLAREN-JONES: It is actually my time now.

The Hon. TANIA MIHAILUK: Yes, and that was my 10 minutes.

Ms SUE HIGGINSON: It is your time. Over to you, Opposition.

The Hon. NATASHA MACLAREN-JONES: Thank you very much. Minister, I would like to quickly go back to the Tomaree Headland Heritage Group meeting. It has been put to me that you met with them on 30 August this year, and yet your disclosure for 1 July to 30 September does not include that meeting.

Ms KATE WASHINGTON: If that's the case, I'll absolutely correct it.

The Hon. NATASHA MACLAREN-JONES: Are there any other meetings that you failed to disclose?

Ms KATE WASHINGTON: Not that I'm aware of.

The Hon. NATASHA MACLAREN-JONES: Will you double-check?

Ms KATE WASHINGTON: Absolutely.

The Hon. NATASHA MACLAREN-JONES: Thank you very much. Following up in relation to data around ACAs and emergency placements, now that you've had a couple of hours to reflect on it, do you commit to providing that information on a quarterly basis?

Ms KATE WASHINGTON: I think Ms Czech, in her answer, had to check whether or not that was possible from the department's perspective. I'm not sure that Ms Czech has had an opportunity to do that yet.

The Hon. NATASHA MACLAREN-JONES: I will put to you, Minister, that in response to questions on notice you have been able to give breakdowns of ACAs—also other information, to a particular month, even—so I assume it is available.

Ms KATE WASHINGTON: I'm happy to talk about HCEAs as much as you would like here.

The Hon. NATASHA MACLAREN-JONES: No, I am asking for a commitment.

Ms KATE WASHINGTON: I'm happy to be as transparent—

The Hon. NATASHA MACLAREN-JONES: Will you be transparent on the data?

Ms KATE WASHINGTON: I am happy to be transparent as we can on this because I want people to know.

The Hon. NATASHA MACLAREN-JONES: If the information is available and can be made available on a quarterly basis, do you commit to disclosing that information?

Ms KATE WASHINGTON: I will commit to doing what we can. It is somewhat challenging, as you know, because the situation changes on a daily basis and I'm—

The Hon. NATASHA MACLAREN-JONES: I'm not asking for a daily update.

Ms KATE WASHINGTON: I know, and I am committed—

The Hon. NATASHA MACLAREN-JONES: I'm asking for a quarterly figure as of a particular date.

Ms KATE WASHINGTON: I will take that on notice to give Ms Czech an opportunity to determine whether the department has got the capacity to do that with the data that is collected.

The Hon. NATASHA MACLAREN-JONES: Minister, how many young people have entered care as of the June 2023 quarter, which is the latest data that you've released?

Ms KATE WASHINGTON: Forgive me, I'm just going to take quick look at—I understand it is 570.

The Hon. NATASHA MACLAREN-JONES: How does that compare to the same quarter last year?

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Ms KATE WASHINGTON: We are talking quarters. Sorry, we've got data relating to annuals and we've got quarters going on.

The Hon. NATASHA MACLAREN-JONES: It's on the dashboard that our previous Government established.

Ms KATE WASHINGTON: I understand that is an 8.8 per cent increase.

The Hon. NATASHA MACLAREN-JONES: An 8.8 per cent increase in the number of young people compared to the same quarter last year?

Ms KATE WASHINGTON: Ms Campbell, is that what—

ANNE CAMPBELL: That's correct.

The Hon. NATASHA MACLAREN-JONES: And how many young people have exited care up to this last quarter—the June 2023 quarter?

Ms KATE WASHINGTON: We will get that information to you.

The Hon. NATASHA MACLAREN-JONES: It's also on the dashboard.

Ms KATE WASHINGTON: We will come back to you with that, Ms Maclaren-Jones.

The Hon. NATASHA MACLAREN-JONES: So you don't know how many young people have left your care in that quarter?

Ms KATE WASHINGTON: In the quarter, no. It's available; it's just not immediately at my fingertips. That's all I'm saying. I can tell you the number of children exiting out-of-home care in 2022-23, and that was 2,596, but not by the quarter.

The Hon. NATASHA MACLAREN-JONES: Your dashboard, where you've got the 570 figure, has that 639 young people exited out-of-home care in the June 2023 quarter, and this is a decrease of 8.7 per cent comparable to the same quarter last year. Minister, do you have the figures in relation to the number of young people who have exited—and I'll go by an annual figure because it might make it easier—in relation to guardianships for 2022-23?

Ms KATE WASHINGTON: I do have that information. For 2022-23, the number of guardianships was 114.

The Hon. NATASHA MACLAREN-JONES: How many of those were Aboriginal?

Ms KATE WASHINGTON: Sorry, I'll correct that. The total number of guardianships for 2022-23 was 299. The number of Aboriginal children that went to guardianship was 114.

The Hon. NATASHA MACLAREN-JONES: How many restorations were there during 2022-23?

Ms KATE WASHINGTON: The number of restorations in total was 417.

The Hon. NATASHA MACLAREN-JONES: How many of those were Aboriginal?

Ms KATE WASHINGTON: The number of Aboriginal children that exited out-of-home care to restoration was 164.

The Hon. NATASHA MACLAREN-JONES: How many young people exited out-of-home care through adoption for 2022-23?

Ms KATE WASHINGTON: In 2022-23 the number of children who exited out-of-home care to adoption in total was 60.

The Hon. NATASHA MACLAREN-JONES: How many were Aboriginal?

Ms KATE WASHINGTON: The number of Aboriginal children that exited out-of-home care to adoption was three.

The Hon. NATASHA MACLAREN-JONES: So on average, you're looking at about five or six young people going into adoption each month, over a 12-month period, or thereabouts?

Ms KATE WASHINGTON: Yes.

The Hon. NATASHA MACLAREN-JONES: We've seen a decrease in the number of young people exiting out-of-home care. Are you committed to adoption?

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Ms KATE WASHINGTON: Absolutely.

The Hon. NATASHA MACLAREN-JONES: What is your plan in relation to increasing the number of adoptions?

Ms KATE WASHINGTON: As a government, I want to make it very clear that we support adoptions, and we do want to see more children exiting out-of-home care to adoption, in accordance with the Children and Young Persons (Care and Protection) Act.

The Hon. NATASHA MACLAREN-JONES: In April 2021 the former Government announced a \$12 million investment in the Permanency Taskforce. Is that taskforce still in operation?

Ms KATE WASHINGTON: I understand that taskforce isn't still in operation. I understand that taskforce ended up not focusing so much on adoptions, as I understand it was intended, and ended up focusing more on guardianship just by nature of the number of children—there just weren't the children in the system that had adoption as their case goal, as I understand. So then the taskforce focused more on guardianship and yet, despite that being in place, guardianship numbers and the children exiting out-of-home care to guardianship still decreased.

The Hon. NATASHA MACLAREN-JONES: Is there a restoration taskforce?

Ms KATE WASHINGTON: You would have heard me mention earlier the reform forum that I held with Aboriginal stakeholders. One of the nine urgent actions that have come out of that forum is to stand up a restoration taskforce.

The Hon. NATASHA MACLAREN-JONES: Is that just for Aboriginal young people or for all young people?

Ms KATE WASHINGTON: The actions coming out of the reform forum will be transferrable to the system. I am well aware, having met with a lot of the CSCs, that there are individual CSCs that have their own taskforces for restoration set up in their own areas as well and are doing some incredibly important work on the ground. In fact, I think it was the service down in south-west Sydney—the team down there are doing some really clever, important work in terms of restoration, and it's for every child that's in the system.

The Hon. NATASHA MACLAREN-JONES: Just to clarify, you've gotten rid of the Permanency Taskforce and have stood up a restoration taskforce for Aboriginal children? Is that correct?

Ms KATE WASHINGTON: As I understand, the Permanency Taskforce had already ended before we got into government. We didn't cease its operation. I think you did that when you were in government.

The Hon. NATASHA MACLAREN-JONES: No. Minister, how many districts have permanency district action plans, and what are the objectives of these plans?

Ms KATE WASHINGTON: Sorry, can you ask the question again?

The Hon. NATASHA MACLAREN-JONES: How many districts have permanency district action plans?

Ms KATE WASHINGTON: Every district has a focus on permanency in accordance with the permanency placement principles, so I'm sure that every district has those plans in place. Their focus is always on permanency goals and ensuring that the children and young people are heading where they want to be heading and where they are going to be the safest and the best placed for their wellbeing.

The Hon. NATASHA MACLAREN-JONES: Minister, can you tell me how many young people, by district, have a guardianship, adoption or restoration plan? I'm happy for you to take it on notice.

Ms KATE WASHINGTON: There is a lot in that. Certainly that's something that we would have to come back to you on. We'll take that on notice.

The Hon. NATASHA MACLAREN-JONES: Minister, I put to you a family that has reached out to me in relation to a young person that has been in their care for almost three years, since the young person was 7½ months old. They were on a path to adoption, which commenced last year, until a couple of months ago when they were advised that the adoption process has been put on hold and that they are now looking at restoration. The family have been advised that one of the biological parents does not want to have anything to do with that child and the other biological parent can't be found. There is a half biological relative that is involved. Minister, what message are you sending to families that are keen to adopt and give a safe and stable home for life when, after close to 18 months, they get told that the adoption process is now put on hold, and the life of this three-year-old is in limbo?

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Ms KATE WASHINGTON: As I said, as a government we support adoptions, and we want to see more adoptions in accordance with the permanency placement principles in the Children and Young Persons (Care and Protection) Act. Those principles set out the hierarchy, if you like, and the order in which placement of children and young people is to be determined by a court. The very first part of that process is to determine whether or not restoration with birth family or family is an option. But I will say, Ms Maclaren-Jones, if there are concerns coming to you from a family, they think that decisions are being made that aren't in the best interests of that child, I'm happy to have the conversation with them as well.

The Hon. NATASHA MACLAREN-JONES: I have written to you over two months ago, and you haven't responded.

Ms KATE WASHINGTON: I will get back to you. When we receive correspondence—and I'm sure as a former Minister you're aware of this—what happens then is an enormous amount of work is done by the department. When the letter comes, which I'm really grateful for—and I'm willing for any of my colleagues to write to me, representing the interests of people that come to you—then it becomes a focus of the department, as you well know, to look at whether the decisions that have been made around that family have been made in accordance with all of our good practices. That process is, no doubt, underway. We will be ensuring that always the paramount concern is the best interests of the child, and the decisions will be made on that basis. But also, as you well know, there's complexities in every one of these decisions, and the pathways are never smooth.

The Hon. NATASHA MACLAREN-JONES: What proportion of children in care have case management plans?

Ms KATE WASHINGTON: That again is something that I may have here. I'll just check quickly.

The Hon. NATASHA MACLAREN-JONES: Also, how many of those have cultural plans?

Ms KATE WASHINGTON: If I can't put my fingers on it quickly, it is something we'll come back to you with.

The Hon. NATASHA MACLAREN-JONES: That's okay. You can come back to me. I understand every child should have a care plan.

Ms KATE WASHINGTON: It's something we'll come back to you with, Ms Maclaren-Jones.

The Hon. NATASHA MACLAREN-JONES: How many young people have a leaving care plan?

Ms KATE WASHINGTON: Again, I'll come back to you. Hang on. In terms of the children who have a leaving care plan, as of 30 June this year, 2,226.

The Hon. NATASHA MACLAREN-JONES: You don't have the figures on the number of young people with case management plans?

Ms KATE WASHINGTON: Not at my fingertips. I'll come back to you on that.

The Hon. NATASHA MACLAREN-JONES: Is it the department policy that every young person should have a case management plan?

Ms KATE WASHINGTON: It is certainly the goal, and a lot of effort goes into ensuring as many children as possible do, but appreciate there's still work that we need to be doing to ensure that every child does.

The Hon. NATASHA MACLAREN-JONES: Minister, are you aware of the out-of-home-care education pathway?

Ms KATE WASHINGTON: Yes. In terms of children who are still in care when they're attending school and they turn 18 whilst they've been in out-of-home care, there is still supports available to the families—

The Hon. NATASHA MACLAREN-JONES: No, this is the pathway where a young person in school has a plan put in place to support them whilst they're undertaking school studies.

Ms KATE WASHINGTON: Sorry.

The Hon. NATASHA MACLAREN-JONES: That's fine. There's a lot of pathways and plans.

Ms KATE WASHINGTON: A lot of different plans.

The Hon. NATASHA MACLAREN-JONES: It might need to be taken on notice. How many young people in your care have a personalised learning and support program, which is the education pathway?

Ms KATE WASHINGTON: Again, we'll take that one on notice, Ms Maclaren-Jones.

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The Hon. RACHEL MERTON: Minister, what legislation are you responsible for in your capacity as Minister for Disability Inclusion?

Ms KATE WASHINGTON: There are a number of pieces of legislation I'm responsible for. There are 12 altogether. In terms of disability, I've got responsibility for the Disability Inclusion Act, National Disability Insurance Scheme, NSW Enabling Act and the National Disability Insurance Scheme (Worker Checks) Act—three out of the 12. I can't possibly overlook the Ageing and Disability Commissioner Act because the Commissioner might get upset, and I don't want to upset the Commissioner.

The Hon. NATASHA MACLAREN-JONES: We've all been there.

The Hon. RACHEL MERTON: Yes. Good to see you, Commissioner.

Ms SUE HIGGINSON: He's cranky.

The Hon. RACHEL MERTON: Minister, what are your primary responsibilities as the Minister for Disability Inclusion?

Ms KATE WASHINGTON: My primary responsibility under the Disability Inclusion Act is to ensure that the disability inclusion plan of the State that is part of the responsibilities under the Act is in place and that the actions out of that plan are being actioned. That includes agencies across the board having disability inclusion action plans, as well as many of our local government partners having their disability inclusion action plans. I'm also the Minister responsible for attending the Disability Reform Ministerial Council meetings and partnering with my State and Territory colleagues and with the Federal Government to be a part of the NDIS sustainability conversation as well.

The Hon. RACHEL MERTON: Minister, to support this work, how many departmental staff are allocated specifically to this portfolio?

Ms KATE WASHINGTON: As I understand, there's about 60 in the disability portfolio. Is that correct?

ANNE CAMPBELL: There are 73. Close.

Ms KATE WASHINGTON: There are 73, apparently. I've got to say there's different disability departmental staff sitting in different groups and there's a lot of work being done by all of them.

The Hon. RACHEL MERTON: Minister, in the ministerial office how many staff are solely responsible for the portfolio of Disability Inclusion?

Ms KATE WASHINGTON: Amongst my ministerial staff?

The Hon. RACHEL MERTON: Yes.

Ms KATE WASHINGTON: I have five. One's a chief of staff. One's an executive assistant, and one's a media adviser. So I've got two policy advisers. One of those policy advisers is for out-of-home care and child protection. One of those policy advisers is for Disability Inclusion.

The Hon. RACHEL MERTON: Minister, how many briefs, as the Minister for Disability Inclusion, would your office receive per week, on average?

Ms KATE WASHINGTON: I know that we get a lot on all fronts on a constant basis but, as an estimate, I'm loath to go there because it also fluctuates a lot.

Ms SUE HIGGINSON: Minister, just back to the Family is Culture plans and implementation, the round table that you had, when was that held?

Ms KATE WASHINGTON: Can I just say it wasn't a round table. It would have been a really big table because there was about 100 people in the room.

Ms SUE HIGGINSON: When was that meeting held?

Ms KATE WASHINGTON: It was in August, I believe. I might ask for confirmation.

Ms SUE HIGGINSON: Around about August. That's fine. Is there still a Family is Culture executive working group?

Ms KATE WASHINGTON: As I understand, yes.

Ms SUE HIGGINSON: When was the last time that met?

Ms KATE WASHINGTON: For that I would have to defer to and ask Mr Thomas.

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BRENDAN THOMAS: I'll have to provide you the exact date on notice.

Ms SUE HIGGINSON: Thank you. Are there planned further meetings? I'm just curious. There was a set-up. Is this new thing replacing that? What is your plans around the Family is Culture?

Ms KATE WASHINGTON: Again, that'll be a conversation for the ministerial Aboriginal Partnership Group as to how they want to proceed with that. I don't want to be pre-empting any of those decisions in terms of the input that they are having with the decisions that we're making—

Ms SUE HIGGINSON: Is it fair to say, then, that the Family is Culture progress is actually on hold while that process is established?

Ms KATE WASHINGTON: Absolutely not. Absolutely not. That has been an ongoing piece of work. We haven't paused anything on that front. There's continuing work being done. This has just been trying to focus on a broader reform process and to make it a real, genuine partnership process.

Ms SUE HIGGINSON: I appreciate that. Why have the active efforts provisions of the reform from last year—and I don't think they've commenced—not commenced?

Ms KATE WASHINGTON: The active efforts proclamation is imminent.

Ms SUE HIGGINSON: When you say "imminent", is that this year?

Ms KATE WASHINGTON: Absolutely, very soon. As I understand, the taskforce was part of the process in terms of determining the timing for the proclamation. As I understand, there was general agreement that October was a reasonable place to land. There's been a lot of work that has had to go into ensuring that we've got the training of staff in place, as well as the records that we're going to need and the evidence that we're going to capture of the work that's being done, so that we can present to court that we are achieving active efforts. I think it turned out that we'll be proclaiming it only mere weeks after what was understood by that group.

