



**LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY**

**STANDING COMMITTEE ON EDUCATION, TRAINING AND  
YOUNG PEOPLE**

**(Reference: Annual and financial reports 2004-2005)**

**Members:**

**MS M PORTER (The Chair)  
MR M GENTLEMAN (The Deputy Chair)  
MRS V DUNNE**

**TRANSCRIPT OF EVIDENCE**

**CANBERRA**

**TUESDAY, 1 NOVEMBER 2005**

**Secretary to the committee:  
Mr D Abbott (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 9.34 am.**

Appearances:

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

Department of Disability, Housing and Community Services

Ms Sandra Lambert, Chief Executive  
Dr Colin Adrian, Deputy Chief Executive  
Ms Lou Denley, Executive Director, Operational Services Group  
Ms Bronwen Overton-Clarke, Executive Director, Policy and Organisational Services  
Mr Ian Hubbard, Director, Finance and Budget  
Ms Pauline Brown, Senior Manager, Child and Family Centres  
Ms Meredith Whitten, Director, Vardon Report Implementation Team (now Advocacy, Review and Quality)  
Mr Frank Duggan, Director, Care and Protection Group  
Mr Neil Harwood, Director, Aboriginal and Torres Strait Islander Unit  
Mr Paul Wyles, Director, Client and Adolescent Services  
Mr David Collett, Director, Strategic Asset Management  
Ms Jenny Kitchin, Director, Partnerships Group  
Ms Alli Stevenson, Care and Protection Worker, Office for Children, Youth and Family Support  
Mr Gerard Nolan, Acting Team Leader, Care Orders, Care and Protection Services

**THE CHAIR:** Good morning, everybody. Today we will be conducting a hearing into the annual report of the Department of Disability, Housing and Community Services concerning the output class relating to children's, youth and family services. I will just read a statement first and then we will talk about the process.

You should understand that these hearings are legal proceedings of the Legislative Assembly, protected by parliamentary privilege. That gives you certain protections but also certain responsibilities. It means that you are protected from certain legal action, such as being sued for defamation for what you say at this public hearing. It also means that 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.

There may be some general questions to begin with, and then we will go to the office of childcare, support for young people, youth justice, care and protection services, and family support services, output classes 1.1 to 1.5. Would you like to make an opening statement, minister?

**Ms Gallagher:** Yes, thank you. I thank you for the opportunity to appear today before the committee on the annual report of the Office for Children, Youth and Family Support, which was brought into the Department of Disability, Housing and Community Services in November 2004. This year has been a big one for the office, as it seems the

last couple of years have been. This year has been about getting key leadership positions filled. Lou Denley is the executive director of the Office for Children, Youth and Family Support. We headhunted her from South Australia and are very lucky to have her. We have also permanently filled the other leadership positions within the office. In July of this year we were lucky enough to get Neil Harwood as director of the ATSI side of the office, the first SES appointment at that level for an ATSI area within the department, which we are very pleased about.

In relation to care and protection, this year has been about recruiting staff. Over the reporting period we moved from, I think, around 46 to around 110. That was a massive job, as you would understand. Of that number, we had 28 recruits from the UK as a result of the trip the year before, I think, of Frank Duggan and Julie McKinnon, who went to the UK to interview some recruits for the service. It seems that we have done a lot better than other jurisdictions in attracting staff from the UK. We have a couple of those members of staff with us today, if the committee is interested in talking to them.

The number of reports of allegations of abuse and neglect in the reporting period remains a concern. We have seen over 8,000 reports come in over the reporting period. From what I have just seen for the first quarter, it is not looking like it is going to change this year, either. In the first quarter of this year we have already exceeded 2,000. I think there have been around 2,200 reports of concerns about children.

The number of children in care has increased considerably, certainly since I have been minister. Sandra Lambert, of course, has the job of being the chief executive under the act. She is a very busy woman. She has around 423 children in her care. Of course, it remains of concern how we meet those increasing numbers and how we meet the increasing needs of the young people who are coming into care.

This year, under Lou's leadership, we have been looking at improving the range of care options available to children and young people coming into care. We are looking at increasing the capacity of foster care, the types of foster care available, and other options for residential care in trying to meet the individual needs of what are turning out to be a very complex group of children and young people.

The report also goes into our relationship with the Institute of Child Protection Studies, which is a partnership we are very proud of between the Australian Catholic University and the office. That institute is about driving some research-based policy to help us with how we meet the challenging area of care and protection. That is, of course, in its infancy, but I think we will learn a lot from it. I hope that the work that is done there will have national relevance as well.

Child and family centres also come under my area. The Gungahlin centre is due for completion in February next year. Of course, services have been in operation in Gungahlin for some time and there has been very pleasing feedback about those services. Services are operational in Tuggeranong. We have a permanent site near the Tuggeranong health centre, in Anketell Street, for a purpose-built centre and we will be moving along with that.

There is more work to be done, of course, with the commitments that the government has made about the Vardon report. We are also keeping our eye on the short-term

redevelopment of Quamby and the longer-term rebuild. We are also doing a lot of work around the Children and Young People's Act, the legislation that regulates a lot of the activity in this area, and we are working on completing our commitments concerning the Vardon report. There are lots of things there to talk about, but that is the year as I have seen it, the year that we are talking about in these annual report hearings. As you can see, everyone is here ready to answer any questions that the committee might have.

**THE CHAIR:** Thank you very much, minister. I will start off with a general question. Minister, could you provide us with some information about the success or otherwise of the move from the Department of Education and Training to the Department of Disability, Housing and Community Services?

**Ms Gallagher:** Sandra can talk more about it from an administrative point of view. From the point of view of where I sit, I think the extra resources that we have provided to the office certainly have boosted its capacity to deal with the work that it needs to deal with. It now forms the larger part of a human services agency, whereas previously it was a very small part of a very large education department. I think that, if we look over the history of the past few years, we will see that in many ways it was a forgotten work force and an add-on to the education department. I think that it suffered because of that, because the work of that large department was primarily around schooling and not so much around child protection.

We have learnt lots of lessons from that. But from where I sit, having those connections with housing and with community services has really delivered some excellent results, systemic results but also on an individual basis. Looking at cases where we need to provide an option for a young person and we need a house, just having the capacity to work across the department—Lou could probably add something here—has really delivered some excellent outcomes for the young people and children that rely on care and protection.

I think that the prominence that it has within the government and within the community now has really improved the work force. We know our retention rates are improving. We have attracted staff and we are keeping them, which is very different to what was happening before. From where I sit, the transition has been an excellent one. I guess my worry initially was that it would get lost in a department again and, when we were talking about changing the admin orders, I was keen to have it remain on its own. From discussions with the Chief Minister about that and the opportunities that are provided from being a part of housing and community services and taking the advice, it has really worked out to be an excellent relationship and a natural place for this kind of agency to sit. It has been really great. I do not know if you want to add to that, Lou.

**Ms Denley:** I think two examples bring to light the merit of being part of the human services department. One example would be domestic violence. Up until now, the department has been very involved through housing with the funding of SAAP services. The office has now developed really good linkages in that area as a result of being part of the department. We have worked with the SAAP services on problem solving with specific issues, but we are also now an active participant in the family violence intervention program. We are at the table, we are working with the family violence intervention program to look at what happens to children when that program is involved in making a report and police are involved in family violence.

Another very clear example is the number of children who come into care with a disability. We have been able to work closely with the disability area of our department. We are able to ensure when we are making emergency placements that the staff are appropriately trained and have come from the disability area. I think those linkages are, as the minister said, paramount and are going to put us in a very good position to better serve the young people.

**Ms Lambert:** I would like to add that there are some quite significant challenges for us as well. Those are good examples, but possibly the biggest challenge we face is the implementation of child centred practice right across the organisation. I think that was very necessary both in housing and in the disability area. That will be a challenge as we move forward. We have talked about being person centred. What does it mean now to be child centred? We have done some work with the Australian Catholic University, the relationship the minister mentioned earlier, and they have produced an excellent paper for us on principles of child centred practice. We will be using that in our many forums across the department and indeed across government as we work on what it actually means to be child centred in practice.

**THE CHAIR:** Thank you for that, minister. I was just wondering whether you could just enlarge a little bit about the research that you were talking about before with regard to the university.

**Ms Gallagher:** Lou, you sit on the board, do you not?

**Ms Denley:** Yes.

**Ms Gallagher:** The relationship is a result of the Vardon report. There is a funding relationship there and support from the office for the Australian Catholic University. They have the relevant courses there, the faculty, to support the kind of research and we have established a management committee or a board that directs the work. It is very much in its infancy. Perhaps Lou wants to speak a bit more about that.

**Ms Denley:** Yes. It offers a number of things. It basically allows us to work closely with the university in ensuring that we are getting current practice evaluated. They have done a number of research papers for us already on child centred practice, as the chief executive has mentioned. It has helped us not just to look at what that paper means in theory; they have also evaluated our current practice manual and given us feedback on how we need to change it to be more child centred.

They have also looked at the principles and process around placement and that has helped us to look at what are the critical issues when a child is going into an out-of-home placement. They have done a paper on case conferencing, looking at how we may change and involve the broader field in a case conferencing process to problem solve with the family at an early stage, before court.

Also, they are currently undertaking an assessment of our risk assessment process, because it is absolutely critical that we are basically assessing these reports, as they come in, in a robust and sound way. They will be undertaking some research for us—we are in negotiations—around homelessness and the links between homelessness and child

protection, and homelessness and poverty. I think they will add a huge amount of value. Many of those reports are already on the web site and are of interest to other jurisdictions.

**Ms Lambert:** The other thing the institute has enabled us to do has been to drive some connections with other universities. We are currently in the process of exploring a partnership with the ANU and the University of South Australia to look at a way we can work together in those research areas. It is enabling us to drive those partnerships and to be a part of broader national partnerships. You would be well aware that all jurisdictions are experiencing issues, particularly with the increase in notifications and the increase in substantiations. This is about, if you like, a wider intellectual network as well which helps support our practice.

**MR GENTLEMAN:** Minister, in your opening speech you touched on recruiting staff and how successful it has been. Has there been any feedback on how staff are managing with their working conditions? Can you advise us when their agreement is due to come up for review? The third part of the question is: do you see any challenges for those conditions with the new IR legislation coming through?

**Ms Gallagher:** They are covered by the template agreement and public sector conditions. I cannot give you the exact expiry date, but it is a three-year agreement from last year, so there is a little bit of time to travel there. Of course, they have excellent working conditions. It is a very difficult job; it is a tremendously difficult job. Some of us here get to read about the nature of the job, decisions that need to be taken and interventions that need to be taken. I have immense respect for the staff who manage to deliver the service they do.

They are ACT public servants and we will work around the changes that come in as much as we can. I don't see any massive change to the conditions they work under now. We would still be intending to have a certified agreement to cover them. We need to keep professional rates of pay. It is a very competitive area of recruitment and larger jurisdictions always seem to have more of a capacity to meet better pay rates. So it is with our conditions that I think we have to be competitive if we cannot be competitive on pay. That said, we are pretty competitive and we are, as I said, managing to attract people to work in the ACT and to keep those people here at times when other jurisdictions are having lots of trouble; so we must be doing something right.

**MRS DUNNE:** You have recruited a number of people but, from an answer to a question on notice the other day, you are still not up to full strength and you are not expecting everyone to be on board until the end of this year, I recall. Is the principal aim of the expansion of the number of staff in care and protection, which has been augmented by the overseas recruitment of people, to reduce the individual caseload for each officer who is working? To what has it been reduced?

**Ms Gallagher:** One of the drivers was to reduce the caseload that people are managing, but also to get to an adequate staffing base. One of the things Vardon found, and we all learnt from that process, was that we had around 30 child protection workers working across the whole of Canberra dealing with 50 to 70 per cent increases in workload and there had not been increases in staff to match that workload. So I think that on one level the increase is to create a base around what is an acceptable number of staff to have and

then, hopefully, the flow on from that will be managing smaller case numbers.

