

## Appendix A SCHEDULE OF QUESTIONS ON NOTICE

### Community Services Directorate

No.	Asked by	Directorate/ Portfolio	Subject
CSD 1	Davis MLA	Community Services Directorate	Community expectations - adoptions
CSD 2	Davis MLA	Community Services Directorate	Test cases – adoption amendments
CSD 3	Davis MLA	Community Services Directorate	ACT adoption numbers
CSD 4	Davis MLA	Community Services Directorate	ACT adoption waiting numbers
CSD 5	Davis MLA	Community Services Directorate	Adoption waiting times
CSD 6	Davis MLA	Community Services Directorate	Best interest of children in care
CSD 7	Davis MLA	Community Services Directorate	Best practice model in Adoption Act amendments
CSD 8	Davis MLA	Community Services Directorate	Gillick competency and adoption
CSD 9	Davis MLA	Community Services Directorate	Hold and resumption of adoption process
CSD 10	Davis MLA	Community Services Directorate	Long-term orders in child protection systems
CSD 11	Davis MLA	Community Services Directorate	National Framework of Adoption
CSD 12	Davis MLA	Community Services Directorate	‘Step Up for kids’ – EPR and adoption

<b>No.</b>	<b>Asked by</b>	<b>Directorate/ Portfolio</b>	<b>Subject</b>
CSD 13	Davis MLA	Community Services Directorate	Adoption hold and legislative conflict
CSD 14	Davis MLA	Community Services Directorate	Comparative adoption processing times for the ACT
CSD 15	Davis MLA	Community Services Directorate	Dissatisfaction among foster carers
CSD 16	Davis MLA	Community Services Directorate	National framework - adoption
CSD 17	Kikkert MLA	Community Services Directorate	Community Sector Sustainability Review
CSD 18	Kikkert MLA	Community Services Directorate	Adoptions
CSD 19	Kikkert MLA	Community Services Directorate	Building connections for early intervention and prevention
CSD 20	Kikkert MLA	Community Services Directorate	Decreased funding for community service and housing
CSD 21	Kikkert MLA	Community Services Directorate	Equal Remuneration Order
CSD 22	Kikkert MLA	Community Services Directorate	Estimated employment level
CSD 23	Kikkert MLA	Community Services Directorate	External merits review
CSD 24	Kikkert MLA	Community Services Directorate	Government contracting
CSD 25	Kikkert MLA	Community Services Directorate	Grants and purchased services
CSD 26	Kikkert MLA	Community Services Directorate	REDIRECTED/Intermediary scheme for child witnesses
CSD 27	Kikkert MLA	Community Services Directorate	Maintaining therapeutic assessments for kids in care

<b>No.</b>	<b>Asked by</b>	<b>Directorate/ Portfolio</b>	<b>Subject</b>
CSD 28	Kikkert MLA	Community Services Directorate	Notes to controlled budget statements
CSD 29	Kikkert MLA	Community Services Directorate	Our Booris, Our Way
CSD 30	Kikkert MLA	Community Services Directorate	Out-of-home care funding numbers
CSD 31	Kikkert MLA	Community Services Directorate	Purpose-built residential care homes
CSD 32	Kikkert MLA	Community Services Directorate	Reduced spending on family and children across estimates
CSD 33	Kikkert MLA	Community Services Directorate	Refreshed nurse home visiting
CSD 34	Kikkert MLA	Community Services Directorate	Stability in out-of-home care placements
CSD 35	Kikkert MLA	Community Services Directorate	The Strengthening Practice Committee
CSD 36	Kikkert MLA	Community Services Directorate	REDIRECTED/Therapeutic Care Court
CSD 37	Kikkert MLA	Community Services Directorate	Community Relations and Funding Support Team
CSD 38	Lawder MLA	Community Services Directorate	Public Housing Maintenance
CSD 39	Lawder MLA	Community Services Directorate	ACT Housing Portfolio
CSD 40	Lee MLA	Community Services Directorate	Growing and Renewing Public Housing Strategy
CSD 41	Lee MLA	Community Services Directorate	Complaints received by Housing ACT
CSD 42	Lee MLA	Community Services Directorate	Housing ACT Accountability Indicators

