



**LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL
TERRITORY**

**STANDING COMMITTEE ON HEALTH, AGEING
AND COMMUNITY SERVICES**

(Reference: [Annual and financial reports 2018-2019](#))

Members:

**MS B CODY (Chair)
MRS V DUNNE (Deputy Chair)
MS C LE COUTEUR**

TRANSCRIPT OF EVIDENCE

CANBERRA

TUESDAY, 12 NOVEMBER 2019

**Secretary to the committee:
Dr A Cullen (Ph: 620 50136)**

By authority of the Legislative Assembly for the Australian Capital Territory

Submissions, answers to questions on notice and other documents, including requests for clarification of the transcript of evidence, relevant to this inquiry that have been authorised for publication by the committee may be obtained from the Legislative Assembly website.

APPEARANCES

Community Services Directorate.....127, 154, 164, 209

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Amended 20 May 2013

The committee met at 9.03 am.

Appearances:

Orr, Ms Suzanne, Minister for Community Services and Facilities, Minister for Disability, Minister for Employment and Workplace Safety and Minister for Government Services and Procurement

Community Services Directorate

Cross, Ms Rebecca, Director-General

Sabellico, Ms Anne-Maree, Deputy Director-General

Evans, Ms Jacinta, Executive Group Manager, Inclusion and Participation

Shuhyta, Ms Amber, Acting Executive Group Manager, Strategic Policy

Bassett, Dr Louise, Executive Branch Manager, Policy and Service Design,
Strategic Policy

Dunne, Ms Ellen, Executive Branch Manager, Office for Disability

Gibson, Ms Sally, Executive Branch Manager, Quality, Complaints and Regulation

THE CHAIR: Welcome to the third day of public hearings of the Standing Committee on Health, Ageing and Community Services on referred 2018-19 annual reports. I acknowledge that we meet on the lands of the Ngunnawal people. I pay my respects to elders past, present and emerging and their continuing contribution of their culture to this city and this region.

For this part of the morning, the committee will examine the disability portfolio, specifically relevant parts of the 2018-19 Community Services Directorate annual report as it relates to disability inclusion and participation and disability reform and services. This includes NDIS implementation; the Office for Disability; and quality, complaints and regulation matters. That will be followed by the community services and facilities portfolio, specifically relevant parts of the 2018-19 Community Services Directorate annual report as it relates to inclusion and participation; strategic policy; shared responsibility with the children, youth, and families portfolio; and quality, complaints and regulation as it concerns the working with vulnerable people act.

At the conclusion of this session around 10.30, a break is scheduled for approximately 15 minutes. At the resumption after that, we will examine the multicultural affairs portfolio, specifically relevant parts of the 2018-19 Community Services Directorate annual report relating to multicultural affairs, policy and services. That will be followed by the Aboriginal and Torres Strait Islander affairs portfolio, specifically relevant parts of the 2018-19 Community Services Directorate annual report relating to Aboriginal and Torres Strait Islander affairs, policy and services. The committee will then suspend for lunch at 11.45.

I remind witnesses of the protections and obligations entailed by parliamentary privilege and draw your attention to the privilege statement. Minister and officials, could you please confirm for the record that you understand the privilege implications of the statement?

Ms Dunne: I do.

Ms Orr: Yes, I do.

THE CHAIR: Thank you. Before we proceed to questions from the committee, Minister, I believe that you have a brief opening statement.

Ms Orr: I have tabled that.

THE CHAIR: Excellent. Minister, how is the government supporting people with disabilities in the workplace?

Ms Orr: We have a range of programs and a really successful one with the Canberra Business Chamber as well. I will pass to Ms Dunne to provide you lots of detail on this really good initiative.

Ms Dunne: There has been quite a lot of activity around employment, both locally in the ACT government and with the commonwealth on the national scene. Locally we have a good relationship with the Canberra Business Chamber and with the Inclusion Council. There has been a recent project where a number of people have secured employment with small businesses in particular. That project is coming to an end but we will certainly evaluate it and see whether there is something we can do as a follow-on. We do not want to lose any momentum around employment.

In terms of the commonwealth we are working with the DSS in developing a strategy. That has not really been finalised yet but there will certainly be an approach nationally to look at how we can progress employment of people with disability and also continue to provide additional employment to support demand within the sector. So there are two aspects we are working with the commonwealth on in relation to the NDIA and the work that they are doing nationally in relation to employment of people with disability. It is basically all around looking at plans and having goals for employment for the individual and looking at what can be included in their plan to facilitate that.

There is a lot to do and we are moving slowly at the moment. But, with the national work that is occurring, I think that over the next couple of years we will see some traction there.

THE CHAIR: Just for Hansard, DSS is the Department of Social Services and the NDIA is the National Disability Insurance Agency.

Ms Dunne: Indeed.

THE CHAIR: You mentioned that the ACT government has been involved in a chamber of commerce—

Ms Dunne: Yes, so—

THE CHAIR: Is this the participation expo or something?

Ms Orr: No, that is a different one.

Ms Dunne: We have a relationship with the Inclusion Council, which is an advisory body to the minister, and a number of the themes that the minister has been looking at over the past couple of years included employment. In order to progress that, the Office for Disability provided a small amount of funding, and I believe they had an ILC grant as well. What they were able to do was to employ a project officer or manager and connect with local organisations, small business in particular, to see whether there were any opportunities to encourage organisations to have specific employment targets and programs for people with disability. One of the initiatives that they implemented was a peer-to-peer arrangement, where there was a lot of consultation with individuals and induction into what the opportunities might be across the participating organisations. We were very successful. From memory, I think 24 people were employed, but I will get one of my colleagues to check that figure and I will confirm whether that is right during the proceeding.

Ms Orr: ILCs are information linkages and capacity building grants, just for the record.

THE CHAIR: Thank you.

Ms Orr: Employment is certainly something that, in my short time as minister, a number of people have raised with me as being a priority. In the meetings I have had with both individuals who are living with a disability and stakeholder advocacy groups, they have all pointed to this particular program with the Business Chamber as being a really successful one that really gets into the detail and builds the knowledge and the capacity of employers to take people who are living with a disability into their business. So there is quite a lot of support, from what I can see, out there for this program and it is quite key to continue to support that.

THE CHAIR: I am assuming that these people are being employed on appropriate classifications of wages and—

Ms Dunne: Yes, absolutely. That is part of the framework of the arrangement.

My colleague has just confirmed that there were 24 people who secured employment. As I said, that project has ended now, but we will certainly look at how we can continue to work with the Inclusion Council and the chamber, just to make sure that we have ongoing small projects in the ACT.

THE CHAIR: Can you—on notice is fine—provide a breakdown of what types of employment that was for and also the gender split?

Ms Dunne: Yes, of course.

MS LEE: In that breakdown can you confirm that it is all ongoing employment, as in permanent?

Ms Dunne: We will confirm that.

Ms Orr: To give a bit more information on how the program works, the Business

Chamber has been running information sessions where employers who are interested in taking on people with a disability can get the information they need to make their workplace accessible.

A range of disabilities can be accommodated within the program and it is very much a case of employers coming forward and asking what they need to do and going from there. We would have to get the information case by case because it is not a blanket approach.

MS LEE: In the breakdown the chair asked for, will you provide a breakdown of the nature of the work?

Ms Orr: Yes.

MS LEE: You mentioned that the project has now ended. What is the reason for that?

Ms Dunne: The funding came to an end, basically. That is the reason for me saying we will look at ongoing arrangements to see what is possible in the new year.

MS LEE: You said 24 found employment. Was that the target or did that just happen to be the number it came to?

Ms Dunne: There was not a specific target; we tried to engage as many interested organisations as possible. Going through the framework and the process, that happened to be the number that were successfully employed under that particular project.

MS LEE: Were there many more employers or potential employees who were not placed?

Ms Orr: The feedback is that it has been quite successful. That is certainly the feedback I have heard from advocacy groups and from the chamber. I note that this is the first time we have run this program, so it has been more of a trial in this instance. I have been quite receptive to the feedback we have had that it is a good initiative and really worthwhile. Now we have been through the process we can get all the feedback and look at where it goes in the future.

MS LEE: I am not doubting that it is worthwhile but, in terms of the numbers, I am wondering how you determined that 24 was a pretty good outcome?

Ms Orr: That is a really good question and one I also put. In speaking to the head of the advisory council, for example, I asked, "Look, some might say it is only 24 people. Is that a good outcome?" His response was yes, it is, because those 24 people would not have a job otherwise. But it is also about the awareness-raising within industry and with employers. Sometimes small adjustments make all the difference and you can actually bring people on.

MS LEE: It is really good that 24 people are employed. For other people who wanted employment and were not able to find it do you have a breakdown of how many there were and the reasons?

Ms Dunne: We intend to do a thorough analysis of the pilot and look at what worked, what did not, what were the gaps and what we might have to consider when we do this again. I do not have that detail for you at the moment, but I certainly will be able to provide it to you, if you wish.

MS LEE: Yes, thank you.

MRS DUNNE: I want to ask a question about the application of the Freedom of Information Act in CSD. My understanding is—and this is reflected in the annual report—that there is a blanket approach by CSD to asking for a 45-day extension on top of the statutory time frames for FOI requests. Is that the case?

Ms Cross: Yes, that is the approach we take given that a number of the FOI requests we receive are very large. We try to deal with them in the order that we receive them, so that is the general approach we take.

MRS DUNNE: Have you had discussions with the Ombudsman's office about the appropriateness of that? Is the issue the complexity of the requests or a lack of staffing?

Ms Cross: I have not personally spoken to the Ombudsman about it, but this arrangement was in place since before I started so there may have been some discussions that I am not aware of. I will see if I can find out anything.

MRS DUNNE: Take that on notice. But what you have described is—

Ms Cross: Many of the FOIs we get which go to people who have been in care or people in public housing are huge requests with multiple files. I think we would be in this situation with any sensible level of staffing because there are just such huge requests going back over several years and paper based files.

MRS DUNNE: But has there been an approach either since you have arrived, which is recently, or before to address the staffing levels ?

Ms Cross: Yes, we have been given additional staffing for the FOI team.

MRS DUNNE: What is the staffing complement for the FOI unit?

Ms Cross: From memory it is eight, but I will see if I can confirm that for you.

MRS DUNNE: And what was it?

Ms Cross: I can confirm it is eight and previously it was three. We got an additional five resources so it is now functioning at eight.

MRS DUNNE: Have you been able to meet the 65-day time frame?

Ms Cross: As I said, Mrs Dunne, some of the requests are so huge that they could not be met within the time frame even if we had twice that number of staff. They are just

very detailed requests going back over hundreds of files that all have to be gone through carefully.

MS LE COUTEUR: My question is about the carers strategy action plan. Who is on the governance group overseeing this?

Ms Orr: Ms Le Couteur, the carers strategy does not fit in this session; it would fit in the next one, although I appreciate that a lot of carers are caring for people with disability.

MS LE COUTEUR: If my maths is correct 2,443 more people are accessing the NDIS than was initially targeted for. What has been the impact of that?

Ms Dunne: The impact is that more people than before are able to access funding to provide for their needs. I do not have the allocated funding for those people, but obviously more money is going into the system. Individuals are receiving supports they had not received before and there are organisations that have the opportunity to employ more staff and growth in their business.

The growth generally for the ACT is in the children's cohort. We see more children as new entrants into the scheme who have either developmental delay in one or more domains or are assessed as having an enduring disability with significant functional impairment.

Ms Cross: The original estimates of the numbers of people who would participate in the NDIS were based on a very small population sample that the Productivity Commission used to do the modelling. Governments always understood that as we went through the trial phases and launched into full scheme we would be testing those estimates. Governments were always committed to funding the number of eligible people.

The number was an estimate at the time and this government and the commonwealth fund eligible people on the basis of them being found to be eligible rather than having set a capped program amount. As Ms Dunne said, it is a good thing because every person who is eligible is funded for a place.

Ms Dunne: There is no financial impact on the contributions the ACT makes in relation to the increase in participants.

MS LE COUTEUR: I thought it had some relationship.

Ms Dunne: No.

MS LE COUTEUR: Good. I am sure I speak for the other MLAs here in saying that we all receive some emails, some representations, from constituents saying that they think that someone in their family is eligible and that they are not getting anywhere. Certainly, the impression is that the situation is worse than it was before because there were groups who looked after you. Whatever you had, you were in their program. That was it. What is happening to the people who are finding it hard to access NDIS? I guess we are concerned that that is the problem. It is not an absolutely

everyone-is-better-off situation.

Ms Orr: Before I pass to Ms Dunne to answer that, I would say that if you do have any of these cases, feel free—I would encourage you to do this—to forward them to my office so we can pass them on to the Office for Disability, because they can be quite good in providing advice or pointing in the right direction of where you can get advice to access the NDIS and how to best present your case. That is something that we are more than happy to do. I will pass the substantive part of your question to Ms Dunne.

Ms Dunne: We are certainly happy to advocate for any individual in relation to problems encountered in accessing the NDIS, specifically, if there seems to be an extraordinary issue that has not been considered. Of course, it goes to the point of the number of staff that the agency employs. It goes to the point of their training and it also goes to the point of eligibility when they make their access request.

I think there is some data available on the number of access requests that are denied. The numbers did not seem that concerning to us in looking at the last monthly report. But now that you have mentioned that, in our monthly meetings with the agency, we can certainly ask for more information and drill down. But if there are situations that should be pursued, we are more than happy to do that on behalf of the minister.

Ms Orr: A number of weeks ago now the federal minister announced that there would be, I think, 800 additional staff—is that correct?

Ms Dunne: Yes.

Ms Orr: Yes, 800 additional staff for the NDIA. It is something that we are certainly feeding back through the COAG arrangements we have and the forums that we can raise these things in to say that these are the representations we are getting from people and these are the issues that we are seeing with the agency. The federal minister has said that he is quite committed to turning that around. He has put in place these new 800 staff. I think it is early days and we will just have to see how these new resources go. But it is something we will continue to be diligent around and that we will continue to advocate for the people of the ACT on.

MS LE COUTEUR: Also, the number of organisations for which definite funding may have disappeared. It is not all a good news story. We should just be clear about that.

Ms Dunne: I would agree there. The scheme has not fully matured. Although we have been in the scheme for a number of years, we have reached a point where we probably know what the issues are. We are just waiting for the rest of the country to catch up. But we have not got full national rollout according to national bilateral estimates yet. There are a number of big-ticket policy issues that are being worked through. The issues relating to staffing levels, training and backlogs—workload—are certainly ones that we discuss with the NDIA. We know that it is an issue that they need to resolve.

MS LE COUTEUR: Given that you said that you know what the issues are, could you tell the committee? It is kind of a bit of a bleeding obvious question.

Ms Orr: Ms Le Couteur, if I have correctly understood the area that you are talking about in your question, this is relating more to the advocacy groups and the peak organisations. Is this what you are going to more with the—

MS LE COUTEUR: That was what I was talking about. But Ms Dunne's answer was so intriguing, I would definitely like her to expand on it, if she could.

Ms Orr: Okay, yes.

MRS DUNNE: Sorry, I was having an identity crisis.

Ms Orr: Because actually—

MS LE COUTEUR: No, not you, Mrs Dunne.

MRS DUNNE: You never think I am intriguing, do you?

THE CHAIR: Come on ladies; we had a lovely day yesterday.

Ms Orr: We will assume that that was not a question for Mrs Dunne. I think one of the areas that you are going to that we know is not necessarily working as well as it could would be is these ILC grants, which are the information linkages, capacity building grants. This comes with a disclaimer of a new minister and a lot of this being done before my time. But there was a feeling that they would be the supports for people who were not in the NDIS but who needed continual support through—

MS LE COUTEUR: To fund it.

Ms Orr: other inventions and through other groupings. I think it is fair to say that in the time that I have been here they are just not working the way that they were initially intended to be working. This is something that I have certainly raised. I have attended one disability reference group meeting. That was actually the thing I went in hardest on in saying that we actually want to see these done, because the NDIS, while it covers a lot of people, does not cover everyone with disability. Without this particular part of the NDIS scheme working, we are not realising the full potential of the scheme. I think it is fair to say that every state or territory had an issue with the ILC funding. It is just that everyone had a different issue with the ILC funding. It is going to be an ongoing discussion.

From my perspective, what I am pushing very much on behalf of the ACT is that we continue to have funding in the ACT, not going to national bodies who will be running a service in the ACT but something that actually supports the local service sector here because they have the best knowledge of our community and our community's specific needs. They are also physically present here in the ACT to support people, which I think is an incredibly important part of it.

We continue to advocate for those to make sure that we are getting the ILC funding to work for us here. It will be an ongoing discussion, unfortunately. It is just the way it is. We cannot suddenly change the nature of the bureaucracy. There is an agreement that

has been signed up to by past ministers. As the federal minister said at the last DRG, we can change that decision but it is the case that we have to change it. There will be a discussion at the DRG on this topic, which is in December. So it is coming sooner rather than later. It is certainly an area that I have a lot of focus on in making sure that we do start to get those supports going in the Canberra community.

MS LEE: What is the future of groups that are not Canberra based? You just mentioned that it is your priority to ensure that the Canberra-based groups get the appropriate funding they need. So what is the future of groups like Pegasus, Radio 1RPH and Shout? What can you tell those groups and the members, with any certainty from the ACT government, about what is going to happen to them?

Ms Orr: So with those ones, yes—there is actually a range of other ones as well in addition to those particular ones you are saying—

MS LEE: Yes, absolutely. I just named a couple of them.

Ms Orr: Yes. What we have heard consistently from them and what you will see come through—I have been reading the community budget submissions, for example—is that they all say the same thing: the ILC grants are too hard to get. There is very much an opinion at the moment from the NDIA that these should be for innovative one-off ones. There is a disconnect there between ongoing service provisions, such as the groups that you have just mentioned, and what the NDIA is using this money for. What we are doing is going through and saying, “We actually want the ILC funding re-focused so that it can support what our community wants to have it support.”

MS LEE: And in the meantime? Obviously these groups need some certainly because—

Mr Orr: Yes.

MS LEE: I understand that these things take time but, for example, with Shout, this obviously came up quite a few years ago. What is the reassurance you can give them?

Mr Orr: I will pass over to the directorate to go through some of the things that we have done to support these groups. Prior to coming into the portfolio, when a lot of these issues started to come to a head, I know that the directorate worked very closely with these groups to help them out and to transition into different environments.

Ms Dunne: We did have access to commonwealth funding for sector development. There are a number of organisations that access that and a number of organisations that accessed it a couple of times. The commonwealth, the NDIA, did provide transitional funding as well. The idea was that during the transition phase there would be sufficient support provided to all organisations that were interested in participating to see whether their business model was sustainable as it moved from block funding to NDIS funding, which is all about individual participant choice and control.

There were at least two years of transitional funding and support available to all interested organisations to work their way through that. In terms of the first round of

ILC funding, which many of these organisations would have been included in, there were arrangements put in place whereby those organisations that were unsuccessful in that particular round—it would have been the first round following on from the transitional phase—were provided with help to understand why they were not successful and they learnt from that.

In terms of Pegasus individually, I believe that they have changed their business model quite significantly, as have a number of other organisations, to prepare them and enable them to continue to provide the services they do and also be in a position to access ILC funding. In relation to ILC funding, we have not landed that properly. There have been a number of iterations or approaches from the commonwealth with jurisdictions in terms of grants rounds.

The current strategy will come to an end next year and we are working now with them, as Minister Orr said, to make sure that whatever replaces the current approach is acceptable to the ACT. I am sure that all jurisdictions will have that particular point in mind. What we want to ensure is that the organisations that we have in the territory have access to ILC funding, are appropriately funded, and that the approach and the framework support that.

MS LEE: In terms of the very intriguing answer that Ms Le Couteur referred to—and the minister has obviously highlighted that ILC funding is one of the problems—are you able to expand on some of the others and what the ACT government is doing to address those?

Ms Orr: Is this the problems that have been identified with the NDIS?

MS LEE: Yes, in the transition—what Ms Dunne was saying earlier about some of these problems. You have very helpfully identified ILC as being one of them. I am just wondering if Ms Dunne can maybe expand on her answer. Are there any other problems?

Ms Orr: I think Ms Cross might be in a better place to answer this.

Ms Cross: I think you can look at the range of things which the NDIA and the Disability Reform Council are looking at and you can see that the policy is iteratively growing. Another example at the last meeting was that there had been concern for some time about how the NDIA interacts with the justice system so that people in the justice system are actually getting adequate support and help. The recent announcement was that they would have justice liaison officers in every state and territory.

Ms Orr: Originally it was everyone, as needed, will have one. We advocated to have that changed to every state and territory, given we have quite a different justice system to other jurisdictions. And we were successful in getting that.

Ms Cross: Yes. Again, in most of the things which the NDIA is working on, one of our key arguments is just to make sure that we have that local knowledge. With the local area coordination, if we are going to have a provider in the ACT we are advocating that that should be a local provider who has actually got a lived experience

of dealing with other organisations in the ACT.

Really it is an iterative process as the detail gets worked through: the interface between the NDIA and the health system, the interface between the NDIA and the transport system. We are continuing to work to get a better outcome, and I think most people would acknowledge that, with a reform of this size, it does take some time to iron out those issues. We are just working through them as we go into the detail. But I think the key for us is really that local knowledge, the local content and the local providers that can actually work better with our community.

MS LEE: You talk about the workforce impact collective at page 41 of the report. There are in place, I think, six pilots. Can you expand on that in a bit more detail? I know that in the report there is at least one case study but could I get a bit more information on the six programs? How long do they last, what is the funding and what are the criteria, all that stuff?

Ms Dunne: This was a project that was funded by the commonwealth, just over \$1 million to NDS, to run the collective impact. I think a lot of the learning in that was around the methodology of the collective impact, as opposed to your usual project management approach, which meant that there was a lot of goodwill and learning established within the community and the members of the community that came together to support this as part of the working groups.

The six pilots were: a mature age workforce pilot which focused on creating pathways for people aged 55 years and over who are looking for meaningful work that is flexible to meet their needs. We had a communication partnership—users Sharing Places pilot—and this aimed at resolving the challenges of communication between organisations and support workers, people living with a disability and their carers by testing new ways of communicating.

The third pilot was the user support network achieved by design pilot, aimed at testing the development of a shared labour pool where people who directly employ staff, have access to replacement staff if their support workers are unavailable. The fourth pilot was the CALD pathway pilot, and that is highlighted in the annual report, aimed at engaging and educating people from culturally and linguistically diverse backgrounds about the disability sector and the job opportunities within the sector.

The fifth pilot, participant-led videos, summer foundation pilot, focused on supporting people with disability to find their own voice through the use of participating training videos for their support workers. This pilot trained disability and health sector professionals in the use of PLV, participant training videos, processes and tools. The sixth and last pilot was role-based recruitment—imagine more pilot—worked with self-managers and their families to provide usable information on effective practices of recruiting and including disability support staff for a specific support role as opposed to general support position.

The contract with NDS was renegotiated and we rescoped the work because not all the pilots were able to be concluded during that contract period. We have extended it to the end of the year and what we will do then, in rescoping, is allow NDS and the steering committee, which comprises people from organisations within the

community, to try to bring those six pilots to full conclusion. At the end of that, there would be an evaluation.

The whole aim of this particular piece of work was to get the community interested in creative and inventive ways of dealing with the supply and demand issue to bring people into the workforce, given that the disability sector is one of the fastest growing sectors in terms of employment that we have.

MS LEE: I am happy for this to be taken on notice. You said that the funding was just over a million dollars. Can you provide a breakdown in terms of that funding allocation per—

Ms Dunne: As in which program got what?

MS LEE: Yes, per program.

Ms Dunne: Absolutely.

MS LEE: And also the breakdown in terms of whether all six were extended to the end of the year—the time frames in terms of the contract period? Are you able to provide that information? Is that possible?

Ms Dunne: Yes, we are happy to do that.

MS LEE: Thank you. Then I want to go to the case study that you have in the report, the workforce one. What type of activities/initiatives or workshops were part of that pilot?

Ms Orr: As in what did the pilot focus on?

MS LEE: Yes. What is the nitty-gritty detail?

Ms Dunne: I do not have that information; I can provide a summary of that. There would be a project plan for each of the pilots and there would be a number of activities. I think that is probably what you want to look at: what was constructed within that particular pilot and how that flowed through.

MS LEE: Yes. Would you be able to provide that information for members?

Ms Dunne: Yes.

Ms Evans: Ms Lee, just to give a broader summary of that piece of work, it was around people who may have skills that perhaps they were not able to be used in Australia, for whatever reason, and who identified as having an interest in providing support for people with disability, being linked with the appropriate training opportunities, for example, through CIT to do their disability support certificate or whatever or, if they had any language needs or whatever, having that level of support. As Ms Dunne said, we are very happy to share the project outlines provided by NDS, who provided this work.

MS LEE: You referred to skills that they might not be able to use in Australia. What would those types of skills be?

Ms Evans: I am just referring to where someone might have a qualification overseas that is not recognised in Australia.

MS LEE: In terms of sticking with the workforce, in addition to the pilots and getting people up to speed, one of the things Ms Dunne mentioned very early on was about the increase in numbers, a lot of it coming from the children cohort. How are we going with workforce capacity to look after the growing number in that space? Children have specific needs and different needs, so with the growth in that cohort—

Ms Orr: Are we are talking about the workforce to provide the supports for the children?

MS LEE: Yes.

Ms Orr: Not the children working.

Ms Evans: I guess the workforce around children is slightly different because many of them live at home with their parents and their parents provide support, but like the whole of Australia, we do have challenges around workforce in terms of disability support workers who can do casual, for want of a better word, respite work in the home or provide parents with some additional supports there. There is some shortage, but those things are provided in people's NDIS packages, and many parents are able to purchase those supports, as much as there is available. We are not aware of any major shortages around children and workforce constraints.

MS LEE: In terms of the transition from the services that they used to receive under the early intervention program and now receive under the NDIS package, have you or the minister's office, or the directorate or the office of disability, received any—

Ms Orr: Sorry, when you say the early intervention program?

MS LEE: Before the NDIS came in, the children who needed that early intervention were getting the service from the ACT government. With the transition, are we getting any instances of children falling through the gaps in terms of service delivery?

Ms Cross: In that area the NDIS has brought in a new provider. I believe they are called NDIS EACH. We have been working very closely with them to make sure that children who are eligible are receiving support. There is a child development service program that does an assessment of the children's needs, and if we think they are eligible for NDIS, we refer them through to NDIS EACH. It would be fair to say that that is another area where we have had ongoing conversations to try to make that linkage work better and to make sure that the children who should be getting into the scheme are being appropriately referred to that pathway and then dealt with.

That is something that we have been working on. I think we would say that we have seen improvements recently. We have seen that in part because they have brought on more staff. As the minister said earlier, with the NDIA having more staff, a whole lot

of those pathways and referrals should get faster and easier for people.

MS LEE: What support is available for children who may not be eligible for NDIS but still need some support?

Ms Dunne: Where children are referred, either by the child development service or another provider, and there is evidence that there is a global development delay in one domain, an assessment is made by EACH. If they feel that the child would benefit from short-term therapeutic services, they are able to provide that. That is the area that we have been talking to the NDIA about a lot recently. They are now calling that their ECEI tier 2 approach. Basically, they purchase therapeutic supports for the child for a period of time and reassess as the child goes through that particular pathway.

If a child is considered to require a significant amount of support, they can enter the scheme under what is called the early childhood early intervention pathway. It is time defined and continually reviewed. It is only children who are assessed as having a lifelong, enduring functional impairment that go straight into the scheme. There are three pathways that are supported by the NDIS.

MS LEE: So there are sufficient safeguards in place to ensure that children do not fall through or get forgotten along the way?

Ms Evans: The significant safeguard that the ACT government has put in place is the child development service. That is a free service that any parent can approach with their child and ask for advice, and when they have had advice about their child's development, there is support given for that family to enter a pathway that is appropriate.

THE CHAIR: We will now move on to the next part of the CSD portfolio, which is inclusion and participation; strategic policy; and quality, complaints and regulation, which are matters pertaining to the working with vulnerable people act. Minister, can you outline the functions of the human services registrar and the total number of complaints that were received in the reporting period?

Ms Orr: Ms Gibson will be able to answer your question for you.

Ms Gibson: I have read the privilege statement.

THE CHAIR: Thank you. We will go through the reporting year, but whatever you can give me would be great.

Ms Gibson: The human services registrar's role is multiple: the oversight, until 30 June 2019, of disability organisations, of care and protection organisations and of community housing providers. There are three pieces of legislation, and those sectors are legislated under that, or have been. In terms of complaints, there are regulatory complaints, which are complaints about particular providers. More broadly, quality, complaints and regulation takes other complaints about the services delivered by the directorate as well and investigates those at a third level of complexity. In terms of the number—sorry: I have lost my link.

Ms Orr: While we are waiting on the number, chair, do you have another question in this line of questioning?

THE CHAIR: I do. I want to talk about the allocation of 2.6 million from the ACT government. I assume it is from us.

Ms Orr: In the 2018-19 ACT budget there was \$2.6 million for two years for resources to manage risk and overseas service policy.

Ms Gibson: Absolutely. It is not just about complaints. Really that money was to recognise that the oversight responsibilities of quality, complaints and regulation had grown from, I think, 70-odd organisations to regulate to over 250. The resources we had at the time just were not sufficient for that. Part of the work of the last year was a significant piece of work in transitioning about 230 disability providers to the NDIS for their oversight. But the ACT still retains some oversight. The legislation still gives us the power, and there will be providers not registered with the NDIA, choosing not to register for a range of reasons, where we continue to have oversight of those agencies.

THE CHAIR: So they still have an oversight body; it is just that it is the ACT government rather than the NDIA?

Ms Gibson: That is right.

THE CHAIR: So they still cannot do naughty things?

Ms Gibson: We hope not.

Ms Orr: To use your words, yes, there is a regulatory system there for all people to hopefully prevent the occurrence of naughty things.

THE CHAIR: I was trying to think of something more parliamentary but I figured that that would do. And the NDIA manages the—

Ms Cross: It is not the NDIA per se; it is the national quality and safeguards organisation. It is a separate regulatory body. It is part of the scheme that the NDIA looks after the participants and then a separate provider regulates—

Ms Gibson: The NDIS Quality and Safeguards Commission, yes. We have established a working relationship with the commission so that where there are matters about organisations that we were overlooking that they now oversight, where there is some crossover and so on, we are working with them around those issues. I have met twice and spoken on the phone many times with the New South Wales and ACT state director for their compliance. I can give you the numbers on notice.