**Mr Duggan:** We have worked very hard with the staff group to moderate the actual caseload and the workload that need to be achieved. On average, it varies between 12 and about 18 cases, depending on complexity. Some caseloads are lower because the complexity of the individual family, as you well know, would actually mean that the staff member has to do an incredible amount of work to meet the requirements of the casework that we undertake there. We are building our numbers up to get us to the capacity of what we have within the organisation but, as the minister has said, it is a highly competitive area where employees are well sought after both nationally and internationally, and we are working hard to bring the numbers up.

We are also working locally, as you are aware, with the Catholic university and the Canberra Institute of Technology. We hope that they will sign a new memorandum of understanding that will actually create a pathway between CIT education and university that we will be working with. As part of the EBA agreement and the certified agreement, we now have a cadetship program that we can utilise. We can actually start nearly an apprenticeship model where we can take in candidates in their last year and help sponsor them both through their degree but to work for the organisation, and then bond them to us for a number of years.

**MRS DUNNE:** You have recruited 35 people from overseas. Did you recruit more than that and have some drop off along the way?

**Mr Duggan:** We interviewed, I think, 60 or 70 people and then we offered 35 positions. Of the 35, we are on target for 32 to take up the opportunity. A number of candidates, two or three of them, have withdrawn because of personal circumstances which have been beyond our control; but, as of today, we have 28 of our staff on board and another three or four with dates already confirmed for November.

**MRS DUNNE:** What will that bring the establishment of people up to?

**Mr Duggan:** Probably around 115 and we are now about to go nationally again and test the water to see what is available nationally. We are also discussing the opportunity with the final year students at Signadou, at the Catholic university, and we are also targeting those as potential qualified graduates to come into the industry. A number of those have made inquiries recently and we have actually got, I think, eight or 10 students on placement. That is always seen as a good way to bring the students from placement; they graduate and then that actually engages them in the organisation.

**MRS DUNNE:** If I could clarify that, the establishment is 115.

**Mr Duggan:** No, the establishment would be about 125, 130, and presently we have about 110.

**MRS DUNNE:** You have 110, you are aiming for 115, and there will be another recruiting phase.

**Mr Duggan:** We are hoping to get ourselves up to 130. But I need to say to you that, as you would be aware, both nationally and internationally this is a very difficult thing to

try to achieve. There are a couple of prerequisites in this regard. There are not enough qualified staff being produced by universities to meet the needs of all jurisdictions. Queensland and New South Wales are looking at 300 to 400 new staff, and that is what we are competing with. I had a discussion with my counterparts in Victoria. They are running a vacancy list of between 150 and 250 staff every day and they are looking at 815 qualified staff to actually operate the child protection system of Victoria. So that is the competitive environment we are in.

**MRS DUNNE:** Minister, is the research being done by ACU and others looking at the causes of this apparent increase in the demands on services? We had 8,000 reports last year and, by what you are saying, we are perhaps tracking closer to 9,000 reports of concern this year. Is there a body of research that indicates the causes of that?

**Ms Gallagher:** I cannot tell you—I am sure Lou can—whether the Institute of Child Protection Studies has looked at that yet. I think it is something that we do want to have a look at, particularly in the ACT, if we can look at the reasons we are seeing the big increases. There has been some analysis done and some advice to me, certainly, around why we think we are seeing the increases. Part of what makes it difficult to see whether it is ACT-specific or would make you say it is not ACT-specific is the fact that the same results are being seen across the country, the same increases. The actual substantiation rate has not changed that much.

**MRS DUNNE:** But the number of cases substantiated has.

**Ms Gallagher:** Yes, it remains at around 10 per cent, but you are dealing with 10 per cent of a larger number, which means it has increased. There is research around about mandatory reporting and the role that it has played. People are aware of their responsibilities and they tend to report. We did see big spikes when all of the media interest was on this subject, and that would support some of those beliefs that people are taking their job very seriously. But, as we say, we are dealing with a 10 per cent substantiation rate. So, if we are looking at 8,000 reports, 800-odd cases are being substantiated, and that is a big increase.

This is the sort of work I would like to have done once we have stopped chasing our tail a bit. I think it is fair to say that, in the last 18 months, establishing the office, getting the leadership positions on board, finalising the staffing and dealing with the reports have been the priority. It would be nice to take a breath and say, “Now we are all here, we have all got our established workloads and we understand what is going on, we can look back at why we are seeing this.” Also, change the focus in terms of the emphasis being on a statutory response to dealing with a crisis and try to shift it around to early intervention and prevention. I think everyone round the country would say that we do not have enough resources going into that area, because they are all at the other end, and we would like to shift some of that round.

**Ms Lambert:** There is some research being undertaken nationally under the auspices of the community services ministers advisory council around structural issues and the work force, looking not specifically at the child protection area but at human services more broadly, because it is an issue right across human services. So there is that. At the moment, Dorothy Scott heads an institute in South Australia that focuses on child protection and she is doing a trawl through all the research that is occurring around the



country to see if we can grapple more with some of these issues which are of direct relevance to us.

**MRS DUNNE:** Does that mean, Ms Lambert, that what you are actually doing is trying to find ways of keeping your staff?

**Ms Lambert:** Yes.

**MRS DUNNE:** You must have a huge burnout rate.

**Ms Lambert:** Yes.

**MRS DUNNE:** Not only here, but in lots of other human services areas, because the work is very demanding at the pointy end.

**Ms Lambert:** Yes, it is very demanding, and we do understand the need to support staff. Ms Overton-Clarke can talk about that in more detail. One of the things that have interested me in the last year or so in the agency is the amount of lateral movement we have had, people moving at level across the agency, looking at people moving from housing to disability and from disability to the office. That enables people to, if you like, get a fresh look. My advice from the director of care and protection is that our retention rate has increased quite dramatically in the office, so clearly that is having an effect. My understanding too from my human resources people, and Ms Overton-Clarke can talk more about that, is that our retention rate has actually quite significantly improved in the rest of the agency. You might talk about that, Bronwen.

**Ms Overton-Clarke:** That's right. In the department we encourage a lot of part-time positions and opportunities for doing things differently, particularly with our professional work force in Therapy ACT. In the office and in child and family centres there are a lot of women returning to the work force who like to take the opportunity of working part-time. We of course encourage all sorts of practices these days to ensure that staff take time out, as Sandra said, to take lateral movements across the department. They have the opportunity to move into less front-line positions for a period of time, significant or otherwise; they have many opportunities to stay in the department and try something different for a while. It is something we recognise very much. You are right; it is the same in disability. They are very hard jobs and we want people to stay. We recognise that some people will choose to leave for a time and come back. We have noticed, particularly in the office, that the attrition rates have really slowed down. Of course, as Frank would say, that is entirely due to the increase in staff numbers as well and the ability to reduce the caseloads.

**MRS DUNNE:** The individual caseloads?

**Ms Overton-Clarke:** Yes, that is right.

**THE CHAIR:** Mr Duggan, did you want to say anything about the staff retention rate?

**Mr Duggan:** our staff retention rate is really strong. In fact, there was an example of how good our retention rate is when we did an internal expression of interest for senior team leaders. We can short-list them with five years experience. When I first came to

work in child protection in Victoria in 1990 we short-listed on nine months experience because that was the flow-through. We had staff disappointed that five years wasn't enough to get them a team leader position. So it shows you the depth of talent of the professional staff we have.

Additionally, the certified agreement I think was really well negotiated within the office. We introduced flexibank, which allowed our staff to bank two weeks additional leave a year. That allowed them six weeks leave. With the pressure of the job they are in, that has worked very well. Our flex leave has been brought under control by good team leaders and area managers. It has been exceptionally well controlled. Staff are taking their flex, which I believe elongates the work. The move to the allied health stream recognised the professionalism that we had in the organisation, when people were advised that they were professionals. That came with a very significant increase in salary levels to front-line staff. That was a significant issue because it kept people in the front line.

We also introduced a postgraduate education initiative through the Catholic university. Thirty to 40 of our staff are now undertaking postgraduate qualifications at the Catholic university, leading to a masters. That has seen our retention rate bottom out strongly. I have had 19 inquiries to pursue masters education at the Catholic university. Four weeks ago Victoria put out the same postgraduate program because they saw the significance of what the ACT was achieving. I think the last issue is that, having that professionalism in the organisation, the supervision the staff are given is of a very high level, and the basis of the work we do. That was a significant issue we needed to achieve. Looking at the figures and the quality and frequency of supervision of front-line staff, that has improved dramatically. I think that package has seen our retention rate improve and we are working hard constantly to try to achieve that.

**THE CHAIR:** Minister, you said before—or at least I gathered this from the discussion—that the reason why we had to go outside the country was because of the dearth of opportunity to recruit in Australia. I guess you can verify that. And you said that we could hear from a couple of people who are here, as to how they have settled down in Australia and whether that is working for them. I guess that is also important.

**Ms Gallagher:** Yes, sure.

**MRS DUNNE:** Mr Duggan, could you provide the committee—on notice—with an outline of the post-graduate course at ACU, as to how it is run, who pays the HECS and those sorts of things?

**Mr Duggan:** Yes. There are two individual courses. One is advanced practice, to keep our practitioners and upgrade their skills. The other is a leadership course, because we are trying to create some succession planning. I can most certainly supply that to you.

**MRS DUNNE:** Thank you.

**Ms Gallagher:** I will finish this area before we hear from the overseas recruits. In this area I think we have to understand where we have come from. On one of my first trips out to the office before it was the office—when it was family services—I met a 19-year-old who had just graduated from uni, who was in the first week of work, who

was managing 20 to 25 cases. She was being supervised by a team leader who had been with family services for three weeks. Neither of them lasted three months, from what I heard. So we sort of take it from where we were 18 months ago to what we are seeing now.

Before we went overseas we advertised locally and nationally, but we were just not getting the people into the jobs. At that time we were extremely desperate to get people on deck. I mean, if you had a social work or psychology degree and did not have a criminal record, you were basically in on a short-term contract. That was how those decisions were being taken. I think that shows tremendous growth in the organisation over a very short time. I think we're already seeing it in the outcomes that are being achieved for young people.

**Ms Lambert:** The other thing I would add is that, anecdotally from other jurisdictions, there hasn't been anything like the success in recruiting internationally that has occurred here. I am not claiming any credit for that. I wasn't here when that happened.

**Ms Gallagher:** Frank is, though.

**Ms Lambert:** Frank can claim the credit.

**Ms Gallagher:** It must have been his charm.

**Ms Lambert:** I am well aware that other jurisdictions have been very active internationally but have not been successful in the terms that we have been. I'll hand over to these two young people to let you know what it's like.

**THE CHAIR:** Welcome. Would you like to go first?

**Ms Stevenson:** When I came over, I was recruited from Belfast. I just want to say the recruitment—I came with a family and three kids—was a big move. It was a big undertaking and a big decision to make. The office was excellent just in terms of communication, which persuaded us it was a good decision, and in terms of organising and helping us with visa advice and information that was always there. It was always flowing. The support we got to move and the support that we've had since we've been here has been excellent—in terms of working as well. I worked in West Belfast for six years.

You were just talking about how you're retaining staff and the pressure of the work. The debriefing that they have here, especially after critical incidents occur, and, I have to say, the supervision you get are excellent, even in comparison to that at home. I think that will lead to staff being retained. In Belfast—all over and internationally—there's a problem with recruitment and burnout. Certainly this will go a long way towards solving it. Socially, as well, the office has arranged it so that we fit in. It's not just about the employment opportunities, but also; socially, they've made it comfortable and easy for us to move and settle here. We're certainly hoping it will be a long-term move.