Ms SUE HIGGINSON: Which was October, so November?

Ms KATE WASHINGTON: Correct.

Ms SUE HIGGINSON: Have you done a review, and are you considering amending the disproportionately high funding that goes to non-Aboriginal service providers and adequately funding the ACCO—the Aboriginal-controlled child and family organisations?

Ms KATE WASHINGTON: Short answer: yes. It was something that I heard loud and clear at the reform forum: the need to ensure and reinvigorate that process, particularly around the early intervention and prevention funding, which ought to be starting to reflect the over-representation in the number of Aboriginal children who are actually in the system. As I understand, the targeted early intervention funding overall hasn't changed for a decade. Currently, I think it sits around 11 per cent only, going to Aboriginal community-controlled organisations. When we have a target of 30 per cent, there's a long way to go.

Ms SUE HIGGINSON: How much do you think we've increased since you've taken over?

Ms KATE WASHINGTON: I understand that there has been a small increase, because I'm aware of one situation. But the complexity is the targeted early intervention program providers are contracted, and that is a contract that doesn't end for most of them until next year or the year after, I think. One of the challenges that we face coming into government is that we are locked into a lot of these contracts already, and we are taking opportunities where we can where contracts are being relinquished. We're taking those opportunities where we can to ensure that we are fulfilling our priorities, which is to increase the number of Aboriginal community-controlled organisations having the greater share of funding.

Ms SUE HIGGINSON: I don't know at what level of complexity this would arise, but is there not an option to have a sort of collateral contract with new funding within those terms, or is it the policy to only increase funding once a contract has finished?

Ms KATE WASHINGTON: In my view, the priority had to be, this time, making sure that the child protection system didn't collapse. In terms of new funding for early intervention and prevention, where we know the greater impact is felt, that's going to be part—and has to be part—of future work.

Ms SUE HIGGINSON: If we were looking at 11 per cent, is there some visibility we could see to say, "In three years' time, that increase is this much closer to 30 per cent"?

Ms KATE WASHINGTON: That planning is in process.

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Ms SUE HIGGINSON: And at some point we'll be able to see that increase in support for those ACCOs?

Ms KATE WASHINGTON: Yes, exactly, and the work that needs to be done is to ensure that when we are in a position to contract with Aboriginal community-controlled organisations, they're there and have got the capacity on the ground to do the work. But having met with Aboriginal community-controlled organisations around the place—as I've been visiting CSCs, I've been trying to visit as many ACCOs as I can as well—the varying capacity across the different ACCOs is something that we are getting across and—

Ms SUE HIGGINSON: Is it a bit circular, though? Is it that the resources need to be there so the capacity can build?

Ms KATE WASHINGTON: Absolutely. There's a lot of—there's complexity in it. But you're right: We need to do the work to make sure there's capacity in the system so that when we are ready to recontract, create more funding or whatever it is, there are the services that are on the ground. Again, whilst there was no new funding for targeted early intervention for a decade, there was also no funding to build the capacity of ACCOs either. It's just led to a stagnating situation, and I completely understand the frustration amongst stakeholders.

Ms SUE HIGGINSON: Is it fair to say, then, that when every contract that exists right now in relation to ACCOs comes to an end, they will see an increase in funding?

Ms KATE WASHINGTON: I can't say on a blanket basis that that's the case because we have to ensure that there is a service there that's capable of fulfilling that—

Ms SUE HIGGINSON: Assuming that request is being asked for more resources, then they will be serviced?

Ms KATE WASHINGTON: I'm struggling to understand the question now. What I'm saying—

Ms SUE HIGGINSON: Assuming an ACCO is saying to you, "Minister, we need more money so that we can do this work", then that would be resourced. That's the test that you're looking at. They say, as an organisation, "We need more resources so we can do more of the work and do the work we're doing". That's the test. What else is your capacity test in that regard?

Ms KATE WASHINGTON: I'm aware that there are Aboriginal organisations on the ground now that have got capacity to take targeted early intervention contracts in areas where they've currently got footprints doing other work. In every situation there are going to be different requirements, but also there's work being done, as I understand, through AbSec, through peaks, to help build capacity across the network already. We're working in partnership. That's going to be a big part of the partnership group: to determine what we need to be doing to make sure that we can achieve this 30 per cent.

Ms SUE HIGGINSON: Back on the FIC reform, I understand you have this group and they will be assisting. It will be some kind of shared decision-making. What is the time line? I know that shared decision-making is shared decision-making, but you are the Minister. What is your legislative reform agenda?

Ms KATE WASHINGTON: At this point, as I said before, I don't want to be pre-empting any work from this group, because what I aim and what I expressed at the reform forum was for this to be a genuine partnership so that we can work together to ensure that we are able to get the outcomes that we need. When I was in opposition, I had requests for there to be another inquiry, a commission, another investigation into the child protection system, because it was broken. I accepted that it's broken, but I didn't accept that we needed yet another inquiry. What I wanted to do and what we are doing is to start doing the work that we know needs to be done, because there are plenty of reports like the amazing Family is Culture report that we can work on.

Ms SUE HIGGINSON: Are you planning to do the progress reports? Are they continuing, and when will the next one be?

Ms KATE WASHINGTON: Yes, we're still planning on providing progress updates on our response to the FIC recommendations.

Ms SUE HIGGINSON: And so the next one is due?

Ms KATE WASHINGTON: I'm not sure. Mr Thomas, do you have the answer to that?

BRENDAN THOMAS: Imminently—in the next month.

The Hon. TANIA MIHAILUK: Minister, on what you just raised in relation to Aboriginal-controlled NGOs, you said earlier that you inherited a broken system. We clarified that 45 per cent of kids in care are Aboriginal. In the discussion that I've just heard you have with a Greens member, Ms Higginson, were you

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suggesting that you're going to throw more money into Aboriginal-controlled NGOs just because they're asking for more money? How are you going to measure—

Ms KATE WASHINGTON: Ms Mihailuk, that was not the answer that I gave.

The Hon. TANIA MIHAILUK: It was put to you by Ms Higginson.

Ms KATE WASHINGTON: What I'm proposing to do is do a whole lot better with the funds that we've got. There are so many ways we can be doing better with the enormous budget that we have as a government and as a department. There is an enormous amount of work that we can be doing better with the funds we've got. For example, the half a billion dollars—

The Hon. TANIA MIHAILUK: So you won't be throwing any more money to Aboriginal-controlled NGOs, given the high number of kids we've already got in care? We already know it's a broken system. It's not working with what's currently happening in New South Wales when it comes to the number of Aboriginal kids in care.

Ms KATE WASHINGTON: I'm committed to working in partnership with Aboriginal stakeholders across the State to ensure that we get better outcomes for Aboriginal children and young people to start turning around the shocking statistics of 45 per cent of children in out-of-home care being Aboriginal children and young people. Can I just say that whilst today I've been talking about a lot of statistics, every one of these statistics is a child. They have a family, they have a community and they deserve to have the greatest support and effort put into their futures to ensure that they are safe and well. That is something I'm deeply committed to as a Minister.

The Hon. TANIA MIHAILUK: Minister, you said before that you have already taken the process of alternative care arrangements in house. Is that right? You've centralised how that is overseen by the department?

Ms KATE WASHINGTON: Overseen, yes. In terms of the process of children being placed in those—

The Hon. TANIA MIHAILUK: Placed in alternative care arrangements, yes.

Ms KATE WASHINGTON: In the high-cost emergency arrangements, yes.

The Hon. TANIA MIHAILUK: Can I ask you, in relation to the children that are placed in emergency care placements, are they supported by caseworkers that have the same qualifications as ordinary caseworkers that are dealing with other cases?

Ms KATE WASHINGTON: It's a good question, Ms Mihailuk. The answer is no, they're not.

The Hon. TANIA MIHAILUK: What qualifications will they have? Are you aware?

Ms KATE WASHINGTON: We are talking about private providers that have—

The Hon. TANIA MIHAILUK: Most kids are in care by private providers, aren't they?

Ms KATE WASHINGTON: When we're talking about alternative care arrangements, the system that we inherited not only meant that the—

The Hon. TANIA MIHAILUK: It's your system, though, now.

Ms KATE WASHINGTON: It is my system, and we are working as hard as we can to start turning this around. A system that has been spiralling out of control for years is going to take some time. The private providers that are doing some of the work in the alternative care arrangements, who I've said I don't think should have an ongoing role in the system, they—

The Hon. TANIA MIHAILUK: They do the majority of the work, don't they? Would you accept that? In terms of alternative care arrangements and emergency—

Ms KATE WASHINGTON: In terms of alternative care arrangements, I would have to check whether it's the majority.

The Hon. TANIA MIHAILUK: If you could take that on notice, what the percentage would be, it'd be good to know.

Ms KATE WASHINGTON: Indeed. But these organisations are also unaccredited, so the qualifications of their workers is not a degree, as I understand.

The Hon. TANIA MIHAILUK: So you're going to remove some of these providers down the track. Is that what you're intending to do if they're not accredited and they're not providing caseworkers that are of equivalent qualification?

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Ms KATE WASHINGTON: That is certainly where we are headed.

The Hon. TANIA MIHAILUK: And you'll be introducing legislation as such? Do you need to?

Ms KATE WASHINGTON: What we inherited was a series of failed policies that has led us to this position. It's not a legislative change that's required to make this happen; it's the policy levers that we now have as a new government, and that the previous Government had 12 years to change and did not.

The Hon. TANIA MIHAILUK: We'll come back in February and check what you've changed by then. You were talking about guardianship orders before. I refer to the old Children and Young Persons (Care and Protection) Amendment Bill. You might recall that bill, or Act, went through the House back in—I think it was the last Act passed by the Parliament in 2018. That was specifically about guardianship orders. This was about the issue of consent. There were a number of amendments that were proposed by the Labor Party at that time. I haven't seen anything put forward by yourself in relation to those amendments, but I want to put to you that there were 78 organisations at the time that raised concerns about that particular Act with respect to "issues around the fact that the FACS investigation would not need to be completed prior to a guardianship order being issued". Have you reviewed that process? Do you intend to overturn that?

Ms KATE WASHINGTON: I haven't reviewed that process. I've got to say, I've been focused on trying to stop the child protection system from collapsing and addressing the high-cost emergency arrangements that is costing half a billion dollars in the last two years.

The Hon. TANIA MIHAILUK: That's been your concern?

Ms KATE WASHINGTON: That has definitely been my concern.

The Hon. TANIA MIHAILUK: All of this is going to be your concern, Minister.

Ms KATE WASHINGTON: There are many—

The Hon. TANIA MIHAILUK: I would have thought you'd be looking at guardianship orders as well.

Ms KATE WASHINGTON: I can guarantee you there are many, many concerns that I have from what I inherited.

The Hon. TANIA MIHAILUK: I know. I note that you campaigned on the Voice about 10 or 11 times on your Facebook in the last four months, so that was a big concern for you, Minister.

Ms KATE WASHINGTON: Doing things on social media hasn't taken away any time from me doing the enormous amount of work that I've been doing to meet with caseworkers and to meet with NGOs. In fact, I think in the last declaration we had 69 portfolio meetings. That's in addition to the work that I do on the ground in Port Stephens.

The Hon. TANIA MIHAILUK: Have you had a good look at any guardianship orders that have been issued where the full FACS investigation wasn't finalised? Are there any numbers in the department in relation to that?

Ms KATE WASHINGTON: I keep being thrown a bit by your use of "FACS". The Department of Communities and Justice—

The Hon. TANIA MIHAILUK: Whatever. I call it FACS. It's the investigation process. The real issue, or the crux of the issue, that was raised by the 78 organisations at the time—and I don't know if they've come to visit you, or any individual organisations that might have. I'm trying to understand—maybe the department here can help you—has there been any data in relation to how many of these guardianship orders were issued without a full investigation being completed? Because that's what that Act enabled for the first time: a guardianship order, by consent, to take place where an investigation wasn't fully completed.

Ms KATE WASHINGTON: I will say that, since I've been Minister, I'm not aware of that issue coming to me at all. But I'm happy to ask Ms Czech.

SIMONE CZECH: I'm happy to cover this off in the afternoon as well. A guardianship order can only be made by the Children's Court. There is a detailed assessment that goes as part of those court documents to the court, and it's up to the court to determine what's in the best interest of that particular child. I'm not sure about the terminology, but if you're meaning investigation in the sense of—

The Hon. TANIA MIHAILUK: The final case management documentation and whether they've finalised for that particular family. Often they're halfway through their investigations.

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SIMONE CZECH: My understanding, and we can certainly double-check this, is that we wouldn't be putting a matter to the court where there is an outstanding, what we coin, reportable conduct matter. Certainly, we can check that. I would think the Children's Court would be very concerned if we put up applications where that was the case.

The Hon. TANIA MIHAILUK: What about alternative dispute resolution processes? The community legal centres at the time raised concerns that families would consent to these orders and that they had perhaps not been given appropriate advice at the time or assistance in reaching that position.

Ms KATE WASHINGTON: I've recently met with Legal Aid, and I know that we're doing work with Legal Aid to ensure that there's advice available to families and children that are involved in court proceedings, including guardianship. That partnership is something where we will be able to assist those families to understand what the consequences are in terms of decisions that they're making about the appropriate form of permanency for them.

The Hon. TANIA MIHAILUK: You said earlier, Minister, that there's 299 guardianship orders. Is that right?

Ms KATE WASHINGTON: I'll have to check again.

The Hon. TANIA MIHAILUK: Roughly, I think that was the number that you gave earlier. Can I ask, or you can put this on notice—I want to get the number of guardianship orders in the last four years since the start of 2019, if that's possible.

Ms KATE WASHINGTON: Just to be clear—

The Hon. TANIA MIHAILUK: In relation to children in care, the number of guardianship orders—

Ms KATE WASHINGTON: Since 2019?

The Hon. TANIA MIHAILUK: Yes, for each year. If you could provide that on notice, that would be good.

Ms KATE WASHINGTON: We can take that on notice.

The Hon. NATASHA MACLAREN-JONES: What is the latest data that you have in relation to the number of foster carer households?

Ms KATE WASHINGTON: I understand that there are—sorry. Not enough, is the first answer. I'll have that figure—

The Hon. NATASHA MACLAREN-JONES: I'm happy for you to take it on notice. We've only got limited time.

ANNE CAMPBELL: I've got that, Minister, if you want me to—

Ms KATE WASHINGTON: Ms Campbell has that figure, I understand.

ANNE CAMPBELL: There are 14,618 authorised foster carers. That's 9,617 households.

The Hon. NATASHA MACLAREN-JONES: How regularly is this data reported?

ANNE CAMPBELL: I'd need to take that on notice, but I think reasonably regularly. We have now got a dashboard to really monitor the number of foster carers in New South Wales.

The Hon. NATASHA MACLAREN-JONES: Is that dashboard publicly available?

ANNE CAMPBELL: I'd need to take that on notice. I'll come back this afternoon.

The Hon. NATASHA MACLAREN-JONES: If there is a dashboard, will you commit to releasing that dashboard regularly?

Ms KATE WASHINGTON: Again, if that's data that's possible. I've got to say that, because of the way in which foster carers are recruited and authorised through NGOs, it has been more difficult to capture that data.

The Hon. NATASHA MACLAREN-JONES: And that's the good thing about this dashboard.

Ms KATE WASHINGTON: But it's certainly work that we are trying to—we're doing a lot of work in this area to improve our visibility on the number of foster carers and where they are so that we can harness them when children are coming into the system to try to prevent them going into ACAs.

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The Hon. NATASHA MACLAREN-JONES: Minister, I just want to get a commitment from you that there is a dashboard. We know there is a dashboard that exists. We also know that it is updated on a regular basis—it could be quarterly, half-yearly, whatever. The question to you is, will you commit to make that information publicly available?

Ms KATE WASHINGTON: Yes.

The Hon. NATASHA MACLAREN-JONES: Thank you.

Ms KATE WASHINGTON: I assume we can.

The Hon. NATASHA MACLAREN-JONES: Minister, can you also give me an update in relation to the Western NSW District's accreditation?

Ms KATE WASHINGTON: Sorry, I will just go back to that former question and former answer as well. I just want to make sure that, when I've said that we'll be as transparent as possible, the only reluctance that we ever have, as a department, to make any information public, is ensuring its accuracy.

The Hon. NATASHA MACLAREN-JONES: Minister, I'm very aware. That's why our Government made that commitment to provide the dashboard. We were the ones that actually released, regularly—on a quarterly basis—a lot of data. I'm just interested to ensure that you're going to give that same commitment to what is already publicly available but, on top of that, also in relation to foster carers and emergency placement and ACAs as well.

Ms KATE WASHINGTON: And you're right; the dashboard is a great opportunity to share information with the public, and I am very keen for the public to understand the dire situation that we've got with high-cost emergency arrangements—things that were hidden for very long under the former Government.