THE CHAIR: Do you have them there now?

Ms Gibson: No, I do not.

THE CHAIR: Okay, thank you.

MRS DUNNE: This is a general corporate question. It relates to the Fair Work decision in 2012, which is referred to on page 363 of the annual report.

THE CHAIR: You are taking my lead, Mrs Dunne.

MRS DUNNE: Good. You took my lead yesterday. Could someone give me an explanation for the statement at the bottom of page 363 that:

The ERO formally ends on 30 November 2021 and from 2022 onwards it is expected that community sector organisations will pay staff at the minimum wage level.

My interpretation of that, and I am open to correction, is that the community sector organisations will not be funded for the ongoing augmentation of salaries which was determined in 2012. Is that the case?

Ms Cross: That is possibly oversimplifying the funding arrangements.

MRS DUNNE: I got a nod from Ms Sabellico, so—

Ms Orr: They were talking amongst themselves as to who would take the question.

MRS DUNNE: Okay.

Ms Cross: When an organisation in future puts in a tender to provide services, they will be able to cover their wage costs. When they had pre-existing contracts, rather than going out and re-tendering we gave them supplementation to cover the additional wage costs. By the time the supplementation runs out, the intention is that they will just include that cost when they are putting in the price to deliver a service. So you do not need to continue to supplement them, because they will have built it into their costs.

MRS DUNNE: Actually the other way of saying it is that you will continue to supplement them by paying the award wages that they tender for.

Ms Cross: It will not be supplementation. When we call it supplementation, it is a separate payment, whereas it will be covered in the cost of the service.

MRS DUNNE: But the cost structure will recognise the increased salaries that resulted from the 2012—

Ms Cross: They will put in a tender, and that tender will reflect their costs.

MRS DUNNE: And you will pay on the basis of the salaries which were determined—

Ms Cross: We do not separately pay for the salaries.

MRS DUNNE: I understand that.

Ms Cross: We pay a tender price, which will include the cost of—

MRS DUNNE: But you will recognise that the tender price has in it a component that arose from the 2012 Fair Work decision.

Ms Cross: We would expect that the tender price that they put in would reflect the costs which they are bearing to provide the service at that time, and that would include their wage costs.

MRS DUNNE: That is quite a satisfactory explanation but it is not what is said in the annual report. The clear impression of the annual report is that that staff in community services would revert to minimum wage levels, and that is not the case.

Ms Cross: The minimum wage level is what the ERO aimed to provide supplementation for.

Ms Gibson: To achieve parity in terms of the—

Ms Orr: The minimum wage will have gone up, so it is not the same minimum wage it was in 2012.

MRS DUNNE: That is certainly ambiguous and—

Ms Orr: We are happy to take that feedback on board.

MRS DUNNE: Thank you.

MS LE COUTEUR: Is there much difference between the NDIS requirements under the Quality and Safeguards Commission and our own working with vulnerable people check?

Ms Gibson: There is not a great deal of difference. The major differences are that our working with vulnerable people scheme does not have disqualifying offences; there is no automatic disqualification from getting a working with vulnerable people card on the basis of having committed particular crimes. The NDIS element has disqualifying offences and a schedule of those offences has been attached to an amendment to the working with vulnerable people legislation.

MS LE COUTEUR: So you can be okay from an ACT point of view but disqualified from the NDIS.

Ms Gibson: That is correct.

Ms Orr: I note that in working towards harmonising vulnerable people checks across Australia issues are coming up in every jurisdiction as to where exclusions might be. This is one of the complexities the team is having to work through in some detail. Certain areas want certain provisions and they might not be palatable to us and vice versa. There is a healthy ongoing discussion as to how to harmonise this across the country.

MS LE COUTEUR: But no likelihood of early harmonisation from what you are saying?

Ms Orr: I guess that depends on how you define “early”.

Ms Gibson: Considerable work has been done.

MS LE COUTEUR: Not this decade but possibly this century.

Ms Orr: I would say this century is definitely realistic, so I have comfort in that. It is fair to say that the differences are fewer than the agreed commonalities so we are closer to coming to an outcome and we will keep working through those last little bits.

Ms Sabellico: The line of employment or volunteer work determines the pathway taken in terms of whether the exclusionary criteria apply. For those areas where we want some lived experience we still want to ensure for the working with vulnerable people check that that still continues, and we are working through how that occurs. That conversation happening is within the ACT while we are working towards making sure that we have the harmonisation across the board with the other jurisdictions.

MS LE COUTEUR: Do the disqualifying offences have to be recent or do they disqualify you forever?

Ms Gibson: There are two levels of offence: category A and category B offences. Category A offences do not have any time frame but category B offences may well. One of the other major differences with the NDIS compared to the ACT scheme is that if somebody is found guilty of a category A offence there is no appeal against the refusal to give them a card unless they can establish mistaken identity.

MS LE COUTEUR: That they were actually innocent?

Ms Gibson: Well, that it was not them.

MS LE COUTEUR: It was someone else.

Ms Gibson: That is right. For category B there are some potential appeals.

MS LE COUTEUR: Will the NDIS Quality and Safeguards Commission provide for reporting abuse against vulnerable adults with a disability and how will this happen in the ACT? Does your branch get involved with quality complaints or is it purely a commonwealth thing?

Ms Gibson: It is a commonwealth thing. To clarify your question, Ms Le Couteur, I think you are asking that if a complaint about abuse against a vulnerable person comes to the attention of the NDIS commission how will we know about it for our working with vulnerable people check? Is that what you are asking?

MS LE COUTEUR: Yes. Are they totally separate?

Ms Gibson: No. The NDIS component of the working with vulnerable people scheme is a national component, so if there is abuse against a vulnerable person that would bring the abuse to the attention of any scheme administrator anywhere in Australia. In the same way the ACT will report into that scheme so if that person moved to a different jurisdiction they would be known and they would not be able to.

MS LE COUTEUR: If you get a report about abuse, the person abused may not be an NDIS participant. Would you then feed that into the national scheme?

Ms Gibson: No, they have to be a participant of the national scheme.

MS LE COUTEUR: Sorry, I am putting it the wrong way around. The NDIS would be interested to know about the accused abuser.

Ms Gibson: That would go to our Access Canberra colleagues who administer the scheme and then it is up to them to decide whether that would disqualify somebody. If somebody was disqualified at the level of our working with vulnerable people card they certainly would not get an NDIS card.

MS LE COUTEUR: You would let the NDIS know and say, “Don’t give this person a card”?

Ms Gibson: I do not know that they would do that because it is not part of a national scheme. It would only be if that person subsequently applied for an NDIS clearance.

MS LE COUTEUR: But if they already had an NDIS clearance they would not lose it just because they lost it in the ACT.

Ms Gibson: Yes, they would.

MS LE COUTEUR: Access Canberra might then tell them. My point is that the NDIS would not know.

Ms Gibson: There is a level of information-sharing.

MS LE COUTEUR: Good, that is where I was going.

Ms Gibson: Chair, I can give you those numbers you asked for. There were 10 complaints about regulated service providers in 2018-19 and 20 third level or complex complaints about directorate services that were investigated by a complaints team.

MRS KIKKERT: My question is in regard to the community services support program. On page 22 of the annual report, in 2017-18 there was a higher funding amount given to the community services support program, yet in the past financial year, 2018-19, there was a drop. On page 29 it says that there was increased demand on supports and services arising from our growing and diverse community. Can you explain why there is a drop in funding, yet there is an increase in demand in our community?

Ms Evans: Yes, the actual result always indicates where the funding is cut off for that financial year. Sometimes there are grants or funding amounts that flow into the next financial year. A piece might already have been contracted with an agency but the final payment might not be made before the cut-off for the financial year. It is a very small variance and it reflects that, in that large figure of \$11 million, sometimes there are small amounts of ins and outs that do not show up in that financial year. It is not a decrease in what was delivered.

MRS KIKKERT: Is it possible to get a copy of the breakdown of how much money overflowed to the next year and which agency received—

Ms Evans: It would be in the budget papers for the—

MRS KIKKERT: It will be in here?

Ms Evans: It is not in the annual report, but the budget papers would have more detail.

MRS KIKKERT: Okay, we will look that up. Woden Community Service received a grant of \$100,000 to provide support for the Molonglo region. That is on page 149. What is the current service demand in Molonglo and when will this region have its own community services provider and facilities?

Ms Evans: The minister was very pleased to be able to provide some funding specifically for the Molonglo region because we acknowledge that the growth in that area has been, as everyone is aware, very fast, and the infrastructure is just coming up to speed.

Woden have a reach across Molonglo. They are already providing services into Molonglo. The focus of this funding is for them to do exactly what you have asked. It is to gather the information about what the demand is and what programs would be the most appropriate. They are doing a number of forays out into the Molonglo region to see what the demand is. They will report to us on that, and that will give the minister a better sense of what ongoing funding might be required and what programs would be the most appropriate.

The mix of people who are living in the Molonglo region may be quite different from other areas. There is a high number of units and townhouses out there. A lot of families there are new arrivals to the ACT, so it might be a little different from some of our more established suburbs. That is the purpose. I cannot necessarily tell you exactly what the demand is, but we will be able to tell you at a subsequent hearing.

THE CHAIR: I note that the CSD has released the “Strengthening partnerships—commissioning for social impact” discussion paper. Can you give me a bit more information about that?

Ms Orr: Yes, we can. This is quite a big project and quite a big change. It is quite a positive change for the community sector. It is actually an interesting one to try to explain because it is not necessarily put down in simple English. I will hand over to Ms Sabellico to provide a bit more information on what it is.

Ms Sabellico: I might make a bit of an overarching statement and pass over to Amber to give some detail from some of the community consultations that have been occurring.

The idea of looking at commissioning for social impacts came from our discussions through our early support program, where we identified the need to look at how we look to the future around working in partnership with the community sector. We noted, through our early support work, that it was fairly well a contractual arrangement and it was quite historical by nature, in terms of the funding that was provided to the sector. It did not account for the growth areas; it did not account for change in new service delivery business models, those sorts of things.

One of the areas that we started to talk to the community sector about was a need to do things differently, to work differently. We looked at what was happening across jurisdictions, both nationally and internationally, and identified that commissioning for outcomes—looking at how to define the outcomes we wanted rather than to fund for outputs—was one direction. We also identified the need to look at how we work jointly in order to identify what the need areas were and how to address those: doing a needs analysis, looking at an assessment of different models and approaches, and whether it is best to be provided by the government or the non-government sector. It is also about how to develop more of a commissioning approach to partnering together, given that, for community services, we are a major provider of services. We do need to look at how we also support delivery.

From those discussions we developed a paper which looked at a number of key questions around commissioning and at redressing the needs of community in a different way. That paper was launched six weeks ago. Some community consultations are underway to further the conversation around those key questions so that we can do a paper from that. That will then go out and inform the approach going forward. It truly is a co-design approach to looking at how we develop that with the sector.

Ms Shuhyta: I acknowledge the privilege statement. I can add some detail to that. Definitely, being new in the Community Services Directorate, I have been trying to translate things into plain language for myself, and in terms of my understanding for the commissioning for the social impact strategy—

THE CHAIR: Can you also give me some ideas about how it is going to make things better for the Canberra community?

Ms Shuhyta: Yes. From how we have understood it through the workshops with community partners, it is looking at commissioning not just in purchasing services through procurement but actually partnering with our community in terms of strategic planning, service gap analysis, understanding the needs of the community and partnering to look at where our best investments will be made through that process, cycling through to the evaluation and monitoring of that service delivery, similar to what Ms Sabellico was talking about, in looking not just at outputs but at outcomes in terms of whether we are making a difference. Do we need to continue quality improvement in terms of our planning, purchasing and evaluation of the sector?

With respect to our sector, 120 people have attended five workshops around the discussion paper. The feedback has been quite positive so far in terms of acknowledging the commitment that government is making to a partnership approach, hearing from the subject matter expertise of the people who are on the ground delivering services and reflecting an investment approach based on their input into what is needed for the community.

The community as a whole will see tangible outcomes over the next few years of staging, of testing this approach to commissioning, of developing the framework that suits community needs, and testing that with future investment. The framework is based in person-centred outcomes, in Aboriginal and Torres Strait Islander better outcomes, in government working with community and us hearing their needs, in terms of what we are moving forward in this strategy.

Ms Orr: The way I have always thought about it, to get to the same point that you are trying to get to, Ms Cody, is: how can you say it quite simply and easily? As you can see by the way we have tried to explain this, it is not necessarily an easy thing to do. I have always thought that, if you have a person in the community who needs supports, it is about saying, “What is it that they need and how can we work together to get them the support that they need?” It is about putting that at the complete centre of the decision and giving enough flexibility within the contractual arrangements to make sure that you can adapt as you go on, to make sure that you are getting the outcome you intended to get in the first place.

MS LE COUTEUR: There has been recent media about the Tenants’ Union being put out for tender. Is this sort of approach likely to lead to more tendering?

Ms Orr: The Tenants’ Union is completely separate.

MS LE COUTEUR: I appreciate that it is in JACS. My question really was using that as a very current example. Is it likely to lead to similar outcomes?

Ms Cross: I do not think that this is about putting more services out to tender. I think it is that when we have services, rather than designing the service and putting it out to tender, we will commission an approach by working in partnership with the sector about what the service should look like, what we are trying to deliver. It is not about putting more services out to tender; it is about the services we are purchasing and taking a completely different approach to how we design that: working with the sector and having people with a lived experience informing what the service looks like. It is more changing what we currently do rather than putting different things out to tender.

MS LE COUTEUR: It will not lead to more tenders?

Ms Cross: That is not the intention. The intention is to look at the services which we currently tender and take a completely different approach to them. That is not to say that we will never change what we tender, but this is about what we currently do and doing that in a different way.

Ms Sabellico: Just to confirm that, the essence of the whole program is about how we

make sure that we bring all of our resources to focus on the needs of an individual, both government and non-government. Substantially, we need to shift and change the way in which we work jointly around that, and that is part of the approach.

Ms Orr: In the spirit of working together, we have quite a long process in developing this strategy. It is one that is being worked on with the community services sector. As well as the discussion paper going out, we have had a series of workshops. There will be a listening report put out from that, and the framework will come from that. It is quite a large body of work and I think it will have a really positive impact on how we deliver social services within the ACT.

MRS DUNNE: I would like to turn to the discussion on page 45 of the annual report that relates to the “Early support: changing systems, changing lives” initiative. The head of ACTCOSS recently stated that there was a lack of early intervention in Canberra and that issues were not being addressed until they turned into a major crisis, causing social damage and also significantly increasing costs. This is something that the opposition hears repeatedly from other service providers. Can you tell the committee what Early support: changing systems is supposed to do? It says that it is:

... a ten-year initiative to move to a more agile, well-being and developed focussed service system that delivers early support to people who need it.

Can somebody unpack that and turn it into something that, if I was talking about it over a coffee or in the pub, I could explain to a punter.

Ms Cross: Mrs Dunne, would it be possible to take that in a separate session of the hearings? That is actually the responsibility of Minister Stephen-Smith, primarily. If it would be possible to defer the question until later in the morning or this afternoon, we could do it in the children, youth and families section of the hearings.

MRS DUNNE: Okay. I am happy to do that. Is output class 2.5, strategic policy, in this area.

Ms Cross: There is crossover. We had some of the officials here, but it is actually the responsibility of that minister.

MRS DUNNE: Perhaps we could ask you to clarify the crossovers as part of a recommendation in the annual reports report.

Ms Orr: You are always welcome to give us your questions in advance and we will tell you where to ask them.

MRS DUNNE: Okay.

Ms Cross: It is sometimes confusing for us as well, Mrs Dunne.

MRS DUNNE: This is the problem. How much time do people spend scratching their heads and asking which minister they answer to when they have three ministers in one agency?

Ms Cross: Five ministers.

MS LE COUTEUR: I will re-pose the question I started before on the carers strategy. There are quite a few actions in this strategy. Carers ACT said that they got only an extra \$50,000 to do their part of it. Are there other bits being separately funded or is everyone expected to do things within existing resources?

Ms Shuhya: There are a number of actions already underway or completed that have been actioned out of the 25 actions. The carers governance group is still in the process of working through with us what the priorities and costings might be in terms of the future actions to be delivered. We will go under the guidance of the carers governance group in terms of where we will be assisting the sector in the future.

Ms Cross: I think it would be fair to point out as well that some of the actions will be completed in other parts of the directorate. The action on the carer handbook, which was one of the actions, has already been done in the children, youth and families section of the directorate. We do need to look through it. It is not a question where every action will need to be delivered by Carers ACT. That is part of the process.

Ms Orr: Quite a few of them are also in unison with different groups, so there is a coordination task there.

MS LE COUTEUR: I particularly want to ask about action 17:

Consider carer needs and engage carers in consultations for planning initiatives.

We read this and had different interpretations as to whether we are talking about physical planning. How is action 17 going, and what does it actually refer to?

Ms Orr: What kind of planning does it refer to?

MS LE COUTEUR: Yes, what kind of planning. You can plan almost anything.

Ms Orr: As a planner, yes, I can say that it can get very confusing.

Ms Shuhya: I do not have the status update around action 17 specifically in my briefing notes, so I will take that on notice.

Ms Orr: I have not read the strategy for a few days so I reserve the right to correct myself on this, but from memory, there were not any actions that went to physical planning. I think it was more planning around programs.

Ms Shuhya: Consultation.

Ms Orr: Consultation, yes.

MS LE COUTEUR: We spent some time in my office debating what we were planning in this action.

You talked about the governance group. Who is on the governance group? How is it

structured? How often does it meet?

Ms Shuhyta: I invite my colleague Louise up. She has more detailed knowledge of who is on the governance group.

Dr Bassett: I acknowledge the privilege statement. The governance group for the carers strategy is made up of nine members. The chair is a co-chair arrangement with Lisa Kelly, who is the CEO of Carers ACT, and me. There are carers on that committee who have been part of the journey of the carers strategy from the very beginning. They have been active participants since we recruited for the panel and have been part of the discussions ongoing as the development of the strategy and the action plans have taken place. They represent a broad range of caring responsibilities and age groups. We have got young carers. We have carers who are caring for their own families. We have a foster carer who has care of a number of children, and we have other carers who have responsibility for other members of the community.

It is a broad range of people and there are nine, in an attempt to make sure that we have got a balance of viewpoints and a balance of people's expectations about what caring should look like in the Canberra community, which is in line with the strategy, which is to make Canberra a better city in terms of the caring responsibilities that many of its citizens have.

MRS KIKKERT: I attended the carers reception several weeks ago. There were wonderful stories from the carers themselves. The main feedback from many of the people that I spoke to was that it was fantastic that they could have one day a year that they could spend out and away from their families. Is it possible to have more than one particular event for carers throughout the year?

Ms Orr: I am happy to take that initially. I also attended the same event and had a lot of conversations with people, too. I grew up in a family that did caring. This is actually something that is very close to my heart. It is a fact that carers do not get a lot of time for themselves.

I was talking to Ms Kelly because this was an event Carers ACT put on and one they are hoping to make annual. She said we need to start with one. And most carers actually only get one night off a year. That is all they do. She was very cognisant of making it the best night she could so that they could have a really good party. I think I left when they were hitting the dance floor. I think it is fair to say that everyone there did have a really good time.

As to the question of more, I am happy to be guided by that. Certainly we are thinking of what we can do. The whole point of the carers strategy really is to continue to build on ways that we can support the caring community and if it is the case that we are looking at having two or three or more nights a year, then, yes, I am happy to have that conversation.

Ms Cross: The only thing I would add is that I think ACT Together and CSD have events throughout the year for foster carers where they come along with the kids and have things like their Christmas party or an Easter party. Although there is a lot of focus on the kids, I know that the carers who get together at those events also find that

as a good time to catch up with each other and share experiences. There are a number of other events during the year where certainly in the foster care system people have that opportunity.

Ms Orr: The carers night event was part of Carers Week. They used it as a way to show a bit more focus on this. But there was also a young carers event as well. There has already been a second one, slightly more targeted but a second event there already. We will take the feedback from those and we will continue to develop those. We can do that.

MRS KIKKERT: My substantive question is on community transport on page 38. The community development program provides funding for community transport. The head of ACTCOSS has recently stated publicly that gaps in funding for community transport providers have created waiting lists for transport to essential appointments and activities. In light of the many public bus routes and bus stops that have been cut in 2019, what is the role of community transport in supporting vulnerable people such as the elderly?

Ms Evans: We acknowledge that community transport has been under a lot of pressure and we have been talking with our colleagues at TCCS about how community transport can be as flexible as possible to meet the needs. There is a range of different services, including services to get people to health appointments, services to assist people just to get to social events and that sort of thing, and the ACT government's commitment to continue the taxi subsidy scheme allows people to have full flexibility around when they book a taxi. There are a number of programs to assist people with transport but they are under demand. We are aware of that and we are working with our colleagues at TCCS around that.

MRS KIKKERT: You just mentioned that it is under demand. How long is the waiting list for each of the community transport providers funded by CDP and how does this compare to one year ago?

Ms Evans: We do not keep a waiting list. What we do know is that they are as fully subscribed as they can be. There may be people who would like more but what we know is that what we have available is fully being utilised. It is not like a program where you list people and if they did not get a lift this week you acknowledge that as a waiting list. It is just people can book in and if they get onto transport then that is fully subscribed, if you like. I do not have that information available. But I am aware that people are looking for additional transport options and at times cannot find them.

MRS KIKKERT: What are the steps that you are taking as minister to resolve these funding gaps?

Ms Orr: It is one that we can have a look at. It is certainly not an emerging issue but it is one of those ones that we constantly have to be looking at and looking at what is the actual demand that would be there as opposed to you not getting your slot at 10 o'clock but you could get it at 10.30, for example. It is one that we will continue to look at. I am not sure we could quite class it as—sorry, what were your words?

MRS KIKKERT: What are you doing to address the gap in the transportation?

Ms Orr: It is going back to keeping that diligence on it to understand what is the actual—if there is a service—built-up latent demand that is there and what that actually is. Is it a case that in the peaks we are not providing enough? Is it a case somewhere else? We will continue to do that analysis and actually work with it.

Ms Evans: There was one piece of information Mrs Kikkert asked for about the gap in funding in the community development program. The delayed funding was in the community support and infrastructure grant program, which was finalised but the funding did not go out until this financial year. It was \$0.225 million, and that is the difference.

THE CHAIR: Thank you. The hearing is suspended.

Hearing suspended from 10.31 to 10.47 am.

Appearances:

Steel, Mr Chris, Minister for City Services, Minister for Multicultural Affairs, Minister for Recycling and Waste Reduction, Minister for Roads and Active Travel and Minister for Transport

Community Services Directorate

Cross, Ms Rebecca, Director-General

Evans, Ms Jacinta, Executive Group Manager, Inclusion and Participation

THE CHAIR: The Standing Committee on Health, Ageing and Community Services will now resume public hearings for its inquiry into the 2018-19 annual and financial reports.

I remind witnesses that the proceedings are being recorded by Hansard for transcription purposes and are being webstreamed and broadcast live.

I also remind witnesses of their protections and obligations entailed by parliamentary privilege and draw your attention to the privilege statement on the table. Minister, have you read and understood the statement?

Mr Steel: I have read and understood the statement, thank you.

THE CHAIR: Minister, before we proceed to questions do you have a brief opening statement?

Mr Steel: No, I do not.

Ms Cross: Chair, before we begin questions may I update an answer I gave to Mrs Dunne in the previous session?

THE CHAIR: Absolutely, Ms Cross.

Ms Cross: Mrs Dunne, I have managed to confirm the numbers in the FOI team; there are 10 FOI officers and two administrative officers in the team, so that is 12 in total.

MRS DUNNE: Thank you.

THE CHAIR: Minister, can you tell us a little more about the welcome to Canberra service?

Mr Steel: This is a new service that we have recently finished procurement for. The genesis of it came through the multicultural summit held last year where we heard from the community that, despite services being offered through the commonwealth for people to settle in Australia and particularly in Canberra and the region, there was a need for a service to support newly arrived migrants particularly during the first five years of their settlement and connect them with services in Canberra. The service is to welcome them to Canberra as a city and provide them with information about all the services Canberrans enjoy, for example, transport and access to legal services or

trauma support, and we know many of these families come from very traumatic situations.

In discussing this with the community we were able to fund a new service comprising three parts: tailored assistance for individuals around housing, health and employment services; a welcome to Canberra pack with all of the information in either hard or soft copy format through a website; and an acknowledgement of the need to bring all the services together into an expo so people can see the services on offer in one location and connect with them.

We have now finished procurement for this service and I was really pleased to announce this morning that the multicultural hub will be the lead organisation in delivering this service. You may know the multicultural hub by their previous names of multicultural employment services and multicultural youth services. They are also working with partners Companion House and the Red Cross. They are very experienced organisations working with our multicultural community and with migrants and refugee families in Canberra. We are hoping that this will make a real difference for them.

THE CHAIR: How many projects will be delivered or funded through this process?

Mr Steel: I will hand over to Jacinta Evans to provide some further detail about the program and exactly what we are seeking to do.

Ms Evans: There are a number of distinct projects; the pack the minister mentioned will have key information for each person who requires it, and that will also be available digitally so people can have things they can access online.

The support service is the assistance advocacy and that will go to the particular needs around housing, access to health, legal assistance and trauma support. That will link people with all the services.

In addition, the other part of the tender is to provide a couple of times a year an expo, a face-to-face opportunity for new arrivals to meet key people and be introduced to key service providers. There are three distinct parts of the program that we have tendered for.

THE CHAIR: As the minister has already said, the whole idea is to make people feel more welcome and to give them an opportunity to understand what life is like in Canberra and how fantastic it is.

Ms Evans: It is very much responding to the needs that the multicultural community raised with us through the summit. Individual communities will always make members of their community welcome, but they see an opportunity to be much broader in our commitment to making sure everyone who arrives feels part of a community, whether it is a new community just being established in the ACT or one of our longer standing communities.

This will build on some of the other programs in place and the ACT government's partnership, for instance, with the commonwealth around citizenship ceremonies. We

always have follow-up support for people through the citizenship ceremonies but this is getting to people a lot earlier in their journey in Canberra.

Mr Steel: It is also a recognition that when migrants are newly arrived they do not have a huge number of resources, and it can be a big issue in terms of knowing what services are available in the community. This provides a point of connection to all the existing services that we offer as a government and also through community sector partners. We hope that it will be a very useful service for those families.

MRS KIKKERT: What languages will it be available in?

Mr Steel: There will be a website so that will be translated into a variety of languages. We are also working with very experienced community partners that already have available to them the range of translation resources the government also contributes to. Of course, they have staff with various language experience and can translate some of these support services. I will hand over to Jacinta Evans to provide some further detail about that.

Ms Evans: Basically we are looking for this to be very responsive to the needs. Whatever the need the person comes to the service with we will make available to them materials that they can understand. At the moment we are aware, for instance, that the Red Cross welcomes and supports people in Spanish, Farsi, Dari and Burmese whereas, for instance, in the ACT court system Arabic, Chinese, Dari, Dinka, Karen, Korean, Tamil and Vietnamese are the key languages. So it is different depending on who is accessing the service and what they need.

This will not be limited to 10 languages; this will be generated by the need. Companion House are a key part of this because they tend to have a very early connection with people. They will be able to provide the initial language supports as required. The whole idea of having a flexible welcome to Canberra pack is that it is not limited to certain language groups.

The other thing that we are really spending a lot more time thinking about is easy English access for people. A lot of our documents tend to be very government heavy and the language that we use can be difficult to understand. Some members of the committee would be aware of the easy English version of the disability justice strategy. We looked at that as a really good example of how we can start to present more information both online and in hard copy for people who have basic but not extensive English.

MS LE COUTEUR: How does this fit in with what MARSS is currently doing?

Ms Evans: Thank you, Ms Le Couteur. It does fit in against the provision of services from MARSS and also other services already being provided by Multicultural Hub, Red Cross and others, so settlement services more broadly. MARSS are funded through the commonwealth to provide some settlement, engagement and transition support services. They also provide things like some support around leadership in the multicultural space, emergency or relief funding and community education. They support people with getting their drivers licence and to attend computer classes. There is a whole range but what we heard was that in the community there was a need for a

very targeted, welcoming set of programs. People will obviously be still able to access these broad community programs that are available through MARSS and others. This does not diminish the offering. This actually enhances the offering.

MS LE COUTEUR: How do you coordinate this? You mentioned that MARSS was commonwealth funded but I think they also get—

Ms Evans: And ACT.

MS LE COUTEUR: I know they also get stuff from the ACT government. How do you coordinate the two offerings: commonwealth and ACT funding? I understand that they are often full of things which are similar but not the same.

Ms Evans: I think this comes back to a question that was raised in the previous hearing around the commissioning of services. I think it actually is a really good example of why we are pursuing the idea of commissioning. There are a lot of services. They are funded in a lot of different ways. Even within our own directorate we have different little ponds of funding that people can dip into, which is fantastic. It does mean that we get a variety of services.

But it is often difficult to look at what is the community's need and then match our funding to it because our funding is actually dictating what people can access. I think that in this space we will over time be a little more coordinated. But the basic answer to your question is that at the moment where there is funding provided through the commonwealth, we would not try to duplicate that. Within the ACT we keep our funding for the things that are not being provided by the commonwealth and look to enhance and tie in with the broader funding that an agency might have.

Mr Steel: The commonwealth programs are often quite targeted and focused on a particular group. This is actually quite a broad service that will be offered to all migrants in the community, regardless of whether they are a refugee or a humanitarian entrant. The commonwealth programs are very targeted, specifically in relation to the settlement service run by Red Cross. I believe that it is also time-limited in terms of the support that they can provide.

THE CHAIR: Just for Hansard, could we spell out the acronym MARSS, please?

Ms Evans: MARSS is actually the name of the organisation. It is Migrant and Refugee Settlement Services, yes.

MRS KIKKERT: For many years the ACT government has supported the Canberra Multicultural Community Forum as an independent peak body representing culturally and linguistically diverse people here in Canberra. I understand that CMCF have been told they will now need to compete for funding through a tender process. Is that correct?