<b>No.</b>	<b>Asked by</b>	<b>Directorate/ Portfolio</b>	<b>Subject</b>
CSD 43	Lee MLA	Community Services Directorate	Housing ACT Cash Flow
CSD 44	Lee MLA	Community Services Directorate	Community Housing
CSD 45	Lee MLA	Community Services Directorate	Strategic Indicator 2 (proportion of Tenants etc.)
CSD 46	Lee MLA	Community Services Directorate	Complaints received by HACT – Condamine Court
CSD 47	Lee MLA	Community Services Directorate	Housing ACT Operating Statement
CSD 48	Lee MLA	Community Services Directorate	Maintenance of Housing ACT Properties
CSD 49	Kikkert MLA	Community Services Directorate	Domestic violence testing framework
CSD 50	Kikkert MLA	Community Services Directorate	Domestic Violence Death Review
CSD 51	Kikkert MLA	Community Services Directorate	Health Justice Partnerships
CSD 52	Kikkert MLA	Community Services Directorate	domestic and family violence
CSD 53	Kikkert MLA	Community Services Directorate	Rework of case tracking
CSD 54	Kikkert MLA	Community Services Directorate	Room4Change
CSD 55	Kikkert MLA	Community Services Directorate	Safer Families Assistance Program
CSD 56	Kikkert MLA	Community Services Directorate	Toora Funding
CSD 57			

<b>No.</b>	<b>Asked by</b>	<b>Directorate/ Portfolio</b>	<b>Subject</b>
CSD 58	Kikkert MLA	Community Services Directorate	Bimberi Staff training
CSD 59	Kikkert MLA	Community Services Directorate	Community Recovery and Support Package
CSD 60	Kikkert MLA	Community Services Directorate	COVID and Online Visits at Bimberi 2020-21 Budget Output Class 2.3/CSD Annual Report Output Class 3.3
CSD 61	Kikkert MLA	Community Services Directorate	Demographically representative staff at Bimberi Budget CSD Output Class 2.3 / CSD Annual Report Output Class 3.3
CSD 62	Kikkert MLA	Community Services Directorate	Ending youth detention in the ACT Budget CSD Output Class 2.3 / CSD Annual Report Output class 3.3
CSD 63	Kikkert MLA	Community Services Directorate	Functional Family Therapy – Youth Justice pilot
CSD 64	Kikkert MLA	Community Services Directorate	Increased support for Bimberi and strengthening specialist capacity 20 20-21 Budget Statement G, pp. 25, 27
CSD 65	Kikkert MLA	Community Services Directorate	Mental health supports during lockdowns at Bimberi
CSD 66	Kikkert MLA	Community Services Directorate	New residential property for young people on youth justice orders
CSD 67	Kikkert MLA	Community Services Directorate	Personal protective equipment at Bimberi
CSD 68	Kikkert MLA	Community Services Directorate	Programming at Bimberi
CSD 69	Kikkert MLA	Community Services Directorate	Staffing at Bimberi
CSD 70	Lee MLA	Community Services Directorate	Unsuccessful completion of community-based orders

<b>No.</b>	<b>Asked by</b>	<b>Directorate/ Portfolio</b>	<b>Subject</b>
CSD 71	Kikkert MLA	Community Services Directorate	Use of force and segregations at Bimberi
CSD 72	Kikkert MLA	Community Services Directorate	Youth justice case management



STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KICKERT MLA (DEPUTY CHAIR), MICHAEL PETERSSON MLA

**Inquiry into referred 2019–20 Annual and Financial Reports and Budget Estimates 2020-21  
ANSWER TO QUESTION ON NOTICE**

Asked by Johnathan Davis MLA:

In relation to: Addressal of community expectations for adoptions

Q1. There has been three and half years of public consultation and seven months of the legislative amendments being implemented. What have the CYPS done to address community expectations to proceed with adoptions in the ACT in this time?

Rachel Stephen-Smith MLA: The answer to the Member's question is as follows:—

Please refer to page 67 of the Hansard (26 February 2021) where this matter was discussed in some detail.

The expectations within the community about adoption processes are varied, and include the perspective of carers, birth families, children and young people and the Aboriginal and Torres Strait Islander community. It is important that all of these perspectives are considered in the development and application of policy, noting that the adoption process is centred on the needs of children and young people.