The Hon. NATASHA MACLAREN-JONES: Minister, you might want to actually update us on the accreditation of the Western NSW District?

Ms KATE WASHINGTON: Thank you. That's a really important question. As you are well aware, the Western accreditation was an issue, and there has been an enormous amount of work done by the department to address concerns that came from prior assessments. Again, there's going to be a decision made on that very soon. I understand that'll be made by the end of the year. And I just want to give full credit to all of the workers in Western who have done so much hard work trying to ensure that they are providing the quality and consistency that families and children deserve in that area.

The Hon. NATASHA MACLAREN-JONES: Good. Thank you very much.

Ms SUE HIGGINSON: Minister, can I just go back? And, I think, it's not you, it's me and the way I'm asking these questions. I'm just trying to understand your intentions going forward with the Family is Culture executive and the working group and what we're doing. You say that the executive working group still exists.

Ms KATE WASHINGTON: As I understand, yes.

Ms SUE HIGGINSON: Yes. How does it fit in with this new system or this new gathering? How is it going to work? And can I ask you about the Aboriginal Knowledge Circle? Is that providing advice at the moment in relation to legislative reforms, or is that not also?

Ms KATE WASHINGTON: In terms of the Aboriginal Knowledge Circle, I met with each of the members when I became Minister, and that is no longer progressing.

Ms SUE HIGGINSON: Okay.

Ms KATE WASHINGTON: So that's not happening. The ongoing work with FIC is happening, but the Ministerial Aboriginal partnership group is going to be determining whether that FIC stakeholder group needs to continue doing what it does—

Ms SUE HIGGINSON: Okay. I get it.

Ms KATE WASHINGTON: —and I don't want to pre-empt that. At this stage, because the membership of the Aboriginal partnership group hasn't been finalised yet, I'm thinking that it will depend on who is on that and if it's a replication, and if the organisations that are part of the other group are represented on the Ministerial Aboriginal partnership group. We don't want to be making people replicate any work anywhere.

Ms SUE HIGGINSON: I see. Am I correct then? My understanding is that, at the moment, there's departmental work, which is carrying on the implementation with the FIC working group's work. In terms of that, for the next phases of FIC reforms—which we know there are still many—what is the timing of that? With your

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new Ministerial Aboriginal partnership group, when do you think there will be a position to say, "Right, you're now tasked," or that group will say, let's say, if it chooses to be tasked with the next stage of the FIC reforms? What's in your mind in terms of vision and time frame?

Ms KATE WASHINGTON: Well, I appreciate that there is urgency to all of the work that we do—

Ms SUE HIGGINSON: I think that's where I'm getting to, yes.

Ms KATE WASHINGTON: —which is why I didn't want another commission or an inquiry. Because we have had multiple inquiries and multiple recommendations, and we have also got enormous expertise and experience in the system amongst stakeholders.

Ms SUE HIGGINSON: Yes. So what has that Ministerial partnership group said to you in terms of, "We'll be ready at this point in time to come and talk to you about the next round of reforms?"

Ms KATE WASHINGTON: The process to stand up that partnership group is still in play.

Ms SUE HIGGINSON: When do you think that will be complete?

Ms KATE WASHINGTON: I'm hoping we'll be having our first meeting by the end of the year.

Ms SUE HIGGINSON: Thank you.

Ms KATE WASHINGTON: In terms of my priorities, FIC and the MAP group, there were a number of agreed urgent items that came out of the reform forum, and we are progressing those, including looking and hearing, loud and clear, the discontent with the risk-assessment tool. So that is one of—

Ms SUE HIGGINSON: And AbSec is inextricably involved in all of this.

Ms KATE WASHINGTON: Correct.

The CHAIR: It's time for Government questions, but I will you allow Ms Mihailuk one question?

The Hon. TANIA MIHAILUK: It's not that controversial.

The Hon. STEPHEN LAWRENCE: As long as it's not that controversial.

The Hon. TANIA MIHAILUK: Thank you, Chair and Government members. Minister, you might take this on notice. I want to get the percentage of children re-reported at ROSH and the percentage of Aboriginal children re-reported at ROSH, if you have it available. If not, you can take it on notice.

Ms KATE WASHINGTON: I will take that on notice.

The Hon. TANIA MIHAILUK: That's okay.

Ms KATE WASHINGTON: No, apparently, we do have it now, if you would like it now.

The Hon. TANIA MIHAILUK: Sure, that would be good.

SIMONE CZECH: So, 2022 is 37.7 per cent. We can get the 2023 figure.

The Hon. TANIA MIHAILUK: Yes, that's what I'm after.

SIMONE CZECH: I understand it's around 34 per cent. But we'll confirm that.

The Hon. TANIA MIHAILUK: So 30 per cent are Aboriginal, is that what you're saying?

SIMONE CZECH: No, sorry. That's the overall re-report. Do you want it broken down by Aboriginality as well?

The Hon. TANIA MIHAILUK: Yes, if you can.

SIMONE CZECH: Sure.

The CHAIR: Thank you for that rare display of cooperation and niceness.

The Hon. STEPHEN LAWRENCE: Minister, in light of the disability royal commission handing down its findings on 23 September and the NDIS review due in December, I was wondering if you could give us a bit of an overview of what you see as the main challenges and opportunities in the disability inclusion space.

Ms KATE WASHINGTON: Thanks, Mr Lawrence. The work involved in the disability area at the moment is enormous and enormously important. With the disability royal commission, what we saw in the final report really opened the nation's eyes to the level of violence, exploitation and abuse that's experienced by people with disability, and it was, frankly, quite a horrifying report to read. But it was a tribute to the more than

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10,000 people that contributed to the royal commission, over 4.5 years, to have their voices heard and then their concerns clearly articulated in the 222 recommendations that we are now carefully and methodically reviewing to determine what our Government's response will be to those. And we'll be doing that, hand-in-hand, with the disability community and disability stakeholders.

As I mentioned earlier, we've already held the first forum with disability stakeholders to understand their initial response—and not an in-depth response, so there's more conversations to be had—to those 222 recommendations. I will also say, just to be clear, that we didn't discuss, at that forum, the volume 9, which relates to First Nations people with disability. We deliberately did not have that part of the recommendations as part of that discussion out of respect for the timing. We held the forum very shortly after the referendum weekend and we did not want to put them in a position where they were having to have more conversations about difficult issues in that setting. We are committed to making sure that happens in a time and space that's respectful to that community. But when we've got the disability royal commission recommendations and we've got the NDIS review that's going to be able to be made public by the Federal Government in December—both of which are substantial pieces of work, both of which have significant intersections, both of which have significant impacts on people with disability across the State and across the nation—the work with the disability review is really critical to ensuring the sustainability and the enduring nature of the NDIS.

As has been well publicised, there are significant pressures on the NDIS and Minister Bill Shorten is doing an enormous amount of work to get the NDIS back on track. As a significant contributor to the NDIS, the State of New South Wales has a significant say in the direction of the NDIS and we want to ensure that it endures for the people of New South Wales who participate in it. But we also have a very clear eye on all those people with disabilities who sit outside the NDIS, and that's a significant proportion of people in the State. So combining those two pieces of work is going to be a lot of work, but it's something that we take very seriously.

We also see it as a real opportunity because, as a nation, and if we get this response right, we can see a significant change in culture, in opportunity and in the lives of people with disability and, in fact, all people across the State because everyone will benefit from a society that's more inclusive, more accessible. I'm also really interested because there are certain intersections with child protection as well. So when we get the response to all of these important reforms in place, I see that there is real opportunity to support families and children and young people with disability as well as those outside of the disability system and the NDIS. We need to make sure that families across the State have the supports that they need in place at the time that they need. I believe, out of these reforms, out of the disability royal commission and out of the NDIS review, there is enormous opportunity, and we are very keen to harness it.

The Hon. STEPHEN LAWRENCE: Certainly. Thank you, Minister. That's the Government questions.

The CHAIR: Alright. Thank you very much. No more questions?

Ms KATE WASHINGTON: Can I just go back to clear up some of the things that came from the earlier session? Ms Mihailuk, you mentioned a couple of figures to me that I just wanted to go back to. I understand the confusion because HCEAs, as I mentioned, includes a number of different categories of placements. The figure you gave earlier of 355 children in ACAs as having increased to 471 since June—

The Hon. TANIA MIHAILUK: No, you gave me a figure in August of 471 and I'm going by the figure that you provided previously.

Ms KATE WASHINGTON: Yes, and I just wanted to clarify that the figure that you gave of the 355 isn't comparable because it relates only to children in alternative care arrangements and it relates to children in and out of alternative care arrangements in that six-month period. So, as they come in and out, that's the figure that you've referred to. It's not comparable to the 471. I know it gets confusing and it's a reflection of the way that it was previously all segmented into different sorts of—

The Hon. TANIA MIHAILUK: So the 471 is what? Is it a figure that just came out in August or is it also a six-month band?

Ms KATE WASHINGTON: We can go back with earlier figures. From the same time the previous year, I think we can provide that figure to you. But I'm just saying—

The Hon. TANIA MIHAILUK: It just depends on how your department collects the data, I think, doesn't it?

Ms KATE WASHINGTON: Yes, but the 355 isn't comparable to the 471 in the way that you've described it.

The Hon. TANIA MIHAILUK: That figure is for the six-month period?

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Ms KATE WASHINGTON: No, it is not.

The Hon. TANIA MIHAILUK: I'm just reading out the answer you previously gave.

Ms KATE WASHINGTON: Yes, sorry, the 355 is a period of six months of children in and out of alternative care arrangements. The 471 figure is a snapshot at 31 August of all the children in, at that time, all the different categories of high-cost emergency arrangements.

The Hon. TANIA MIHAILUK: But it would still be the figure for alternative care arrangements at that point. That's what it is. I asked about the ACA figure and that's the figure you gave me. That's the figure you gave, in August. Anyhow, it's up to you to debate it—

Ms KATE WASHINGTON: Yes, the figure I gave was high-cost emergency arrangements, not just an ACA. ACA is a category of high-cost emergency arrangements—I understand it's confusing because this is what the Government wanted everyone to be confused about—

The Hon. TANIA MIHAILUK: Well, it makes it worse. It means your figures are worse than you're suggesting. That's what's worrying.

Ms KATE WASHINGTON: No, they're not worse.

MICHAEL TIDBALL: They're lower.

The Hon. TANIA MIHAILUK: Well, no, because that emergency is within ACA.

Ms KATE WASHINGTON: They're lower.

The Hon. TANIA MIHAILUK: Yes, but if the ACA figure is 355—

MICHAEL TIDBALL: No, it's not.

Ms KATE WASHINGTON: It's not.

The Hon. TANIA MIHAILUK: It's not?

Ms KATE WASHINGTON: It's not.

The Hon. TANIA MIHAILUK: Okay. Well, I'm just going by an answer that—you were asked a question about the total who have been in ACA over a six-month period and the answer you gave was 355 for January to June?

The Hon. STEPHEN LAWRENCE: Point of order—

Ms KATE WASHINGTON: I'm happy to take this offline and explain it because it's—

The Hon. STEPHEN LAWRENCE: It is Government time.

The Hon. TANIA MIHAILUK: It's okay. I'm just reading out an answer that Ms Washington has previously provided.

The CHAIR: Please note this is Government time. The Minister asked to make some last points in relation to some clarifications from earlier evidence.

The Hon. TANIA MIHAILUK: It didn't really clarify anything.

Ms SUE HIGGINSON: You can challenge it later.

The CHAIR: Are you still doing that? Or are you still debating?

The Hon. TANIA MIHAILUK: Maybe it would be best just to take it and leave. Go, Minister, while you're ahead.

The Hon. CAMERON MURPHY: Let it go. It's been answered. It's been fully answered by the Minister.

The Hon. GREG DONNELLY: Asked and answered.

Ms KATE WASHINGTON: Ms Czech has some matters that came up earlier.

The CHAIR: You can table those. That'll be okay. Table those answers.

SIMONE CZECH: It'll take me one minute, if that's alright?

The CHAIR: Okay. One minute, yes.

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SIMONE CZECH: There were questions about children that were missing. Just a point of clarification, as of today there are three children missing. I think I said four earlier, but that's just because the number's moved.

The CHAIR: One has been found?

The Hon. TANIA MIHAILUK: Great—thanks to the Committee.

SIMONE CZECH: The last child that went missing was 11 days ago, a 14-year-old. We completed a media request and police were involved, and that child was located on 7 November. Those missing from Sherwood is zero. The last young person to go missing from Sherwood, who escaped staff supervision from a medical facility, happened on the 24th of the sixth this year and was located two days later. And, in total, over the past 12 months, including that child, there was one other young person who went missing from Sherwood. And then, finally, the pregnancies as of October: 13 young women in out-of-home care are pregnant, with the youngest being 14.

The CHAIR: Thank you very much.

Ms KATE WASHINGTON: I'll just add one additional one as well. The number of children with disability in public schools under the Department of Education is 189,000.

The CHAIR: Okay.

The Hon. RACHEL MERTON: So, 189,000?

Ms KATE WASHINGTON: Correct.

SIMONE CZECH: And, apologies, one more. It was the question about the proportion of Aboriginal staff. In DCJ broadly, 8.1 per cent. We have a much higher rate of caseworkers at 10.9 per cent, being a subset of the broader DCJ. And we'll provide further information on the away from placement and not in placement separately.

The CHAIR: Alright. That brings examination to an end today—for the Minister at least, anyway. Thank you very much for coming. We'll resume at two o'clock.

(The Minister withdrew.)

(Luncheon adjournment)

The Hon. NATASHA MACLAREN-JONES: I might just go back to disability housing. In particular, I'm interested to clarify a little bit more about the current situation with a provider that is operating on a lease-by-lease basis. What support is being provided to them, or what guarantee is there that they won't walk away and just say, "That's it"?

ANNE CAMPBELL: I think at the moment the part of the department that's managing those leases is working with those providers, and so they're just looking at the existing expired leases and looking at what arrangements need to be put into place, ensuring that there is some sort of comfort for people with disability living in those group homes as well as the provider.

The Hon. NATASHA MACLAREN-JONES: How many leases have expired?

ANNE CAMPBELL: I think there's about—I'd need to take that on notice to give you the accurate number.

The Hon. NATASHA MACLAREN-JONES: And if you could give a breakdown of how many of the 800 properties, when all those leases, month by month, or—how many will expire over the next period of time?

ANNE CAMPBELL: Okay. Happy to take that on notice.

The Hon. NATASHA MACLAREN-JONES: What options are on the table when in discussions with these providers?

ANNE CAMPBELL: I think at the moment the Government is looking at all the options in terms of the disability assets, so that's really all I can really comment on today.

The Hon. NATASHA MACLAREN-JONES: Obviously, the Government has ruled out selling those properties to providers?

ANNE CAMPBELL: Yes. That's what the Minister said this morning.

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The Hon. NATASHA MACLAREN-JONES: What is the cost of maintenance, on average, of these properties?

ANNE CAMPBELL: I think I'd need to take that on notice.

The Hon. NATASHA MACLAREN-JONES: Could you also take on notice the most expensive cost of maintenance of one of the properties and then I'm happy with the least expensive as well.

ANNE CAMPBELL: Okay.

The Hon. NATASHA MACLAREN-JONES: Has the Government also ruled out leasing any of these properties?

ANNE CAMPBELL: I think that's obviously one of the options.

The Hon. NATASHA MACLAREN-JONES: The same?

ANNE CAMPBELL: Yes.

The Hon. NATASHA MACLAREN-JONES: Okay, it is. Commissioner, have you visited any of these properties?

ROBERT FITZGERALD: Not recently. But previously, yes, I have.

The Hon. NATASHA MACLAREN-JONES: What is your view of the state of these properties, and are they fit for purpose?

ROBERT FITZGERALD: The Official Community Visitor Scheme visits those properties if they are currently services under the NDS, as you know. At the moment we visit 2,700 disability residential services, of which those 800 referred to are part. Very mixed quality. The maintenance of those properties is in decline because of indecision, I suspect, in relation to their future. So I think that the issue around maintenance is a significant issue. Community visitors do raise from time to time the quality of the premises that they are visiting, and they would include some of those facilities, as well as non-government and for-profit operators as well. The general view is that those properties are probably in a state of decline.

The Hon. NATASHA MACLAREN-JONES: In relation to the properties, and around maintenance, how often do you engage with the providers about the maintenance? Do they come to you to say, "This is what needs to be repaired or changed"?

ANNE CAMPBELL: I'd need to take that on notice. It's a different part of the agency.

The Hon. NATASHA MACLAREN-JONES: Yes, that's fine. Are you aware how many people under the age of 65 are living in aged-care facilities or aged-care homes?

ANNE CAMPBELL: I don't have that with me, so I'll take that on notice.

The Hon. NATASHA MACLAREN-JONES: Could I get an update in relation to the insurance coverage for the physical and sexual abuse claims in relation to out-of-home care and also youth homelessness service providers—that insurance matter that was ongoing previously? I understand there was a Commonwealth working group looking at it and various other things. Just an update on where that's all up to.

MICHAEL TIDBALL: I will refer that to Ms Campbell but just indicate that the work is ongoing. There is still a Commonwealth group working but a very clear leadership role for New South Wales and a focus on the New South Wales-specific market. But I'll hand over to Anne.