Mr Steel: Some further information would be useful about which tender process they are talking about, if you have that.

MRS KIKKERT: No, I do not have it with me but I understand that they have been

wanting to have specific funding for services or for certain events.

Mr Steel: Is this about their wanting funding but—

MRS KIKKERT: Yes.

Mr Steel: not necessarily participating in a tender process?

MRS KIKKERT: I have been told that they are participating in a tender process but they have also been rejected.

Ms Evans: No, I am wondering if they are thinking about the scope of their services. I am not sure what is being referred to there, sorry, Mrs Kikkert.

MRS KIKKERT: Would you prefer to sit down with them and have a discussion? Would that be—

Ms Evans: We regularly do that; so I am more than happy—

MRS KIKKERT: You regularly do that?

Ms Evans: Yes, more than happy—

Mr Steel: I recently participated in a couple of forums with them. They have raised with me their wish to have some ACT government funding to deliver their service. I understand that we have provided some small amount of funding for the delivery of their services.

MRS KIKKERT: You have funded them in the past—

Mr Steel: Yes.

MRS KIKKERT: but I understand that for them to move forward in the future they have to do a tender process and compete with other organisations.

Mr Steel: What I said to them is that if they want to provide a proposal to the government about what services they would like to provide, of course, we would consider that. But at this point in time they have not sent me a proposal.

Ms Evans: We do not have a tender process of that kind open at the moment.

MRS KIKKERT: It would be wonderful if you could sit down with them to clarify things because it sounds to me that they are wanting—

Mr Steel: I have been pretty clear to them that if they want to send me a proposal about what they would like to do, they can do that. They have not done that at this point. I am always happy to talk to them and attend their forums, and have done so on multiple occasions this year.

MRS KIKKERT: Is it your intention, though, in the future to put them in a place

where they have to compete with other tenders?

Mr Steel: They are not currently—there is no tender proposed per se.

MRS KIKKERT: I am just asking whether in the future it is your intention—

Mr Steel: We have no plans to open up a tender, a hypothetical tender. I am not sure what they are really referring to there.

Ms Evans: Mrs Kikkert, my team member, Ms Wells, just suggested that they were invited to tender for the welcome to Canberra piece that the minister has just announced. Whether they, in fact, thought that that was a competitive process; they were not obliged in any way; it was just inviting them if they were interested to tender, as were all the members of the refugee and asylum seeker community organisations.

MRS KIKKERT: Okay. Did they actually put in a—

Ms Evans: No.

MRS KIKKERT: No. Do you think that if they are happy and invited to participate in this tender process, it is actually a disadvantage for them, considering that they are all volunteer people, as opposed to other organisations that have full paid staff?

Ms Evans: I think it was a general invitation; we put it out broadly.

Mr Steel: Having said that, the Community Services Directorate has offered support around involvement in tender processes for organisations, recognising that a lot of the organisations that we work with in the multicultural community are often volunteer run and need a little support around tenders, grant applications and the like. That has occurred and will continue to occur.

MS LE COUTEUR: I was interested in the work experience and support program. You had 39 people participating in that and half of them got long-term employment. When you say “long-term,” how long is long? Does this mean ongoing permanent?

Ms Evans: Not necessarily; it could be a contract. It might not mean permanency. We would not have that level of detail. Certainly, WESP participants might be able to access a contractor, a first initial appointment within the public service, and potentially go on to permanency, but we do not have that level of detail.

MS LE COUTEUR: You will separately have a level of detail—say, five years out? For example, are people still bullied? Do you know the gender of participants?

Ms Evans: We would know the gender. I do not have it in front of me. Certainly, we do attempt to have a fairly gender equal number of people in the program. As to the number who go on to employment, I should be clear that the number that is listed as going on to employment are those immediately following the programs. It does not mean that more have not since been employed in the public service or elsewhere.

I certainly know that a number of people who have come through the WESP program

have ended up being employed by MARSS and other community organisations. That is, I guess, the minimum number who were successful in gaining employment immediately after their particular WESP program.

Mr Steel: It is important to note that the point of the WESP program is not to provide a placement in the public service. It is to provide them with the job skills that they may then use to go on to employment in the private sector and the like. We do not track job outcomes, especially not out to five years, because the tenor of the program is to give them the skills and so forth.

Of course, many of them do end up in employment, which is absolutely fantastic. I think the job outcome that we are seeing is very high for a program that does not necessarily have the defined outcome of employment through a graduate program and the like. But the overall number of the multicultural community that is employed in the public service and in the CSD directorate is around 16 per cent, which is quite high. A lot of those employers would have come through WESP.

MRS KIKKERT: Can I draw your attention to page 102, about the interpreters? Recommendation 9 is that CSD should develop a strategy to attract more interpreters, particularly in languages such as Dinka and Urdu, where there is demand but a lack of available interpreters. Under “status”, it says it is “complete”, but I am a little bit confused and seek your clarification. Under “action” it states:

There are 13 Dinka interpreters across Australia, with no Dinka interpreters in the ACT and 36 Urdu interpreters across Australia with two Urdu interpreters in the ACT registered with NAATI.

If the recommendation suggests there should be a Dinka interpreter but there is no Dinka interpreter here in the ACT, why is it “complete”?

MRS DUNNE: What does “complete” mean if you have no Dinka interpreters?

Ms Evans: The recommendation is that we should develop a strategy to attract more interpreters. The “complete” part is that we have developed a strategy. The language services policy works to include all directorates and make sure that they are using the nationally available interpreter service.

The intent is not that the ACT, as a small jurisdiction, should go out and bring in people with a particular language skill. It is that we would increase the availability of that service for all people who need it. With Dinka interpreters, obviously, if there are 13 across Australia, that is not a highly available skill set. However, the best possible way of accessing that skill set is via the NAATI. I will give the acronym because I know Ms Cody will ask me for it.

THE CHAIR: Thank you.

Ms Evans: It is the National Accreditation Authority for Translators and Interpreters. The ACT is a member of the NAATI organisation. We support, through NAATI, the engagement of interpreters from across Australia. If you need an interpreter, they do not need to be standing here in Canberra. In fact, in some ways, it would be a

disadvantage to members of that community if there were one or two interpreters because often they would be known to them in the community or they could be a family member. Members of the community have said to us that there is a level of anonymity that is actually quite beneficial in using a national interpreter system. That person can deal with some complex family matters and issues like that without knowing somebody down the street who comes from the Dinka community, or similar.

MRS KIKKERT: In terms of emergency, I have contacted the interpreter service, the national one, because a constituent was in need of it and I wanted to see what the service was like. I was put on hold for 30 to 40 minutes because they could not find an interpreter. If there is an emergency at the hospital and they need an interpreter right away, what is your strategy?

Ms Evans: Again, I would say that is the strategy, and even if a member of the community was in hospital and needed someone quickly, there is no guarantee that if we had one Dinka interpreter in Canberra, they could get to the hospital in less than 30 minutes. While there is a small number of interpreters, it is a high-skill area and there are not a lot of people in that particular community who are available. Using the national interpreter system is still probably the most efficient way to get somebody to assist.

MRS KIKKERT: You mentioned before the strategy that you are trying to achieve to attract people. Has the strategy been completed, according to—

Ms Evans: Yes. It is up on our website. The languages policy is up on our website. The policy commits to each directorate having a language services plan. The first year of planning was due to be available this month, in November. The minister will be making some comments on the language services, updating on the language services plans, in the near future.

MRS KIKKERT: How many interpreters of high demand languages has the CDS attracted as a result of that strategy?

Ms Evans: The strategy was that we should look at how we would attract those interpreters, and we are doing that through NAATI. NAATI are responsible for who is employed as interpreters. The Community Services Directorate has not employed any interpreters; we are just supporting NAATI as the national interpreting service.

MRS DUNNE: Mrs Kikkert touched on this in relation to hospital visits: this committee heard, in evidence from the Minister for Health, that the lack of interpreter services was particularly a problem for maternity services. Ms Evans, you said that you do not want family members acting as interpreters, but what we have heard from Minister Stephen-Smith is that often family members, and often children, at maternity services are providing interpreter services.

A 30-minute wait if you are looking at describing to someone that they need to have an emergency caesar is probably not sustainable. Another minister in your portfolio has highlighted this as a problem in a particular area, so apart from saying, “We’re relying on NAATI and it’s a problem,” what are we doing to provide real solutions to real people who have real interpreter needs, and the only solution is possibly a

30-minute wait on hold while somebody is found?

Mr Steel: Ms Evans may have been verballed a little bit. I do not think she was suggesting that we do not want family members to provide translation services. What she was—

MRS DUNNE: Actually, the minister said it was “quite unsuitable”.

Mr Steel: What she was saying was that some people—

THE CHAIR: Minister Stephen-Smith.

Mr Steel: have suggested that they are more comfortable with being involved in a national—

MRS DUNNE: It is also a policy position of this government that it is unsuitable for family members to provide interpretation services.

Mr Steel: Often family members may be involved in translating; that may be the only service available at the time. I will hand over to Ms Evans to clarify, and to try to answer your question.

Ms Evans: I am not sure that I can, Mrs Dunne, answer your question in the fullest sense, because the reality is that there is a shortage of interpreters. For me, engaging through NAATI means that the demand is being registered and at least there is some hope that there will be an increased number of people being attracted to that role, because the more that it is used and the more that the demand is there, hopefully the more that we can engage with people.

Home Affairs also provides the translator and interpreter service, and states and territories are advocating for an increase in those services, and around Indigenous languages as well. We are really aware, and I do not think anybody here would say it is ideal that anybody should wait for interpreter services. At the moment we could go ahead and employ someone with the Dinka language, for instance, and they may not be needed for a period of time and we then would not have somebody to interpret another language. The best way is to do it through a pool of people who are suitably qualified and accredited to do that.

MRS DUNNE: What pressure is being brought to bear on Home Affairs to ramp up their filling of these vacancies? Surely, multicultural ministers talk about this as an issue.

Mr Steel: We do not, and that is part of the problem. I am glad you mentioned it.

MRS DUNNE: Perhaps you should take it up.

Mr Steel: We have, actually. The ACT has been leading on this with Queensland to establish a multicultural forum with all multicultural ministers around the table. We hope that the commonwealth does come to the table. We are hoping to have the first meeting in February next year to discuss issues of national importance where a

national approach is required. Translation services will certainly be one of those issues discussed, as well as a range of other things.

We hope that the commonwealth is involved. I hope you can encourage your colleagues on the hill to be involved in this. There are three ministers for multicultural affairs in the commonwealth government who probably have a role in supporting this work. It is certainly something we can raise once we come together for the first time.

THE CHAIR: I note that we have reached the end of our time for this particular part of the hearing. I would like to thank the minister for his time and that of his officials this morning.

Appearances:

Stephen-Smith, Ms Rachel, Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Children, Youth and Families, Minister for Health and Minister for Urban Renewal

Community Services Directorate

Cross, Ms Rebecca, Director-General

Sabellico, Ms Anne-Maree, Deputy Director-General

Charles, Ms Lisa, Executive Branch Manager, Office for Aboriginal and Torres Strait Islander Affairs

Pappas, Ms Helen, Executive Group Manager, Children, Youth and Families

Robinson, Ms Jodie, Executive Senior Branch Manager, Practice and Performance

Saballa, Ms Melanie, Executive Branch Manager, Children and Families

Murray, Ms Christine, Executive Branch Manager, People Management

Gibson, Ms Sally, Executive Branch Manager, Quality, Complaints and Regulation

THE CHAIR: Good morning. For this part of the session, the committee will examine the Aboriginal and Torres Strait Islander Affairs portfolio, specifically relevant parts of the 2018-19 Community Services Directorate annual report relating to Aboriginal and Torres Strait Islander affairs services.

I remind witnesses of the protections and obligations outlined in the privilege statement. Minister and Ms Charles, have you read and understood the protections as they are laid out?

Ms Stephen-Smith: Yes, Chair.

THE CHAIR: Thank you. Minister, would you like to make a brief opening statement?

Ms Stephen-Smith: No, thank you.

THE CHAIR: Minister, the annual report discusses the ACT Aboriginal and Torres Strait Islander agreement. How is the implementation of this ACT agreement going, and how are you monitoring its progress?

Ms Stephen-Smith: The implementation of the agreement is going very well. The agreement, as you will be aware, was accompanied by 10 focus area action plans. Between them I think they had more than 90 actions identified across the whole of government, so we probably do not have time to go through each individual action and its implementation. But there is a lot that has been achieved in line with the priorities of the agreement. In terms of how that is being monitored, I will hand over to Ms Sabellico, to talk about that.

Ms Sabellico: I will just give a bit of an overview. The minister might add some detail.

THE CHAIR: We do not have a lot of time in this session.

Ms Sabellico: In terms of implementation, we have an inter-directorate committee meet, with representatives of all directorates who have responsibility for their focus area actions plans. We have been going through a process of talking about some of our joint initiatives and who is taking the lead, who is the secondary, where we are up to, what actions arise out of that and whether we need some working groups and those sorts of things to progress the work.

We have also been very busy in looking at developing the outcomes framework that sits alongside the agreement, which will then be the basis on which we will be able to present information for the annual report. In doing so, we are looking not only at the overarching indicators but also what strategies go to our being able to achieve the outcomes. Everybody is focused on being able to provide the quantitative and qualitative information to support the work they have been doing. That will then go to being able to report on that work.

We meet monthly and go through each of those action plans. At the moment, we are in the middle of compiling a response about how we are progressing against each of those.

THE CHAIR: Was the elected body involved in discussions for the development of this?

Ms Sabellico: The elected body very much was a joint partner in the development of the agreement and undertook a high level of consultation with the community outside the work we were doing within government. They also held individual meetings with each directorate to go through exactly what they were hearing from the community that needed to be embedded in the agreement and the action plans. They are also a member of the inter-directorate committee working with us around the implementation and the development of the outcomes framework.

THE CHAIR: And the elected body were the main—

Ms Stephen-Smith: Yes. Determining the core focus areas and the significant focus areas was a decision of the elected body, essentially, not a decision of government. It was driven by their consultation with the community to expand the number of focus areas and to divide them up into core and significant. The significant focus areas in some ways support the core focus areas at a more portfolio kind of level.

Developing the outcomes framework and looking at those indicators is also being done in parallel with the national work on the refresher of closing the gap, which is being done in partnership between the council of ministers and the coalition of peak Aboriginal and Torres Strait Islander organisations, on which the elected body is the ACT representative. Katrina Fanning is the ACT representative on that.

One of the questions I know that Mr Milligan has previously asked in relation to this is how what we are doing is lining up with closing the gap. We are doing that work in parallel to make sure that when we report against the agreement we will also be reporting against relevant closing the gap targets and indicators.

MR MILLIGAN: In relation to the outcomes framework, when will that be released and who will have access to the outcomes and the framework?

Ms Stephen-Smith: We are hoping to have the framework itself finalised by the end of this year. Then, as Ms Sabellico said, that will structure the reporting which we are expecting to do in February, which then lines up with the closing the gap reporting as well and lines up with when we signed the agreement in February this year.

MR MILLIGAN: How will that be communicated or distributed to the public?

Ms Stephen-Smith: It is a really good question. One of the lessons we learnt from the last agreement was that, although there were outcomes delivered against it, the community could not really see the connection between the actions the government was taking, what was driven by the elected body and what was driven by the agreement. So one of the things that we really need to focus on is how we make that information accessible to the community and get it out to the community.

Part of that is through the elected body hearings and how the community is engaged in the hearings. Obviously the elected body seeks questions but we are also talking, and standing committees have talked, about how to potentially broadcast elected body hearings so that the community can hear back what is happening against the priorities they have identified. Also, when we launched the agreement we had a community launch, which went really well and lots of people attended. All the directorates were represented, as well as community organisations, and people got to engage with what the focus areas were and what directorates were doing. We are still talking to the community and looking for ideas about how we can get out the connection between the agreement and the activities that people are seeing on the ground.

MR MILLIGAN: In relation to the previous agreement, have you done any review of the success of that agreement? Will any analysis be done and made public of the success of the previous agreement and what you achieved and areas for improvement?

Ms Stephen-Smith: We continued the annual reporting process, so there was a report against the previous agreement. I cannot remember when that was tabled. I think it was April, from memory. That is a report against the focus areas or the outcome of that agreement. Then there were the lessons learnt as we worked on this agreement, which were more the lessons learnt in discussion about the shape of the agreement, how we communicate it to the community and how we monitor it and implement it and share those outcomes.

MR MILLIGAN: In relation to Boomanulla Oval, I notice that you have two staff currently located at Boomanulla Oval. My question is: what are the costs associated with having those two staff at Boomanulla Oval, compared to already being in a government department somewhere else? Is there an extra cost? Are they well placed there to communicate and to do their tasks as they should? Is it prohibitive at all, having two staff at Boomanulla Oval?

Ms Sabellico: The two staff who are sited out at Boomanulla are actually the secretariat for the elected body. Effectively, that becomes the community place for the elected body. I think they have found that it has been far more accessible for

community to attend at Boomanulla and to seek information or support from the elected body itself when it is not in a government building per se.

With the cost for the staff who are out there, effectively it is the same cost as if they were at the site at 11 Moore Street. We have made sure that they have all of their connections to the infrastructure that they would have had at Moore Street. They have a greater area, of course, because it is far more about the community accessing them than just their office. When I looked at the budget, the costs were commensurate with the cost associated with being at the office.

MR MILLIGAN: How many government-related meetings have been held at Boomanulla Oval compared to community meetings held at Boomanulla Oval?

Ms Sabellico: I will need to take that on notice.

Ms Cross: I think it is a question for another portfolio that is actually managing Boomanulla, rather than us taking it on notice.

MR MILLIGAN: Which portfolio?

Ms Stephen-Smith: It is managed under the sports portfolio of Minister Berry. In terms of the actual management and knowing what those numbers are, it is probably more a question for her.

MR MILLIGAN: Given that you have two staff out there and they provide administration and support to both the elected body and UNEC, can you break down the cost between the two? What is the cost of support given to UNEC as well as the elected body?

Ms Sabellico: The secretariat that is sitting out at Boomanulla only support the elected body; otherwise the secretariat support for the United Ngunnawal Elders Council is provided through the office for Aboriginal and Torres Strait Islander affairs. I will pass over to Lisa, who will be able to give you some detail.

Ms Charles: Your question was about the cost of support?

MR MILLIGAN: Yes, the difference; how much support are you giving UNEC and the elected body, by way of comparison?

Ms Charles: I will talk about the UNEC secretariat support. My staff meet with the co-chairs regularly to provide them with all of the correspondence that comes into the UNEC secretariat from across government, as well as from communities seeking cultural and heritage advice from UNEC. I also meet with them on a six-weekly basis to talk about their ongoing priorities. We provide the secretariat support for their meetings four times a year, which includes travel costs, sitting fees and the like—venue costs and other support.

MR MILLIGAN: Is this the first time that the office has provided that support to UNEC? For how long has that support been provided to UNEC?

Ms Stephen-Smith: No. When I first came into the role as minister, there was outsourced secretariat support. That was the result of some discussions between UNEC and OATSIA at the time. That was then brought back in house into OATSIA. It had previously been in OATSIA. The actual secretariat support in terms of writing the minutes had been outsourced; then it was brought back into OATSIA. The individual personnel who provide that support to UNEC have changed over time, but that has historically been where the support has come from.

MS LE COUTEUR: I notice that the funding for the office for Aboriginal and Torres Strait Islander affairs is transferring to output 2.5, strategic policy. What does this mean in practice?

Ms Sabellico: Effectively, it just aligns to our organisational structure. The office for Aboriginal and Torres Strait Islander affairs sits in strategic policy. It is in order for us to get some alignment in terms of the work that occurs. Of course, the office does a significant amount of work in terms of supporting some of our other strategic policy areas. It is just about aligning that to our structure.

MS LE COUTEUR: There is no implication apart from just a different bit in the annual report? Okay, great. On page 155, under your “new initiatives” heading, you say you have piloted training for frontline workers on meeting the cultural needs of Aboriginal and Torres Strait Islander people who have contact with the justice system. Can you tell us more about the training? Who is doing it? What difference do you hope it might make?

Ms Stephen-Smith: It sounds like this goes to the issue of reporting. Every directorate reports for Aboriginal and Torres Strait Islander reporting. In here, we have done some broad reporting about whole-of-government progress against the agreement focus areas. It sounds like this is specifically around training for those people in the Justice and Community Safety portfolio around meeting cultural needs of Aboriginal and Torres Strait Islander people who come in contact with the justice system. Obviously, we do also provide—

MS LE COUTEUR: I can read out exactly what it says, if you would like.

Ms Stephen-Smith: I have got it, on page 155.

Ms Cross: We will confirm whether that is something for the JACS portfolio or whether that involved any of our juvenile detention staff. It looks, from the brief description, as though that was in the JACS portfolio, but we will check that.

Ms Stephen-Smith: It may have been some training that was facilitated by OATSIA. We will have a look at that and see if we can find that.

MS LE COUTEUR: Under the strong families portal, community members can apply for funeral assistance. Has there been much uptake of this? In particular, are you keeping records which would show how much the uptake is by Aboriginals and Torres Strait Islanders versus non-Indigenous applicants? I fear this would be someone else’s responsibility.

Ms Stephen-Smith: The strong families portal is a whole-of-government portal for Aboriginal and Torres Strait Islander people, so it includes a whole lot of stuff from a whole lot of different directorates.

Ms Cross: Yes, the funeral fund—

Ms Stephen-Smith: It is a Chief Minister directorate initiative that is linked through the strong families portal. It is always an issue in Aboriginal and Torres Strait Islander affairs.

MRS DUNNE: I have a question which I think somebody here should be able to answer. It relates to Gugan Gulwan. The annual report, at page 156 and following, points to substantial figures supporting the support that Gugan Gulwan provides in the community through CSD funding. Where are we with the scoping of their new building?

Ms Stephen-Smith: That feasibility study is almost ready to come to government for consideration. There has been a lot of work done with Gugan through that period. We recognise that it has taken a little longer than we originally intended. That is in part because of the work that Gugan has been doing in implementing things like functional family therapy and the fact that they are a relatively small organisation. But the feasibility study is basically completed and in a position to come to government very soon for consideration.

MRS DUNNE: It seems to me, Minister, that a feasibility study is just a delaying tactic to put off the inevitable of building this organisation an appropriate building.

Ms Stephen-Smith: I think what it is doing, Mrs Dunne, is providing us with the information we need to make a decision on building a new building for Gugan or relocating them to either an existing or a new facility built elsewhere. That work—

MRS DUNNE: But that is a scoping study. A feasibility study says, “Is there a need?” There is clearly a need. It has been demonstrated over probably a decade that there is a clear need for Gugan Gulwan to have better facilities. So why do we have a feasibility study rather than a scoping study about what their actual need is?

Ms Stephen-Smith: What I have just described—if you want to call that a scoping study, then it is a scoping study.

MRS DUNNE: So long as the next step does not become a scoping study.

Ms Stephen-Smith: It was described as a feasibility study in the budget papers. That is the terminology I think housing generally uses, so that is the CSD terminology. But that is the work that was done to look at the different options for Gugan: new build on site, new build elsewhere, expansion of facility on site, or an existing facility that could be retrofitted for them.

MRS DUNNE: What is the timetable from here on before Gugan Gulwan gets a building?

Ms Stephen-Smith: As I said, that work is almost ready to come to government and will be considered by government very soon.

MRS DUNNE: That is not the question.

Ms Stephen-Smith: That is a decision for cabinet, Mrs Dunne. It is not for me to preannounce policy in relation to when government will be making a decision or what decision government will be making on that. What I am saying is that we are almost in a position to make that decision.

MRS DUNNE: Could I have on notice a timetable of the discussions over just this term of the Assembly that have been had with Gugan Gulwan about their accommodation? I will not go back for probably the rest of the decade—just this term.

Ms Cross: To the best of our ability, we will provide that for you.

MRS DUNNE: Thank you.

MS LE COUTEUR: Family group conferencing; I know it says at the top “CYPS”, but on the basis of your figures the vast majority of the clients would be Indigenous. Given that the—

Ms Stephen-Smith: It is a program specifically for Aboriginal and Torres Strait Islander families.

MS LE COUTEUR: Wonderful. I was thinking you were going to tell me that it was really part of CYPS and I could not—

Ms Stephen-Smith: Although CYPS officials are not here, we can probably help you.

MS LE COUTEUR: Thank you. It is described as a pilot. Is it going to be continuing?

Ms Stephen-Smith: Yes. Obviously this is reporting on the 2018-19 financial year. The program was piloted and the funding is now ongoing for Aboriginal and Torres Strait Islander families.

MS LE COUTEUR: Great. Do you have any more up-to-date figures? How many families are you looking after at this point in time?

Ms Stephen-Smith: What we might do is come back, if you will still be here for the children, youth and families session.

MS LE COUTEUR: It is possible.

Ms Stephen-Smith: We will have the numbers up to date for both family group conferencing and functional family therapy in that session, if you are interested.

MS LE COUTEUR: Great, because they look really—

MR MILLIGAN: I want to follow up on the funding arrangements for the family group conferencing and the functional family therapy. It was just 12 months funding for this pilot. Is that right? When can we expect to see the results of these programs that were run? What type of evaluation will be done? Is it done by Gugan? Will it be presented to the government and then published?

Ms Stephen-Smith: Again, we can talk more in the children, youth and families session about exactly what that evaluation will look like. But there has essentially been an ongoing evaluation process as well. My understanding is that the program that Gugan Gulwan is running with OzChild has a really remarkable outcome in terms of comparison to functional family therapy programs around the world. I think the figure was the highest rated in terms of fidelity or alignment to the functional family therapy model. The proportion of families who are sticking with that and successfully going through the program is really high.

Ms Cross: We can confirm it in the next session, but I think all of the families that have enrolled in the program are still engaged and none of the children have come into the child protection system.

MR MILLIGAN: My concern is what will happen after this 12-month period with those families. Will it completely cease, or is there going to be a bit of a grace period where they can continue to—

MRS DUNNE: While we are cogitating in government about what we might do in the future.

Ms Stephen-Smith: The program itself, the model, is a sort of a time-limited intervention for families. Obviously then there would be more ongoing support to families in need outside the functional family therapy model. But certainly it has been very clear from the discussions with the Our Booris, Our Way steering committee how much the community values the functional family therapy model. There is no suggestion, in contrast to Mrs Dunne's assertion, that this program is going to come to an end. We will work through the recommendations of the Our Booris, Our Way steering committee, but obviously we will continue these successful programs in line with our conversations with the community.

MR MILLIGAN: Before this program finishes though? Before the 12-month period pilot is up?

Ms Stephen-Smith: The pilot is, I think, more than 12 months.

MRS DUNNE: Not according to the annual report.

Ms Stephen-Smith: I think we have already funded it for more than 12 months. We can come back to the exact details in the next session, because it is the CYPS program.

MR MILLIGAN: I think the funding did state it was only for 12 months, and through my discussions with the community—

MRS DUNNE: “The trial will continue to the end of 2019 and an evaluation will be

completed soon after.”

Ms Stephen-Smith: That is point-in-time reporting. We will come back after lunch to talk about—

MRS DUNNE: So the funding does not conclude at the end of 2019?

Ms Stephen-Smith: My understanding is that we have extended it, but we can come back after lunch when the relevant officials are here to talk about it.

MRS DUNNE: Madam Chair, may I correct the record?

THE CHAIR: Yes, Mrs Dunne.

MRS DUNNE: On the basis of the information in the annual report it appears that this is coming to an end at the end of 2019, and that is why I asked what is happening when this program comes to an end.

Ms Stephen-Smith: Yes, and you then made some disparaging commentary about the fact that we were clearly going to finish it and that there would be a delay et cetera, which is what I was responding to.

MRS DUNNE: The question becomes: if it finishes in 2019 and you have people who are engaged in the program—

Ms Stephen-Smith: Yes, Mrs Dunne, but you did not ask the question about whether it was going to finish before you made your assertion.

MRS DUNNE: It was not my turn to ask the question and now it is—and I am. If the funding ends at 2019—and that is open for you to clarify—what happens to the people who are part way through the program? Do they get cut off?

Ms Stephen-Smith: No, Mrs Dunne.

MRS DUNNE: Will the funding come to an end, and what are their prospects of continuing in a program if the funding finishes?

Ms Stephen-Smith: I have just clarified that the funding is not going to come to an end at the end of 2019, Mrs Dunne. We can come back to this after lunch when the relevant officials are here to talk about those conversations with Gugan and OzChild and they will be able to confirm those arrangements.

MR MILLIGAN: They will be able to confirm if it is going to continue?

Ms Stephen-Smith: Again, the 2018-19 annual report is reporting on a period of time during which the pilot was funded. At that point it was funded for that period. It is an ongoing process of government working with the community.

MRS DUNNE: Yes, but the 2018-19 report says that it completes in September 2019.

THE CHAIR: We have come to a point where (a), it is the end of the session and (b), we are waiting for officials in the next session to deal with this line of questioning.

I thank all witnesses who have appeared this morning. When available, a proof transcript will be forwarded to witnesses to provide an opportunity to check the transcript and suggest any corrections.

I advise members and witnesses that answers to questions taken on notice should be provided to the committee's secretariat within five business days after receipt of the uncorrected proof *Hansard*, day one being the first business day after the uncorrected proof *Hansard* is sent to the minister by the committee office. Non-executive members may lodge questions on notice, which should be received by the committee's secretariat within five days of this hearing. Responses to questions on notice should be provided by the committee office within five business days of receipt of the question, day one being the first day after the questions are sent to the ministers.

Hearing suspended from 11.44 am to 12.47 pm.

THE CHAIR: The Standing Committee on Health, Ageing Community Services will resume its public hearings for its inquiry into the 2018-19 annual and financial reports.

I remind witnesses that the proceedings are being recorded by Hansard for transcription purposes and are being webstreamed and broadcast live.

Ms Pappas, I draw your attention to the privilege statement and ask you to confirm that you have read and understood its implications.

Ms Pappas: Yes, I have.

THE CHAIR: Minister, do you have a brief opening statement?

Ms Stephen-Smith: No, thank you.