**Ms Lambert:** Just don't cause the director to injure himself again at one of your social occasions!

**Mr Nolan:** I'd like to echo the points Alli has made. In terms of recruitment, in coming here I've certainly felt well supported. I think Alli made the very valid point that the family feel supported, because that was crucial for us settling into the workplace. Certainly one of the things in place within the workplace is a very good core training program that's enabled the international recruits to familiarise themselves with new legislation, new policies, procedures and a way of working. That's made it easier for us to integrate ourselves into the organisation. The level of support has been very impressive.

Alli mentioned recruitment and retention of staff as a big issue world-wide. I know that in Scotland, where I worked, it's been an ongoing issue for a number of years. Certainly in relation to coming to the ACT to work, there are a number of factors. Like Alli, I came with a family—for the kinder weather. Importantly, my research indicated that there was good schooling and that there were good educational opportunities for my children. I feel that since coming here I have settled well professionally, and I'm keen to continue working with children. And the family have settled very well. Again, Alli alluded to the sporting and social activities. They have been crucial for us.

**THE CHAIR:** Thank you very much for that.

**DR FOSKEY:** I am Deb Foskey. I am not on this committee; I am a drop-in. I am leaving a whole lot of questions on notice behind.

**Ms Gallagher:** Thanks, Deb; we appreciate it!

**DR FOSKEY:** We're very curious. I just wonder, when it comes to support for enticing people to Canberra, whether assistance is offered for housing and other things but particularly housing, given that it's one of the barriers. Housing is quite expensive here relative to other capital cities.

**Mr Nolan:** My understanding was that there was a relocation package to underwrite our expenses, which addressed that. When we came here we were initially offered accommodation for three weeks. One of the things about starting work is that we were given some relocation leave to enable us to go and access housing and whatever. From a personal point of view, a sign of commitment is that we've purchased a house here. I think that's a big sign of our commitment to Canberra and to the office. To come 12,000 miles from home and put down roots wasn't an easy decision to make. I think it's a sign of our commitment, an indication of how well we felt supported and how well we've settled, now that we've actually made that move.

**Mr Duggan:** We appointed an international recruitment staff member—my colleague who coordinated this whole process. As Gerard has stated, there is a relocation package that we've made available. As part of the relocation package we put people into accommodation for three weeks and helped them with a car. The package was based on the Public Sector Management Act. That recruitment officer then spent time with each of the new people who had come in. She brought them out and secured rental properties on a short-term basis for the staff. So, as Gerard has indicated, when people want to purchase their own properties, they'll be able to do so.

From the commencement of this process right through, the liaison that Ms Stevenson has

alluded to was really high, in both telephone conversations and email correspondence. The recruitment officer will conclude around December of this year. We've been very fortunate. She's been with the process from start to finish. As both staff members have indicated, we've really tried to support their integration into our community on both a work basis and a social basis.

**MR GENTLEMAN:** Minister, I refer you to 1.1 and, in particular, to childcare centres. Do we have adequate processes to monitor the licensing of childcare centres?

**Ms Gallagher:** Yes, I think so. I think we've got one of the tightest licensed childcare industries across Australia. They are heavily licensed and they have to get accreditation based on the quality of their programs. The standard of childcare in the ACT is very high because it is closely monitored. From my dealings with the childcare sector—and I have meetings particularly with the peak body or a group that loosely represents childcare providers in the ACT—they are always supportive and have a very close working relationship with the office.

If anyone was reading the births, deaths and marriages section in last Saturday's *Canberra Times*, as I do from time to time, you would have seen a thank you to the Office for Children, Youth, and Family Support. It caught my eye because it's not something you see very often. It was from a childcare operator who was retiring, who had taken out a notice in the *Canberra Times*—to thank not just the office but also a range of people. I thought that showed the strength of the relationship, which I think works very well. It's one of those areas that, as a minister, cause me very little concern, amongst a whole range of other areas that do cause me concern. There are 228 licensed services operating throughout the ACT. They cover after-school care, centre-based care, family-based care and independent preschools. It is quite a large industry in the ACT and there is a lot of investment in it, as people with children know.

**Ms Lambert:** There is quite a comprehensive monitoring system for those. Services are visited, on average, three or four times a year, or if there is a complaint. There are both announced and unannounced visits. The announced ones are important for giving people the opportunity to prepare things, but there are also unannounced visits. From my perspective in looking at this area when it became my responsibility, it seems to me that there is a good monitoring system in place as well. That is the other thing. It is not sufficient, of course, to license and go through the initial work; there has to be some work on the quality as well.

**MRS DUNNE:** Mr Gentleman came in slightly ahead of where I would have wanted to come in. Ms Denley can perhaps give an exposition on the relationship between the work done by the commonwealth and the work done by the territory and how they fit together. This is mainly commonwealth funded. The funding comes from the commonwealth but you do the licensing. Is that the simple exposition?

**Ms Gallagher:** Yes. The commonwealth funds, through the childcare rebate, go directly to parents.

**Ms Denley:** Yes; whereas we do the licensing of those services and provide advice to the operators in respect of the establishment process and the requirements. We basically provide the quality assurance as well as an advisory service to the staff. Our role is very

much the licensing. The subsidy from the commonwealth is very much around a subsidy to the individual.

**MRS DUNNE:** Does that mean that the standards for childcare centres are essentially set by the states and territories? Is there any commonwealth overview, intervention or say in what those standards are?

**Ms Denley:** There are certain criteria for commonwealth funding in terms of the hours of operation and nature of the services, but the quality of the services is very much a monitoring process through state standards and legislation.

**MRS DUNNE:** Does that mean, therefore, that the standards may vary from state to state?

**Ms Denley:** My experience is that there is a lot of interaction through national forums around this area. Between my experience in South Australia—I worked in children’s services there for a while, Mrs Dunne—and here there are many similarities. This is Jenny Kitchin’s area and she may want to comment.

**Ms Kitchin:** There is currently a national project looking at standards in childcare centres, which all the states are participating in, which will probably feed into the various standards in licensing across each state in the next year or so.

**MR GENTLEMAN:** Minister, page 81 of the report talks about the relationship with the community. Can you tell us what roles the community had, if any, in the design of the new Weston Creek childcare centre?

**Ms Gallagher:** We have been doing a lot of work with the Weston Creek community, particularly with the provider, who is in residence at the Rivett primary school at the moment, in moving forward with that project. We are kicking off the beginning of the rebuild of that centre on the weekend. It has taken some time because there have been issues about insurance. We had to appropriate some more money to increase the capacity and build a modern centre, but it is all moving along very well now.

**Ms Kitchin:** A group, which has had members from the existing childcare centre, together with the department and local community organisations, has been very active in redesigning and working on the rebuild of the centre.

**MRS DUNNE:** Who is the provider at the moment?

**Ms Gallagher:** It is the Weston Creek childcare association.

**MRS DUNNE:** That is a sort of community collective?

**Ms Gallagher:** Yes.

**MRS DUNNE:** Minister, I heard you say something previously. Is there some indication that—

**Ms Gallagher:** No. I quickly corrected myself. I did not want anyone to think we were

going out to change that.

**MRS DUNNE:** So there is no change afoot?

**Ms Gallagher:** No. The only change is for the better. They are getting a beautiful new building.

**MRS DUNNE:** What is the completion date? You are going to start building this month.

**Ms Gallagher:** July 2006.

**MRS DUNNE:** How much bigger will this be?

**Ms Gallagher:** Moving from 70 to 90—20 additional places.

**MRS DUNNE:** That is across the age ranges?

**Ms Gallagher:** Yes. There were three. It was a long day care/occasional care centre before.

**MRS DUNNE:** Is it still going to provide occasional care?

**Ms Gallagher:** I don't know. I haven't had that discussion with the people who provide it. I can't see any change. They certainly have not talked to me about any change.

**MRS DUNNE:** Are they currently providing occasional care in Rivett?

**Ms Gallagher:** Yes. They are at Rivett primary school.

**MRS DUNNE:** On page 80 it says that there were 83 licenses issued in the last financial year. I think you said there were 228 licensed childcare premises.

**Ms Gallagher:** Yes.

**MRS DUNNE:** How long is a licence for? Is there a sort of rolling relicensing program?

**Ms Kitchin:** They go for three years.

**MRS DUNNE:** So there is a rolling program for that. If there are 83, that works out at about that many each year. What sort of demand are you experiencing for new places? From time to time one hears anecdotally of huge waiting lists. Are you seeing demand for people or organisations wanting to open new centres? Do you think we are in a situation where we are meeting demand, or are we nowhere near meeting demand? What is the situation?

**Ms Kitchin:** The current assessment from the children's advisers is that we are meeting demand, in contrast with New South Wales. The only area where at times we have a slightly greater demand is for the nought to 18-month-old group. That is a more expensive area to run because of the staff ratios. But at the moment we are meeting the need.

**Ms Denley:** The staff ratio is to do with the fact that the commonwealth subsidy doesn't vary for that age group and the licensing requirement is for more staff, so it is a much more taxing area as far as cost is concerned.

**MRS DUNNE:** On notice perhaps—unless it is somewhere in here and I have not found it—can you give us a rundown of how many childcare places there are, how they are divided up between centre-based and family day care; and how much of the centre-based care is private and how much is community-based?

**Ms Denley:** I can tell you now that there are 5,586 places in centre-based care. I am sorry I can't do the division as yet between private ones. In family day care, we have five family day care schemes with 338 places.

**MRS DUNNE:** Only 338 places?

**Ms Denley:** No. I am sorry.

**Ms Kitchin:** In family day care we don't have the numbers of places, we just have five licensed family day care schemes.

**Ms Denley:** I am sorry. That last figure I gave you was for independent preschools.

**MRS DUNNE:** Okay.

**Meeting adjourned from 10.29 to 10.46 am.**



**THE CHAIR:** Welcome back, minister and members. We are at output class 1.2.

**MRS DUNNE:** I notice that it says on page 84 that you did a review of the adolescent day unit. What did the review tell us? Is it possible to obtain a copy of the review?

**Ms Kitchin:** Sorry, I didn't hear the first part of the question. This was the review of the adolescent day unit?

**MRS DUNNE:** What did the review of the adolescent day unit tell us? It says here that you are developing new programs as a result of the review and there seems to be a changed approach in relation to integrating people back into mainstream schooling. What did the review tell you and what changes were to be made? Could you give a broader exposition on what the changes would be to the adolescent day unit?

**Ms Kitchin:** Prior to the review, the unit functioned as a very separate service where young people were doing activities and education, at one particular site. In line with a lot of moves across the education sector and internationally, that model was really proving not to be particularly successful in terms of integrating young people back into school. The model they moved to was having young people spend four days in school, heavily supported by our workers and working very closely with the educational staff, and then having one day back in the unit. That has been far more successful in maintaining the young people at school. The move away from withdrawing young people is a pretty significant one. Really what we are trying to do there is include young people much more in education rather than pulling them away.

**MRS DUNNE:** What are the aims of the adolescent day unit? How do you measure them and how will you measure it in the new regime since the review? Another part of that question is: when you reviewed the adolescent day unit, how did your aims stack up against when they were measured? Did you measure the outcomes? Are you saying that it is not a preferred model and it is indicated overseas that it is not a preferred model? Did you measure what you were setting out to achieve, and what did the measures show you?

**Ms Kitchin:** I can't comment on the outcomes of that review. I can comment on what we are planning to do about measuring the new directions. Would you like me to do that?

**MRS DUNNE:** Okay, but I would like to go back to that with somebody who can comment on that.

**Ms Kitchin:** What we are planning to do is set up some criteria with the schools and at the end of each term interview young people, teachers and families—because a fair amount of work has been done involving the families—to look at their educational outcomes, their social outcomes and how the family and the young person have progressed. We are doing that on a term-by-term basis for a full 12 months after the young person is integrated back into school.