ANNE CAMPBELL: The Government just recently made a decision to extend for another 12 months. As you'd recall, the interim indemnity scheme was until the end of this year, but there's still work occurring with States and Territories and obviously consultation with the NGO sector. I can say that as at 17 October this year 50 providers have been approved for the short-term indemnity scheme and no claims have been made to the scheme. As you'd recall, Ms Maclaren-Jones, the cost of the scheme is being underwritten by the Treasury Managed Fund.

The Hon. NATASHA MACLAREN-JONES: Is there a time frame of when a resolution will be reached?

ANNE CAMPBELL: We're hopeful next year.

The Hon. NATASHA MACLAREN-JONES: The next one is in relation to the support of families into early childhood education project—if you can provide a breakdown of the current enrolments in that. It was a pilot site, I understand.

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ANNE CAMPBELL: I think I'd need to take that on notice, and if you could give the name of the service, too, that'd be good.

The Hon. NATASHA MACLAREN-JONES: It was the support of families into early childhood education project. It was a pilot.

ANNE CAMPBELL: Okay. I'll take that on notice.

The Hon. NATASHA MACLAREN-JONES: If you could also advise if there's funding to extend that program beyond this year?

ANNE CAMPBELL: I'll take that on notice.

The Hon. NATASHA MACLAREN-JONES: Also if there is a review and evaluation of that project as well.

ANNE CAMPBELL: Okay. I'll take that on notice as well.

The Hon. RACHEL MERTON: If I could just return to the issue that I raised with the Minister about the Premier's call on people to return to the office. Is working from home available to departmental staff? When I refer to departmental staff, I'm not talking frontline workers, I'm not talking caseworkers. I appreciate there needs to be flexibility around those working arrangements. Just in terms of departmental staff, I'm just wondering is there flexibility, availability to work from home.

MICHAEL TIDBALL: Yes, there absolutely is. And, Ms Merton, you're correct to refer to the diversity of roles across DCJ, because in DCJ we're talking prison officers, we're talking Youth Justice officers, we're talking a range of functions where working from home is, as you've acknowledged, difficult. There is absolutely flexibility available and, whilst acknowledging the desirability of people being in the office, one of the things that we're dealing with is a highly competitive employment market. So flexibility and the ability to encourage people into the office to build culture and to identify as part of a team is what we're doing, but our approach is very much of wanting to try it with a carrot, to build culture, rather than to direct people into the office. People are coming back. People are definitely coming back and the extent to which they're coming back varies very much from one work function or activity to another.

The Hon. RACHEL MERTON: I also recall that during the COVID lockdown arrangement the department was making good use of mobile offices, in setting those up in different community areas and helping meet that community need for face-to-face services. Is that something that's still being undertaken?

MICHAEL TIDBALL: I suspect all sorts of things happened through the COVID period, just as all sorts of things happen during emergencies and people become very creative. My observation would be, from the touring around the State that I've done, that things have—I would characterise them as having normalised.

SIMONE CZECH: Yes, and if I could just add, Ms Merton, I think one of the good things, let's just say, that came out of COVID was our embracing of technology, such as Microsoft Teams—engaging with young people that are in either child protection or out-of-home care through virtual means. Now, it's certainly not the primary means of engagement, but for some young people some of the feedback we got was that it was another means that they actually really enjoyed talking to their caseworker about, so we've certainly embraced those things. And just to the secretary's comments about return to work—I know you know this—our frontline caseworkers pretty much were in the office for that entire period of the lockdowns. I should take the opportunity just to thank each and every one of our staff that do the wonderful work that they do, as the Minister said this morning. But it would be remiss of me not to mention that flexibility is important for them as well. As much as they are field workers, there is an opportunity for them to spend a day a week, for example, at home to do admin work, and we should be embracing—and are embracing—that.

MICHAEL TIDBALL: If I may further add, what I think has happened in recent times is 6 Parramatta Square is really forming a culture now. If you visit that as sort of the head office location of DCJ, as it were, there is much more of a sense of momentum to formation of teams and teams collaborating, because more people are present—not just from DCJ, but from the various other parts of government—who are tending to collaborate together.

The Hon. RACHEL MERTON: Is there a remote working policy, or are working-from-home agreements entered into where there is an agreed understanding of what these work arrangements might mean?

MICHAEL TIDBALL: There is a policy and a set of arrangements, absolutely. They have been in place. They have been tried and tested and refined, and they work well.

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The Hon. RACHEL MERTON: I also draw your attention to observations that have come from DCJ clients that have entered into government offices to seek services and things, and have picked up on the unoccupied office space—what they're referring to as vacant office space. Is this something that has come to your attention in terms of flexible working arrangements, that we do have unoccupied government office space?

MICHAEL TIDBALL: In the tours and on the evidence that I have seen, I'm not aware of large vacancy driven by staff not working in the office. If there are particular examples, Ms Merton, where there is the possibility of—

The Hon. RACHEL MERTON: This may have been an agency visit.

MICHAEL TIDBALL: —waste, or whatever, I'm always open to receive that information. But from all I see, people are gradually returning to the office. But, as I say, because we want people to come to work for us and to procure the best workforce that we can, we're very keen to encourage people and build culture. The best way, in many ways, for that to happen is a balance between flexibility and having healthy office culture.

The Hon. RACHEL MERTON: I just pick up a comment that the Minister made—I think was in response to Ms Higginson's issue about the state of the department and your initial observations. The Minister made reference to morale and that she found morale to be low. I appreciate it is sort of a post-COVID culture. Would you have any reflections on that?

MICHAEL TIDBALL: My reflections on that would be to go to the science at a particular point in time, and we're currently in the midst of analysing the PMES data, which has just come together. We do quite a deep drill of that data. We had a very healthy participation rate this year. I could give a series of anecdotal observations, which I don't think are going to be instructive. I think a considered response to that latest PMES data, which looks at a number of factors, a number of cohorts, which we can look at right across the various areas of DCJ and we can slice and dice in a number of ways—I think that is going to be the most instructive thing for the Committee. We would be happy to take that on notice and give you some analysis which is objectively based and also current.

The Hon. RACHEL MERTON: Further to that, there is a survey data-gathering mechanism available—

MICHAEL TIDBALL: There is.

The Hon. RACHEL MERTON: —to employees to share views, thoughts and ideas?

MICHAEL TIDBALL: There is a sector-wide survey—and it's occurred over a number of years. The tool, right across government, allows a very clear basis of comparison. As I said, it is quite granular and has just been completed, and we're working through the analysis of it now.

SIMONE CZECH: If I could just add to Michael's comments, the PMES is the People Matter Employee Survey. As the secretary just said, we're analysing the results, but what will happen once we've done that analysis is an action plan for each business unit, and that's something we monitor. As you'd expect, there are different results depending on where you're located. Only last night, actually, I was reading through the free text comments. To your point about staff morale, I think it's fair to say there are some mixed views at the moment in relation to caseworkers. They're worried about having enough staff on the ground to fill the vacancies to do the very important work that they do. But generally it was mixed, so it was interesting. But action plans will be developed and monitored over the next few months.

The Hon. RACHEL MERTON: Is this data released publicly, or is it more of an internal management mechanism?

SIMONE CZECH: In terms of the action plans, they're an internal mechanism. In terms of the People Matter Employee Survey, I think—

MICHAEL TIDBALL: It's all online. For us, the key thing is we are very keen to not look at this over one or two years. Can I say, from where I sit, right across the department—for example, we've had a much higher engagement this year from Corrections, which I know is the business of another committee. But that is really encouraging, to get people in, to maintain them engaging year upon year. The data becomes, over time, way more meaningful.

The Hon. RACHEL MERTON: Ms Czech, I pick up a point you were making there in terms of vacancies. In terms of staff, how is the department looking in terms of meeting the required numbers?

SIMONE CZECH: It is a great question, Ms Merton. There's a couple of responses to that question and I think the Minister touched on this quite well this morning. The first point is about attraction and recruitment and

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getting enough people through the door in order to fill positions. But we also know that we need to support our caseworkers to make sure that they stay in the job for as long as possible. So there are two different strategies. We've got a heavy social media strategy around recruitment that is quite successful, although we have noticed over the last 12 months or so a reduction in the number of applications that are coming through, and that varies from district to district.

We do have some harder-to-fill locations, particularly regionally. And then we have a separate strategy which is solely focused on retention activities. There are a range of initiatives in that strategy, including what we call caseworker wellbeing checks. That's an opportunity for caseworkers, on a voluntary basis, to talk to a psychologist twice a year about their wellbeing. If there are particular issues that need to be addressed for that caseworker, then that support is provided with that psychologist and completely confidential. We don't get any information back inside the department about those interactions.

The Hon. RACHEL MERTON: Ms Czech, you mentioned graduates there. Is there a graduate program?

SIMONE CZECH: There is. We have two graduate programs. It is relatively small numbers, but we have, through the government graduate program, 20 social work students that come into that program every year. Actually, only in the last couple of days I signed off the next tranche of graduates, which is fantastic. We are looking forward to welcoming them to DCJ early next year. And then we have a number of collaborations with the universities across New South Wales, but particularly Western Sydney University. We've had 120 final-year social work students in that program who have been completing their final year placement. Each and every one of them has now applied to become a caseworker, and we're just putting them through the recruitment process. I understand that they may not have been informed of the outcome yet, but certainly there is a pretty high rate of success. We're hoping they'll start early in the new year, and it will be in the vicinity of 100, we think.

The Hon. RACHEL MERTON: Wow, very exciting.

SIMONE CZECH: It is.

The Hon. RACHEL MERTON: In terms of a staffing issue, in terms of the match between—within a district where we're managing different services, we've got the head of the district overseeing this district, and then we've got workers within that district. Are we aligning the head of the district—I guess what I'm asking is: Is the head of the district working and engaged within the district which they're managing? That's in terms of what that can mean when you're getting that local environment and that consistency and coordination.

MICHAEL TIDBALL: I think there's probably a quick two-part response to that question. The first part is that we are, at the moment, having a bit of a look at our district structure. The integration of Homes NSW into the work we're doing means that there's an opportunity there to look at. Structures need to be contemporary. One of the great challenges for DCJ across all the work it does is to have, for common clients—and there's an artery of trauma that runs very sadly through much of our work. So having leadership that is skilled and that allows us to integrate the various services, particularly with common clients, goes to the heart of what we want to see work highly effectively at district level. And there's some work that we'll be doing on that through the course of the next six months.

Ms ABIGAIL BOYD: Could I ask some questions of you, Mr Fitzgerald? Last year in budget estimates you informed the Committee of how significantly underfunded the commission was under the former Coalition Government. At that point we were looking at a shortfall of approximately \$9 million over the next three years. Has the funding increased with the change of Government?

ROBERT FITZGERALD: The very good news is that, in relation to this financial year, at the direction of the Minister and with the support of the secretary, we received an additional \$2.5 million over and above the budget which was delivered only a short time ago. That's a one-off commitment, and so the shortfalls that we talked about last year remain. The budget over the next four years is \$17.1 million. The actual cost to run the ADC, including the community visitor scheme, is \$29.5 million. We requested a \$12.1 million increase over four years, and the \$2.5 million, which is part of that, has been guaranteed for this year. So the shortfall remains. Nevertheless, we are very encouraged by both the Minister and the secretary in relation to this year and the work that has been done on that.

Ms ABIGAIL BOYD: It's a bit better, but we're still looking at a shortfall?

ROBERT FITZGERALD: We're one year better.

Ms ABIGAIL BOYD: The ADC annual report for 2023 found that there was a 12 per cent increase in calls to the aging and disabilities helpline and a 7 per cent increase in statutory reports.

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ROBERT FITZGERALD: Correct.

Ms ABIGAIL BOYD: Given that increasing demand, does that shortfall you've just projected take into account how much funding you need to adequately service that level?

ROBERT FITZGERALD: The issue is that the demand through the helpline and the demand through the statutory reports is increasing at roughly 9 per cent to 10 per cent each and every year and has been since the inception of the commission. Our projections in relation to the shortfall that we've mentioned were based on a demand funding model which we worked up with Treasury and with DCJ in line with that sort of increase. The view that we have is that the requests that we've made for the additional funds over the next four years would meet that projected increase. There are two challenges. The first thing is if, in fact, the growth is greater than we had projected, we would anticipate having to go back and revise those figures.

The second one is that the OCV scheme is increasing at a very rapid rate. We are now visiting over 3,100 services, which includes 2,700 disability services and 300-and-something out-of-home care services and boarding houses. So the rate of increase in the community visitor scheme is much higher than had been anticipated. Partly, that's driven by an audit we have done now on the services that are actually in the State of New South Wales. They are two cautions on the figures. One is if the growth rate is greater than we anticipated, and the second one is the increasing rate of visitable services in the OCV scheme. But the \$12.1 million that we requested we believe would have been adequate based on the assumptions that I've just described.

Ms ABIGAIL BOYD: Have there been any calls in the 2022-23 financial year to the helpline that were not answered? Do you have any data?

ROBERT FITZGERALD: Yes. The data we've got on that is that, on any one day, we would lose three calls, and we take more than 50 a day. The rate is low, but what we're doing is trying to eliminate any of those falling off in the process. In any one week, it's only about 15 calls, but that's 15 calls too many. So we are making adjustments to the helpline to try to address that issue at the present time.

Ms ABIGAIL BOYD: There was a 6 per cent increase in reports that were closed in the past year, with over three-quarters of the reports handled at the early point by the helpline. Is this a positive indicator, do you think, for the success of the commission's handling of reports?

ROBERT FITZGERALD: By any measure, the commission is a very efficient and effective organisation in achieving the objectives which Parliament set for it. One of the most pleasing aspects is the effectiveness of the helpline. The helpline is not an intake line in the traditional sense. We believe the way we operate means we have a high level of resolution very early, and that's quite uncommon. That's because our helpline consultants immediately start to prosecute the matter—that is, start to seek out information and provide advice to various people. So we have a very high level of early resolution of matters. However, the ones that then go to our community support and investigations area are much more complex and much more detailed, and they take considerably longer. But the overall rate of closures is very good.

The early resolution is a surprise to me—a very pleasing surprise. The only caveat I always make on this is we can't guarantee how long those resolutions last. We have no enforcement powers—no ability to enforce undertakings, for example. The caution I'm always with, even to our own staff, is we get high levels of resolution early. The question will be whether they last, and that will be what we'll have to track over time.

Ms ABIGAIL BOYD: There was the recent statutory review of the ADC Act. There was a bunch of recommendations from disability advocacy organisations, which were acknowledged but not recommended. Some weren't acknowledged at all when we saw the revisions to the Act. Do you believe that there needs to be clear definitions of abuse, neglect and exploitation in the Act?

ROBERT FITZGERALD: Ms Boyd, I think one of the very important aspects of the Act is that there are no definitions. The commission's ability to interpret widely self-declared issues of abuse has been one of its greatest strengths. Whilst I'm a lawyer and, by nature, like certainty and definitions, I think that the people that drafted the legislation, and the Parliament in passing it, actually did us an enormous favour by keeping them quite broad. I'll give you two examples of that, which will probably surprise you. One is in the royal commission on disability. There was a whole week in relation to abuse of people with disabilities in public spaces—that is, on train stations, at bus stops and in shops. The question was where they would go. As we interrogated that matter and the commissioners interrogated the matter, in our jurisdiction, they could come to us. There is a question as to what you would then do with it, but our definition of abuse would allow that.

Another one is in relation to the voluntary assisted dying legislation, which is due to come in place in the last week of November. Mr Donnelly, through his intervention, caused us to look at our own position in relation to that. What's now clear is that we could take calls and matters in relation to abuse—that is, undue influence or

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duress—that occurs by a family member or community member. They're just two examples of why having a wide definition is actually beneficial. That wouldn't necessarily be true in all jurisdictions and in all matters, but I think for us it has worked and served our purpose well.

Ms ABIGAIL BOYD: Do you think the commission's powers should be extended to establish and maintain a public register of entities for complaints? This is another one of the suggestions that was made for that review.

ROBERT FITZGERALD: I'm not exactly sure what that would mean, to be honest with you.

Ms ABIGAIL BOYD: I guess it's about more transparency over which entities are receiving lots of complaints.

ROBERT FITZGERALD: Sorry. Yes, I understand that. No, I don't think that would be appropriate for the commission. As you're aware, the commission refers matters where the abuse is taking place by staff or volunteers in formal settings. For example, if the abuse occurs by a staff member or volunteer in a disability service funded by the NDIS, we refer those matters to the NDIS Quality and Safeguards Commission. Equally, if the abuse occurs by a staff member or volunteer in an aged-care facility, we refer those matters to the Aged Care Quality and Safety Commission. It is the same in health care and so on. The effect of that is that most of our matters deal with family members, carers, staff within retirement villages, staff within community centres, so we're not really dealing with institutions. Most of our work is dealing with familial abuse of a very significant nature and abuse that's occurring within those community settings.