THE CHAIR: Minister, we might start where we left off: family group conferencing. As we have the correct officials now we may rehash a little of what we have already heard to make sure that we have the correct information from the correct officials on the record. Does that work for you, minister?

Ms Stephen-Smith: Yes, I think that is a good idea. In the break we were talking with Ms Robinson about this and discussions are ongoing in relation to it. I will hand over to Ms Robinson and Ms Pappas to talk more about.

Ms Robinson: I acknowledge the privilege statement. Can I clarify the questions that were being asked before the break?

THE CHAIR: We will start with some of them again and you may get some repeat questions. We were talking about the family group conferencing pilot. Is it still going? Can we confirm that to start with?

Ms Robinson: Family group conferencing has been funded in the budget and that is

ongoing at the moment.

THE CHAIR: So the pilot has now ceased?

Ms Robinson: The pilot has ceased, that is right. Funding was provided in the last budget. There are two full-time equivalent staff members and that program is ongoing. As of 29 October 74 children have been engaged with family group conferencing, and that is 34 families. Of those, 51 children have not entered care as a result of those family group conferences.

Where children were already in care prior to the family group conference or came into care immediately afterwards they did so in accordance with the plan that was developed at the family group conference. The family group conference assists in strengthening things, like contact arrangements and cultural planning for children.

THE CHAIR: I am sure we have a few more questions about family group conferencing, but can you tell us the difference between the family group conferencing and functional family therapy?

Ms Robinson: Family group conferencing is a family-led decision-making model. It is offered to Aboriginal and Torres Strait Islander families as an alternative to court processes before court processes and occasionally where a court process has commenced in the ACT Children's Court. It is the diversion of young people and children from further engagement in the child protection system.

Critically, it is about families coming together, including extended family, and community supports to provide and determine a family plan for those children and young people. Children and young people are often engaged through the process and in many instances are also present for a fair part of the family group conference so that their views and wishes are central and are heard by the entire family system.

We hear from families, particularly extended families, that it is often one of the first times the families have the opportunity to be really honest and open with each other about the significant challenges being faced within the family but to do that in a way that means they will be supported to come up with realistic plans around keeping children safe within their family and their extended family.

MRS DUNNE: I want to move to functional family therapy, which is a pilot at the moment. I understand that there are about 70 children and 30 families involved in that.

Ms Robinson: Yes.

MRS DUNNE: Minister, did you say this morning that none of the children in that pilot went into care?

Ms Cross: I said that was my understanding.

MRS DUNNE: How much money is involved in the pilot? About a million dollars?

Ms Robinson: A bit under a million dollars. Gugan Gulwan and OzChild came to

government with a proposal around the pilot which is a shared costing arrangement. OzChild in particular invested in this because they had been running this program in other states and territories and knew of its benefit. It is a cost-sharing arrangement, less than a million dollars for the pilot period.

MRS DUNNE: When you say that it is a cost-sharing arrangement, is the million dollars what the ACT government is putting into it or is that the overall cost for the program?

Ms Robinson: The cost for the pilot has been around \$700,000, with equal investment by the ACT government and by OzChild and Gugan Gulwan.

MRS DUNNE: What is Gugan Gulwan's source of funding for that other than the government?

Ms Robinson: The Gugan Gulwan contribution to that relates to an in-kind contribution around their facilities and their management staff and oversight. OzChild had been providing some additional funding, in their contribution and through the entirety of the contribution package, to additional cultural support that supports the engagement of families as they transition into the functional family therapy program.

The functional family therapy program has been quite successful in the ACT. The early results are very promising, as was mentioned. There have not yet been any children who have come into care who are engaged in the program, and the program fidelity score across the board is 5.83, which is the highest fidelity score in Australia at this point in time.

MRS DUNNE: Could you elaborate on what the fidelity score is?

Ms Robinson: The fidelity score is the adherence to the model, how closely staff on the ground are applying the model. That leads to typically greater success of families through the program in terms of maintaining engagement for the entirety of the program and then sustaining the results post the program.

MRS DUNNE: What is the maximum score?

Ms Robinson: The maximum score is six.

MRS DUNNE: I was wondering because I was thinking that it does not seem great if it is out of 10, but if it is out of six, it is outstanding.

Ms Robinson: Yes. Comparisons in New South Wales; about 3.9 across other programs across Australia.

MRS DUNNE: This was one of the things that was unclear. This is a pilot?

Ms Robinson: That is right.

MRS DUNNE: Someone pointed out to me during the lunchbreak that there is another part of the annual report where it says that the funding is ongoing, although in

the Aboriginal and Torres Strait Islander part it gives the impression that it is not ongoing. That has been clarified. Do you envisage that the assistance will be ongoing or is it finite? Do you expect that you will set families up and everything will eventually go tickety-boo, or will families need this assistance until their children reach their majority?

Ms Robinson: One of the program phases for functional family therapy, the last phase of the program, is a phase called generalisation. The generalisation phase of functional family therapy is where the therapists work to put in place sustainable plans. Quite early on when they are engaging with the family, they really work to simplify the number of services that families are engaged with. This program is intensive, and families need to dedicate their focus to the functional family therapy program. The generalisation phase is the last phase of the program. That is where they look to ensure that the benefit, the behavioural change that is seen in families, is sustainable and bring in the additional services that are required to support families in an ongoing way.

A great feature of functional family therapy which is built in is that they recognise that families require a top-up from time to time. At times, all families will face different life challenges, and at those times a boost in the intensity provided by functional family therapy is required. That is built into the program and that is part of the generalisation phase discussion that the team have with families.

MRS DUNNE: That still does not answer my question exactly. Will the maintenance phase still be run under functional family therapy auspices?

Ms Robinson: Yes, that is correct.

MRS DUNNE: It is not a time limited thing?

Ms Robinson: There are two components.

MRS DUNNE: Yes, but overall it is envisaged that there will be assistance to a family to remain intact while there are children in the family.

Ms Robinson: There are two components to that. The intense functional family therapy program has five phases, the final phase of the intensive engagement being generalisation. That is planning for the future, post the therapist stepping out. Part of that discussion with the family, part of that planning, is about what supports are required to be in place ongoing. For families that have completed the program, they may include things like ongoing drug and alcohol support, ongoing support through Gugan Gulwan, standard programs that are funded within government, and a range of other supports such as childcare support, better connections to the child's school through school counsellors and other roles. That is the type of planning that occurs at the end.

MRS DUNNE: So you envisage that at some stage people will exit the functional family therapy.

Ms Robinson: Yes, correct.

MRS DUNNE: But there will still be ongoing support?

Ms Robinson: Correct.

MRS DUNNE: How long is the five-phase program?

Ms Robinson: It differs for families. The average—

MRS DUNNE: It depends on the piece of string.

Ms Robinson: Yes. It can be up to seven to eight months.

MRS DUNNE: So it is time limited, and quite a short time in the life of a family?

Ms Robinson: In the life of a family, but it is exceptionally intensive.

MRS DUNNE: I understand about the lack of intensity, but where has functional family therapy been done over the long haul, either in Australia or elsewhere?

Ms Robinson: The program model is a model from the States. The fidelity score that I spoke about before means that Gugan Gulwan and OzChild are implementing it as intended. The functional family therapy team receive clinical supervision from the States on a monthly basis, and part of that is ensuring fidelity with the program. My understanding is that the functional family therapy program is not designed to be any shorter or any longer; it is based on the needs of the family and their progress through the various phases.

MRS DUNNE: My question was: where has it been running for a longish period of time and what do we see as the long-term outcomes, three, five or 18 eighteen years down the track?

Ms Robinson: Victoria and New South Wales have trials of functional family therapy that are longer than ours. Typically, they see reduced rates of children and young people entering care and protection systems and greater stability within families.

MRS DUNNE: Can that be quantified?

Ms Robinson: Yes. We have built an evaluation of this pilot into our arrangements with Gugan Gulwan and OzChild; we expect that that will be forthcoming over the next month or so. That includes data that is being provided by Gugan Gulwan and OzChild in terms of families' progress through the program. Then it will include data related to some of the things we have already talked about, like children entering care. Beyond that, we are interested in having a look at children's stability at home six months and 12 months post their engagement in the program.

MRS DUNNE: Would you envisage, over time, looking at milestones beyond 12 months?

Ms Robinson: Twelve months is the typical period that we look at, but yes, we are

interested in that.

MRS DUNNE: You said that New South Wales and Victoria are running trials and that they are more advanced. By your description, this is a US program. What does the long-term data show about keeping families intact?

Ms Robinson: The reason that we are interested in functional family therapy is that it has been shown to have benefits, particularly for highly complex families and for Aboriginal and Torres Strait Islander families. This is the only trial in Australia that is specifically for Aboriginal and Torres Strait Islander families. From that point of view, we are particularly interested to see how the results compare.

There is a range of positive outcomes for families in terms of families having increased trust in the service system, which is particularly a value for Aboriginal and Torres Strait Islander families; children staying at home, and staying safely at home, not coming into care during the intervention and also post the intervention; and improvement in things like education outcomes for children and access to health care. It has a whole range of benefits beyond immediately children entering into the care and protection system and children being able to stay at home.

MRS DUNNE: Is there any literature that you might point the committee to about the long-term operation of functional family therapy, not just in the ACT but elsewhere? Has there been research that would inform the committee about how it is going elsewhere?

Ms Robinson: Yes. I can provide that to the committee.

MRS KIKKERT: Who delivers the post-services program?

Ms Robinson: In that generalisation phase, it depends on the presenting circumstances of each individual family.

MRS KIKKERT: You mentioned before that it depends on the circumstances of the family. It could be drug and alcohol support. After that phase is over, who connects the dots, who connects the family to that particular service that they are in need of?

Ms Robinson: Functional family therapy does that in the generalisation phase prior to withdrawing from the family.

MRS KIKKERT: When somebody exits the program, do you have another family coming into the program?

Ms Robinson: Yes.

MRS KIKKERT: At the same time they are also supporting families who are exiting the program. I am thinking about the amount of stretched work that staff will have to do within the program. They are looking after new clients and current clients, as well as currents who are exiting the program.

Ms Robinson: The families in the generalisation phase, which is the last phase of the

intensive support, are still absolutely in the program. They are still counted as receiving a service. During that phase, that is when all of the consolidation work is happening with the family, including planning for the future. The way that that currently operates is that functional family therapy will speak to the family about the supports that they will need.

Typically, they will convene a case conference. Child youth and protection services staff are attending those meetings as well and the plan for the families is identified, including, if required, a lead worker for the family. That may be child and youth protection services, if we are still engaged, or it may be one of the other community supports that the family have identified.

MRS DUNNE: What is happening after December for the families that may be in the program?

Ms Robison: Ms Pappas and I are meeting with the CEOs of both Gugan Gulwan and OzChild this Friday to have those conversations. Those conversations are ongoing ahead of the minister meeting with them both on 28 November.

MRS DUNNE: So it is: we do not know at this stage.

Ms Robison: They are live, active conversations at the moment. That is part of the conversations that we are having with them this Friday. The minister is meeting them on 28 November.

MS LE COUTEUR: This is a continuation from this morning. I think my question belongs here. Fifteen recommendations have been provided to the government by the Our Booris, Our Way committee. What is the process for the government in providing feedback to the committee about the status of the recommendations?

Ms Stephen-Smith: There is a regular reporting on the progress and the implementation of the recommendations that the directorate provides to the Our Booris, Our Way Steering Committee. I understand that that is published on their website as well. Ms Pappas can talk more about that.

Ms Pappas: As I said, each quarter we provide a report to the steering committee that talks to the progress of each of the recommendations. That is the work that occurs over the three months. That is sort of the formal reporting. Then there are subsequent meetings that occur with the chair and the clinical lead of the review over the course of the three months to talk about recommendations, talk about progress and understand intent, just that general relationship and the connection with the work of the steering committee. Certainly, there is quite a lot of interaction between the Community Services Directorate and the steering committee.

MS LE COUTEUR: What is going to happen after the committee provides you with the final report, which I understand is at the end of this year?

Ms Stephen-Smith: The final report will come to me but it will be released publicly. The steering committee is completely independent and releases all of its reports and recommendations on the same day that they are provided to me. That is their timing

and their process. Obviously, government will consider all of the recommendations.

We have, obviously, already responded to the initial recommendations of the steering committee. Any additional recommendations, as you would expect, will feed into normal budget processes in terms of any funding considerations but they will also feed into the operational considerations of child and youth protection services and across the directorate. Some of the recommendations are much broader than CYPS. They go to issues like early support for families. Those will be considered by that sort of inter-directorate committee and at cabinet level in terms of appropriate responses.

MS LE COUTEUR: Are there plans for ongoing monitoring of the recommendations and review of the recommendations? I guess that what you said answers that question.

Ms Stephen-Smith: Yes, one of the most recent recommendations of the committee is to establish an ongoing oversight mechanism. I have not yet replied to the chair because we had some details to work out, but I will shortly be replying to the chair of the Our Booris, Our Way Steering Committee to talk about an interim process until cabinet has had a chance to consider the long-term oversight.

That is something that I have discussed with the chair. We probably cannot make a long-term decision in terms of something that would require funding but we would certainly be keen to establish an interim implementation oversight mechanism, including potentially members of the Our Booris, Our Way Steering Committee who will have an ongoing knowledge of not just the recommendations as written but I think, as Ms Pappas indicated, the intent of the recommendations as well.

I think it has been an educational process for all of us in terms of talking through how the written word is to be interpreted through the lens of the Our Booris, Our Way Steering Committee as opposed to how a bureaucrat sitting in a directorate might read that. Sometimes those two things can be slightly different. That is really the importance of the ongoing implementation oversight and having that continuous opportunity to touch base with the community.

MRS KIKKERT: I draw your attention to page 61 in the annual report. It acknowledges that continuing to deliver autism spectrum disorder assessments in a market where recruitment or suitability of qualified professionals is difficult and challenging. Why is it currently so difficult to recruit these professionals to work for child development services?

Ms Evans: I think the short answer is that it is. It is difficult to recruit these professionals overall. There is just a shortage of capability in these kinds of spaces. But we have been doing some work to address the issues with waiting times for autism assessment. Ms Saballa can talk more about that.

Ms Saballa: I acknowledge the privilege statement. In my role I oversee the three child and family centres and the child development service. Mrs Kikkert, thank you for your question. It is an important one for us. It is one we have been working on for a period of time now. With the child development service, we are a known and trusted service. We are known for the service we provide and our assessment for autism

spectrum disorder. It is a multidisciplinary team assessment. It means that the assessment takes several appointments. The result is that a family receives personalised advice about their child.

There are some other options available for families. They may go privately and there is a subsidy if they have private health coverage. What we have seen, and I put this in the context of a national issue, is that all jurisdictions are experiencing a shortage of allied health professionals. It is particularly psychologists. Added to that, there is a significant shortage of psychologists who have that expert training and experience in autism assessments. What that means is that the shortage is making it difficult for us to undertake an increased number of assessments.

When we first raised this issue we did see that there were difficulties in recruiting psychologists to undertake assessments. We very quickly put in a process where we purchased that psychology expertise from the community. What we are able to do is use funding to have psychologist expertise come into the child development service and be part of the multidisciplinary team that does assessments where there is a more complex presentation.

The other thing we have done is directly purchase autism spectrum disorder assessments from psychologists in the community. What that has meant we are able to do is continue to provide assessments in this very tight market in terms of psychology expertise.

MRS KIKKERT: The solution last year was to engage private psychologists to work with and on behalf of the CDS to deliver the assessments. What was the cost of this procurement? Did it cost more or less than successful recruitment would have cost?

Ms Saballa: Thank you for your question. What I see is that with the funding envelope that we have available, we are using that to purchase assessments. We do receive funding from the Education Directorate for psychology positions. We negotiated with the Education Directorate to be able to use that funding in another way. That is what we have done.

MRS KIKKERT: Was there a backlog of these assessments in 2018-19? If so, how big was it? How have they now been resolved?

Ms Saballa: What we have been able to do through this approach is to maintain the provision of assessments. We have been able to do that. We do have a waitlist and we continue to work through that, again acknowledging that the autism spectrum disorder assessment process that we have in the child development service is highly regarded. So it is a first point of call for many families who would want our assessment.

THE CHAIR: Minister, I wanted to talk about the Wreck Bay community collaboration but I am concerned that I have left it to the wrong portfolio. If I have, I apologise.

Ms Stephen-Smith: Have you got a page reference?

THE CHAIR: Page 158.

Ms Stephen-Smith: That is CYPS staff so I am sure that Ms Pappas can touch on that.

THE CHAIR: I was not 100 per cent sure. It did say that, but the breakdown has not been entirely clear over these hearings. There is a bit of information on the Wreck Bay community collaboration here. I want to know how that came about, what results you are trying to achieve from that, and any other bits of information you would like to give me.

Ms Pappas: The Wreck Bay community, because of its location, poses some difficulties in terms of how you deliver services. Over many years we found that the only time our service was down in Wreck Bay was when there was a crisis, when there was a child protection report or when we needed to intervene in some way. Over the years we learned that that was not the engagement that that community needed from us; they needed to establish a different type of relationship. We had to normalise what child protection meant in that community, in any community really.

We have had a dedicated team that have been going down routinely every six weeks or so regardless of what is happening in that community. Over many years they have built a very trusted relationship with the elders of the community, and we are now at a point where they are invited to participate in NAIDOC functions and go down for community events. They take the opportunity when they go down there to meet with the school, meet with the childcare centre and meet with elders in the community and other services that deliver in Wreck Bay, and just continue to maintain those relationships.

We now find that when we have to go down there and deliver a standard child protection response, that is an easier process for families. They understand who is coming down; they have already built a relationship with those people. They are able to have really difficult conversations and do that well in an environment that allows those families to remain intact and to bring services in. It has probably been in excess of 10 years that we have had a dedicated team.

We have a team leader who has been leading that work. There is a real process that they go through when they are introducing new people into that team. You do not just pop down. You have to ring; you have to introduce yourself; you have to be introduced in the community. People need to know who you are and that you are there not for any reason other than to go and introduce yourself. That happens quite a few times, and then the new staff member inserts themselves and the old staff member exits. What is good about that is that the relationship continues, but our staff really understand how we need to deliver the child protection service differently and that it is not the standard response that other communities would get from us.

THE CHAIR: Have you seen some more positive outcomes since you have had staff actually located in Wreck Bay?

Ms Pappas: The positive outcomes relate to the relationships. When there is a situation in families, we know that the school can intervene. The relationship with the AFP is quite good as well; our staff engage with the AFP down there. We see that the services that are already embedded in that community are able to respond to families

in crisis until our staff can go down there. There is a real network of people who are making sure that families are supported. The benefit of it is really the relationship that has been built over many years.

MRS DUNNE: I want to talk about therapeutic protection places. I am referring specifically to the Human Rights Commission initiated review of allegations regarding the Bimberi Youth Justice Centre. The last of those recommendations is about therapeutic protection places.

Minister, you have said in answers to questions on notice from Mrs Kikkert and others that the government no longer believes that this is best practice: that it is not good for kids, and that you are looking at other options to replace this. It says here that this is a matter in progress and that CSD is working with the Human Rights Commission to develop options that align with best practice.

My understanding is that as many as eight times in the reporting period children and young people have been placed in hotel rooms or serviced apartments with carers, youth workers, because they have no other available options. Do you consider that this option is superior to providing a therapeutic protection place?

Ms Stephen-Smith: Those are two very separate issues. The kinds of young people who would, for a very short period, be in a hotel room with a carer—generally with a foster carer, occasionally with an ACT Together staff member or a CYPS staff member—are not the same kinds of children and young people who would be potentially subject to a therapeutic protection order.

A therapeutic protection order would be, under the act, applied for by the director-general in very specific circumstances and result in a young person being kept in a therapeutic protection place, which is a place of confinement, for a period of time, with the transfer of daily care responsibilities to the director-general and placing conditions on the child by the Children's Court.

When we are talking about children and young people occasionally being in a hotel room with a foster carer, an ACT Together staff member or potentially, occasionally, a CYPS staff member, that would be a short-term option until a foster care place is available in a home, or potentially until that young person moves into a residential care placement within the child protection system. The therapeutic protection order is really right at the other end of the spectrum of care that you talk about.

Ms Pappas may be able to elaborate if you have a particular question about therapeutic protection orders. That work is ongoing. As I have said, a therapeutic protection order really authorises the confinement of a child. Part of our concern is that there is a question mark over whether the way therapeutic protection orders are described in the act at present is in line with our human rights: whether it would be human rights compliant and whether it would be the best therapeutic response for children and young people who have very high level and complex needs. Those protection orders are really about responding to young people who represented dangers to themselves or to others because of their very complex and difficult behaviours.

MRS DUNNE: It has been brought to the attention of the opposition that some of these stays in motel rooms and serviced apartments are longish, and that some of those clients have fallen into the category of where they have harmed themselves or others. I ask again: is putting people up in a serviced apartment with a youth worker, however described, the optimal solution for these young people?

Ms Stephen-Smith: Given that we are talking about a different clientele of young people—

THE CHAIR: I am not entirely sure we are talking about a different clientele.

Ms Stephen-Smith: We are talking about quite different groups of young people. Obviously, that is not our preferred option. The preference would be for young people to be able to transition directly into a foster care placement in a foster carer's home or, if they were needing to go into residential care, my understanding is—Ms Pappas can probably talk more about this, and I do not know what you mean by longish—that these are generally temporary arrangements while an appropriate foster care placement is identified.

MRS DUNNE: For the information of the committee, one of the things that you could perhaps provide on notice would be: in the reporting period, how many times was commercial motel-style accommodation used as housing, and what is the average length of stay, the shortest stay and the longest stay in the reporting period?

Ms Pappas: We can take that on notice, but my information is that it happens quite rarely. When it does happen, as the minister was saying, it is in relation to transition planning or in relation to an incident. For example, if a young person has been in a foster care placement and that breaks down, or if there is a situation or a crisis in that home and there is not another solution for that time, then kids can be in hotel rooms, very temporarily and always with supervision.

It happens quite rarely. Other jurisdictions experience it differently, but in the ACT we have worked really hard to limit that situation for young people. We know that it is not the ideal. As the minister was saying, our preference is always that kids remain home or with their family as the ultimate placement. Sometimes they do end up in residential care. Those kids experience particularly complex behaviours and require a pretty individualised response to make sure that they are safe, that other kids that they live with are safe, that the staff are managed and safe, and that the response is as appropriate as it can be in that circumstance.

MRS DUNNE: If you have a child in a hotel, for instance, or commercial accommodation, what supports are provided to prepare that young person for transition into a foster home or a residential placement?

Ms Pappas: Transition is not in response to kids being in hotel rooms; the transition planning occurs for all children in residential care. As I said, that is not the preferred placement. Where children come into residential care transition plans consider various things, ideally, how we can help these young people to be restored to their families. If it cannot be to their families, who else within their family network can have those kids. If it cannot be within the family network, who else within the other natural support

networks these kids have can take them. Sometimes that can be friends or other trusted people in those kids' lives. We work with the young people to identify those people early. We do the assessments of those people and then we work with the young people about transitioning.

The issue with transitioning is that there is a sweet spot, if I can put it that way, around moving quickly enough with the right information and not dragging that out. It can be quite difficult for young people when their transition plans are dragged out. Some kids just need decisions made and want it to happen fairly quickly. I have conversations with those young people. They are both formal and informal conversations and, depending on the individual needs of those young people, those transition plans are enacted.

Ms Stephen-Smith: It may be possible to provide a couple of examples without providing any identifying information where I have become aware of young people being in hotels, but this is over the three years so not necessarily the past financial year. One example is a couple of young people with a grandparent where there was domestic violence in the family. It was not necessarily safe for the grandparent to be at home and the grandparent had the children in a hotel room for a period. That is one example of where young people who are in touch with child protection might be in a hotel room; they are there with a kinship carer.

Another example is where there is need for emergency placement with a foster carer couple. The foster carer is willing to take that placement but there might be other young people in the home and they cannot take the new young person into the home but one partner is willing to stay in a hotel or a serviced apartment with that young person while the other partner stays at home with the other young people for a period to provide that.

Emergency foster care is part of the standard foster care system. Usually it is done in someone's home, but it might be someone staying in a serviced apartment with that young person. That is exactly the same as a normal emergency foster care placement would be except that it is in a serviced apartment rather than in someone's home.

Those are two examples I have been briefed on where young people have been in a hotel or a serviced apartment but there is no risk to that young person. They are supervised and it is part of a transition to permanent accommodation.

MRS DUNNE: I have been made aware of a situation where the parent and the grandparent could not cope with the child anymore and the child was taken into care at their request, and that care was a hotel room. I now do not recall the length of time, but it was not one or two nights—it was longer than that—and the outcomes have not been good, which I will not go into here. I am wondering how often that happens. The case I am thinking of would be a case where some therapeutic care would have been a better intervention than that child being taken into care in the way they were and the outcomes that resulted from it.

Ms Stephen-Smith: That has clarified some of your thinking, so thank you for that, Mrs Dunne. Obviously children and young people occasionally come into care on a voluntary care arrangement, but the coming into care would, potentially, be the same,

that is, short-term foster care in the hope that you could get that child or young person into a foster family. Generally speaking, living in a loving home in a normalised family environment would be better. But where a young person has significant complexities, the likelihood would be that they would then transition into residential care where therapeutic services can then be wrapped around that young person.

The partnership through ACT Together with the Australian Childhood Foundation provides specialised trauma and a form of therapeutic support to young people in residential care. Young people in residential care are often very complex in their behaviours and require a lot of wraparound support, and that is provided. One of the things I have said in relation to therapeutic protection orders is that we try to do everything we can to provide that therapeutic wraparound support in the most normalised environment we can, that is, in a home where young people can still go out to Flip Out or to the movies and have as normal a life as they can while therapeutic supports are wrapped around them. I will ask Ms Pappas to talk about the therapeutic supports and case management.

Ms Pappas: Therapeutic services are not a thing you do to a young person; it is a way of working and understanding the needs of individual children and young people and how you address that need. It is not a service any one individual can provide.

Kids in residential care have multiple needs and can be quite complex. These kids have experienced significant trauma and the idea behind a therapeutic response is to understand the trauma those kids have experienced and the impact it has had on them and the way they experience the world and behave in the world and then identify the best response or the best service, which could be multiple services.

In the context of a care team, the people who know the child meet. It could be about a mental health response, and the conversation is what is that mental health response and how is it individualised to that child. It could be an education response that needs to be flexible. It could be around trauma recovery. If the child is under the age of 12 we might, for example, do a referral to Melaleuca Place where they get clinical therapeutic support to recover from trauma. It is not a single response; it is a multidisciplinary response and very individualised.

MRS DUNNE: That leads into my question about therapeutic plans. Minister, you talked about trauma-informed care in your previous answer. I know that Mrs Kikkert on a couple of occasions at least has asked questions about the backlog of therapeutic care plans. Where are we at with the backlog of therapeutic care plans? How many young people are still waiting and for how long have they been waiting? When will the backlog be eliminated?

Ms Stephen-Smith: Before I hand over to Ms Pappas and Ms Robinson, I raise a terminology issue that I struggled with as well. The original documentation for step up talked about therapeutic plans. We are now really talking about therapeutic assessments that feed into the care plan for the young person. Ms Pappas and Ms Robinson will probably talk about therapeutic assessments but that is really the equivalent of what was described as therapeutic plans in step up.

MRS DUNNE: I am actually concerned not only about the assessment but also about

the ongoing plan.

Ms Stephen-Smith: What I am trying to say—it took a while to get my head around this—is that the assessment then feeds into the overall care plan for the young person. As Ms Pappas was saying, the therapeutic response is provided by multiple players in the system.

MRS DUNNE: But there is an admission that there is a backlog.

Ms Stephen-Smith: So it is the therapeutic assessment that we are counting, not the plan, because the assessment feeds into the overall care plan for the young person. I think I have got that right.

MRS DUNNE: So we have a nomenclature failure.

Ms Stephen-Smith: Yes, I think that there was a change in the description of that between the documentation for step up and what we have today.

MRS DUNNE: But the question stands. There has been an admitted backlog in what used to be called a therapeutic care plan but now seems to be called a therapeutic assessment and a care plan. But they are part of a continuum. What is the backlog? How long is the backlog? How long is it likely to take for that backlog to be cleared?

Ms Pappas: I will start and then I will throw to Ms Robinson. It is important to understand that when we implemented A step up for our kids, there was an articulation of what we hoped for children and young people in the system. What we said was that it needs to be a trauma-informed system. So the continuum of care needs to be informed by the individual and the trauma that that individual has experienced.

The way that we framed that is through a therapeutic assessment. We are the only jurisdiction in Australia that has made a decision that every child that is in out of home care will receive a therapeutic assessment. In the implementation of that, we prioritised the groups that would go first. They, generally, were the kids in residential care: Aboriginal and Torres Strait Islander children and children with high and complex needs.

It did not mean that services were not already involved with those families and it did not mean that those kids did not have care plans. What it did, through the assessment process, was bring the therapeutic lens to that planning. It is important to note that. The intention of the phasing in of the therapeutic assessments was that that was going to occur over a period of time. We had in excess of 600 kids that we needed to get through over the course of implementation and we are heading towards the end of that. I will throw to Ms Robinson, who can talk about some the data.

Ms Robinson: Since the inception of A step up for our kids, there have been 458 therapeutic assessments undertaken. That is since 2015-16. In the past financial year, 2018-19, there were 219 completed. As of 22 August, when there were 690 children in the care of the director-general, 401 had therapeutic plans in place. So we have a process in place between our own therapeutic assessment team and the Australian Childhood Trauma Group, who we are working along with, to progress the

remaining therapeutic assessments for young people by June 2020.

That was the original time frame of a step up for our kids, that it was a phased implementation, and we will do that. I think that the two things that it is important to note are that care planning for children happens independently of therapeutic assessment. It happens from the time even before children enter care when we are working with the families. The therapeutic assessment then, when it is available, feeds into the care team. Once the therapeutic assessment is complete, the therapeutic assessor convenes a case meeting, meets with the care team, provides their feedback and then talks about how the care planning should be adjusted.

The other thing that is important to note is that when children first enter care, the therapeutic assessment team makes contact with those carers, having done a short review of the information that is known about the child, the presenting needs that the child has, and provides some direct feedback at the time of the child entering care about how they can best support that child from a therapeutic point of view.