**MRS DUNNE:** How long is the adolescent day unit program for? Is it still for a term?

**Ms Kitchin:** It is a term. There have been a couple of instances where we have kept young people for two terms when they have not been fully ready to integrate back into

the school but, on the whole, most of them stay for a term.

**MRS DUNNE:** And when did you change the program?

**Ms Kitchin:** The proposal for the program was formulated earlier this year. We started it in operation at the commencement of term three, which was in July this year.

**MRS DUNNE:** So you have had one term, essentially?

**Ms Kitchin:** Yes, one term.

**MRS DUNNE:** And the aim is to measure people's progress for four terms following their reintegration?

**Ms Kitchin:** Yes.

**MRS DUNNE:** Can someone tell me more about the old program, what the achievements were under the old program and why we moved away from that? Ms Kitchin said that she couldn't really comment.

**Ms Gallagher:** I can talk from my dealings with it, in particular when it was with the department of education.

**MRS DUNNE:** It has moved from education?

**Ms Gallagher:** It did move. It was in what used to be the department of education.

**Ms Kitchin:** Family services.

**Ms Gallagher:** Youth and family services days. So it has moved. There were recommendations, I think, from the CSSE committee, which looked at this in terms of educational outcomes—from memory, from a previous Assembly—around keeping it with a more social work kind of approach rather than an education-based approach. It moved across with the new office.

We will have a look at whether we can release the review to you, because it does deal with quite a small number of children going through the program. We will need to check that from our end.

**MRS DUNNE:** The confidentiality; yes, I understand.

**Ms Gallagher:** Yes. The way the program worked was: you removed the children from the school for a period of time and then there was the transition. There wasn't as much focus once they left the program into supporting them ongoing in the school. Certainly from the teachers' point of view, at the time there were questions about the success. Everyone was happy to have them out of their school for a period of time, and the kids did very well within the adolescent day unit.

From my recall, the shift in focus was around providing a more balanced, I guess, withdrawal and support within the schools. The schools were learning how to manage

these young people. The young people had a withdrawal time from the school, and everyone had that withdrawal time. But at the end of the day their education needed to be supported within a school environment. The whole aim is, of course, to keep them at school and to get them through to year 10 and, hopefully, on to year 12. I don't know if anyone else wants to add to that.

**Ms Denley:** The other aspect of it was the acknowledgment that, once the young people are withdrawn, to get them back into the school, particularly in a social network, became much more difficult.

**MRS DUNNE:** You broke down the social networks in the school?

**Ms Denley:** Yes. Basically, someone comes out and there is that sort of stigmatisation when they are trying to re-enter the program. My understanding is that what they are also keen to do is look at the whole young person and how they are within the school situation.

**Ms Lambert:** And so that it is consistent with the principles of child centre practice. It is my understanding that the reason for some of the shift, too, is that you work with the student. While the aim is to integrate them as much as possible, you have to try to have a balance because you have got to work with the young person—the whole person—and the people who are important to them and then design a program around them. It is very small numbers, and it is about, if you like, being as child and young person centred as we can.

**MRS DUNNE:** Has the establishment for the adolescent day unit changed, or have they been moved? There is still an adolescent day unit at—

**Ms Kitchin:** It is at Erindale.

**MRS DUNNE:** It used to be at Turner?

**Ms Lambert:** Yes, it did, a long time ago.

**Ms Kitchin:** It used to be in Clianthus Street in O'Connor. It moved over to the janitor's building at Erindale College and has been operating quite successfully there for a while.

**MRS DUNNE:** There is more emphasis on the staff going out to the schools. Roughly how many students would be in the adolescent day unit program? Can any one tell me?

**Ms Kitchin:** On average, you would have five to six at any one time.

**MRS DUNNE:** And how many staff?

**Ms Kitchin:** There are three staff there.

**THE CHAIR:** I wanted to ask a question about consultation with children and young people. It appears from the reports there has been quite a deal of consultation with children and young people in the territory. I was wondering whether you could inform the committee what these consultations were about and what you saw as the results and

the value of that consultation.

**Ms Gallagher:** We have done an enormous amount of consultation with children and young people. We started off with the children's plan. That has been extended into, of course, the young people's plan, which came after; the children's commissioner; the design of the Gungahlin child and family centre. Yesterday we did one on the centenary of Canberra, where we are asking kids for their ideas about that. We have got the minister's youth council, of course. They are the ones I can think of off the top of my head.

Every significant policy work we do now pretty much has a children's consultation strategy that runs alongside it. Again, from my reading of the children's involvement, they helped us with the model for the children's commissioner very much with their ideas: things like kids want to be safe; and kids want to have someone to talk to, someone to listen to them and someone to make their world a safe and happy place. On the design of the Gungahlin child and family centre, the kids had a lot of say and were listened to by the architects about some of their ideas for the centre, which they will be using out there.

It is not an easy thing to do, consulting with children, and reflecting that consultation meaningfully back to them. But it is certainly worth while. That is my experience. Considering that we are providing services to them, creating structures around them, it is very important that we talk to them and listen to them and then reflect that back in any changes we make. But we are learning all the time from that.

We have had some work done on reviewing the consultation strategy. We did around the children's plan, which was quite a comprehensive review of how that process worked. Meredith Whitten did a lot of that. She can talk a bit more about that, if you like. But it was very worth while, from my point of view.

On the redesign of Quamby: we were talking to the young people about that. The minister's youth council is looking at advising me on a new name for the new building and are undertaking their own consultations around that.

It is just a matter of remembering that we should be talking to the people that we are designing services and frameworks around. It hasn't previously been done very well, if at all. It is about relearning and acknowledging a very important stakeholder group for us. Do you want to add to that, Meredith?

**Ms Whitten:** Building on what the minister has said, the focus has been primarily on consulting with children and young people on major policy initiatives. And that built from the experience of consultations which were undertaken on the children's plan and the young people's plan.

With the consultations on the development of the policy for the Commissioner for Children and Young People, which occurred late last year, over 360 surveys were received from children who shared their ideas on what a commissioner should be like. And 146 young people were involved with the consultations as well as public submissions from the general public. We received 46 submissions for that. As part of that, in the amending legislation for the Commissioner for Children and Young People,

there is a requirement for the commission to consult with children and young people as well.

More recent initiatives have been undertaken. Lou Denley mentioned one earlier, which is a homelessness initiative—that is going to be undertaken shortly—where families and their children are going to be consulted. Also, we are about to start some consultation on a charter of rights for children of people in care, which will involve consulting children and young people.

**THE CHAIR:** You mentioned some challenges that arise with that. I was wondering whether you wanted to talk a little more about what the challenges are and how you overcome them. Also, I was wondering how these children are selected or sourced or what sort of age ranges are we talking about.

**Ms Whitten:** Both in the report for the children’s plan and, more recently, in the report that the minister released in April for the Commissioner for Children and Young People, there were four reports released. There were separate reports for children and separate reports for young people, which shows the different consultation methods that were undertaken to make that consultation meaningful. Also, in terms of developing those reports, it is important that the actual words of children and young people are reflected in those reports rather than adults interpreting what they are saying as well. So they are some of the issues that we are looking at.

**Ms Lambert:** It is always a challenge to get the child and young person’s voice into a document or indeed into a forum where they are participating. The minister said earlier—and I would strongly endorse it—that you have got to keep working at it. Ms Whitten did involve two academics in having a look at our processes and running a ruler over them and making suggestions. You have got to be quite vigilant because it is very easy for us as adults to interpret, to use our voice, and we have got to be constantly mindful of that. That is the real challenge. And it is not just in consultation; it is in participation as well.

**Ms Overton-Clarke:** For example, in the development of the children’s plan last calendar year, we specifically enlisted the support of workers in the refuges and spent some time really training them to be able to undertake those consultations with the children there. So in terms of working with the mothers in particular, but with the children themselves, there was quite a lot of training required in how to undertake that consultation.

**Ms Lambert:** We did that with the youth homelessness work, too. The Youth Coalition trained young people to do the talking so that, again, we removed the adult voice as much as we could. But it is hard to do that and hard to be consistent at it. That is my experience.

**Ms Whitten:** And building on what Ms Overton-Clarke said, it is also about making sure that parental authority is also sought and gained before the consultations occur, if that is possible.

**MR SESELJA:** On page 84, in relation to the youth connection program, it talks about a gender shift occurring during the year and says that in the past it had been predominantly

filled by young men and that that has now changed. Are you able to take us through some of the reasons why you see that happening? Has there been a shift in emphasis in the program, or has that just been by accident?

**Ms Denley:** The biggest influence on that is the employment of female youth workers. My understanding is that, having the female youth workers and a female model there, has attracted more girls to the program. I don't know whether Jenny would make some other comment on it, but that is my assessment.

**Ms Kitchin:** The only other comment is that, in our experience, young women have stayed with the program longer and been more committed in some ways than some of the young men. I am not quite sure of the reasons. It may well be connected with what Frank has said.

**MR SESELJA:** When you say female youth workers were the reason, in the past were there none, or is it more female youth workers now, or all female youth workers? What is the split?

**Ms Kitchin:** The current split is two female youth workers and one male.

**MR SESELJA:** And previously there were no female youth workers; it was three males?

**Ms Kitchin:** I would be surprised if there had been a time when there was no female youth worker, but the balance would probably have been two to three.

**MR SESELJA:** It has gone from one female youth worker to two, and there hasn't been any other change in emphasis in the program?

**Ms Kitchin:** No.

**MR SESELJA:** The program has stayed largely the same?

**Ms Kitchin:** Yes.

**MR SESELJA:** What is the assessment of how that program is going? That is a fairly open-ended question, but is there fairly positive feedback that that is progressing well?

**Ms Kitchin:** The current feedback we have is that it is particularly good. It has been very successful in integrating very disconnected young people back into the schooling system. Their target group is young people who have often been out of the school system for a number of terms. We are also looking at perhaps working with some of the young people who have exited Quamby and assisting them to integrate back into school as well. So it is that group that the schools are saying that they have got some good successes with in terms of integrating back.

**MRS DUNNE:** It also says on page 84 that—and this follows from Mr Seselja's question as well—statistics in relation to schools accessing Youth Connection clearly demonstrates that the program continues to be relevant and meets the needs of the public education system and young people. Can you provide us with any empirical information, rather than just an assertion? I suppose a problem that I have with some of the programs

described in the annual report is that there are a lot of assertions and—unless I am not looking in the right place—I am not finding any cross-referencing that would back that up. I am wondering whether you could provide, either now or on notice, for the committee the information that would support that statement. You said a minute ago, Ms Kitchin, that there was a high level of satisfaction and a feeling of success that you were reintegrating young people into the education system. But are there any quantitative or qualitative measures of that?

**Ms Kitchin:** We could certainly take that on notice. In relation to the statistics mentioned here in the report, what that has been based on is the sources of referral, and every single high school is currently accessing that service. That was the information that we used for this.

**Ms Lambert:** There is also a reference in the output statements. Ms Overton-Clarke can give you that.

**Ms Overton-Clarke:** On page 224 of volume 3, there is the output statement for support for young people. The quality measure associated with that is: “Satisfaction with Youth Connection Youth Work Service as measured by annual survey”. It is output 1.2, which is the support for young people measure.

**MRS DUNNE:** That is—

**Ms Lambert:** That is direct.

**MRS DUNNE:** Does that measure directly correlate?

**Ms Lambert:** Yes, Youth Connection Youth Work Service.

**Ms Overton-Clarke:** There is both a quality and a timeliness measure for Youth Connection. The quality one is satisfaction as measured by an annual survey, and the timeliness one is: “Requests for Youth Connection Youth Worker Assistance assessed within seven working days”.

