

**LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

SELECT COMMITTEE ON ESTIMATES

(Reference: Appropriation Bill 2004-2005)

Members:

**MR B STEFANIAK (The Chair)
MS K MacDONALD (The Deputy Chair)
MS R DUNDAS
MRS V DUNNE
MR J HARGREAVES**

TRANSCRIPT OF EVIDENCE

CANBERRA

FRIDAY, 28 MAY 2004

**Secretary to the committee:
Ms S Leyne (Ph: 6205 0490)**

By authority of the Legislative Assembly for the Australian Capital Territory

Submissions, answers to questions on notice and other documents relevant to this inquiry which have been authorised for publication by the committee may be obtained from the committee office of the Legislative Assembly (Ph: 6205 0127).

The committee met at 9.25 am.

Appearances:

Ms Katy Gallagher, MLA, Minister for Education and Training, Minister for Children, Youth and Family Support, Minister for Women and Minister for Industrial Relations

Education portfolio

Ms Fran Hinton, Chief Executive, Department of Education and Training

Ms Anne Thomas, Executive Director, Resource Management, Department of Education and Training

Mr Craig Curry, Executive Director, School Education, Department of Education and Training

Mr Rob Donnelly, Director Budget and Facilities, Department of Education and Training

Ms Anne Houghton, Training and Adult Education, Department of Education and Training

Ms Carol Harris, Director, Schools Operation, Southside, Department of Education and Training

Ms Beverley Forner, Director, Information Management, Department of Education and Training

Mr Peter Veenker, Chief Executive, Canberra Institute of Technology

Mr Shane Kay, Finance Accountant, Canberra Institute of Technology

Ms Julie McKinnon, Executive Director, Office for Children, Youth and Family Support

Mr Frank Duggan, Director Family Services, Office for Children, Youth and Family Support

Ms Robin Calder, Children's Services, Office for Children, Youth and Family Support

Ms Anne McGrath, Youth Services, Office for Children, Youth and Family Support

THE CHAIR: You should understand that these hearings are legal proceedings of the Assembly protected by parliamentary privilege. That gives you certain protections but also certain responsibilities. It means you're protected from certain legal action such as being sued for defamation for what you say at this public hearing. It also means you have a responsibility to tell the committee the truth. Giving false or misleading evidence will be treated by the Assembly as a serious matter. Do you understand? Everyone nods. Good.

Would each witness coming to the table please state your name and the capacity in which you're appearing. When you're taking a question on notice, please clearly identify that you're doing so because it is then up to you to check the transcript and respond to it. Responses have to be received within three full working days, and the transcript will be emailed to the minister and the contact officer in the department for distribution to witnesses as soon as it is available. Members, can you please identify if you want a question to be taken on notice and give any page references. These proceedings are broadcast to a number of government offices; the media might be recording them and they might take visual footage.

Minister, there have been some departmental changes. Initially, could you tell the

committee exactly what changes have been made and then, if you want to make an opening statement, please do so. You'd certainly assist the committee initially by telling us what the departmental changes are.

Ms Gallagher: Katy Gallagher, Minister for Education and Training. As of Wednesday, the former Department of Education, Youth and Family Services has been separated into two departments, effectively—firstly, the Department of Education and Training; and, secondly, the Office of Children's, Youth and Family Support. I can relate it to the output classes, if you like in respect of where it goes, because output class 4 covers both portfolios. Output class 1, output class 2, output class 3, output class 4.2 and output class 4.3 makes up the Department of Education and Training. In relation to the Office of Children's, Youth and Family Support that covers output classes 4.1, 4.4, 4.5, 4.6, and 4.7. Is that sufficient, Chair?

THE CHAIR: Yes. I think the committee secretary has taken all that down. Do you wish to make an opening statement?

Ms Gallagher: I'll make a short one, considering the time. This budget is a strong one for education. Funding is increased by \$21.4 million or 6.8 per cent for government schools, translating to a \$589 per capita increase. The initiatives in the budget have been very focused around priorities outlined in the Canberra social plan in relation to support for those students who need a bit of extra help—this is particularly around indigenous student support and students with a disability—and in terms of providing more support around promoting healthy students and healthy lifestyles in colleges. There is also a strong focus on information technology and building capacity within both the government and non-government system around information technology, including the establishment of an infrastructure fund, technical support to schools, broadband access to schools and improvements to websites.

In relation to the government's commitment to spend \$27 million more on education than the previous government, we have exceeded that commitment. In relation to vocational education and training there is an injection into this area of about \$9.5 million; there is \$8 million under the Skilling ACT initiative; and \$1.5 million in relation to the training pathway guarantee. I'm just trying to separate them out because, when we did the budget, we did it all in relation to education, youth and family services. I'm trying to keep the new departments out of my speech.

I'm happy to be here today to answer questions about it. There are also, as part of this year's impact—and last year—the significant pay increases that have been offered to teachers. With the teaching salary budget comprising about 70 per cent of education costs, that support has of course been a cost driver for education.

THE CHAIR: Thank you. Is the overall number of students in government high schools continuing to decline slowly?

Ms Gallagher: This year the decline hasn't been as marked in high schools—it was very small.

Ms Thomas: Anne Thomas, Executive Director, Resource Management. A total of 10,317 students attend our 17 government high schools. That represents a decrease of

32 students, or .3 per cent since February last year.

THE CHAIR: And primary schools?

Ms Thomas: There are 19,668 primary school students—a decrease of 598, or 3 per cent.

THE CHAIR: And colleges?

Ms Thomas: There are 6,035 students, representing a decrease of 226 students or 3.6 per cent—and, while I'm at it, there are 313 special school students—a decrease of three.

THE CHAIR: How much of that is demography and how much is any spillage to non-government schools?

Ms Hinton: Fran Hinton, Chief Executive, Department of Education and Training. As you allude to in your question, there is a demographic decline but there is also an increase in the proportion of students attending non-government schools. My recollection is that it is close to one per cent, which is roughly how it has been trending over the last few years.

THE CHAIR: How many students does that represent? What is one per cent? Is it 600, 340, or what?

Ms Thomas: A total of 24,166 attend non-government schools.

Ms Hinton: And there were 23,700 the previous year.

Ms Thomas: That was last year. Yes, compared with 36,333 in government schools.

MS DUNDAS: Why is the decline in student enrolments seen as a savings in the budget in government schools? I'm referring to page 348—changes to appropriation.

Ms Thomas: There is an adjustment made for a decline in enrolments each year in the budget. Funds flow from enrolments. When there is a decline in the number of enrolments, of course there will be a saving to the budget.

MS DUNDAS: Where does that money go? Does it just go back to the bottom line?

Ms Thomas: It stays in Treasury. It doesn't flow through to our GPO.

MS DUNDAS: Minister, it seems a bit odd that you're giving back just over \$2 million every year for the next four years when, at the same time, you're saying you're putting in an extra \$20 million for education. Wouldn't it be better to hold onto that \$2 million in the first place and take \$18 million off the bottom line?

Ms Gallagher: We get paid from Treasury for per capita enrolments, as enrolments increase in the non-government sector, the non-government sector get increased per capita payments. So it is a bit of ebb and flow.

Ms Hinton: Essentially it is an accounting treatment, in that an estimate is set of what that funding will be. As the minister says, we are funded on a per capita basis for government schooling. If those numbers go down, then the funding is reduced. By explaining it here in the adjustments from one year to the next, it makes it easier for people to be able to see what money has gone in, and to make realistic comparisons from one year to the next.

MS DUNDAS: Does the money only go down on projected numbers? You're not asked to give money back if enrolments don't meet forecasts?

Ms Hinton: No. We're given a budget appropriation for the year. If we pick up or lose students during the year, there isn't an adjustment made during that year.

MR HARGREAVES: On page 348 it shows the Commonwealth funding going down \$2.5 million in 2003-04 and going down \$3 million in 2007-08. Can you give us an explanation of that?

Ms Thomas: Yes. Those funds are being diverted straight to the CIT, rather than through the department as they have in the past.

MR HARGREAVES: That is just a technical adjustment again?

Ms Thomas: Yes. That is one way of putting it!

MR HARGREAVES: That is good news for the CIT. I understand the states and territories knocked back the Commonwealth's quadrennial school funding offer. I don't know any details of that. Was it just a smoke and mirrors thing or was it because there was not enough money? What was the reason for knocking that back?

Ms Gallagher: Those discussions are ongoing but, essentially, the view of the states and territories was that the money being offered to the states and territories wasn't enough; that it only provided indexation for government schools. It had some ties to sign up to in relation to things such as the national construction code and penalties that would be attached if, in the Commonwealth's view, students weren't achieving satisfactory outcomes. There were significant strings attached to what we see as a minor funding partner in the ACT. The states and territories were arguing that the Commonwealth should fund students in the government sector at the minimum rate at which they fund students in the non-government sector—that is at 13.7 per cent of AGSRC, from memory.

The states used that as a level playing field argument—that every child in Australia deserves the same minimum support from the Commonwealth, regardless of what school they attend; and that the Commonwealth could fund the non-government sector as they saw fit, over and above that. The argument being put was that, for example, a student at Narrabundah Primary School should get the same contribution from the Commonwealth as a student at Boys Grammar.

The Commonwealth haven't agreed with that at all, so we're still in negotiations with them. I think there is another meeting in July around this. The arguments were that some

unreasonable ties were being placed on the states in relation to penalties; that we weren't getting any more money above indexation—it was an additional \$129 million for the ACT over the four years; and that our students were deserving enough for us to go and have a bit more of a fight with the federal minister over it.

MR HARGREAVES: I was a bit concerned to hear you say that there seem to be penalties for under-performing schools. This seems to me to be an incursion into the sovereignty of the states. Am I correct in assuming that, if certain schools don't perform to 100 per cent of the benchmark, then there is going to be an in-built formula of penalty to that?

Ms Gallagher: That is what the offer is at the moment. It is a 100 per cent target—if you don't achieve that target, you'll be penalised. That is in relation to the national benchmarks for numeracy and literacy. The states' arguments is that the schools where many of those students are deserve more money, rather than less; and that we couldn't sign up to an agreement that would place those schools and those students in jeopardy of funding withdrawal, based on the fact that those children need extra support to learn. It is a critical issue for the states. I imagine Dr Nelson will back off from that in the end. There always have to be some nasties in relation to these things. Another problem the states had was reporting league tables. There are some big issues there to work through.

MR HARGREAVES: In any negotiations anybody will recognise that there always has to be something you can take out. There has to be a sacrificial lamb in every negotiation round, I suppose. Do you think the federal minister's proposals on special indigenous education assistance is also one of those nasties to be pulled out?

Ms Gallagher: Yes. There are a lot of concerns around the plans for indigenous education as well—particularly about the fact that it appears that indigenous students in urban areas might be severely disadvantaged with money being redirected to rural areas—existing money rather than additional money. That is naturally of concern to most ministers, particularly as there are high concentrations of indigenous students in urban areas. The federal minister has agreed, after some discussion, to have a day's meeting on indigenous education in the next couple of months to sort through some of these issues. The indigenous education consultative board here are very concerned and are providing me with advice around those proposals.

MR HARGREAVES: Talking about those people, the whisper about competitive tendering processes for special indigenous education programs smells like a real nasty to me. It ought to be the same process for all sorts, presumably.

Ms Gallagher: Yes. There are competitive tendering arrangements in place. That has caused some concern, as there is a belief that it will pit one school against another for the funds available. All of those are going to be wrapped up and talked about in July, from memory.

MRS DUNNE: The territory has declined to sign up to the Commonwealth funding agreement. How much money are you foregoing? I gather it is in the vicinity of \$125 million.

Ms Gallagher: We're not foregoing it at the moment. We haven't reached any

agreement on it and negotiations are ongoing. The additional funding is around \$129 million over four years. That is essentially indexation—there is no new money in that.

MRS DUNNE: You said before that the Commonwealth was only a small contributor, and that therefore it wasn't a significant amount of money. Don't you consider \$129 million to be a significant amount of money in anybody's budget?

Ms Gallagher: Yes, I do. The Commonwealth provide us with about \$34 million a year of support to government schools in the ACT. That was in relation to the comment I made about being a minor funding partner. The obligations that the Commonwealth would like to place for reporting and penalties relate to government education. For a contribution to the budget of around 10 per cent, we are meant to sign up to a whole lot of nasty conditions in relation to receiving that money. That is the comment I made in relation to them being the minor funding partner of government schools, which they are.

MRS DUNNE: What are the conditions that you consider nasty?

Ms Gallagher: I've just been through some of them—you might not have been in the room. They are penalties attached for schools not achieving 100 per cent national benchmark targets. Funds would be withdrawn if they don't achieve those national benchmarks. We believe that is an unfair approach to students who obviously need extra support. There are league tables published, which report how schools are performing against each other in a jurisdiction like the ACT where there is high mobility between schools.

We already have situations in government schools where there are reputations that cause significant disadvantage to some schools over another. That is something we will argue against strongly. There is also publication of things such as suspension rates and absenteeism—a whole range of things. Whilst we have the information about that, and so does the Commonwealth, we have doubts about whether that information needs to be made public. They are significant changes to the conditions of accepting Commonwealth money for government schools.

MRS DUNNE: What it boils down to is that you, as the minister, are not prepared to sign up to and publicise something that says we meet particular standards in our schools.

Ms Gallagher: We already report against the national benchmarks. Parents already receive information. Those students who aren't achieving national benchmarks are identified and supported. All the work there is in place. What we don't say is that those schools should lose money or that those schools that aren't achieving as well as others should be publicised around the ACT as schools that are having difficulty reaching targets. I don't think that is an unfair thing.

We have schools in the ACT that have significant enrolment decline because of reputations which have probably existed over a number of years, rather than going on current information about how those schools operate. We have other schools that are full to the brim, and people are complaining because they can't get in, because of views and perceptions about how those schools are and what they offer. Publicising schools that need extra support in the ACT would significantly disadvantage those school

communities and place them under enormous stress.

MRS DUNNE: It might also leave the education authorities open to criticism that they are not supporting the school sufficiently. It is a two-way street, it would seem. If you're finding that there are schools that are under-achieving, it puts the wood on you, Minister, to do something about it, rather than just sweep it under the carpet.

Ms Gallagher: The issue is not about not supporting them; the issue is about the Commonwealth withdrawing money based on that information.

MRS DUNNE: It also puts the wood on you.

Ms Gallagher: Right. Well, I disagree with you. I will argue very strongly against publicising league tables in the ACT—and you and I can disagree on that. We know, and I know, that the department puts a lot of effort into supporting students who aren't achieving benchmarks. In fact, there is an initiative in this year's budget to target indigenous students who are not reaching target at year 3 and provide extra support for them in year 4. That work is being done. We don't need to advertise all about it in the *Canberra Times*.

MR PRATT: I refer to the \$129 million over four years, which you are still negotiating. What time has elapsed in which that money has not been made available?

Ms Gallagher: It is the next quadrennium—2005-08.

MR PRATT: There has been quite a significant amount of time lost.

Ms Gallagher: Look, we've had two meetings.

MR PRATT: Denied to this asset.

Ms Gallagher: No.

MR PRATT: By the time you get through the negotiating process—

Ms Gallagher: Let me answer. We have had two ministerial meetings on this—one where everyone was flown into Canberra from around the country, and the federal minister didn't show up. That stalled negotiations for several months. We had another meeting on it in Sydney about a month ago. This is dictated very largely by the Commonwealth.

THE CHAIR: When did negotiations start? What timeframe are we looking at?

Ms Gallagher: The first meeting on the quadrennial funding would have been the MCEETYA of late last year.

THE CHAIR: In what month?

Ms Gallagher: November/December.

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MR HARGREAVES: Is that the one the minister didn't show to?

Ms Gallagher: That is right.

THE CHAIR: Mr Pratt.

MRS DUNNE: How long before that were the officials negotiating?

THE CHAIR: Yes, that is a good, valid question.

MS MacDONALD: It wasn't taken in order.

THE CHAIR: It is still a valid question.

MS MacDONALD: No, I'm sorry. If people are going to—

THE CHAIR: It is on the subject. Just because you don't like the question, Ms MacDonald, doesn't mean it is not valid.

MR HARGREAVES: Mr Chairman, that is an inappropriate comment, at this stage.

THE CHAIR: Fine. Okay.

MS DUNDAS: We've already had the discussion about how much time we have to go through education this morning. We're discussing something that is not going to come online until 2005, if it comes online at all.

MRS DUNNE: I want a simple month and year answer to when the officials started negotiating about this.

Ms Hinton: The officials really haven't commenced negotiations on this yet. The first discussions around the quadrennial funding were with the ministers in December. Prior to that there'd been no detail, no discussion of anything.

THE CHAIR: Thank you. Continue, Mr Pratt. Ms Dundas is quite right; we don't want to spend too much time. We have limited time.

MR HARGREAVES: That is right. Ms MacDonald is entitled to ask a question, Mr Chairman.

THE CHAIR: So is Mr Pratt.

MR HARGREAVES: I'm sorry, Mr Chairman. Ms MacDonald has a priority here.

THE CHAIR: Yes. I think everyone on the committee has asked a question so far.

MR HARGREAVES: No. That is not right.

MS MacDONALD: No. I'm sorry; I haven't, Mr Chair.

THE CHAIR: I thought you had, Ms MacDonald.

MS MacDONALD: No, I haven't.

THE CHAIR: I'll allow Mr Pratt to finish this and we'll go straight to you if you have not.

MR PRATT: Am I entitled to at least ask one more question on this phase?

THE CHAIR: Yes.

MR PRATT: Minister, there are some very important issues about league tables, and there are some strengths and weaknesses in the debate. What part of that reporting list, in terms of national benchmarks, are you now at loggerheads with the federal government about?

Ms Gallagher: We're not at loggerheads over national benchmarks. We report against national benchmarks and we report to parents. All that information is available and members would have that information in the brochures that we put out. The issue is about whether or not schools and students should be penalised for not achieving the national benchmarks. Whilst in the ACT there are very few numbers in relation to that, because our performance is so strong, it is a concern to all ministers around the country that students who need extra support will have Commonwealth dollars withdrawn.

MR PRATT: Earlier I thought I heard you say that you don't necessarily agree with that reporting. Are there any national benchmarks at this point that you have a problem reporting against as suggested?

Ms Gallagher: No—none of the ministers does. The national benchmarks are agreed.

MR PRATT: If you are able to report that, and the community which wants to see how our schools are performing see some of these matters reported, don't you agree that you would then be in a better position to reallocate resourcing and funding to help those schools that are not performing? Why is it a problem to report anything at all about schools' performance?

Ms Gallagher: We report extensively on performance in the ACT. What we don't do, and what no school in the ACT does, is report about an individual school's performance. That is a league table. In a small jurisdiction like the ACT—and this is not just government schools here—league tables cause considerable issues for everyone. It is not something that this government is going to adopt, and that is the end of it.

MS DUNDAS: On a completely different topic, where is the school-based management review?

Ms Gallagher: I understand it is almost finalised and should be with me very shortly. I have had a briefing on it.

MS DUNDAS: It was due earlier this year.

Ms Gallagher: Yes, it was. It has been delayed. It hasn't got to me yet.

MS DUNDAS: Why has it been delayed?

Ms Thomas: The last meeting of the reference group for the SBM evaluation met in early May. At that meeting of the reference group some comments and suggestions were made to the consultant. The consultant has gone away to do the final rewrite of the report and we're expecting it today or early next week.

MS DUNDAS: When do you think it will be released?

Ms Gallagher: I have no problem with releasing it very quickly. I haven't seen it but I'll have a look at it. There is interest in it, particularly around some of the stakeholder groups in the government sector.

MS DUNDAS: And how schools will operate through the year. If the review does recommend changes to how school-based management is operating, does the report include a timeframe of how that will come online?

Ms Gallagher: I don't know. I haven't seen it but I imagine that, if there are going to be changes to how schools are financially managed, it would take some time to put those measures in place.

Ms Hinton: I haven't seen it either, but I cannot envisage that we could consider a report in June and expect schools to implement changes before next year.

MS DUNDAS: Any changes will start at the beginning of next school year?

Ms Hinton: That would be my expectation—without having seen any draft or having any discussion on it.

MS DUNDAS: When did the school-based management review start? It was last year?

Ms Thomas: I'm advised that it was in September 2003.

MS MacDONALD: Minister, my question relates to ANTA funding—as you know, I've worked in the area before and I'm very interested in vocational education and training—and the fact that the ACT, along with the rest of the states and the Northern Territory, rejected the ANTA funding offer. Can you explain why the states and territories decided to reject the offer?

Ms Gallagher: This has some similarities to the quadrennial funding. Again, the view of the states is that there is not sufficient money in the deal to cover the increase in training that is occurring. There was the issue of indexation to meet an area that is seeing substantial growth and, in the ACT, more growth than around the country. The national construction code again had to be signed up to, which is the Cole royal commission's guidelines about how you can use Commonwealth funds for capital works. That matter has been referred to COAG because the view is that it needs premiers, chief ministers and prime ministers to consider it. Again, there was some money there for implementing the Commonwealth's social welfare agenda—Australians Working Together—and some

support for a disability program. The view of the states and territories again was that it wasn't enough money and the agreement was rolled over for a year whilst further discussions occur.

MS MacDONALD: The agreement was only going to be rolled over for a year. That hasn't been done in the past, has it? It has always been for longer than a year.

Ms Gallagher: That was the agreement reached at ANTA and at the ANTA MINCO. We're having a meeting, I think, in a week's time.

MS MacDONALD: Why was the construction code an issue for the states and territories?

Ms Gallagher: It is implementing the Cole royal commission findings, which haven't been agreed to by the states or territories and hasn't been dealt with by the federal parliament. The view is that the federal government can't get their industrial relations agenda through the Senate, so they're tying it to funding agreements with the states. The ANTA agreement was the first one to have it, but the quadrennial funding agreement for schools now has it as well. It will be a sticking point.

MR PRATT: You talked about the increase in funding expenditure this morning of, I think, \$21.4 million with clearly 900 less education places for students—I think that is the outcome envisaged—and an increase in two schools as well. Can you give me an overview of this \$21 million extra funding? What productivity are we really getting which is significantly different from what we've had in the previous budgetary year? What does the \$21 million really represent?

Ms Gallagher: It represents indexation; it covers wage increases and new initiatives.

MRS DUNNE: For fewer students.

Ms Gallagher: The issue around that is that we are increasing teachers' salaries; class sizes have been reduced; and that increases the cost per student.

MS DUNDAS: How will the initiative for the indigenous student support for students in government schools operate?

Ms Gallagher: As of January next year there'll be four additional numeracy and literacy consultants. If I get this wrong, someone can correct me. My understanding is that if indigenous students are not performing or reaching national benchmarks at year 3 level they will be targeted with extra support from the numeracy and literacy consultants during year 4. I understand that initiative will start at the beginning of term one next year.

MS DUNDAS: There also seems to be another part of the program for supporting students in years 10 and 12.

Ms Gallagher: Yes. That is to provide some mentoring support for those students in years 10 to 12. That will commence in term 4 this year with a leadership camp at Birrigai for those students.

MS DUNDAS: Does the government formally inform parents of indigenous students about the existence of the Aboriginal tutorial assistance scheme?

Ms Gallagher: I don't know the answer to that question.

Ms Hinton: It is a good question. I don't know the answer to it either.

MS DUNDAS: My understanding is that parents aren't formally made aware of the support they can access through that tutorial assistance scheme because not all parents seem to know about it. Will you find out if parents are being formally informed of that and how they can receive assistance? I understand that children who do receive assistance through the Aboriginal tutorial assistance scheme get it for only part of the semester because there is inadequate federal funding for the scheme. Has there been consideration by the ACT government to supplement that scheme so students can receive that support over the entire school year?

Ms Hinton: I don't know the answer to that.

THE CHAIR: Perhaps you can take it on notice.

Ms Hinton: I'm happy to do so. I imagine the Commonwealth puts significant effort into publicising the availability of its scheme, but I certainly agree that we should do everything we can in the education system here to ensure that parents know about the availability of that scheme. I'll investigate what those processes are and if we don't think they are adequate, we'll put something in place.

MS DUNDAS: You are going to look at supplementing the support?

Ms Hinton: No. I was talking about the information. I think this initiative is about supplementing support.

Ms Gallagher: I'm happy to look at it to see how the scheme is operating here. I just don't know enough about it to talk to you.

MS DUNDAS: I understand that students are getting some support, but not for the entire year. I understand that not all students are able to access the support for the full year and that students who are targeted for receiving support, who should be receiving it, are not receiving support. That is a problem I am aware of.

Ms Gallagher: That, I imagine, covers all years.

MS DUNDAS: I think it is focused at primary school, but does go across the years.

Ms Gallagher: I'll have a look at it, because this is a very targeted initiative. I think, from the evidence, that indigenous students who are struggling in year 3 appear again as not achieving the benchmark in year 5. That is what we're trying to rectify with this initiative.

MS DUNDAS: What happens if a child fails both the year 3 and year 5 benchmark

assessments?

Ms Gallagher: Indigenous students or all students?

MS DUNDAS: All students.

Mr Curry: Craig Curry, Executive Director of School Education. We would really focus on those students. There is a way in which we can analyse all our data through the ACTAP process—the ACT assessment process. We would then divert our resources towards those students through our learning assistance program. We might channel them into some of our quite particular programs.

To go back to the indigenous question for a moment and look at the current ACTAP results, we're looking at maybe around 25 or 30 indigenous students who will be helped through that scheme. It is quite a small number of students who will get intensive extra instruction to support them through, to see if they can come up to the benchmark.

MS DUNDAS: So all students who fail the year 3 and year 5 benchmarks get extra support?

Mr Curry: That is how the learning assistance points are attracted to the schools, and that is how we target that support. In fact, our assessment and reporting section will go out and work with schools to help them look at the sort of support those students need.

MR HARGREAVES: This is a subject I have raised in the last four or five estimates hearings with regard to new initiatives. It is a general feeling I have—and I'll pick one as an example. The technical support for student computing allows \$908,000 in the 2004-05 year and it then goes to \$1,055 and \$1,076. It is intended, according to the blurb, to employ IT professionals. Are you confident you can employ them to kick in by 1 July, or are you going to have a recruitment lag?

Ms Gallagher: I don't think there is a shortage of IT professionals in the ACT. Part of the program, though, is to have some trainees involved in that, possibly through SNAPS. The ACT government doesn't employ many trainees. This is an area that I think the government as a whole should look at a little more closely. It is anticipated that there would be four teams, with three IT professionals and possibly two trainees, to support those teams working in geographical clusters around the ACT, and that we would commence in term 4 with the two clusters that are most needy and have it fully operational by January 2005 for the beginning of the next school year.

MR HARGREAVES: The reason for the question—and I'll go on to another one, which I want to talk about specifically—is that, for example, in the schools ICT infrastructure in the first year there is \$495,000 and then a million dollars. Obviously it is not going to kick off until halfway through the financial year and you haven't asked for the money for it. So good on you!

Ms Gallagher: Yes.

MR HARGREAVES: If we go to the top of page 182 of BP3, we see that “improve the condition of school facilities” starts off at a million dollars—and \$1,025 million. I know

from my own experience in the department that we can certainly get a hurry on in expending repair and maintenance costs, so I understand that. But I was concerned that perhaps we haven't been exact enough in the estimates of when programs kick off. Do you want to address that? I will then go on to the last piece of my question.

Ms Thomas: You asked about the technical support. The ads are going in the paper for those extra technicians tomorrow. On the basis of recent recruitment for technical positions, we expect not to have too much difficulty in recruiting people to those positions. There seems to be a general abundance of appropriately qualified technical support people, so we're confident we can get going on that quite quickly.

MR HARGREAVES: Okay. Then I won't go on to the other examples. With regard to repairs and maintenance, there was always going to be the danger, with the distribution of funds to schools—the decision on whether to do some maintenance or whether to do something else in the school was a school decision—of the possibility that infrastructure could deteriorate—or, alternatively, it could get greater priority, depending on how the school decided to run its business. There has been some mention recently of schools hoarding funds, creating a nice little nest egg about the place.

THE CHAIR: Speed it up, Mr Hargreaves!

MR HARGREAVES: I am!

MRS DUNNE: This is just a chat.

MR HARGREAVES: Mrs Dunne, would you please either assume the chair or keep it shut? You're starting to irritate me.

THE CHAIR: Okay, just keep it reasonably brief. We have an incredibly short timeframe.

MR HARGREAVES: You can have a short timeframe, Mr Chairman. All you've got to do is muzzle Mrs Dunne for a while.

THE CHAIR: If you could just ask the question. Come on, let's not get argumentative—both of you!

MR HARGREAVES: This is what I'd like to know—and if Mrs Dunne had been in this place a long enough time, she would have found out that I've asked this question three years in a row!

THE CHAIR: Just ask the question, John.

MRS DUNNE: Yes. I've been here three years in a row.

MR HARGREAVES: Nobody has noticed except your—

THE CHAIR: Both of you please shut up and stop—I am sorry. I withdraw the words "shut up". Would you please both be quiet? Mr Hargreaves, just ask the question.

MR HARGREAVES: I would like to know, for probably the third year in a row, whether or not there has been hoarding in the schools—whether there have been nest eggs created out of school-based management funds. If there has been hoarding, what is happening about it; and, if there has not been, can we put that issue to rest, please?