MRS DUNNE: Does that mean that under the present regime every child entering care has a written care plan?

Ms Robinson: Or before in some instances where we are working with families.

MRS DUNNE: Can you guarantee that every child has a written care plan?

Ms Robinson: Children in the care of the director-general require a care plan through their court process.

MRS DUNNE: But does everyone have one?

Ms Robinson: It is a requirement of the court process.

MRS DUNNE: I am sorry but—

Ms Pappas: It is a legal requirement.

Ms Robinson: It is a legal requirement.

MRS DUNNE: It is a legal requirement—

Ms Robinson: Yes, it is presented—

MRS DUNNE: and you can guarantee that every child in the care and protection system has a written care plan?

Ms Robinson: It is presented to the court as part of Children's Court proceedings.

Ms Pappas: I add to that that it is also updated. Care plans are updated on an annual basis when they—

MRS DUNNE: On an annual basis?

Ms Pappas: At a maximum; so at least once a year and in some circumstances more often, at the point of an annual review report. Again, the legislation requires for kids who are in out of home care to have an annual review report. That is the basis of a life story for young people. When young people are ready to understand what is happening to them or want to find out information, the annual review report provides the basis for that. Care plans are reviewed and considered at least on an annual basis. As Ms Robinson said, it is a requirement.

MRS DUNNE: So of the 401 out of 690—correct me if I am wrong—or 90-ish therapeutic assessments, do they cover all of the priority areas? I am referring to the children who are priorities, as Ms Pappas outlined: children in residential care, Aboriginal and Torres Strait Islander children, children with complex needs. I am not quite sure what other classifications of children there would be in the care and protection system. But are those 401 therapeutic assessments covering all the children who are in those three priority areas?

Ms Robinson: Yes, the prioritisation is an ongoing process because as children enter care, then the decision is made about prioritisation against those sorts of categories that you just mentioned.

MRS DUNNE: But when you think about it and repeat it, are there any classes of children that do not fit those priority categories?

Ms Pappas: It would be fair to say that there are children who have been in care for a long time and who are in very settled arrangements. So you probably would not prioritise those kids who have been in care who are settled, whose normal family life is continuing and for whom contact is good. We probably would not prioritise a child in that situation compared to a young person who has just come into residential care, for example.

MRS DUNNE: Yes, I take your point. But of the 400 that you have already done, the plan is that everyone who is in care—

Ms Pappas: Everyone, that is right.

MRS DUNNE: would have a therapeutic assessment, including the ones for whom everything is going tickety-boo.

Ms Pappas: That is right.

MRS DUNNE: Of the 200 plus that are outstanding, are they all for children who are in settled tickety-boo arrangements or are there still children who are (a) entering the system and (b) with complex needs—children who are in residential care as opposed to foster care—who have not had a therapeutic assessment and their care plan updated accordingly?

Ms Pappas: Not knowing who is in that 200 that are yet to have any therapeutic assessment, we would have representation of all of those cohorts in that group. Again, I need to stress that just because the therapeutic assessment has not been completed

does not mean they are not receiving a response. Care planning and services and decisions are made regardless of the therapeutic assessment. The therapeutic assessment adds a layer of trauma. It allows the care team to be a bit more sophisticated in their response to the children and young people.

MRS DUNNE: It has been put to members of the opposition from a number of youth workers that it is difficult, if not impossible, to meet the therapeutic needs of children in residential care without a therapeutic assessment and plan in place. How are these youth workers and care workers able to make trauma-informed decisions about the care of these children in the absence of the assessment and the plan?

Ms Pappas: The ACT Together consortium, have the Australian Childhood Foundation as one of their members, obviously. The Australian Childhood Foundation focuses on young people in residential care predominantly and supporting carers who look after children and young people in residential care. So they can access the expertise of the Australian Childhood Foundation regardless of whether there is a plan written down or not. It is really about being responsive. “I am seeing this behaviour. This is the trigger. What is the best strategy that I can use as a carer to respond to that?” That is the role of the Australian Childhood Foundation in residential care.

MS LE COUTEUR: The strategic indicator on page 26 of the report has 100 per cent of suitable entities compliant with registration standards. How can this be when we all know that Premier Youthworks folded due to financial pressures?

Ms Cross: Sally can respond in more detail, but we have noted that we engage more intensively with some higher risk providers in line with the risk responsive regulatory model. If a provider was at risk of exiting that is something that we would be engaging with them about over the course of the year without naming them in the annual report.

MS LE COUTEUR: It is very non-transparent. You would read this and think everything is fine.

Ms Gibson: The way our regulatory oversight works is that there is a legislative requirement of organisations that they remain compliant with the legislation at all times, not just once a year or whatever. We engage with organisations early when we are concerned that there might be a risk of them being noncompliant. For those organisations where we see a higher level of risk we have more engagement with them—those organisations.

You are right but the indicator does not show the level of work that goes in with those organisations to ensure that they are addressing the issues that may lead them to be noncompliant before they get to noncompliance.

MS LE COUTEUR: Presumably you were addressing issues with Premier Youthworks?

Ms Gibson: Indeed.

Ms Cross: I do not believe they were found noncompliant.

Ms Gibson: No, they were not.

Ms Cross: They took a business decision to exit the market. Yes, we engaged with them, but it was not a question of them being found noncompliant that led to their departure. That was just a business decision.

MS LE COUTEUR: My understanding is that they were saying it was due to financial pressures.

Ms Cross: That is a business decision.

Ms Gibson: That was a business decision on their part about how to manage the financial pressures.

MS LE COUTEUR: Sure, and that is the part of the business they thought was a problem.

Ms Gibson: That is right.

MS LE COUTEUR: You could make business decisions for a number of reasons and they—

Ms Cross: Or you could be found noncompliant and be deregistered. We are being clear that that is not what happened here.

Ms Gibson: No, and not what we wanted to happen. The role of the regulator is to make sure that the organisations we regulate identify and address the risks they might be subject to, and particularly the risks the people they provide services to might experience as a result of the organisation not attending to the risks.

We say to providers, whether or not they are suffering from financial pressure or whatever, that it is their business to run but we need to make sure that they are actively looking at that business, identifying the risks and making the appropriate decisions around how they manage those.

Our role is slightly different from Helen's, which is perhaps a bit more difficult. She has to worry about who is going to provide the care to the several hundred children in care, and that is not my concern—not that it does not occur to me from time to time—my concern is that the providers, if they are staying in that market and continuing to play that role are minimising the risks to those children and young people and that they are thinking about their business and how they are going with that so they are managing that actively.

MS LE COUTEUR: Do you regard financial liability as one of the risks?

Ms Gibson: Absolutely we do. The keys risks are financial liability, governance, management systems and, of course, adequately trained staff and all the other things that go to a quality service. But finance and governance are key.

MRS DUNNE: Does Premier Youthworks continue to operate in other jurisdictions?

Ms Gibson: I believe so.

Ms Pappas: In New South Wales.

MS LE COUTEUR: Given the issues with Premier Youthworks, has this led to any change in the policy regarding contracting with profit entities?

Ms Gibson: As the regulator I do not contract with anybody. The regulator has nothing to do with contracting or service delivery.

MS LE COUTEUR: Would anyone in the ACT government wish to take that one?

Ms Stephen-Smith: Sorry, what was your question, Ms Le Couteur?

MS LE COUTEUR: Given that Premier Youthworks folded for financial reasons, are you—

Ms Gibson: They have not folded.

MS LE COUTEUR: They are no longer providing services to the ACT government for whatever contractual reason. Are you considering the role of for-profit providers in this space? Is this likely to lead to a change in policy?

Ms Stephen-Smith: I said in response to a question in the chamber in relation to this that I think it is extremely unlikely that we will see another for-profit provider coming into the consortium. It is a matter for Barnardos as the consortium leader to determine what residential care provider or providers come into the consortium.

Obviously there are ongoing conversations between officials and Barnardos in relation to that matter in terms of ensuring that any provider that comes in can meet our requirements as well, because obviously we set a high bar around performance in residential care. But I am not aware of another for-profit provider in this space, and I would be extremely surprised if we saw another for-profit provider coming into the ACT in this space.

MS LE COUTEUR: What is the situation now for the ACT Together consortium given that part of it has exited?

Ms Stephen-Smith: The consortium continues; Barnardos is currently providing residential care—

MS LE COUTEUR: And they were able to pick up enough—

Ms Stephen-Smith: Yes. Most of the Premier Youthworks staff transitioned to Barnardos to continue providing that service. There was a lot of continuity of support for young people in residential care in terms of the staff they knew and trusted. But Barnardos is, I understand, looking at bringing in another provider or multiple providers.

Ms Pappas: It is important to note that the ACT Together consortium is contracted to deliver a continuum of care, and that is important. The intent of the A step up for our kids reform talked about the people who know the children best staying with that child regardless of where they were in the system.

Previous to A step up we had various arrangements that saw children move from agency to agency, and that was very difficult. The ACT Together consortium allows for the person who knows the child to follow that child whether they are in foster care, residential care or kinship care to have that continuity and experience of the child and the established relationships.

Having said that, Barnardos is taking the opportunity that comes with Premier Youthworks' decision to think about the expertise and experience they want to bring into their consortium to respond to the complexity of kids they are seeing. They are talking about it being one, two or more providers that can deliver a specialised service. It could go to young people with a disability, for example, and the organisation in the sector, whether it is the ACT or beyond, that can deliver that service. It depends on who expresses an interest, who wants to work with them and what expertise they want to bring into the consortium.

MS LE COUTEUR: From a funding point of view, I assume that when Premier Youthworks exited, the funding stayed with ACT Together, so from an ACT government point of view there was no impact? Or were there transitional arrangements required for Barnardos to do things?

Ms Cross: Our contract has always been with ACT Together and all our payments have been to ACT Together. What they did within the consortium was their business arrangement.

Ms Pappas: Barnardos is the lead in that. The contract is with Barnardos Australia; Barnardos make a determination about who they want as part of their consortium.

MS LE COUTEUR: I am just thinking that, generally speaking, when one service provider exits, there are more costs somewhere along the line.

Ms Stephen-Smith: I think it is fair to say that we are in ongoing conversations with Barnardos about the costs of providing these services, including the cost of transition in relation to them taking on residential care.

MS LE COUTEUR: It is great to hear that. Going back to my original question as to the strategic indicator of 100 per cent, you indicated that behind that could be a number of entities having more attention from you. Without wanting you to name names, are there more entities in this space that are more at risk, requiring more care and protection?

Ms Gibson: Not at this stage, Ms Le Couteur, but certainly the regulatory system does give us the opportunity to identify issues very early, to start work very early and to make sure that our colleagues are aware of those issues very early, 12 months out or more.

Ms Stephen-Smith: At this stage we should emphasise for clarity that that applies across the range of sectors that this regulates, not just child and youth protection.

MRS KIKKERT: I want to go to Bimberi post-riot. Minister, when we raised concerns in the chamber about how long it seems to be taking for the Bimberi Youth Justice Centre to return to its normal operations, you said that it is very difficult to have a contingency plan for the centre. However, last week the Children and Young People Commissioner publicly expressed dismay at how long it has taken for Bimberi to return to normal. She said, “There is a need to develop a clear plan to avoid this happening again in the future.” She likened this to the business continuity plans that all government entities have in place to respond to incidents that disrupt standard business operations. She then offered to help the government to develop this plan. My question is: will you take her offer up?

Ms Stephen-Smith: If I recall correctly, I was responding specifically to a question in relation to staffing: a question in relation to the number of staff who had not returned to work and whether that was having an impact on the centre. My response was in relation to the capacity we have to significantly overstaff, in terms of the staffing establishment, in the contingency for a major incident like this. As Peter Muir has found, this was at the more significant end of incidents that occur in youth justice centres. I think the use of the word “riot” is misleading. You can continue to use that if you would like to, but we refer to it as a major incident. That is what it was. It was a very significant incident and it has been taken very seriously.

As to how the centre recovers from that incident, that is a separate question to the question that I was asked in question time, which was very specifically about staffing, if I recall correctly. I certainly took Ms Griffiths-Cook’s comments at face value in terms of her willingness to want to work with us. These are the kinds of incidents that occur very rarely in a centre like Bimberi. From every one of these incidents we have things to learn. One of the things I think we would all agree we have to learn is how we can bring in the capacity to get the centre back to normal operations more quickly.

I might hand over to Ms Robinson to talk about the work that has been underway. There has been very significant work over the past few weeks to support staff and young people to ensure that young people can continue to access education and programs. We are closer to being back to normal operations now.

I would also note, as I did in the chamber, that it has not just been the impact of this major incident: over the past few weeks we have also seen an increase in the number of young people in Bimberi above the average over the last 12 to 18 months. That has also impacted on the capacity of the centre to return to normal operation. I will hand over to Ms Robinson.

Ms Robinson: In relation to your question about our engagement with the Children and Young People Commissioner and the Public Advocate, we work very closely with her. Last year we established the Bimberi oversight group. The Children and Young People Commissioner, as well as other commissioners from the Human Rights Commission, the Ombudsman, the official visitors, and the Inspector of Correctional Services, are all part of that Bimberi oversight group. We meet twice a month out at

Bimberi. That is a very constructive opportunity to engage on a range of issues and to have conversations about ongoing quality improvement across the centre. Each of those oversight bodies is invited to each meeting to put items on the agenda for discussion, including the one that you have just raised.

I met with Ms Griffiths-Cook last week and discussed some issues related to the centre and her interest in working with us next year. In previous years we have spoken to this committee about the protocol that we have developed with the commission in relation to children and youth protection services. We are currently in the process of drafting that for Bimberi Youth Justice Centre. It will formalise how we work together in the way that I am describing.

Also, within the context of that, we both identified some other work that we would be interested to do directly. Ms Griffiths-Cook raised the issue of planning for staff in that conversation. We also discussed through-care planning for young people from Bimberi. That is something that we will work on together early next year. It is a constructive relationship that we have with them.

In relation to the work that has been underway, the centre, along with partners in Canberra Health Services, the Murrumbidgee education and training centre and our community partners, have worked tirelessly to maintain, to the greatest extent possible, the normal centre routines post this major incident. That means that staff have been prioritising access to education, access to health visits, access to visits from families, recreational opportunities for young people and access to justice processes. Within the challenges that are evident after a major incident such as this one, the centre staff have been working towards that.

There was already a recruitment process underway. We have rolling recruitment at Bimberi, and there was a recruitment process under way prior to this incident. Those staff are currently doing their induction program and will be available in December for shifts. There is a second recruitment process under way. One of the Human Rights Commission recommendations in the commission-initiated consideration was for a recruitment strategy for Bimberi. That is work that we have been acting upon. We have engaged with HorizonOne to assist us in recruitment activities.

Through that process, we have been trying to identify how we can tap into pools of staff that may be available at peak times. One of the challenges for us, given the size of the centre, is maintaining the casual pool. That is one of our biggest challenges. For example, we are looking at staff who are working in education—teaching staff and teachers assistants—who might be willing to do shifts in school holiday periods, which are often times when our staff wish to take leave.

Ms Stephen-Smith: One thing I would add to that is that I have provided an immediate response to Mr Muir's final report and the release of the executive summary, as I announced last week. One of those elements is the work to review and update emergency operating procedures, and to ensure that those procedures are tested. In terms of looking at that work, there is going to be a range of consultancies. That work will also feed into not just what you do during an emergency but also what you do afterwards.

MRS KIKKERT: Ms Griffiths-Cook also expressed concern about the continuing lockdown in Bimberi. She was concerned about the mental health wellbeing of the detainees or young people. What additional supports are you providing to address these issues?

Ms Robinson: The way that mental health needs are assessed and responded to in Bimberi happens at multiple points. When a young person first enters Bimberi there is a health assessment that is conducted. In that is an assessment of their mental health needs. At the point of induction they are asked about their mental health needs. Contact is made with a family member or CYPS if that is known. The young person is asked about their current mental health on presentation within the centre so that a response can be provided immediately, should that be warranted, to the young person.

At Bimberi each week is a client services meeting. That is a meeting where mental health services are present, along with other health services in the centre. The school participates, children and youth protection services participates, the case manager who is in the community and follows them into Bimberi and back into the community participates in that, as well as Bimberi centre staff. That is the opportunity to review each young person's circumstances and then to determine what the ongoing mental health provision needs to be.

Of course, day to day, youth workers, when they are interacting with young people, are often the first to identify whether there is a change in a young person's presentation. We see that happen based on a range of factors. Sometimes it might be concern about their court appearance coming up. Other times it may be about a contact that has happened with their family member or friend that has not gone particularly well.

Those types of things can and do impact on a young person's mental health presentation within Bimberi. It is typically a youth worker that a young person will turn to in the first instance and raise that with their youth worker. Then that is raised with the health service staff who are located on site in order to provide a response.

MRS KIKKERT: Is the drug and alcohol service provided in Bimberi by ACT Health?

Ms Robinson: Yes.

MRS KIKKERT: At any time during the lockdown were any ACT Health staff not allowed to go into Bimberi and offer these services to the detainees?

Ms Robinson: In the immediate aftermath of the major incident, there was a short period of time when the centre was still operating under the emergency procedures. Therefore, there was limited access for everyone to the centre. That was for a relatively short period of time.

MRS KIKKERT: How long is "short" for you? It could be an eternity for a detainee.

Ms Robinson: Sure. The immediate response after the incident was for around 24 hours—

MRS KIKKERT: Right, a day.

Ms Robinson: and then beyond that, access to health care is always prioritised for young people. It should be noted that for young people who are coming into Bimberi in relation to their drug and alcohol histories, we do not often see entrenched patterns of drug and alcohol use over a long period of time. We see more sort of problematic binge use of drugs and alcohol. When young people are coming into the centre, it is a sort of immediate detox process that typically happens for a young person. They receive the medical support and care that they need through that process. But we do not typically see longer-term withdrawals for young people.

MRS KIKKERT: The Human Rights Commissioner recommended that the ACT government increase the youth drug and alcohol counselling resources available in ACT Health. Do you feel that is a necessity at the moment? Will it be increased?

Ms Robinson: We all have those conversations, certainly with health services provided in Canberra. But at the moment young people's needs are assessed on an individual basis. Each young person is provided with an individualised therapeutic response. I think the announcements that were made by the minister last Friday provide for an increase in our principal practitioner full time into Bimberi.

That position is going to be really critical, because in addition to the acute drug and alcohol services that are provided, there is then an opportunity actually to look at the cohort within Bimberi at any given time and determine whether there is a need for other types of psycho-educational programs for young people related to drug and alcohol use or other presenting issues.

We do that from time to time based on their presentations. For example, we have had services that come in that do psycho-educational groups around healthy relationships and non-violent relationships. We can do that depending on the presentation of the cohort in Bimberi at the time.

MRS KIKKERT: I remember when I had the tour of Bimberi there was a chapel of some sort. Do you call it a chapel? What do you call it?

Ms Robinson: The spiritual centre?

MRS KIKKERT: Is it used regularly?

Ms Robinson: I will have to come back to you on that. Yes, there have certainly been different groups that have come in from time to time and used that spiritual centre to engage with young people. Again, it is dependent on the young person's request and their need. What we would typically try to do is if a young person has a stated request to engage with a particular religion, we try to facilitate that. We connect back into those services that they had outside in the community and facilitate that.

MRS DUNNE: My recollection is that the questioning in question time during the last sitting covered things like contingency plans. Does Bimberi have a business continuity plan?

Ms Robinson: Yes.

MRS DUNNE: Is it being updated as a result of the incident?

Ms Robinson: Yes, we will. We will update this as a result of the incident. This incident is a major incident. In Mr Muir's report, as has been indicated, it is at the upper end of what you would expect to see in a youth justice centre. We have not experienced that previously. In light of that, we need to review our emergency operating procedures and our business continuity planning. That is part of the announcements that were made on Friday.

MRS DUNNE: We have had vicious assaults on staff before at Bimberi. In what sense was this different?

Ms Stephen-Smith: I think both in terms of the number of young people involved and the subsequent issues after the initial assault.

MRS DUNNE: What are the subsequent issues after the initial assault?

Ms Stephen-Smith: I think Mr Muir's report goes to an initial unprovoked attack on staff, one of the young people securing the keys of one of the staff and letting another young person out, and then having a couple of young people inside the centre with a set of keys. That is something that I do not think has been experienced before.

MRS DUNNE: That is true. That bit has not, yes. So it was not just the assault; it was the—

Ms Robinson: Ensuing actions.

Ms Stephen-Smith: And then also the decision that was made to seek police support in negotiating with the young people to return to their units—the young people who were out in the centre. The police response was not in relation to the initial violent assault; it was actually in relation to needing to negotiate with those young people to get back to their units. That is why one of the responses that I announced on Friday, one of the pieces of work, is around training for negotiation skills for Bimberi staff to ensure that they actually have—they are actually great negotiators with young people in terms of de-escalating them in a usual situation—more formal negotiation skills training.

MRS DUNNE: Did the reviewer make any commentary or recommendations in relation to the business continuity plan?

Ms Robinson: Not directly in relation to the business continuity plan but in terms of emergency operating procedures, and we are taking a fairly broad scope in our review of those.

MRS KIKKERT: I have a follow-up question about the spiritual room that you mentioned before. As somebody dealing with very vulnerable young people in our community, do you find that it is really important for the young people to have

connection with their spirituality?

Ms Robinson: Yes, we do. Each young person is on an individual pathway around that. For some it is stronger than others. We certainly find that for our Aboriginal and Torres Strait Islander young people in the centre, that connection to spirituality and culture is particularly important. A range of Aboriginal and Torres Strait Islander services come in and attend to those particular needs for young people, yes.

MRS KIKKERT: Do you see that there is a healing process going on with the youth when they are involved with their spirituality and obviously the elder coming into the spiritual room?

Ms Robinson: I think it is such an individual journey for young people. For some people that will be quite prominent in terms of how they wish to address their offending behaviour, address their previous experiences of trauma and just think about how they set a positive life course in the future. For some young people that will take quite a prominent role and for others less so as they rely more on family, informal networks or the service system. It really varies person to person.

THE CHAIR: What are the current staffing levels like at Bimberi?

Ms Robinson: The current FTE for Bimberi—before the announcements on Friday—is 71.

THE CHAIR: What would you anticipate as being fully-staffed?

Ms Robinson: It is variable. So 71 is the fully staffed facility and it varies from time to time. We have spoken to the committee before about the challenges where we have significant variability in the number of young people within the centre across a given period. On average over the past 12 months it was 11 young people on a given day, but that went down to as low as eight or nine and it went up to around 18 or 19. That is considerable variability and that can happen quite quickly depending on decisions of the court.

THE CHAIR: And that affects your staffing levels obviously?

Ms Robinson: Yes, that is right. It also depends on the presentations and supervision needs of young people within the centre and the activities, programs, the need for young people to access services and supports outside of the centre, and the number of presentations at court that are required. So it can vary considerably.

THE CHAIR: What processes have been taken to mitigate the risk to staff by young people since the incident, for want of a better word?

Ms Robinson: The strong system in place at Bimberi that was referred to in Mr Muir's review goes to how we support young people and their behaviours in the centre. Custody is a last resort in the ACT, so the group of young people in custody is a small cohort but at times demonstrates exceptionally challenging behaviours.

A comprehensive behaviour management system is in place, and there are various

components to that. As a young person comes into the centre the information that is known about that young person is available to staff. That will be strengthened with the introduction of our new client information system that will extend out to Bimberi early next year.

A classification review occurs in relation to every young person in the days after they enter custody. That takes into account the risk factors that have been present in the community—that is a dynamic risk assessment—as well as particular issues like are they at risk of mental ill-health, self-harm or suicide, are they an escape risk and a range of other issues like that.

Then there is an observation of young people as they first enter the centre. Some young people are known so that can happen relatively quickly. For other young people who might be new it is a longer period of observation. During that period further information is gathered, such as through the health assessment I spoke about when they first enter custody and through contact with various other services and supports that that young person was engaged with in the community.

There are then two processes that we can and typically apply to young people, that is, a behaviour management plan and a special management direction. Both those work hand in hand. A special management direction is a direction to staff about how they can respond to a young person's particular behaviours. A behaviour management plan is a discussion with the young person and an agreement with the young person about how they can respond when they are experiencing certain things that may lead to increased behaviours within the centre. Those two processes sit side by side and they are reviewed regularly.

Every morning at Bimberi a morning briefing meeting occurs. In that morning briefing are fairly extensive conversations about the programming for the centre during the day, the young people and their presentations. There is sharing information amongst staff about where there is any change in presentations. There are discussions about whether the placements internally within Bimberi are still the right placements for young people or does there need to be a shift about that. There are discussions about mixing of young people within the centre and how each young person's engagement in programs during the day will be managed.

There is also the client services meeting I spoke about where there is the opportunity by the broader care team with a range of professionals to review the presentations by young people and determine what additional supports, therapeutic or otherwise, may be required to address the criminogenic risk being presented within the centre.

Ms Stephen-Smith: In terms of the way we that have responded to Mr Muir's findings in relation to this incident, we will be appointing a full-time intelligence officer to manage some of that information externally and internally to provide a more coordinated response, timely assessment and review of the classifications and working with staff to determine behaviour breaches with that level of expertise.

We will also be appointing a part-time work health and safety adviser because Mr Muir found that while a lot of systems were in place through the operational risk registers, for example, that was not necessarily reflected in the work health and safety

risk register and that some of the work health and safety measures needed to be strengthened. The conclusion was that that had not contributed to the incident but in reviewing all of it, it was much better reflected in the operation risk than in the work health and safety risk registers.

MRS DUNNE: Is there a lockdown register?

Ms Stephen-Smith: Yes, all lockdowns are recorded and that is viewable by the Public Advocate and the Children and Young People Commissioner.

Ms Robinson: That is right. Lockdowns are recorded and in the new system we are developing a way to make those registers electronic so they are more readily available.

MRS DUNNE: That is currently a physical book?

Ms Robinson: That is right.

THE CHAIR: How many incidents have occurred in the reporting period that have caused injury to staff and how many were caused by young people?

Ms Murray: I acknowledge the privilege statement. Thank you for the opportunity to talk to the committee. I confirm that the number of instances across the board that relate broadly to the categories sitting within the occupational violence space—which, as you understand, is a broad category across the whole directorate—was 29 over the reporting period. That can be threats of assault and also physical assaults. In terms of the calculations we have across the whole directorate, it relates to 29 instances of occupational violence.

Ms Robinson: The number of assaults across the centre was 14 for the reporting period.

THE CHAIR: Of those 14 how many required not just first aid but medical treatment?

Ms Robinson: We will have to come back with that specific number. So there were 14 assaults on young people, and we have to report to the Productivity Commission because we have a—

THE CHAIR: I was talking about assaults by young people.

Ms Robinson: We will come back on that number.

Ms Stephen-Smith: Have you got a breakdown of assaults on young people versus assaults on staff?

Ms Robinson: No, I do not have that breakdown. I have the breakdown on the assaults for young people that we were required to report to the Productivity Commission. We have a different threshold at Bimberi, so we are only required to report on—

THE CHAIR: But that is 14 staff that have been injured?

Ms Stephen-Smith: No, we will come back with that number.

MRS DUNNE: Why are we reporting to the Productivity Commission?

Ms Robinson: As part of the report on government services.

MRS DUNNE: Is that direct reporting?

Ms Robinson: It is direct reporting. Each state and territory does that. We will take that on notice and come back to you.

THE CHAIR: That would be good. I misunderstood what you said; I just wanted to clarify. One of you—I do not remember whether it was you, Ms Robinson, or you, minister—talked about some of the training that has been provided to date since the incident. What training has been provided?

Ms Stephen-Smith: I was talking about the negotiation training that will be provided; that is part of the response. The induction program for new staff at Bimberi is a seven-week program, and we have people undertaking that at the moment. It is quite a comprehensive program.

THE CHAIR: How many people are undertaking that?

Ms Stephen-Smith: There are eight undertaking the program. There are nine new recruits to Bimberi, but one had already done the training. That is seven-week comprehensive training. Then there is refresher training. One of the other additional staffing announcements that we made last week was about a part-time training officer responsible for making sure that staff are getting their refresher training in a timely way, particularly in relation to things like the use of force.

I should emphasise that staff feedback has been that people felt that their training had appropriately prepared them to manage an incident like this, including the use of force training. As Mr Muir found, they responded to this incident with professionalism, courage, teamwork and, particularly touchingly, with compassion for the young people evident throughout their response. The feedback directly from staff to Mr Muir was that they felt that the training they had was appropriate for them to be able to respond to an incident. It is really important to get that on record. The next step is to make sure that we have systematic processes in place to ensure that everybody is getting their update training as it is due.

THE CHAIR: What is your current staff turnover rate and what are you doing to try to stem staff turnover, to try to build retention of all staff, including youth workers?

Ms Murray: The past 12 months have seen a permanent separation rate of 7.5 per cent for the Bimberi Youth Justice Centre, as distinct from any other part.

THE CHAIR: I am only referring to Bimberi.

MRS DUNNE: How does that 7.5 per cent compare to previous years? That seems not too bad.

Ms Murray: It compares quite favourably. We range between 10, which is considered more of a public service standard in terms of permanent separation rates—

THE CHAIR: Ten per cent?

Ms Murray: Ten per cent. It has transitioned between up to 12 and then down again back to eight. Our current rate is 7.5. The biggest thing we note is that some people separate to pursue different careers more broadly. We encourage a lot of lifelong learning within the Bimberi youth justice system. A lot of staff pursue a certificate IV in community services; a number of staff are supported to pursue a social work degree. We see people transition from Bimberi youth justice into CYPS. We have staff who are studying to be teachers. The rostering arrangement supports that. We also see some staff who transition from permanent or long-term work into part-time or casual work as they pursue other careers and then dip out and dip back in. The flexibility that is provided in Bimberi sees quite a low long-term separation rate.

THE CHAIR: That 7.5 per cent is across the board? It is not broken down into categories like social workers?

Ms Stephen-Smith: Youth workers versus team leaders?

Ms Murray: No, sorry. I am pretty good with numbers, but I do not have that one off the top of my head. The 7.5 per cent is across, and as Ms Robinson indicated, it is a relatively small cohort. It is between the 70 and 80 mark across the board; to go down to much lower-level detail would probably be statistically unreliable anyway. The 7.5 is quite a positive thing, and the fact that we are growing people's careers into the broader sector is really positive.