**MRS DUNNE:** The thing is that I was looking for that cross-referencing. I know that is what you do. Who has administered the satisfaction survey? Was it the schools, the parents, the students, the whole box and dice?

**Ms Overton-Clarke:** That would be administered by the Youth Connection staff.

**MRS DUNNE:** But to whom was it administered?

**Ms Overton-Clarke:** To the students that attend. I can’t answer beyond that.

**Ms Lambert:** We will take that on notice. I am not entirely sure of the detail. We certainly take your point about cross-referencing. It is a large annual report. That is largely because of the commitments that we are responsible for. As you have seen in volume 2, it is a huge annual report. But we will take that on board and think about that for the next one.

**THE CHAIR:** We need to move on because we have quite a number of output classes. If that is all right with you, we will move on to 1.3.

**MR GENTLEMAN:** I guess we ought to start looking at Quamby mark 2, page 86. What improvements have recently been made at Quamby?

**Ms Gallagher:** We have Paul Wyles and David Collett here to talk about Quamby. Maybe if we go through some of the physical improvements that have been made to the centre and then the programs as well. The other side of Quamby, with my other hat on, is the Hindmarsh Education Centre. A number of improvements have been made there. But that is managed by the education department; so we can talk about that tomorrow.

**Mr Wyles:** Mid-year we appointed an acting manager of Quamby, and in the last fortnight we have advertised that position to be filled permanently. Some of the work that manager, Matthew Kennedy, and I have been doing has revolved around reviewing some of the program and service delivery to young people at Quamby. We have also embarked on a program of minor works to really bring the facility up to a good standard. Some of those minor works have included painting and carpeting, furniture; but really, I suppose, making the facility a good, workable facility.

The program review has really been around looking at the services that move in and out of Quamby. There are 47-odd programs that service young people in the facility. We are working to formalise those arrangements with those services. Those services provide a range of things—drug and alcohol programs, mental health programs, education programs, social skills, anger management programs. We are keen to, I suppose, get some clarity around the relationship between those community and government service providers and the service they are providing in Quamby and some coordination of those services to ensure that the outcomes for those young people, particularly as they transition back to the community, are very clear and we have good outcomes for those young people.

**MRS DUNNE:** Did those 47 services include those provided by Hindmarsh or are they in addition to Hindmarsh?

**Mr Wyles:** They include those provided by Hindmarsh. With respect to the facilities, perhaps David Collett can speak to that.

**Mr Collett:** The works that have been completed to date at Quamby are partly in response to the audit by the human rights commissioner, and they include changes and improvements to the control room, the sally port and the admin building, educational facilities and the fitout of those facilities, and conferencing and psychologist briefing rooms. Other major issues were the fitout and padding for the seclusion area and improvements to the security system.

**MR STEFANIAK:** Do those improvements for the control room take into account that recent incident where security was an issue? I think two people, who were staff, got in and there was a sort of training exercise gone wrong. I think that was in September.

**Mr Wyles:** Yes.



**MR STEFANIAK:** Have improvements been made as a result of that to the control room?

**Mr Wyles:** The issue was not specifically around the control room, but certainly staff have been briefed and reminded about security procedures in the centre and ensuring that those are in place.

**MR GENTLEMAN:** David mentioned the seclusion room. Can you give us an update of the use of the room and the protocol regarding it?

**Mr Wyles:** I can tell you that the interim standing order on the use of the seclusion room was notified on 28 July. We have had discussions with both the Office of the Community Advocate and the human rights commissioner around that policy. The current process involves that when the seclusion room is used the Office of the Community Advocate is notified, and that is occurring. I can tell you that it has been used four times since 14 August and for a maximum of one hour each time.

**MR STEFANIAK:** Just on the control room security, you said the staff were briefed. What sort of issues were covered to ensure that that is secure? I understand the staff did not breach the security there, but say it was a detainee or someone coming in from the outside: what steps have you taken to ensure that unauthorised persons could not repeat that incident?

**Mr Wyles:** Without going into too much detail, the issue was really about reminding staff of security protocols in terms of access to the centre and securing a range of doors that lead to the control room.

**MR STEFANIAK:** So if the doors were secure an incident like that could not happen?

**Mr Wyles:** That is correct.

**THE CHAIR:** I just want to ask you a question to do with the human rights audit. I understand the implementation of recommendations is going quite well, so can you update the committee on the process of that audit?

**Mr Wyles:** There were 52 recommendations out of the human rights audit. At the time of the release of the report, four of those recommendations had been met in full. I do not have a specific number now but a number of those recommendations related to the revision of standing orders, which has occurred. There were a couple of other specific ones. One included the appointment of cooks, and that has occurred; those staff will start in November. So we are just methodically working through those recommendations and completing them. A number of recommendations feed directly into the development of the new detention facility and, as part of that process, that project group are fully aware of the human rights recommendations and will be working to ensure the new centre is human rights compliant.

**Ms Lambert:** We have a new behaviour management plan being worked on as well and these are now ready for consultation with the key stakeholders so that we actually have things meshed. So we are working through those in a considered and measured way. We have a time frame around the standing orders, which I understand is the end of June next

year, so we are working through methodically and involving as many stakeholders as we can in those processes, including the young people themselves where relevant.

**MR SESELJA:** Just following on from that, you said that four of the recommendations of the human rights commissioner had been met at the time that the report was delivered. You say there were 52 recommendations. But certainly a number of main themes came out, including routine strip searches and segregation of detainees for disciplinary purposes. There were probably about eight to 10 significant areas of concern to the human rights commissioner. How many of those concerns have been addressed now, particularly things like segregation, routine strip searches, use of video surveillance, search of detainees' correspondence, discretion around visitors and those sort of areas?

**Ms Lambert:** A number of those are picked up in the revision of the standing orders and others will be picked up, particularly around segregation, as we move with the transportable that has arrived from Queensland. Many of those that you have just mentioned are caught up within the standing orders and the review of those.

**MRS DUNNE:** But that is not going to be finalised until midway next year?

**Mr Wyles:** Well, we are finalising the training program, because we are really conscious that staff need to be trained in the revised standing orders for them to be active. That training program is happening throughout November. Once staff are trained, the policies are a firm—

**MR SESELJA:** But in the meantime I imagine things like routine strip searches are not happening any more even ahead of the changes in the standing orders?

**Mr Wyles:** The legislation is fairly clear about strip searches. The officer needs to form a belief around the person and the need to search, and that is what is happening in reality.

**MR SESELJA:** The human rights commissioner seemed to be suggesting that it was sometimes done without necessarily forming that belief or certainly on a more random or routine basis. Has anything changed since the human rights commissioner delivered that, in terms of practice, or is it your contention that you were complying with things anyway so nothing that the human rights commissioner has raised actually changes anything in the short term?

**Mr Wyles:** No, that would not be my contention. Staff have been reminded about the need to form the belief, and the standing order and the training will reinforce that to the staff.

**MR SESELJA:** So in the period from when the human rights commissioner delivered the report there have not been any complaints about strip searches?

**Mr Wyles:** No.

**MR SESELJA:** Okay, and is there ongoing consultation with the human rights commissioner and she is satisfied—

**Ms Gallagher:** Yes. The legislation we passed earlier this year required that draft

standing orders be provided to me within three months of the passage of that legislation, which is what occurred. They are now actively being discussed with the human rights commissioner and the OCA. My understanding is that they will be public documents once they are finished.

**Mr Wyles:** They will be placed on the legislation register.

**Ms Gallagher:** So they will be open to public scrutiny in that way. There are some difficult issues on which I do not know whether we will necessarily be able to reach agreement between all parties, just because of the different backgrounds we come from. Some of those would concern, I imagine, segregation and use of the seclusion room. There are different views about how those should operate. If we take the seclusion room, the human rights commissioner—I haven't discussed this with her—had some very strong views about how that room should operate and the protections to be afforded. Then, from the Quamby side, it is how we manage a very difficult situation in an emergency in the best interests of everyone in the centre. Some of those are going to create some natural conflict, which we have to work through. These are going to be public documents and, hopefully, once we finish talking to everyone and trying to finetune them, we will have agreement on how that should operate.

Segregation is a fraught issue for us here. If I look back over the past few months there have been a number of times when there has been one young woman in Quamby. Do we segregate her to the point of isolation—she would be in solitary confinement if you took segregation to the point that you could—or is it about creating a balance and providing her with a safe accommodation option, with the mix of young people in Quamby at that time? That, again, will occur. It is something that I have had chats with my colleagues interstate about. These are things that challenge ministers, statutory bodies and agencies across the country. Even if you are building a centre for 200 people and you have only 10 young women, the segregation issue comes up: what is in the best interests of the young person and how do we provide that? I do not sit here and say that on any day segregation on gender is in the best interests of the young people. That is something that needs to be balanced.

**MR SESELJA:** Are you suggesting then that, even when the new centre is built, we may still see some of those potential breaches of the Human Rights Act going on; that that might not necessarily be solved by the creation of the new centre?

**Ms Gallagher:** What I am saying is that it is not as black and white as some would like to think. Anyone can say there has been a breach of human rights because a young woman has been accommodated with a young male when she should have been segregated. I am saying that there are challenges for us in protecting that young woman and providing her with the best accommodation by just applying a view that segregation is the answer to everything. I guess the point I am trying to make is that it is not black and white. We have the transportable coming down. It is here now and should, hopefully, be operational by the end of the year. It is a very big job to get that building up. Having looked at the photos the other day, it looks bigger than the current accommodation blocks at Quamby; it is double the size. It is quite an impressive building and it will provide us with enormous flexibility in having segregation options, but I cannot sit here and say to you that that will mean that we will have young women living by themselves segregated from the other young people in Quamby. I think that has to be looked at case

by case and according to what is in the best interests of the young people at the time.

**MR STEFANIAK:** So, basically, the Human Rights Act is not stymieing the proper operation of Quamby or making it more difficult for you?

**Ms Gallagher:** No. I know you do not agree with the Human Rights Act, but I am saying that it is not black and white. As we have heard the Chief Minister say a number of times, it is about weighing up different rights in order to find the best outcome, but it provides the framework.

**MR SESELJA:** I guess that is where putting them in black and white can sometimes cause problems.

**MR STEFANIAK:** Indeed.

**Ms Gallagher:** We have different views on the Human Rights Act. It sets a standard for us. In terms of doing an audit of the detention centre, there is no doubt in my mind that it is going to improve the operation of that centre and provide us with some excellent views on how to improve the service delivery. So in that sense it is not stymieing the operations of Quamby at all; in fact, it is improving them. But I am saying that segregation is the one that really challenges us; it is not black and white for every young person. Of course there will be situations where it is best to keep a young woman or a young man segregated from the opposite gender, but in some cases it might not be. Our job is to provide the best environment for those young people to make sure they are supported.

**MR SESELJA:** Will that apply also to age segregation—adults and children? You have talked mainly about sex segregation. Will it be the same case in the new centre or under new arrangements that they will not necessarily continue to be segregated on the basis of adults and children?

**Mr Wyles:** I think it is probably worth saying that Lou Denley and I have continued to meet with the human rights commissioner and that office to talk specifically about these issues, because we are really keen that they be central in informing the design of the new facility so that we can achieve some resolution of those issues surrounding segregation. But, as has been mentioned, there are particular challenges and some of those relate to the programming. It is a challenge in a jurisdiction of this size, with small numbers, often people at different ends of the age spectrum, single people or a couple of females, some on remand, some on committal. But the commissioner needs to be involved in the debate about the new facility so we can try and meet her needs.

**MR GENTLEMAN:** Chair, I would like to ask a couple of questions aside from the human rights stuff. Page 89 mentions the turnaround program. Can you tell us of the achievements that have come through the turnaround program?