Ms Gallagher: There has been an issue over the past few years, with the publication of school bank balances, of people thinking there is too much money. I think it was between \$16 million and \$17 million last time the figures were published. Last year I asked for a reduction of 10 per cent in the holdings of school bank balances. Guidelines were given to schools at the same time, which hadn't been done before, to tell them what was a reasonable level of cash in the bank for their school.

It must have been almost a year later, and the reduction hadn't been 10 per cent; it had been about four per cent. So I wrote to all school boards—all school principals. There were three different letters. One letter was a nicer letter saying, "You've done well; your bank balance has been reduced; well done." Then there were another couple of versions, which were increasingly stern, voicing my concern about the level of money in their bank account and asking them to respond with details about why that money was there, or how it was going to be spent.

That caused a considerable amount of concern in the education community, amongst school boards and school principals. But I think I received all the letters back, from both the boards and the schools. The way it was publicly reported was misleading, because of the perception of hoarding. It is not. It was clear that almost every school has plans for almost all of the money. It relates primarily to big projects within the school—for example, buses, smart boards in classrooms or accumulated points for relief teaching. I'm satisfied that schools are working to meet the guidelines—they've only been in place for just over six months—and that, where there are large sums of money, those moneys are being prioritised and/or spent.

MR HARGREAVES: That figure of \$16 million has now been reduced, but am I correct in assuming from what you said—it was something you entered into the argument—that, even though the cash was in the bank, the schools still had contingent liabilities on their books to which those funds would be applied?

Ms Gallagher: Yes, the liabilities were separate. We couldn't see where money was going or what it was for. That money was separated over 96 schools and it went from very low—in some cases there was \$30,000 in bank accounts—right up towards \$1 million in some schools. There was a big diversity. Some of the schools that had big bank balances did reduce their bank balances considerably when asked to.

MR PRATT: Turning to the EBA, the teachers' salaries, \$9.943 million was allocated in the previous year for what appears to be the first phase of the negotiation process. Given that this process has dragged out and we will see quite significant impacts on teachers when this is finally negotiated and paid, do you intend to take any action to compensate for personal taxation impacts on teachers as a result of the back pay they will get and the impacts that that back pay is going to create?

Ms Gallagher: No.

MR PRATT: Nothing at all?

Ms Gallagher: No.

MR PRATT: You don't feel concerned that, by dragging out this negotiation over 18 months, we're at a point where all we've done is seen a hornet's nest stirred up and the disruptions in schooling which we are seeing today?

MS MacDONALD: Mr Pratt, this is not a place for debate.

THE CHAIR: It is a proper question. We will just have a debate—let him finish.

Ms Gallagher: It is okay. The disruptions we've seen over the past month are very unfortunate. The negotiations started midway through last year. When the first agreement was reached over the payment of approximately 5.2 per cent—commonly known as the 6.87 first stage agreement—in October, negotiations stopped. They didn't stop at the will of the department, they stopped because the AEU wanted to see what happened in the case that was running in the commission in New South Wales.

Talking about negotiations dragging on, there have been several phases to this, and several withdrawals from negotiations around pay. Negotiations around pay did not recommence until February this year, so there was a four-month period where there were no discussions. Whilst I would have liked to see discussions, there were some reasons why those discussions did not take place.

New South Wales handed down a 5.5 per cent pay rise in January. They have gone through a work value case in the commission there. This is something our teachers haven't gone through. The commission has independently arbitrated that outcome based on a very lengthy work value case and a rigorous analysis of work value of teachers in New South Wales. We have put a very generous offer on the table and I would like to have seen it resolved prior to 30 June—that has always been my intention. But there is also willingness now by the AEU to wait and see what outcome is delivered in New South Wales so they can again say, "We deserve whatever New South Wales gets." That is not something this government agrees with.

MR HARGREAVES: Was it the union's request, or was it your idea, that the negotiations put together last year would include a two-phased payment?

Ms Gallagher: That was the requirement of the last agreement, which was 11.6 per cent over three years—considerably less than we're offering now. The clause in that agreement required the first pay rise of the new agreement to be negotiated as a condition under that agreement. That was something Kate Carnell had agreed to. It was a very unfortunate clause and not something that we're agreeing to in this, because it has created two stages when there didn't need to be two stages.

MR PRATT: Given that previous negotiations were expedited much more quickly, why has this negotiation, commenced by you I would think fairly late in 2003, dragged on for so long compared to previous negotiations?

Ms Gallagher: Negotiations started in April last year.

MR PRATT: Why did they start so late, though?

Ms Gallagher: That is five months out from the expiration of the agreement. That is quite normal. You wouldn't start them a year ahead.

MR PRATT: Yes, you would.

Ms Gallagher: No, you wouldn't. Show me an agreement where you started a year ahead.

MR PRATT: Go on—answer it.

Ms Gallagher: I did.

THE CHAIR: We will now go to capital works.

MS MacDONALD: Minister, my question relates to budget paper 3, pages 209 and 219. It is better to speak to page 219. You're upgrading the gymnasiums, or building gymnasiums, at Belconnen High School and Melrose High School. I'm particularly interested in the Melrose High School gymnasium. Can you tell me when the design stage will commence and how the school community will be involved in designing the gymnasium? I believe they've been lobbying for it for quite a while. I'd be interested to know for how long have they been lobbying for it.

Ms Gallagher: I became aware of it last year when there was a feasibility study done into schools in Canberra that were without gyms. I know that Belconnen has been lobbying for one for some time. Melrose was also seen as one of the priority areas.

Mr Donnelly: Rob Donnelly, Director, Budget and Facilities. We're looking to kick off the construction process and the design phase as early as possible in the new financial year. Stakeholders within Melrose and Belconnen High Schools have already been consulted about the gymnasium being built at Melrose and the improvements to the gym at Belconnen through the course of the feasibility study, which the minister just mentioned, and since the budget announcements. They will be involved in the design of those works.

MS MacDONALD: When the gym is built at Melrose it will be used not just for the school community; the local community will be involved in it and will be able to use it as well.

Mr Donnelly: That is not something we have specifically thought about with Melrose. It is certainly not uncommon for school facilities to be available to the public outside of school hours. That has yet to be addressed.

MRS DUNNE: Can someone give me an indication? Are both these gyms new or are they refurbishes?

Mr Donnelly: The Melrose High School gym is a new gymnasium. The Belconnen High School gym is a refurbishment and extension of the existing facility.

MRS DUNNE: There was a lengthy program of consultation last year over schools that needed gym or hall facilities. I was very aware of and involved in the work done by the Hall Primary School in relation to the fact that they have neither a hall nor a gym. Why did Hall not get a look in in this program?

Ms Gallagher: That was my decision in terms of priorities for capital works. I made the decision that Melrose and Belconnen were greater priorities than a new school hall for Hall.

MS MacDONALD: What is the difference in numbers of students between Hall and the other two schools?

Mr Donnelly: Melrose has over 800 students; Belconnen High School has around 600 students; and Hall has around 150 students.

THE CHAIR: I understand that Belconnen were after—I think starting about 2001—a full new gymnasium which would also be used by the community. I now finally see some money in the budget for a refurb. Why were the wishes of that school community ignored?

Ms Gallagher: My understanding is that there was a way to refurbish the existing building and extend it to make it a satisfactory facility that would meet the needs of the school. Rob might correct me here, but I understand that that could have been one of the recommendations through the feasibility study.

Mr Donnelly: The feasibility study made a number of recommendations and ordered them in terms of priority. The first priority in the feasibility study was a new gymnasium at Melrose High School. The second priority was, depending on the availability of funds, for either a refurb—as funded in the budget this year—of the gym at Belconnen High School or, if funds allowed, a new gymnasium.

MS DUNDAS: There is new money in this year's budget for the ongoing maintenance of our older schools and there was funding in last year's budget as well. The initiative is on page 348 and I'm also looking at the statement of intent, which talks about the average age of our schools being over 25 years. Is it possible to get a list of which schools are being prioritised to get the money that has been appropriated for 2004-05, where the money was spent in 2003-04, and the ongoing maintenance plan?

Ms Hinton: We could certainly provide the information about 2003-04 and we may be able to give some indicative information about 2004-05. When it comes to these sorts of issues we're very conscious that needs can arise unexpectedly—there may be a problem with a boiler or there may be occupational health and safety issues that need to take priority. There is a constant flexibility in the maintenance program to enable us to address issues that arise as a matter of urgency.

MS DUNDAS: Do you have a maintenance program? The statement of intent talks about a condition based evaluation system. How often is an assessment done?

Mr Donnelly: The department has initiated a series of rolling condition audits, so each school will be audited once every three years. Previously the entire school system was

done in one year. From 2003-04 the department introduced a series of rolling condition audits. To kick that off, we're doing about two-thirds of schools in 2003-04, with the other one-third of schools being done in 2004-05. From that time on, each year one-third of schools will be subject to a condition audit. The information from those audits is fed in in conjunction with information from the schools and information which my officers are aware of from visiting schools and seeing things firsthand, to come up with a rolling three-year asset management plan. This year's asset management plan is published in our ownership agreement.

MS DUNDAS: The asset management in the statement of agreement doesn't list which schools are scheduled.

Mr Donelly: The scheduling of individual schools within that program happens over April and May. We have a forum called the schools resources group, which is attended by officers of the department and principal representatives. In June or July that group signs off the program for individual schools and individual works.

MR HARGREAVES: When we get a significant thing like a fire in a school, where half the school burns down, I understand there is catastrophe insurance that picks up that tab. But you may get damage worth, say, \$350,000—I think that was about the figure at Wanniasa, if my memory serves me correctly. Is that the contingency you're talking about, Ms Hinton—about having to dig into these funds?

Ms Hinton: That would be one of the possibilities. It is just being conscious of the need for us to be flexible when those sorts of issues arise.

Mr Donelly: It depends on the nature of the incident. We have insurance for any accidents or fires over \$25,000 but, of course, if a boiler, airconditioner or cooling tower decides to break down, that is not covered by insurance.

MS DUNDAS: One of the key components of the asset management plan is how schools use school-based management to maintain an ongoing maintenance program. This is a very pre-emptive question because nobody has seen a report, but I'm interested to know how school-based management is working in respect of the ongoing maintenance of our schools, and if there are proposed changes in the report.

Ms Gallagher: We all look forward to that information. I think about \$5 million is devolved to schools to asset manage within the schools at the moment. We have a significant asset of around \$550 million, and it is ageing—you're right. This is an area I think we're only going to see more of in years to come. Part of that was recognised with the allocation of additional funding in the budget to allow for some increased work. We have a large number of schools that are ageing. I went to Telopea school's 80th birthday, Turner have had their 50th birthday and Mawson will have their 30th birthday this year—they're dotted all around Canberra. Some of them need significant work in the upcoming years to maintain the facilities to a reasonable standard, so it is a big pressure.

MRS DUNNE: Can you tell us what the \$1½ million over two years will be spent on at Telopea school?

Ms Gallagher: On a library for the school.

MRS DUNNE: Is it a new library?

Ms Gallagher: It will be a new library.

Ms Hinton: It is an extension.

Ms Gallagher: The Telopea school community tell me that this has been asked for for about eight years. At the moment they've got a very small library, the size of a classroom, for the primary school, so there is going to be an extension.

Mr Donnelly: The Telopea school is one of three combined primary/high schools in Canberra. It has quite a good secondary library but, as the minister just pointed out, the primary school library is less than optimal. This capital works initiative will fund the extension of the secondary school library to include a primary component. It will be a fairly significant extension to the existing secondary school library.

MRS DUNNE: You're going to rationalise the libraries. Is this just building, or are there acquisitions in this as well?

Mr Donnelly: None of this \$1½ million will be spent on improving the collection.

MRS DUNNE: It seems an inordinately large amount of money for a building, which is essentially a bare room with some cabling and somewhere where you can put stacks of books. How do we come up with \$1½ million over two years to augment an existing library?

Mr Donnelly: We have a process in the department whereby we have a look at the requirements. We have a look at the square metreage required. ACT Procurement Solutions, who act on behalf of the ACT government for most major constructions, provide us with a cost estimate once we've given them the specifications. You may be aware of the fairly significant increase in construction costs over the last 18 to 24 months.

MRS DUNNE: What is the square metreage?

Mr Donnelly: That one I'd need to take on notice.

MRS DUNNE: Thank you. Could you also tell us the current space available for the primary school library and the secondary school library, what the new space will be and how much new space you're building? It seems an inordinately large sum of money just for the building, if you're not talking about acquisitions and that.

Mr Donnelly: As I understand it.

MRS DUNNE: And some sort of fitout—carpet.

Mr Donnelly: Fitout—shelves.

MRS DUNNE: The shelves? It will include the shelves and things like that?

Mr Donelly: Absolutely—all the internal fitout as well.

Ms Gallagher: Yes. Part of the argument the Telopea school community have been running is that it is a bilingual school and they have double the books; that they've got stores of books that they can't put out. Whilst it is an extension of the existing facility, as I said, the existing library is as small as a classroom. It is a big school—I'm just going back to my visit there—and it has several storeys. There are, no doubt, significant costs involved with building on a site like that. The gym for Melrose has been costed at \$2 million.

Ms Gallagher: We can give you the detail of that, as you asked.

MS MacDONALD: I understand they get a lot of books donated by the French embassy, which they can't put out.

Ms Gallagher: Yes, they do.

MR HARGREAVES: On page 350, on capital works on BP4 you've got \$800,000 for transportable classrooms. I'd like to know—if you can tell me—where they're going to go. Does this include the provision of airconditioning in all of them, and therefore across the whole collection?

Mr Donelly: There are three transportable classrooms provided for in this budget, which will all go into schools in Gungahlin, but we won't know precisely where they will go until we get the results of the August census. Airconditioning is provided in every transportable classroom in the ACT. This allocation includes funding for that in the new transportables.

MR HARGREAVES: That is fabulous news, thank you.

MRS DUNNE: Did you just say \$800,000 for three transportables?

MS DUNDAS: May I ask a quick, "Whom do I ask this question of" question?

Ms Gallagher: Not me!

MS DUNDAS: It is definitely yours, Minister. Does the youth workers in schools initiative come under education?

Ms Gallagher: Yes.

Meeting adjourned from 10.36 to 10.50 am.

THE CHAIR: We will deal with primary school education, output class 1.1. I refer to the compulsory 150 minutes of physical education and 30 minutes of health education in primary schools. I occasionally hear complaints that that is not being adhered to. I have seen the departmental instructions. Are some schools not adhering to that? If so, what are you doing about it?

Ms Gallagher: Not that I am aware of. I understand that that is very much in place and that it is being adhered to. My daughter reluctantly trots around the oval at 9 o'clock every morning. I will ask Mr Curry whether he has anything to add.

Mr Curry: We are not aware of any schools that are not complying with that obligation.

Ms Gallagher: We are happy to look at it, though, if you have any schools in mind.

THE CHAIR: Yes, if you would. What checks do you make to ensure that schools are complying with those instructions?

Mr Curry: That is generally done through the performance appraisal process between directors and principals. They follow up on issues such as that.

Ms Hinton: I think it is also picked up in the curriculum assessment process as part of the development of a school. I digress for a moment but I thought you might be interested to know that one of the significant features in the 2003 high school development report on which high school students and parents commented was the extent to which the schools assisted them and gave them opportunities for physical education and development. I thought that was an interesting cultural development.

THE CHAIR: Referring to primary schools, quite often the numbers can get fairly low. How many primary schools have fewer than 100 students?

Ms Hinton: We will have to take that question on notice. That figure is provided in the census. We will have to add up the number of schools, and there are a number.

Ms Gallagher: I can think of three straightaway, but I imagine that there would be more.

THE CHAIR: Are any primary schools earmarked for closing? Will any schools close, or will their status change? A school might become a joint campus in arrangement with another school.

Ms Gallagher: No. A proposal for a new model has been sent to me by one of the small schools. I have asked for advice about the proposal that was put to me by the principal of that school, but no there are no plans to close any primary schools.

THE CHAIR: I have one further question about the incidence of childhood obesity. We questioned your colleague the Minister for Health, Mr Corbell, about this matter. Soon after the government was elected to office it cancelled a tender for fitness testing and the subsequent reporting to parents of their children's physical fitness. Minister, what steps have you taken to ensure that children's physical fitness and obese children are properly tested and monitored in an attempt to assist parents and students?

Ms Gallagher: The testing that you are talking about occurred before my time.

THE CHAIR: That is right. I said that it was before your time.

Ms Gallagher: There is an initiative in this year's budget to promote healthy students. One component of that initiative will go to non-government organisations, which will

establish the model that should be used for testing. From discussions that I have had with a provider I remember that there were some concerns about the sensitivity of that information and how it should be used, but I think that provider has worked through some of the issues.

THE CHAIR: I am asking you what you are doing. I accept that you were not the minister at that time.

Ms Gallagher: That is what I have done. I have an initiative in this year's budget to fund that project.

THE CHAIR: How many students would that affect? I note that there is a budgetary provision for only \$200,000, but how many students would that affect initially?

Ms Gallagher: As a result of the implementation of that proposal?

THE CHAIR: Yes.

MS MacDONALD: It will be 939,000 students over four years.

Ms Gallagher: I will just have a look.

Ms Hinton: While the minister is looking, I have just been told that there are seven schools with fewer than 100 students.

Ms Gallagher: I have also had discussions with Mr Corbell about the operation of school canteens. We have schools that are called health-promoting schools. That significant program, which was probably implemented in your time, has been very successful. Schools are doing a number of things to ensure that they become very conscious of health promotion. More can be done about the way in which canteens operate and about the food that they offer. Some schools offer extremely healthy food but there is a lack of consistency. In many instances that is an issue that I have to work through with parents and citizens associations, as they operate many of the canteens.

MRS DUNNE: I have a follow-up question, which I suppose is more appropriate for the committee to consider. There is money in sport and recreation, health and education for childhood obesity. What is being done between the portfolios to ensure that we are not duplicating programs and that the money is being spent effectively? If you have three ministers and three organisations all doing their own thing you run the risk of having a scattergun approach.

Ms Gallagher: In relation to the programs that are being implemented in education we have been having lengthy discussions with health about the development of a children's plan to deal with that issue. So discussions are occurring. There is no duplication of those initiatives, which are aimed at achieving a particular target. This initiative, which is very schools focused, will employ a health-promoting schools officer and bring in specialist organisations to deliver programs in schools.

We recognise that childhood obesity concerns all portfolio areas. We acknowledge that there are a number of ways to deal with childhood obesity and to promote healthy

children. We cannot just deliver a program through the schools; it has to be targeted in other ways, including responsibilities for families.

MRS DUNNE: The programs that are provided through sport and recreation are funded mainly by Commonwealth money and are targeted at schools. Are you taking any steps to ensure that the money is being spent effectively? Although it is targeted at schools, different programs target different schools and, therefore, some people miss out.

Ms Gallagher: I have had discussions, not with the Treasurer or the Minister for Sport, but with the Minister for Health.

MR PRATT: Over the next four years that amount of \$200,000 will not provide much capacity. The government does not intend to increase the number of physical education teachers this financial year, but does it have any other initiatives that are aimed at increasing that capacity in our primary schools? Why is there a shortfall? What would you consider to be an adequate number of physical education teachers?

Ms Hinton: It is an interesting question. Educationalists have to weigh up the extent to which they should have specialists in primary schools and the extent to which they should have one teacher developing a relationship with a group of children. In many different areas, whether it is physical education, languages, mathematics or science, people are often heard stating that they would like to have their own specialist teachers. We have to weigh up that need with a young child's development and determine whether that child needs to be associated with someone with whom he or she can work.

Our approach in this area is to provide skills to individual primary schoolteachers. We develop their confidence as well as their skills. We have in place programs to assist them in their professional development. They have access to tools, equipment and programs to develop health-promoting schools. Those programs have been quite significant and quite helpful. Going back a few years it would have been fair to say that our primary schoolteachers were not comfortable in the physical education role.

Over the past six years or so the professional development and assistance programs that we have put in place have really increased that level of skilling. When you go into primary schools you see the activity that is going on. You see the enthusiasm of a vast number of teachers in relation to that program. They are seeing the benefits of the program, not only as it relates to the physical fitness and development of children, but also as it relates to their capacity to do intellectual and cognitive work and team building.

MR PRATT: For some time a number of schools have been of the opinion that they have not had enough physical education teachers. You have taken this initiative and you have tried to improve that capacity. However, as you quite rightly said, a lot of teachers are not comfortable in that physical education role. Against that what do you now believe to be the shortfall? As there are concerns about obesity and fitness in schools, you need an adequate capacity to ensure the minimum number of PE classes each week. How far do we have to go to achieve that capacity?

Ms Hinton: We have achieved it now.

MR PRATT: You have achieved that capacity?

Ms Hinton: Yes. We have skilled primary schoolteachers and they have the capacity to do that. Schools manage this issue in different ways. The challenge for us now is to work with schools and parent communities to achieve, as the minister said, a common understanding in the community about obesity issues. You need a common set of values between the school and the home not just in relation to physical fitness but also in relation to nutrition and food. The minister referred earlier to the canteen initiative.

MR PRATT: What is the ratio of qualified physical education teachers to students? I am not necessarily referring to full-time PE teachers; I am referring to somebody who has a PE qualification.

Ms Hinton: We do not have those sorts of specialists in mathematics or science in primary schools.

MR PRATT: At this point I am referring only to primary schools. I refer, next, to the nutritional content of food sold in school canteens. Minister, have you issued a directive to schools to ensure best practice in those canteens? Are you contemplating removing Mars bars from school canteens, or what is the deal?

Ms Gallagher: That is quite a complex issue. In some schools the canteens, which are run by the parents and citizens associations, are an extremely profitable source of revenue for them. I would like to have more discussions on this issue with those associations. Many schools are doing these things voluntarily and that is reflected in the menus that they offer. Over the past year I have been to a few schools where a range of fast food is being offered.

MR PRATT: I hope that you have not been eating Mars bars, Minister?

Ms Gallagher: I had a Mars bar on Tuesday—my first one for some time. It was delicious.

Ms Hinton: The initiative will also support, over time, the implementation of a school canteen accreditation scheme. Through that process we want to work in co-operation with parents and with the health department. This process will be managed in conjunction with them. We want to start changing culture and values. We want to focus over a period of time on changing the foods that children eat, given the sorts of things that have been published by the media and the exposure that this issue has been given in the wider community.

MR PRATT: What is your milestone? When do you want to achieve those things to ensure that canteens in all schools are performing to the highest standard?

Ms Gallagher: I think sooner rather than later. A number of schools are doing things differently. I think we need some consistency. In the first instance I will attempt over the next year to negotiate an agreed minimum position with parents and citizens associations.

Ms Hinton: I wish to add to that, Minister. The advantage of working with parents and citizens associations is that it will also start to change discussions in parent groups and,

hopefully, it will change home practices rather than just dictating them.

MR PRATT: You will not adopt a brutal approach and lay down the standards that you want; you will negotiate with parents and citizens associations and try to achieve those goals?

Ms Gallagher: We will increase discussions this year. I have been watching this issue over the past year when I have visited schools. Some schools, such as my daughter's school, have no canteen, which offers a healthy solution from my point of view. Some schools operate mini-restaurants. It is not something that you can announce out of the blue and expect parents and citizens associations to accept it, particularly because they are linked to revenue. However, it is an area in which we need to do more.

Mr Curry: We are also working with the Heart Foundation to train and accredit all our canteen managers so that they are running healthy canteens. We have been involved in that project for some time. We will continue that project as part of this initiative so that every canteen operator has accreditation. Part of our initiative is to continue that work.

MRS DUNNE: Schools are to be congratulated for exceeding their benchmarks. As it appears that they will exceed their benchmarks in 2003-04 why are we not capitalising on that in the next financial year?

Ms Gallagher: In setting the targets?

MRS DUNNE: Yes, in setting the targets.

Ms Gallagher: That increase has been reflected for students in year 3, reading, and for students in year 5, numeracy. There are two new measures for students in year 3 and year 5, writing. We will keep an eye on that. The only other outstanding one relates to student satisfaction with the school. As you would know, that figure has increased by only 3 per cent, so that target has remained the same.

MRS DUNNE: The benchmarks have changed. Year 3 and year 5, reading, have been bumped up.

Ms Gallagher: Yes.

MRS DUNNE: Even though we are exceeding benchmarks in other areas you have not increased the targets for the forthcoming financial year. Why is that?

Mr Curry: Let me just explain those performance measures. That figure is the percentage of students that we believe will reach or exceed the benchmark.

MRS DUNNE: Yes, I know that.

Mr Curry: The cut-score is set nationally.

Ms Gallagher: You are asking why we have not done year 3, numeracy. The figures for year 5, numeracy, remained the same.

MRS DUNNE: So you did not exceed the target for years 3 and 5, numeracy. In those areas where you have exceeded the targets you have not upgraded them. Why have you not you upgraded the target for year 3, numeracy?

Ms Gallagher: It is only one target.

Ms Hinton: We will be looking at what targets we should set over the next couple of years. When we are setting a target we have regard, for example, to the number of students with disabilities who have come in below the benchmark. We also have regard to the number of students with an intellectual disability and those from a non-English speaking background. They also come in below the benchmark. So we have regard to those things.

It is probably better if we hold off just for a moment as a national review of benchmarks is being conducted. For the first time we now have an agreed benchmark for year 7. At a national level there is a project to calibrate benchmarks for years 3, 5 and 7 to see how they fit. Following that review there might be some adjustments or changes. Given the fact that that work is underway, I would prefer to wait for the outcome of that review before we look at those issues.

MRS DUNNE: The other thing that you are saying is that you will never reach 100 per cent because of the student population?

Ms Gallagher: Yes, because of the student population.

Mr Curry: Students that are exempted are actually counted as students not reaching the benchmark.

MS DUNDAS: The Minister for Health informed us—and this is clear in the budget papers—that school nurses will now all be administered by health. Where are those school nurses located? Are they located mainly in primary school areas?

Ms Thomas: No, Ms Dundas, they are in three of our special schools—Malkara, Cranleigh and Koomarri.

MS DUNDAS: Will the work that they continue to do be administered through a memorandum of understanding?

Ms Thomas: Yes. We have an agreement with the ACT Department of Health. It will provide professional nursing services at those three schools on an ongoing basis. We have reached agreement about the transfer of resources and things of that kind to continue to support the work of those nurses.

MS DUNDAS: Have the nursing staff concerned been consulted?

Ms Thomas: Yes, there was extensive consultation and a review was undertaken. A couple of years ago we had an enterprise bargaining agreement for three of our nurses. One of the provisions of that agreement was to look at professional supervision arrangements and professional development opportunities. As a result of that review there was a recommendation that they would be much better supported professionally as

part of a larger nursing service, rather than working only for us. That is what has occurred.

MR PRATT: Are you able to update us on anti-bullying programs? What have you achieved over the past 12 months since we last asked this question? How have you progressed in this area of concern?

Ms Gallagher: A number of programs have been put in place. There will never be a complete solution to this problem in any school, in any jurisdiction, in any country. It is a cause of considerable concern to me that children go to school and get bullied. We have a number of programs in place but, over the past year, directors and principals of schools on the north side and on the south side have put in a lot of effort to comprehensively manage individual cases of bullying.

I seek extensive advice on how those cases that come to my attention are being dealt with at the school level. In every instance I am surprised at how comprehensive are the management plans that have been put in place to deal with situations usually concerning one or two children. We have signed up to programs, education campaigns, websites, and Commonwealth initiatives such as "Bullying. No Way!" A lot of work has been done to manage individual grievances when they occur in schools. A lot of effort is put into that.

MS DUNDAS: I refer to the new pre-qualification system for cleaners. I know that they clean all our schools, but included in that are a lot of primary schools. Does this pre-qualification system try to ensure that only non-toxic cleaning products are used in our schools to protect students who have toxic intolerances?

Ms Thomas: I do not know the details.

Mr Donnelly: The pre-qualification process takes into account a number of different issues, including the proper management of chemicals from an occupational health and safety point of view. I am not aware whether or not only non-toxic chemicals are used, but I could take that question on notice.

Ms Thomas: I understand that we have specifications that state that, within reason, the chemicals that are used in schools and preschools should be as low in toxins as possible. We could provide you with further details.

Mr Donnelly: Part of the pre-qualification process is to review every chemical that every cleaner uses in every school to ensure that they are suitable for the purpose for which they are being used.

MRS BURKE: I think you will find that there are material safety data sheets that contain most of the guidelines that are being talking about.

MS DUNDAS: Thank you, Mrs Burke. With whom did you consult when that process was being formulated?

Mr Donnelly: There was an extremely wide consultation in respect of that process. A cleaning advisory group was formed involving members from central office, from the department's occupational health and safety unit, principals, the cleaning union, the

Liquor, Hospitality and Miscellaneous Workers Union, principals' representatives and members of the contractors association. Over the past 12 to 18 months we have also had extensive consultations with WorkCover regarding this process.

MS DUNDAS: But not necessarily with parents and students who have high toxicity problems?

THE CHAIR: I understand that Mr Pratt has one final question relating to Birrigai?

MR PRATT: Yes. Was the program for primary schoolchildren at Birrigai restarted last year?

Ms Gallagher: It was restarted at Birrigai, Paddy's River, in the fourth term last year. However, there are now two other sites—Birrigai, Jerrabomberra Wetlands, and Birrigai, Botanic Gardens.

MR PRATT: When were you able to return to full capacity—to the normal traditional flow of primary schoolchildren through the Birrigai program?