The key purpose of recent amendments to the *Adoption Act 1993* (Adoption Act) is to provide stronger guidance for the Court's assessment of 'best interests' for a child or young person. These changes shift the focus away from what adults have done (or have failed to do) when the Court is deciding whether to set aside the requirement for parental consent to an adoption. The amendments to section 5 of the Adoption Act reflect a more contemporary and nuanced understanding of child wellbeing and development.

During consultation and implementation, the Community Services Directorate (CSD) used consistent messaging to make clear that the amendments were not intended to make it more or less likely that the Court will dispense with parental consent. The Court will continue to make decisions on a case by case basis. CSD maintains the position that adoption is one possible permanency pathway but is not the best option for all children living in out of home care.

Both Child and Youth Protection Services (CYPS) and the ACT Government Solicitor (who acts on behalf of the Director-General in bringing dispensation and adoption applications) are mindful that progressing an adoption application involves an enormous emotional commitment by the proposed adoptive family and impacts the entire family unit. Where such applications are to progress, CYPS



**LEGISLATIVE ASSEMBLY**  
FOR THE AUSTRALIAN CAPITAL TERRITORY

**QON No. CSD 1**

**STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING**

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KICKERT MLA (DEPUTY CHAIR), MICHAEL PETTERSSON MLA

wishes to ensure that those applications have strong prospects of success, and families are not put through the burden and potential disappointment of an unsuccessful Supreme Court Process.

Child and Youth Protection Services has endeavoured to provide consistent messaging to carers through regular updates via email and telephone advice and through forums such as the Carer Wellbeing Sub-Committee that is attended by carers.

Approved for circulation to the Standing Committee on Health and Community Wellbeing

Signature:

Date: 26/3/21

By the Minister for Families and Community Services, Rachel Stephen-Smith MLA



**LEGISLATIVE ASSEMBLY**  
FOR THE AUSTRALIAN CAPITAL TERRITORY

**CSD QON No. 2**

STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING  
JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KICKERT MLA (DEPUTY CHAIR), MICHAEL PETERSSON MLA

**Inquiry into referred 2019–20 Annual and Financial Reports and Budget Estimates 2020-21**  
**ANSWER TO QUESTION ON NOTICE**

Asked by Jonathan Davis MLA:

In relation to: Test cases for adoption amendments

Q1. Does a single test case provide an adequate pool to gather sufficient evidence to determine whether the adoption amendments will allow CYPS to interpret them?

Rachel Stephen-Smith MLA: The answer to the Member's question is as follows:—

Q1. There are adoption proceedings currently on foot in the ACT Supreme Court which will see recent amendments to the *Adoption Act 1993* applied for the first time. The Government expects that consideration of these applications will provide guidance on how the Court will interpret the recent amendments to the Act.

It is not within the Government's power to direct the Court in how it interprets legislation, no matter how carefully that legislation has been drafted.

Approved for circulation to the Standing Committee on Health and Community Wellbeing

Signature:

Date:

26/3/21

By the Minister for Families and Community Services, Rachel Stephen-Smith MLA



**LEGISLATIVE ASSEMBLY**  
FOR THE AUSTRALIAN CAPITAL TERRITORY

**CSD QON No. 3**

STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING  
JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KICKERT MLA (DEPUTY CHAIR), MICHAEL PETERSSON MLA

**Inquiry into referred 2019–20 Annual and Financial Reports and Budget Estimates 2020-21**  
**ANSWER TO QUESTION ON NOTICE**

Asked by Johnathan Davis MLA:

In relation to: Adoption numbers for the ACT

Q1. Is the Minister able to provide the number of children that have been adopted in the ACT in the last 12 months?

Q2. If the Minister is unable to supply this number, can they clarify why they are unable to do so?

Rachel Stephen-Smith MLA: The answer to the Member's question is as follows:–

Q1. For the period 1 March 2020 to 10 March 2021, a total of five adoptions have been granted by the Supreme Court.

Q2. Refer to the response above.

Approved for circulation to the Standing Committee on Health and Community Wellbeing

Signature:

Date: 25/3/21

By the Minister for Families and Community Services, Rachel Stephen-Smith MLA



**LEGISLATIVE ASSEMBLY**  
FOR THE AUSTRALIAN CAPITAL TERRITORY

**CSD QON No. 4**

STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING  
JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KICKERT MLA (DEPUTY CHAIR), MICHAEL PETTERSSON MLA

**Inquiry into referred 2019–20 Annual and Financial Reports and Budget Estimates 2020-21**  
**ANSWER TO QUESTION ON NOTICE**

Asked by Johnathan Davis MLA:

In relation to: Adoption waiting numbers for the ACT

Q1. How many children are currently under Territory care while they wait to be adopted?