MRS KIKKERT: Jodie Griffiths-Cook mentioned that having an increased number of lockdowns in Bimberi is a risk for future incidents. What are your plans to address that issue?

Ms Stephen-Smith: As we always say, our aim is to minimise the number of lockdowns. The decision is not taken lightly to have operational lockdowns; it is done for the purposes of maintaining the safety and security of the centre. Jodie has already touched a bit on what has been done in terms of recruitment. Those new staff will be on in December. As you will be aware, Mrs Kikkert—I have not got the report in front of me, but Jodie does—in the last financial year we saw a significant reduction in the number of lockdowns from the previous year when we had had staffing issues because of the small number of young people increasing dramatically and the loss of the casual pool. We then saw that we were staffed up and we saw a dramatic reduction in the number of lockdowns. This has now increased for a range of reasons, but our aim is to get it right back down again. Of course, we are aiming for zero. Whether that is achievable, I do not know, but Ms Robinson can say more about that.

Ms Robinson: We do everything that we can to minimise lockdowns and, when lockdowns need to occur, to minimise the duration of time the lockdowns occur so

that we can, to the best of our ability, proceed with normal planning and activities for young people. They have had to be modified after the major incidents. Where we have had to make those modifications, we have, for example, been bringing the Murrumbidgee education and training staff into the units to do education with young people. We still maintain, to the maximum extent, visits for young people with their families; we recognise how important those ongoing connections are. We maintain access to services for young people. We have just had a school holiday period as well, so we have continued to offer recreational activities for young people in the centre.

It is important to note that when lockdowns happen in a youth justice setting such as Bimberi, we rotate so that young people are not in their cabins for the full amount of time for the lockdown; they are in and out of their cabins, one hour in and one hour out or two hours in and two hours out. That is another way that we try to maximise the amount of time that young people have out of their cabins. When they are in their cabins, though, they have access to their schoolwork, recreational activities, TVs and reading. Youth workers continue to engage with them as well.

MRS DUNNE: The annual report mentions at various places the importance of listening to the voices of children and young people, but the 2018 CREATE Foundation survey reveals that the ACT has the highest rate in the nation of children removed from placements against their wishes and the lowest rate of children reporting that they were consulted in relation to their removal. This seems to stand in contrast to the stated aim of appropriate child engagement and hearing the voices of children. What is happening and what steps are being taken to address this?

Ms Stephen-Smith: There are probably a number of elements to the question in terms of addressing this. Certainly, hearing the voices of children and young people and feeding those lived experiences into both the system at a policy level but also into practice and ensuring that practitioners hear those voices directly from the young people they are working with, but also at a sort of systemic practice level, is important.

I often meet with, and senior management often meets with, CREATE and its young consultants. We have a talking practice forum that is now annual. The part of that that had young people talking about their experiences in the system was moved. Last year it was the end of the day; this year it was at the beginning of the day. It was a really important session to hear young people reflect on their experiences and what makes for a good experience and good outcomes versus a not so good experience and not so good outcomes.

I did attend the ACT launch of the CREATE report. The conversation there about the way CREATE gathered data across the states and territories was interesting. The way that CREATE gathered its data in the ACT was quite different from the other jurisdictions. The young people who provided data in the ACT were generally those who were closely engaged with CREATE already. They provided that with the support of CREATE, as opposed to other jurisdictions where children and young people were more likely to have responded to the sort of email survey and be supported by their carers to respond.

It is not entirely clear, given the small numbers, that the data is comparable. But at the same time, the messages that came through that report were very consistent with the

messages that we hear from children and young people in their direct conversations with us, in their feedback through the—

Ms Pappas: Viewpoint.

Ms Stephen-Smith: Through the Viewpoint system where they provide direct feedback. Young people want to be engaged and involved in decisions about their lives and they want to understand why decisions were made. We had a round table with young people in November last year, coordinated by CREATE and the Youth Coalition. There was the exact same message: young people understand that decisions that are made about their lives are not necessarily going to be the decisions that they at that point in time would like to be made. But if it is explained to them why those decisions have been made, often in retrospect they can see that actually that was a decision in their best interests.

The other really clear piece of feedback from those young people was that having a conversation once about something that is quite a difficult conversation is not enough. Their initial reaction is actually going to be a reaction, not a thought-through response to a difficult piece of information or a difficult decision. Caseworkers really need to ensure that information is presented in a way that is sensitive to the impact that it is potentially going to have on young people and that young people have an opportunity to absorb that information and provide a considered response when they are being asked for their view about decisions taken about their lives. The round table is something else that we will continue to engage with young people on through that format.

I think there was another thing that was really lovely: in the presentation of the CREATE report, CREATE played an interview that they had done with one of the young people who responded to that survey. At the time that he did that survey, he was in a pretty bad place. He did not have a lot of hope for his future. He did not really have an understanding of what was going to happen to him when he turned 18. Nine months or a year later he was talking about the relationship that he had with his caseworker, the relationship that he had with his Australian Childhood Foundation worker and with CREATE, thanking all of them for the work that they had done and articulating that he now had hope for the future, confidence in himself and a real understanding of what his next steps in life were going to be.

That, for me, was a real picture. Sometimes when the young people first engage with CREATE and the journey that they go through, particularly when you are talking about young people who perhaps become engaged in the child protection system as teenagers, it is quite a wrench in their lives. We might be able to talk more about how we engage young people but it is something that we do take very seriously.

I think the other thing to point out in relation to that report is some of the statistics. The way they were presented also speak to the language that we use with young people or the language that caseworkers use with young people. I think we had the lowest number of young people who said, “Yes, I have a transition plan in place,” but probably the highest number of young people said, “I do not know.” This is because it is not necessarily described: when the conversations about transition planning are occurring, no-one is necessarily saying, “And now, young person, we are having a

conversation about your transition plan.” It is not described in that way. So there were a lot of “Do not knows” in that as well, which I think speaks to the way that conversations are held with young people.

Ms Pappas: I will continue. I note the importance of the day-to-day case management and interaction that occurs between caseworkers and young people. I do not think that caseworkers quite understand the impact and the importance that they have in the lives of children and young people. At the practice talking conference, for example, one young person stood up and said, “My caseworker was magnificent. I don’t think they understood how magnificent they were to me and how important they were.” So we should not underestimate the impact and importance of that day-to-day interaction where young people, children and their caseworkers are having conversations about things that are going on in their lives. There is a lot of informal interaction that you cannot capture, because that is in case notes.

MRS DUNNE: But the thing is that this report essentially benchmarked all the jurisdictions. The ACT in that benchmarking does not rate all that well. How do we turn that around? Yes, you may be able to point to any number of authentic, meaningful discussions and interactions between a child and their caseworker but that is not translated into the data in the CREATE Foundation report. How do we change the perception of the young people who seem to be transmitting to CREATE that they are not engaged and that, along with the Northern Territory, we are the worst at engaging?

Ms Pappas: It is fair to say that the participation numbers in the ACT were really low. Putting that aside, there are other mechanisms. The minister mentioned Viewpoint, for example. In 2017-18, we had 213 kids take the Viewpoint survey. Of those kids, 66 per cent felt that they were listened to and 69 per cent felt they had a say about what was happening to them in their lives.

It is not a single survey or a single intervention that does that. It is a collection of those interventions. There is also the new Cirrus IT system. It will develop a children and young people’s portal. Children and young people who are in out of home care can have direct contact and tell people exactly what they think, when they are thinking it and how they are feeling. The idea is that it is to be interactive and it is to be in the children’s voice. We will work that portal up as the IT system rolls out to make sure that it works for children and young people and that they can engage with their caseworkers through that process.

MRS DUNNE: Why is that better than being able to pick up the phone and talk to a person?

Ms Pappas: It is another way for children to engage. What we know about young kids and teenagers is that the phone—

Ms Stephen-Smith: They do not pick up the phone and talk.

Ms Pappas: Yes, some do but most do not. The idea is that they can still have their voices heard through the technology that works for them. It will be face to face. Actually, that is the preferred because you can observe kids. You can talk to them.

You can sense their body language. It is a different interaction to over the phone. But it is another mechanism.

MRS DUNNE: Also, it goes the other way. The child can read the extent to which someone is interested.

Ms Pappas: Absolutely.

MRS DUNNE: Authentically interested, yes.

Ms Pappas: Absolutely, but it is just another way to give an opportunity for children and young people to let people know what is going on for them in their own voices.

MS LE COUTEUR: I have what I think may be a quick question. Do you have a specific policy on the placement of young people who are not living at home because they may be same sex attracted or gender diverse?

THE CHAIR: By the look on everyone's faces, I do not think that is a quick one.

MS LE COUTEUR: It is possibly a question on notice.

Ms Stephen-Smith: I am not sure about a specific policy, but certainly the directorate works very hard to support young people of all gender identities and is very aware that sometimes that can be a source of breakdown in families.

Ms Pappas: We do have young people who are in that exact circumstance. What we do is bring in the expertise. In my view, our staff are pretty fantastic. They are very well trained, very well qualified and skilled, but they cannot be the expert in everything. So the idea is to bring in the expertise when we need that. I know that in those circumstances those young people have been very supported internally but also by other people externally who have expertise in that.

MS LE COUTEUR: If the young person needed a placement, would you look for a foster family that was hopefully more than acceptable to them, but at least acceptable?

Ms Pappas: There is a process that happens that matches in order to set it up for success. If you have a young person with those experiences, you would want a carer who was not only willing and able to engage, but prepared to engage in conversations and support the young person actively. The matching process that happens matches young people to the carers where that is possible, absolutely. We have a lot of carers in the system who are not only willing but also able to work, and are actively working, with young people who are identifying, who are transitioning.

Ms Stephen-Smith: Can I provide some further information to a question that was asked in the Aboriginal and Torres Strait Islander session?

THE CHAIR: Certainly.

Ms Stephen-Smith: Somebody asked about piloting training for frontline workers on meeting the cultural needs of Aboriginal and Torres Strait Islander people who have

contact with the justice system.

MS LE COUTEUR: Yes, that was me.

Ms Stephen-Smith: That was Ms Le Couteur. This probably was not as well articulated as it might have been. It turns out this was in relation to the disability justice strategy. The training was targeted at justice agencies about how to understand the needs of people with disability who are Aboriginal and Torres Strait Islander and who are engaged in the justice system.

The Community Services Directorate trialled the existing modules from the New South Wales disability justice project. A new training package is currently under production for the ACT context in partnership with ADACAS and Advocacy for Inclusion. We probably should have put in the disability part there and it all would have been clearer to us from the outset.

MS LE COUTEUR: Thank you.

THE CHAIR: Thank you, minister and witnesses. The hearing will now be suspended until 3 o'clock when we will hear from our next portfolios.

Hearing suspended from 2.47 to 3.02 pm.

Appearances:

Berry, Ms Yvette, Deputy Chief Minister, Minister for Education and Early Childhood Development, Minister for Housing and Suburban Development, Minister for the Prevention of Domestic and Family Violence, Minister for Sport and Recreation and Minister for Women

Community Services Directorate

Cross, Ms Rebecca, Director-General

Wood, Ms Jo, Coordinator-General for Family Safety

Evans, Ms Jacinta, Executive Group Manager, Inclusion and Participation

Aigner, Mr Geoff, Executive Branch Manager, Client Services, Housing ACT

Loft, Ms Catherine, Executive Branch Manager, Infrastructure and Contracts, Housing ACT

Gilding, Ms Louise, Executive Group Manager, Housing ACT

THE CHAIR: Good afternoon. The Standing Committee on Health, Ageing and Community Services will resume public hearings for its inquiry into the 2018-19 annual and financial reports.

I remind witnesses that the proceedings are being recorded by Hansard for transcription purposes and are being webstreamed and broadcast live.

Minister, will you confirm for the record that you understand the privilege implications of the statement in front of you?

Ms Berry: Yes, I do.

THE CHAIR: Minister, do you have a brief opening statement?

Ms Berry: I do not. I was under instruction that we do not make statements.

THE CHAIR: No, we do not. At page 23 of the CSD report the percentage of women feeling safer at night in their neighbourhood has increased. What are we putting that down to?

Ms Berry: This is the national survey that is developed by the AFP. We had some questions on this last year about how we were working towards different targets so we could get a better indication of how women in the ACT feel and we tried to work with the AFP on contributing to the survey questions. I do not know think we got very far with that process, but it was about getting a better indication of what was happening in the ACT rather than just nationally.

THE CHAIR: It would be wonderful if the committee made a recommendation for that to happen in the future.

Ms Berry: I think you might have last time. It was not for want of the government attempting to have a better contribution to that survey so we could get a better picture of what is happening in the ACT. What we have done is ensure that the risk

assessment that is done on public events occurs for private events and not just government-run events. I think that last year the Summernats used the risk assessment tool.

THE CHAIR: Yes, they did.

Ms Berry: We are still wanting to meet with them to make sure they have covered off all the areas we were concerned about and some other suggestions we had made about making sure that women have somewhere safe to go while the Summernats are occurring.

Ms Evans: That strategic indicator came up last time and we committed to looking at this as an indicator. As we move into the wellbeing indicators work it is probably advisable that we do not make any changes until we know what the wellbeing indicators work will look like. There is possible change ahead but at this stage sticking with this target which is measured and is consistent allows us to have these targets that we are trying to exceed rather than trying to put something new in and not know how we are going.

After we talked it through last time the minister committed to increasing our targets. We have exceeded the 38 per cent for night and we are hoping that we would exceed 40 per cent in the next 12 months. We are working at it as a stretch target and using the data that is available to us through the national survey of community satisfaction with policing.

MS LE COUTEUR: Minister, I understand that you are going to launch the second action plan under the ACT women's plan in early 2020. The first action plan expired in March this year. Why has it taken so long to develop and launch the second action plan?

Ms Berry: Because we have been consulting with the sector about the development of the action plan. That is the short answer. We have been making sure that we have engaged with the community about what will be involved in the second action plan. You may know, Ms Le Couteur, that we had a summit recently which lots of people from the ACT attended from different organisations and, importantly, women who would not ordinarily engage in those kinds of processes were involved in those conversations.

We have started collating that information so that we can launch the second action plan, but it is about ensuring that we report on all the actions that have been completed or are being completed under the first action plan and then the second action plan will be what is next.

MS LE COUTEUR: Minister, you knew when it was going to end. I am not anti any of the consultation, but that is not answering the question.

Ms Evans: Ms Le Couteur, to be clear, year two of the first action plan concluded in March of this year, 2019. The third year is underway. We are in the third year of the first action plan. So the third year is the year we designated to finalise a report and evaluate the first two years. It was listed that way in the action plan. We have not

finished the first action plan. The final reporting will come through and will dovetail with the start of the second action plan.

MS LE COUTEUR: Sorry, I got it wrong; you are not late yet.

Ms Berry: Because it is year two of the first action plan the language makes it confusing, Ms Le Couteur.

MRS DUNNE: Who is on the Ministerial Advisory Council on Women and how long has each of the people been on the council?

Ms Berry: We might need to come back with the list, which is probably available on the website.

Ms Evans: It is available.

Ms Berry: Their appointments are for three years.

MRS DUNNE: Are they staggered so that you do not remove everybody at once?

Ms Berry: So that some expertise remains, yes.

MRS DUNNE: What is the process to apply to be on the council and what are the assessment criteria? How do you get on the council?

Ms Berry: We usually put out an expression of interest process; then there are the criteria that they would need to meet and skill sets that they would want to fill to be appointed to the council.

MRS DUNNE: Who has responsibility for managing the diversity register?

Ms Berry: The office for women.

MRS DUNNE: There are other diverse groups on the register; I just wanted to check that that was the case. This is probably something to take on notice for the most part, but what is the breakdown of people on the register by their various diversities? I gather that there are about 900 people on the register.

Ms Berry: Yes.

MRS DUNNE: How many of these people have found positions on boards and committees as a result of it?

Ms Evans: First, I can answer your question about who is on the advisory council. The chair is Ms Louise Bannister. The deputy chairs are Helen Roe and Gulnara Abbasova. The members are Dr Nicola Fraser, Professor Zsuzsoka Kecskes, Helen Machalias, Radhika Chaudhri, Assistant Professor Skye Saunders, Sian Keys, Elizabeth Cowan, Alice Zhang, Alisa Draskovic, Lauren Gale and Megan Taylor.

Ms Berry: The link is available.

Ms Evans: We can provide the link.

Ms Berry: It describes each of them.

MRS DUNNE: Where is the link?

Ms Evans: The webpage on the ministerial advisory council. In terms of the diversity register, as of 8 October there were 1,079 people registered. Of those, 68.7 per cent were women, 10.9 per cent identified as a person with a disability, 4.1 per cent identified as being from an Aboriginal and/or Torres Strait Islander background, 54.2 per cent identified as having been born in a country other than Australia, and 4.8 per cent identified as currently serving or having prior Defence Force service. Of course, there are some questions that allow for “do not want to answer” or that sort of thing.

MRS DUNNE: You can also fit multiple categories.

Ms Evans: Yes. You could be a woman and from a background. Was there more to your question than that?

MRS DUNNE: How many of those people would be on boards and committees?

Ms Evans: I may have to check that detail, Mrs Dunne.

MRS DUNNE: It is all right collecting a register, but what if the register does not translate into appointments? On notice, can you tell us how many of those are on boards and committees, and break that down by government and non-government.

Ms Evans: I will try to get that back to you today.

Ms Berry: We might not have all of that. It might not be known. When I am working across different boards or committees, I always recommend going to the register and seeing if there is somebody who meets the needs.

MRS DUNNE: The thing is that to some extent you cannot know how many people search for people on that and make approaches to them directly.

Ms Evans: Can I just make a correction: the term of the people on the ministerial advisory council is two years, not three.

MS LE COUTEUR: I want to go to the women’s information service. Once upon a time, this was a general information service. Do I understand from the fact that it is now under services for vulnerable women, and there are very few direct inquiries, that it has become just a support service for vulnerable women?

Ms Berry: I can barely hear you, Ms Le Couteur.

MS LE COUTEUR: Sorry; I am looking at your report. Under the heading “Services for vulnerable women”, you have the women’s information service. Once upon a time

this used to provide information to a lot of people. I have figures from 2016-17 when there were 2,785 contacts. According to this, if you do not go through SupportLink, there are only 120 requests for information. Why is that so?

Ms Evans: The women's information service has changed over the years. It used to be a shopfront; there was a lot more engagement. Over time there has been a range of reasons why the contact may have changed. One thing is that people are accessing a lot more online services. If people are just looking for information, they are often looking it up rather than making the phone call.

Some people prefer the contact. The annual report states that 92 people made phone calls and asked for advice or support; there were 28 emails. On top of that, there were the 221 referrals through to SupportLink where someone had asked for support or needed advice.

The manner in which the information is being provided is changing. And some services are slightly different. For instance, through that line we used to also take phone calls related to the elder abuse hotline and that sort of thing. They now go through to the OPALS line, which is managed by legal services.

MS LE COUTEUR: I am aware of OPALS.

Ms Evans: I think it is just that the manner in which people are accessing information may have changed.

MS LE COUTEUR: Is some of it going to CYPS, child and family centres? We were speculating that that was also a reason for the decrease.

Ms Evans: People can call the child and family centres, and might if it was a family-related matter. It is a bit hard to know whether numbers are going up there, but I think that the online nature of the service has probably made a difference.

THE CHAIR: Minister, page 29 of your report says that \$180,000 was provided under the women's grants program for 2018-19. How many grants does that relate to and how many women were supported in those grants? Can you provide as much detail as you can about how we supported as many women as possible with those grants?

Ms Berry: Yes, a whole bunch of different grants were provided under that program. Those grants are around initiatives that focus on the prevention of violence against women. The program provides the chance for individuals and organisations to make a real difference for women in the community. It can be small ideas—and grants in the past have included messages on coffee cups or pamphlets—or more significant programs where training or where bigger organisations might provide different programs to give opportunities for women and girls in the ACT.

Fifteen projects were granted funding in the 2018-19 program. Those included seven projects under the women's safety category, which was around \$100,000. That included the YWCA, which received funding for the bystander approaches at workplaces project, which is a bit bigger than a message on a coffee cup. But every

small and large thing makes a difference to making sure that we provide healthy places for women and girls in the ACT.

The Women's Centre for Health Matters received funding for the taking the lead project which was about empowering disenfranchised women by using the experiences of women with lived experience of prison. That is a great program. Other recipients included Outward Bound Australia, which received funding for women of courage, which engages women who have experienced domestic and family violence in a five-day wilderness adventure therapy program.

Domestic Violence Crisis Service received funding for their smart accommodation project to research the need for and potential impact of supporting women in need of emergency accommodation with providing financial assistance where it is safe to do so for rental or mortgage costs. That is about people staying in their homes and making sure that they can afford to continue to pay their rent or their mortgage rather than having to leave and be accommodated in a hotel.

The ACT government is committed to making sure that these programs are supported and innovative, that they advance gender equality and address women's safety.

MS LE COUTEUR: Page 31 of your report mentions supporting 20 women in male-dominated fields in ACT government employment to access mentoring support from more experienced senior leaders. Which areas?

Ms Berry: I think nearly every directorate participated in that mentoring program. We have just written to organisations to offer to be mentors to women on boards. I think that 32 women participated in that mentoring program.

Ms Evans: In terms of the male-dominated areas where women engaged in the mentoring it was in engineering areas and science areas. There were people from ACT Health in certain streams where it was more male than female, which is a bit rare in health. There were women from areas like transport and corrections.

Ms Berry: We might get some more information for you on that because the feedback from the women, the mentees, was really positive, as was the experience for those mentoring women in a male-dominated space.

THE CHAIR: We are now going to examine the housing and suburban development portfolio relating to housing. I remind witnesses of the protections and obligations entailed through parliamentary privilege. Can you all confirm that you have read and understand the implications of the privilege statement.

Ms Gilding: Yes.

Ms Berry: Yes.

THE CHAIR: Minister, I would like to know how the new dwellings in Weston Creek are going. When are we expecting residents? If we have residents in there, how many are there? And Mawson as well.

Ms Berry: I got the chance to meet some new tenants who have moved into the Mawson development as part of the housing renewal program. All of the buildings that are part of the renewal program are quite magnificent and quite different from the homes that people lived in before they moved as part of the renewal program. Beverley, the tenant that I met, had lived in the same area and was downsizing from a large house into a new home in Mawson. She could not be happier or more grateful. The homes are absolutely amazing. I am thinking where else they are in Weston Creek.

THE CHAIR: Holder and Chapman.

Ms Berry: Holder is not quite ready.

Ms Gilding: In December.

THE CHAIR: My understanding is that Chapman will come online after that.

Ms Gilding: Chapman is in the process of getting ready. With Chapman, we are in the transition phase before the taskforce hands over to Housing ACT. These are the taskforce builds that we are talking about. They are delivered under the public housing renewal program. There is Mawson.

THE CHAIR: Which we have residents in?

Ms Gilding: Yes.

THE CHAIR: Is it at full capacity or are we still working to move tenants in?

Ms Gilding: We are still working with moving tenants in. If you think about how long it takes you to move house and to make sure—

THE CHAIR: I am not criticising; I was just making sure that I know exactly where we are up to.

Ms Gilding: That is right. We are filling in terms of Mawson. Chapman is about to be handed over. Holder will be the end of December.

THE CHAIR: Once it is handed over, do you go into the process of matching tenants with the dwellings? I might be simplifying it.

Ms Berry: Pretty much. It is like matchmaking: talking with tenants about where they want to live, what their needs are, whether they want to downsize, and then matching them to where they want to live in the city. Beverley is a good example. In Chisholm, there were the Rentons, who moved to Monash to a smaller townhouse-type dwelling, from their three-bedroom home on a very large block to a smaller two-bedroom townhouse in Monash which better suited their needs. It was a big change for them after raising their family in a big home on a large block. It was just becoming more difficult for them to maintain. Moving into a smaller home that was easier for them to look after was a big change, but a change that they were enthusiastic about.

MS LE COUTEUR: Why are you waiting for the handover to start matching the tenants? Presumably you know how many units you are going to have there.

THE CHAIR: As I said, I was simplifying.

Ms Gilding: We try to run as many processes as possible in parallel, rather than consecutively. It is about matching needs and people, and managing expectations, but also managing delivery times; construction processes can have delays as well. It is a bit of a sudoku puzzle, so to speak, but we try to run as many processes as possible consecutively so that we understand what stock has been coming through from the taskforce so that we can pre-allocate. As you are probably aware, it is not good to have that stock sitting empty, for multiple reasons. We want people housed as quickly as possible. But there are also security issues in terms of making sure that the site is secure and safe and that it is not vandalised or anything like that. From our point of view, we are trying to make sure that we run as many processes in parallel as we possibly can.

Ms Berry: From the moment the build is finished, there are a whole lot of other milestones before it gets handed over to Housing ACT and is ready to be tenanted, as well as all the quality checks, making sure that the build is appropriate, that there are no defects, and that defects are managed throughout that period.

MRS DUNNE: What was the unit cost for each of the developments in Chapman, Holder, Mawson and Monash? It might vary if not everything is a two-bedroom unit. Are they all two-bedroom units?

Ms Berry: They are all two bedrooms, I think.

Ms Gilding: I am going to have to take that on notice. It is a question for the Public Housing Renewal Taskforce.

MRS DUNNE: It would be useful for the committee to know the unit cost for each housing type in each development.

Ms Gilding: Yes.

MR PARTON: Further to that, as we are getting to the end of this process, did that all come in on budget? What was allocated and what was actually spent?

Ms Berry: I am not sure when the taskforce will be here.

MS LE COUTEUR: It has already been here. I started asking them about moving in, and they said no.

Ms Gilding: Moving in is us.

Ms Berry: When it is about the people.

MRS DUNNE: Also, what is the land cost component? Do you factor in the land cost? You did not buy the land—it was already owned by the territory—but you

converted the leases. Can you go to all of those factors as well?

On page 74, the annual report talks about high wages and low unemployment putting pressure on the existing housing stock, et cetera, and that meaning more demands for social housing and homelessness support. I have a couple of questions. The first one is: does this indicate that we have failed to address the issue of affordable housing and that we are now putting pressure on public housing?

Ms Berry: No. In fact, the housing strategy goes towards responding to that question around what the government is doing to address the challenges that are identified in the annual report by ensuring that more land is released and by making sure that we are building communities in different areas of the city to make sure that we are strengthening social inclusion across the place.

It is also about a whole lot of other outside influences that have contributed to housing affordability in the ACT and people's ability to afford a rental or a mortgage in the ACT. As I have said a number of times, this is meant not to pass blame but to acknowledge that there are influences in people's lives that the ACT government does not have control of or have the levers to change.

That includes income like Newstart, which has not been increased for many years now. There are cuts to income through changes to penalty rates in the ACT; that is about 20,000 people in the ACT who are affected by a wage cut, effectively, which means that their ability to afford a home of their own or even an affordable rental is challenged. The banking sector have changed the way that they do their work, given the banking royal commission. That has meant that it has become more difficult and more challenging for people who are trying to access a mortgage, because banks have tightened up their processes.

As you know, the ACT government has approached the federal government to consider a waiver of the ACT's historical housing loan. Those discussions are still continuing, but an injection of \$100 million into the ACT for housing would make a significant difference to provision in the ACT.

In addition to that, there is the \$100 million that was announced by the ACT government to improve and renew public housing and increase public housing by 200, the most that any state or territory in the country is spending per capita on public housing. That is a significant injection into public housing in the ACT and will make a difference.

There are those other factors that the ACT government does not have the levers to change. We will keep doing our bit, which is significant, as I said, compared to the rest of the country, and continue to work with the housing and homelessness sector about different ways that we can make sure that people in our community who need additional support get that support when they need it.

MRS DUNNE: How is the commonwealth's waiving of the housing debt going to address the issue of high wages and low unemployment pushing down the availability of private housing stock?

Ms Berry: An issue I had not mentioned in the issues I have identified that are not in the ACT government's control is what has been discussed on a number of occasions through commentary in media and by individuals: the fact that, because of the high wages, on average, in the ACT, prices will get pushed up because people can afford to pay more.

MRS DUNNE: But the thing that is in your control is the land.

Ms Berry: That is right.

MRS DUNNE: You are not using the land levers in a way that allows for affordable housing.

Ms Berry: Well, yes, we are. I refer you to the responses that were provided in the SLA's presentations before the committee about land and the amount of stock that is now sitting on the register for purchase in the ACT.

MRS DUNNE: But is it affordable? And can builders build affordable housing on it?

Ms Berry: Yes, they can. But I think we need to do more, and be constantly vigilant, because of the changes—

MRS DUNNE: You are making the assertion that because there is lots of land in the pipeline you can build affordable housing. But are there blocks that come in at a price that, by the time you build an appropriate house on them, comes within the classification of affordable?

Ms Berry: Yes, it does. I refer you to the presentations that have been made previously in annual reports hearings. No-one here can respond to that from the SLA.

MRS DUNNE: I understand that, but the kick-on effect is that if there is no affordable housing in the private market, there is more pressure on the social market, however described, and then that has a kick-on effect in driving people into homelessness. Then you have an increased need for homelessness support. There is a kick-on effect. You have highlighted that high wages and low unemployment have created a perfect storm for landowners, but they also create a catastrophe for people who have no prospect of getting into the private housing market, either as owners or as renters.

Ms Berry: That is why the government has implemented its strategy. The housing strategy has released land and has more housing available for purchase than for a very long time in the ACT. And it does fall under the ACT government's policy requirements for affordable housing.

As I have said, there are a number of other factors that are beyond our control, so as a government and as a community we constantly need to work within the sector and across government to ensure that we provide opportunities for people to get into their own home. You and I have had this conversation in another forum about people's ability to get into a home of their own. That should be an aspiration that every person in this town should be able to have and be able to achieve. That is what the

government will continue to work towards: not just providing affordable rentals but making sure that people can get into a home of their own at some point.

MRS DUNNE: But in the space of affordable rentals and the space of social housing, what are the elements of the strategy that you have pointed to that would reduce the waiting lists? They are currently run at, I understand, 656 days for people for high need applications and 1,138 days for standard applications. How is the strategy addressing that? It is a huge backlog.