Ms Gallagher: I understand that there are about 5,000 children but I do not know whether all of them are in primary school.

Mr Donelly: No, they would not be.

Ms Gallagher: Those children would have gone through Birrigai, Paddy's River, since it reopened last year in term four. We have increased the number of options for Birrigai as we have increased the locations. Compared to what it once was, Birrigai, Paddy's River, is still not fully operational.

MR PRATT: Were you able to return fairly quickly to full capacity at Birrigai?

Ms Gallagher: We did that last year in term four. There were three terms when it was not operational and a lot of work had to be done to make it safe.

MR PRATT: Was the Outward Bound facility at Tharwa included in that program? Did you take that on, or is it still being negotiated as a possible outdoor activity for children in both primary and high schools? What stage have you reached as a result of your negotiations?

Mr Donelly: I will have to take that question on notice. There has been a lot of consultation about Outward Bound but I am not sure whether or not we still need to use that facility. That occurred very early in the piece. I am not sure what stage we have reached at the moment.

Ms Harris: Carol Harris, Director of Schools, Southside. Currently we have a memorandum of understanding with Outward Bound and it assists in the delivery of programs at the Paddy's River site.

MS DUNDAS: What programs are delivered at the Paddy's River site? I asked you that question because some of my children have gone through the Birrigai program. I was

struck by the similarity between that program and the program that existed 10 years ago, when another round of kids went through it. I was a bit underwhelmed when I realised that the program had not been developed.

MS MacDONALD: Sometimes you cannot improve on perfection.

Ms Harris: Twelve programs are currently offered at Birrigai and those programs are continually reviewed. Birrigai is involved in the school development process. That school development process requires them to look at their curriculum cyclically.

Ms Thomas: One of the unintended benefits of the bushfires is that we now have an opportunity to look much more closely at the Birrigai programs. There was a need to reflect on them, to refresh them and to look at different options. Programs are being developed now that were not offered before. That process is ongoing. We were keen to get something up and running pretty quickly so we could get back to doing that.

One of our objectives has been to look at the total suite of programs on offer at Birrigai. One of the great advantages of moving to Birrigai, Botanic Gardens, and Birrigai, Jerrabomberra Wetlands, has been our ability to extend, refresh and redevelop that program.

MRS DUNNE: Could you give us a brief outline of those 12 programs? I would be happy for you to take that question on notice.

Ms Gallagher: We will take that question on notice.

MR PRATT: Now that you have reached full capacity you can get the entire annual intake of children through those programs?

Ms Gallagher: No.

Ms Hinton: Not at Paddy's River.

Ms Gallagher: They are still rebuilding.

MR PRATT: No—across the suite of programs.

Ms Gallagher: The Botanic Gardens and Jerrabomberra are new programs, so it would be difficult to say that the three of them together equal what it used to be at Paddy's River. We have increased, I guess, the alternatives for Birrigai, but rebuilding work at Paddy's River is still ongoing.

MR PRATT: So it is not quite back to what used to be the case then?

Mr Curry: Fifty-four schools have access to Paddy's River programs since we have re-opened there, 31 schools have access to programs at the Botanic Gardens and 37 schools have access to programs at Jerrabomberra wetlands. So there is quite a lot of activity being generated.

THE CHAIR: Output class 1.2: Government high school education.

MS DUNDAS: The provision of youth workers in high schools: how is that initiative from last year going?

Ms Gallagher: From all reports, from discussions I have had with principals, it is going very well. There were eight recruited in the operation this year, with the full 17 being in place in the beginning term next year. It has been useful to stage that. It is a new program, so there has been some teething about how that initiative should work. The feedback I have got from schools is that it is excellent. Students are using it and youth workers are working well with the existing student welfare teams. From the principal's point of view, it has relieved some of the work that the counsellors were doing before. I think there was one situation where there were a few individual problems with the youth worker in the school, but they have left and have been replaced.

MS DUNDAS: How are they linking through to the community sector in terms of the youth centres and the work that they have been doing?

Mr Curry: Sorry, could you repeat the question?

MS DUNDAS: How are the youth workers in schools linking through to the broader non-government community sector youth centres and the outreach that they provide?

Mr Curry: Quite a bit of consultation occurred around that. The team leader of that team, who is employed by the department, really has a role in how the youth workers link with the other services. We do not want them to be an isolated group of people just working in the education sector because they have a broader role than that. They are also part of that multidisciplinary approach that we are trying to establish in terms of supporting young people in our high schools. I cannot answer your question on the formal links, but I could follow up for you.

MS DUNDAS: Sure. If you could look into that on notice, that would be great. Just to clarify: eight started at the beginning of the 2004 school year?

Mr Curry: Eight started, yes. One position at one of our high schools is not filled at the moment. It is currently being advertised. That is the position that the minister mentioned a moment ago.

MS DUNDAS: The plan is to have one youth worker for every school?

Ms Gallagher: Yes. That will be in January, the start of the term next year. These were targeted to the schools that, in the department's and the school's view, needed them the most.

Ms Hinton: I have already had discussions this week with the people in the youth area and the schools area to ensure that those linkages just get strengthened and continue to work well with the new departmental structure.

MS DUNDAS: By "youth area" you mean the new sections in the new department?

Ms Hinton: That is right, yes. It is important that those things maintain and strengthen.

MS DUNDAS: Absolutely.

MR PRATT: In terms of the personal development of teachers, what increases are there in 2004-05 on the funding previously made available to take on the personal development program? How much and how is that expressed? What activities are being undertaken?

Ms Gallagher: Are you talking about professional development for teachers, like training opportunities?

MR PRATT: Yes.

Ms Gallagher: In relation to specific funding or what existed under the current EBA?

MR PRATT: Do you have a bag of gold set aside from what the EBA also wraps up for teaching? Do you have funding set aside for PD as well?

Ms Gallagher: There is a professional development fund, yes.

MR PRATT: Where is that fund now compared to what it was valued in the previous years?

Ms Hinton: That is \$1 million recurrent, but that is a relatively small proportion of the total departmental expenditure on the professional development of teachers. My recollection, which is probably a bit fuzzy—we are looking for it in the annual report at the moment—is that in 2002-03 in the order of \$8 million to \$10 million, or possibly a bit more, was spent on professional learning for teachers. It would be the intention in the coming financial year to maintain and probably increase that.

Ms Gallagher: I just opened the Centre for Learning Technology at Canberra College last week. It is putting in one location, including fantastic library resources, for teachers' professional development. From all accounts, from discussions with teachers, that is going to improve access to the opportunities they are seeking through professional development. They can access that individually or through organised programs.

MR PRATT: Are you able to put a dollar value on what you will increase that PD allocation to?

Ms Gallagher: It is part of the negotiations.

Ms Hinton: Yes, it is part of the negotiations, but a significant part of the overall cost of providing professional learning opportunities for teachers is the salary costs associated with release. Consequently, that gets increased as salaries increase. Our annual report last year reports that we spent \$13 million totally on all staff. The vast majority of that would have been on teachers because they are the major employment class and, for the most part, they get significantly more professional learning than other staff.

Ms Gallagher: In the current negotiations, conditions that the union has accepted, whilst not accepting the wage offer, are \$13 million worth of improvements around professional

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development opportunities—a package which we put together and which has been accepted. It is conditional on the certified agreement passing. Increases in PD were part of that money.

MS DUNDAS: Last year the Assembly passed a motion in relation to the amount of funding that is available to support children to attend school camps and school excursions.

Ms Gallagher: Was that this year?

MS DUNDAS: It was 2003.

Ms Gallagher: Okay.

MS DUNDAS: Or was it the beginning of 2004?

Ms Gallagher: I thought it was the one that was done this year establishing a central fund.

MS DUNDAS: Yes, it was that one.

Ms Gallagher: That was this year.

MS DUNDAS: Sorry. Time has flown.

Ms Gallagher: Tell me about it.

MS DUNDAS: How is that progressing?

Ms Gallagher: Actually, Ms Dundas, I signed a letter to the Speaker yesterday. I think the requirement was that I table something in the May sittings—I think it was May—because we are not sitting again. I have circulated out of session. Essentially the department has gone and had a look at establishing a central fund. A model in Tasmania has been used. When we look at school-based management, the initial view is that a central fund for this purpose would be difficult and it might be difficult in the first instance for parents to access that fund.

So I have written to the Speaker. The letter should probably be getting around people's offices today or tomorrow. A principals' instruction has gone out to schools, saying that we expect schools to establish an equity fund or a fund within their schools to support students who might not be able to access certain things because of income.

MS DUNDAS: When is that due to start?

Mr Curry: From the beginning of the next financial year, from 1 July.

Ms Gallagher: That is right, next financial year. Also, the principals have been asked to publicise the establishment of that fund. I have asked that we keep a watching eye on what happens to it, whether people are accessing it. We looked at whether parents and students would feel comfortable going to the department to access a central managed

fund. In this instance, in the first year, in line with the Assembly resolution, we thought that we would see what would happen with parents going to their local school. But they have been instructed to do that.

MS DUNDAS: As to resources, is that supplemented by the central schools equity fund?

Ms Gallagher: No, that is within existing school resources. There is some money, I believe, in schools' accounts to manage that in the first instance. Of course we did double the school equity fund in the last budget, so that money remains targeted at those schools.

MS DUNDAS: I was going to ask about the schools equity funding. At the moment how many schools is that targeted at?

Ms Gallagher: From memory—

Ms Hinton: Fifteen.

Mr Curry: Fifteen.

Ms Gallagher: Yes, I do not think we doubled the schools.

MS DUNDAS: Fifteen schools across Canberra?

Ms Gallagher: Sorry?

MS DUNDAS: Is that 15 high schools or 15 primary schools?

Ms Gallagher: Across the board, yes. I think, again, the view was that that was taken from ABS data. So there were a couple of schools where that changed from the previous allocation—all harmoniously. Funds within those 15 schools were increased rather than separating the money across a wider number of schools. The increase is in the equity fund. I have kept it within the same number of schools, but they have got increased funding. That was based on indicators about SES basically.

MS DUNDAS: What are the schools using that fund for?

Mr Curry: They are using it for a range of programs, Ms Dundas. There are 14 primary schools and one high school. They use it for additional literacy and numeracy support, focus on building stronger links with their community, breakfast programs and financial support for extra curricular activities. They put in a plan to the department to show how they are going to use those funds to support low-income families. We use the index of relative socioeconomic disadvantage as our guide for distributing or determining those schools.

MS DUNDAS: How will that fund operate into the future? Will schools see funding taken away from them if the demographics around their school change?

Ms Gallagher: Yes. That is what has happened this year in implementing the new initiative where demographics have changed. That is why I made that comment about it

being fairly harmonious—to my knowledge it was anyway. For example, I think Majura may have been one. I am just trying to think of an example where there was a school that was receiving it and their demographic changed so that they do not receive it now.

Ms Hinton: It is not a year-by-year change, however. The funds are allocated for a three-year period so the schools know and have certainty for that period.

MS DUNDAS: Fair enough.

MR PRATT: Minister, I notice in BP 3 on page 185 there is an agency funded initiative for wireless broadband to schools, particularly in South Tuggeranong, to catch up on some lost opportunities there. An amount of \$130,000-odd was appropriated for that activity, which is great news for students in the south. But I do not see anything in the budget that would indicate any future years funding for maintenance and perhaps upgrading of that capability. What are your plans for that?

Ms Forner: I am the director of information management in the Department of Education and Training. This initiative will be funded within the resources of the agency. We are not in a position yet to tell you what the exact monthly fee will be for access for that service, but I can tell you that the cost of the installation of the wireless broadband service we recently did in Gungahlin was no more expensive than the other broadband services that we are installing in schools. There are two components: the initial connection to the school and some additional equipment that has to sit on the school site. That was reasonably inexpensive, certainly under the cost we would normally be paying. But the monthly charge is higher, at about \$1,500 a month per school, which is around \$17,000 or so a year. It is quite expensive for the ongoing costs; however, those costs are met by the department.

The other part of your question was: how will we monitor the ongoing need for improvements in the size of the broadband? That is an issue right across the system. We are continually monitoring a wide range of opportunities for us to keep pace or even to keep ahead, if you like, of the demand for increased bandwidth in schools. As the whole provision of telecommunications becomes a more diverse marketplace, we are finding that there are more opportunities for us to explore different connections with different providers over time. For instance, TransACT will eventually have its fibre service to South Tuggeranong. That may provide us an opportunity. The ACT government itself is building a private broadband network. That may well be another opportunity for us in the future. We constantly monitor all of these opportunities and take them as they become available.

MR PRATT: The fact that I cannot see funding allocated for the outyears in the budget papers does not reflect a concern. You are quite confident that that service can be maintained?

Ms Forner: Absolutely, yes.

MR PRATT: And you are looking at other options to broaden that service anyway?

Ms Forner: That is right. In previous years schools have been connected through ISDN lines through the Telstra service. We use the funding that we had been providing to pay

for those connections against the new provider.

THE CHAIR: Could you just announce the position you hold.

Ms Forner: I am the director of information management.

THE CHAIR: Thank you.

MS DUNDAS: Can I just ask a quick follow up question? When you say that the ACT is developing its own broadband service, is that the communication system developed by InTACT?

Ms Forner: Yes, that is the one.

MR PRATT: I want to talk about what used to be known as the schools as communities program. I have noted a comment made by the AEU. They have expressed a concern that perhaps there wasn't funding available for the schools as communities program, the pre 2002 activity—extension of outreach work and provisions within schools as communities for ACT, primary and some secondary schools. Perhaps there is something in here, but I cannot determine the detail in the breakdowns on whether those programs, pre 2002, have been continued. Have they been continued or not?

Ms Gallagher: You are talking about schools as communities. That was a previous very good Liberal government initiative, I have to say. Yes, that is continuing. It is managed under the Office for Children, Youth and Family Support.

MR PRATT: To the same capacity?

Ms Gallagher: Yes.

MR PRATT: Thanks for that. I will ask more questions later.

MS DUNDAS: In terms of student satisfaction with school and the survey that has been completed, what are students saying about why they are not satisfied?

Ms Gallagher: Members would have got the school development report probably in the last two weeks or so. One of the big areas, from memory, is respect for personal possessions and satisfaction from dealing with harassment and bullying in high school. These are areas in which students are not satisfied. Teachers were satisfied; parents were more around the students' area, saying that they would like to see more work done in that area.

MS DUNDAS: What will be done about students' concerns around harassment? Is that harassment by other students or harassment by teachers?

Ms Gallagher: I think it is harassment in general, harassment at the school. It does not specify. Students respecting the rights of other students and respect for property are the two areas that we need to do work on, obviously. Whilst teachers believe that those issues have been handled appropriately, students are not saying that. I guess that is the use of doing these evaluations. It does show you clearly where there needs to be work

done. That is based on four high schools. God, I don't know where that came from. These were all reviewed five years ago. There have been improvements, I think, in all of the areas. You can see that the mechanisms that have been put in place are working, but these are two areas that we need to do more on.

Again, I think there is a lot to do individually at the school that needs to be done around those things. We have whole of system approaches to these things—policies, practices and professional development for teachers—but that is not what the students are feeding back in those schools; there are still problems. The directors of those schools will be taking this on board, that is for sure, and dealing with those schools.

Ms Hinton: There is quite an interesting example in the report from one of the high schools, if you have had time to look at it, of student engagement in learning. It goes through what the background to it was, what the students thought about these sorts of things and describes—

THE CHAIR: Could you just give the page number as we are pressed for time.

Ms Hinton: Pages 8 and 9 of the school development report tell you about the board response and the sorts of things they are implementing.

MS DUNDAS: That is where the response is and—

Ms Hinton: It gives you an example.

MS DUNDAS: where the minister has said that we need to target. We know that we need to improve and there are programs in place to make that improvement happen.

Ms Hinton: It describes the actions that the school is taking to address those issues.

Mr Curry: When the surveys come back to the school, the school writes up an issues paper. As part of the discussion with the school board, following the development of that issues paper, the school works on its development plan for the next three years. It has a responsibility to make sure that it addresses the issues that have not been so favourable in the responses.

MS DUNDAS: This is a different question: why is the percentage of students who are meant to meet the national benchmarks for literacy and numeracy less in our high schools than in our primary schools?

Ms Hinton: There is a range of issues around that. The first thing is that the benchmarks in year 7, as you would expect, get progressively more complex. For students who are struggling we know that the evidence from all sorts of research shows that, as the complexity of work increases, the proportion of the population able to achieve at that level also decreases. So you see reasonably frequent—in fact, quite consistent—graphs of student performance from kindergarten through to year 12, and probably through to adulthood as well, that shows the gap between the lowest and the highest performing students.

MS DUNDAS: That might be the demographic norm, but we are trying to improve the

educational outcomes for our students through our high schools. Is work being done to see if we can close that gap, in a sense?

Ms Gallagher: These are new measures too. I think we have to see how it goes with the setting of targets and reporting of outcomes. Do we try to get every year 7 to reach the national benchmark? I would say yes.

MR PRATT: I would like to ask a couple of questions about disruptive children in early high school years. I want to particularly focus on year 7 and 8 students who might be titled as having a severe dysfunctional behaviour problem. I predicate this on the AEU and the P&C expressing a large interest in much more being done in the budget to address these issues. Obviously they are reflecting on the overall teaching and learning environment in early high school years. I do not see any activity in BP3 that would indicate a significant initiative in dealing with that. Do you have any programs in place that might separate out year 7 and 8 students with a severe behavioural dysfunction? What are you doing about this issue?

Ms Gallagher: There are alternatives for students who might be having difficulties learning and participating in their school environment. Work has been put in place at the school level initially to see if these students can be managed at the school. There are alternatives: the Northside and Southside High School Student Support Centre, where students can go for a short period, and the Adolescent Day Unit. There are several non-government opportunities for young people.

MR PRATT: Such as Galilee, for example.

Ms Gallagher: Galilee, Gungan and Youth in the City are several examples. The reality is that we do have some young children and young people who have very significant needs. We have an obligation to provide them with an educational opportunity. I was reading the other day about a student in high school who was having some difficulties. That person is very young and has a significant drug problem. These are the young people that you are dealing with. I would say that through the allocations made there is money in the education budget to support those students. There is more that we can do for these students. There is more need coming through that we can see as well. I think it is going to get more and more complex as children get more and more complex. We have also increased the resources at the Hindmarsh Education Centre at Quamby. Two more teachers have been appointed. In the re-development we are looking to extend educational opportunities for students at Quamby. It is a difficult one. I understand the AEU's concerns are around welfare for their members.

MR PRATT: Probably both—students and teachers.

Ms Gallagher: Yes, that is right. Teachers do not go to school to get bashed up—no worker should. It is something that we have to continuously manage. There are situations where, if there is no short-term alternative for young people, there may be an opportunity to home school or have some support given to their home, if they have a home. These are some of the options. It is managed individually for those with very high and complex needs.

MR PRATT: Are you continuing the trend we have seen for some years in all

governments right across the country of keeping kids in the mainstream? At what point are you deciding that students will be removed from the mainstream to the two support units—the northside and southside centres? What is your policy on that matter?

Ms Gallagher: Those decisions are taken in consultation with the department and the school. There is usually a case management plan put in action for those children not only to take them out of the school they might be in but to return them as well. It is a longer-term plan. A lot of work goes in to trying to manage these students individually because they do impact on other students, on teachers and, in the end, on the system as a whole. So it is in everyone's interests to have them at school and cooperating rather than not.

MR PRATT: Rather than on the streets. Sure.

Ms Gallagher: Craig might want to add something.

Mr Curry: I was just going to add that we have also developed what we are calling protocols for student management that we have issued to all our schools. It is basically a chart that we are working through with the schools that says, "These are the sorts of things you can do in your school around students whose behaviour might need some extra management. These are the things that the system might provide for you and these are the steps you might take after that." Schools are working through a logical sequence of steps before they get to the stage where they might want to call together a case conference and start looking at alternative options. Somewhere down that path, schools are asked to develop an individual learning plan for the student to look at the support and resources that might be needed.

The other thing we have been doing from a systems perspective over the last couple of years is running a program called "Promoting Positive Behaviours" in primary schools—a program to skill staff at better management strategies in their classrooms. The high school principals spoke to us about that. We now have the same course running this year for high schools. Three high schools are participating in the program this year. It is really about getting all teachers in the school to have better management skills and seems to be going pretty well.

Ms Gallagher: I should say—I think I have mentioned it to you before, Mr Pratt—that in the executive structure of the department a position of director of student support services has been created in recognition of the high level priority that student support within schools deserves. That has been reflected through the department's commitment as well.

MR PRATT: I will not hold you to detail here. If you could answer this without turning it into a question on notice: about how many trained special teachers do you have in the support centres on the northside and southside? How short are you in capacity to meet needs?

Mr Curry: We have about 15 specialist student management teachers, 10 of whom are involved in direct consultancy support, working with teachers in schools. The others are employed in some of the programs we talked about. There would be another one at the ADU and two at the ADP. So there is a range of positions. Our main focus is on

consultants working with classroom teachers. That is the sort of support that teachers value—looking at a student and perhaps the best way of managing that student. So we do a functional behaviour analysis and work through some of the strategies that might be best employed.

MR PRATT: I have one last question: are you happy that you have got the balance right in managing these kids, from when they begin to be disruptive or they become repetitive disrupters in classrooms, through the other referral centres? For example, I notice that the expulsion rate is up by 14 per cent. Are we still able to capture these—

Ms Gallagher: Suspension, Mr Pratt—no expulsions.

MR PRATT: Sorry. Did I say “expulsion”?

Ms Gallagher: Yes.

MR PRATT: I withdraw that and insert “suspension”. Are you happy that you have got the balance right in making sure that we are doing the best we can with these kids but without leaving them in the mainstream so that they disrupt the rest of schooling?

Ms Gallagher: I think a balance is always sought—it is. Suspensions have gone up but expulsions have not. To put it in perspective: there are 37,000 students attending school every day and a relatively small number of students are suspended. I think it is about 1,200 per annum. That could be from one day to half a day to a maximum of five days. The duration is not reflected in the figures. Something that we continually strive for is to support the students themselves, mindful of the pressures on other stakeholders in the system. I don't know if you could say that you have ever achieved a balance. These young people are very difficult to manage.

MS DUNDAS: Has a government school ever felt the need to suspend all of its students at once?

Ms Gallagher: No. There is no precedent—certainly not while I've been around.

MS MacDONALD: I would like to move to a different area: the issue of the website enhancement which relates not just to government high schools but also to all areas. Budget paper 3, on page 182, refers to a schools' website enhancement initiative—one-off funding—of \$209,000. What will that involve? Which schools will be involved?

Ms Gallagher: It will be all government schools. There will be training for individuals within schools that have responsibility for websites. At the moment the school websites are not linked, so there will be some centralisation of that and of some of the functions. There is a whole range of standards of school websites and capacity of school websites and part of the program is to bring them up to a certain standard and have some central support for it and some training as well. I do not know if Beverley wants to add to that.

THE CHAIR: It sounds pretty comprehensive.

Ms Forner: The tools will be provided centrally. That will help the people who are responsible in the schools to manage the content more effectively, as the minister said, to

allow searching across schools and across school websites, which cannot currently be done. A number of other attributes will be put in place that will improve the accessibility of the actual content itself so that we are meeting accessibility standards uniformly and so on.

MS MACDONALD: Does every school have somebody who looks after a website?

Ms Forner: Currently it is a very varied arrangement. In some schools it may be a teacher or even sometimes students who manage the school website, or their parents.

MS MacDONALD: That could be very interesting, couldn't it?

Ms Forner: Part of the initiative is to improve the content management arrangements and to have the proper authorisation of school website content. The program should not take us that long to implement. It should be pretty well ready for the beginning of next school year.

MS MACDONALD: Obviously websites need to be updated every so often.

Ms Gallagher: That is why there is a training component.

MS DUNDAS: I just want to jump in on that point. With the work being done through IT promotion about schools, will the websites be disability accessible, that is, complying with international standards?

Ms Forner: Part of the program is to apply a range of standards that now are not currently consistently applied to all school websites, including the accessibility standards, and the other standards that apply to other ACT government websites as well.

MS DUNDAS: Will there be provision for the use of open source solutions in terms of what schools are doing with their IT management?

Ms Forner: I thought this might come up. Currently every school in the ACT has what is called a proxy server, which runs on Linux. So we already do have some open source operating systems in our school infrastructure environment. We also are constantly looking at other opportunities there may be to defray various costs or reduce costs by using the emerging open source technologies.

THE CHAIR: Is there anything further on government high schools?

MS MacDONALD: May I have a quick follow-up to the question I was just asking about?

THE CHAIR: As long as it is quick.

MS MacDONALD: Yes, of course. That is why I said it was a quick follow-up. I know that there is a training component in the \$209,000. Obviously people move on to different areas. With the centralising component—I am not expressing this very well—

Ms Gallagher: There is a technical support to schools initiative too, of course, which is

going to provide over the year around a week's worth of technical support to schools over the term to manage their IT/ICT infrastructure. If there is a situation where someone has been trained and has moved on and there is a problem with the website, then that is exactly what that other initiative will help them out with.

MS MacDONALD: Sorry I did see that. We talked about that before, didn't we?

Ms Gallagher: Yes, we did.

THE CHAIR: Is there anything further on high schools?

MR PRATT: Yes. Minister, I refer to the executive teacher positions in schools. Again, I refer to both the P&C and the AEU submissions to you about budget requirements. They have recommended that the budget be expanded to balance the ratio between executive teachers and teacher level 1s—something like a 6:1 ratio. Have you achieved that in this budget?

Ms Gallagher: This is part of the ongoing negotiations with the Teachers Union. There was a condition, which has been accepted as part of the offer from the government, to set a minimum number for executive teachers. That particularly relates to small schools which, when enrolments decline, might lose their executive teacher. That has addressed some of the concerns. As to the accepting the ratio of 1:6: no we have not done that in this year's budget.

MR PRATT: You will not accept that?

Ms Gallagher: We have not done it.

MR PRATT: Or you can't?

Ms Gallagher: We have not done it through this budget.

MR PRATT: What is the current ratio?

Ms Gallagher: Shall we take that on notice?

MR PRATT: Sorry, that is at executive level—on average?

Ms Thomas: I could not give you an average number, Mr Pratt, without taking it on notice. All I can say is that there is a variance between schools. Schools have the freedom to construct their own number of promotion positions to suit their own particular needs and requirements. Some schools will have a large number of executive teachers; others will have a large number of classroom teachers.

MR PRATT: Could I ask you to take that on notice, please?

Ms Thomas: Sure.

MR PRATT: Thank you.

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Ms Thomas: You want the average across the system?

MR PRATT: Yes, please, the average across the system. Can you also tell me what the worst example of a school—

Ms Gallagher: Is this for your media release?

MR PRATT: No. I give my media releases on averages, Minister.

Ms Gallagher: I thought it was going to be the worst example media release.

THE CHAIR: What is the question anyway?

MR PRATT: Across the board, Minister.

Ms Gallagher: You could ask us that for everything. You could have a worst examples list.

MR PRATT: The question on notice—

MR HARGREAVES: He has already given us the worst example of a media release.

THE CHAIR: Order, members! Let Mr Pratt ask his question.

Ms Gallagher: Sorry.

MR PRATT: Am I free to ask the question on notice?

Ms Gallagher: Of course. I was being cheeky.

MR PRATT: Could we simply get the ratio that currently exists, particularly in primary schools, between executive level teachers and level 1 teachers, please?

Ms Gallagher: Yes.

MR PRATT: Thank you. I think that will satisfy everybody.

THE CHAIR: Do you have any further questions on high schools?

MR PRATT: Not on high schools, no.

THE CHAIR: Ms Dundas, you have come up with—

MS DUNDAS: I've picked up my copy of the *School Development Report 2003* and I've read through page 9. Page 9 is an example high school. The six options there are quite brief. Are there further specific details that we can pick up as to what is being done in high schools that have identified particular problems in dealing with harassment?

Ms Hinton: Each school produces its own report, as a result of the school development process. In this document we try to aggregate that information, to give an overview

across the system and give some examples that show a flavour of the sorts of things that are being done.

In relation to issues of student respect for each other and harassment, for the most part those issues go to questions of culture. It requires a coherent whole base school approach that has all teachers and all students working to a set of values around those sorts of issues. It would be the way in which the student representative council might work; it would be the way in which school classrooms work; and it would be behaviour expectations. There aren't single solutions to most of those issues. It is a matter of giving students the opportunity to be involved, to have leadership opportunities and to exercise those. It is quite difficult to produce something that says, "This will fix it" or, "That will fix it." Each school would have its own report.

MS DUNDAS: The first strategy, along with all the other strategies listed here, is the promoting positive behaviours program. Isn't that meant to be running in all schools anyway?

Mr Curry: No. That is the program I referred to earlier that we've initiated this year for high schools. There are three high schools participating in it this year.

MS DUNDAS: Turning to the overall school development report and the responses to the questions listed, are these the same questions and answers that were in the last school development report?

Mr Curry: They are basically the same questions as in the previous years. There is sometimes a little bit of modification if questions appear to be redundant or not really providing us with information. We will have a revised set of questions for the new three-year cycle process that we're going into, but not this set.

MS DUNDAS: For the set that is before us, can we get a list of the questions that have been modified or removed?

THE CHAIR: You can take that on notice.

Mr Curry: Yes. We'd have to take that on notice.