**Ms Gallagher:** Sure. I was lucky enough to visit the turnaround team last week. The turnaround program has been operating probably for 18 months. The focus of the program is to provide coordination, essentially, amongst services that are involved with a very particular group of young people. It does have links with Quamby in that some of the young people may have been through Quamby or are at Quamby, but there are also those who are referred by the Turnaround management committee. That committee is

a mix of government and non-government. They make the decisions about who is accepted into the program.

The program is full at the moment. I think there are 15 young people currently on the program and, from what I hear of the individual cases that I was briefed about last week, it is having some very good outcomes. There is a lot of interest from other places around Australia in the program and in coordinating across government and across agencies—meaning the non-government sector—to provide a streamlined approach for the young people. There have been some very good outcomes in terms of the young people being more involved in the decisions that affect them. In all the cases I was told about, the young people who could do it chaired their own case conference meetings. The improvements that are being seen have to be put in perspective. For some of these very troubled young people the improvements that to me might seem very minor are massive achievements for them.

There are three case workers who manage a case load, supported by a kind of team leader position. It is a program we would like to expand. There is not a waiting list as such, but we know that if we had more capacity we would be taking more kids in. We are just going through a process of recruitment for another position, which will increase capacity a bit. An interim review has been done of Turnaround, but it is in its early stages. In terms of cost effectiveness, it is a very economical program in terms of the interventions because it is all about keeping young people either at home or in an accommodation option, with various other supports coming in, rather than having to respond in a crisis situation to a very expensive kind of intervention around some young people that we see across the ACT.

It looks like a great program and is having some very good outcomes and, as I said, we would like to expand it. It is a voluntary program, so the young people themselves do not have to participate if they don't want to. But so far, apart from one person who has moved interstate, my understanding is that nobody has taken themselves off the program.

**Ms Denley:** One of the things that we are really proud of is the engagement of the young people and the success in engaging them back into school. We have two young people from that program finishing year 10, and that is really significant for this particular population.

**MR STEFANIAK:** Earlier you mentioned the transportable; how many young people will that house, and in what configuration?

**Mr Wyles:** There are two units, with a central control room. I believe there are seven at one end at six at the other end.

**THE CHAIR:** Ms Lambert, did you want to say something?

**Ms Lambert:** In relation to the turnaround program, the other benefit of the program has been articulated to me through families about the way that they have learned as well in that process. Some parents have said that they have learned to deal more effectively with their children through this program. The other benefit for me, from where I sit, is the way in which the community sector and the government sector have become flexible in the way they wrap the services around the young person. I am also hopeful that soon—and

my advice is that this is not too far away—we will exit some young people from the program so that it does not become the support they need forever. We need to work on the throughput, and so we are doing some work on that. For those young people who are assimilated back into school and are completing year 10, there is every hope that we will be able to start withdrawing some support as they mesh much more into their school community. Support through the transition into college is quite a significant transition, but we are hopeful that we will get more throughput as we move on too. I just wanted to add those comments to the record.

**MR GENTLEMAN:** Thank you very much for that. In Mr Seselja's question earlier, he asked about the new centre. How is planning going for the new youth detention centre?

**Ms Gallagher:** Good.

**MR STEFANIAK:** Do you have a site yet? When is it going to happen?

**Ms Gallagher:** There will be an announcement made shortly on the site.

**MR STEFANIAK:** How shortly?

**Ms Gallagher:** Well, we have just finalised the site selection. As you know, we had four sites short-listed. We have gone through about a six-week consultation period to pull it into a preferred site, which cabinet has discussed. So we will be making the announcement shortly.

**MR STEFANIAK:** So you have decided on a site then?

**Ms Gallagher:** Yes, but we are just finalising some of the details.

**THE CHAIR:** I wanted to ask you another question about page 89, where it says that the office has supported Justice and Community Safety through a process of providing ongoing advice on the referral of young people through the Restorative Justice Unit. I was wondering if you could give us some information about that, please?

**Mr Wyles:** I sit on a committee with Justice and Community Safety, which oversees the restorative justice program. That program initially took referrals of adults, but it has started taking referrals of young people. We are working closely with the DPP and the AFP to ensure that juveniles can be referred to that program early, as an alternative to custody or community-based orders. So it is a program in its infancy, but I think it shows good potential. There is some evaluation of that program that I think is ongoing.

**THE CHAIR:** And how are you finding the ability to make referrals? Are young people themselves happy to be referred to the program?

**Mr Wyles:** Yes. There are some criteria about their willingness to be referred—victims' willingness to engage in the conference. So it is a case of working through those initial referral processes, and sometimes those referrals do not materialise because one of several parties involved does not want that to occur. Clearly, the focus needs to be on being very sensitive to the victims' preference to participate. I think it is a good program, which we are really keen to use for juveniles, to broaden the range of options that we

have.

**THE CHAIR:** Thank you.

**MR STEFANIAK:** I have a couple of questions on security. You mentioned that the perimeter fencing has been upgraded. Has that finished?

**Ms Gallagher:** Yes.

**MR STEFANIAK:** Did you have any escapes for the reported year 2004-05, and have you had any from 1 July to today?

**Mr Wyles:** I do not believe we have had any escapes, no.

**Ms Gallagher:** Just the ones you have heard about, Bill.

**MR STEFANIAK:** Yes. I am just trying to think how many there were there, Katy.

**Ms Gallagher:** Well, there were a few. It depends if you are counting them as one escape even though they involved two people.

**MR STEFANIAK:** If you could take that on notice, I would be interested for 2004-05, that full year, the reporting year.

**Mr Wyles:** None for that year.

**MR STEFANIAK:** And any from 1 July to date?

**Mr Wyles:** No.

**MR STEFANIAK:** That is what I thought I heard you say. In relation to the control room, you mentioned that if the doors are closed there is no problem. Are the doors meant to be locked as well, or just simply—

**Mr Wyles:** With respect to that particular instance, there was a series of doors. The reinforcement to staff was around ensuring that a number of those doors were locked.

**MR STEFANIAK:** Okay, thank you.

**MRS DUNNE:** I would like to go back to page 86 and the youth justice area. In the first paragraph it says that the section provides supervision through a “strengths based case management model”. Could somebody explain to me what that is?

**Mr Wyles:** The strengths based practice is really about making assessments of young people, be they in community justice or elsewhere, around what strengths they bring to the process. So it is important for case workers to really focus on those strengths and build on those strengths, because a lot of young people coming into the system do not have a lot to build on. So if the young person is in school, for example, or is doing particularly well at sport, that is the strength that you would build out from.

**MRS DUNNE:** Just another question going back to the turnaround program: in volume 3, page 226, the target for this year for the number of clients in Turnaround was 30, but the result was 16. Can someone tell me what—

**Mr Wyles:** It really relates to staffing. As the minister said, there are three staff. Currently, those staff could carry five clients each because of the complexity of those young people coming into the program. We are keen to expand the program. The fourth position, to be recruited shortly, will take the number to 20.

**MRS DUNNE:** That will take the capacity to 20, but your target is 30. What has happened?

**Ms Gallagher:** It is the fact that the young people have not moved on in the time we originally thought.

**MRS DUNNE:** So what did you originally think was the appropriate time to be in the program?

**Mr Wyles:** I think the initial report that established the program talked about 18 months to two years. One of the issues in moving young people out of this program is really developing a service system that can take on some of these young people. So some of them at 18 clearly will continue to need substantial supports, and we need to work with a range of agencies to ensure they receive that beyond 18.

**Ms Lambert:** As I said earlier, we did anticipate more throughput, but the complexity of the issues, not just with the young person but with their supports, family supports, has not enabled that to happen, and that will be a strong focus and is a strong focus right now.

**MRS DUNNE:** But what you are indicating, Mr Wyles, is that you have got a number of people who are not in a sense free of the need of the system, even though they no longer technically meet the requirements of the system, so you are looking for a similar sort of program to carry on into the adult years?

**Ms Gallagher:** Yes.

**Mr Wyles:** Yes. And in fact the initial review that was done, which looked at services for young people with intensive needs in the ACT, talked about the need for a post-18 service. So there is some work to be done, I think.

**MRS DUNNE:** So are some of these 16 people not exiting the program post 18?

**Mr Wyles:** There is one.

**Ms Denley:** There is one, and then there is another coming up—

**Ms Gallagher:** From the briefing I had the other day, both of those are making big improvements and the risk of withdrawing at 18—

**MRS DUNNE:** It would undo all the good work you have done so far.



**Ms Gallagher:** Yes. I talk to the team. It is a gap, the post 18. I need to have discussions with the Chief Minister about that gap. That is what I got from my briefing the other day. It is not necessarily in the jurisdiction of children, youth and family support to be solving this, but I can see why they are not—

**MRS DUNNE:** Somebody has got to do it.

**Ms Gallagher:** prepared to withdraw.

**MRS DUNNE:** Yes, I understand.

**THE CHAIR:** As there are no more questions for this output class, we will go on to the next one.

**MRS DUNNE:** There is a substantial ongoing review of the Children and Young People Act, and I have been trying to find an appropriate place to ask this question. Earlier this morning Ms Lambert talked about child-centred practice. How much of the research into child-centred practice and the work done by the institute of child and protection services is informing the review of the act?

**Ms Lambert:** Certainly, the review of the act strengthens the best interest of the child principle. It was a principle in there, but in this work that we are doing now for the first stage of review of the legislation that principle has been strengthened. Yes, all our thinking around that is being informed by the work that has been done. That is the position from which I must operate as the chief executive with the statutory role—in the best interest of the children—so the legislation will reinforce that. Lou, do you want to say anything more?

**Ms Denley:** No, you have covered it.

**MRS DUNNE:** And what is the timetable for this?

**Ms Gallagher:** The review of the act has been going on for some time. It is turning into a situation a bit like the workplace relations legislation, when Minister Andrews said it was the biggest drafting exercise since federal government! What started as a fairly contained job is getting bigger and bigger. It is in two phases, and I think I am on track to introduce in December the first phase.

**MRS DUNNE:** So are you envisaging a complete repeal and redraft, or a series of amendments?

**Ms Gallagher:** Amendments.

**Ms Denley:** Amendments in the first phase.

**Ms Overton-Clarke:** Phase 1, which will be implemented in December, will be an amendment to the existing act. Then there is a new bill that will come in for phase 2, and that will be before June next year.

**MRS DUNNE:** So eventually we will end up with a new act—

**Ms Gallagher:** Yes.

**MRS DUNNE:** which will probably be better in the long term.

**Ms Gallagher:** In the long run, yes.

**Ms Lambert:** But this first tranche, the amendments, will strengthen the best interest of the child principle and other associated aspects of it, and also endeavour to bring in the key issues that we need to address in response to the Vardon and Murray reports.

**MRS DUNNE:** Can I expect to see in the review, either now or over the first or second phase, a weakening of the reporting requirements of the sort that brought us to the stage at the moment—

**Ms Gallagher:** Around mandatory reporting?

**MRS DUNNE:** No, the reporting in relation to sections 162 and 267. Are those reporting requirements going to stay the same or comparable?

**Ms Denley:** I anticipate that the new bill will get clarity around the definitions. At the moment, 162 picks up any report of a child in care. When you look at what would be seen as 162 requirements in this jurisdiction for abuse in care, you get huge numbers compared with any other jurisdiction, because it has got such a wide net that it picks up if a young person leaves the home and a foster carer rings and says they are not home by a specific time. That report has to be entered and sent over. What we will have, agreeing with the public advocate, is a much clearer definition of what is abuse in care. So it will make it much clearer that what we are talking about by abuse in care is reaching the same thresholds as elsewhere in terms of abuse.

**MRS DUNNE:** So are you saying, Ms Denley, that all of the problems we had in relation to reports under 162(1), 162(2), were in relation to definitional problems and if we had fixed the definitional problems we would not have had a problem?

**Ms Denley:** No, I am not saying that at all; absolutely I am not saying that. I am saying that we are currently sending all reports that are required under that today. They are all with the public advocate.