Rachel Stephen-Smith MLA: The answer to the Member's question is as follows:—

Q1. As at 1 April 2021, there are six children in out of home care where Child and Youth Protection Services has supported an adoption to be pursued through the Supreme Court. A total of three child adoptions have since been placed on hold by the Application Review Committee pending the outcome of the Supreme Court's decision on the first matter.

Approved for circulation to the Standing Committee on Health and Community Wellbeing

Signature:

A handwritten signature in blue ink, appearing to be 'RSS' followed by a long horizontal stroke.

Date:

7/4/21

By the Minister for Families and Community Services, Rachel Stephen-Smith MLA



STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KIKKERT MLA (DEPUTY CHAIR), MICHAEL PETERSSON MLA

**Inquiry into referred 2019–20 Annual and Financial Reports and Budget Estimates 2020-21  
ANSWER TO QUESTION ON NOTICE**

Asked by Jonathan Davis MLA:

In relation to: Adoption waiting times

Q1. Some young people been in care for 6 years or more and have been waiting for adoption for 4 years or more. What is the Government doing to address the backlog of children in care awaiting adoption?

Rachel Stephen-Smith MLA: The answer to the Member's question is as follows: –

Q1. Adoption is a legal process whereby all parental rights and responsibilities for a child are transferred from the birth parents to the adoptive parents. Given the decision is life changing for children and their birth families, they are not decisions taken lightly by the Community Services Directorate or the Supreme Court, where final decisions are made. The best interests of the children and young people will remain front and centre in making such critical decisions.

The work involved in the adoption process is substantial and timeframes can be lengthy. The process for an adoption for a child in out of home care includes:

- Review of the circumstances of each child and their views;
- undertake a comprehensive assessment of the applicants;
- engage with birth parent/s to discuss their views and concerns about adoption and seek consent;
- if a birth parent is unknown investigating all avenues available to identify and locate birth parents;
- where a birth parent(s) has limitations in their capacity to give consent, seek advocacy and support for the birth parent to assist the parent to present their views and wishes in relation to an adoption;
- where a parent does not have the capacity to provide informed consent or is unwilling to provide consent to an adoption, develop an affidavit for lodgement at the Supreme Court to seek dispensation of consent;
- where consent is obtained initiate legal process in line with the *Adoptions Act 1993* regarding consent; and
- preparation of documents for submission for consideration of the Supreme Court.

The adoption process is rigorous and as such makes it difficult to estimate a standard timeframe for adoption processes.

The 2018-2019 budget invested \$3.46m over four years to continue to support the progress of permanency for children and young people, where restoration is not possible, through Enduring Parental Responsibility Orders or Adoption Orders. This investment funded dedicated resources



**LEGISLATIVE ASSEMBLY**  
FOR THE AUSTRALIAN CAPITAL TERRITORY

**CSD QON No. 5**

**STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING**

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KICKERT MLA (DEPUTY CHAIR), MICHAEL PETERSSON MLA

within Child and Youth Protection Services and resources to the Justice and Community Services Directorate for legal services.

Approved for circulation to the Standing Committee on Health and Community Wellbeing

Signature:

Date: 26/3/21

By the Minister for Families and Community Services, Rachel Stephen-Smith MLA



**LEGISLATIVE ASSEMBLY**  
FOR THE AUSTRALIAN CAPITAL TERRITORY

**CSD QON No. 6**

STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KICKERT MLA (DEPUTY CHAIR), MICHAEL PETERSSON MLA

**Inquiry into referred 2019–20 Annual and Financial Reports and Budget Estimates 2020-21**  
**ANSWER TO QUESTION ON NOTICE**

Asked by Johnathan Davis MLA:

In relation to: Best interests of children in care

Q1. Is the Government committed to adoption for children in care when it is deemed in their best interests?

Q2. How does CYPs determine the best interests of the child?

Rachel Stephen-Smith MLA: The answer to the Member's question is as follows:—

Q1. The Government supports of adoption for children when the preconditions stipulated in both the *Children and Young People Act 2008* and the *Adoptions Act 1993* are met. These relate to the best interests of the child or young person as described in both Acts, as well as the need for consent from the child or young person's birth parents/guardians or dispensation of parental consent (which must be determined by the Supreme Court, not CYPs) and the suitability of the adoption applicants.