MS DUNDAS: Yes—on notice—those questions deemed no longer suitable.

Mr Curry: Yes, sure.

THE CHAIR: We will now go to 1.3—government secondary education.

MR HARGREAVES: This was a question I was going to ask in the general area but we were speeding through things. Minister, I was delighted about the treatment of Lake Tuggeranong College students with their parking issue.

Ms Gallagher: So were the students!

MR HARGREAVES: Yes. I'll bet they were.

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MR PRATT: Bring out the weeping violins!

MR HARGREAVES: How did it come about? What is the regime now for those kids? Do they just drive in and drive off?

Ms Gallagher: It came about because of your extensive and successful lobbying, Mr Hargreaves!

THE CHAIR: Stop the mutual congratulations. Can you quickly answer the question please?

MR PRATT: I'm going to throw up!

MR HARGREAVES: There is a bucket in the corner, Mr Pratt!

Ms Gallagher: As you'd be aware—I think we've already announced this—part of the car park has been given to the college to manage, for students—along with the car park that is built on site for teachers.

MR HARGREAVES: That piece of land is now education land and not urban services land?

Ms Gallagher: Yes.

MR HARGREAVES: Presumably it is done on a voucher system of some type.

Ms Thomas: It still belongs to the Department of Urban Services but, during term time, our department manages those spaces. During school holiday times it reverts to public parking.

MR HARGREAVES: Does it operate on a voucher basis or on a sticker basis? How does it work?

Ms Thomas: I understand it is on a sticker basis.

Mr Donnelly: The college has implemented a process whereby students apply for a parking label; they display that label on the car and they can park in the reserved spots.

MR HARGREAVES: Have you had any counterfeiting going on down at the college yet?

Mr Donnelly: Not that we're aware of.

MR PRATT: Why did it take so long to get to the point where we had this matter resolved? It took a hell of a long time.

Ms Gallagher: I think it is fair to say that the issue of paid parking is one that has been discussed at length. There was a campaign not only by the students at the college—and this issue was handled by Bill Wood—but also by retail workers to be exempt. It was a complicated debate. How could we implement pay parking in Tuggeranong and exempt

one group?

There were problems because there was no car park allocated to Lake Tuggeranong when it was built, which is not something I think we will ever do again. A range of issues needed to be looked at. In the end Bill Wood, Minister Corbell and I resolved to look at a way forward to ensure that students in the territory received a level playing field and had access to some car parking, as they do at every other college. All I can say is that it was resolved in time, but they were lengthy discussions.

MS DUNDAS: I have a question on the college health program and the coordinators who will be there. Is that funding for one coordinator for every college?

Ms Gallagher: No. There are going to be two health coordinators to work northside and southside. There are eight colleges, and they conveniently add up to four on the north side and four on the south side. They'll be allocated to four colleges, with recruitment in term 4 and commencement at the beginning of term 1 next year.

MS DUNDAS: It will be negotiated with the individual colleges as to how they will access the campus and what kind of support they will give?

Ms Gallagher: How they divide their time and what programs they implement. Again, it is not consistent across colleges. Some colleges like Lake Tuggeranong do quite a lot around this, and Canberra College has the Bay program running. Discussions will need to be held with the colleges. From all accounts from the Secondary Principals Association, they're pretty happy with this initiative. They think it is an area of need and they're looking forward to working with the coordinators.

MS DUNDAS: Will the college health coordinators be providing condoms in the schools, or will that still remain with the colleges individually?

Ms Gallagher: They certainly will be providing information on health issues and education. I can't see why they wouldn't be allowed to distribute condoms as part of the education process.

MS DUNDAS: Will they be linking into year 10 students at high schools?

Ms Gallagher: There may be some link between the youth workers and the college health coordinators that we can work on in relation to transition support. The transition from year 10 to year 12 is an area of increasing interest. We are undertaking individual pathway planning now, so we're learning lots more about these students individually—their hopes, aspirations and skills, and areas where they need more support. I think there are some links that can be fostered. If there are students who have needs, it would be useful, I think.

THE CHAIR: Are you actually going to supply condoms in schools? You seemed to back off from what Ms Dundas was saying.

Ms Gallagher: The position of the government was that it was up to individual school communities to determine whether or not they had condom vending machines in their schools. No school does at the moment, I think.

MR PRATT: We're talking schools only, and not colleges?

Ms Gallagher: As I understand it, yes.

THE CHAIR: I'm talking colleges.

Ms Gallagher: In colleges condoms are already given out as part of health promotions and education processes, and the sky hasn't fallen in. I imagine that, if these health coordinators, in consultation with the colleges and students, say they have a particular need around promoting healthy sexual activity, there would be no reason why condoms wouldn't form part of that program.

MR PRATT: Just to clarify that, you weren't saying that we've got condom issuing programs in high schools, were you? You're only talking about colleges?

Ms Gallagher: Yes.

MS MacDONALD: You have within this budget a very large injection into vocational education and training. Part of the reason for that has been because of the large take-up of traineeships. How have school-based new apprenticeships been increasing? Has that area been increasing level with what has been happening post-college?

Ms Gallagher: Within the schools?

MS MacDONALD: Yes.

Ms Gallagher: The take-up is certainly increasing.

Ms Houghton: Anne Houghton, Director of Training and Adult Education. We've had wonderful increases in our traineeships. At the moment we are tracking to have 6,000 trainees and apprentices, which is almost the highest we've had at any time.

MS MacDONALD: That is across the board though; not just colleges. I'm specifically interested in how it has been going within the colleges.

Ms Houghton: I think that has been supported by the uptake of school-based new apprenticeships. We're getting the message out to parents and to the young people in schools. School-based new apprenticeships—or SNAPS, as we call them—are increasing in a very steady trend. So far we're trending, I would say, to increase again this year. We even have examples. Where once we'd have information sessions at the colleges and three or four parents would turn up, now we're getting roomfuls of 30 parents. I think the awareness and the uptake at the school level is feeding on through to the uptake we're getting in the wider VET community.

MS MacDONALD: Would you be able to provide—you can determine an appropriate date—the most recent figures on SNAPS? Could I have a breakdown of which colleges are providing what SNAPS? I'd be interested to see that, because different colleges have different strengths in what SNAPS they provide.

Ms Houghton: I'm very happy to give you that detail.

THE CHAIR: You will take that on notice—thank you.

Ms Houghton: I can give you a broad-brush idea. Some of the colleges with larger numbers, which have facilities associated with a gymnasium, swimming pool or the theatre, are in a better position to take up more of the school-based new apprenticeships. I can give you that detail.

MS MacDONALD: That would be great but can you include with that, if possible, where the figures have increased? I'd be interested to see the trend with that.

Ms Houghton: The industry areas.

MS DUNDAS: In the Skilling ACT initiative that is part of this budget, how will that \$2 million be spent? How much will go to schools? How much will go to private RTOs? Is there any plan on that breakdown yet?

Ms Houghton: Apprenticeships and traineeships are in a demand-driven system. If they get an employer to take them on we will provide the training. Our estimation is that we will use some of that extra \$2 million to increase prices to the registered training organisations. They have been telling us for some time that we are paying far below the national average for our training. In your inquiry, people came and told you that some of the trade areas cost a lot more to deliver. We aim to put some of that money towards the areas that were drawn to your attention at the inquiry.

MS DUNDAS: So this money won't necessarily go to the schools?

Ms Houghton: Every school child who gets a school-based new apprenticeship will be funded, as will every trainee who can get an employer to take them on. It is a demand-driven system. I can't give you projections into the particular areas.

MR PRATT: You've given a picture there of a fairly significant take-up of SNAPS. What is your view? Does this reflect that there are simply not enough tertiary opportunities that people are looking at, or is the message getting out to parents that VET is not a stigmatised path for somebody to follow? Are you happy with the way that message is being sold to families?

Ms Houghton: Yes.

Ms Gallagher: I think it is the second.

MR PRATT: This much larger interest reflects that, or just reflects market reality?

Ms Gallagher: I think it is a combination of increased opportunities in VET, the number of courses that students can choose from and the fact that parents and students see it as a good way to acquire a qualification on their way to something else, or to do a particular trade or career path.

MS DUNDAS: We've heard about students who are unable to take up VET courses in

schools. There is the money the government provides to meet that. But then there are course costs that the schools put on those traineeships, and all sorts of other costs that students can't necessarily meet. Do you survey students about why they're not picking up VET courses, or why they are? Is cost identified as a barrier?

Ms Houghton: Anecdotally—and I think you've raised this yourself—in the hospitality area, they need the work boots and the tool kit. There are a few examples of students who find that cost high. In cooking, that has been the case for 30 to 40 years. One has to have one's own tools to do that sort of thing. The new career transition unit is going to do a pilot survey in high schools and colleges to find out about why a certain career pathway is taken and why a certain career pathway perhaps isn't taken. That is being conducted this year. It is a new initiative from that new unit. I think we'll have some very interesting facts coming out of that survey.

MS MacDONALD: Whom did you say would be conducting that?

Ms Houghton: The career transition section within my branch. It is a result of last year's budget initiative to put the focus on career transition. They're doing that research for us. I would say that, by the end of the year, we will be able to give you some pretty good information along that line.

MS DUNDAS: Which will hopefully fit into next year's budget—supporting those young children.

Ms Houghton: Yes.

MS MacDONALD: Could we get a copy of the questions in the survey? Would that be possible?

Ms Houghton: Yes. We're signing off the contract now. I think one of the other factors that has been very significant in the take-up of school-based new apprenticeships has been the employers. The valuing by employers of vocational qualifications has increased in recent years. That is a tribute to the people who work in the training area as well. School students and those leaving school and taking other pathways can see that the VET qualification is delivering more for them in the workplace than was the case perhaps five or 10 years ago.

MR PRATT: In the short term too.

MRS DUNNE: Following up on the issue you raised about the cost to kit up, that is not just for school-based apprenticeships but for people doing apprenticeships generally. Some trades are more expensive than others, but is there a general indicative cost about the possible barriers to entry because of the cost of kitting up?

Ms Houghton: My personal background is in hospitality. My understanding is that it is about \$300 to get the full kit to do a cooking course. But there are programs at the Canberra Institute of Technology. There are interest-free loans for students, and scholarships. It is something that those faculties are conscious of and try to find solutions for. I haven't been presented with someone who said, "I desperately want to do this pathway; I absolutely must have it" and not been able to find a way for them to do that

program. There are extensive programs and assistance in CIT for this very area.

MR PRATT: The crunch question is, of course, on teachers. What is the situation now in the colleges with the struggle that exists? We know that there is a major struggle in finding people who are technically qualified to teach in colleges with VET. How are we going with that? What is your capacity shortfall now?

Ms Houghton: It is fairly well covered. In fact, three or four years ago we were saying that the people in the colleges didn't have the certificate 4 in workplace training and assessment. We put in extensive programs and we now have all the teachers qualified as vocational trainers. We have even been running a program into high schools, so that the mobility question that caused some of the programs to falter is now being overcome. We've got a bigger pool qualified. I heard just yesterday that the professional learning fund has allocated some funds to college teachers to look at their currency. That might be going on an exchange to CIT or it might be going in return to the work force.

This is a constant problem for every registered training organisation, not just the colleges. The idea of currency and having the nationally agreed qualification is something that every organisation has to work to. We're certainly in a much better position in our colleges now. I would say the heat has gone out of that problem.

THE CHAIR: We will move on to 1.4, government special education.

MS DUNDAS: I refer to the initiative in relation to enhanced capacity for students with a disability. Is that to be spent supporting students who are in Quamby?

Ms Gallagher: In the Hindmarsh Education Centre?

MS DUNDAS: Hindmarsh, yes.

Ms Gallagher: I guess that, if there were a child or young person with a disability who needed support, it would. I think it says that they primarily employ teachers and non-teaching staff to support students with a disability.

MS DUNDAS: If required, it would be able to be expended through Hindmarsh?

Ms Gallagher: Yes.

MS DUNDAS: The initiative indicates that it is for students in special and mainstream schools, and funding for students with disabilities in non-government schools. Can we get a breakdown of that?

Ms Gallagher: There is \$70,000 to non-government schools per year, being indexed. It is \$70,000, \$74,000, \$79,000 and \$84,000—and then the balance is going to government schools.

MRS DUNNE: At the moment, how many children in non-government schools would be benefiting from the \$70,000?

Ms Gallagher: That is in addition to the \$700,000 that we already provide to

non-government schools. So it is a 10 per cent increase and it is to 259 students. In the government sector it is around 1,555 students

MS DUNDAS: This money is also meant to be working to support the implementation of the needs based resourcing tool, which is the SCAN process. How is the SCAN process progressing with that assessment tool?

Ms Gallagher: I acknowledge your interest in this—we've had many discussions on it. I think it has gone very well but concerns still exist in some of the parent communities about how it has been modelled. There is a perception that it is a negative approach to assessing need. Instead of focusing on abilities, it focuses on a disability. I've recently had discussions with some parents about that. As to the level of complaints about the process, there have been 13 requests for a review of the allocation—12 from schools and one from parents. The SCAN process has been implemented in the government system and we're moving to do it in the non-government system in term 3 this year.

Mr Curry: The process then, and funding next year.

MS DUNDAS: Is there a direct link between the SCAN assessment and the additional support provided to the school to support the children?

Ms Gallagher: Yes, there is a direct link.

MS DUNDAS: We've had some ongoing correspondence about confidentiality in respect of how data collected through the SCAN process is accessed, and who has access to it. There has been a request to have the data moved—to keep it by unique identifier as opposed to keeping the information by name, so that as few people as possible know the extent of an individual's current disabilities. Why hasn't that change been made to the data collection process?

Mr Curry: To my understanding, we've put in place every possible control to make that information as private as possible. I think you're probably aware that it comes in as just a set of numbers or levels. It is the way that is processed that determines the level of funding for the school. Once it comes in it is difficult to start identifying a whole lot of things about a student anyway. But we have followed up those issues and we believe we have put everything possible in place to make sure that we've got controls around that.

MS DUNDAS: Can the data collected through the SCAN process be viewed by anyone who has an information technology role in the department?

Mr Curry: No, it can't, because it comes into the special education section. There is only one officer who manipulates that data.

MS DUNDAS: You have the target of 95 per cent of individual learning plans completed for all students. I thought it was a requirement that every student with a disability have an ILP. Why is that target not 100 per cent?

Ms Gallagher: It is a requirement that they have an ILP.

Mr Curry: We certainly do have a requirement. Given that we take that data at a

particular point in time, it would be true to say that at any stage there will be new students coming into the system whose ILPs have not been developed and signed off. We require that the schools take probably up to a term for the teachers to do a proper assessment and have negotiation and consultation before the ILP is signed off and confirmed.

There will be occasions when parents aren't available to be involved in the process, so the school waits until they can get an appropriate time. There is a range of issues but it is certainly our requirement that every student will have an ILP. But at any point in time there will be a number of factors as to why some of the students haven't got a completed or signed-off ILP.

MS DUNDAS: Considering that an ILP is done for every school year, at what point does the department become concerned if an ILP hasn't been completed? Is it halfway through term 2? Is it at the beginning of term 3? I've heard of ILPs that have taken almost an entire year to be negotiated and at the time the students were still working off old ILPs—so their needs were not being met.

Mr Curry: I don't think I could agree with you that their needs aren't being met.

MS DUNDAS: At the new level.

Mr Curry: There is ongoing professional teacher judgment about a student's needs and what programs need to be put in place. Remember that the ILP is just the plan which looks at goals and priorities. It is not actually the teaching program that the teacher is using. I think every student would have a program in place that the teacher is implementing but there might be some lag around the consultation process. In very rare cases I would say there might be a lack of agreement.

MS DUNDAS: What happens when there is a lack of agreement?

Mr Curry: We try to work to come to some agreement.

MS DUNDAS: I guess that is all you can do.

Mr Curry: There are, of course, some parents who don't like, or don't choose, to get involved in the process, as you'd know.

MS DUNDAS: Is CHADS being involved in the development of ILPs? Is that what they're called these days? Sorry—Therapy ACT.

Mr Curry: There is no reason why they couldn't be involved, if I could put it that way, but those decisions would be made at a school level.

MS DUNDAS: I did raise this point with Therapy ACT. They seemed keen to discuss it with the education department to see if there was a more formal way in which they could be involved, because of their role in student development and educational outcomes.

Mr Curry: We have conversations with Pauline Brown from ACT therapy quite often about those issues. We certainly attempt to work together.

MR PRATT: Is there a breakdown in the expenditure you've got there between special needs schools and mainstream schools?

Ms Gallagher: Which expenditure? In relation to the initiatives?

MR PRATT: The initiatives, yes.

Ms Gallagher: I don't think it has been broken up but it will be used in both systems—mainstream and special ed.

THE CHAIR: There being no further questions on 1.4, I thank the officials.

Meeting adjourned from 12.34 to 2.03 pm.

THE CHAIR: Welcome back, Minister. Because new officials are now present I need to point out to Julie McKinnon and to any other new witnesses that they should understand that these hearings, which are legal proceedings of the Assembly, are protected by parliamentary privilege. That gives them certain protections and responsibilities. It means that they are protected from certain legal action, such as being sued for defamation for what they say at this hearing. It also means that they have a responsibility to tell the committee the truth. The Assembly will treat as a serious matter the giving of false or misleading evidence.

Would those witnesses who are new please state their names and the capacity in which they are appearing before the committee when they are first asked to give evidence? Witnesses should state quite clearly whether or not they are going to take a question on notice. A transcript of evidence will be sent to the relevant government contact officer and to the minister for passing on to witnesses. They will have three clear working days within which to answer questions. Similarly, all members would be aware that, if they ask for a question to be taken on notice, they should give a reference and a page number. Minister, do you wish to make an opening statement?

Ms Gallagher: Thank you, Chair. This budget has significant allocations for the areas of children, youth and family support. It is targeted at supporting children at risk and, as such, an allocation is outlined in budget paper 3. In addition to that, earlier this week the Chief Minister announced the allocation of an additional \$6 million, which does not appear in the budget papers. In the near future members will be provided with the amendments to the budget, including new budget papers.

There is also an emphasis on supporting young people at risk and youth justice clients. Funding has been increased to extend Turnaround and to support the work being done by our youth centres. There are also increased payments to foster carers—an approximate 15 per cent increase in their current payments—which will ensure that we have competitive standards around the country. We have some community initiatives in the form of funding for Billabong. We will consolidate the programs it is offering with the programs being offered by Jumby Mulla.

There is also some welcome recurrent funding for the Messengers program in Tuggeranong, which has been funded through Healthpact. There is an extension to the

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Koori preschool program and some allocations to support the implementation of an indigenous foster care service. All the initiatives in this area are targeted at children and young people in need. Departmental officials and I are happy to answer any questions.

THE CHAIR: Various announcements have been made by the Chief Minister and by the minister regarding moneys that are to be allocated to the family services sector. Earlier the minister mentioned a few of those programs. Could the minister give the committee a breakdown of total moneys that have been allocated to family services since December 2003? On page 362 of budget paper 3 additional government payments for outputs exceed \$5 million. There are also some additional expenses.

Referring to other initiatives, there has been a third appropriation of \$7.38 million for children at risk. Budget paper 4 has an allocation of \$1.615 million for supporting young people at risk. Budget paper 3 has an allocation of \$2.8 million for young children at risk. There is also the figure of \$6 million, which the minister mentioned earlier. An additional amount of \$37.2 million over four years is reflected in the child protection report released on 14 May. Another \$1.8 million is referred to in an article in the *Canberra Times* on 18 May entitled, "Abuse report urges major reform."

On 25 May the Chief Minister, in a media launch, said that an amount of \$75 million had been allocated. The ABC, in a media statement, reported that \$68 million or \$70 million had been allocated. There are a lot of different figures. How much additional money is going into this area? What amount relates specifically to child protection or to supporting children at risk?

MR HARGREAVES: Mr Chairman, my question links in with yours. If we combine the two we might save some time later.

THE CHAIR: Ask your question and witnesses can then respond to both.

MR HARGREAVES: I was the chair of a committee that had some involvement in this issue. I would like to know the history of the funding provided to care and protection from the time that the former government gave a commitment to the Community Advocate. I know that the former government gave a significant amount of money—

MRS BURKE: With respect, Mr Hargreaves, that is a different question.

THE CHAIR: That is a different question, Mr Hargreaves.

MR HARGREAVES: It relates specifically to the child protection issue that you talked about.

MRS BURKE: No, it is a different question.

MR HARGREAVES: Is that a separate question?

THE CHAIR: Yes, it is. I referred specifically to December 2003. I would like to keep it in the context of the budget.

MR HARGREAVES: I was hoping to combine my question with the question that was

asked by the chair so that I could obtain additional information.

THE CHAIR: A lot of money has been allocated in this area. I would like the minister to clarify exactly what has been allocated.

Ms Gallagher: An amount of \$7.7 million was allocated in the third appropriation to support children at risk. An amount of \$9 million has been allocated in this appropriation to support children at risk. If you add up the figures in budget paper 3—the amounts of \$2.845 million and \$6.152 million—and you allow for depreciation, you arrive at a figure of just over \$9 million over four years.

THE CHAIR: Over four years?

Ms Gallagher: It is \$9 million a year for four years. That figure is indexed, so it is \$9.243 million in 2005-06, \$9.448 in 2006-07, and \$9.658 million in 2007-08. That gives you the figure of about \$37 million, to which you referred earlier. In addition to that, we have the \$6 million per year that was announced on Tuesday as an immediate response to the report of Cheryl Vardon. That represents an additional \$24 million, making a total of \$61.4 million. The amount of \$6 million is indexed.

Mr Connelly: Plus \$5 million indexation on the last \$6 million, which I do not have to hand.

MRS DUNNE: Minister, you said that the committee would soon receive a variation to the budget and the budget statements. When will that happen?

Ms Gallagher: I will take advice on that matter, but I hope it will be soon. I am conscious of the fact that the committee has to report and that the budget has to be debated.

Mr Donnelly: It will take some time to separate the activities of and the support for the current Department of Education and Training and the office of children and youth. All going well, we expect that to occur within the next two or three weeks.

MS DUNDAS: The announcement was made on Tuesday that, as of Tuesday, we will have the new Office for Children, Youth and Family Support. Have people started to move from Tuggeranong to the Chief Minister's Department?

Ms McKinnon: Julie McKinnon, Executive Director, Office for Children, Youth and Family Support.

MS DUNDAS: Are you sure about that title?

Ms McKinnon: Yes, I am sure about the title—it has been a whole week! The separation of the Department of Education and Training and the office occurred at midnight that night, as a result of administrative arrangement orders. Nobody has physically moved out of Tuggeranong. Nevertheless, procedures are in place to separate the office so that it is linked to the Chief Minister's Department. As you would be aware, the chief executive officer is Mike Harris. Pro forma things are being done relating to correspondence and everything else. Right now we have the majority of the staff but not all the staff, because

we were in seven locations.

MS DUNDAS: What will happen to those seven locations?

Ms McKinnon: That is a question that the implementation team and the government will have to consider over a period of time. Accommodation issues, which are often very lengthy, involve questions about whether or not regional offices should be amalgamated. Some of those offices, which have been outsourced and placed in schools or in separate units, may remain separate. Referring to the small, central administrative areas, so far as it is possible it would be useful if we reduced the number so there was co-location. Again, that would depend on funding and on the budget.

MS DUNDAS: I refer to the human resource and technical support provisions of the Department of Education, Youth and Family Services. Will there be any job losses in that area as the department picks up on the Chief Minister's resources?

Ms McKinnon: We will not necessarily be picking up on the Chief Minister's resources. At the moment all remaining services continue to be provided by the Department of Education and Training. The issue of how the resources are split is yet to be determined. The Department of Treasury will have a look at that. I do not envisage any job losses. It may be that there will be transfers of resources and/or people.

MR HARGREAVES: I want some information that the committee was not able to obtain when it was preparing its report on the child protection issue. Could you give us the history of child protection funding, going back to the time the former government gave the Community Advocate an undertaking that it would do the statutory reporting until the Children and Young People Act was enacted and there was a subsequent change of government? You just gave us some information, but could you supply the committee with any additional information?

Ms Gallagher: Mr Hargreaves, your question is a little unclear. An undertaking was given in 1996 but it was not a statutory obligation at that time. I understand that, in 1996, the budget was between \$9 million and \$10 million. In 2001, when the legislation was enacted, the budget was just over \$12 million, so there was a \$3 million increase. At present, if we include the additional \$6 million, the annual budget for this area will be about \$33 million. From 1996 until now we have seen in excess of a 300 per cent increase in this area—from about \$10 million to about \$33 million.

MR HARGREAVES: You made reference earlier to a number of initiatives. Has there been any change to the budget between October 2001 and now, which is when this issue became important?

Ms Gallagher: There has been an increase in the budget every year since this government has been in office. The largest increase was in this year's third appropriation.

MS DUNDAS: Cabinet has put forward efficiency or general savings that have to be met.

Ms Gallagher: Yes.

MS DUNDAS: As I understand it, the Treasurer said that the former Department of Education, Youth and Family Services had to meet efficiency savings of \$300,000. Is that whole amount being met by youth and family services? Was education quarantined?

Ms Gallagher: Education was quarantined, as was child protection. Training and youth services were not quarantined. Child protection, family services and education were quarantined from those savings.

MS DUNDAS: Earlier you said that child protection was quarantined. You are saying that child protection and family services were quarantined?

Ms Gallagher: I meant family services, which includes child protection. They are the same thing.

MS DUNDAS: Youth justice and other youth services were not quarantined?

Ms Gallagher: That is the area from where the savings were sought.

MS DUNDAS: How will those small sections of what was a very large department meet those savings?

Ms Thomas: Anne Thomas, Executive Director, Resource Management, Department of Education and Training. The savings were applied over the budget as a whole. However, \$300,000 out of a significant budget of \$470 million of government payment for outputs can be spread out.

MS DUNDAS: Is that \$470 million for education?

Ms Thomas: Yes. In essence, the real terms funding guarantee ensures that funding to the education sector is maintained. Essentially the \$300,000 is just spread across the other output units. But, as the minister said, given the significant increases to children at risk in this budget, that is an area that hasn't had to absorb any reductions. In essence, in a budget the size of ours, the \$300,000 can be spread fairly thinly across the rest of the organisations.

MS DUNDAS: Even though the major parts of what was the Department of Education and Family Services are being quarantined, the smaller areas that have to meet the savings won't be unfairly burdened by meeting that savings?

Mr Donnelly: No. In fact, the savings for the entire portfolio were reduced significantly on what they might have been, had the savings been levied across the entire portfolio.

MR HARGREAVES: Does that mean that you've got a figure calculated on the smaller parts of the portfolio, but the burden is going to be carried across the portfolio?

Mr Donnelly: No. The outputs that are not exempted include VET, with a total of somewhere around \$65 million, and youth services, with a total of somewhere around \$10 million. There is a fairly significant funding base to meet a fairly small percentage terms cut.

MRS DUNNE: I just want to go back to the question Mr Hargreaves asked. In your answer, Minister, you said that, over the years, there had been an increase in funding for care and protection in the budget. In the 2002-03 budget the target was \$20.4 million and the outcome was \$20.424 million. In the 2003-04 budget the target was \$17.09 million and this year it is up to \$26 million.

Ms Gallagher: What page are you referring to?

MRS DUNNE: This is BP4 of the 2003-04 budget. Can you explain? You said that the costings have gone up all the time, but in the 2002-03 to the 2003-04 budget there was, in fact, a reduction of slightly more than \$3 million in the targets.

Mr Donnelly: There were significant amounts, and there were one-off bushfire expenses of \$4.5 million in the estimated outcome for 2002-03.

MRS DUNNE: This is in child protection and care. The budget targets for 2002-03, set in April 2002—some time before 18 January—were \$20.407 million and the budget targets for the 2003-04 year were \$17 million. I'm sorry, Mr Chairman. I can't see how that could be bushfire related.

Ms Gallagher: I don't have the 2002-03 papers in front of me, so I'm struggling a little here, but I understand your question.

MR HARGREAVES: Mr Chairman, it is a good point Mrs Dunne makes. Perhaps we could have a reconciliation of those figures on notice.

THE CHAIR: I think that is what she is asking for.

MR HARGREAVES: They haven't got the paperwork.

Mr Donnelly: The 2002-03 target is set in the 2003-04 budget papers. You can see that, in the 2002-03 budget, the allocation for output 4.6 was \$15.7 million. The 2002-03 target presented in that budget paper is revised for the second and third appropriations of 2003-04 and would include the bushfire appropriation. You can see the increase from \$15.696 million.

MRS DUNNE: I'm sorry. No, it doesn't.

MS DUNDAS: From what I've seen, it was \$15 million in 2002-03 and then in 2003-04 it was budgeted to be \$17 million.

Mr Donnelly: It was budgeted to be \$17 million. In the intervening period during 2002-03, additional appropriations were made for the response to the bushfire. That caused the 2002-03 target in the 2003-04 budget papers to rise from \$15.6 million, which was the original estimate, to \$20.1 million.

MRS DUNNE: You put \$5 million of bushfire relief grants of various sorts into child protection?

Ms Gallagher: No. It was through the disaster relief.

MRS DUNNE: It was disaster relief, but why did it go into child protection?

Ms McKinnon: Because that is where the function is located. The function for emergency disaster recovery is located in family services. Setting up and managing the Duffy Primary School and gathering all the resources was all funded out of family services.