Ms ABIGAIL BOYD: There was a suggestion that the existing guidelines should further clarify the relevant factors the commissioner should consider when determining whether an individual has the capacity to provide consent and in relation to whether to pursue a complaint without consent. Do you think there needs to be anything further done on that?

ROBERT FITZGERALD: DCJ is currently providing advice to the Minister in relation to some of those specific issues that you've referred to, and that's one of those. I don't wish to pre-empt what the Minister might determine in relation to that, but we've looked at that recommendation. We've looked at the current adequacy of our own Act and that's part of the consideration, so I think it would be pre-empting what the Government might decide. Suffice to say this: The current arrangements in relation to consent for the commission works adequately.

Ms SUE HIGGINSON: I'd like to start with—not a good topic—the sexual abuse in care and what the department is doing currently and what systems to address those problems with children who are in foster or other types of out-of-home care, who report or the families are reporting that they are being sexually abused, but those children are still in that home situation. How many incidents of that have been reported in the last 12 months?

MICHAEL TIDBALL: Ms Higginson, it is entirely appropriate that I, at the outset, indicate that those matters, as you'll expect me to say, must be referred to the police. It goes without saying that, fundamentally, in terms of the duties we have generally but the statutory mandates that we have, clearly any abuse is completely unacceptable. I then acknowledge that the systemic response to that and the training of our staff in terms of the range of issues involved are crucial. In terms of the data that we would have, I'm not sure that we have anything with us today—

Ms SUE HIGGINSON: If you're happy to take it on notice—

MICHAEL TIDBALL: Happy, Ms Higginson, to take it on notice and, without in any way wishing to thwart the accountability and the scrutiny, which is such a crucial part to the estimates process. Also, subject to the Minister's concurrence, if there are cases or situations where there are concerns that matters have not been dealt with appropriately, always open to having a briefing on those.

Ms SUE HIGGINSON: I appreciate that. The numbers really that I'm looking for are how many incidents in that situation that you have records of and then how many of these children have been then moved into a different placement and/or restored with their parent and then how many reports of sexual abuse of children who have been removed—that whole category.

SIMONE CZECH: We can provide that on notice. If I could add to the secretary's response, we absolutely take any allegation about a child in care seriously.

Ms SUE HIGGINSON: I know this.

SIMONE CZECH: There's a raft of policies and procedures that we need to follow, including reporting to the Office of the Children's Guardian and NSW Ombudsman, who, as you know, are an independent regulator

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and oversight of the department. We do have some numbers, but they haven't been broken down, so we might take it on notice and provide the breakdown if that's okay.

Ms SUE HIGGINSON: Moving on to a similar area, how does New South Wales child protection services assess the seriousness of domestic family violence in a household where a child is not physically harmed and there's no other danger factors present, but clearly there's an allegation of sorts?

SIMONE CZECH: As you probably know, we've got a centralised intake system, known as the Child Protection Helpline. They use a range of decision-making trees to ask questions of the person either calling the helpline or sometimes—particularly mandatory reporters will do an e-report. We go through that decision tree, and that information is incorporated into the report. It's a fairly comprehensive process. From memory, about 30 per cent of our reports contain an allegation of domestic violence. I think it's important to note that—not that people in this room today won't know this—domestic violence is not usually the only issue that has been reported. We find it amongst a range of other concerns about children, but it's treated with the utmost seriousness.

Ms SUE HIGGINSON: The family safety assessment tool sits within the standard decision-making framework and screens out referrals to early intervention services when DV is the only risk factor. Why is DV considered low risk in that matrix or that tool? Is there any review of that? Is that going to change? Is there a reason why it sits in the place it does?

SIMONE CZECH: It's a great question. I think you might be referring to the Structured Decision Making suite of tools. Is that correct?

Ms SUE HIGGINSON: Yes.

SIMONE CZECH: Just so I make sure I respond appropriately. The short answer is, all of the components of the Structured Decision Making suite are under review, including those that are used at the helpline. We are proposing, although not approved yet, to make some changes to some of the questions that are contained in the tool that we use at the helpline.

Ms SUE HIGGINSON: Is that something that is ongoing or is there a kind of finish time to when that review has completed?

SIMONE CZECH: Because there's so many components to the Structured Decision Making suite of tools, there are different periods of time. We can provide further information to the Committee about those time frames, if that's helpful.

Ms SUE HIGGINSON: That would be helpful. The inquiry really is about what work we're doing with the DV part, because obviously we've got so much more knowledge that's coming online all the time.

SIMONE CZECH: Absolutely.

Ms SUE HIGGINSON: This is a money question, so perhaps to you, Mr Tidball. What's the total government spend for the provision of the out-of-home care system for the last period? I don't think we captured that this morning.

MICHAEL TIDBALL: Yes. I have that on me. We can have a sprint to see who gets to the number first.

Ms SUE HIGGINSON: The race is on. We'll start the clock.

ANNE CAMPBELL: I think the total budget is \$3.1 billion, and that's broken down into targeted early intervention, \$187 million; the FCS—I think that's the family referral services—\$21 million; child protection, \$889 million; and out-of-home care, \$1.96 billion, which includes the high-cost emergency arrangements.

Ms SUE HIGGINSON: That's for last financial year?

ANNE CAMPBELL: No, this financial year.

Ms SUE HIGGINSON: What was last year?

ANNE CAMPBELL: A bit less than that. I can give it to you, unless someone's got last year's—

Ms SUE HIGGINSON: Have you got last year's figure? Is that a figure that is reflected in the papers, if I was to look for that?

MICHAEL TIDBALL: Yes.

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Ms SUE HIGGINSON: I'm actually looking for the last three years. I can look, but I struggled, is the truth. On the spend, that was a breakdown. I think I got it all. What is the total spend on specialist services for children in out-of-home care, for trauma specialists? Do you have those breakdowns?

ANNE CAMPBELL: I do have those breakdowns, and I'll try and find them in here.

Ms SUE HIGGINSON: I'm looking for trauma specialists, disability supports and learning educational supports or therapies, those breakdowns. We're just trying to get a gauge on the last two years and this year and get that comparative and where we're tracking in terms of those spends. Is it easier to take it on notice?

ANNE CAMPBELL: I think so. It's not just within the child protection budget; it's also some of the funding within the disability budget as well, so happy to take that on notice.

Ms SUE HIGGINSON: That's the thing, isn't it? We always want the data presented in the way that helps us, and it's not necessarily the way that you've prepared it, and I'm sorry for that. Deadly Connections has described the present Working with Children Check system as not keeping kids safer and not cost effective, saying it systemically discriminates against mob with histories of criminal legal system involvement. Are we looking at that in any way, in an appropriate manner?

MICHAEL TIDBALL: Ms Higginson, that is really a matter for the Children's Guardian. But I'm happy to be a bridge and happy to assist in any way, but it falls within his mandate, not ours.

Ms SUE HIGGINSON: I understand, thank you. A broader question: What are you doing at the moment about the lack of emergency housing for First Nations people?

ANNE CAMPBELL: I think that's more a question for Minister Jackson.

Ms SUE HIGGINSON: But in terms of emergency, if it comes through DCJ, what's your process? Do you just refer it, if there's an emergency situation?

MICHAEL TIDBALL: I'm very mindful that I'm straying into—and very happy to assist, but I just make the point I'm going perilously close to straying into Minister Jackson's estimates. But if I can just give you but one example, we're talking absolute emergency and homelessness—sleeping rough. The temporary accommodation in the current year, the arrangements of that have been changed. Those matters were covered in Minister Jackson's estimates, but the number of days has increased from two to seven. The 28-day annual cap has been removed.

The Hon. NATASHA MACLAREN-JONES: I want to go back briefly to accommodation, and it was mentioned this morning. Of those properties that were vacant that are now being utilised, who is accessing those properties or who are the properties provided to?

ANNE CAMPBELL: I think there'd be a couple of examples—maybe a community housing provider, or it could be an out-of-home care provider who's providing residential care. They'd be the two examples I can think of.

The Hon. NATASHA MACLAREN-JONES: The Minister also mentioned domestic and family violence survivors.

ANNE CAMPBELL: I'm not sure.

ZOE DENDLE: Yes, we're just stepping up one pilot where there'll be transitional housing for women and children experiencing DFV.

The Hon. NATASHA MACLAREN-JONES: Where is that pilot site?

ZOE DENDLE: I'm not able to disclose that just yet.

The Hon. NATASHA MACLAREN-JONES: Can you disclose the region?

ZOE DENDLE: It will be in metro Sydney.

The Hon. NATASHA MACLAREN-JONES: In relation to those properties that are currently vacant or moving forward, is there a requirement that priority must be given to people with disability or young people in out-of-home care who may have a disability?

ANNE CAMPBELL: I think that and social housing, as well, so they'd be the three categories. I know we were looking at, particularly—I think it might have been up in the Hunter area—NDIS participants who were in hospital and didn't actually need to be in hospital and looking at opportunities for them to move into some transitional housing as well.

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The Hon. NATASHA MACLAREN-JONES: Can I get a breakdown of the number of properties that were vacant that now are not? I think you said around 60.

ANNE CAMPBELL: Sixty-six.

The Hon. NATASHA MACLAREN-JONES: Can I get the breakdown of how many of those are supporting people with disability? You mentioned the hospital discharge. I'm interested to know if you've got any data on the existing number of people who are still waiting in hospitals and are discharge ready.

ANNE CAMPBELL: Yes, happy to take that on notice.

The Hon. NATASHA MACLAREN-JONES: Also on that, how many of those are still waiting for NDIS plans to be approved?

ANNE CAMPBELL: Okay, I'll take that on notice. I think you asked a question earlier this morning around the average age of the disability properties, so that's 26 years. That would range from 10 to 40 years, and there are 2,625 people with a disability in those group homes.

The Hon. NATASHA MACLAREN-JONES: I raise this because it's recently come to my attention—and I will pass this on to the Minister—that a resident was concerned about what's going to happen to her sister, who has been in the Hunter for quite some time, because the provider has indicated they're on a month by month. Is what's happening being communicated to residents, just to give reassurance that their home is safe and secure?

ANNE CAMPBELL: I'm happy to follow up on that and check.

The Hon. NATASHA MACLAREN-JONES: In relation to the Tomaree Lodge site, the Minister said an additional assessment is being undertaken. Was that a request by the Minister or her office?

ANNE CAMPBELL: I think it was the Minister tasked DCJ to undertake further work to determine the physical, ecological and heritage constraints of the site.

The Hon. NATASHA MACLAREN-JONES: What's the reporting date for that assessment?

ANNE CAMPBELL: I'd need to take that on notice.

The Hon. NATASHA MACLAREN-JONES: Is there a cost involved in that assessment?

ANNE CAMPBELL: Again, I'd need to take that on notice. It's a different part of the agency.

The Hon. NATASHA MACLAREN-JONES: Okay, and then whether or not they've entered into a contract or whether it's internal assessment.

ANNE CAMPBELL: Yes, okay.

The Hon. NATASHA MACLAREN-JONES: Back to permanency and adoption, when was the Adoption Act last reviewed?

ANNE CAMPBELL: A long time ago, I suspect.

MICHAEL TIDBALL: Yes, I think the general vibe is a long time ago.

The Hon. NATASHA MACLAREN-JONES: In light of the fact that it was a long time ago, are there any plans to review that Act?

ANNE CAMPBELL: I think, currently, we're just looking at all the options, so that may or may not include a review of the Adoption Act. But we're looking at all the pieces of legislation and looking at the reform the Minister talked to this morning. That work has got to come first before we start tinkering with the legislation.

The Hon. NATASHA MACLAREN-JONES: Is the restoration taskforce that she referred to internal, or does it involve external—

ANNE CAMPBELL: My understanding is external. Brendan?

BRENDAN THOMAS: It's being developed in partnership with AbSec and a specific Aboriginal academic, so it's both departmental and external.

The Hon. NATASHA MACLAREN-JONES: And it is focused predominantly on Aboriginal young people, not non-Aboriginal?

BRENDAN THOMAS: That's right, yes.

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The Hon. NATASHA MACLAREN-JONES: Has that taskforce got a reporting time frame or projects that it's specifically working towards?

BRENDAN THOMAS: Not yet. It's in the process of being designed. It'll report to the Minister's Aboriginal partnership group, which she spoke about this morning, on a regular basis.

The Hon. NATASHA MACLAREN-JONES: In relation to adoption and guardianship for all young people, what work is currently being undertaken to increase the number of young people that are exiting out-of-home care? Is there any body of work or taskforce or anything that's looking at that?

MICHAEL TIDBALL: So restorations is your question?

The Hon. NATASHA MACLAREN-JONES: No, sorry. Restorations aside, because my understanding is the focus of the restoration taskforce is Aboriginal young people in out-of-home care. This is for all young people in out-of-home care, focusing on adoption or guardianship.

SIMONE CZECH: Each individual child will have a permanency goal that best meets their particular situation and needs. We monitor that through my unit, through six-monthly business reviews. One of the things we look at is how many case plan goals have been identified in each of the categories of permanency and how many have been achieved, and what's working and what the barriers are to that. There's no taskforce, as such, aside from the plans around the restoration taskforce. But that, as you said or the secretary said, is specifically about Aboriginal children and young people.

The Hon. NATASHA MACLAREN-JONES: Is there a time frame when a decision is made that a young person will move to the pathway of restoration versus adoption or guardianship? What is that time frame?

SIMONE CZECH: Yes, it's enshrined in the legislation. For a child that's under two years of age, there's a six-month period to make that decision. For a child over six months of age, from memory—and I can double-check this—it's 12 months. So there's that in the legislation but, of course, we are beholden to the Children's Court to make a decision about whether restoration, in the first instance, is a realistic possibility or not, and for the court to make a final order whether that is the case or not. Then we are required, at least annually, to conduct a review of each child's circumstances in statutory out-of-home care. At that point, there should be consideration given to the permanency goal for that particular child and whether that is progressing, what the barriers are and how we might make sure that happens as soon as it's safe to either get them home or move to guardianship or adoption.

The Hon. NATASHA MACLAREN-JONES: Is there a reason, with this particular family that I referred to this morning—it was around an 18-month period that they were then notified that a family member had been identified—why that wouldn't have been identified at the six-month mark?

SIMONE CZECH: I'd have to look at the individual case that you're referring to. In relation to family finding, good family finding should happen early, it should be thorough and it should either rule in or rule out any family that might be a possibility as far as caring for that child or a placement. That's not to say that, down the track, a carer or a relative might come up that we didn't know. I think it's an area that across the sector, the department included, we need to do better in. There's certainly some work we're doing at the moment around family-finding training for caseworkers and—this is going to sound silly—boot camps where we bring a range of caseworkers together to talk about individual children and make sure that we've exhausted all family options before we go down any other path.

The Hon. NATASHA MACLAREN-JONES: I want to move to ACCOs and the support. How many ACCOs have been accredited to provide out-of-home care?

BRENDAN THOMAS: There are 17, as I understand it, at the moment.

The Hon. NATASHA MACLAREN-JONES: And how many in the last 12 months?

BRENDAN THOMAS: I'll have to take that on notice.

The Hon. NATASHA MACLAREN-JONES: That's fine. What support is being provided by the department, and also by NGOs, to support ACCOs to get up and running?

BRENDAN THOMAS: There is the PSP, the support program. The Government, as you know, is also committed to transitioning children from NGOs to ACCOs. That transition is going much slower than anybody would have liked. But with that transition comes investment to help grow the ACCO sector. All the ACCOs were asked to provide growth plans to us by July this year, which they've done. The intention is to manage that transition project against those growth plans so that we can help those ACCOs grow through that transition process. But it is progressing much more slowly than any of us would like and as anticipated.

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Ms SUE HIGGINSON: Ask why. Sorry, that is one of my questions.

The Hon. NATASHA MACLAREN-JONES: I only have a couple. Do you have a breakdown of, first of all, why it is progressing slowly but also a breakdown of the numbers and whether or not they have a target they're working towards?

BRENDAN THOMAS: As part of the contracting process last year, NGOs were asked to develop transitional plans. They requested, towards the end of last year, an extension on that. They were required to provide those plans in July this year, which they did. The plans are being worked with those NGOs and our commissioning and planning officers to bring them forward. A range of those plans had transitional figures in them that were outer and slower than we would like those transitions to be. We're working with those NGOs to start to set targets around what those transitions should actually look like to try and bring them on much more quickly. The ACCOs clearly have growth plans. Some of those are ambitious; some aren't. It depends on the ACCO as to how much it wants to grow, but some are prepared to grow quite strongly. We need to make sure that we're matching that transition from the NGO sector to the ACCO sector to allow that growth to occur.

There has been a range of concerns expressed by people around that transition—some carers expressing concerns and some dragging of the feet, to be quite frank, from some people in terms of getting themselves together. The Minister has recently written to all carers about that transition, and we have established some stronger governance around the project—a new PMO that's managing that transition project to give it much more focus and try and drive that transition much more quickly. It was only intended to commence from July this year, so it is a couple of months behind from where it was needed to be. But the transition is also being slowed by the flow of children. For example, in the year to September last year, there were 186 transitions from NGOs or DCJ to ACCOs. But during that same period of time there were 71 children transferred back from an ACCO to DCJ. The rough figure is, for every three we're transferring one is coming back.