Ms Berry: I will ask Ms Gilding to give you some information about where the numbers have come from as far as the renewal program and the increased growth are concerned and how that will address the issues that you have raised on the applications list.

Ms Gilding: The ACT housing strategy has five goals. It is unique to our jurisdiction in the national context because it works across the continuum. As you have rightly pointed out, whatever happens in one section of the market impacts another section of the market. When the rental market tightens and we have a tightening increase in rents and a tightening in the vacancy rate, we see a fluctuation on our wait list. If we go to the data back to 2007-08 and the flow-on from the GFC, there were more opportunities flowing through for low income households in around 2012. That is what we are talking about.

The ACT is the most affordable jurisdiction in Australia when you look at the averages, but when you get behind the averages and you look at Q2, that is where there is a market failure, which the housing strategy describes, and that is where the response comes in. Our part of that is that we are responsible for goal 2 and goal 3. Goal 3 is about strengthening public housing and growing the portfolio. That is where the \$100 million investment comes in over the next five years, to increase the housing stock. When we look at our wait list, yes, there are fluctuations. We have seen that wait list increase, and that is on trend with what we are seeing in terms of the broader market and the tightening in rental vacancies. At 30 June, our wait lists were around 2,200—

MRS DUNNE: All up?

Ms Gilding: All up. That is quite low compared to other jurisdictions, as a proportion of stock.

MRS DUNNE: That is 2,200 applications. How many people would that represent?

Ms Gilding: In terms of households, I do not have that number.

MRS DUNNE: That would be 2,200 individuals or households, but you do not actually have that?

Ms Gilding: Yes. If we look more broadly, we probably have about 10,500 tenancies and we house around 22,000 people. That gives you a ratio of possibly around 4,000. But we know that predominantly we house single people.

MRS DUNNE: Do you know where these 2,200 applicants are and what their current housing circumstances are?

Ms Gilding: I do not know where they all are, but we do a needs assessment. There is the eligibility process, which looks at a person's income, their age and some eligibility criteria. If they tick those boxes, there is an assessment of need. That could be standard, high or priority. A lot of these people are housed. We know that they are not out there on the streets. The last census showed that we only had 54 rough sleepers. They are more than likely in what the ABS definition would refer to as overcrowded situations, probably living in circumstances that do not meet their needs. For example, somebody who might have particular physical requirements for a built form might have a roof over their head, but it is not meeting their physical needs in terms of its design.

MRS DUNNE: So the figures that I was aware of were actually understating it? How is the wait list growing over time? What was it at the beginning of the reporting period, for instance?

Ms Gilding: I do not necessarily have it at the beginning of the reporting period, but if we look at 30 June for 2014-15, it was 2,300; in 2015-16 it dropped down to 1,900; in 2016-17 it was down at 1,700. This is following the fluctuations that we see in the market. In 2017-18 it was still around 1,700. Now we have seen that tightening and increase; it was around 2,200 at 30 June.

Ms Berry: Because of the way the government has worked in setting up OneLink, the housing gateway service, OneLink knows more about these households than just a list of people who go on there for a certain period and then are excused off an application process. They are checked in with now. The government has a better understanding of where these people are.

For example, we know very well the people who are rough sleeping in the ACT. That is relatively small numbers, but we know a lot about them because of the funding that is provided to St Vincent de Paul, the street to home program. There is also now the housing first announcement and the partnership with CatholicCare and St Vincent de Paul about how we are going to meet the needs of those individuals and how we are going to engage those people.

I am trying to get across that, in the last five years, the government has known more about these people than it did previously. The lists that we depended on were just based on ABS census figures. Now we know a lot more about these individuals and their families than we ever did previously. That is why, when we are housing people who are most in need, 100 per cent of the people who have applied for housing priority and are most in need are the ones that have been housed in public housing across the ACT.

That does not mean that the 2,000 people that have applied for housing are just left on a list indefinitely. When they apply, they are often put in touch with different programs or services that can support them into different types of housing that might be more suitable than public housing—for example, community housing or other affordable rentals.

Ms Gilding: And the list is not static. People move and change. People might leave the ACT. We have a lot of churn in terms of people coming on and off the list or people who may have been able to meet their housing needs through another avenue.

MR PARTON: I have a question about those figures on the total waiting lists as we went through the years. It is quite a marked increase in the last year and a half, isn't it? You talked about going from 1,700 to 2,200 in quite a short period of time. I had a conversation with a social housing provider who said to me that they were bracing themselves for a wave of new applications because it was their belief that the private rental market was diminishing, that it was narrowing. I am wondering whether, when Housing does its forecasts, minister, you are anticipating a similar wave. The social housing provider told me that there would be fewer people getting into private rentals for a number of reasons. Are you of that belief?

Ms Berry: Are you talking about a community housing provider?

MR PARTON: Sorry, a community housing provider, yes.

Ms Berry: Yes, because I am pretty sure that we are the only social housing provider. I have not heard that from the community housing sector that they are expecting a wave but—

MR PARTON: You have already had a wave, because you have gone from 1,700 to 2,200. That is a wave as far as I am concerned.

Ms Berry: Yes, and the explanation for why the numbers are what they are is that they are not just being cleared off after a year or two. They are being kept on the list so that we understand where they are in our community. There was a process previously—correct me if I have this wrong—that after a period of time, if we had not heard from the individuals, if we could not get in touch with them or whatever, they would be taken off the list.

Ms Gilding: Yes.

Ms Berry: This was a significant period of time—not six months or 12 months. Now we are in more frequent contact with the individuals and families who have applied. So they will stay but be in other supported accommodation, other support services or whatever.

MR PARTON: Are you trying to tell me that these numbers are not as bad as they look because the data is better?

Ms Berry: No, I am explaining what the story behind the numbers is. I think that is important to understand as well. I expect that there might be more people who are in difficulty because of low incomes, for all of the reasons that I described earlier in answer to Mrs Dunne's questions. It is around wages, wage reductions in the ACT, unwillingness to increase Newstart, which means that more people—even more people in public housing—will be finding it challenging to make ends meet because of being on such low incomes, and the inability of people to actually get a loan from

the bank because of the banking royal commission. The banks have tightened up their processes as well.

I am not suggesting that this is a blame shift, but it has to be understood as to what is happening with housing, social housing and community housing across the country. This is not an issue that the ACT is dealing with alone. The ACT is actually committing per capita more than any other state or territory; so we are doing significantly more than anybody else in addressing an issue that, in some part, is not of our making.

MR PARTON: I think it is a blame shift. I think that there are things that are outside your control, but they are outside the control of every housing minister at a state level right across Australia. I would get back to the premise of Mrs Dunne's original question. The report states that high wages and low unemployment have put pressure on the existing housing stock. That really does get down to a failure of the government's affordable housing strategy on many levels.

We heard in previous annual reports hearings this week about the mathematical impossibility of delivering affordable accommodation on some of the numbers that we were given for the blocks that were released at Taylor. I know that the actual results fell a long way short of the target. I fear that we will be sitting in this room in 12 months time—I do not know whether I will be—

MRS DUNNE: I won't.

MR PARTON: and the numbers will be worse. The numbers will be worse than they are today.

Ms Berry: Thank you, Mr Parton, for your description of earlier conversations during committee hearings. Perhaps it might be helpful to go through some of the actions that have been taken under the housing strategy to address the issues that have been raised and that were also brought to our attention through the summit that was held when we developed the housing strategy. There has been a significant amount of work done. It is hard to think about that when there is actually a lot of work happening in this space.

You will know, because I know you have been a particular champion, of the commencement of the land tax exemption pilot for properties that are rented at 75 per cent of the market. This is managed by community housing providers. We have supported the establishment of an affordable rental real estate management model. We have introduced a 25 per cent lease variation charge remission for registered community housing providers to encourage and develop more affordable rental housing.

We have amended the Residential Tenancies Act to focus on fairness and security for vulnerable tenants. We have commenced the affordable home purchase scheme and dedicated at least 15 per cent of the indicative land release program for 2019-20 for affordable community and public housing. A national capital design review panel has been established. The 2018-19 budget contains \$6.5 million to support new programs for older women and asylum seekers at risk of homelessness. There was additional funding for Karinya mothers and babies accommodation and support services,

expanded services for the human services gateway, and the first of our four-year long-term supported houses for people with enduring mental health issues was opened in Florey in May.

We finalised and released the report from the University of Queensland to provide advice on the support requirements and accommodation options for people in the ACT with high and complex services needs. We released the ACT plan for growing and renewing public housing with the new investment of \$100 million, an investment per capita that is more than that of any other state or territory in public housing renewal and growth over the next five years. We have released a tender for the delivery of trauma-informed training for the specialist homelessness sector. In December 2018 we launched the digital application process for the ACT government's rental bond help.

Of course, in addition to that, there is the work that is continuing on the development of Common Ground in Dickson. There is the Housing First model released just a couple of weeks ago, in partnership with CatholicCare and St Vincent de Paul. It is a pilot program for the ACT to make sure that we can support those people who are sleeping rough and who have high and complex needs into housing first and then provide them with the support services that they need to get them into more long-term housing.

There is a significant amount of work that has happened in the ACT that has been undertaken by the ACT government to address issues presented through the development of the housing strategy. Yes, there is always more to do, Mr Parton; absolutely. Nobody is denying that, but we are working in an environment where there are some levers that we have control of, which we are addressing, and some that we do not, which we are also addressing through our investment in support services for public housing in the ACT.

MS LE COUTEUR: I understand that all NAHA-funded services—the national affordable housing agreement—will be put out to open tender in 2021. Is that the case?

Ms Gilding: Those contracts were renewed, I think in 2016, for a five-year period, so they end in June 2020-21. We need to look at what the appropriate procurement approach will be.

MS LE COUTEUR: What does that mean?

Ms Gilding: It means we are looking at the service sector as a whole and the maturity across the different providers and understanding the different abilities we have. We need to be very cognisant of some of the niche services that are provided by some of our services but also understand that there are other service systems that have national operations. We need to work with the sector. We need to do a co-design, a co-production piece of work around how we best take that forward in terms of the approach in 2021. We are doing that piece of work now, the internal analysis that will inform what we need to do.

Ms Berry: It is a decision for a future government. The current government made the

decision to ensure that those contracts had more certainty and extended them from three to five-year contracts so that the sector was not spending all its time applying, putting in tenders for ACT government and federal government-funded work. The contracts are for five years now, rather than three. The next part will be where that goes in the future and that is a future government's decision.

MS LE COUTEUR: Ms Gilding, it sounded like you were working on it at present.

Ms Berry: They are big contracts.

Ms Gilding: That is right.

MS LE COUTEUR: So it is still reasonable to ask questions about where you are going, rather than it just being for a future government.

Ms Berry: There is no decision about changing the way the work is tendered, but things have changed in five years.

Ms Gilding: We need to prepare and provide advice for government consideration before I can adequately answer your questions.

MS LE COUTEUR: Will you be looking at a number of different streams? ACT Shelter is very housing connected, but it does not provide beds. Will it be going in the same stream as everything else? Will some of the small organisations—for example, DVCS, the Rape Crisis Centre and Beryl—be in the one process or will there be multiple processes?

Ms Gilding: I will refer to what I previously said: that we need an appropriate procurement process that takes into consideration some of the specialist services that are provided by some of the smaller organisations, such as Beryl. ACT Shelter is not funded under the NAHA.

MS LE COUTEUR: I thought it was.

Ms Gilding: Are you talking about the organisation that Richard Griffiths manages?

MS LE COUTEUR: No, I am talking about the peak body, ACT Shelter.

Ms Gilding: It would be difficult to run a procurement process when there is one peak.

MS LE COUTEUR: Yes, but I was told that they were going to be part of this. My comment was going to be that it would be difficult to run a procurement process for something like that.

Ms Gilding: We certainly have not said that.

MS LE COUTEUR: That is great if that is a misunderstanding. Will you have criteria of some sort about how you are going to do this process? Will diversity or locally based or value for money be criteria?

Ms Gilding: We need to bring in to play a lot of criteria when looking at what happens with the next round of funding with the sector. Certainly all the procurement guidelines need to be met, but the national funding agreement says that we have to target particular cohorts as well. We need to be mindful of a lot of policy settings. But, most importantly, we need to look at our specific data.

One of the things we heard loud and clear from the sector during the housing strategy was working with them to understand the gaps and the emerging gaps and making sure our services are positioned for what we are seeing for us as a territory into the future. We must also be cognisant of reports such as the cohort study, which is where we are also running the pilot, that say that maybe we need to be working differently. Maybe we need to look at our data and make sure we are meeting the needs of the territory into the future.

Ms Berry: That is a small part of what the ACT government does around support for housing and homelessness services in the ACT. It would be really cool if the federal government increased that funding. Despite the best efforts of all housing ministers across the country, we did not get a commitment from the federal government to increase that in the last agreement process. Without speaking on behalf of my colleagues around the country, I am sure we would all be very happy to see an increase in that funding.

MS LE COUTEUR: CSD, earlier, talked about a commissioning process they will be using. Are you looking at using a similar process? Will you be talking to your colleagues in CSD?

Ms Cross: Housing ACT is part of the directorate. If we are commissioning a system across the directorate then we will be involved in that.

MS LE COUTEUR: What will you do as far as staffing is concerned? The people who work in these organisations have put their heart and soul into them. Will there be any assurances there?

Ms Berry: One of the main reasons the government moved from three to five-year contracts was so that there could be more certainty with employment and also so that organisations were not spending all their time applying for government contracts. I cannot say what is going to happen in 18 months time, but the ACT government's preference is that people have certainty around their employment within these organisations.

Ms Cross: In fact, the total facilities management contract is a seven plus three contract, so that gives even greater certainty.

MS LE COUTEUR: Would you be considering that for the new NAHAs?

Ms Gilding: There are a lot of things to consider and a lot of conversations to be had. We need to work with the sector; we have to be in lockstep with our partners. We are part of the one system. The process we used back in 2015-16 was very much a co-design process. The sector, to their credit, shifted in terms of the service provision, and we have seen that coming through our data.

The overall AHW data, the specialist information system and platform, shows that we are seeing more people at risk of homelessness, as opposed to being homeless, when they present to OneLink or to services. That was a deliberate shift in those contracts. That came about through a co-design process and I would not want to lose that. None of us would want to lose the conversation and input and information that comes through from the sector when we move forward.

MR PARTON: I draw attention to page 78, which states the reasons why tenancies ended in the last year. Of the 451 tenancies that ended, 125 were moving into the private market. I ask initially what strategies are in place to help tenants transfer out of public housing into the private rental market? Of course, as we all know, when that happens it alleviates the pressure on the waiting lists. What strategies are in place in ACT Housing on that front?

Ms Gilding: There is a program that is run publicly every two years. We call it the sustainable income and review program. When a household's income reaches a certain threshold, which is around \$103,000, we will write to them and basically say, "We want to have a conversation about your financial situation and your capacity perhaps to buy your house—buy it outright, enter into shared equity and/or move on." I think that in the current process there have been, all up, across that program around 17 folk who have then moved on into home ownership. In terms of assistance into private rental, we do not have—

MR PARTON: A specific program.

Ms Gilding: specific programs at this point.

Ms Berry: We have a kiosk at Housing ACT.

Ms Gilding: Yes.

THE CHAIR: When you say "private ownership"—I do not know if we still do this—does that include an opportunity to buy an ACT government house? Does that include those figures?

Ms Gilding: Yes.

THE CHAIR: I did not know what it was called. Thank you.

Ms Gilding: Sometimes somebody might have the income to buy the house but the particular public housing house that they are in at that time might not be suitable for them to buy. In that case, we can help to figure out whether there is another house that we can help somebody with, particularly in shared equity as well.

MS LE COUTEUR: You have figures that show that two tenancies ended because the tenants were evicted and a warrant for their removal was served. Another eight left after an unconditional tenancy termination order was obtained. Do you provide any assistance to these people or do they just become homeless?

Mr Aigner: We are always seeking not to evict—

THE CHAIR: Have you read and understood the privilege statement?

Mr Aigner: I have, yes.

Mr Aigner: We are always seeking not to evict people into homelessness. There is a long engagement process we have with our clients. We have a new process and panel called the tenancy early intervention review panel. It works with tenants and tenancy from very early on to identify complex needs and any community supports. It works with tenants through a process, while always trying to avoid that kind of outcome.

MS LE COUTEUR: Sure, but you did get there.

Mr Aigner: Occasionally, yes.

MS LE COUTEUR: According to your annual report, two were evicted and eight had an unconditional termination order obtained. My question is: are these people going to become homeless? What happens? I believe that you do not do this as your first action.

Mr Aigner: Yes.

MS LE COUTEUR: The question is: when you do do it, what happens?

Mr Aigner: There are a number of places where those tenants may go. They could go back into crisis accommodation or go into the private rental market. I cannot answer specifically on each of those tenancies.

MS LE COUTEUR: If they were going to private rental, you have a different category for private rental; so presumably they did not go there.

Mr Aigner: No.

Ms Gilding: It would not be counted in that way.

Mr Aigner: No.

Ms Gilding: Sorry, the way the dataset is counted, they might go there; they might go into all of these other places. But we were counting their leaving Housing ACT as either the two or the eight.

MS LE COUTEUR: I assume that most of the people who have got to that situation are not going to find it that easy to get into private rental. I could be wrong. There are another 12 who vacated following legal action. The question still remains. Given that these people are leaving and it does not appear that they have somewhere to go to, what, if any, support is available?

Ms Gilding: We work very hard to provide options, even when there has been a breakdown of tenancy. We are often dealing with very difficult and complex needs in

that scenario. Certainly, it does not mean that our standard tenancy obligations do not apply. We are balancing that tension. We recognise that when we take something to ACAT we will often try to have an alternative or another pathway that somebody could choose. But we cannot make them choose. Often it is at the very end of the line and at the very end of the support in terms of saying, “We actually want to keep the roof over your head.” But there does come a point where we do actually need to enforce some behaviour, some requirements, in terms of the tenancy obligations.

MS LE COUTEUR: Would that often be because of relationships with their neighbours?

Ms Gilding: There are multiple different reasons.

MR PARTON: Sorry, I misheard that question. I think it was also about what I was going to ask. You talked about difficult and complex needs. I know that we are only talking about a small number of terminations here, through evictions or legal actions. Without going into specifics, what sorts of circumstances are we talking to that lead to tenancies being ended in this fashion?

Mr Aigner: Of the two that were evicted in this annual report period, one was for debt and the other was because we were selling the property.

MR PARTON: The other was because you were selling the property?

Mr Aigner: Yes.

MR PARTON: But under that circumstance, would there not be—

Ms Gilding: Arrangements made, yes.

MS LE COUTEUR: Yes.

MR PARTON: So that really does not qualify as a genuine eviction, does it? Surely if you are selling the property, I am assuming that Housing ACT would have organised for alternative accommodation. It would not have been a case of, “We’re selling the property, buddy. Sorry, you’ve got to go.”

Mr Aigner: Yes; they may not want to leave.

MR PARTON: Okay, so there was still a dispute around the selling of the property. It says on page 78 of the report that 22 tenancies were abandoned. How long is a property left vacant after it is abandoned? How many of those required clean-up or property maintenance? What was the cost of that?

Ms Gilding: In terms of the actual costs—

MR PARTON: Yes.

Ms Gilding: In terms of what happens when a property is abandoned, there is a process of trying to find the tenant, because often they have their possessions in the

house. We need to be very careful that we follow an appropriate set of procedures to make sure that we have done everything that we can to contact that person, to make sure that they can come and collect their possessions or whatever it might be before we then move on to our property processes, which I am going to ask Ms Loft to walk you through under the TFM.

Ms Loft: I have read the privilege statement. When a property becomes vacant, if it is abandoned we will send the TFM program out. They will do an assessment of the property, what needs to happen for it to be re-lettable. That could be short-term maintenance within 10 days. The majority would be long-term maintenance. Then there are different KPIs. TFM must meet all their KPIs around those processes. Then we would obviously take it offline so that it is not available to allocate while it is going through those processes. The costs would vary, depending on the works.

MR PARTON: I am sure they would.

Ms Loft: We have KPIs within Housing and on the TFM to try to turn those around as quickly as possible.

MRS DUNNE: I want to go to page 77 of the report. It talks about the number of complaints made last year, broken down by category. How many of these were resolved with a satisfactory outcome—that is, where everyone walked away feeling as though they had had a good hearing and there was a reasonable outcome—and how many of these complaints were made by tenants?

Mr Aigner: I will have to take both parts of that question on notice.

MRS DUNNE: There were 841 complaints of disruptive behaviour or neighbourhood issues. How many of these resulted in a tenant receiving counselling or being moved?

Ms Gilding: Again, I do not have that level of detail. We would have to take it on notice.

MRS DUNNE: How often, as a gut feeling indicator, does someone from Housing intervene when there are complaints about Housing tenants?

Ms Berry: That is a pretty broad question, Mrs Dunne. Again, it would be a whole lot of different circumstances.

MRS DUNNE: The report refers to 841 complaints of disruptive behaviour. Does disruptive behaviour have to meet a threshold before it is classified as disruptive behaviour rather than rowdy neighbours?

Ms Berry: It might be good to talk about the kinds of supports that are provided to tenants when Housing ACT is contacted about disruptive behaviour: when the tenant is contacted and what happens. That is sometimes a bit of a mystery for everyone.

Ms Gilding: Perhaps I can jump in and say that we have a complaints line, so we have a set of procedures around when something is considered a complaint from that 841. If somebody calls in on the complaints line, it would be counted in that particular

figure.

Ms Berry: But then what happens with it?

Ms Gilding: Exactly. It is moving on from that, in terms of how we work with tenants around behaviours.

Mr Aigner: A complaint will come in; it is handled through our complaint area. It is triaged and sent to our tenancy team, who will investigate the matter with the tenant and whoever may be raising the complaint. That could be a phone call, a visit or all of the above. Sometimes that ends in action such as a notice to remedy. Mostly it is the housing manager working with the tenant and neighbours to understand and try to rectify the problem. The complaints can then go through a number of levels. We have had no complaints that get to level 3, where it has to be escalated. We have managed to resolve most of our complaints at levels 1 and 2.

MRS DUNNE: What is level 3?

Mr Aigner: That is when it goes outside Housing into the complaints area in the Community Services Directorate.

Ms Gilding: The complainant is unhappy; it keeps escalating.

MRS DUNNE: What happens if the police are called? I can think of a couple of notorious ones. What happens if the police are called and there is wide-scale neighbourhood disruption? Does that get escalated out of Housing to level 3 and CSD?

Mr Aigner: A police call-up may not be a complaint. They could be mutually exclusive things.

MRS DUNNE: You have complaints about tenants. You might have one complaint or multiple complaints about the same tenant. When you have multiple complaints about the same tenant, how do you handle that? If the tenant is being, by definition, disruptive, and disruptive to more than one person, how do you handle that? And if it does get escalated to the point that police turn out, what do you do about that?

Mr Aigner: It is the same process. We would seek to understand it and investigate it, regardless of how many people are complaining. Obviously there is more weight if there are more people complaining. If police are getting called out, in a way, that is its own process, which needs to finalise. It is not necessarily linked to the complaints process.

MRS DUNNE: It is not necessarily linked to the complaints process? If you have a tenant with a history of disruptive behaviour and the police are called out, the Chinese walls mean that you do not see that?

Mr Aigner: We may see it, but there is no conclusion yet on a police action. It is not an immediate conclusion that the police are called.

THE CHAIR: I guess you are saying that the police may have been called out for something completely separate from what is related to that tenant.

Ms Gilding: Police can be called to all manner of tenure across the ACT: public, private, mortgagees. They have their processes in terms of what they would handle. Essentially, Housing ACT does not handle criminal behaviour; we would leave that with the police.

THE CHAIR: Once their investigation has completed and there is an outcome, whatever it may be, from police, if there is a high-level issue about that tenant that police have identified, would that be brought to the attention of Housing?

Mr Aigner: Yes, it may.

MR PARTON: I think the question that Mrs Dunne is trying to get at is this. If there is a situation where there has been a disruptive household over a period of time, with continual police calls, and it is abundantly clear that the police calls are about the ongoing disruptive behaviour, at what point does that dam wall break? You say that there is a show cause notice, but I am just trying to get a handle on what action occurs in that scenario when entire streets, entire communities, are being impacted by this sort of disruptive behaviour. Have I summarised that, Mrs Dunne?

MRS DUNNE: That would be a summary of some of the concerns.

Ms Berry: There are probably a whole number of circumstances that might occur, Mr Parton. It could be that somebody else is coming to the home and causing the disruptive behaviour. Just because the police turn up does not mean that a person would be moved out of their home. That is not the criterion for a person to—

MRS DUNNE: I am not saying that. What I am trying to get my head around is this: if you have disruptive behaviour, does this stuff accumulate? I am not talking about housing tenant Joe, living a quiet life, suddenly having a rat-a-tat-tat on the door by the police. I am not suggesting that. I am talking about when there is a pattern of behaviour, when you have multiple complaints, often from multiple people.

Ms Berry: What is the process?

MRS DUNNE: What is the process? And when is enough enough?

Ms Gilding: When we get those complaints, the housing managers work very closely to try to resolve that and connect tenants to support.

Ms Berry: And the neighbours.

Ms Gilding: And the neighbours. Under the modernising tenancy services, we have an intensive team. We have housing managers who are skilled at talking to the neighbours and trying to understand what the problem is and what might help. That might be connecting to various supports or conflict resolution.

Where we cannot reach resolution, it is really important to remember that we are

subject to the Residential Tenancies Act, like any other landlord. When we have not got resolution and there is evidence that the tenant has breached their agreement, Housing ACT can take action through ACAT to terminate the tenancy. Under the legislation, there is an escalation of steps before that in terms of the notice to remedy.

If I can just flick back to our other conversation in terms of how many people were evicted and the steps that were taken, being conscious of the fact that we are a landlord of last resort, it is not an action that is taken lightly. We certainly try to resolve the issue. We recognise that there can be community fatigue. We look for solutions to ensure that everybody in the community enjoys their right to a quiet, enjoyable life within their street, within their home.

THE CHAIR: Minister and officials, thank you for appearing this afternoon. We will move to examine the prevention of domestic and family violence portfolio. I remind you, Ms Wood, of the protections and obligations entailed by parliamentary privilege. Can you acknowledge that you have read and understood the privilege statement?

Ms Wood: Yes, I have read and understood it.

THE CHAIR: How is the rollout of the family violence frontline worker training coming along?

Ms Berry: It is coming along; in fact, just this morning we were with some managers participating in the training. I think it was received very positively by that group.

Ms Wood: To provide the context, as we have approached training frontline workers in the ACT government we have learnt from what others have done and we have talked to a range of large employers. The thing that emerged very early was that we need to make sure our workplaces are safe places in order to train frontline people because they need to be well supported. But we also know that as we talk more about this issue more people will be disclosing in the workplace, so we need managers, in particular, to be ready to respond to those disclosures.

We have developed a framework for training that includes a foundation level for all public servants so that we have that basic level of awareness across all of our workplaces. There is specific training for managers and then more intensive training for people delivering frontline services to clients. We have started with a staff wellbeing lens and putting staff wellbeing at the centre. We have started the training with managers. They do the foundation training, which is an e-learning module and then they do face-to-face training.

We have trained around 400 managers since about June. It is a 3½-hour training session and it is really focused on supporting your staff, having that basic understanding of domestic and family violence, understanding how to support people who have had that experience and understanding the policies and supports under the enterprise agreements in ACT government, including access to domestic violence leave and other adjustments that managers can make for people depending on their needs.

THE CHAIR: So the training you are rolling out is focused on supporting people in

the workplace?

Ms Wood: We are supporting people in the workplace and we are training our frontline workers to support clients. So we are doing both.

THE CHAIR: Last week we heard from the emergency services, and the commissioner was talking about some training their staff had done. Have you provided training to the ESA?

Ms Wood: Some work was happening in the Justice and Community Safety Directorate before this training; they were doing work around White Ribbon accreditation and they offered some training to support that process. The ESA has been involved in helping us design the training. We have had some people from ESA involved in the sessions where we have tested the manager training, and now we have done some sessions where we have tested the frontline training as well. The ESA have been involved in that but they have not yet had a full rollout of our training. That will be starting probably in 2020.

THE CHAIR: Is the training you are providing to frontline workers so that the people who are out there—for example the MACH nurses—are able to (a) identify and (b) provide support to women that may come to them?

Ms Wood: Yes, that is right. We have taken a broad view. There already is very intensive training for some of our frontline staff that has been in place for several years. Caseworkers in child and youth protective services have a five-day intensive and ACT Policing frontline officers have a three-day intensive around family violence. We want to ensure that all frontline staff who may interact with someone experiencing domestic and family violence have the level of training appropriate for their role. We are not seeking to change anyone's role; we are seeking to equip them better for the role they already have.

It depends on what their role is, which is why we have two levels of intensity of the training. Maternal and child health nurses are a really good example of people who have an ongoing relationship with someone and who may build a trusted relationship and may be in a position to both identify potential signs of domestic and family violence and also receive a disclosure from a client.

We want to equip them to understand domestic and family violence, understand how to have that conversation sensitively and know what the risk factors might be so that they can make a good judgement about where there are signs of a higher risk case that might need some more expert services involved.

Ms Berry: As well as it being about support, it is also a prevention as well because more people in our community will better understand domestic and family violence and the complexity around it. It might not always be victims or others who want to support a friend or a colleague; it might be perpetrators who are concerned that they are at risk of perpetrating violence or have perpetrated violence and they want support as well.

Violence is never a good thing for anyone, however it happens. This training will

provide an additional 20,000 people in the ACT who will have better understanding of domestic and family violence, where to get support, the kinds of behaviours that might exist in the workplace because somebody is experiencing domestic violence at home and then how to support them. It is not to be the psychologist or the expert but to be the one that can direct them to the services that can provide that expert support.

THE CHAIR: It is providing them with the ability to listen to the conversation and provide assistance where required.

Ms Berry: Yes. Listening is the big thing.

MRS KIKKERT: Considering it is a four-year plan to implement this training to all public servants, at a total cost of \$2,831,000, could you table a detailed breakdown of exactly what the money is being spent on? I understand there is online training as well as in-house training for the managers; is that correct?