MRS DUNNE: Why is it—

Ms McKinnon: That is where the function is located.

MRS DUNNE: There are plenty of places in family services: why is it in the child protection output class?

Ms Gallagher: That is family services.

MRS DUNNE: Yes, I know it is family services, but it could be in youth services, support for young people or family support.

Ms Gallagher: No. That is not family services though. People refer to family services with two names but it is the same thing. Child protection is family services and family services is child protection. Family services is not youth justice or youth support.

MRS DUNNE: So everything that is family services comes into the child protection area?

Ms Gallagher: Yes.

MRS DUNNE: That seems a very strange way of doing it.

Ms Gallagher: Yes, I agree—in terms of the name, and confusion about the name.

THE CHAIR: As I said, since December we've had a lot of extra money go in. There have been a number of studies and quite a lot of drama, I suppose, which has now culminated in a report. How many children have died in the ACT since, say, 2000 as a result of identified problems in this area in respect of people not reporting, or other issues?

Ms Gallagher: None that have been attributed to family services that I'm aware of. I don't know if anyone else wants to add to that.

MRS DUNNE: No children in the care of family services?

Ms Gallagher: No. In the Vardon commission's report there is a section on child deaths, which will list the number of children who have died.

MRS DUNNE: I know that I've been sitting here for the past 10 or dozen days, but when are members going to receive a copy of the report?

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MR HARGREAVES: You've got one and I've got one. Have you asked?

MRS DUNNE: They haven't been distributed to members. No, I haven't had time to ask, because I've been here.

Ms Gallagher: There was an issue. The commissioner's office was to organise the printing of the reports. My understanding is that they weren't printed on time; they were printed on Thursday of this week. Five copies have been delivered to my office today. The copies given out to members who came to the briefing with me on Tuesday—I made sure I had enough copies for members who had said they were going to attend—were printed through, I think, Chief Minister's Department. I've still got my photocopied copy. I understand it has been printed and bound. It is on the website, as it was from that day. Mrs Dunne, I've got five copies in my office and you're more than welcome to have one.

THE CHAIR: I'd like one too, thank you, Minister.

MRS DUNNE: Thank you very much. I would like it today because the only time I get to read—seeing I'm on estimates—is when I go home at night. It takes a fair time to download it from the web. I think it would have been a courtesy to members to provide all members with a copy.

Ms Gallagher: My understanding is that the Chief Minister's office requested, once they'd been printed, enough to send to members, so they must be in train. If someone in my office is listening now, they can bring down copies for you and Mr Stefaniak.

MR HARGREAVES: I don't need one, thank you!

THE CHAIR: No. I see that you've got one!

MS DUNDAS: The report lists three deaths that went through the Coroner's Court. How many deaths have there been of children not in the care of family services but known to family services?

Ms Gallagher: There have been two that I'm aware of—I don't about the third one that you're referring to there. There were two coronial inquiries into deaths of children, and both of those children were known.

MS DUNDAS: In what timeframe?

Ms Gallagher: I think both of those have occurred in the last three years, but I will have that checked.

MS DUNDAS: One of the ongoing concerns has been that the department had not been implementing recommendations made by the coroner and following through on reports of the coroner. Members of the department appeared before the coroner and gave evidence in some of these cases. They said that the wraparound program and other support mechanisms were being put in place to address the issues raised by the coroner. I guess one of the reasons we had the Vardon report was because there were ongoing

concerns that that wasn't happening. I raise this now because these reports of the coroner were not listed in the annual report as they were meant to be. It was hard to find out how the government was working to implement those recommendations. Can you tell us now how those recommendations of the coroner are being implemented?

Ms Gallagher: Yes. I think you made a comment that the Vardon report was instigated because concerns the coroner had were not being implemented. That is not the case at all.

MS DUNDAS: I meant to say, "refocused".

Ms Gallagher: In the one inquiry into the death of a child, at which the department gave considerable evidence, the findings of the coroner were around the department's requirement to educate around mandatory reporting, and the failure of eight individuals to report to family services. There were recommendations for the department to do that.

THE CHAIR: Were there eight individuals, or eight separate occasions?

Ms Gallagher: There were eight individuals whom the coroner believed had the responsibility to report, but they didn't understand their role well enough, or thought someone else had the role. The coroner believed that, even if they thought someone else was reporting, they should still have reported—that if you get eight reports in for the one child, that is fine, rather than eight people thinking someone else is doing it. Considerable work has been done by the department in relation to education around mandatory reporting, in addition to writing individual letters to the eight individuals concerned—mentioned in the coroner's report. There was also a mass mail-out to the 15,000 mandated reporters, outlining the responsibility to report several times.

In relation to a question I was asked at the press conference about a revised policy, the brochure that was emailed out contained the policy. There was also a view that the commissioner might look into the issue of mandated reporting as well. From discussions I had with the department, we were going to wait to see what the commissioner said prior to doing any further revision on that policy. The policy is there and is being sent out and distributed. Negotiations are going on with professional organisations—for example, the AMA—about how to make sure their members are aware of the requirement to report. There is a lot of work going on in this area. So, in relation to implementing the coroner's findings as they related to family services specifically, that work is being done or has been done.

MS DUNDAS: I know that other agencies have been undergoing training with the department in relation to mandatory reporting. Who now has responsibility for that ongoing training? Is it education, or is it the office?

Ms McKinnon: No. It is the office.

MS DUNDAS: What program of training will there be in relation to the people who are mandated to report? There are concerns that there has been an ad hoc approach to that training.

Ms McKinnon: A training program has been prepared. I understand that, in writing to the mandated reporters, the offer of attending a day's training was made to all of them.

We have concentrated initially on teachers, partly because they are often the first point of observance of any form of abuse and the first contact. As the minister said, we are talking to the health department as well in relation to their professionals. We certainly have made the offer to everybody. We are constantly reminding them that the training is available and that it is important that they complete the training. Most of the professionals in health, and certainly in disability, have been trying to get their staff through that training.

MS DUNDAS: All the relevant staff in education and in the Office for Children, Youth and Family Support have completed the training or are part of the ongoing training regime?

Ms McKinnon: The officers working in family services get training in relation to mandatory reporting as part of their full training when they arrive in the organisation. It is approximately eight weeks of training. I don't think we've completed all of the training of the teachers but certainly we are progressively going through with training for them. So it is a matter of trying to fit it into the schedule. That was our objective and we have handled most people who have been interested in attending such training. We're constantly reminding people of the availability of that training.

MS DUNDAS: Minister, considering that the annual report of the Department of Education, Youth and Family Services for 2002-03 failed to include the discussion that it was meant to include about these coroner's reports, will there be a supplementary paper produced that discusses the coroner's findings and their impact on the education, youth and family services area?

Ms Gallagher: I'm happy to provide you with that. The annual report is a report by the chief executive. I remember giving evidence. I said afterwards that I thought coronial inquiries should be included in future annual reports because of the significant impact they have on the department. Whether it is in an annual report or I provide the committee with that information—

MS DUNDAS: I would like to see whether or not the analysis was done, and that the department was working. We don't have any written proof of that, and it was not picked up by Vardon.

MRS DUNNE: Thank you, Minister, for the copy of the report. I notice there is a table on page 235.

Ms Gallagher: That was quick!

MRS DUNNE: Yes. I always go to the appendices first.

Ms Gallagher: I think I could have different numbering, but it is all right.

MRS DUNNE: It is table D.2, key positions by occupancy date. That bears out some of the things I heard you say on radio earlier in the week about there being a lot of changes in staff, et cetera, and that that is particularly so in the case of the manager of child protection.

Ms Gallagher: Yes.

MRS DUNNE: What was the position immediately above those positions? Further on in the appendix, it refers to the Chief Executive of Education, Youth and Family Services. Has the Chief Executive of Youth and Family Services always been the person one up the line from the people in that list?

Ms Gallagher: Yes. One up from the Executive Director.

MRS DUNNE: If you put together that table with another level of responsibility above it, it would always be the Chief Executive of Education, Youth and Family Services?

Ms Gallagher: Yes.

MRS DUNNE: And that person has been?

Ms Gallagher: Fran Hinton.

MRS DUNNE: Since?

Ms McKinnon: Tim Keady.

MRS DUNNE: Before Mr Keady came in, it has been Fran Hinton since when?

Ms Gallagher: Since 1996.

MRS BURKE: I have the report here and I note at page 96, “Interim findings as at 30 April”. I find it interesting that perhaps we’re now another month away from those interim findings, which are obviously significant enough. Why didn’t you act on any of those? Why haven’t we heard you talking about any of the things that Ms Vardon found on 30 April, mentioned in this finding, that you could have implemented or got underway? There were significant issues raised there.

Ms Gallagher: What are the significant issues you’re talking about?

MRS BURKE: Systems, records management and increased reports of harm.

Ms Gallagher: All of that is being worked on. There have been amendments to CHYPS to make the data system work faster. I’ve been out to visit the workplaces. I’m not a technical whiz but something was done to make CHYPS work faster, which provided a lot of relief; a centralised intake system has been opened, which puts one point of contact for all reports coming in; a training program has been implemented for new staff; and there has been a recruitment exercise for new staff. It is not as if we’ve sat on our hands since January waiting to see what Commissioner Vardon might have to say; there has been significant reform.

MRS BURKE: I appreciate that. What sort of dollar cost would you attach to all the things that you’ve implemented?

Ms Gallagher: The centralised intake was funded, from memory, in the last budget—so

that money was there. There was money in the third appropriation for staff and money to pay for increases in substitute care days and the cost of those days—so that money has been there. The work done on chips was done internally. I don't know if it was a major thing but it certainly has supported it, in that chips are working better, but it is still not an ideal system.

MRS BURKE: Have you made a public statement on what you have done in respect of the findings as at 30 April? They are significant things that you could have moved on. You have said that you've mentioned things here and there, but I don't recall ever seeing a comprehensive statement. I say "significant" because it was significant enough to include in the report. Whilst it was an interim measure or finding, I'm wondering if you can tell me—and apportion moneys to the categories listed here under the interim findings—what money has been spent.

Ms Gallagher: What categories are you referring to?

MRS BURKE: As I've alluded to—systems, records management, increased reports of harm, et cetera. When you move through those significant findings I'd like you to tell us, if you can, the amounts of money—you can take that on notice if you wish. You also mentioned the new staff in family services. Can you tell me how much that measure cost?

Ms Gallagher: Yes, sure. It is all public.

MS DUNDAS: The audit has not yet been completed?

Ms Gallagher: No.

MS DUNDAS: There are some quite detailed recommendations that have been made on an audit that hasn't even done 50 per cent of the reports it is looking at.

Ms Gallagher: The commission's terms of reference were to inquire into section 162 (2), which is what the audit work is doing. There were probably six subheadings, and one of them was "any other matter related to child protection". The majority of the recommendations concern the operation of family services as a whole, rather than being narrowly restricted to section 162 (2). There is no problem with us moving on these. This wouldn't be inconsistent with any findings that might come out of the audit.

MS DUNDAS: You're not expecting that any further recommendations or proposed changes will be made when the bulk of the audit is completed?

Ms McKinnon: At the time the commission's report was being finalised they had done approximately 100 out of the 150 cases—and it was 150, not 158. In discussions with the commissioner, she decided to cover the major findings out of that examination, or that audit, in her report and not include anything additional that would come out of an examination of the remaining cases. In fact, the chief executive recently had discussions with Gwen Murray, who is undertaking the audit. She said her audit would be more of a technical paper with statistical data in it, but it wouldn't come up with anything different from the findings in the initial report.

MS DUNDAS: Which chief executive are you referring to?

Ms McKinnon: Tim Keady.

MS DUNDAS: In respect of the audit that is specifically being done, and the interim report that was done from the initial audit, the Office of the Community Advocate confirmed that there was a group of children whose safety is not assured. This is backed up by the percentage of children and young people requiring follow up action, which wasn't contained in the reports, being close to 60 per cent. There were three reports and consultations that required immediate action. Are the children covered by section 162 reports currently safe?

Ms Gallagher: These go back a number of years. Some of these children might not be in the care of the territory now. There has been a safety audit done on children now in the care of the territory. As far as I can assure you, the audit revealed to us that they were safe. I can't say that every child in the care of the territory is safe because, as we speak, one of those children could be doing something dangerous that I don't know about. As far as I can tell you, a safety audit was done on children in the care of the territory and, where there was any action that required follow up, that work has been done.

Ms McKinnon: We have also been working very closely with the audit team, many of whom are staff out of the organisation, to ensure that, as cases of apparent concern came to light, they discuss them with us as soon as possible. We've tried to prioritise cases in that way. As the minister said, as many of these cases go back three or four years, much of the analyses and findings are about documentation that may not have been clear on the files provided to the audit team.

MS DUNDAS: We've done a snapshot at a given point in time that has said that "the safety of children and young people has been compromised". That is the quote. The safety of children and young people has been compromised in the past. A current snapshot indicates that, as far as we are aware, children in care in the territory are safe, as much as we can assure that.

Ms Gallagher: Yes.

MS DUNDAS: In the time taken from that snapshot being done and for all of the systemic changes made that led to their safety being compromised initially, what is being done to ensure that children are maintained as safe until we fix the systemic problems that compromise their safety?

Ms Gallagher: I don't know where you're taking the quote from but I think it says, "may have been compromised".

MS DUNDAS: No. This is a quote from page (xiii) in the preface of the Vardon report, at the end of the fifth paragraph. It says:

It would seem that the safety of children and young people has been compromised.

Ms Gallagher: A lot of what related to concerns was about recording information and the chief executive as the territory parent—because information is outsourced to

non-government agencies—having a better knowledge of the children who are in the care of non-government organisations. That work is already being done. Discussions are being undertaken with non-government organisations and, in particular, foster carers—through Barnardos and Marymead—about how we can better our system. It has had to do with relationships and information recording, rather than any example of someone's safety being compromised. But lack of knowledge has existed and that has compromised the safety of children.

MS DUNDAS: You're saying that, because communication channels have been opened, that is the way we can be assured that safety won't be compromised between now and the systemic changes that are necessary taking place?

Ms Gallagher: We've already improved them between the level of detail and understanding the department has about children who are being provided with care through non-government agencies.

MS DUNDAS: Are you saying that the concern has arisen for purely administrative reasons?

Ms Gallagher: No. But I think a major concern has been that, when the audit team was going back and having a look, there was information either missing from files, unable to be located, or that existed across a number of files. You could say that, because of the fact that information may not have been recorded properly and that information existed in different locations, the safety of a child could have been compromised—because of the way the records management was handled.

MS DUNDAS: But we are not just implementing an administrative approach, because we recognise that it has been more than just communication and administration that have gone wrong in the past.

Ms Gallagher: Certainly the response isn't just administrative. In terms of the response to Vardon, there is a whole range of things, such as training, accreditation and support for the foster care providers; so it's not just administrative, no.

Ms McKinnon: Just as there's a whole range of reasons why a childcare worker might go home and say that they wish the children were safe and they were seriously concerned. It may be because a court order has put them back in a situation that they weren't happy with, it may be because the child has disappeared, it may be because we haven't got a halfway house that's going to provide enough options for them. Just prior to that they talk about children not wanting to be shunted from one place to another. I think it is frustration.

The review recommends, and the government has accepted it, that something needs to be done, that in terms of alternative placements for children there are very few and we have very few opportunities for putting children with very high needs into safe places. Sometimes children end up in situations like a Quamby or a Marlow when they probably would be better cared for somewhere else if we had enough options. A similar problem is faced by other departments, but it is about providing some options and trying to manage those within a budgetary framework.

MS MacDONALD: Minister, in response to a question from Mrs Burke about the recruitment process, you alluded to what you have been doing since the beginning of the year. The other day I had a whole troupe of people coming through my office, so I am curious to know how many people you have been able to get into the positions and what the training process will be now, because Vardon said in the interim report that the high turnover is of concern in terms of providing that continuity for children.

Ms Gallagher: The retention rate and the ability to recruit to these jobs have been of great concern over a number of years. The intake you referred to was an intake of, I think, 22 people. They are new staff. Do we have an exact figure for the total? We lose staff as well, so I can't say that we have 22 additional staff on board. We have certainly got a new intake of 22 occurring, but we will have lost staff in the meantime as well.

Ms McKinnon: We also have taken on a large number of new staff in relation to the central intake system and we've taken on new staff who are staff we may have lost in the past, people with the right qualifications who can be taken on quickly but don't necessarily want full-time jobs. Since the beginning of the year we've done everything we can to attract anybody's qualified cousin, aunt or grandmother or anybody who can come and help. Some of those have stayed for very short periods of time and others have stayed for longer. We have taken on admin staff as well as professional staff to support the professional staff. I haven't got a total figure for how many have come on but, as the minister has said, we have also had losses during that time; so the net sum gained hasn't been significant but it has probably been reasonable. With the 22 we're probably somewhere about 20 to 30 up from where we were.

Ms Gallagher: The other part of the question was about the training process that they go through. Has it been changed significantly?

Ms McKinnon: It's a fairly intensive training process and it lasts for eight weeks. Because in February and March it was so important to get staff into the offices, people taken on earlier were put through training that was split to get them working half in the office and then go back to training afterwards, so they were working between the office and training. The group that did that concluded that that was not satisfactory, as did the people in the offices. So we've taken the hard decision of saying we'll take them out at the beginning and the current group will do the eight-week training before they commence work in the offices. That was a hard decision because we're so short of staff in the two regional offices.

THE CHAIR: At lunchtime I was approached by a member of the public who had a concern that Queensland staff who had been, effectively, sacked as a result of the problems they were having in their service may well be applying for jobs down here. Can I have an assurance that you are thoroughly screening staff to ensure that they are suitable?

Ms McKinnon: Certainly the interview process will be checking on referees. I am not necessarily sure we can get access to the list of people who were sacked, but we will do what we can to ensure that there are sound and reasonably current referee reports in relation to anyone who applies. I can't guarantee that people would not filter through that process. There was only one staff member sacked, so we can guarantee it.

MRS BURKE: Minister, it has been suggested by many affected people who have called my office, to paraphrase for you, that this report is a cover-up and little more than an empire building exercise. How can you assure these people that simply throwing money at the sector will change the deeply entrenched and often arrogant culture of the department?

Ms Gallagher: I don't accept the end bit of your statement that it's an arrogant department by any means. It is an extremely hardworking department. In relation to whether there has been a cover-up, this is an entirely independent, comprehensive review of child protection in the ACT. It has things in here that are difficult. It says things that all of us should feel responsible for and I can't see anything in this report, if you read it from cover to cover, that you can say is a cover-up at all. The commissioner had access to every resource that she required in terms of information and access to information and she interviewed previous ministers, current ministers, community representatives and other interested stakeholders, including children and young people in care and families. I don't know how other people could say that this report is a cover-up.

MR HARGREAVES: Mr Chairman, that's a very serious allegation and I want to take up that issue. I want to ask a question of you, Mrs Burke. Could you please tell us a bit more? You say that it is cover-up. What sorts of examples are there?

THE CHAIR: Perhaps Mrs Burke does have examples. I understand that people made an allegation to Mrs Burke, she put it to the minister and the minister is answering it.

Ms Gallagher: I should add that the stakeholders that I've met are very supportive of what this report has found and the government's response to it. I have had a lot of positive feedback about how honest this report is and the acceptance by the government of the need for systemic change, and that was from people who directly provide support and services to children and young people in the care of the territory.

MRS BURKE: As to the second part of that concern, the deeply entrenched and often arrogant culture of the department, people see your announcement simply as money being thrown at it. How will that change that?

Ms Gallagher: Again, I disagree with this view that there is deeply entrenched arrogance in this department. If anything, what the review has found is that this area of government has been inadequately resourced over the past number of years and that has led to pressure on the department, pressure in meeting all the requirements that the department had to meet. If that translates for some people as arrogance on behalf of the department, then that might be how you use the term, but from my dealing with this department, from the pressures that I've seen placed on it and from the response it gives, probably the last thing you could say of this department is that it has deeply entrenched arrogance because it simply doesn't.

MS DUNDAS: Mrs Burke was talking about entrenched arrogance within the department. I am trying to explore the separation of the office from the department.

Ms Gallagher: Sorry, I'm referring to it as the department as well. I meant the office. I think I referred to it as the new agency.

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MRS DUNNE: I want to go back a little. Minister, since the implementation of the Children and Young People Act in May 2000, who has held the delegation to be the territory parent, which is the term that we're now using?

Ms Gallagher: The chief executive.

MRS DUNNE: The chief executive of the Department of Education, Youth and Family Services.

Ms Gallagher: Yes.

MRS DUNNE: As of this week, who holds that delegation?

Ms Gallagher: Ms McKinnon, I think.

Ms McKinnon: That delegation is held by Mike Harris as the chief executive of the Office of Children, Youth and Family Support.

MRS DUNNE: How is it written in the act? Do you require a legislative change to do that? I thought that the delegation in the act, in 162, was with the chief executive of the—

Ms Gallagher: I don't think it specifies the department.

Ms McKinnon: I think it's the chief executive responsible.

Ms Gallagher: Yes, it doesn't name the agency.

THE CHAIR: That is sensible.

Ms Gallagher: Yes. That was you, Bill.

MRS DUNNE: I haven't read the provisions for a while. From May 2000 until January 2004 that responsibility was held by Ms Hinton and it's now held by Mr Harris.

Ms Gallagher: Yes, as of Wednesday.

MRS DUNNE: As of this week, with Mr Keady in between. There has been considerable surprise in some quarters, presumably not all quarters, that—I can't think of a nice way to say this—heads haven't rolled over this. Having had time to reflect again on the terms of reference, which I haven't done for some time, it is almost as though, Minister, the terms of reference were written in such a way that people could not make recommendations in relation to what might be called attributing blame or holding someone responsible, because they refer to conducting a comprehensive investigation. The commissioner was not asked to make recommendations.

Ms Gallagher: From memory, there is one section of the terms of reference that uses the words "inquire into what led to". I'm just trying to find the terms of reference.

MS DUNDAS: Members might want to look at page xi of the Vardon report, which

includes the words, "It makes no recommendations about individuals. That is not the role of the Commissioner for Public Administration."

MRS DUNNE: I would like the minister to reflect on the fact that there was almost no scope in the terms of reference for the commissioner to make recommendations in relation to people and on the commissioner going so far as to say that it was not her role to do so. Why, Minister, was it not the role of the Commissioner for Public Administration to make recommendations on individuals?

Ms Gallagher: Well, I think that is a decision the commissioner's come to. It wasn't one that I was aware of—that she didn't see her role as making recommendations around individuals. That's something she's obviously considered, and it is perhaps a question best directed to her. I simply can't answer it because it wasn't something I was aware of until I read the report—the final report. I always believed that the first term of reference, which was to conduct a comprehensive investigation of the department's failure to fulfil statutory obligations, was a term of reference that, if appropriate, could have made individual findings against people.

MRS DUNNE: Minister, you said in the Assembly on one occasion in relation to the fax that you received in December 2003 that you often asked yourself why you weren't told before. You had a list of questions about that and said, "I'd really like to know myself why various things didn't happen." Have you had those questions answered?

Ms Gallagher: I had a discussion about those with Ms Hinton following her return to work on Wednesday. As far as they can be answered, I've had them answered to my satisfaction, yes.

MRS DUNNE: Would you like to share that with the committee?

Ms Gallagher: It was a private discussion between me and Ms Hinton, but it related to at what point she was made aware of it and why I was made aware after the government's response was tabled. She advised me the brief advising me of the 162(2) breach was given to her the same day it was given to me.

MRS DUNNE: Are you satisfied, Minister, that someone who held the responsibilities from May 2000 through till January this year, who held a delegation, only became aware, despite numerous letters from the Community Advocate that we can see chronicled in this report, on 11 December 2003 that she had a particular statutory responsibility?

Ms Gallagher: I'm just looking for it. I can't find anything in this report. I'm looking to the delegation. The actual delegation for 162(2) did not rest with the chief executive. Certainly, as territory parent, that was her delegation, but, as the commissioner reports in the inquiry, the delegation for 162(2) rested with a number of positions, including the executive director, the director, managers, officers in charge, supervisors, and family services staff.

MRS DUNNE: But the delegation does rest with the chief executive.

Ms Gallagher: As territory parent, and she then has delegated. Yes, I can understand that a brief went to her the same day it went to me. Yes, I can believe that story.

MRS DUNNE: You can believe the story that the brief went to her. I am asking you: are you satisfied that somebody who held that delegation continuously, except perhaps when she was on leave—

Ms Gallagher: Delegation as territory parent.

MRS DUNNE: The delegation as territory parent from May 2000 to when she was relieved of that responsibility in January 2004 did not know prior to 11 December 2003 that she had a responsibility and that it hadn't been met on a consistent basis.

Ms Gallagher: I think that's a very difficult question for me to answer because you're asking—

MRS DUNNE: It's a very difficult question even to ask, I have to say, Minister.

Ms Gallagher: Yes. No, I understand that, Mrs Dunne. You're asking me can I believe something about somebody else. From my discussions with Ms Hinton, her discussions with the Community Advocate from her point of view were dealing with resolving several issues under the Children and Young People Act which are detailed in the chronology. It is not just about 162(2); it's about what constitutes a report, what constitutes a consultation, and those—

MRS DUNNE: But the first term of reference is about 162(2).

Ms Gallagher: Yes. No, I understand that. I'm going back in terms of what your question relates to prior to this report. It relates to whether I can believe that this existed. I think the report explains that there were a number of people involved in discussions around 162(2) with the Community Advocate and a number of meetings held about how to resolve not only 162(2) but the section of the act that dealt with annual reports, I think it's 267, and the section of the act that related to how a report was recorded, and that those discussions happened with many people, over many meetings, over many months, and some were resolved and, as it relates to 162(2), remained unresolved.

I have made a decision—the government has endorsed it—that Ms Hinton alone was not responsible for this. I have said this a number of times, and it's outlined in the report. The commissioner was not constrained in any way by the government not to have a finding against an individual. She is the one that has looked at all the information, all the evidence before her, and these are the recommendations she came up with. It was left to government to determine what to do with the chief executive who had been stood aside. After lengthy discussion, I didn't believe it was the right thing to do that her head should roll for what would be certainly politically easier and probably publicly easier for me, because I don't think it was entirely her fault. I think there were a number of individuals involved and I think there were a number of reasons involved, including failure to resource a very significant piece of legislation.

When that legislation was enacted there was between, I guess, 1996, when the commitment was given and effectively there was a 162(2) without the law, to when the act commences a \$3 million increase over four or five years to this area's budget. Significant law was bought in, with 70 statutory obligations, and there was no additional

money for resourcing the implementation of a very significant piece of law. I think that has led to problems in the system that have been identified. The question was up to me: should Ms Hinton be responsible for that, for all of those reasons that have led to a system not giving the support to young children and young people that they deserve? The answer was no, it was not the right thing to do.

THE CHAIR: You mentioned that she had a power of delegation and you mentioned other persons. I haven't read the report, obviously, but were there any other persons who had that power delegated, the power under the reference to 162, the duties under that? I'm sorry, I've just got the report, as you well know.

Ms Gallagher: I was just on the page before. Julie found it for me. What page is it—delegation?

THE CHAIR: This is to keep a written record, effectively, and then report to the Community Advocate as soon as possible. Ms Hinton had a power of delegation as chief executive. Other persons therefore might be operating with that responsibility, that is, to keep a written record and to advise the Community Advocate. Were other persons delegated that power?

Ms Gallagher: That's what the report shows, that there were others with this delegation. For example, page 150 refers to directors instruction No 9 requiring the manager of child protection to provide a copy of each report to the director family services to provide to the Community Advocate.

Ms McKinnon: So both of those positions, as well as probably the executive director, would have had that power delegated to them.

THE CHAIR: And no-one kept that written record and passed it on. Obviously, we are talking about a few people here.

Ms McKinnon: Yes, it was the responsibility under the manual for one person to send those reports and to keep that record, and that paragraph explains the manual's instruction.

MRS DUNNE: Minister, on your understanding of how delegations work, a delegation in any legislation rests with a particular person and sometimes those delegations can be delegated again. Is it your understanding, or is it anyone's understanding, that, if those delegations are delegated down the line, the person who has the legislative responsibility in the act somehow is divested of the responsibility?

Ms Gallagher: No.

Ms Thomas: Perhaps I could just add, Mrs Dunne, that a person will hold certain powers that are vested in them, or a position in this case will hold certain powers vested in them through legislation. Under legislation, that position may or may not delegate some of those powers to others within the administrative unit. Once a responsibility is delegated, the delegate, in essence, becomes the person to whom that power is delegated, and that person then assumes that responsibility and assumes the responsibility for exercising that—

MRS DUNNE: That's a different answer from the minister's; in fact, the opposite.

Ms Gallagher: Yes. She has just corrected me. I was taking it more in terms of: did I think that that was walking away from a responsibility, and I didn't think that was the case.

Ms Thomas: No, I wasn't suggesting that. I was just explaining that when you are a delegate you assume the powers that are vested through the legislation.

MRS DUNNE: But what I want to know is: if the chief executive passed on the delegation, did the chief executive actually pass on and divest herself of the delegation or did she hold it as well?

Ms Thomas: I believe she would hold it as well.

MR HARGREAVES: How far down the line did that delegation go?