The Hon. NATASHA MACLAREN-JONES: Why is that?

BRENDAN THOMAS: For a whole range of reasons—for reasons related to conditions put on an ACCO by the guardian or families moving to areas where there aren't ACCOs present for them to be supported. There's a range of reasons.

SIMONE CZECH: The other one that comes up is where a young person's needs are such that they need to move into residential care. The ACCO would have provided every bit of support they possibly can but, because of the child's experience or trauma, they need to move into a more intensive form of care, being residential care. Unfortunately, as far as I'm aware, we don't have any ACCOs that currently deliver therapeutic residential care at the moment.

ANNE CAMPBELL: That's correct.

Ms SUE HIGGINSON: Is there anything on the horizon about an ACCO providing therapeutic home care?

ANNE CAMPBELL: We're currently in the midst of advising the successful proponents for the recent ITC expansion, so we're hoping to see some ACCOs in there, but I can't say much more at this moment.

The Hon. NATASHA MACLAREN-JONES: The Minister said this morning that there was no place for NGOs in the child protection space. How does that fit with the current operation, particularly where you have NGOs that are working with ACCOs or assisting?

MICHAEL TIDBALL: I may reframe that. I think what I heard the Minister saying—and I'm looking to my colleagues to correct me—was her reference was about out-of-home care and the provision of high-cost emergency arrangements by for-profit entities. That was the way I took that comment.

The Hon. NATASHA MACLAREN-JONES: Not across the whole—

MICHAEL TIDBALL: Not across the whole system.

The Hon. NATASHA MACLAREN-JONES: I thought it was good to clarify because I think there might be a level of panic out there.

SIMONE CZECH: There's a level of panic here.

MICHAEL TIDBALL: No, I don't think that's on the radar at all. I don't think it's happening.

SIMONE CZECH: Can I just say, our NGOs do a wonderful job. This is incredibly complex work. We could not do this work solely by ourselves and many NGOs play a pivotal role in the delivery of child protection services across New South Wales.

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MICHAEL TIDBALL: Just to clarify, I think the area of concern with high-cost emergency arrangements arises in that there is a shortage of providers. There is a very constricted labour market. There is the NDIS labour market, which further constricts—and we know that supply chain and labour supply issues are very tight at the moment. I think it's out of that dynamic that—perhaps the field of labour and the movement of for-profit providers into providing labour is the dynamic that the Minister was describing.

The Hon. NATASHA MACLAREN-JONES: Back to the Aboriginal Guardianship Support Model, which is a pilot up in the Hunter and also out at south-west Sydney, that was a two-year pilot. Has that concluded?

BRENDAN THOMAS: I don't believe it has concluded. There is an independent evaluation of that program, which, as I understand it, is ongoing.

The Hon. NATASHA MACLAREN-JONES: Do you know when the evaluation will be available?

BRENDAN THOMAS: I don't have the date here, but we can provide that to you on notice.

The Hon. NATASHA MACLAREN-JONES: The other one is very unrelated, but with the forced adoption memorial, I understand there is the working group. It has been raised with me regarding the funding of that memorial. I understand the contract concludes next year. I just wanted to know what the status of that memorial is and, more importantly, in the event that they can't identify a site, will that funding continue?

SIMONE CZECH: The funding is certainly committed, and the intention is for the memorial to be built. As you point out, it's about finding an appropriate site that the people are actually happy with.

The Hon. NATASHA MACLAREN-JONES: I assume that the working group is continuing to meet on a regular-enough basis?

SIMONE CZECH: That's my understanding, yes.

The Hon. NATASHA MACLAREN-JONES: In relation to leaving care plans, how often are the care plans reviewed before a young person leaves care?

SIMONE CZECH: At a minimum, every 12 months. But, depending on children or young people's circumstances, it may be more frequent.

The Hon. NATASHA MACLAREN-JONES: In relation to the Your Choice, Your Future funding and support for young people once they've left care, I'm interested to know how many young people have not applied for assistance that were eligible for it, since it began.

ANNE CAMPBELL: I'm happy to take that. I think the modelling that we did prior to this being introduced was approximately 2,100 care leavers. As at 30 September this year, 1,386 care leavers have accessed those allowances. There were 960 who were receiving the Independent Living Allowance and 426 carers receiving the Staying on Allowance. That means that there are about 700 young people who haven't yet applied, but we're following up with those young people regularly.

The Hon. NATASHA MACLAREN-JONES: I'm interested to know what data is kept in relation to young people in out-of-home care and their school attendance and if there is any work that's being done with the Department of Education regarding that?

ANNE CAMPBELL: I think I'd need to take that one on notice. I think there is some information, but I'm not exactly sure how current it is.

The Hon. NATASHA MACLAREN-JONES: Could you also check how many young people in out-of-home care are not enrolled in school right now?

ANNE CAMPBELL: Yes.

The Hon. NATASHA MACLAREN-JONES: I'm also interested to know how many have been suspended from school in the last 12 months—2022-23.

ANNE CAMPBELL: I'm happy to take that on notice.

Ms SUE HIGGINSON: If a young person in out-of-home care was subject to the police Suspect Target Management Plan, would DCJ be told about that?

SIMONE CZECH: I think that the short answer I could provide is, I hope so, but I might need to get some advice and come back to you with a response on that.

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Ms SUE HIGGINSON: I'm happy to ask the police in the supplementary questions, but I'm just wondering whether there's a relationship. The plan is now suspended; they don't have them anymore. I'm just wondering what the relationship would be if a young person in out-of-home care was subject to one.

SIMONE CZECH: I do know that each of our districts and certainly our NGO partners have done a lot of work over the last few years to form relationships with police and maintain them, so I would hope, through those relationships, as it affects children in out-of-home care, that they would be open and transparent about any concerns they had about a child or young person.

Ms SUE HIGGINSON: With the transition to ACCOs, are there particular geographies that are more in need than others?

BRENDAN THOMAS: I think there are probably a few different ways to answer the question. There are areas where there's a strong ACCO presence and a strong ability for those ACCOs to grow to take children on. There are geographical areas where there isn't an ACCO presence and, therefore, an immediate transfer of those children from an NGO to an ACCO isn't possible, but there's the potential for future growth in those areas. Where there's a gap in the ACCO sector in some parts of New South Wales, the relationships between NGOs and ACCOs vary in terms of current discussions around the transition of children. Geographically, some are much more advanced than others and the relationship is stronger than others. There is that kind of level of regional variance as well.

Ms SUE HIGGINSON: Are there any particular areas in the State that you're looking at and thinking, "We've got less capacity in that area," and that is a concern?

BRENDAN THOMAS: Yes. Western New South Wales is an area with a lack of capacity, and north-western New South Wales also has a lack of capacity.

Ms SUE HIGGINSON: Is there any kind of plan to try to build capacity there?

BRENDAN THOMAS: There is. There's work happening in the western district—I don't know if you want to speak about that, Simone—to look at how to build greater levels of capacity in the western district.

SIMONE CZECH: If I can add to Mr Thomas' response, there's a lot of work happening. It is very much place-based. One example—and it is a fantastic service—is the Orange Aboriginal Medical Service. That's now a deliverer of out-of-home care services and is doing a marvellous job. I think they described their service when I was there a few months ago as cradle to grave. They do the whole remit, which is fantastic. That's exactly what we want for kids in out-of-home care, but also involving them earlier in decisions about Aboriginal children who might be at risk of falling into the child protection system or in out-of-home care, so that we can get that self-determination happening. But it's very much a lot of work, as Mr Thomas said, looking at different locations in western New South Wales. The other area is New England. It is working with entities that might be there already, either as an AMS or another Aboriginal service that might be interested in becoming an out-of-home care provider as well.

Ms SUE HIGGINSON: The Better Decisions for Children project web page states that the DCJ:

... will review and improve the decision-making tools, practices and processes in NSW in the child protection and out of home care system across six key areas.

That's that structured decision-making tool. I know we touched on it a bit earlier, but there are some questions around that. Why has DCJ partnered with the same organisation, Evident Change, who developed the initial SDM tool? Have you sought a truly independent organisation or worked with the ACCOs, including AbSec and ALS?

MICHAEL TIDBALL: Can I, Ms Higginson, firstly say, the Minister, this morning, spoke about the recent forum and that, having been there for those two days, it was a very confronting experience. As with all of those things, for all of us, to immerse ourselves in what we heard was very powerful. I think all of us, and with a very active interest in this by the Minister, are, as a department, at the moment, doing quite a bit of work on the tool. The partnership group, is yet to meet, and bear in mind that this is a matter ultimately for determination by the Minister and the Government. If I can just reflect the spirit of listening to what we have heard, recognising that there has long been a concern that the tool is discriminatory and that there is work being done, the principle and the spirit, at this point, is the key thing and I make the point it is very actively being considered. There is no commercial partner in considering that and it is a matter that will be discussed by the partnership group. I should, having made those introductory comments, if I may, just ask my colleagues if they wish to supplement what I have said.

SIMONE CZECH: If I can answer the part about the stakeholder or consultation. We have a group of approximately 40 stakeholders, most of whom are external stakeholders. It includes Aboriginal people who have got a lived experience of the child protection and out-of-home care system. AbSec were part of that group,

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although, I think, they may have exited from that group, but I can double-check that. But there is a significant group of people that are going through every one of the seven structured decision-making tools and actually making recommendations and adjusting where we can. To Michael's point, we are, in particular, looking at the risk-assessment tool, because that is the one that the Aboriginal community and sector and the department are most concerned about, and looking at options about what we do with that tool and what are some of the options around replacing that tool.

Ms SUE HIGGINSON: If, say, AbSec walked out of or is not part of that, is there some process within this process or some part of this process that maintains an ongoing critical dialogue, not just "You're in, you're out. Oh, you're not happy with this"? Because I think the concern from the outset, as you say, Mr Tidball, is that there is a discriminatory system that's been in place or no culturally appropriate system in place. That criticism has been placed on the table, but the idea now of trying to find a positive path forward is not necessarily a straight line.

MICHAEL TIDBALL: I think that is the case. The risk assessment tool, I think, has been, in a sense, accelerated as a focus and left out of the process that Ms Czech has just described—

Ms SUE HIGGINSON: And because of that criticism and that—

MICHAEL TIDBALL: —because of the strength of the feedback. Can I say, even from my perspective, it takes you a while to get your head around these things and I think for a number of us who are close to it, who have been informed by the excellent work that Brendan Thomas has been doing over the past couple of years, difficult work, and the experience that Ms Czech and others have had, it's very clear that the risk assessment tool needs to be something that is dealt with because, among other things, in terms of our working together and partnering with AbSec in pursuit of the Closing the Gap process and targets, this is an impediment. It's become a very difficult issue aside from the specific difficulties that have been identified with the tool itself.

Ms SUE HIGGINSON: So the department is committed that it will continue to work with AbSec and ALS in developing or changing—or however it is reviewed—the risk assessment tool? You're absolutely committed to working with them through that?

MICHAEL TIDBALL: Absolutely.

Ms SUE HIGGINSON: Great. If it is so bad, why has it not been completely scrapped? Is that because then there would be a gap or something? We haven't got something to replace it, is that the—

MICHAEL TIDBALL: Yes, fundamentally. Clearly, we have statutory responsibilities. Our focus on running a child protection system and fulfilling our statutory responsibilities means that it exists for a good purpose. It's the means by which you achieve that purpose that needs to be very carefully worked through, appreciating that there is, particularly from the perspective of AbSec, an urgency to this as a piece of work, which has been made very clear to us, and that message has been received and we working on it. But as I say, this is something in which the Minister has a very active interest and, probably, it's a process that will be completed, quite appropriately, by her.

Ms SUE HIGGINSON: At the Minister's forum, there was the announcement that the Aboriginal safeguarding decision-making panels would be established. If it's determined an Aboriginal child is unable to live safely at home, there is some concern from those peak Aboriginal organisations that the current DCJ-led approach to those panels is not taking into account properly the role of the Aboriginal Case Management Policy. Is that fair criticism? Or is that something that—

SIMONE CZECH: No, I don't think it's fair criticism. They go hand in hand. The update to the safeguarding panels is they've now all been implemented and each district has had at least one. And the idea about the safeguarding panels and the membership at the moment is caseworkers, Aboriginal staff inside DCJ—

Ms SUE HIGGINSON: Sorry to interrupt. How does that work with the Aboriginal Community Controlled Mechanism?

SIMONE CZECH: Yes, I was getting there. We also have our legal team there and that's to really push us on have we tried every other option aside from removal or actually making a care application to the Children's Court—so some of the other options that are available under the legislation, like parental capacity orders, for example. We have also invited our ACCOs, where they exist in particular districts, to be part of those panels as well. We do want to include community members and other organisations that are not covered by the privacy provisions in the legislation, but we're just working through some legal advice on how we might be able to do that. But the plan is to do that. So with the ACCOs there, I think that's one way of fulfilling the Aboriginal case management responsibilities. We also have AbSec who are in the process of rolling out—and Mr Thomas will have to remind me of what the acronym stands for—the ACCMs.

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BRENDAN THOMAS: Aboriginal Community Controlled Mechanism.

Ms SUE HIGGINSON: Yes, that's the ACCM.

SIMONE CZECH: Yes, the ACCM. Each local executive district director is working with their ACCM person.

Ms SUE HIGGINSON: One of questions around it is: Are we duplicating? Or how do they work together?

SIMONE CZECH: No—well, my view is we're not duplicating. We're fulfilling our statutory responsibilities, making sure that every option has been ruled out before we take quite drastic action to either remove a child or bring a care application on foot and, like I said, we're involving Aboriginal community controlled organisations and, longer-term, the community. I think they actually work hand in glove, would be my view. But Mr Thomas might want to add.

BRENDAN THOMAS: Yes. The safeguarding decision-making panels are exactly that—about safeguarding the way in which decisions are made, and it's to ensure that there is a consistent process around how those very significant decisions are made across DCJ. Your question earlier today about the placement principle, for instance, and how do we know that's being applied—a similar question arises for active efforts. How do we know there has been—

Ms SUE HIGGINSON: I was going to say, will this tie into active efforts? Is that how this will feed into that?

SIMONE CZECH: Absolutely.

Ms SUE HIGGINSON: I see.

BRENDAN THOMAS: How do we know active efforts have been appropriately sought prior to the matter going to court? And how do we get that proper quality control over those significant decisions at an operational level in each district? That has independence from the immediate casework. So it has other people involved and it has lawyers on it to make sure that the law is being appropriately applied and other legal options are being explored, but then can involve community members—once we sort these legal questions out—such as ACCMs in those panels as well. So, that there is consistency and oversight for those really important decisions and making sure that what needs to have happened has actually happened, and then centrally governance it. Ms Czech and I and Ms Campbell sit on it to oversight what's actually happening there, so that we can look at it in real time and provide proper critical oversight to those really important decisions that are being made.

The ACCMs being established through the Aboriginal Case Management Policy by AbSec are fundamentally important local mechanisms about holding us to account, about advocating for people in our system, about being involved in decision-making such as this, as well as other decision-making. Ms Czech mentioned earlier the arrangements with the Orange Aboriginal Medical Service. They're sitting in work allocation meetings, a whole range of other things that are beyond just these decision-making forums. And so there are ranges of options for ACCMs to be involved in all sorts of things in the way that the department does its business. They need to be established first, though. We want to bring that level of quality control around decision-making rather than wait for the ACCMs to be established first, because at the moment there is one ACCM.

Ms SUE HIGGINSON: I see.

MICHAEL TIDBALL: Very quickly, I think the point to be made is the safeguarding decision-making panels are a significant improvement and if we waited—but I wouldn't sit here saying that they are perfect. They will be a marked improvement. We will work with community, partner with community, and over time they will be refined and the capability will be enhanced. But I think, as I totally endorse Ms Czech's affirmation of what we're doing because, as she indicated, six out of seven districts are up now—

SIMONE CZECH: Yes, they all have them now.

MICHAEL TIDBALL: They all have them. All right. Well, they over time will be refined.

Ms SUE HIGGINSON: One of the things I think I'm hearing as well is that the stakeholder group and the ministerial group—it sounds like you need to do some work in terms of really bringing everybody onto your thinking, or their thinking being brought into your thinking. I think that's what I'm hearing because I can hear the intention, I can see the structure. By the sounds of it, the questions that I've given are getting—but I just think there's not quite enough trust yet, or whatever that thing is, the glue that will hopefully make this different and better for all the children. I think that's where we're at a little bit. You're nodding your head there, Mr Thomas.

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BRENDAN THOMAS: The establishment of this partnership group, I think, is the mechanism to help build that. That's overseeing this kind of reform, overseeing the performance of the system and how we're doing this work, and can provide direct oversight and input as to what's actually happening here, and break down some of those communication and trust barriers, hopefully.

Ms SUE HIGGINSON: Just on that, I hear all the time whenever I'm doing work with the police and trying to look for less contact, particularly young people, they repeatedly say to us that there needs to be more when a young person's in trouble and police are denying bail to young people because there isn't the right thing right there to help that young person. Is there work that DCJ is doing, particularly around—the kid might be saying, "I can't go home" or "I can't go there", and the police are always saying "We're lacking this here, this mechanism, this part of the wraparound." What are we doing on that front to stop kids being denied bail? Sorry, I'm not suggesting for the reasons they have to be denied bail. I get that that's a police problem.