**MRS DUNNE:** And they are all there on time?

**Ms Denley:** Yes. There is not a statutory time frame for 162.

**MRS DUNNE:** But there is a memorandum of understanding.

**Ms Denley:** A memorandum of understanding, yes.

**MRS DUNNE:** Between yourself and the Public Advocate. In the last report of the Community Advocate there are still, according to that report, substantial failings in meeting the memorandum of understanding.

**Ms Lambert:** Perhaps I can talk a bit about the memorandum of understanding. I can talk about it because it wasn't something that I created; it was there when I took over this responsibility. My advice from people was that the time frames were targets that we needed to work towards; they were not statutory.

**MRS DUNNE:** Yes, I understand.

**Ms Lambert:** And we worked really hard to achieve that. You will recall the annual report of the Community Advocate says that, for the 162s, there was 100 per cent compliance by the end of the financial year. In terms of meeting our obligations under the act, we met our obligations under the act.

**MRS DUNNE:** But the Community Advocate has also said in her report that there are considerable lapses in meeting the MOU. Whether you, Ms Lambert, or your predecessor signed up to the MOU, the office is signed up to an MOU and there is a failure to meet what I understand is a mutually agreed protocol between yourselves and the Office of the Community Advocate, now the Office of the Public Advocate.

In the Community Advocate's report, there are substantial failings as at the end of the last financial year, in that the Community Advocate had received only 49 per cent of the required appraisal outcome reviews for reports and only 15 per cent of those were received in the agreed timetable, which was two weeks. You might note that two weeks is not enough, but you did agree to two weeks. I am not saying you yourself agreed but the organisation agreed to two weeks. And they are not meeting it.

The Community Advocate is saying that she received only 49 per cent of a class of reports but at the same time you are saying, Ms Lambert, that at the end of the financial year everything was shipshape with the Community Advocate.

**Ms Lambert:** No. I am saying that we worked very hard to meet those targets that were set in the MOU. I would be the first to say that we did not meet all of them, but we focused very strongly on our statutory compliance and we worked very hard to meet those targets. It was a significant improvement, as the Community Advocate acknowledges in the report. That is what I am saying.

**MRS DUNNE:** Yes, there is a significant improvement.

**Ms Lambert:** And we worked hard on that.

**MRS DUNNE:** Yes, and I appreciate that. But your statutory requirements are what, Ms Lambert?

**Ms Lambert:** My statutory requirements are to provide 162s to the Community Advocate promptly.

**MRS DUNNE:** And there is no definition of "promptly"?

**Ms Lambert:** No.

**Ms Gallagher:** No. The 267s have a time but not the 162(2)s. I was around when the MOU was first being negotiated with the OCA—it was prior to the office moving out—and I am the first to say that the document we got in the end set the office up for failure. We have had to go back and revisit that MOU because the measures in it and the timeliness that was set out, it became apparent, were unrealistic because of the nature of the work that needed to be done.

The MOU was negotiated at a time when nobody had an understanding that there would be in excess of 1,000 162(2)s being moved across because they had not been done. Those 162(2)s had not even been looked at. In regard to those definitions of abuse that Lou was talking about, people had the view that it would be 20 or 30 162(2)s. No-one had any idea it was going to be 1,000.

The section 45 requests were coming thick and fast from the OCA. It is a balancing by the office of meeting their statutory obligations, dealing with the day-to-day crises, and providing all the information they could in a timely fashion to the OCA.

The first MOU has unfairly set the office up to look like they are not achieving the big improvements that they are achieving, and that has required going back. I have had discussion with the OCA about this as well. It is a crude report in the sense of the quality of the work that is going on and is a constant negative look at the office, which is unfair, particularly around 162(2)s and section 45s.

Enormous work has gone on to make sure that 100 per cent of the 267 reports are in. My understanding is that they are. You are constantly moving away from that because they are due all the time and there are concerns if they turn up too early or they turn up too late. So we need more. The 267s need constant monitoring and improving the quality of the information in the 267s, including creating a life record, in a sense, for some of the young people in care. That remains a huge challenge.

In relation to the 162(2)s, providing that information is occurring. In relation to section 45s, 100 per cent is my understanding. But the OCA will have a view around the timeliness. That view does not necessarily impact on the child and the service response that is being provided to that child. That is what you miss out in some of the way that this is reported.

**MRS DUNNE:** But one of the signal failings is that only 27 per cent of the 267 reports were met, according to the Office of Community Advocate, within their statutory time frame. That is not part of the MOU that has been there.

**Ms Gallagher:** And I have just said the 267s need constant work. We are dealing with hundreds of more children in care. The fact is that this work has been neglected for some time. The fact of getting those reports in—and they are in and there are occasions when 100 per cent of annual reports are in—means that there are changes, as I said, all the time, because kids are in and out of care and it needs more work.

**MRS DUNNE:** Sorry, but I mean the 267s in an annual report, minister. Are you saying that there is more than one annual report on each child?

**Ms Gallagher:** No, but when the annual report might be due, each child can change.

**MRS DUNNE:** But the thing is that you are meeting your statutory requirement on only 27 per cent of occasions on this particularly important measure.

**Ms Denley:** As you have heard today, we are getting more staff on; we are increasing that team and the rate at which we are now lodging. I think you will see a significant difference next year.

But I need to also add that what we are doing in those reports as well, Mrs Dunne, is collating information from a number of areas. We are bringing information from health. We are reporting on a number of factors where we are bringing together reports, not just from what our office is writing but we are collecting information more broadly. We are also wanting to now get those reports signed off by the child, if they are old enough; the carer; those other significant people and parents in that child's life.

We are putting in place a quality process to get better information; we are not just forwarding the report that has been written elsewhere or that we have not had a significant process in developing. It has taken a while, but we are moving there and I would say that next year you will see a significant increase in reports lodged in a timely manner.

**THE CHAIR:** Frank, you wanted to say something.

**Mr Duggan:** The last comment is that we are actively working with these children for the whole year. This is a synopsis of the year. We have had, on most occasions, full review of arrangements, where we have had the child and the foster parent together, and we are actively working.

The other thing is that the advocate did comment that, from a qualitative point of view, 94 per cent of the reports met what they wanted. That, for me, is the only measure of quality and shows that we have moved to a child-centred practice and included the children. That is the measure that we are trying to achieve. And the recognition is loud and clear about the 94 per cent.

**Ms Lambert:** I need to correct the record about the 162s. I said we had to reply to them promptly. The 162s are much looser than that. They are "as soon as practicable". The section 45s, with which we had 100 per cent compliance, were "promptly". I transposed my bits of the act.

**Ms Gallagher:** And we are not looking at changing the 267 requirements in the act. Lou is looking at me, but where there is an annual report—

**Ms Denley:** It is an annual report. What we need in the act or in our memorandum of understanding is greater clarity about how that is measured. Is it an annual report within a particular time frame of when the order was made? A child's order can change. What we would like to use is the child's birthday, because that is not going to change, even if the orders under which the child comes into the system change. So we still need to agree on some better measuring process that is consistent.

**THE CHAIR:** Minister, would you provide an opinion on the level of efficiency and

effectiveness of the system since the considerable investment in the area?

**Ms Gallagher:** If we look at it along the measures that the Community Advocate or the Public Advocate is looking at around 162(2)s, there is 100 per cent compliance; section 45, 100 per cent compliance; 100 per cent of the annual review reports, that is, 267s, are in. There is an issue around the timeliness, which we need to work on, and we are putting in place measures to do that.

Importantly for me, which is not reported against in the report of the OCA, is some of the service responses that are being delivered to the children and young people; the service options; the provision of care that has been provided; the fact that Lou has been able to negotiate additional foster care places; that we have opened Narrabundah hostel and Isabella House—I get them mixed up—for some additional accommodation options; the fact that we are looking at how we provide the individual support packages for some children that are costing in excess of \$120,000 over three months, to provide care to one young person; how we best meet their needs; and, basically, looking at everything we can do to increase accommodation options for that group of young people.

That is all work where there are improvements in capacity within the organisation that you don't necessarily see from a look at those figures. To me, that is one of the most important outcomes that have been achieved from the leadership being provided within the department, from the increase in the staff and the increase in the budget which has provided some flexibility around those options.

**THE CHAIR:** Page 93 mentions a recommendation about the establishment of a specific Aboriginal and Torres Strait Islander unit within the office. I am wondering whether you could talk a bit more about that, minister.

**Ms Gallagher:** Neil might want to come up and talk about that. This was a recommendation of the Vardon report. It is in recognition that ATSI children and young people are overrepresented in the number of children in care, probably against every measure that we see. We have a specific area headed up by very senior management within the office to acknowledge that overrepresentation, look at how we address it and provide capacity, again, to meet the needs of this group of children and young people. But the director may wish to say something.

**Mr Harwood:** I started this financial year. The main focus of the unit at the moment is to stabilise the structure of the unit. Some of the things that we will be focusing on are very much in line with the strategic policy framework of the department and of the office, that is, around engaging with the indigenous community, engaging with the indigenous clients of the department, trying to achieve better outcomes for our indigenous clients and doing that in a professional and effective public service structure.

**THE CHAIR:** How have you found the engagement with the community or communities?

**Mr Harwood:** We can engage with the indigenous community in a number of ways. We have a couple of formal structures. We have the Vardon indigenous reference group. There are a couple of community organisations represented on that body. We also have a reference group for the indigenous foster care program. We can engage with the

indigenous community through that mechanism. But our main way of engaging with the indigenous community is on a day-to-day basis with the staff that are providing family support services and managing the foster care program at Narrabundah house.

**THE CHAIR:** I was wondering whether you could talk a little bit more, minister, about the foster care program.

**Ms Gallagher:** The indigenous one?

**THE CHAIR:** Yes.

**Mr Harwood:** The indigenous foster care program is moving along quite well. In the report we mentioned that there were 12 families that completed their initial training. There are now 25 families that have completed their initial training. From that we have nine families that are registered with the service. Each of those nine families has, on occasion, provided foster care services for indigenous children. We are progressively moving along in that regard.

The foster care program has established itself in the community. It is recognised in the community. I should mention that it has also won an award. It won the indigenous organisation of the year in July this year as part of the major NAIDOC celebrations.

**THE CHAIR:** Congratulations.

**Mr Harwood:** I should mention that one of the non-indigenous foster carers who is a part of that foster care program won non-indigenous person of the year for NAIDOC.

**MR GENTLEMAN:** Whilst we are on output 1.4, on page 94, this discussion on increased practical support, I wonder whether you could describe the process to ensure appropriate housing is provided for supporting a young person with complex needs.

**Ms Denley:** There has been, over the last couple of years, a number of individual support packages established for young people. This has been when the young person has very complex needs, predominantly behavioural problems, which means that they are unable to be accommodated in foster care. It may be difficult or may even put other young people at risk in terms of sharing with these young people. There have been a number of organisations who have been prepared to establish an individual support package for these young people in those circumstances.

From our perspective, we haven't necessarily seen these as a long-term solution. We have been able, with a number of the young people, once they are stabilised, once they are settled, to move them in with other young people. But the nature of the ISPs has been to get an individual response that is crafted for that young person.

What we are doing now is looking at each of those young individuals who are on packages to assess and ask again the question about whether or not they are ready or what needs to happen to move their support so that we could put them in longer term arrangements. Unfortunately, some of the packages have required them to move out of the ACT. We are very keen to do the assessment to move the young people back into the ACT, into service arrangements here.

When we went to tender, we tendered for a number of residential places so that there would be ongoing rostered staff and the capacity to house the young people back in the ACT. So there is a review process going on at the moment.