Ms McKinnon: My understanding was that it was delegated down to the manager of child protection but, according to the second last paragraph on page 149, it was also delegated to a number of officers in charge and supervisors. We are just going to check that answer for you, but certainly the manager of child protection was the one that formerly had provided the reports. In 2001 they provided reports to the OCA and those reports that they provided directly, direction No 9, were to ensure that there was management, if you like, to ensure that those things happened. That was taken back so that the director sent them on.

MRS DUNNE: Ms McKinnon, this is because I haven't had a chance to read the report, as you know.

Ms McKinnon: You're doing very well, Mrs Dunne.

MRS DUNNE: In relation to the delegation, therefore, does the commissioner make any comment about whether or not she thought that the delegation had been somewhat dissipated by the extent to which it had been shunted down the system?

Ms Gallagher: She makes several recommendations in relation to the handling of delegations. One was that a schedule of delegations be revised and reauthorised by the chief executive. In the report, she has some concerns that some delegations might not have been—

MRS DUNNE: Clearly understood.

Ms Gallagher: Yes.

MRS DUNNE: She had a problem with the delegation manual.

Ms Gallagher: Exactly, and that that needed to be done, and that there be a review. Recommendations 8.1, 8.2 and 8.3 specifically relate to delegations.

THE CHAIR: Is there anything in there in relation to managers or someone else who held the delegation down the line and who didn't send up reports?

Ms Gallagher: In relation to naming individuals?

THE CHAIR: In relation to 162. You don't have to name them individually, but just positions that held that delegated power. There is nothing on that.

Ms Gallagher: No.

MRS BURKE: I notice that in your response you've agreed to the government supporting meaningful participation by children—page 8 of your response.

Ms Gallagher: Yes.

MRS BURKE: Can you tell me how that's working, if that's the case? It was recommendation 3.5.

Ms Gallagher: I'm just getting it.

MRS BURKE: I just want to know if that is actually happening and how you are dealing with that.

Ms Gallagher: It is happening, but it needs to be better. At the moment, we've got the Minister's Youth Council and there is the Children's Services Council. Independently of this review, when I became minister there were some appointments for this council and I didn't even know the council existed. I have had another look at it and will be strengthening that body. I have just made several appointments to that council and it's a very strong council now. They will have an increased role in providing me with advice; that's specifically what I've asked them for.

There is the Minister's Youth Council and, in terms of the review of the Children and Young People Act, I sought their advice on that. But I think what this report says is that there need to be other ways that children have a say. It touches on advocacy and organisations that provide advocacy to children and young people in care, such as the CREATE organisation. They are the things we need to look at in terms of the implementation of this report, because it is difficult to work out a model that has a participation strategy that is meaningful, particularly for children and young people who might be at risk.

How do we involve them in decisions about their lives, particularly when they might be court-based decisions? It is an area that I think we need to do more in and we need to involve some of those advocacy organisations and look at models that might exist around the country and even around the world about how we do enable young people to have a say. For example, we paid for a couple of young people in care to go to a conference with CREATE, I think, that talked about issues. CREATE runs a conference, from memory, and they bring young people together to talk about issues about being in care.

We can promote those sorts of things, but in relation to the ACT, I think we do need to come up with a new model. The Minister's Youth Council is one way. The Children's

Services Council doesn't have any children on it, but has people who work in the area. We do need to work out a way to involve them better. I think we'll be going to the non-government sector and asking for their advice on that one in the short term.

MRS BURKE: So you are saying that you are supporting it, but children are not participating at this stage.

Ms Gallagher: They are through the Minister's Youth Council and Youth InterACT and we have a youth conference. In relation to the children's plan, we had comprehensive consultation with children to get their feedback on that plan and about 2,500 children under the age of 12 responded to that. We have looked over the past year at participatory models and how we can encourage children to have a say, in relation to the children's plan, in the formulation of policy. But in light of this report and in light of targeting some meaningful ways for children and youth people, particularly those in the care of the territory, to participate, I think we need to do more and we need to take advice on it.

MRS BURKE: If people are saying that perhaps children are not participating, you are saying that that is not quite true.

Ms Gallagher: Yes. Not participating in what—in decisions?

MRS BURKE: Yes, meaningful participation, the words that you have written in the report here. Do you think they are or are not?

Ms Gallagher: It was a recommendation that that is an area that needs to be looked at more and where greater work needs to be done. There is, of course, the Community Advocate and there are organisations such as CREATE that do provide advocacy for children and young people, but I think that says that they need more of a say, and we're happy to agree to that.

Ms McKinnon: The recommendations particularly in relation to the child protection system and those issues will be discussed with the magistrate of the Children's Court and they will be discussed with other people in the legal system, but it's particularly, I think, directed towards young people in care within the child protection system who may not have a say about where they go and what happens to them.

MS DUNDAS: I note from the report that the recommendation flows from a discussion about children in care and decision making about their foster placements, but the recommendation is quite a good one in looking at how children and young people participate more broadly in decision making that affects their lives.

Ms McKinnon: And that is what we will be doing, looking at it broadly.

MS DUNDAS: So you will be looking at it more broadly.

Ms McKinnon: Yes.

MS DUNDAS: I just wanted to get that clarified.

Ms Gallagher: But I want a particular model that works for children at risk as well. For

example, we have a couple of appointees to the Minister's Youth Council who in the past year would have been seen as young people at risk, but through those forums—through Youth InterACT, through the website—where we do encourage participation and involvement, I think we can run the risk of not engaging with a group of young people that this report clearly shows need connecting with. I think we do need to extend what we're doing now and look at a new way of interacting with those people that might be involved through very specific interventions, such as the court system and juvenile justice. Also, how do you give young people under the age of 12 a voice sometimes?

MS DUNDAS: Or young people under the age of 18?

Ms Gallagher: Yes, but I just made reference then to youth and how we engage them, and then I was saying that that is not to discount a baby that might be taken into care or a four-year-old.

MR HARGREAVES: Minister, the report talks about 71 delegations with respect to the Children and Young People Act at about page 160. You mentioned it also earlier. As I understand it, what has been revealed by this review is that only one of those delegations has not been discharged properly. That, I think, needs to be taken into the context of the relevance of what the delegations are, what they mean. It also talks about there being a schedule of delegations. Could we get a copy of that schedule, please?

Ms McKinnon: Yes.

MR HARGREAVES: One of the things that have popped out of this report is the extent to which the delegation can go down and the number of officers involved. Whilst not wanting to go to that level of detail with the schedule, I would like some indication as to whether the delegations on the schedule are held by one officer or flow down significantly. For example, page 149 talks about the delegation under 162 to a number of positions—executive director, director, managers, officers in charge, supervisors, and family services staff. One could almost say that, with the few staff that you had before you introduced these things, probably everybody had one. What I would like to get a flavour for in the context of these delegations is how many people are in the loop for the ones applying to dealing with kids. Is that possible? I would appreciate that.

MRS DUNNE: Sorry, does that mean how many people are now or how many people were then?

MR HARGREAVES: No, how many people are on the delegation. We are seeing in this report a recommendation for change. The minister reacts rather rapidly, but I don't think she can do it in two days; so the delegations as they exist today will give us the flavour for how many people there are down that line.

MRS BURKE: How many of the 71 delegations—

Ms Gallagher: Obligations.

MRS BURKE: Obligations. Unlike the one that you were referring to where in actual fact the law was broken under the act and deemed to be negligent by the Office of the Community Advocate. When you do that, can you let us know, under all of the other

obligations, how many of those would constitute breaking the law and/or being negligent?

Ms Gallagher: I'm not sure what you mean.

MRS BURKE: Under 162(2) of the act, the law was broken in relation to suspected cases of child abuse being reported to the Community Advocate.

Ms Gallagher: Allegations of abuse in care being forwarded to the Community Advocate.

MRS BURKE: Yes, but the law was broken.

Ms Gallagher: I'm just getting the words right. That's not what you just said, but that's the part of the act, yes.

MRS BURKE: Okay. As to all the other obligations that you often refer to and Mr Hargreaves has just mentioned, how many of those would constitute breaking the law under the act?

Ms Gallagher: So the question you're actually asking is whether or not the statutory obligations are being met under the Children and Young People Act.

MRS DUNNE: I didn't think that was the question.

Ms Gallagher: How many constitute breaking the law.

MRS BURKE: I just want to know how many would be likely to constitute breaking the law under the act if they weren't complied with?

MR HARGREAVES: All of them.

Ms Gallagher: Yes, that's why I don't understand your question.

MRS BURKE: That begs the question, then. What I'm trying to get back to is the very fact here that the law was broken and that that was a negligent act. You're saying that nobody should be responsible or accountable.

Ms Gallagher: I'm saying that no one person can be held to blame for that.

MRS BURKE: But then we've just talked about who has the relevant responsibility.

Ms Gallagher: Look, Mrs Burke, when I handed this issue to you, when it became clear to me—it was in January—you said, "Child protection staff should be sacked; people cannot ring up family services and speak to the same person and have confidence in them." Then, when Ms Hinton and Ms Birtles were stood aside, you said, "Scapegoats, scapegoats; the government's got to be answerable here." Now, when a report exonerates an individual but says the system failed, you say that a scalp has to go.

MRS BURKE: No, Minister, you're twisting my words because I want you to take

responsibility.

Ms Gallagher: I have been consistent all along in relation to this. You have been inconsistent. I have told you my decision in relation to Ms Hinton.

THE CHAIR: Both of you are arguing now.

Ms Gallagher: That's right, but I have been consistent and I have said that an individual cannot be held responsible for what is a failure of the system for a number of reasons. If you can find a way that you can justify, from your point of view, sacking one person based on this report, then I'd be interested to hear it.

MRS DUNNE: Mr Hargreaves picked up on the issue of delegations. I go back to page 150, where there is a light blue box which says, under assessment, that the delegations under 162 of the Children and Young People Act were made first on 2 May 2000 and the delegations were remade on two occasions without revocation by instrument of the previous set of delegations. Minister, isn't this a basic failure? The average ASO5 or ASO6 would know, anyone who deals with delegations would know, that if they were remade the previous lot should be revoked. That seems to me to be a fundamental failure in process that goes back to some time after May 2000. To follow up on Mr Hargreaves's question, when Mr Harris took responsibility for this matter this week, presumably a new set of delegations was made.

Ms McKinnon: Yes.

MRS DUNNE: Are there new delegations in effect now or are they being made?

Ms McKinnon: Yes, they're in effect now.

MRS DUNNE: Okay. In that case, I think the answer to Mr Hargreaves's question is: what did the delegations look like before Mr Harris took them over, or perhaps on 13 January, because—

Ms Gallagher: What do you want? Do you want 13 January, do you want before May or now?

MRS DUNNE: I'd like the 13 January ones and I would like them before and after Mr Harris.

Ms Gallagher: All right. Yes, it is a failure.

THE CHAIR: In fact, if you've got copies of the delegations, we don't know when they were made, unless there is something on some other page. If we can have details of when the delegations were made.

MRS DUNNE: Things may have changed and it may not be like this in the ACT public service, but if someone has a delegation under a piece of legislation is that piece of information linked to their duty statement?

Ms McKinnon: Not normally.

MRS DUNNE: Not any more.

Ms McKinnon: No. It goes with a position, but in many cases you wouldn't have the list of delegations associated with the duty statements. Occasionally in certain positions you would, where there were clear penalties associated with breaches, but normally most people will carry financial delegations, HR delegations and delegations relating to the act of a particular area that wouldn't be attached to their duty statements.

Meeting adjourned from 3.32 to 3.49 pm.

THE CHAIR: There is a general consensus to finish this segment at 4.15 because we have a big thing, so let's get started.

MRS BURKE: Minister, I have a question regarding appropriation 3. The committee looking into the third appropriation cited some disappointment that funding of \$37.2 million for the sector was announced. Why didn't you advise the committee prior to announcing that? What was the rationale behind that?

MS MacDONALD: I'm sorry, but what does that have to do with—

Ms Gallagher: It's all right, I'm happy to answer it.

MS MacDONALD: What does it have to do with this? I'm sorry, Chair, but I have to protest. That is the last appropriation, and that report has already been—

MRS BURKE: But it's relevant.

MS MacDONALD: No, it's not.

MRS BURKE: It's going into the sector that we're talking about in relation to this. The minister's happy to—

MS MacDONALD: It is not relevant to this appropriation, Mrs Burke.

THE CHAIR: Can I hear the question?

Ms Gallagher: Maybe I can help out, Ms MacDonald. It is not relevant to this appropriation, but I'm happy to answer it.

THE CHAIR: That might solve it. Thank you, Minister. Go for it!

MRS BURKE: A lot of things link the third appropriation to this budget, so if you can clarify, it would be good.

THE CHAIR: All right. The minister is happy to answer it, and that solves it.

Ms Gallagher: It's fair. When it became clear that we needed some additional funding in the third appropriation, I spoke to the chair of the Estimates Committee, Mrs Cross, and asked if it would be possible for me to reappear before that committee to give additional

evidence because something had come to light after my first appearance. That appearance was granted to me between 5 and 5.40 on a Monday evening. I appeared before the committee, and I gave all the evidence. I was surprised that the committee didn't ask me why the money included for the third appropriation wasn't carried into the outyears. It went, from memory, from \$7.382 million down to \$2.8 million, so I had prepared myself for that question—

MRS DUNNE: You didn't offer the information even when it wasn't asked?

Ms Gallagher: I gave the information to the committee. The surprise was that, just before I finished giving evidence, I realised that I'd been given cabinet approval to virtually pre-announce a budget commitment because I would have to say, "It's okay. We're not cutting the funding off after one year. We're keeping it going in the outyears." But the committee never asked me.

The very final evidence given in *Hansard*—I checked this because I was surprised by the committee's comments—was: "An additional piece of information, Chair, is that we are maintaining this commitment through the budget into the outyears. We are keeping this money going." I volunteered that; the committee didn't ask. The announcement was made and then I copped it for not telling the committee, when in actual fact I had told the committee. It was a different reading of *Hansard*.

MRS BURKE: I thank you for that response. The main thing is the basis of the funding and where it is going to be apportioned in the sector. Somebody has already alluded to administration or direct service use of the money.

Ms Gallagher: That's into direct service provision. That's for additional staff and substitute care days, the increase in numbers of children in care and the increases in cost of that care. We're seeing high numbers of children in care and those children and young people requiring care at a higher daily cost than we've seen before. This fluctuates and has fluctuated over a number of years. You can have fewer children in care but higher costs; you can have high numbers of children in care who have lower costs. You can work within budget.

At the moment there are two peaks requiring additional funds. Because it's not an exact science, to use Mr Donnelly's term, the government has made a decision to maintain funding at that high cost, high number level for the next four years. Hopefully, if we don't see those two peaks operating together over the next four years and we do see some reductions, that money won't be required.

MS DUNDAS: Who prepared the department's submission to the Vardon report?

Ms Gallagher: Ms McKinnon's team.

MS DUNDAS: On page xiii there is a quote from the department. It states:

The failure to comply with section 162(2) relates to an administrative obligation to the Community Advocate and was not a failure to properly respond to child protection reports.

This goes on to a part that I've quoted before, which says that the interim results of the audit of files show that the obligation is more than just administrative; they show that there were files that needed follow-up and further action in relation to the children's care. Why was the department able to put in a submission that said that they thought this was only an administrative problem? I admit that I'm selecting one quote out of what must have been an extensive submission from the department.

Ms McKinnon: The point that the departmental submission was trying to make was that this was not as a result of a child abuse incident, like every other state in Australia, but that this particular case was a result of an administrative failure. That sentence reflects the emphasis the department put on making that point clearly to the commissioner.

MS DUNDAS: Do you feel confident that all child protection reports were properly responded to?

Ms McKinnon: You ask two different questions. The initial question related to the next sentence, which says that much of the paperwork may need following up. But in terms of looking after and protecting the children, I feel reasonably confident that the emphasis was on ensuring that children went through appropriate placements and went on to court to have decisions made about their future placements and that those children's needs were handled. That may not have been accompanied by a proper and complete form of either written record or IT documentation.

MS DUNDAS: Ms McKinnon, I again refer to page 97 of the report, which indicates that the audit has shown that it wasn't just the paperwork and it wasn't just the follow-up paperwork that was missing. Immediate action was required to assess the level of risk, reappraisal was needed and follow-up was needed regarding carers and other children, as well as assessment of children's circumstances. This is not just the paperwork not being followed through.

Ms McKinnon: It's often a reflection of the inadequacy of the paperwork. Where we were asked in some cases to do reassessments was because there wasn't sufficient documentation in the paperwork provided, or available on the files, to say what had happened to the child. With the audit team we have been going through all of the files that have been inspected by Ms Murray in the audit she is conducting, making sure that, in relation to the children, it wasn't just that a report was taken in and no action was taken. Many of those outcomes are also related to the fact that insufficient information was available or provided in a written or a data form.

So, yes, we did need to go back and reassess and we do need to go back and check. We do need to make sure. There would have been some cases where, in terms of the outcome, we were requested to go back and ensure that that outcome was the most valid one at the time, and several of those were queried. But there are differences of opinion about how you handle a particular incident.

We have been looking at those cases and making sure that nothing slipped through, and I'm reasonably confident—I couldn't say entirely confident. But that's exactly the process we've been going through with all those files—as we did with the OCA's report.

MS DUNDAS: The report or the response to the interim report?

Ms McKinnon: The initial one, which led to the commissioner's review.

MS DUNDAS: Can I explore the benefits and the rationale of moving from the department to the Office and how that's going to work? What's going to change within the structures that sit under family services, under children and under the whole of youth services, so that we're not just transplanting the same systemic failures from one department to a new department?

Ms Gallagher: I think the rationale behind the commissioner's recommendation, from a discussion I had with her, was that she wanted to see increased prominence given to this area of government service by not having it attached to a large agency, such as education. It deserved its own agency, which is in effect what it's going to have.

Part of this additional \$6 million will be money for the implementation and support of the new agency, including the recruitment of a chief executive to head up that agency to give it an increased profile and, as the commissioner said, having it attached for 12 months whilst it goes through implementation. Then I imagine it will remain as a stand-alone agency, maybe attached, depending on how discussions with the commissioner come out and how the commissioner sits within that. That's the rationale behind it.

MS DUNDAS: When you say commissioner, do you mean Commissioner for Children?

Ms Gallagher: The Commissioner for Children. Yes, that's right.

MS DUNDAS: When you're talking about the Commissioner for Public Administration and the Commissioner for Children, it gets a bit confusing.

Ms Gallagher: That was the rationale, as I understand it, behind her view about moving it—and also to have a process over the next 12 months of solid implementation of this report and reporting back how that implementation is going so that it doesn't get lost. It is in effect in a transition stage for 12 months while we work through all the recommendations of this and ensure that the systemic failure or any weaknesses in the system are repaired and that we have the best system we can have.

MS DUNDAS: Will it sit as a completely separate office in CMD and not come under the Multicultural and Community Affairs Group?

Ms Gallagher: No.

MS DUNDAS: There's already a child and family services group in Chief Minister's under the strategic implementation group headed up by the department's executive director. Is that child and family services director in CMD?

Ms Gallagher: I think they're the ones doing the implementation of the child and family centres. They rest under CMD at this stage. There may be some discussions considering the new office in the near future, as well as part of this implementation.

MS DUNDAS: I have another question about child and family centres, but I'll leave it

for the output classes.

Ms Gallagher: I'm not dealing with those at all. They're under Chief Minister's.

MS DUNDAS: I have relationship questions.

THE CHAIR: You're not dealing with those.

Ms Gallagher: They were funded as part of the Chief Minister's Department, outside my portfolio areas.

MS DUNDAS: We've had the discussion about them in Tuggeranong and Gungahlin.

THE CHAIR: We did, too. Quite so.

MS DUNDAS: To go back to the delegations conversation, the idea is that Mike Harris, as Chief Executive of Chief Minister's Department, will only hold that responsibility—

Ms Gallagher: In the short term.

MS DUNDAS: In the short term. So we will have a new chief executive.

Ms Gallagher: Yes, that's part of what I want to see happen.

MS DUNDAS: On the implementation, there was a recommendation that a person of high status, with a child protection background, be brought in to oversee that implementation and change management process. How are you going to find that person?

Ms Gallagher: I don't know, and I don't know whether we will necessarily. I think we'll pull in experts in child protection as they're required. In the short term, because we want to respond quickly, Mike Harris is heading up the implementation team, as it's called. As I said on Tuesday, the team will report back within a month about priorities for the implementation of this report. In the short term Mike Harris will have that role and draw on expertise in the sector from both non-government and government agencies—some working groups—about particular aspects of this report.

MS DUNDAS: Not to devalue the work and experience of Mike Harris, in the short term is it just a change management process and not actual further development of the child protection systems process, since that is obviously not Mike's area of expertise?

Ms Gallagher: No, that's right, but what needs to happen in the short term is implementation of this at a very senior level and what we've got is the most senior public servant in the territory being given the job to do that in the short term. In one week we couldn't possibly have pulled in and had a view on how to implement a report of this size. While acknowledging that this report needed to be out, that people needed to read it and that we needed to move on, I haven't requested extra time, but what I've said is that in a month we will have a report back about an appropriate implementation plan for this—for the whole report. Some of those issues will be worked through with the non-government agencies, being led by Mike Harris in a team of senior officials.

MRS DUNNE: Forgive me if you've already answered this question, Minister. It has slipped my mind. You said that there were 71 statutory obligations under the act. In this review, or anywhere else, is there evidence that officers have failed to meet any of the other 70 statutory obligations?

Ms Gallagher: No.

MRS DUNNE: So it's only the obligations under 162(2)?

Ms Gallagher: Yes.

MRS DUNNE: That's the only thing. Would it be possible for the committee to receive a copy of the Minter Ellison audit of the act?

Ms Gallagher: That report is currently with the audit team. I haven't had a report back from the audit team on that report, so at this stage I'd like to consider it first.

MRS DUNNE: Can you get back to the committee next week on when that will be?

Ms Gallagher: I'll seek some advice on where that's at.

MRS DUNNE: Thank you. If we can't receive a copy of the Minter Ellison audit report, can we at least receive a list of the 71 statutory obligations under the act?

MS GALLAGHER: Yes.

THE CHAIR: Mrs Burke, Ms Dundas, we've 10 minutes on this document.

MRS BURKE: I would like to go back to 3.5 as a back-up to what we were trying to talk about: the government supports meaningful participation by children. Mr Hargreaves was asking for me to give examples. I'm not going to give names, for obvious reasons, but one foster parent who has come to light so far rang every agency and organisation listed here, and every single one of them said they played absolutely no role in any case where children were required to speak on the decisions being made on their behalf.

Ms Gallagher: What agencies are you talking about—CREATE and—

MRS BURKE: Children's Services Council, Youth Council, Youth InterACT, government and—

Ms Gallagher: It's not their role to do individual advocacies. They don't do that.

MRS BURKE: I mean in terms of participation. Can you shed any light on why this foster parent would be given no help or advice?

Ms Gallagher: The Children's Services Council is an advisory council to me, as the Minister's Youth Council is my advisory council on youth issues. It is not an organisation to provide support to foster carers or those who have issues with family services.

THE CHAIR: Ms Dundas.

MS DUNDAS: This is specifically on the budget for the ongoing audit. Will it be completed by 30 June?

Ms Gallagher: For the Gwen Murray audit?

MS DUNDAS: Yes. The rest of the work that's—

MS GALLAGHER: Mr Keady met with Gwen Murray earlier this week—on Monday, I think. I think that it's a month—

Ms McKinnon: At least. At that stage Ms Murray was to get back to Mr Keady, but she wasn't sure of the timeframe. She was looking at June to July.

MS DUNDAS: Okay. The third appropriation of \$290,000 for the child protection review isn't ongoing funding; it is due to run out on 30 June. If there is a need for that work to continue, will it be met by Chief Minister's appropriations?

Ms Gallagher: Yes.

MS DUNDAS: So all of the extra money that you're talking about—the extra \$6 million—

Ms Gallagher: is not for that review.

MS DUNDAS: is completely for on the ground service delivery?

Ms Gallagher: Yes.

MRS BURKE: On page 20 of the *Territory as Parent* report, you state that there are four separate agencies to approve foster carers in the ACT. Are you able to tell me who the agencies are and why there are four of them, and do you think there needs to be a change in that, given what you know so far about the *Territory as Parent* report?

Ms Gallagher: This is the commissioner's report; I'm not saying this. As reported in there, off the top of my head, they would be Barnardos, Marymead, Galilee and Richmond Fellowship.

MRS BURKE: Is it Richmond? I thought that was the case. Thank you.

MRS DUNNE: I want to go back to a question that Mrs Burke asked before: how will throwing money at the problem change the culture in the organisation? You seemed to take exception to that. Do you think that there needs to be a change in the culture in the organisation?

Ms Gallagher: Mrs Burke's question was about entrenched arrogance, and I said I disagreed with that. More support needs to be given to that agency, and in that sense, yes, I do think there needs to be a change in culture. In discussions, staff in the area said

that they do not feel that they were supported in the past as much as they should have been, so I see that some work needs to be done there. Do you want to add to that, Ms McKinnon?

Ms McKinnon: Just that an area that for a long time has been under stress because of shortages of staff and inadequate systems will need some assistance. Getting additional staff in the first instance—that is, throwing money at them—will make an enormous improvement in the conditions of staff. But, more importantly, it will open up opportunities for those staff to move throughout the organisation, to do swaps with other areas and other states and to broaden themselves.

We're also looking at a range of training opportunities, and there are various recommendations in this report about things you do. You can describe all of those as culture changing. Any organisation should be improved, regardless of how well you might define the culture. But an agency that's been under stress for a long time can do with an improvement in morale and opportunities for staff within it.

MS DUNNE: Thanks for that, Ms McKinnon. To go back to the point you raised, Minister, both of you are saying that staff are feeling under stress and underappreciated. Do you see that there's been a systemic, or non-systemic, failure of leadership over a period of time?

Ms Gallagher: No, I'd say it's down to a number of reasons: the nature of the work and the fact that—

MRS DUNNE: It's probably pretty thankless work.

Ms Gallagher: It is, and they get a lot of attacks from families and a lot of complaints, as Mrs Burke will know, from families who are not satisfied with outcomes or who break down. That's the nature of the work they do. It's because there's been a high turnover of leadership in this area and a high turnover of staff. Staff have felt under pressure because the resources and systems weren't there to support them in their work. It's a combination of a number of reasons.

I've been out to visit most workplaces this year, and I've listened to the stories of the work they do. I have to say there is a growing sense of optimism, but they're waiting to see how all of this will pan out, how it will all be implemented, whether staff who come on will stay and whether leadership positions will remain constant. It's a bit of a wait and see, but there's a positive sense from staff that things are improving.

MRS DUNNE: You've said a number of times today that the area was underresourced. Is it your perception that staff, either at senior management level or further down, were saying that we needed more resources and that governments weren't listening? Were there requests for funding?

Ms Gallagher: This goes over a number of years. I can only talk about the time I have been minister, when we funded the initiative that was put up, which was the centralised intake system that was to relieve pressure from the regional offices in terms of referrals. Again, when it was clear from the second quarter's report that the number of reports going to appraisal was up and substitute care days were on the rise, we discussed it with

the department. That's when I had initial discussions with the Treasurer and the Chief Minister about the possibility of a Treasurer's Advance being required this year.

In the time I've been around, I have been told when there were pressures on the system. You can see from the announcements of extra moneys they turned down that we did not have a complete picture of the pressure that was going to come.

MRS DUNNE: Before this all came to a head in December-January, did you have a perception that this organisation was underresourced, and did the government have a perception that this organisation was underresourced?

Ms Gallagher: I've answered that. The commissioner's view is that this area has probably been underresourced since the early 1990s. I can't speak about what happened between then and my going into my first budget. When I went into my first budget there was a request to fund a centralised intake system, which we funded. Again, when there was an indication that we might need Treasurer's Advance through the year—

MRS DUNNE: When was that indication given?

Ms Gallagher: It was at the end of October.

MRS DUNNE: Was that a result of the SCCSSE report?

Ms Gallagher: No, it was a result of the quarterly report. It was drawn to my attention, as I said, that the number of reports being received was on the increase. A mail-out of mandatory reporting obligations coincided with the substantial increase in the number of reports being received going to appraisal, and it was drawn to my attention that, if these figures remained constant, this area of the department would be under stress and would need a Treasurer's Advance.

At that time I had a discussion with the Treasurer and the Chief Minister—probably in early November—alerting them to what I was seeing in the quarterly reports and, if those figures stayed, what the department's view was. The decision we took at the time was to monitor the situation for a little longer to see if it was a result of some of the education programs that were being run and to see about levels of substantiation—whether those reports going to appraisal would turn out to be substantiated. Then, of course, it was December-January and all of this emerged. All I can comment on is my time here, Mrs Burke—sorry, Mrs Dunne.

MRS DUNNE: That's okay. I've been called worse.

MR HARGREAVES: And probably will be again.

MRS DUNNE: In the government's response to the SCCSSE report, was there any indication that this was an underresourced organisation?

Ms Gallagher: I don't have the report in front of me. Perhaps the chair can comment.

MRS BURKE: Mr Hargreaves might know; he was the chair.

MRS DUNNE: You were responsible for compiling the government response to the SCCSSE report. In compiling the government response to the SCCSSE report, did you get any indication that this was an organisation that was underresourced?

Ms Gallagher: Not in the context of the SCCSSE report. It was more in the context of the figures that were coming out through the quarterly report, which would have been the first quarter. It would have been the end of the first quarter once those results were in.