SIMONE CZECH: Of course, and this is probably delving into Minister Dib's committee as well.

Ms SUE HIGGINSON: Yes.

SIMONE CZECH: But we do know, as everyone in the room will know, that there is significant crossover between children who come into contact with police and Youth Justice, and the child protection system. I think from memory about 50 per cent of children known to Youth Justice, or young people known to Youth Justice, also have had contact with the child protection system. I can get the actual figure. I think it's about 20 per cent, I think—no, it's less than that. There's a proportion, a percentage, of kids that are in out-of-home care that have also experienced Youth Justice detention. There's a range of services Youth Justice provides that are bail services—the bail accommodation line. We've got services like Youth on Track, which is our flagship diversionary program. We have A Place to Go, which is an accommodation unit for contact in case accommodation is needed, and there are some bail initiatives around the State as well. We can provide more information on notice, if that's helpful.

Ms SUE HIGGINSON: For me, the test would be is every copper in the State that's about to not be able to grant bail because the kid said something—do they know where to go? Do they have something they can do in terms of attempting to access?

SIMONE CZECH: Look, I can't speak on behalf of the police. It might be a question for the police. But certainly, in Youth Justice we do a lot of work around increasing awareness of what's available and who they can contact. Then, of course, if the child is allocated a caseworker in child protection, that's another point of contact where our caseworker and child protection can assist, whether it's accommodation or any other support services for that young person.

The Hon. NATASHA MACLAREN-JONES: I have just a couple of questions following on from discussions about high cost emergency placements from this morning. I just want to clarify, are professional care models, such as PIC, included in that category?

SIMONE CZECH: No.

MICHAEL TIDBALL: No. However, the PIC model does have an appeal and we are looking at models of more agility and a more contemporary way of doing foster care. I think the issue with the PIC model and models like that is around scalability, and that's the work that needs to be done.

The Hon. NATASHA MACLAREN-JONES: You said that there is work being done. Is an evaluation being looked at in relation to that type of care?

MICHAEL TIDBALL: I think PIC, to my knowledge, has been—

ANNE CAMPBELL: I think it has been evaluated.

MICHAEL TIDBALL: There has been an evaluation.

ANNE CAMPBELL: I can take that on notice to see if there's anything else about it.

MICHAEL TIDBALL: And the evaluation will be good. I think the issue with it is, if you look at the challenges that we have and the scale of our system, that is how you would take the learnings from that and apply to such a large system in a way that is viable and where you can actually attain the skill you need to run such a system on a large scale.

The Hon. NATASHA MACLAREN-JONES: In relation to the targeted early intervention evaluation, on the website there's a fact sheet that says on 1 September the TI evaluation interim report would be due and in May next year the final report would be due. I'm just wondering if the interim evaluation has been done.

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ANNE CAMPBELL: I'll take that on notice and maybe come back after the break, presuming we come back after the break.

Ms SUE HIGGINSON: That was brilliant!

The Hon. NATASHA MACLAREN-JONES: Could you also advise whether or not that report, which was due in September, was provided to the Minister or her office?

ANNE CAMPBELL: Yes, I'll take that on notice.

Ms SUE HIGGINSON: I've got a bunch of other questions. I can actually put them on notice. They're not particularly complicated questions. I'm very happy to do that, but we can discuss that. Can I just ask one thing, though, and I think it is perhaps to Mr Thomas. I know this is a bit outside, possibly, but justice reinvest in Moree, my understanding—and I'm going off the top of my head here, so correct me if I'm wrong—is that the members on the board of that organisation, a lot of them—or some of them, if you could call it a lot—are staff from DCJ. Is that your understanding?

BRENDAN THOMAS: I know of two.

Ms SUE HIGGINSON: Okay. It's been raised with me that there's some concern about the way that's happening. I'm not exactly sure of justice reinvest's funding arrangements at this point in time and how that committee or that board is set up. But there's been some real concern raised with me about the conditions of participation on that board being quite exclusionary. For example, if you're on another committee or another board, you can't be on that one, which excludes many Aboriginal community leaders who are doing lots of work in the community, and also that the meeting hours are always during work hours, or it's a bit inflexible. I don't know if you have any control over that or any say in it, or whether you've identified it could be improved or suggested, and whether that's you're willing to take on.

BRENDAN THOMAS: The Just Reinvest group in Moree has no connection to us formally at all. The people who I believe are involved in Just Reinvest are strong Aboriginal community members who happened to work for DCJ; they're not there because they work for DCJ. We don't fund Just Reinvest in Moree so we have no contractual connections to them. We have an arrangement with Just Reinvest NSW where they're managing the expansion of Justice Reinvestment into Kempsey and Nowra, but we have no funding arrangement with the other Justice Reinvestment site. We have no ability to influence who's on that board, or how often they meet. They're an independent community group.

Ms SUE HIGGINSON: Yes, I realise that and obviously everybody just loves their work and wants more. It was just brought up with me as is there something that somebody can do? But it's obviously something that needs to Just Reinvest and approach them about. Thank you very much. I'm content. I think we'll break. Thank you very much.

(Short adjournment)

The Hon. NATASHA MACLAREN-JONES: I move to investment in disability services. In 2022-23, how much was provided to New South Wales organisations to receive the NDIS Information, Linkages and Capacity Building grants?

ANNE CAMPBELL: I've got the Disability Advocacy Futures Program and that was \$14.8 million allocated in 2023-24.

The Hon. NATASHA MACLAREN-JONES: Okay, that was one of my questions. How many organisations is the fund supporting?

ZOE DENDLE: Nineteen.

The Hon. NATASHA MACLAREN-JONES: How much has been allocated to the disabilities policy team?

ANNE CAMPBELL: I'd need to take that on notice, but the disability policy team has 22 FTE. They are responsible for the NDIS work that we're doing with the States and Territories and the Commonwealth—the Australian disability strategy and the advocacy that I mentioned earlier.

The Hon. NATASHA MACLAREN-JONES: How much is allocated to the Restrictive Practices Authorisation this financial year?

ANNE CAMPBELL: Again, I'd need to take that on notice, but I do know that there are nine FTE staff that manage that function in DCJ.

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The Hon. NATASHA MACLAREN-JONES: In relation to the Taxi Transport Subsidy Scheme, what is the current budget for that?

ANNE CAMPBELL: I need to take that one on notice.

The Hon. NATASHA MACLAREN-JONES: I understand there is a \$2 million cut in that for this financial year. If you could take that on notice—where that funding has gone to, if it has been cut?

ANNE CAMPBELL: Yes, and I think that would be from education.

ZOE DENDLE: Yes, we will need to take that one on notice, and we'll get back to you.

The Hon. NATASHA MACLAREN-JONES: In relation to More Jobs, More Care, which was a two-year program that I believe runs out, or has run out, this year—

ZOE DENDLE: That's correct.

The Hon. NATASHA MACLAREN-JONES: —do you have a breakdown of how many people participated in that program?

ZOE DENDLE: We'll take that on notice.

The Hon. NATASHA MACLAREN-JONES: Can you advise how many people commenced and also how many people identified as Aboriginal that completed the program?

ANNE CAMPBELL: Yes.

ZOE DENDLE: Yes.

The Hon. NATASHA MACLAREN-JONES: Do you know how many of the people that completed the program went on to get full-time employment?

ANNE CAMPBELL: I think we'll take that one on notice.

The Hon. NATASHA MACLAREN-JONES: Okay. Is the program continuing?

ANNE CAMPBELL: No.

ZOE DENDLE: No, it concluded in June this year.

The Hon. NATASHA MACLAREN-JONES: Okay, and what has replaced it?

ZOE DENDLE: It was always a time-limited COVID response, so it was always for that duration. But there are some evaluations that we'll be looking at in terms of any future recommendations to come from that.

The Hon. NATASHA MACLAREN-JONES: Is any investment or work being done to grow the carer workforce?

ZOE DENDLE: Not specifically from this year's budget.

The Hon. NATASHA MACLAREN-JONES: I understand some of the work that is done at a Commonwealth level is particularly in relation to the thin markets. I think there was a pilot that was done here in New South Wales. Do you have any information on that?

ANNE CAMPBELL: I think we can take that one on notice and come back to you.

The Hon. NATASHA MACLAREN-JONES: Is the multicultural consultative group still in operation—the Multicultural Disability Advocacy Association?

ZOE DENDLE: I would have to take that on notice.

The Hon. RACHEL MERTON: How much has been allocated for out-of-home care and permanency support this financial year?

ANNE CAMPBELL: I think I mentioned that this morning—\$1.9 billion, which includes the high-cost emergency arrangements.

The Hon. RACHEL MERTON: How much is being allocated for targeted early intervention?

ANNE CAMPBELL: That's \$187 million.

The Hon. RACHEL MERTON: How much is being allocated for child protection?

ANNE CAMPBELL: That's \$889 million this year.

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The Hon. RACHEL MERTON: Could I receive a breakdown for each program, if possible, of Brighter Futures, Youth Hope, Intensive Family Preservation, Multisystemic Therapy for Child Abuse and Neglect, and Functional Family Therapy?

ANNE CAMPBELL: I'm happy to take that on notice. I've got it in here somewhere.

The Hon. RACHEL MERTON: How much is being allocated for pregnancy family conferencing?

MICHAEL TIDBALL: We'll need to take it on notice, Ms Merton.

The Hon. RACHEL MERTON: Further, how much has been allocated for Closing the Gap initiatives for child protection and out-of-home care?

BRENDAN THOMAS: We can provide you that on notice as well.

The Hon. RACHEL MERTON: And how much has been allocated for Strong Families, Our Way?

BRENDAN THOMAS: That is a subcomponent part of the Closing the Gap budget, so we'll provide you that with the Closing the Gap budget.

The Hon. RACHEL MERTON: What funding has been provided to Family Connect and Support this financial year?

ANNE CAMPBELL: It is \$21 million.

The Hon. RACHEL MERTON: How many clients has Family Connect and Support supported for the years 2021-22 and 2022-23?

ANNE CAMPBELL: I know I've got it in here. I might take that one on notice, but I do have that data.

The Hon. NATASHA MACLAREN-JONES: I'm interested in the diversion of people with cognitive disability from local courts. I'm mindful this may cross over to the AG—I understand if that's the case, because we have him tomorrow anyway—but I'm interested to know how it's tracking in expanding that program.

MICHAEL TIDBALL: Can I do some homework tonight, Ms Maclaren-Jones?

The Hon. NATASHA MACLAREN-JONES: I understand we've got 155 courts, but there are only six of them that are actually running the program at this stage, so if there is any work that is being done to—

MICHAEL TIDBALL: Fine.

The Hon. NATASHA MACLAREN-JONES: There's a question of demand. I have a couple of questions for the commissioner. In relation to your annual report—I understand it refers to a trial of over 100 one-off visits that were done.

ROBERT FITZGERALD: Correct.

The Hon. NATASHA MACLAREN-JONES: Can you outline what that means, and will you continue with these one-off visits?

ROBERT FITZGERALD: As you're aware, the scheme has three components: the visitation of disability services, and the aim is to visit them twice a year; assisted boarding house, the aim is to visit them four to six times a year; and out-of-home care for children, and the aim is to visit them four times a year. Because of the budget constraints, I was concerned, as you're well aware, that our rate of allocation of visitable services had dropped below 50 per cent. In other words, less than 50 per cent of services that we were meant to visit could be visited. That, to me, posed a risk to residents and to government. We then initiated a scheme of these one-off visits. That was to have visitors that would actually go into a service on a strategic basis, do a one-off visit and then report in relation to those matters, so that we were touching every service provider in New South Wales, even if we couldn't actually visit all of the services.

It was a strategic approach—a risk-management approach. Those visits have proved to be very successful. It is likely that we will continue that because, even with the funding that we've received, we are still not able to achieve those goals that I've indicated to you. Yes, we will continue to do that. The aim is so that every service provider, of which there are now increasing numbers of new service providers in out-of-home care and in disability in particular—we need to have some presence in their sort of remit. We will continue that scheme.

The Hon. NATASHA MACLAREN-JONES: What work is done with the Children's Guardian in relation to—obviously, they've got some oversight and you have visitation. Is there duplication of work?

ROBERT FITZGERALD: The scheme that operates for out-of-home care—there were 346 residential services last year, and that number is increasing. Those visits are under the Act that is administered by the

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Children's Guardian. In an arrangement between the Children's Guardian and ourselves, the Ageing and Disability Commission administers that scheme as well as the disability and boarding house scheme. The reason for that is that for a very long period of time, visitors, when they were with the Ombudsman's office, were visiting all three—boarding houses, disability and out-of-home care. So it was administratively much simpler to maintain those arrangements. That's the reason behind it. Our community visitors report issues and information obviously to myself but also to the Children's Guardian on a regular basis—a quarterly basis. They're able to take complaints to the Children's Guardian directly or to DCJ directly. Then the Children's Guardian himself actually meets with the visitors at their annual conference as well as other forums. So the community visitor issues do land on his desk on a regular basis.

The Hon. RACHEL MERTON: If I could pick up the family preservation program, I'm questioning what the total number of contracted places is that family preservation programs have provided this financial year?

ANNE CAMPBELL: I'm just checking. I think I'll take that on notice, but I might be able to give it before the end of this session.

The Hon. RACHEL MERTON: Also, how many services were delivered to children this financial year?

ANNE CAMPBELL: I'll take that one on notice.

The Hon. RACHEL MERTON: Then further to that one, how many of those children that received that service this financial year were Aboriginal?

ANNE CAMPBELL: I'll take that on notice.

The Hon. RACHEL MERTON: Regarding the Permanency Support Program-Family Preservation, how many families have been assisted this financial year?

ANNE CAMPBELL: Do you mean last financial year or to date, this financial year?

The Hon. RACHEL MERTON: To date.

ANNE CAMPBELL: I'll take that on notice.

The Hon. RACHEL MERTON: And last financial year, if possible.

ANNE CAMPBELL: Yes.

The Hon. RACHEL MERTON: Then further to that, how many families were Aboriginal receiving assistance this financial year?

ANNE CAMPBELL: Yes, I am happy to take that on notice.

MICHAEL TIDBALL: I think the answer to that is 300.

The Hon. RACHEL MERTON: Thank you. Then relating to the Brighter Futures Program, how many families received support this financial year under Brighter Futures?

ANNE CAMPBELL: I'll take that on notice.

The Hon. RACHEL MERTON: How many children and young people received support under Brighter Futures?

ANNE CAMPBELL: I'll take that on notice.

The Hon. RACHEL MERTON: Then regarding the Youth Hope program, how many children and young people received support this financial year?

ANNE CAMPBELL: I'm happy to take that on notice and for last year as well.

The Hon. RACHEL MERTON: Then just moving to MST-CAN, or Multisystemic Therapy for Child Abuse and Neglect, and Functional Family Therapy-Child Welfare, how many families received support this financial year?

ANNE CAMPBELL: I'll take both of those on notice.

The Hon. RACHEL MERTON: Then regarding the Nabu program, could I receive information on how many families received support for the following years—2019-20, 2020-21 and 2021-22?

ANNE CAMPBELL: Yes, I am happy to take that on notice.

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The Hon. RACHEL MERTON: Further, is there a commitment to expand the Nabu program outside the Illawarra and Shoalhaven area?

ANNE CAMPBELL: Currently, we've got funding that's constrained, so not at this stage.

The Hon. RACHEL MERTON: Regarding Resilient Families, how many families have been referred to the program this financial year?

ANNE CAMPBELL: I'll take that on notice.

The Hon. RACHEL MERTON: Is there a commitment to expand Resilient Families to areas outside of south-western Sydney, Sydney and the south-eastern Sydney districts?

ANNE CAMPBELL: Not at this stage.

The Hon. RACHEL MERTON: Then further, what are the funding figures relating to Intensive Family Preservation, as to how many families received support in 2022-23?

ANNE CAMPBELL: I'll take that on notice.

The Hon. RACHEL MERTON: Could I also receive information on how many families received support around the intensive-based family support?

ANNE CAMPBELL: I'm happy to take that on notice.

The Hon. RACHEL MERTON: How many Aboriginal families received support from the intensive-based family support?

ANNE CAMPBELL: I might have that. Let me just check. The family preservation program is an \$169 million investment in 2022-23, and it has approximately 10,000 children who had been reported at risk of significant harm who received that service. You also mentioned earlier the Targeted Early Intervention program. In 2022-23, 170,229 clients accessed that program, and the budget in 2022-23 was \$171 million. You also asked earlier around the family connect program in terms of the number of families. That is 20,265 for 2022-23.

The Hon. NATASHA MACLAREN-JONES: I might jump in in relation to Thriving Families NSW and how many that has assisted in 2021-22 and 2022-23 and whether or not you could provide a breakdown of the number of parents and children supported.

ANNE CAMPBELL: Yes, I'll take that one on notice.

The Hon. NATASHA MACLAREN-JONES: Also, is there funding to extend the program beyond 2024?