Ms Wood: Yes. There are a number of components. Part of the funding has supported development of the training content and materials. There is an e-learning series of four modules which everyone can do, which is the foundation level. There is face-to-face training for managers and then there is face-to-face training for the frontline staff as well. There will also be an e-learning option for managers in certain circumstances.

It needs to be really flexible because of all the different types of people we are trying to train. For the face-to-face training, most directorates are using external training facilitators. For this first period the facilitators we have engaged for the training are the Domestic Violence Crisis Service, the YWCA and the Women's Legal Centre. Longer term we will establish a panel of providers, and they are welcome to be part of that panel and go through the procurement process. There will be a set of facilitators who have the right skills and expertise to deliver the training.

A different model is being used by Canberra Health Services because they have such a big workforce to train. Some of the funding has gone to in-house trainers; they will not use the facilitators but will do their training in house. That gives them the flexibility to deliver training in different ways at different times and to reach all their shiftworkers and be very flexible.

MRS KIKKERT: Would it be okay for you to table the total cost breakdown of all those different training programs provided to different departments and roles?

Ms Wood: We can do a breakdown by directorate, yes.

MRS KIKKERT: I understand from the estimates hearing that this idea of training all public servants came up because of your conversations with other jurisdictions. Are there measured impacts on how they are going within the community?

Ms Wood: You mean how other jurisdictions—

MRS KIKKERT: That is correct, yes.

Ms Wood: There is no other jurisdiction that is doing something as comprehensive as what we are doing in the ACT. They are all looking at training. Some of them have done a range of training. We are looking to learn from how they have measured the impact. I was talking to the Public Service Commissioner in Queensland about how they are going to measure the impact.

There are a couple of different ways we can measure the impact. We can measure it in terms of people's level of understanding of domestic and family violence pre and post training and, if they are in a frontline role, their confidence that they could identify domestic and family violence or have the conversation. Longer term, you can look at how we measure that we are providing a better service for clients. There are different stages at which we can measure the impact and different things we can look at. We are looking at it as we are setting up the evaluation framework for our training strategy. We will be looking at what other jurisdictions have used and how they have done it.

MRS KIKKERT: I understand that MLAs can also choose to do this online training. How do we go about doing that? Do we send you an email? Does the Assembly do it together?

Ms Berry: We are putting together a program for how that might occur; we just have not worked through how that will be provided. We want the Office of the Legislative Assembly to have the opportunity as well. We want as many people to do this as possible; we want to give them the chance to do it. We will be in touch. As Jo said, we have been tightening it all up and making sure that it is all working appropriately as we have been trialling it. It is close to being ready to roll out now.

MRS KIKKERT: And the training will be identical to what the public servants are doing?

Ms Berry: The online, yes.

MS LE COUTEUR: Have you had any negative feedback about it as yet?

Ms Berry: Negative is probably not the term I would use. It is a confronting issue for many people, from all parts of domestic and family violence. There has been generally positive feedback. People have been wanting to learn and do the training. But because it is a confronting issue and people will be affected differently, some individuals are choosing not to participate in some parts of the training. In those circumstances, they are provided with the opportunity to talk through what their concerns are. It could be that they need some additional supports themselves for different kinds of reasons. Even though they might not participate in the training, we are looking at it as an opportunity to do some acknowledgement of the issues that they are being confronted with and their feelings about domestic and family violence more generally.

Ms Wood: We are working with the directorates who are planning the implementation of the training in their workforces. The one that we have worked with most closely, because they have done the most training since June, has been the Chief Minister's directorate. We are sharing the way they approached that with other

directorates. It has worked really well. They have been very proactive about engaging with anyone who raises any concern at all about the training and having a conversation with them about what their concern might be. A lot of them have been around a safety issue—either concern about themselves doing the training or concern about how this might impact on other people. They are being really proactive about having the conversation. Generally, when they have been able to do that, there has been a good outcome one way or the other, which might be a connection to other support.

MS LE COUTEUR: They would be having the conversation not with their managers but with the service provider, I assume?

Ms Wood: It depends. Some of them have come to their HR area. In most cases, and certainly in Chief Minister's, they have had a coordinator who has been managing the training and the communication around it, so they have been really open to having conversations with people. There have been people who have raised issues with the training facilitator in the room and had a conversation with them. And it is always open to people to talk to their own managers. Depending on what people feel comfortable with, there are a range of ways that they can have the conversation.

Ms Berry: It is made pretty clear at the start of both the online training and throughout the training that if at any time people feel that they need to pause, get support or whatever, that is all available.

MS LE COUTEUR: Does the training include—I assume it does—what to do for disclosures: where you can send someone and where you can refer someone?

Ms Wood: Yes, it does. It will depend on the actual workplace. There are the general supports we have in the community, obviously, and the expertise we have in organisations like DVCS. There are other helplines like 1800RESPECT. In some more specialist workplaces, there might be internal social workers and other people that they can go to. It will be a bit tailored, depending on who they work for and what their role is.

MRS DUNNE: The frontline services program was created at the expense of other programs that had some funding cuts, like the enhanced child protection and case management coordination implementation and the joint Australian Law Reform Commission report onto family violence and stronger criminal justice responses. Has it been necessary to supplement those programs in the 2019-20 financial year; if so, by how much?

Ms Berry: There have not been any cuts; their funding is still for the foreseeable future.

MRS DUNNE: Yes. But their funding was reduced.

Ms Berry: Out of the levy?

MRS DUNNE: Out of the levy, yes. The funding for the child protection and case management coordination fell from \$481,000 to \$360,000, as an example.

Ms Wood: There were a couple of initiatives in the safer families package. In the budget process for 2019 we were working with directorates—and we have talked about this at estimates—on creating some funding capacity within the safer families package to support new initiatives and looking at which things should transition out of that package. In the process of doing that we worked with directorates around where funding could be reduced in this financial year, and there were a couple of areas where that was possible. That was one of them, and CSD is managing that.

MRS DUNNE: But what has happened to these programs where their funding has been reduced?

Ms Cross: The funding under the levy for the child protection one was funding a team of four people to do case analysis. With the reduction in funding we are absorbing the one position within our practice team, so there is no impact on operations. We have picked that up within the existing funding in CSD. When it drops down further at the end of the levy we have the option of whether we absorb that or whether we go back through our government budget process. That is quite normal if you trial something through the levy. Once you have trialled it you need to look at the ongoing funding through another source.

MRS DUNNE: So the \$481,000 was the original funding.

Ms Cross: That was a team of four people essentially.

MRS DUNNE: And the team of four is now one person, did you say?

Ms Cross: No, the reduction to \$360,000 was the equivalent of one FTE.

MRS DUNNE: The reduction of one person?

Ms Cross: Yes, and we are managing that within our existing resources this year within our practice team.

MRS DUNNE: So the team has not reduced; the funding has come from your funding envelope?

Ms Cross: We are managing that internally.

MS LE COUTEUR: So it is reduced by one?

Ms Cross: I am saying it is roughly a quarter. The funding was \$480,000. We have reduced it by about a quarter and for a team of four that reduces it by around one.

MS LE COUTEUR: That is the child protection case management, but there was a list of things.

MRS DUNNE: There was the joint law reform report on family and domestic violence.

Ms Wood: That is in Justice and Community Safety. That funding was provided to the courts through the court registry processes. They are continuing to deliver those services. The Attorney-General announced earlier this week that that funding was to continue.

MRS DUNNE: There is also the money that went to the DPP, which was presumably covered with the Attorney-General last week.

THE CHAIR: It was.

MRS DUNNE: What has happened with the reduction of funding to the DPP?

Ms Wood: The DPP is continuing in a similar way to CSD in managing to deliver those services. That is about their capacity to run family violence cases in the context of their capacity overall. The advice from them was that it was sustainable to reduce that funding.

MS LE COUTEUR: What about the implementation of the joint Australian Law Reform Commission and New South Wales Law Reform Commission report on family violence? There was funding for that originally out of the levy.

Ms Wood: Yes. The title of that makes it hard to see where the funding went, but that was the funding for the courts. The Family Violence Act effectively implemented a range of those recommendations from the Law Reform Commission, and the funding went to the courts to enable them to do that work.

Ms Berry: That was some of the national law reform.

MS LE COUTEUR: Have all the recommendations from that report been completed?

Ms Wood: We will have to take that on notice and ask JACS. I understand that the Family Violence Act implemented a large package of those recommendations. There may be some that have not been implemented in the ACT.

MRS DUNNE: How has the shifting of funding from the levy into agencies affected other services? Ms Cross, you have said that you absorbed the cost of one of those people in your area. That means there is something else you are not doing. You do not have an endless high log for shortfalls in funding, do you?

Ms Cross: No, but with it only being one FTE within a directorate of around 980 staff with staff coming and going, that is quite easy to absorb through positions from time to time being vacant.

MRS DUNNE: So that means that you did not fill another position somewhere?

Ms Cross: No, it means we filled other positions but there was a gap in between someone leaving and someone starting. If you had that happen with six positions and it took two months to recruit, that would fund 12 months. It is just a normal part of managing our budget.

Once it gets to the team of four, that is something that you need to look at. As was always intended, if we needed to go back you would do that through the budget process. That is how the levy needs to operate or else it will lose any flexibility to fund new things. I think that was a normal process. As I said, it is one FTE and we have managed that. When it is four, that is something we would need to look at—can we manage it internally? Do we go back through the budget process? How would we do that on an ongoing basis?

MRS DUNNE: The training for frontline services to respond to domestic and family violence, how widespread is it envisaged that that will go? We talked about MACH nurses and the like, and people who would come across it. I do not want to be disparaging, but perhaps litter pickers or treasury officials or revenue office staff do not come across much domestic violence in their work.

THE CHAIR: Although their work colleagues may be suffering.

MRS DUNNE: They may come across it with work colleagues, but is it aimed at frontline staff or is it aimed to be rolled out across the ACT public service?

Ms Wood: The intensive training is for frontline staff who support clients. The goal is that our services are better able to support clients in a range of ways. I said at the beginning that we need to create safety in our workplaces in order to do that. We have developed content for foundational level training and the cost in that is developing the content. It is possible for us to offer that foundational level training broadly to the public service.

As the minister said at the beginning, that has a flow-on effect into our community, because we know there is not a really strong understanding across the whole community about domestic and family violence. This training has the added benefit of providing that broader awareness and understanding.

MS LE COUTEUR: Page 423 of budget paper 3—I do not expect anyone to have it in front of them apart from me—has a table, J.2. It relates to safer families initiatives. Is it possible to provide an answer on notice relating to all the initiatives that go to zero? I think that some of them you have dealt with but I am not 100 per cent sure. Would it be possible to take on notice what has happened to all the zero ones? Shall I read them out?

Ms Berry: No; we have the list.

Ms Cross: We have the list. The government announced in the budget that, in respect of all those things that were moving out of the safer families package, there would be an opportunity to review how they were working this financial year and consider that in the budget process. For some of them—the Attorney-General spoke about this—that decision was made in the midyear budget process. But for the rest of them there is still time. Directorates are still working through how they manage those functions into the future. It is probably a little early to be able to give that kind of detail.

MS LE COUTEUR: Just to be clear, the ones that the Attorney-General announced last week are sorted. Are the rest still in the process of determination?

Ms Cross: Of being considered, yes. That is right.

Ms Berry: But the work is continuing.

THE CHAIR: Which is what Ms Cross has already said about that position that you were talking about.

Ms Cross: That is right, yes.

MS LE COUTEUR: There are about half a dozen of them—

THE CHAIR: Yes, I understand that.

MS LE COUTEUR: I am just trying—

Ms Cross: With all of them it is a question of seeing whether you need to go back in the budget or whether it is something that you could pick up within your existing funding, because things have moved on since they were initially funded and we have learnt from those initiatives. So it is not automatic that you would go back and seek additional funding. You may be able to continue the function within your existing resources. That is the—

MS LE COUTEUR: Or you may decide that it was an experiment and that it was not to be continued.

Ms Cross: Yes, that is right. That is the process. We have had 12 months' notice to actually do that consideration so that it will not be rushed.

MS LE COUTEUR: But is the summary that it is still all in the mix at this stage?

Ms Cross: Yes.

MS LE COUTEUR: This is a very sad question. The annual report refers to a workshop held in May 2019 about lack of financial supports being a major factor in terms of women returning to violent relationships. I am sure it is also due to a lack of housing, if I can refer to what we discussing a while ago. You mentioned that the family safety hub is testing to find ideas to do something about this. Can you talk to us more about what you are thinking in this regard or is it too early?

Ms Wood: I can, yes. The family safety hub convened that workshop and brought a whole range of people together. It included the domestic violence specialist sector. It included some people from the private sector—some of the banks, the utility companies and a range of other service providers. A number of ideas came out of that that workshop. We have been actively working with different organisations on developing those ideas up further and looking at which ones we could be in a position to actually trial.

The ones that we have particularly focused on are two parts to the one problem. It is about an understanding of financial abuse and supports for people who might

experience financial abuse. We have been doing a lot of work, particularly with CARE financial and some other services about what the gaps are and what is the best way to reach people who might need help.

I have to say that that conversation has taken longer than we expected going into it. One of the things that we have found is that we know that financial abuse is very prevalent. For people who experience domestic and family violence, financial abuse is one of the key controlling strategies. But it is the part of domestic violence that possibly people understand least well. They do not identify it as a form of violence. There is a really big piece around actually building awareness and understanding about what is financial abuse before people will be ready to get help. We are still working through that and what that might look like.

Then we are looking at what else we could do that, again, is kind of focused on that awareness piece. One of the ideas that came out of that was to look at where people already go to get financial advice of various kinds. We know that banks have hardship provisions and the utility companies do as well. Can we actually get people some information when they go to those places? We are working through that one as well.

We are still working through the ideas that came out and the best way to action them. The thing we found was that we had to make sure we were fully understanding the extent of the problem, then fully understanding where people might reach out for help and how we actually then bring help to them. So it is still a work in progress.

Ms Berry: And the other part to that, Ms Le Couteur, was the question earlier around the women's safety grants programs and the grant that was provided to DVCS to do that work on trying to work out how a person can manage to afford to stay when they cannot pay their mortgage or rent because their partner has left and they are on their own, rather than their leaving their family home, thus leading to homelessness or applying for housing.

These people could be working or they might not be working. But how can we keep them in their home, paying their rent or their mortgage for longer until they can get their lives sorted out, rather than their having to make that choice to apply for public housing or community housing? It will be really interesting to see that work that DVCS does.

Ms Wood: The seed of that idea that led them to apply for that grant came out of the conversation we had at that workshop.

Ms Berry: Yes, that is right. Thank you.

Ms Wood: But that is the idea that is being led by them. There are other ideas that we are exploring.

MRS KIKKERT: The annual report mentions increased funding for the Domestic Violence Crisis Service and Canberra Rape Crisis Centre to meet increasing demand. Many frontline providers, including these two, say that funding is not keeping up with demand. The executive director of Toora Women recently went public, asking for government funding to have two in-house counsellors for children experiencing the

trauma of domestic violence. A number of Canberrans see providing these kinds of services as one of the central purposes of paying the safer families levies. How is that figure determined? How much of the levy will be used to meet the needs of those in crisis?

Ms Berry: It is quite a detailed process. The levy itself is around some funding for frontline services to deal with that increase in the need for those services. That came about following the Victorian royal commission and also the deaths that occurred here in the ACT that led to a very big spike in the need for those services.

The family safety hub was the contribution that the community made to supporting those services. But it is also about understanding the complexity of domestic and family violence; learning and trialling different kinds of innovative approaches to support people who are experiencing it; and doing programs for perpetrators of violence to change behaviour.

It is not a matter of just cutting it up into even pieces of a pie. There is a significant amount of work that goes into it through the work that Jo Wood does with the sector about where the funding is most appropriate in addressing domestic and family violence and minimising it in our community.

Ms Wood: I would add that the 2016 safer families package increased core funding for both DVCS and the Canberra Rape Crisis Centre on an ongoing basis. The 2018-19 budget had a further injection into their core funding. It is something that we continue to work with the sector on: about meeting all of the needs and looking at what happens to the data over time, what it is telling us about demand.

MRS KIKKERT: In regard to Toora Women, how are children who are experiencing trauma meant to receive counselling if they do not have in-house counselling for children?

Ms Wood: Toora received funding specifically to work with children in the 2018-19 budget. All three of the women's refuges received funding that they have used for specialist workers to work with children. Toora can do some of the work with children. The expectation is not always that all of the services have to be provided within the one service. They have their own specialist workers; they also work with other organisations and find other supports for children and young people.

The Domestic Violence Prevention Council's extraordinary meeting focused on the impacts of domestic and family violence on children and young people. We are doing work to respond to those recommendations. One of them is to consider how we expand the therapeutic supports for children and young people who have experienced domestic violence. That is cross-government work; it involves CSD, Education and Health. The initial piece of work is being led by CSD. Coming out of that, we will look at what the needs are.

Alongside that, our family safety hub is partnering with the Children and Young People's Commissioner to do a listening and learning project where we talk to young people directly about their needs. Those conversations have started. Young people's own views about what they need will feed into what we do in the future to support

children.

MRS KIKKERT: Toora currently do not have an in-house counsellor for their children. You mentioned that they received funding for specialised counselling for children last year.

Ms Wood: They received funding. I understand they have used their funding for a specialist child worker. It is up to them how they direct the funding that they receive. They did have additional capacity to work with children as a result of that funding.

MRS KIKKERT: But that funding is gone now?

Ms Wood: It is ongoing funding.

Ms Berry: It was provided as part of the \$6.5 million.

Ms Gilding: In 2018-19, the ACT government budget funded Doris women's refuge and Beryl for allocated additional and ongoing for at least \$100,000 per year over four years. An additional \$100,000 per year over four years was allocated to Toora, to support women and children escaping domestic violence. The funding overall, for all of those groups, specifically helps them to provide comprehensive case management, particularly for children exposed to domestic violence. \$80,000 over four years was allocated to Karinya, again to support young pregnant women and mothers at risk of statutory intervention.

MRS KIKKERT: Does that funding come from the safer families levy?

Ms Gilding: No.

MRS KIKKERT: None of that goes to the refuges?

Ms Gilding: This was additional funding in the homelessness sector. All up, within NAHA, it is around \$24 million per annum. The government added to the commonwealth funding to the tune of \$6.5 million over the four years for additional services, including those announced to the providers.

MRS DUNNE: So the \$100,000 for the shelters and 80 for Karinya essentially goes in support staff? We are talking about one staff member per organisation?

Ms Gilding: Again, I do not know what FTE they might associate with that funding. Karinya certainly had a capacity increase in terms of the built forms, so they had extra places. That \$80,000 was specifically based on the service funding agreements to ensure that they had capacity for that extra service provision.

MRS DUNNE: That was \$100,000 for each shelter? Is that correct, Ms Gilding?

Ms Gilding: That is right, yes.

MRS DUNNE: If you are making additional funding available for a specific task, you are essentially providing one staff member.

Ms Cross: It might be two part-time people.

MRS DUNNE: I am talking about FTE.

Ms Cross: In terms of FTE and public service rates, yes, that would be around one FTE.

MRS KIKKERT: Quite often, that funding is not for staff. Could it be for particular needs that an individual or family member might be in need of?

Ms Gilding: In terms of brokerage within those organisations?

MRS KIKKERT: Yes.

Ms Gilding: Each of those organisations has brokerage funding that they can assist the families with, whatever needs there might be.

THE CHAIR: It would be up to the organisations, though, as to how they see fit to spend that funding.

Ms Gilding: That is right.

MRS KIKKERT: To spend the \$100,000?

Ms Gilding: Their brokerage funding, which is part of their broader budgets.

THE CHAIR: I asked this question in Health, but I want to ask it again to see how it is going from your perspective. Minister, last year I believe you made an announcement with the then minister for health in regard to support for pregnant women who may be victims or suffering abuse. Are you monitoring that or is it just a health-related matter?

Ms Berry: No; we are monitoring it as well. It is a great example of a partnership across government directorates—JACS, Health and the coordinator-general—around domestic and family violence. There has been a pilot in the ACT and across the different health services, the hospitals and the child and family centres. The feedback we are having so far is quite incredible, though it is not good feedback that there are so many people wanting to get support from this service. As part of the partnership, 95 people have been assisted in the first six months of the pilot period. Overall, 170 people were assisted. That is quite a remarkable number of people who have been assisted as part of this partnership pilot.

The feedback that we are getting from the individuals involved—the lawyers who are embedded in the hospital and the child and family services, as well as all the nurses and social workers in the hospitals—is that there has been a change in the way that they are able to do their work to support these women in a different way from before.

It means that women are feeling more comfortable to seek support where they are. They do not have to go somewhere that is different if they are in a relationship that

might be controlling. It is safe for them because they are going to hospital. They are vulnerable because they are about to have a baby and there are all the things that go on when you are having a baby. They can get all kinds of legal support, not just domestic and family violence support but housing or child and youth protection service support. The legal practitioner is a trusted person that they can talk to about that. They have the relationship with maternity, the midwife and nurses in the hospital, who can walk them down the corridor to speak to the lawyer. Do you want to add to that, Jo?

Ms Wood: The key thing behind the success of this pilot—it is a success in terms of reaching more people than we expected in such a short amount of time, based on experiences from other jurisdictions—is that the health and legal professionals are working in a really integrated way. The lawyer in effect becomes part of the health care team.

As well as directly assisting 170 people, between 1 January and 30 September they offered 167 secondary consultations. That is where they provide advice to the social worker or the midwife. They also offer training; they have done training in each of those settings. They have trained over 300 health professionals. A lot of the work that they have done is building capability.

We had surveys before we started and at the end of the pilot about how the health professionals feel about their confidence in their ability to identify the signs of domestic and family violence and their confidence in their ability to identify what might be a legal issue. One of the things they have learnt is to be able to identify the legal issues earlier so that people can get help for those issues earlier. And it is about their confidence, broadly, in having that conversation with their clients. On all of those measures, we have seen a really big increase in their confidence. It is both direct service delivery and also a really big capability uplift.

Ms Berry: In addition to women who are coming into the hospital or child and family centres for support themselves, health workers have disclosed and gotten legal support earlier as well. The lawyers are embedded in the system and are available and in a safe place for them to be able to get the advice they need. It has been a really interesting program in how it has changed people's work.

THE CHAIR: And support for women and families more generally.

MRS KIKKERT: Considering that this program is going really well and that public servants are also receiving training in domestic violence, I am assuming that there will be an increase in domestic violence reports all around Canberra. How are the frontline services equipped to deal with the increased number of domestic violence reports?

Ms Berry: To go to the first part of that, yes, it is likely. We have discussed with the services that—like any other sort of awareness raising or when an issue occurs in a community where somebody is murdered as a result of domestic and family violence—there will be an increase in people seeking help. It is a good thing; it means that they are seeking help and the services are there. We are working with and listening very carefully to the services as to whether that occurs. If there is an increase, we will work with the services on how they can support individuals that seek it out. It

is likely, given past experience, that there will be an increase in people seeking support.

Ms Wood: Going to what we are aiming to do with the health justice partnership model, because we are taking the support out to people, not waiting for women to get to a crisis when they end up with a crisis response service, part of this shift is trying to reach people earlier when their issues are able to be managed without that really complex intensive support and they can make arrangements and choices around safety. We are trying to both raise awareness and reach people earlier so that more supports can be provided that are not always at that very specialist end.

Ms Berry: Mrs Kikkert, you will remember that at the start of this you attended some of the walk-throughs in the development of the safety hub. When we heard from women in the ACT about their experiences and what they wanted out of a response to domestic and family violence, they did not really want a justice and police response; they just wanted the violence to stop. By having this legal service within the health system and within the child and family centres, as Jo said, the support or the advice can be provided so that the woman can take earlier action rather than getting justice, police and other services involved after it starts. They might then understand if it is domestic and family violence.

Not all these support services that people are seeking are domestic and family violence, but domestic and family violence, housing and youth protection are the top three advice services that the women are seeking. If they are getting the advice before an intervention occurs from one of those services, the cost and impact on our community is lessened because we are getting in earlier.

THE CHAIR: Does it also provide the opportunity for families to understand how to assist each other?

Ms Berry: Could do.

THE CHAIR: There are all sorts of different ways that families find it difficult, particularly when a woman is expecting a baby, whether it be the first, second, fifth or whatever, to provide opportunities to have that support around the family.

Ms Berry: Yes.

Ms Wood: If you take the example of the hospital, where people need other supports, often social workers would be brought in to have that conversation. Then they can connect them with a range of supports. There could be a range of supports around families: youth, child and family centres, Relationships Australia and a range of other services that can work with that family and whatever it is that they need at that point.

MRS KIKKERT: Is there scope for expanding this program beyond the two hospitals in Gungahlin?

Ms Berry: It is a pilot at the moment, but it is quite successful. The government will, through a budget process, need to make a decision about that going forward. Our experience so far has been positive in that it is providing the services that we were

hoping that it would.

MRS DUNNE: There has been a lot of discussion—and I do not want to diminish it in any way—about interventions, recognition, assistance for trauma counselling and the like. Could somebody talk the committee through some of the actual prevention measures? How do we intervene to prevent domestic violence, where it is identified, to change behaviours—and sometimes to keep families together? Many times, families do want to stay together. What they want—as you say, minister—is for the violence to stop. How do we intervene? Have we come up with a better nomenclature than “perpetrator”? Often people who practise domestic violence have been victims themselves, and it may not necessarily always be appropriate to use that sort of “boo-hiss” term.

Ms Berry: Domestic and family violence is quite a remarkable space, in that it is constantly shifting, and governments and services are learning more and more about this complex issue and how to address it—stopping it before it starts, and looking at the support services for everyone involved. It is about anyone who is a victim, whether it is the person who has caused the violence or the person who has received the violence, as it affects so many more people. The language is constantly changing—how it is described, the kinds of behaviours that are involved and how to respond.

Ms Wood: The language used by the Domestic Violence Crisis Service is about people who use violence and people affected or impacted by violence.

Ms Berry: They are already starting to change the language.

Ms Wood: Yes, and that is in recognition of the complexity of background of people who use violence. The Domestic Violence Crisis Service have a survivor advocate group, the voices of change advocates. One of the really impressive people in that group, Lula Dembele, is doing a whole range of work, through her social enterprise, on how we have a focus on perpetrator accountability. In particular, she challenges us on the language. The word “perpetrator” is a totalising word; it means that is who you are, in totality. We are really conscious of needing to use the right language in the right settings, and to make sure that the language we use is not stigmatising people in a way that causes them not to get the help that could benefit the whole family. I think it will continue to evolve.

MRS DUNNE: In terms of the actual programs that are available to people who use violence, how much of the expenditure in this family safety space is the government putting into that side of it?

Ms Berry: The Room4Change program is about that kind of support for people who use violence and helping them through a whole lot of individual and group processes to change their behaviour. That is what we are hearing—that people want to stay together; they just want the violence to end.

In addition to that, it means that the family, the woman and the children, can stay in their home and the person who has used the violence goes into a group setting, a group home, provided to DVCS to run this service by Housing ACT. It is quite

intensive training that is about stopping people using violence so that they can go back home and continue their relationship.

MRS DUNNE: It probably means that people do not end up poorer as a result of family breakdown.

Ms Berry: Yes.

Ms Wood: The program started on 1 April 2017. The information we have, until 12 August 2019, is that 51 men have been involved in the program, and 21 of those have been in the residential component. So not everyone needs that, but it is available. It is an important way that men may get engaged in participating in the program. If there is uncertainty about where you are going to live, it is pretty hard to engage in this kind of program.

They support the men. They support the partners or ex-partners, if they want that support. Forty-five partners and ex-partners have been supported. To date, they have had 31 men complete the 20-week behaviour change program. There are a number of phases to it and different offerings are tailored to what the particular person needs. With the 20-week group program, 31 have completed it.

Another group of 17 have completed the caring dads program. One of the evidence-based strategies around how you engage someone in change often is about engaging them as a parent, engaging them on what kind of dad they want to be to their kids. It is a really powerful tool. They use an accredited program drawn from a Canadian program, focusing on men as fathers.

Ms Berry: This Room4Change program is unique for Australia. It is probably the only one of its kind. There is one slightly similar in Western Australia, but it is not quite the same as this one. It is not an easy thing to have expertise in this space, changing behaviour, but it is showing some success in the early days. Again, everybody is learning from it.

Ms Wood: Room4Change is a new and really encouraging program, but we know that we need to do more. We had a perpetrator intervention forum. We brought in some people from Victoria, WA and nationally who have expertise in how to work with people who use violence and what the right interventions are.

We had a half-day with a whole range of policy practitioners and we had a whole day with peak frontline practitioners. We used Rodney Vlasis, who is one of the acknowledged national experts. He helped to design Room4Change. He ran a session for frontline practitioners across a whole range of services about how to work with people who use violence. It is quite challenging and complex work to engage someone and not collude in their behaviour. They find that people who use violence will do a whole lot of things to minimise their behaviour and the impact it is having. The worker working with them has to be able to engage them and give them a sense that they are there to support them and help them with a range of issues, while at the same time not endorsing that minimising kind of message.

MRS DUNNE: Call it out, where necessary.

Ms Wood: Yes. That is part of our attempt to look at what should come next in the ACT. The feedback from the frontline practitioners who participated in that training was very positive. We have brought them back together. This work has been co-convened between my office and the Victims of Crime Commissioner. We are looking at how we grow that group into a bit of a community of practice, to keep working on this issue, as well as what else we need to do around earlier intervention models.

THE CHAIR: Thank you. I appreciate you giving us your time today. Before closing this public hearing, I have a number of administrative matters to highlight. In relation to all proceedings heard today, I would like to advise members and witnesses that answers to question taken on notice should be provided to the committee secretariat within five business days after receipt of the proof *Hansard*, with day one being the first business day after the proof *Hansard* is sent to the minister's office by the committee office. All non-executive members may lodge questions on notice, which should be received by the committee secretariat within five business days of this hearing. Responses to questions on notice should be provided to the committee office within five business days of receipt of the question, with day one being the first business day after the questions are sent to ministers and/or officials by the committee secretariat.

Again, on behalf of the committee, I would like to thank ministers Steel, Orr, Stephen-Smith and Berry, and officials from the Community Services Directorate, for attending today. When available, a proof transcript will be forwarded to witnesses to provide an opportunity to check and suggest any corrections, if required. I now close the hearing.

The committee adjourned at 5.32 pm.