MRS DUNNE: So you're saying that, in the time you were minister up until those quarterly reports came out in October last year, you didn't really feel that this organisation was particularly underresourced.

Ms Gallagher: No, except for in discussions about centralising some functions. It's difficult in Family Services because it's a very difficult job. Did I have any idea of the problems that existed and the extent of them or the amount of money that would be needed in the first half of this year and in the outyears? I had no idea at all.

MRS DUNNE: This is a reflection on all of us to some extent, but do you think that the structure or the personnel of the structure, but mainly the structure, militated against collective ministers serially becoming aware of the stress in the organisation?

Ms Gallagher: The structure of?

MRS DUNNE: The way the office was structured in relation to the department. You said that at one stage it was not given high enough priority.

Ms Gallagher: Your statement could be taken as correct, Mrs Dunne. There were moments—and this predates my time—such as the implementation of the act, when you would have thought that a resourcing analysis might have been done to see whether there was capacity. But, as I said, that predates my time. I came in at a certain point when its budget was at a certain level—an initiative was being funded. Then all of this became clearer to everyone.

This is not restricted to the ACT either. If you look at any report on child protection being done around the country—there have been big ones in Queensland and South Australia—you'll see that it shows the same thing: quite often it hasn't received the attention of government that it has deserved.

MRS DUNNE: You said you had a discussion with the commissioner. Do you think that's why she has suggested giving it more prominence, under the Chief Minister's structure?

Ms Gallagher: That's part of the reason. It can easily get hidden in a budget of \$470 million—a couple of years ago child protection's annual budget was around \$17 million. Her argument—and one the government has accepted—was that it probably didn't get the priority it deserved from all of us. I hope that's a beneficial change.

MRS DUNNE: Thanks.

THE CHAIR: We now move on to output class 4.1. Are there any questions? Yes,

indeed. Ros Dundas.

MS DUNDAS: This is where I'll ask the question about the child and family centres being built in Gungahlin and Tuggeranong. I know that they are the responsibility of the Chief Minister but, under the capital works program for the department of education, there is responsibility for childcare/parenting infrastructure—

Ms Gallagher: Can you tell me what page you're on?

MS DUNDAS: I'm actually looking at the 2003-04 budget paper that had—

Ms Gallagher: That's last year's.

MS DUNDAS: It actually had the childcare/parenting infrastructure.

Ms Gallagher: Is that the Gungahlin childcare centre? It would be.

MS DUNDAS: It says about the childcare/parenting infrastructure for Gungahlin and Tuggeranong that that project was delayed in the 2002-03 year. The question boils down to: what is the relationship between the childcare/parenting infrastructure that has been developed for Gungahlin and Tuggeranong and the child and family centres that are being targeted in Gungahlin and Tuggeranong?

Ms Gallagher: I've just been advised that it is the childcare centre that's been established near the Gungahlin town centre. It's a long-day care centre leased privately to a private provider. The Tuggeranong one relates to the additional places, where we extended centres in Tuggeranong and in South Canberra. I think there were five or six centres.

New places will be provided at Charnwood, Kaleen, Civic, Curtin, Greenway and Conder. That was \$950,000, and then there is the money for the Gungahlin centre, which has just opened. They're child-care centres. They're quite different from the idea behind the child and family centres being dealt with by Chief Minister's, which is based more on pulling different services in for parents and children to access. It's not a child-care centre.

MS DUNDAS: I understand that it's not a child-care centre but, considering that the department of education has already done some work in supporting child-care centres in these areas, what will be their relationship with the—

Ms Gallagher: new agency.

MS DUNDAS: No, specifically, the Canberra plan strategy of these new child and family centres, which you just said is about drawing in other agencies and working together. Child care is a place where a lot of children spend their early years. It's an easy place to access parents.

Ms Gallagher: Yes, I imagine they'll have a link.

MS DUNDAS: Is a link being developed? Are you talking to Chief Minister's

Department?

MS GALLAGHER: Yes.

Ms McKinnon: The area has been involved with Chief Minister's since the government announced its intention to go ahead with the child and family centres, and we have been actively working with them on the development of those centres. The future of where those centres go is yet to be determined. Like any new agency, they are being trialled initially through Chief Minister's Department, which is not necessarily their final home.

A lot of the work they will ultimately do, as you said, will involve other agencies, including health. Therefore, an emphasis will be on early intervention, with parents. It will be similar to the work that we undertake in our area, so we are cooperative and active partners with them. They will initially provide a much broader range of services than some of our individual initiatives do, but there will be a very close link.

MS DUNDAS: That's the information I was looking for. Thank you.

MRS DUNNE: May I ask a clarifying question? Minister, are all these output classes—4.1 et cetera—going into the new agency?

Ms Gallagher: All except two.

THE CHAIR: The two education ones.

MRS DUNNE: So 4.2 and 4.3 stay with Education.

Ms Gallagher: Yes, that's right.

MRS DUNNE: All of output class 4, except for 4.2 and 4.3, is going to the new office, and you will maintain ministerial responsibility? I'm just checking.

Ms Gallagher: Yes. There has been a bit of confusion.

MS DUNDAS: I also need further clarification of that. Looking at the organisational form that is in the statement of intent, under family services there is the schools as communities project.

Ms Gallagher: That stays with the new agency.

MS DUNDAS: Okay.

MRS DUNNE: Why is that? It is interesting that schools as communities is under family services rather than Education.

Ms Gallagher: It's a community-based program; it's not a teaching-based program. That is why it has traditionally been there. Julie can add to that if she likes.

Ms McKinnon: It deals particularly with the child and their family. Yes, it was developed in the area and it has always been there. Half their work is early intervention,

and half their work is family support.

MRS BURKE: I remember I mentioned it to you at council. It was drawn out of education though, wasn't it? Didn't the Ministerial Advisory Council on Government Schools formulate schools as communities?

Ms Gallagher: No.

Ms McKinnon: They've got their own, I think. They've got a separate council or something.

Ms Gallagher: I think everyone's very supportive of the program within schools.

MRS BURKE: Didn't they look into it, though? I believe I was on the council at the time and we looked into schools as communities. It was the Ministerial Advisory Council on Government Schools.

Ms Gallagher: I don't know if you were, Mrs Burke. That predates my time. It's a very good initiative.

MRS BURKE: I know. I just wondered why.

THE CHAIR: Which one is that?

Ms Gallagher: Schools as communities.

THE CHAIR: I remember that, yes.

Ms Gallagher: It sits within family services.

THE CHAIR: It goes back about four or five years or something.

Ms McKinnon: I don't think it necessarily did come out of that, Mrs Burke. Does anyone know?

MRS BURKE: I may be wrong; that's okay.

MR HARGREAVES: I meant to raise this before. Is the Adolescent Day Unit going to go with the new office?

Ms Gallagher: Yes. That'll make you happy, John. I made someone's day.

THE CHAIR: Any more on 4.1, Office of Child Care? Good. We'll whip over to 4.4, support for young people. Any questions on that? Indeed, Mr Hargreaves asked the first one about the Adolescent Day Unit.

MS DUNDAS: Is this support for young people the area that has implementation of the non-government contracts that the department is responsible for?

Ms Gallagher: Yes.

MS DUNDAS: There have been some problems over past budgets with the amount of indexation that was being attached to those contracts. What's the level of indexation for this financial year?

Ms Gallagher: It's 2 per cent.

MS DUNDAS: I don't know if this was done last year; I can't remember. Was there any move to catch up when those areas were left alone?

Ms Gallagher: From the time it got only 1.3 passed—

MS DUNDAS: Yes.

Ms Gallagher: No, there hasn't been.

MS DUNDAS: So they're actually in real terms operating below the CPI?

Mr Donnelly: We also had an initiative this year that provided an extra \$340,000 for some of those services, which is the supporting youth justice, I think, initiative.

Ms Gallagher: In this year? Yes, in addition to the indexation there's money for the non-government sector there.

MS DUNDAS: And that's the increased funding for youths at risk?

Ms Gallagher: Increased funding for youths at risk. The breakdown will be: around 300 of that money will be to support turn around; 340 in the first year being indexed out will be money for the Youth Coalition to extend their services, or enhance their services; and about a 10 per cent increase for youth centres, to the non-government sector.

Ms McKinnon: A 15 per cent increase to five youth centres.

MS DUNDAS: I'm sorry, Minister, in addition to what?

Ms Gallagher: That's in addition to the indexation I said.

MS DUNDAS: Thank you. So the turn around initiative there was basically a multi-agency, multi-disciplinary approach to supporting the young people.

Ms Gallagher: Yes.

MS DUNDAS: How many young people are being supported by it?

Ms Gallagher: There's been extensive consultation on how to make this program work. There have been a number of consultations and a management committee established, several training sessions; and a centralised referral and assessment process is now in place for the program. So all of that work's been done. There's a referral assessment panel that consists of representatives of 12 government and non-government agencies, who met earlier this month, on 18 May. So far two young people have been accepted into

the program.

MS DUNDAS: I remember initially it was meant to be targeted at young people at risk of being identified officially as at risk and getting them before they went over the edge in that sense.

Ms Gallagher: No. The first phase was to get those ones who are already high risk. Then the view is, as this model hopefully grows out, that we can catch the young people at risk of being at risk. At the moment two young people are in the program and turn around staff are working with them.

MS DUNDAS: The head of those management teams is based in the youth area?

Ms Gallagher: Yes.

MS DUNDAS: Minister, how many young people do you expect to assist in the 2004-05 financial year?

Ms McKinnon: Eighteen to 20.

MR HARGREAVES: This is where you take young car thieves and turn them into locksmiths and panel beaters?

Ms Gallagher: That's right.

MS DUNDAS: There have always been some questions raised about, I guess, the monitoring of these programs. It's always hard to, as we've been told, report on success stories in the sense that success means that you never see these young people again; they get on with their lives and don't need the support of family services or other youth services. So is there actually going to be some form of ongoing monitoring and assessment built into turn around?

Ms Gallagher: Yes.

MS DUNDAS: So that we can actually get the good news as well as the bad news?

Ms McKinnon: There were initially so many agencies involved, which is a good thing, but certainly it did take a lot of time to work through how we were going to evaluate it effectively and properly. I think it's very important that this program does succeed; and it is a small beginning. We have started with the assessment panel; we'll be meeting again shortly to look at the next group of people. So evaluation is a critical part of this program.

MR HARGREAVES: One of the difficulties, as I understand it, with the program of course is that if people have got hassles you can help them out with early intervention. That's what the current crop is going through. But as regards identifying people who don't have hassles, you don't have a legislative or a judicial out to go in and sort something out; it's all voluntary, isn't it? The program is going to have to be, by its nature, aimed at stopping somebody getting into trouble or being further at risk of broad educational outcomes, et cetera, et cetera, et cetera. The hard part is that you can't

actually force your way into that sort of thing. That would be one of the biggest challenges you've got.

Ms Gallagher: Yes, that's right. I think that's part of the response to some of the recommendations in Vardon where she has made a point of the fact that there needs to be more emphasis on early intervention and support prior to children needing to come into the care of the territory or become known to the authority. It is hard to work out how to do that, but turn around is about intensive case management and a wrap-around service where all the agencies are working to the one young person, not the one young person dealing with all the agencies.

That's why we'll see how it goes with this group of young people and then hopefully a model like turn around, if not turn around, can be used to support those who might just be on the periphery in terms of accessing some support from government in this area.

MR HARGREAVES: Thanks, Minister. When you come to that stage and are working out how you went to actually address the issue of parental resistance, or parental compliance, or parental encouragement to get into that, it seems to me that you have two issues. One is the individual, the kid itself. The other one is the family environment in which that child exists. It seems to me, from my experience, the biggest challenge is getting the parents or the family unit to say, 'Yes, this is a good idea; we'll just swing behind it as well.' So when you actually come to do the evaluation you might wish to make some comment about whether that is as difficult an issue as I perceive it to be. I'd be interested to know.

Ms Gallagher: Yes.

MRS BURKE: I have a question in relation to cost per student attending the ADU, the Adolescent Day Unit. We're in output 4.4, page 366, just at the bottom. \$18,446 is the cost per student attending the ADU per year. I'm just wondering if you could give me a breakdown of that and possibly tell me on average how long students participate in the ADU program and at what age.

Ms Gallagher: Yes, that's fine. I'm sure you've just covered that off in your report.

MR HARGREAVES: We have issued a report on that, Mrs Burke, for your information. That may be of some assistance to you.

Ms Gallagher: The government will be responding to that report too.

MRS BURKE: You haven't yet responded.

Ms Gallagher: No. I think it's due in the next sitting. That's fine. Twenty weeks.

MRS BURKE: That's okay. I'm happy to take it on notice.

Ms Gallagher: No, we don't want to take more on notice than we need to. Twenty weeks. We're quite busy in this office at the moment.

MRS BURKE: Just a breakdown of that cost per student.

Ms McKinnon: You'd like a breakdown of the total cost for the unit?

MRS BURKE: No, just what it constitutes, the \$18,446.

Ms Gallagher: Well, that's the cost for the teaching, the staff.

Ms McKinnon: Largely, the cost of the staff.

MRS BURKE: What do you get for your money?

Ms Gallagher: Twenty weeks of a very intense program.

MRS BURKE: So that's 20 weeks broken down to \$18,000 a year.

MRS DUNNE: Eighteen thousand dollars per student. So it is \$18,000 per 20 weeks.

MRS BURKE: Yes.

MR HARGREAVES: I seem to have forgotten it, but I was interested in the success rate of the ADU in terms of its main aim of putting kids back into the educational system rather than just have them hanging about. When they go back into the system, there is some monitoring apparently of whether there's recidivism, whether they're happy when they're gone, and all that sort of stuff. I'm not sure if I saw numbers to go with that. I don't know if I just got anecdotal responses to that.

Ms Gallagher: Mr Duggan advises me that we did present numbers at the standing committee. I remember the conversation we had about it. If we've provided it, I'm sure we can provide it again fairly easily.

MR HARGREAVES: If it's been provided I'll dig it out myself, thank you. Don't blame your officers; they've got far too much to do.

Ms Gallagher: Thank you.

MS DUNDAS: Output 4.4, I assume, is where the skills development for young people at risk, the agency-funded initiative, will be implemented.

Ms Gallagher: I was wondering that myself. I thought it was under education actually. Is it under education?

Ms McKinnon: It is under VET.

Ms Gallagher: Yes, or TAE. My understanding—and correct me if I'm wrong—is that funding for the SPICE program, BISEPS and GRAPES is, as you know, received from different sources; they are one-off programs. One of the problems with pilot programs is they get one-off funding; they're really great; and everyone wants to keep getting funding for them. This is the good news. It is under VET because, particularly BISEPS and GRAPES, they are partnerships with the MBA, the construction training council and the school. It is through accredited training.

MS DUNDAS: Well, if we need to talk about that further we can do that.

Ms Gallagher: Yes, we can do it under VET.

MS DUNDAS: Thank you.

MR PRATT: Minister, we don't have too many youth centres around the place. We'd like to get more of course; everybody would. The Lanyon Youth Centre—

MR HARGREAVES: Great model.

MR PRATT: It is in fact. In regard to the Lanyon Youth Centre, as I understand it, you're able to pay them about 18 hours of supervision work per week. That was, I understand, in March of this year. Is that still the case or have you been able to increase it?

Ms Gallagher: I'd be very surprised if that was the nature of the contract.

MR PRATT: Well, that's what they told me some months ago.

Ms Gallagher: We'll get you details of how much goes to Lanyon if you like, Mr Pratt.

MR PRATT: Okay. But I presume you haven't got it staffed five or even six days a week.

Ms Gallagher: We don't staff them; that's a non-government agency that gets a grant from us.

MR PRATT: And my question is: have you got anything in the budget that might increase the grants available to them; and, if so, what will that be?

Ms Gallagher: We have got money in the budget that's going to youth centres. I'm advised that the increase in those youth centres again is based on a regional location and the increase is going to Tuggeranong Youth Centre in that region. But if you'd like details of the grant, it's probably in the annual report somewhere. Is it? Yes.

I don't know how that service makes decisions about how they open and the hours that they offer programs at the centre. As long as they're meeting the requirements of the grant, that's usually a decision taken by the management committee of the youth centre.

MR PRATT: The impression that I've gained is that a good deal of the grant money goes to providing the supervised open hours.

Ms Gallagher: Yes, of course.

MR PRATT: So clearly there is a need. I don't know whether you've got anything else available in the valley, for example, that might compete with Tuggeranong or Lanyon youth centres.

Ms Gallagher: Well, there are a number of initiatives in the budget, including funding of the Messenger's program out at Tuggeranong for youth at risk.

MR PRATT: And my next question will go to that too. Before we get to the Messenger's program: how else do you intend breaking down the resources that you are providing in the budget to perhaps increase the capacity for these youth centre services?

Ms Gallagher: Well, as I said, there's \$340,000 a year going to increases to youth centres in the ACT, of which Tuggeranong will receive an increase. There's increased money going to the Youth Coalition. There's Messenger's. There are youth workers being provided in a couple of schools out at Tuggeranong. I haven't received a representation from Lanyon specifically about any additional requirements they have. But I'm happy to hear from them.

MR PRATT: I am surprised to hear that, given my understanding.

Ms Gallagher: Well, that's to me directly. I can't recall. I'm careful about making big statements like that.

MR PRATT: No, that's probably the case. It is probably filtering out through the system somewhere. That's something I might follow up anyway and I can talk to them about it.

Ms Gallagher: Yes, sure.

MR PRATT: With the Messenger's program, though, is that good value for money? Could not that \$114,000 have perhaps been further allocated to those centres to provide funding to those youth activities that we know are working well, to reinforce—

Ms Gallagher: Well, this isn't a new program, Mr Pratt. Messenger's has been—

MS MacDONALD: Mr Pratt, the Messenger's program works well as well. It's a very good program.

MRS DUNNE: Perhaps, Madam Deputy Chair, the minister could answer the question.

MR PRATT: You shouldn't be answering the questions, Ms MacDonald. I'll leave you to make the statements.

MR HARGREAVES: Did I hear Mr Pratt wanting to deny Tuggeranong a piece of the money out of the budget?

MR PRATT: No.

MRS DUNNE: Perhaps if the members stop running interference, the minister could answer the question.

MR PRATT: The question I would ask, Mr Hargreaves and minister, is: why could that \$114,000 not be better allocated in the valley to the centres that are currently running?

Ms Gallagher: Well, these are the challenges that present themselves, Mr Pratt, when

you get representations from organisations. In relation to the Messenger's program, again, it was a one-off pilot essentially. It was given some Healthpact funding, from memory—I think it was Healthpact. The department provided about \$21,000 or \$22,000 a year in addition to the Healthpact money to this program.

What happens when the Healthpact money runs out and you've got a program in place at Tuggeranong at the Community Arts Association that's doing, from all accounts, very good things, having very good outcomes for individual young people, highly promoted amongst the schools in that area, and I'm faced with a decision "Would I give more to youth centres or would I keep a program that has in a sense been started up without any long-term plan, done very well but let it go"? I had several meetings with the Tuggeranong Community Arts Association, with which Mr Frank Cassidy is involved. He is a very strong advocate for this program. At the end of the day I thought, based on the information I'd seen, the reports I'd heard from principals who had seen young people access this service, that, for the money it cost, it was a program that deserved ongoing funding and support in this area. And that's simply it.

Yes, the youth centres could have benefited from some more money, as all non-government agencies could, but I would imagine the fact that the Messenger's program now has a long-term future is also well received.

MS MacDONALD: Minister, can I just add to that, because Mr Pratt may not be aware that the Messenger's program was actually applauded and supported in the health of school-aged children report which was done last year.

MRS DUNNE: Sorry, this is a dialogue again.

THE CHAIR: It is a dialogue, yes.

THE CHAIR: Are you asking a question?

MR PRATT: Well, I'm not surprised to hear that, but my question is: Minister, rather than taking what I would see to be a scattergun approach, if you're more totally focusing those funds and revolving those around the centres we currently have, wouldn't you get more bang for the buck? For example, couldn't the arts centre deliver part of its program through the centres where we need to attract youth to get involved in youth centre programs rather than wandering somewhere else?

Ms Gallagher: This is a specific program targeted at young people with mental illness; it's not a generic service to all youth.

MR PRATT: It's specialised, is it?

Ms Gallagher: Yes, and it's through exploration of feelings through art. I imagine the Tuggeranong and suicide—

MR PRATT: I don't pretend to know much about it, I must confess, but I was asking a question about focusing—

Ms Gallagher: Well, can I assure you, Mr Pratt, that there has been unanimous support

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for the Messenger's program. It is, on the evidence I've seen, a worthwhile program that deserves the recognition of ongoing funding. That's simply a decision I have to make in the context of the overall budget.

MR HARGREAVES: A fine decision it was too, Minister.

MR PRATT: And it can't be decentralised through the existing centres.

Ms Gallagher: No, this is just a program that needed support.

MS MacDONALD: Minister, Mr Pratt just made the comment that you were taking a scattergun approach in relation to this. I don't believe that you actually responded to that. Did you want to make a comment about that?

THE CHAIR: I think she's responded fairly well.

MS MacDONALD: No, I don't think she did; thank you, very much.

MR PRATT: Have another go, Minister.

Ms Gallagher: I think there is a range of interventions that young people need, and the ongoing funding of this is merely a reflection of that.

THE CHAIR: Thank you, Minister.

MS DUNDAS: Last year the management of the Belconnen Youth Centre changed hands and there was quite a lot of angst in terms of the changing of that contract. As contract administrators, how do you believe the youth centre is now progressing?

Ms McGrath: Anne McGrath, director, youth services. The new provider has met all of its outputs and to a very high level; we're satisfied.

MS DUNDAS: I don't know whether you can answer this, but there was ongoing concern about services delivered out of the Belconnen Youth Centre that were targeted at children with disabilities and weren't part of the same youth centre contract. How are they managing with the change of home?

Ms Gallagher: Ms Calder advises me that it's happening out of Gungahlin Youth Centre, the contract is ongoing and it's going very well. I think the Warehouse have a new home, too; I saw them the other day. I just cannot think where they have gone.

THE CHAIR: Rivett, I think.

Ms Gallagher: Yes. It's somewhere on the south side, that's for sure.

MS DUNDAS: But they're not receiving government funding.

Ms McKinnon: No, they got a one-off grant initially.

Ms McGrath: I think there was a one-off grant last year.

Ms McKinnon: Yes, there was a one-off grant.

THE CHAIR: No doubt they will be back to us if there is a problem.

MS DUNDAS: Was the contract for Belconnen Youth Centre a three-year contract?

Ms McGrath: Yes, it was.

MR PRATT: Of the \$640,000 allocated to youth at risk, can you give me a breakdown of where it will be going?

Ms Gallagher: I have covered this, Mr Pratt. It could have been before you arrived this afternoon. Half of the money, \$300,000, is going to support the work of Turnaround and \$340,000, indexed, is going to increased grants to five youth centres, based on geographic location, for between 10 and 15 per cent of the grant, including some support for the Youth Coalition.

MR PRATT: Are you intending to provide any funding to some of the NGOs working with homeless kids around Tuggeranong, for example, and other centres? Also, are you intending to provide any funding at all to the Galilee special school or lights off?

Ms Gallagher: Galilee is funded through education. I know many of the homelessness programs do come under Mr Wood's department, but the youth centres quite often do a lot of outreach work with young people accessing their services, so there would be linkages there in terms of support for young people who are at risk of being homeless or who are homeless.

MS DUNDAS: Some recent reports have raised questions about the future of the site of the Belconnen Youth Centre. Specifically, a research report into a cultural facility in Belconnen put forward a proposal about taking over the youth centre site and one of the initial concerns about the new contract for the provision of the Belconnen Youth Service was that some of the space of the current youth centre would be lost by the service provider taking it for other things. That hasn't happened so far, but what kind of hold do you have over that particular space?

Ms Gallagher: I'm not aware of any plans for the Belconnen Community Service and the Belconnen Youth Centre on that same block being identified for moving.

MS DUNDAS: Are you confident that the Belconnen Youth Centre will continue to be delivered out of the space that it has had for the last number of years?

Ms Gallagher: Yes.

Ms McGrath: The basis of our negotiations for their funding would assume that they would be operating out of there. We've had no reason or no issue raised with us as to why that would not continue to be the case.

MS DUNDAS: You might, Minister, wish to take some interest in the work being done by your colleagues in relation to a cultural facility for Belconnen. I don't think it was the

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preferred recommendation, but there were four different proposals for a site and one of them did talk about the youth centre.

Ms Gallagher: Thank you, Ms Dundas, I will take an interest.

THE CHAIR: There being no further questions on output 4.4, we will go to output 4.5, which relates to youth justice. I have some questions there. Minister, from time to time, youths escape from the Quamby detention centre. A couple escaped in, I think, December and then again in January and April, that being the latest round.

Ms Gallagher: Yes.

THE CHAIR: In January, I think you indicated on behalf of the government that steps will be taken as a matter of urgency to update the security of the perimeter, but there were escapes over the fence in April. I seem to recall you saying or someone saying on your behalf within about two or three weeks of that that the perimeter fence would be secured. My question is: what has occurred to secure the perimeter fence? If you haven't completed it, what stage are you up to?

Ms Gallagher: Anne can probably provide you with more detail, but an assessment of some immediate remedial work has been completed and a contract has been signed, with the work to commence next week.

Ms McGrath: That's right.

THE CHAIR: How long will that work take?

Ms McGrath: A week to 10 days.

THE CHAIR: Why didn't that occur after January? We have had the escapes since then.

Ms Gallagher: There was work that needed to be done in terms of what could be done in the short term to fix the issue of a very similar escape pattern. It is my understanding that that work took a bit longer than expected.

THE CHAIR: Was that the work that was done after January?

Ms Gallagher: The review about what can be done immediately to fix the fence took longer than expected.

THE CHAIR: Apparently, if two people went at it at once they got half the voltage charge and there were some problems.

Ms Gallagher: It wasn't just a matter of upping the voltage.

THE CHAIR: No, I appreciate that.

Ms Gallagher: There was an easy solution, but it wasn't one that we could adopt.

Ms McGrath: The review canvassed a number of different issues, including

improvements in radio communications and upgrades in the control room, as well as alterations to the energised fence. A number of options were canvassed in the context of what could be done in the short to medium term versus what would be a longer term solution. The report took a bit longer than we would have hoped, but we are acting on that report now.

THE CHAIR: When did you get the report?

Ms McGrath: It would have been about six weeks ago, I suspect.

THE CHAIR: That would have been just before the last round of escapes.

Ms McGrath: It was, yes.

THE CHAIR: When were they—about four weeks ago?

Ms McGrath: About five weeks, I think, yes.

THE CHAIR: Are you repairing the entire fence? I heard that it could be done compartmentally.

Ms McGrath: We are not doing the whole fence. There is one area that we're not worrying too much about, which is right at the front of the centre, and that hasn't really been an issue. We are fixing a cowl to the fence which will make it a bit more difficult, hopefully, for young people to scale it, as well as improvements to the electronics, if you like, in the fence.

THE CHAIR: Have you considered doing some other type of security as well as just fixing up the electric fence? There are probably about five or six types of fences you could have. Have you thought of any additional security to complement the fence?

Ms McGrath: The best alternative really is to build a new fence. Our estimate is that it would take probably two or three months to construct that. The only difficulty is we would require a development application for that process and I guess our expectation is that there would be an appeals process associated with that, based on previous history with alterations to Quamby, and that could take some time. We are certainly actively looking at bringing forward the component of the redevelopment for the new fence as quickly as we can manage it.

THE CHAIR: In relation to the new fence, what type of fence will it be? You have some plans to completely redevelop Quamby. What type of fence will that be?

Ms McGrath: Sorry, I don't have the details of the exact fence, but the advice that we've had from our recent review is that it would cost about \$3 million to complete. It would be an energised fence, but it would be constructed of a material and also of a height and with suitable sorts of cowls or whatever it is that would discourage.

THE CHAIR: You could get a full brick fence with rolling drums.

Ms McGrath: Probably not rolling drums necessarily. You can actually do fences in

different ways. You don't have to take it all the way around, but there are some fairly good models of fences. It sometimes comes down to how much you want to spend. But we could probably get a pretty secure fence for about \$3 million.

THE CHAIR: What types of fences do similar institutions interstate have, say, New South Wales?

Ms McGrath: They have a variety. We've seen a couple in both Queensland and New South Wales. I don't have the technical details of them, but they're certainly much higher than the type that we have in Quamby. The materials are generally stronger and, as I said, with anticlimb attachments to them.

THE CHAIR: What sorts of materials?

Ms McGrath: Steel generally, I suppose.

THE CHAIR: I saw one at Wagga about three years ago that had quite a number of layers of razor wire and it was quite interesting.

Ms McGrath: Razor wire is an issue. I'm not sure that we would model Wagga. I don't think Wagga's security is as secure as we would like. But, as I said, we could get what we would class as a strong medium security fence for about \$3 million.

THE CHAIR: There is nothing to stop you using any type of material, including the various wires, barbed or razor, electricity, the barrels.

Ms McGrath: No. Generally, you don't associate razor wire with youth facilities and there are other ways of doing it that you don't have to resort to razor. If you're building a state-of-the-art fence, you don't necessarily have to have razor wire.

THE CHAIR: If you build a state-of-the-art fence, which you could probably do for \$3 million, what height would you be looking at?

Mr Donnelly: I understand it will be 4½ metres.