ANNE CAMPBELL: Not at this stage.

The Hon. NATASHA MACLAREN-JONES: In relation to the Safe and Supported national framework, action item number 3 is regarding workforce. One of the time frames is for jurisdictions to report on their current and projected workforce needs across their jurisdiction. Do you have any information on that and how that's tracking and the analysis that has been done?

ANNE CAMPBELL: I might take that on notice so I can give you a more fulsome response.

The Hon. NATASHA MACLAREN-JONES: Also provide information on the barriers and also the opportunities to inform the strategies around sustaining the workforce—the two items under action item number 3A.

ANNE CAMPBELL: Okay. I'm happy to take that on notice.

Ms SUE HIGGINSON: In the 2022-23 budget, it provided for six new Aboriginal child and family centres. Have they been chosen? What's the progress on those?

BRENDAN THOMAS: Yes, there has been a significant amount of consultation with community as well as engagement of architects and designers to design prototype centres. The process which that goes through is a business case that needs to be put to Treasury to release funds. That business case needs to be put to Treasury by the end of this year, and we're on track to do that.

Ms SUE HIGGINSON: Is it known where the locations are?

BRENDAN THOMAS: The final decision for where they'll be has not been finalised yet.

Ms SUE HIGGINSON: Thank you. The evaluation of the Permanency Support Program—I don't know if this was touched on earlier. I'm not sure.

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MICHAEL TIDBALL: No.

Ms SUE HIGGINSON: It hadn't. I think that was undertaken by the Centre for Evidence and Implementation, through Monash, and that major reform effort had failed to make much of a positive difference was what, I think, the evaluation found. I haven't read the evaluation fully. What's the response been? The top lines were pretty critical, I think. What's the response of the secretary? What's your response to that? Have you discussed that with the Minister?

MICHAEL TIDBALL: Absolutely. My high-level response to it is that, given the cost of that program and the period of time for which it'd been running, the review was timely. That review clearly synchronises with the realisation that there are other systemic challenges that we face in the system at the moment and the connect between that work and out-of-home care. So there is a need to do a holistic piece of work that looks at all of the programs and how they connect together. That work is underway. The Minister this morning spoke about a program of reform going forward, which is being considered. PSP and the evaluation and the outcomes of that review are part of that. Clearly, within that there is consultation that needs to take place and communication that needs to take place with those NGOs impacted. That, of course, is a part of it, as well, but it is work in progress but not happening just purely around PSP. It needs to be part of a broader response.

Ms SUE HIGGINSON: With that, though, there was 19 quite clear recommendations. Will you actually respond to those? Or is this going to be merged into the broader reform?

MICHAEL TIDBALL: I might refer it to Ms Campbell. My response to that is, clearly, both need to happen.

ANNE CAMPBELL: We've also been working with, obviously, the NGOs that deliver this program and particularly through ACWA and AbSec to actually get feedback on the evaluation report. So we haven't yet provided a response on those recommendations. I think we had the last meeting last week, with the NGO sector. But I think the secretary is correct in that we will look at the PSP evaluation outcomes and what the government response will be but in the context of the broader reform because, clearly, the PSP evaluation did demonstrate or didn't demonstrate improved permanency outcomes for children and young people.

Ms SUE HIGGINSON: Yes. Under that, I've got a bunch of questions that come through. One of the points that it said was that, although over 95 per cent of children who entered the out-of-home care received the PSP packages, very few went on to receive the restoration support. How many Aboriginal and non-Aboriginal children were restored to their parents from final orders, from interim orders, in the last two years? Have you got those numbers?

ANNE CAMPBELL: We would have it, so I'll take that on notice.

Ms SUE HIGGINSON: What I was going to say is I've actually got a few questions that come directly from that, and they're really good questions, and they've been provided to me. So I might put those through to you, and we can get those, and they really are just about trying to track what we've done.

ANNE CAMPBELL: Happy to.

The Hon. TANIA MIHAILUK: I just wanted to put a couple of questions. I want to ask about the Office of the Senior Practitioner, specifically, if I can ask—I understand they conduct research. So I'd like to know how many staff are within the realm of the Office of the Senior Practitioner in the first instance.

MICHAEL TIDBALL: We can answer that.

The Hon. TANIA MIHAILUK: You can probably answer for me that pretty quickly.

SIMONE CZECH: I actually think we might need to take that on notice, because the figure I've got here I don't think is correct.

The Hon. TANIA MIHAILUK: You might need to take this on notice, too. I'd like to know how many qualified caseworkers are currently employed within the Office of the Senior Practitioner?

SIMONE CZECH: Can I just clarify the question. Caseworkers that—

The Hon. TANIA MIHAILUK: They were caseworkers that have now been seconded into the Office of the Senior Practitioner.

SIMONE CZECH: We can get that.

The Hon. TANIA MIHAILUK: I'd also like to know generally across all the different departments how many caseworkers have been seconded.

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SIMONE CZECH: We have that available. I don't have it with me today.

The Hon. TANIA MIHAILUK: That's fine. You can take that on notice. That's great. Can you also provide me specifically how many conferences, both interstate and overseas conferences, that senior executive or, indeed, any of the management have undertaken in the course of the last, say, two years, specifically the Office of the Senior Practitioner.

SIMONE CZECH: Certainly. We can provide that on notice.

The Hon. TANIA MIHAILUK: And I'd like the costings of each of those conferences. Thank you.

SIMONE CZECH: Yes.

Ms SUE HIGGINSON: This is a question that I have, that it is quite a broad one, and you don't have to answer it, Mr Thomas. Given the significance of your role in guiding the Closing the Gap work on behalf of the whole Government, how do you see things tracking in this area here, in DCJ? It's so clearly one of the hardest ones in terms of the targets that we're looking at.

BRENDAN THOMAS: My job is in DCJ, not in other targets outside. These ones are big enough.

Ms SUE HIGGINSON: Yes. I feel like you have been everywhere in budgets, carrying the burden of all of the departments.

BRENDAN THOMAS: I think, to be frank, the challenge is these targets affect the same people. The families that are in out-of-home care, the families that are in the criminal justice system are often the same people with the same circumstance.

Ms SUE HIGGINSON: That's right.

BRENDAN THOMAS: The challenge we have with the Closing the Gap focus on specific targets, I suppose, is twofold. It can focus on system reform, which is really important to do, but you can lose sight of people. If we don't think about how people and families interact with government systems as a whole, I think we miss the fundamental opportunity for reform in Closing the Gap. Simone and I have started some work in DCJ, looking at who are those people that are coming into contact with all the different parts of DCJ—people with children in the out-of-home care system, who live in public housing, who've been in prison or Youth Justice or seeking assistance from domestic violence services. When we start to have a look at how many of those of those people—there's a lot of them and a lot of families. Our engagement with them can tend to be quite transactional.

The work that we're doing is to look at how do we reform ourselves so that, if we apply the resources, the expertise, the statutory authority in a constructive way to try to remediate the disadvantage that those families experience—what a different organisation we could potentially be. We're starting doing that work, specifically in south-western Sydney, to say how can we start to think about putting those families at the centre of what we do and how we think about ourselves. To really look at how we use our ability to stop that disadvantage and stop people becoming entwined in the systems like DCJ over multiple generations and doing that in a way which engages staff and people in helping to redesign that. It's just started. It's been going for a little while, but the design work has recently just commenced. The greatest opportunity, I think, if we really want to close the gap, is not just thinking about the transactional interactions of people with prisons or courts, wherever it is, but how do we stop that continued intergenerational involvement in government services and statutory systems. That's where the real focus, I think, can tend to shift.

Ms SUE HIGGINSON: Do you think, at this point, that you're seeing some of those rewards of that pivoting the system towards that kind of model? Are you starting to see that? Are you seeing that the system is building those capacities to achieve it?

BRENDAN THOMAS: I think so, and I think, stemming from that reform forum that we had in August, a really strong desire amongst Aboriginal people to move in the same direction, of taking greater control of the future of their own families and thinking about how we redesign our systems to do that, is a great benefit. I think we're seeing a bunch of structural changes in the way DCJ operates, not least of all the introduction of the active efforts provisions in the legislation. The introduction of standardised decision-making is really important and is setting us up to start to be better in making those decisions and getting people out of our systems.

Ms SUE HIGGINSON: In the families and the communities and the systems that you've got visibility over, do you see that the Government's agenda and policy around treaty will have an intersection with those communities?

BRENDAN THOMAS: I think that's probably stretching my participation in the estimates Committee, to express a view on that.

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The Hon. TANIA MIHAILUK: Good answer.

Ms SUE HIGGINSON: That ministerial partnership meeting was clearly, as the Minister said, a full-on meeting—that kind of coming together and building of trust. In your role, do you get criticism from communities and from those ACCOs—the people? Do you cop that?

BRENDAN THOMAS: Yes, all the time.

Ms SUE HIGGINSON: Are you seeing that there's a strategy around what the Minister was talking about this morning, with her program of trust and building and engagement? Do you see that that would be a constructive pathway to lessen the burden that you carry?

BRENDAN THOMAS: From an Aboriginal communities point of view, DCJ is the continuance of 200 years' worth of involvement in people's families. We might make changes in the next six months or 12 months, and that might go some way to changing people's perceptions, but people carry multiple generations of memories of experience of this system. That's not something that's going to be changed or turned around very quickly.

Ms SUE HIGGINSON: No. Thank you.

The Hon. NATASHA MACLAREN-JONES: I've got a couple of questions. One is in relation to the Kids Early Years Network. How is that initiative going? Is it continuing to be funded?

ANNE CAMPBELL: Yes, it is continuing to be funded, and I'm pretty sure they're looking at an evaluation of it at the moment.

The Hon. NATASHA MACLAREN-JONES: I assume you'll need to take it on notice, but do you know when that evaluation is due?

ANNE CAMPBELL: I'll take that on notice.

The Hon. NATASHA MACLAREN-JONES: When is it funded up to?

ANNE CAMPBELL: Certainly this financial year, but it may be subject to an evaluation and that it's actually being effective. I understand it's doing a great job.

The Hon. NATASHA MACLAREN-JONES: Yes, they all do a very good job out there. In relation to the commissioner's annual report, I understand that 5,683 issues were raised about visitable services and support for residents. That included residents who were not actively encouraged and supported to participate in their community in ways that are meaningful, and residents' files, records and plans not being in place. Commissioner, could you outline a little bit more? I'm interested to hear what work has been done by the department to address that.

ROBERT FITZGERALD: As you're aware, the scheme has been going for something like 27 years, and it's been visiting disability services and out-of-home care and boarding houses throughout that entire period. Secondly, as you know, I was Community and Disability Services Commissioner 25 years ago, when I was much younger. One of the difficulties is that many of the issues have not changed. Despite all of the system changes, the introduction of NDIS and new innovations in child protection and out-of-home care, the issues that community visitors have been raising consistently remain similar.

What we decided to do, because I believe that the work of the OCV should inform systemic reform, is to ask them to look at three issues in the disability area and three issues in the out-of-home care area. The issues that come up all the time are about compatibility, as you've indicated; the lack of involvement in meaningful activities, including skills development; and in out-of-home care, the leading issue continues to be, through the whole of those 27 years, leaving care planning or the absence thereof. Those systemic issues we've presented to the department and, in fact, to the Children's Guardian and to the NDIS Quality and Safeguards Commission, in a way to take the individual issues that we deal with into some sort of systemic approach in relation to each of those.

I won't go long because they're all complex issues. Compatibility is a serious issue in both out-of-home care and disability. It's compounded in the disability sector by the NDIS and money, where decisions about compatibility have now got a financial edge to them, which was not the case previously. Compatibility has always been complex. Placing people with high needs, particularly intellectual disability and psychological disabilities, has always been difficult. But the environment we're in means that there are other factors that are causing people to be excluded or not taken into a particular house. In the out-of-home care area, it's not driven by financial considerations. But the issue there is about the compatibility of those residents, and there's no doubt at all that there has been, over time, a reluctance by youth workers and workers to, in fact, accept people into those houses who would otherwise have been accepted previously. So compatibility is a very big issue, both in disability and out-of-home care, and it's not easily able to be resolved.

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The involvement in meaningful activity is really a deep concern. One of the things that's happened in disability land has been a disinvestment in issues going to the quality of life of people with disabilities beyond the provision of normal care—that is, housing, food and clothing—and it's a perverse outcome. NDIS should have actually given us a much more holistic approach to the wellbeing of people with disabilities. Because of the number of the problems within the NDIS, which you're well aware of, our visitors are constantly saying there is a disinvestment in the skills development in relation to people with disabilities. I think they're right. In relation to out-of-home care, the issues you've already touched on—the absence from school, the absence from the actual placement. The lack of consideration beyond the basic needs remains an issue of profound concern, and you've touched on some of those throughout the day.

The last one is the leaving care planning. It's a huge problem, and it's been a huge problem despite the enormous efforts by DCJ and its predecessors. If we can't get leaving care planning right, that person leaves the system in a very vulnerable environment, without the necessary support, skills and capacities to enter adulthood in a very uncertain environment. Those are the three issues which we've taken a systemic interest in across those three services. But they're not new, and no-one at this table would think that they are new. The challenge is, after 20 years, why do we have the same issues being reported in relation to the same groups of people?

The Hon. NATASHA MACLAREN-JONES: As you mentioned, I think we've covered off the leaving care plans. But I'm interested in the second point, which was the involvement in meaningful activities. What work is being done to support people, particularly in residential care or disability homes?

ANNE CAMPBELL: Could you just repeat that question?

The Hon. NATASHA MACLAREN-JONES: It was the second point. We've covered off the compatibility of services and the leaving care plans. But the second point that the commissioner raised was involvement in meaningful activities—skills development across all service types. I'm just interested to know the department's work in that space.

ANNE CAMPBELL: I probably need to take that one on notice and come back to you.

SIMONE CZECH: If I could add, the children in out-of-home care that live in residential settings—like any child in out-of-home care, they all have a case plan. That case plan should detail those activities, along with schooling, health et cetera. Just in terms of the commissioner's comments about leaving care, which I absolutely wholeheartedly agree with, we've got some further work to do to improve our leaving care work with young people. But there has been a significant improvement over the last three years. We've seen leaving care plans get to a compliance rate of 76.9 per cent, which is a 10.3 per cent increase from three years ago—nowhere near where it needs to be; it needs to be 100 per cent. But we are continuing to make efforts and educate staff, in particular, about the importance of but also what needs to go into those plans.

The Hon. NATASHA MACLAREN-JONES: Have all New South Wales government agencies developed their child safe action plans?

ANNE CAMPBELL: We'd probably need to get advice from the guardian.

MICHAEL TIDBALL: I would need to take that on notice, I'm sorry. It is, as Ms Campbell has indicated, a matter where we'd need to confer with the guardian.

The Hon. NATASHA MACLAREN-JONES: That's fine, and then if you can also clarify which ones are outstanding and what work is being done to ensure that they do put their plans in.

MICHAEL TIDBALL: Of course.

The Hon. NATASHA MACLAREN-JONES: I have just a final question in relation to the process for questions on notice. I wanted to know your understanding of, when a question is submitted to the Minister's office and sent to the department, what the process is in the response coming back to a member of Parliament.

MICHAEL TIDBALL: Can you repeat the question?

The Hon. NATASHA MACLAREN-JONES: I'd like to understand the process of a question that is submitted as a question on notice. Once it's submitted to the Minister's office and then sent to the department, what is the process for it then to come back to the member?

MICHAEL TIDBALL: This is almost going to sound like a pun, but if I can take that on notice—

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

MICHAEL TIDBALL: —I'd be happy to document the process. To be honest—

Ms SUE HIGGINSON: Is this *Utopia* or what? We're here. We've made it.

UNCORRECTED

MICHAEL TIDBALL: It's feeling very much like it. But there is a very structured sequence and process, and we're in lock step with those processes with the MOs. Rather than me attempting to describe the wonderful people who support me in their work, if I can take that away, we will give you, possibly, a diagrammatic—

The Hon. NATASHA MACLAREN-JONES: I look forward to it.

MICHAEL TIDBALL: —response if it's deemed necessary, but certainly a response.

Ms SUE HIGGINSON: I'm going to put the rest of mine on supplementaries. I just also want to say, when I was talking to you, Mr Thomas, about treaty, I was more referring to is that something you hear in communities and families across your sector? That was what I was saying. I wasn't actually asking for your opinion on the Government's program. That's where I was going. And you don't have to answer it. Chair, I think that we are—

The CHAIR: You're correcting yourself, are you?

Ms SUE HIGGINSON: I am correcting myself.

The Hon. STEPHEN LAWRENCE: Admonishing herself.

Ms SUE HIGGINSON: That's right. Getting myself out of—no. I think that we have completed.

The CHAIR: We're finished. Government questions?

The Hon. STEPHEN LAWRENCE: No questions.

The CHAIR: Thank you very much for coming today. I note that there were plenty of questions taken on notice. Regarding those questions taken on notice and supplementary questions, the secretariat will be in contact with you for the answers. Thanks very much for coming.

(The witnesses withdrew.)

The Committee proceeded to deliberate.