**THE CHAIR:** I wanted to ask a question, minister, about the schools as communities program that is also mentioned on page 94. I note that it talks about the involvement, again, of indigenous and non-indigenous students and families. I was wondering whether we could have a little bit of information about how the program is going in general and maybe some focus on the encouragement of indigenous young people to be involved in some of those programs.

**Ms Gallagher:** I can talk about the program in general. This was started under the previous government. It is an excellent program. Particular schools have schools-as-communities workers, maybe part time, across a number of schools. I probably can give you the list of schools. I can't off the top of my head. I know a few of them. It is exactly what it is known as, schools as communities. It builds up community capacity within schools, keeps an eye on certain kids within the schools and families. I guess it is a non-welfare intervention but a link for those families if they need extra support. They run particular programs; it might be breakfast programs; it is a range. The diversity of the program is enormous.

The talent of the staff is considerable. They all are doing something different in their schools. One operates at Narrabundah primary. That is the school with the largest indigenous population in Canberra. It works very closely with the school. It might involve such things as making sure that the kids are coming to school; or, if they are not, why they are not; and providing support; and, I guess, links into the other services that operate from that school for those families, particularly for families and children.

They are reluctant to be involved with the authorities coming in. A schools-as-communities worker is a really nice, in-between, kind of friendly face and great support. It is a program I would like to see across all the schools if we could afford it.

**THE CHAIR:** Do you have any more questions on this particular output class?

**MR GENTLEMAN:** On residential care contracts, on page 95: there are some new services in out-of-home care. What are they going to provide?

**Ms Gallagher:** This is what I was just talking about in terms of some of the negotiations that Lou has been handling, these new agreements with foster care agencies and out-of-home care providers to create some capacity for us to have additional places.

There are around 150 additional foster care places being negotiated over the three years and increased residential options, if that be the model that is adopted. It links in to some of what Lou has been saying around the individual support packages and trying to shift it away from just dealing with one child or young person in a crisis situation, moving it across and looking at how we create some capacity to deal with these kids with complex needs. It is essentially around creating options for us to have the capacity to deal with all kids that need to come out of home.



There is a different range of care there. There are the individual support packages; there are residential care options such as Marlow—Quamby is quite a serious residential care option; there is foster care; there is kinship care; and these arrangements all fall into the out-of-home care area.

**MRS DUNNE:** I want to, if I could, with your indulgence, madam chair, go back and ask Mr Duggan a question. He is probably the best person. At the outset this morning we talked about the case load. I can't now remember what you said. It was about 12 to 18—

**Mr Duggan:** It moves, based on the complexities.

**MRS DUNNE:** Yes, and that was based on complexity. If there is a case load with a particular family with more than one child, does that family go with one caseworker or might they be split up?

**Mr Duggan:** Where possible, absolutely; but if it is, say, an adolescent who has got very little contact with the family, it may be appropriate to offer another worker. Where possible, we try to keep the same worker working with the family.

**MRS DUNNE:** A particular caseworker would have that contact for a protracted period of time?

**Mr Duggan:** Yes. What we are trying to do is stabilise. A criticism of a lot of child protection agencies is the turnover of staff. What we are trying to do is maintain our staff with the same case loads, working with the same families, based on our long-term areas. With the short-term areas, it doesn't necessitate the same response because new work is coming in. Wherever possible, we do. If the complexity is high and an adolescent isn't in the family and there are a couple of children at the home, obviously you may allocate two workers, depending on the specific needs. But the liaison between the two workers will be very, very high about what is occurring with the family members.

**MRS DUNNE:** Do you encounter situations where the relationship between the care and protection worker and the family is such that you might have to say, "I really need to reassign a care worker because there's no trust," or, "There's a breakdown in the relationship," or whatever?

**Mr Duggan:** Interpretation work is quite conflict based, in the sense that we have a perception that we are trying to protect children, and obviously a parent has a perception about what they can do to protect their children. It is a very difficult engagement process. If the situation is broken and it is not repairable, we would consider moving the worker. But most of our emphasis would be on what is in the child's best interest, what the worker brings to that situation. If there is a situation where it is irreparable, it is acceptable that you would change the worker. But in most cases we try to work through those conflict issues.

**MRS DUNNE:** On a structural issue: how many care and protection workers do you have? What structure have you got? Is it entry-level care and protection workers, then supervisory roles?

**Mr Duggan:** Yes.

**MRS DUNNE:** How many people work to a supervisor?

**Mr Duggan:** Usually around five or six caseworkers are allocated to a team leader. Amongst that they will also have a senior practitioner, who would be a person at the same level who has five years experience of practice, and they would be carrying very small case loads that were, very complex. The team leader then will manage the five staff and manage all processes, manage the supervision within the team. That ratio is the same, quite positively, in other jurisdictions, and that measures up well to other jurisdictions.

In the appraisal area, it is about one to seven because it is short-term work—it is in and out fairly quickly—and the supervision is of a different nature. But in the long-term teams it is about one to five.

**THE CHAIR:** We will move on to the next output.

**Ms Gallagher:** Can I say, going back to the foster care thing, it is 20 additional places for the total of around 150 foster care places, just in response to your question.

**MRS DUNNE:** It is 150 over three years, did you say?

**Ms Gallagher:** No. We have 150 places—I have got my figures mixed up—of which 20 are new. We have created 20.

**MRS DUNNE:** It used to be 130; now it is 150.

**Ms Gallagher:** Yes.

**THE CHAIR:** We might go on to the next output class, 1.5. This is the last one.

**MRS DUNNE:** I would like some indication about what the family support data-mapping project is and how it underpins the work of the unit.

**Ms Denley:** There has been a historical base to the family support funding. We have worked with the services receiving funding so that we are, in a particular period, asking them to submit data that will give us an indication of who is being serviced by this funding and how it is being used. I believe that 25 per cent of the funding is providing individual support. That is quite understandable, but we really need to have a clear idea of how the funding is being used.

We also are, in terms of family support, very aware of the different kinds of support services in terms of the intensity of support that can be provided. There are families that need an intensive level of support and very targeted support; there are other families that would need access to universal kinds of services. So we are really wanting to get a level of detail about the use of these funds that we currently don't have.

**MRS DUNNE:** What sorts of family support activities are funded under this output class?

**Ms Lambert:** There is a range of them. Again, it's a reference thing. There is a range of them in volume 2, page 43 and page 156, I think, but you can check that.

**Ms Overton-Clarke:** It is at page 254 of volume 1.

**Ms Lambert:** There are some here, too.

**Ms Overton-Clarke:** Yes, in volume 2. The list of partners that we contract with is at page 254, which is community partners, external labour and services. It is the partnership arrangement.

**Ms Lambert:** On page 156, as part of the status report on the women's plan, there is also the funding that the family support program provides for six regional community service agencies—Majura Women's Centre, Marymead and the Smith Family. There are references throughout that.

**Ms Gallagher:** You can see the range there, Mrs Dunne.

**MRS DUNNE:** There are a lot of organisations, but is there a central guiding principle that determines the funding? I suppose that is the question.

**Ms Gallagher:** I have always had concerns about this program because the amount of money—it is a small budget overall—is spread out—

**MRS DUNNE:** Fairly thinly.

**Ms Gallagher:** So thinly. Trying to get a gauge on what is happening in this area, from my point of view, has been very difficult. It is not a program that I have, as a minister, made any changes to over the years. From my understanding of when I looked at this a couple of years ago, it has grown historically. Small bits of money have been given here and there. All of these services are doing a good job; they do great things. To change it would be quite difficult, even though there is probably an attraction in streamlining it and saying, "Right; we have got \$2-point-whatever million; let's focus on this area." This, for many of these organisations—

**MRS DUNNE:** What do you do with the organisations that are unfunded in that process?

**Ms Lambert:** I suppose what I will be looking for in the future—and this will be one of the areas where we need to pay attention this financial year—is the intersection of the family support with the child and family centres and the early intervention processes that we have as well.

Bearing in mind all the comments that the minister has made, which are really important, there is a need to put more of a framework around seeing how we move the child family centres on and look at our funding. For instance, for the rest of the department, other than the office, we fund some of these organisations. What do we fund them for? We need to look a bit more at the synergies we have got in terms of our funding and the way we deal with family support across the organisation. Some of our community services programs, such as our community linkages and housing, also provide family support. So there is

a range of ways we need to have a look at this.

**MRS DUNNE:** Would you envisage, Ms Lambert, some sort of, dare I say it, review—

**Ms Gallagher:** We had a review.

**Ms Lambert:** We have had one.

**MRS DUNNE:** Yes, you have had one. When did you do that, and have you identified—

**Ms Lambert:** It was before I took over.

**Ms Gallagher:** Yes, it was.

**MRS DUNNE:** You have had a review of this program but not in relation to the programs in the wider department. Would you envisage doing that?

**Ms Lambert:** As I said, we will start with the child and family centres, which are also Minister Gallagher's responsibility, and we will work out from there. Jenny, you may have some views, too. I think it is an area where we need to put more of, if you like, a policy framework around it, and that is the work that we are doing.

**Ms Kitchin:** Certainly the review that was held last February highlighted the need to look at the very thing that the minister is talking about. This data collection is very related—what we need to target in relation to our services and how we do that over the next year. We have got a consultancy at the moment which is looking really closely at developing the integrated family services model, particularly at families that are more at risk, but that may mean that we have got to look at what we are already delivering and how we do that differently.

**MRS DUNNE:** Do you have any feel for—I suppose the shorthand way of looking at it might be—double dipping? I do not mean that in a pejorative sense. You have got families who are having interventions here and interventions there and you might end up, if you looked at it, spending a motser on this family but it may not be done as effectively as possible in a coordinated way and, therefore, not effectively. Do you have any idea of how many people might be accessing in a whole lot of different points?

**Ms Overton-Clarke:** What we are trying to get a handle on through the work that Jenny and the minister have talked about is, first of all, the range of services that we have. In terms of the tertiary and secondary services and the range of services: we are working with the child and family centres, with the regional community services and also through the early intervention Vardon committee, which the regional community services are now on, to really find out, at both ends and through the continuum, what the range is. Once we have done that, we will be able to have a much better idea of the whole system, in effect, because the feeling is that, in regard to a lot of the regional community services and those people who receive the family support funding, we may have some overlap, but we would also have some gaps.

Part of this process, and very much the data approach that Lou is talking about, is to get a very good handle on the range of services right through the continuum. The child and

family centre, the family support services, some of the development funding that the regional community services and the traditional tertiary organisations get as well are involved in that. So we really need to map the whole early intervention through to tertiary support.

**MRS DUNNE:** How far is the progress with the data-mapping project and when do we get to the end of it?

**Ms Kitchin:** They did a snapshot of two weeks, and that is just completed—I think it was last week—so we should have that data fairly soon.

**THE CHAIR:** How is the relationship, I guess, with the Gungahlin community service and the child and family centres?

**Ms Overton-Clarke:** We have got, as I mentioned, both the Gungahlin regional service and the Tuggeranong Communities@work on the steering committee, which I chair, for the child and family centres. We have been working very closely with both of those regional community services and in particular, of course, initially with Gungahlin. That is working very well in terms of our using them and their using us and making sure that we fit in with their services and with others in the whole of Gungahlin.

We work very closely with the primary schools in particular, the childcare centres, and all the education services for young people in the Gungahlin area. Working with those regional community services is really essential to the success of both the centres.

**THE CHAIR:** Did you have a quick question to finish?

**MR GENTLEMAN:** No. I am aware of the time and that you and I both have a committee meeting directly after this.

**THE CHAIR:** We do. I know the minister has commitments.

**MR GENTLEMAN:** I would like to take this opportunity to thank the minister and the staff for coming here.

**Ms Gallagher:** Thank you.

**THE CHAIR:** I would like to take care of that, obviously. Thank you very much for your attendance today. We look forward to the next opportunity we have to meet.

**The committee adjourned at 12.28 pm.**