THE CHAIR: When will work commence on the \$3 million perimeter fence?

Ms Gallagher: That's part of the bigger Quamby redevelopment. All things going well, without appeals from the community in terms of applications that we might make, the hope is around October or November this year, but I have received a flyer protesting about the redevelopment of Quamby already, so I presume there are going to be a number. But without those, we could be moving in October.

THE CHAIR: How long would that take?

Ms Gallagher: Because it's going to be done at the moment whilst maintaining the facility, it will take about 18 months. Is that right?

Ms McGrath: That's for the full facility.

Ms Gallagher: For the full rework to be done. It has to be staged because we anticipate we will have 18-odd young people in there at the time. It's going to be a big job.

THE CHAIR: Can you assure me that the repairs you will be making in 10 days or thereabouts to the perimeter fence will ensure that the problems you experienced with the escapes late last year and this year will be overcome—that is, two people going at once only getting half the voltage—and that the fence will do what it is meant to do and what it has done largely since it has been up?

Ms McGrath: I think it would be imprudent to give a guarantee that no young person will be able to scale our fence, but our expectation would be that it will be much more difficult than it has been.

Ms Gallagher: Part of the problem at Quamby, as you would know, Mr Stefaniak, is the layout, the actual shape of the block and the way the fence is constructed. It has to move around, it is not straight, and that presents difficulties.

THE CHAIR: It wasn't a well-designed facility and lots of errors were made when it went up in 1993, which I think we have seen over the years.

Ms Gallagher: Yes.

MR HARGREAVES: When you put the fence around it will you be widening the buffer zone between the fence and the shrubbery?

Ms McGrath: Yes.

THE CHAIR: Quamby currently has three units, I understand, and recently there were some problems with one young person belting another young person—one was a bully and one was the victim—and they were both put in the same unit because they were both categorised that way, which concerned lots of people at the time. What steps have been taken to ensure events like that don't occur again? Are you going to expand the number of units in the new Quamby?

Ms Gallagher: Yes, that's the plan. I'm getting all my numbers mixed up, but we will be moving from 24 to a capacity of 40 and one of the major parts of the, essentially, rebuilding of Quamby will increase the alternatives for appropriate accommodation and appropriate options to accommodate the diverse mix of young people we have. At the moment, we have few options really and if we get a complex mix of young people in, as we quite often do, there are limitations on how to accommodate those young people. The staff do the best they can in difficult circumstances in relation to the accommodation options. That will be fixed in the rebuilding, but it presents us with a challenge now. We had a pregnant woman in there as well for a part of this year. We've got a whole mix. We've got 12-year-olds and 18-year-olds in there and it's not ideal.

THE CHAIR: Did you say that you will be moving from three to six units?

Mr Donnelly: There will still be three main accommodation units, plus an induction centre which will have some additional beds in it, but when each of the units are reconstructed they will be built in such a way that you can segregate different groups of

people within them, so we will have at least six and we are hoping to be able to design up to eight different segregated accommodation options.

MS DUNDAS: The young woman you just mentioned, who spent a part of her pregnancy in Quamby, what is her current status?

Ms Gallagher: She is in New South Wales at the moment serving out her sentence. Sorry, she has been released.

Ms McGrath: But she had her baby in New South Wales.

Ms Gallagher: She didn't have it in Quamby.

MS DUNDAS: Why was she transferred to New South Wales? Was that because Quamby wasn't able to deal with the situation?

Ms McGrath: No, the main reason was to do with appropriate support for her and an environment. Certainly, detention is not an appropriate environment, but it was an environment which would be probably out of her existing circumstances and to give her a chance to learn some mothering skills and so on. It was a specialised facility down the coast in New South Wales that that young person went to.

MS DUNDAS: If the situation arose again where there were young women in Quamby who were pregnant, would they go to that special facility?

Ms McGrath: That was with the consent of the young person and we would be hoping in the redevelopment that we would be able to address it in some way if that eventuality arose, but at this stage there are a number of programs run in New South Wales which are very good and we obviously like to take advantage of those when we can.

MS DUNDAS: Was the cost of that transfer met by the ACT government?

Ms McGrath: Yes.

Ms Gallagher: She is under the care of family services.

MS DUNDAS: As well.

Ms Gallagher: She has served her sentence, so she is not under juvenile justice. She is a 15-year-old.

MS DUNDAS: Family services of the ACT.

Ms McGrath: Yes.

MS DUNDAS: So, because there was space available for her in a more appropriate program, the ACT government continued to pay for that placement.

Ms McGrath: That's right, yes.

Ms Gallagher: It was the best outcome. She shouldn't have had a baby in Quamby.

THE CHAIR: Thank you for answering some questions on notice for me in relation to staff. One of the big concerns seems to be that a lot of the positions are not filled, lots of people are acting in positions and a lot of the staff feel that that is almost being done deliberately. Has there been any improvement in the last couple of months in terms of permanent positions actually being filled on a permanent basis?

Ms McGrath: There has been significant recruitment action, including the advertising and filling of substantive positions. We recently inducted another nine casual workers, who are going through induction now, and we'll have another intake in the next two or three weeks. We'll be advertising that. We recently appointed people to two permanent ASO3 youth worker positions. Two vacant ASO4 team leader positions have been held and that process is just being finalised at the moment. Interviews for several vacant other positions are being held next week. The two other permanent positions we will be advertising will be an ASO6 shift coordinator and an ASO5 service facilities person. We have something like eight positions for ASO3 to 5 staff on higher duties or who are on leave for one reason or another.

THE CHAIR: Could you provide me with a breakdown, on notice, of the position at present as to how many people are acting and how many people are now permanent?

Ms McGrath: Yes, we can do that.

THE CHAIR: Another issue on staffing brought to my attention was that staff were concerned—this goes back a couple of months—about threats being made by detainees' relatives, threats that they know which cars they are driving, threats in relation to watching out for their families and things like that. Those types of threats are certainly disconcerting to staff. What steps have been taken to reassure staff that their families will be protected and that measures will be taken to counter those rather nasty threats?

Ms McGrath: I guess we would say that we have a very strong culture within Quamby of supporting staff and, in particular, of counselling and making assistance available when any of those kinds of incidents arise. Through both our team leaders and our unit leaders, we work those processes through. Generally, those sorts of counselling and supportive services are available in Quamby. We have a very significant training program which is, again, all associated with supporting the development of staff who are there and ensuring that they see that they are equipped to deal with these situations.

THE CHAIR: In that sort of situation there will be often unfounded complaints made about staff. I had heard that, if that occurs and if staff are kept in a casual position, their rights are somewhat affected, that somehow their rights are curtailed. Is that right or are steps taken to ensure that, if there are complaints against staff, nothing will happen to the staff unless those complaints are actually substantiated, which invariably isn't the case?

Ms McGrath: That's absolutely the case. Natural justice applies. There is no suggestion that any staff member against whom a complaint is made has their rights affected in any way unless the complaint is found to be proven. Generally, we have a process where, if there's a serious allegation made, we will obtain an independent investigation into that.

THE CHAIR: Who looks at that?

Ms McGrath: That would be done either through me or through the manager at Quamby. It just depends on the nature of the incident. And then we get an external person. Sometimes we utilise ACT Corrections, for example, or an external person altogether to investigate. If it is serious enough to warrant a person being stood down or something along those lines, their rights are completely preserved during that process.

THE CHAIR: If it is found to be completely unsubstantiated, does anything happen to the detainee who makes the false allegation? Is there any counselling done there, any follow up, to try to dissuade them from making such complaints?

Ms McGrath: I have to say that I haven't had that experience, so I can't comment on that, but I assume that we would discuss the issue with the young person and try to find out exactly what was at the bottom of the incident.

THE CHAIR: Mr Duggan is nodding his head.

Ms McKinnon: It's just normal management practice. You would do that whether it was in Quamby or anywhere else.

MRS BURKE: I have a question in regard to custody days for youth with special needs. I see that the target was amended due to consistent overtrending. Could you give me your interpretation of the word "overtrending"? Also, what sorts of special needs are being talked about here?

Ms McGrath: Youth with special needs can relate to a host of different issues, whether they are people with an indigenous background, people with alcohol or drug needs and just people generally who may be at risk from self-harm, those kinds of special needs. In relation to overtrending, it's interesting to note that in other jurisdictions the custody days, whether for special needs or not, are tending to decrease and that is generally due to early intervention programs and also the use of alternative options, such as conferencing and the like. The budget has an initiative for restorative justice, for example. We believe that those kinds of initiatives will make the same kinds of differences we are seeing in other jurisdictions and, hopefully, reduce our custody days. Unfortunately, the number of indigenous people in custody hasn't tended to trend down in other jurisdictions.

MS DUNDAS: Is the restorative justice funding a JACS initiative?

Ms McGrath: That's JACS.

MS DUNDAS: So it won't necessarily flow on to youth justice clients.

Ms McGrath: It will actually because the first project will be with youth justice clients, but that will be administered by JACS. We'll work closely with JACS on that.

MS DUNDAS: I note that the targets indicate that there is consistent overtrending, and you have explained how it is going down in other jurisdictions. You say at footnote 2 on page 367 that the number of young people referred by the courts is outside the control of

the department. You have just provided a list of how other jurisdictions have managed to beat that trend and there are things within their control that are seeing results through the courts, such as early intervention programs. I am a bit concerned that the number of young people coming into custody as referred by the courts is seen as something that the department has no control over. I know that the department has no control over what a court decides to do with a young person who offends, but there are early intervention programs and other issues that the department could be taking a greater interest in that may stop young people ending up in court. Have you looked at expanding what is happening there to start bringing the trend back the other way?

Ms McGrath: The budget has increased funding for our community unit of \$450,000 and that, we believe, will also contribute to a reduction of days in custody. They are young people who are on community-based orders, attendance orders, recognisances and those sort of things, and the increased resources for the community unit will mean that we will be able to give greater support to young people on those orders and hopefully through conferencing and the like reduce perhaps breaches and those sorts of things that occur now that take the children before court.

MS DUNDAS: To expand on that youth justice funding, is all of it going to support people who are on community orders?

Ms McGrath: It's going to support youth justice clients, yes, so it's all going to our community unit and that will provide for another ASO6 staff member and four ASO5s and, once we've recruited those people, reduce the caseload from 30 to 25 clients, so that will have a significant effect.

MS DUNDAS: But you have to be already known to youth justice to be able to receive the support of that program.

Ms McGrath: That particular support, yes.

MS DUNDAS: It will have a particular focus on community service orders. The target in terms of community service orders completed is 85 per cent. Why is it not 100 per cent?

Ms McGrath: I guess there are a number of reasons why young people don't actually complete their orders. I'm sorry, I don't have that data, but I'm assuming it's that they could be put into other jurisdictions or could be under different circumstances.

Ms McKinnon: People don't turn up, people don't comply, people get sentenced for another offence. It's an issue that the courts are very aware of and it's not something that is within our power to ensure, but we try to do it through talking to and managing our youth clients as well.

MS DUNDAS: Can we get a breakdown for the 2003-04 year that shows how many didn't comply or received another order, compared with how many changed jurisdiction whose order was completed or reduced?

Ms McGrath: We can.

THE CHAIR: A breakdown to date.

MS DUNDAS: Yes, what you can provide of the 2003-04 year so we can get that kind of assistance. Sorry, this is my last question: is that community unit designed to help young people to complete their community service orders?

Ms McGrath: Yes.

THE CHAIR: I note that there are still some people at Quamby who are 18. I seem to recall that, if they caused no problem, they turned 18 and had little of their sentence to go, they'd remain there but, if they were causing a problem, there have been mechanisms in place for some years to allow them to be transferred to a more suitable institution in New South Wales. How many young people have been transferred, either because they've turned 18 and would remain in custody for some time or because of problems, from Quamby to New South Wales? If you don't know that immediately, I'd like that figure just for the 2003-04 year to date.

Ms Gallagher: If they're sentenced prior to their 18th birthday, they serve their sentence at Quamby. I'm thinking of the young person who was—

THE CHAIR: Not all the time necessarily. If they do, tell me.

Ms McKinnon: In the main they do.

Ms Gallagher: Yes, they do.

Ms McGrath: We have two young people who have been transferred to New South Wales but they've been sentenced directly to New South Wales through the court system this financial year. We haven't had any administrative transfers.

Ms Gallagher: And one young person was transferred, the young man who had escaped twice. He was transferred to a more secure facility. That's right, sorry.

Ms McGrath: So we have had the two court transfers and the administrative transfer.

THE CHAIR: I just have one more question on Quamby, which I'd like you to take on notice. I mentioned the Wagga facility. Would just find out for me—and I accept you probably won't be able to do this within the three days, although that would be good, but I'd like the information within a week or something—if there have been any escapes from the facility at Wagga through the perimeter fence?

Ms McGrath: We can find you that information.

THE CHAIR: I assume that facility has been open for about 10 years.

Ms McGrath: I can't tell you exactly how long it has been open for, but it has been there a few years, yes.

THE CHAIR: Even if you got that information for the last six years, that would do.

MS DUNDAS: The number of individual clients supported by the Turnaround program

is listed here. Does that mean you have to be a client of youth justice to access Turnaround?

Ms McGrath: No.

MS DUNDAS: No. Why then is it listed under youth justice as opposed to support for young people?

Ms Gallagher: Why is it listed at output 4.5 instead of 4.4?

MS DUNDAS: Yes.

Ms McKinnon: I think that's where it came in the first instance. In the first instance, the emphasis was going to be on youth justice clients and in the initial negotiations it was developed out of youth justice. Which output class is eventually going to be the correct one is a matter for consideration, but it was certainly initiated through discussions with youth justice and other agencies. It was about the high-risk clients that youth justice was dealing with who were also associated with other departments, with which we needed to consult. Many of the young people were also disabled or had mental problems and this program came out of that area's contact with those particular young people.

MS DUNDAS: Just to clarify this: when we were talking earlier about youth at risk of being at risk, it's youth at risk of offending and of continuing to offend.

Ms McKinnon: In the first stage it's not, but it will be. In the first stage, it is children who are known to us. These are the high-risk young people.

MS DUNDAS: So we're targeting children at risk or who are currently offending, but we hope to expand it to include children more generally at risk.

Ms McGrath: The Turnaround program isn't just about children who are at risk of offending; it concerns children who are at risk generally for a whole host of reasons. Does that make it any easier?

Ms Gallagher: You're right, Ros.

MS DUNDAS: There are a number of reasons that young people may be at risk, but if it has come out of youth justice I assume that it was because all of the other things that have been risk factors in a young person's life have led to offending behaviour, and that's how that person came into contact with the government system.

Ms McGrath: That's an issue but we can't necessarily assume that the people in that first intake will be associated with youth justice or have had an association with youth justice. It's quite possible that we'll have young people with very complex needs that perhaps aren't being met collectively by government agencies at the moment.

Ms Gallagher: Ros, as the new agency is developed there will be new output classes, I presume. The location of Turnaround and the appropriate output class for it would be something that we'd take into account.

MR PRATT: Do you have any weekend detention-type cases and what proportion of the clientele at Quamby, for example, fit that category?

Ms McGrath: We don't currently have any young people on home detention. We've only had two young people on home detention since it was introduced in, I think, 1996. I think Quamby is a bit easier for them than home detention. I suspect that's the main reason.

MR PRATT: Are you looking at alternative programs that may relate to those youths who would normally go to Quamby? What other ideas do you have in the pipeline regarding weekend detention, home detention and supervised work in the community or a mix of all of those? Would you give me the run-down, please?

Ms McGrath: Sure. One of the issues we are dealing with in the review of the Children and Young People Act is to look at the alternatives available to sentencing. There is, as you say, a whole range of those, including community-based orders, home detention and probation, so we would be looking at a whole host of issues. A lot of this is to do with the restorative justice issues we'd be looking to deal with. There are also circle sentencing and other initiatives that we'd be looking to encompass in the legislation.

MR PRATT: Do you have the capacity to have that flexibility with the different cases that come before you or is that also an impediment?

Ms Gallagher: They come before the court.

Ms McGrath: I wouldn't have thought so. As I said, there are resources being put into the restorative justice model and circle sentencing is also being resourced. I think it would simply be a matter of a different type of supervision for people in our community unit in dealing with young people.

THE CHAIR: Gee, Ms McGrath, I don't know if you want to give the courts even more reasons not to put people in custody but anyway, there you go.

MS DUNDAS: Regarding the new measure on page 368 for appraisals of reports completed as a percentage of those reports able to be completed in a particular reporting period—

THE CHAIR: I'm sorry, could I just interrupt? I won't ask for this to be provided to the committee, but would Mr Duggan or whoever is responsible give me a briefing on the new security and the new long-term fence you're going to be putting up, starting in October?

MR HARGREAVES: We look forward to your submission to our inquiry into Quamby, Mr Stefaniak.

THE CHAIR: Indeed. Sorry, Ms Dundas.

MS DUNDAS: I'll start again. I had enough trouble reading that the first time. Page 368 has a new measure for appraisals of reports completed as a percentage of those reports able to be completed in a particular reporting period. There's a quite detailed footnote

about what “reports able to be completed” means. What’s the period we’re talking about?

Ms McKinnon: We’re talking about a month.

Ms Gallagher: Isn’t it quarterly?

Mr Donnelly: It’s a quarterly reporting period.

Ms McKinnon: It’s quarterly reporting, is it? Sorry. The reason we changed it was that cases were being counted in the quarter in which they were entered, but where the appraisal hadn’t been completed. What we’re trying to do is get the right number of cases that are appraised in total. If you included them in the first quarter, they became cases that had not been appraised even though the time hadn’t elapsed.

MS DUNDAS: They still had a 21-day possibility.

Ms McKinnon: The 21 days hadn’t elapsed, correct. This is an attempt to give more accurate information and reflect the fact that cases are finalised in differing periods of time.

MS DUNDAS: In terms of the footnote, if we’re doing it as an x minus y plus z equation, if we assign x as the total number of appraisals commenced, minus the appraisals not yet due for completion in the period, plus the appraisals not yet due for completion from the previous period, is it x minus y and z , or x minus y equals something plus z ?

Ms McKinnon: Minus a figure, yes.

MRS DUNNE: It’s x minus y plus z in brackets.

Ms McKinnon: That y figure is added to the next quarter, yes. Is that what you asked?

MS DUNDAS: The reason I asked is that it talks specifically about “not yet due for completion” from the previous period, but a quarterly period overtakes a 21-day period, which is the most relaxed timeframe you can have for completing these reports. That’s why I’m asking about how this sum actually works. If it’s from the previous period and the report was made at the end of that three months, it would then be completed in the next quarter, but this talks about “not yet due for completion” from the previous period.

Ms McKinnon: There are two adjustments made. Could I do it by example? That helps.

MS DUNDAS: Please.

Ms McKinnon: Say the period is 1 January through to the end of March and on 30 December you get in a report that you’ve got 21 days to appraise. It will not be counted. You’ll take that off the figures for that quarter ending 30 December. That’s the take-off bit but then, when you’re doing the first quarter of the next calendar year, you would go back to that earlier quarter and say, “What did I take off?” and you’d put that on there. There are two sums to be done, one at the beginning and one at the end.

MRS DUNNE: So you have to remember to carry.

Ms McKinnon: You have to remember to carry.

MS DUNDAS: Ms McKinnon, perhaps the way to make it easier—you've already written out—would be to have the last sentence say “plus the appraisals not yet due for completion in the previous period” as opposed to “from the previous period”. That would have made it easier for me to read it.

Ms McKinnon: Sorry, my apologies.

MRS DUNNE: You have to remember, Ms McKinnon, that next time you have to work out whether Ms Dundas will be able to understand the footnote. That will be the test.

Ms McKinnon: Next time I hope we won't have an explanation by way of a note.

MS DUNDAS: Yes. There has been ongoing criticism about these reporting measures regarding how the risk to the child is met and how those reports are investigated. There have been a few recommendations about looking at and changing that. Will we see these reporting measures change?

Ms Gallagher: I think it's fair to say that all these output classes will be looked at in terms of how we report on the implementation of the new agency.

MS DUNDAS: In the specific timeframes that are here before us, where the level two and level three cases were not being appraised in the timeframes that they should have been—to the point of 25 per cent of them not being done in time—why was that? Was that a specific problem with staff numbers as well?

Ms McKinnon: Correct.

Ms Gallagher: Yes. The previous interest you've shown in these quarterly reports will allow you to see that this outcome is an improvement on some of the data we've seen over the past year, so we're moving the right way.

MS DUNDAS: I assume it could be a yearly assessment as opposed to a quarterly assessment and you could average it out.

Ms Gallagher: Yes, but even that is better, in a way.

Ms McKinnon: What we have had to do is prioritise the work due to the shortage of staff. Those priorities, obviously, are the 24-hour ones. As you go down that timeframe you find the less urgently ranked cases, but we're still trying to meet all deadlines. However, sometimes those have got lower in our priority rating because of staff shortages.

MS DUNDAS: I understand. To follow up on that, last year's budget included the initiative of providing more money to support statutory responsibilities regarding particular reporting for children at risk.

Ms Gallagher: That was a centralised intake.

MS DUNDAS: So that \$500,000 was specifically to set up—

Ms Gallagher: A centralised intake and that's where that work is done in assessing risk. It's now all done in the one location.

Ms McKinnon: Except that, if they're known to us, they then will go back to the team.

MS DUNDAS: Okay. One other question: there's been a lot of discussion about the Refocus project in terms of how it will help. Again, I'm quoting from the Vardon report and she's quoting from the coroner's report: the Refocus project was "aimed to create a service of excellence in the area of child protection". How is the Refocus project implementation going?

Ms McKinnon: It's not. That is my quick answer to that question.

Ms Gallagher: We've all seen how that's going.

Ms McKinnon: In a sense, the Refocus program was really a way of saying that we are going to concentrate on a range of issues that are a priority that we haven't been getting to. We have still been doing that, not perhaps under the same headings as the Refocus program but we have been trying to give attention to a range of issues, the most important of which have been trying to get additional staff for the organisation and making sure the staff within the organisation are supported as much as they can be by non-professional staff and any other form of help with their caseloads that they need.

Refocus involves a raft of a million things and yes, they're all going to be done and many have been done, but it will be more gradual. Some of them have now been overtaken by the recommendations that the government has endorsed following the Vardon report.

MS DUNDAS: Was it one of the ongoing problems within the department and its resourcing that even initiatives that were meant to be helping the department do its job better could not be implemented?

Ms McKinnon: It is an ongoing issue. There were inadequate resources for a very long time and the bushfire exacerbated the situation because it led to a large percentage of the staff being taken out of this area. There were no staff available to do the work so this area was in crisis for a long period of time.

MS DUNDAS: Would it be safe to say that the Refocus process is no longer part of the core—

Ms Gallagher: The focus.

MS DUNDAS: Yes, part of what will be happening in child and protection services. You'll be doing similar stuff but not under that heading.

Ms Gallagher: I think it's been overridden by the review and the government implementation of the review.

Ms McKinnon: We're not refocusing; we have a whole new direction.

Ms Gallagher: But the review isn't inconsistent with some of the Refocus program.

Ms McKinnon: No.

Ms Gallagher: But it's been overtaken and I'd like to move away from the term Refocus.

Ms McKinnon: It was simply about ensuring that the practices that are in place work and are appropriate. To that extent it's still there and it's been successful. It's an ongoing program; it's not something you can report on. It was about making sure procedures work and making sure you have the right support in place, and to the extent that we can we have been continuing to do that.

MS DUNDAS: So you are still attempting to meet the aims?

Ms Gallagher: Sure, yes. Refocus was welcomed by all stakeholders. The coroner has reported on it and the community advocate commented that she was supportive of it—

MS DUNDAS: As did the CSSE review.

Ms Gallagher: And the CSSE committee.

MS DUNDAS: We were supportive of it because we were led to believe that it would address the concerns that we were hearing about what was going on in child and protection services. Obviously, that didn't come to fruition and that's why we ended up with another report.

Ms Gallagher: It needed more resources and that's what's happened now.

MRS BURKE: Just following on from that, Minister, what's your take then: that it was bad management of resources at the time of the bushfires to take them away from the department? Did you have an inkling that you about that at the time? It's a fairly big area from which to remove key people.

Ms Gallagher: It was an emergency response, Mrs Burke, and that's—

MRS BURKE: Yes, I realise that. It was just a strange sector to leave floundering a little bit. Hindsight is a great gift but I'm alarmed that we took away such key people with expertise in that sector. Was it not about taking the eye off the ball and poor management, leadership and whatever at the senior level or your level? I'm just trying to understand why we allowed the department to be underresourced, a department dealing with children particularly—

Ms Gallagher: I think discussions have to be held about whether disaster recovery and the community response to disaster should be located within family services, but the

bushfire became an emergency to which we had to respond. For example, any emergency—the hangar collapse, for example—takes child protection staff out to deal with it.

MRS BURKE: And that's extraordinary, isn't it?

Ms Gallagher: This is where government's community disaster response has been placed.

MRS BURKE: Whose decision was it to remove certain people? Was it yours, Minister, or the chief executive's?

Ms Gallagher: No, it wasn't my decision.

Ms McKinnon: No, it's the role of the organisation to do that. They weren't removed. That became their priority. I think the priority was—

MRS BURKE: So they removed themselves. Who decided who was going? How did it happen?

Ms McKinnon: They didn't remove themselves.

Ms Gallagher: The responsibilities were theirs, within their unit.

Ms McKinnon: They had the responsibility. They had to deal with it.

Ms Gallagher: And that continues to be the case for any disaster that occurs in Canberra. That is where our trained social workers, psychologists and counsellors—that workforce—lies. Family services runs the community response team and brings in other providers. There is a question that I'd like looked at regarding the implementation of Vardon—whether it's appropriate that this area should have those responsibilities.

MRS BURKE: It was robbing Peter to pay Paul, wasn't it, and leaving the sector highly needed and vulnerable?

Ms McKinnon: Could I just say that it is the group of workers that provides family support.

Ms Gallagher: It's nothing new, Mrs Burke. That's where it's been. The question is whether that responsibility is appropriate.

Ms McKinnon: It's related to the family support requirements of a disaster and these are our workers who are responsible for providing family support in the territory.

MS DUNDAS: Following on from that, I think it must be said that it wasn't just the bushfires that affected this area. It was underresourced for many years before that, which I think has been compounding the problems.

MRS DUNNE: I wanted to pick up on a point that the minister made. You said, Minister, that when the aircraft hangar collapsed, that was a disaster, yes, but it was a

WorkCover type disaster rather than a—

Ms Gallagher: But counsellors attend. It was on site on the day. Family services would send out a team to offer assistance if it was needed. That was the extent of the involvement. For example—and correct me if I'm wrong—but I was advised that, when that unfortunate murder happened at the post office in Belconnen—

MS DUNDAS: In Latham.

Ms Gallagher: in Latham, a family services counsellor was sent there to provide immediate support to anyone who may have witnessed it. That's where this function of government has resided. I have no doubt about the skills of the people offering the counselling and support but I don't know whether we can afford to have them taken away from other work.

MRS DUNNE: Yes, because what it means is that the day-to-day line management of a particularly important area is then left underresourced.

Ms Gallagher: In light of something occurring here that needs that support, yes.

MRS BURKE: Regarding children admitted to out-of-home care in the previous year with two or less placements following admission, would someone elaborate on that and the 75 per cent targets a little bit? Seventy-five per cent of what? How many children are we talking about here?

MRS DUNNE: And what does it mean?

MRS BURKE: I've read it over and over and I would appreciate an explanation.

Ms Gallagher: We're reading it too.

THE CHAIR: No-one's got a clue on this one.

MS DUNDAS: No, I think shunting would be the term used by the children.

Ms McKinnon: It's interesting that this particular measure was similar to another measure that the government was considering in relation to this area. I said I couldn't understand it, Mrs Burke, and I'm not quite sure what it means.

MRS BURKE: Do you want to get back to me on that?

Ms Gallagher: Frank has just advised me that it relates to about 100 children and it's trying to measure the number of children who were not moved a number of times. It is trying to reflect the percentage of children who've come into care who have been in more stable arrangements, or as stable an arrangement as we would like—two or less. So it's saying 75 per cent of those who've come into care have had two or less placements during that year.

THE CHAIR: Which is an ideal situation.

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Ms Gallagher: It's the best situation but then obviously a number of children have more than that.

MRS BURKE: I understand. So whom would the placements have been with then?

Ms Gallagher: They would most likely have been in foster care or residential care, which are the major out-of-home care options.

MRS BURKE: Okay. What is out-of-home care option?

Ms Gallagher: It is like a foster family.

MRS BURKE: So we're talking about a foster family there and placement would be?

Ms Gallagher: Kinship.

MRS BURKE: Ms Dundas just said shunting—

MS DUNDAS: That was the quote that was in the Vardon report. The young people feel they are being shunted around to different care options.

MRS BURKE: That's right.

Ms Gallagher: Part of what the Vardon report is saying is that there are not enough options and we need to look at increasing the number, for example, by establishing a couple of homes that could be used if we're having difficulty placing children, because some—

MRS BURKE: Halfway house-type care.

Ms Gallagher: children are very difficult to place. They're the ones who tend to get lots of placements and Vardon's view is that we need an option for them.

MRS BURKE: Okay, thank you.

THE CHAIR: There being no further questions on this area, that concludes the output classes. Thank you, Minister. Thank you officials.

The committee adjourned at 5.46 pm.