Suitability for adoption of a child in out of home care is governed by an assessment process to ensure that adoption is the most appropriate mechanism for ensuring permanency and long-term stability.

Q2. Best interests of a child or young person is a legally defined concept and separately enshrined in both pieces of legislation described above. These considerations at s349 and s10 of the *Children and Young People Act 2008* and s5 and s6 of the *Adoptions Act 1993*, form the basis for an in-depth and professional assessment process of the child and their prospective adoptive parents.

Approved for circulation to the Standing Committee on Health and Community Wellbeing

Signature:

Date: 30/3/21

By the Minister for Families and Community Services, Rachel Stephen-Smith MLA



**Inquiry into referred 2019–20 Annual and Financial Reports and Budget Estimates 2020-21  
ANSWER TO QUESTION ON NOTICE**

Asked by Johnathan Davis MLA:

In relation to: Best practice model in Adoption Act amendments

What best practice model did the Government use in the latest Adoption Act amendments to determine best practice for children-in-care?

Rachel Stephen-Smith MLA: The answer to the Member's question is as follows:—

Recent amendments to the *Adoption Act 1993* (Adoption Act) commenced on 1 September 2020. The changes effect a shift to a child-centred approach, supporting the Court to make decisions about dispensing with consent based on its assessment of the 'best interests' of the child or young person. This focus on the best interests as paramount was informed by extensive public engagement, including interviews with experts in relevant fields, academics and people with lived experience. The domains of best interests identified by participants were very consistent across stakeholder groups and sought to respond to the complexity of out of home care circumstances.

A common set of children's best interests domains was used to frame the consultation findings. These domains were identified by the UN Committee on the Rights of the Child<sup>1</sup> and were also considered in a 2018 study of the best interests domains that appear in child welfare legislation internationally, which included the ACT legislation.<sup>2</sup> The Community Services Directorate (CSD) worked closely with the ACT Human Rights Commission to refine the proposed amendments, and a child welfare expert was engaged to support CSD's work across all stages of consultation. The changes to sections 5 and 35 of the Adoption Act draw on this evidence base to inform a best practice approach, reflecting a more contemporary and nuanced understanding of child wellbeing and development.

<sup>1</sup> UN Committee on the Rights of the Child (CRC) (2013). *General comment No. 14 (2013) on the right of the child to have his or her best interests taken as a primary consideration (art. 3, para. 1)*.

<sup>2</sup> Skivenes, M., & Sørdsal, L. M. (2018). *The child's best interest principle across child protection jurisdictions*. In *Human Rights in Child Protection* (pp. 59-88). Palgrave Macmillan, Cham.



**LEGISLATIVE ASSEMBLY**  
FOR THE AUSTRALIAN CAPITAL TERRITORY

**CSD QON No. 7**

STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING  
JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KICKERT MLA (DEPUTY CHAIR), MICHAEL PETERSSON MLA

Approved for circulation to the Standing Committee on Health and Community Wellbeing

Signature:

Date: 25/5/21

By the Minister for Families and Community Services, Rachel Stephen-Smith MLA



**Inquiry into referred 2019–20 Annual and Financial Reports and Budget Estimates 2020-21**  
**ANSWER TO QUESTION ON NOTICE**

Asked by Johnathan Davis MLA:

In relation to: Gillick competency and adoption

Q1. Does the Government believe that children in the ACT should be legally empowered to apply for adoption themselves should they be found to be Gillick competent?

Rachel Stephen-Smith MLA: The answer to the Member's question is as follows:—

Section 5 of the *Adoption Amendment Act 2020* (Adoption Act) establishes the best interests of children and young people as the paramount consideration in adoption matters. Adoption has lifelong implications for adoptees, some of which may not emerge until decades later. The notion of Gillick competence acknowledges that children and young people's competence to consent is relative to the complexity of the decision in question. The power to make decisions about adoption is ultimately vested in the ACT Supreme Court, which reflects the highly complex ethical considerations inherent to these matters.

The Court ultimately considers each of the best interest's considerations found in the *Adoption Act 1993*, including section 5 (d), which refers to the views expressed by the child or young person. Safeguarding of children demands a robust risk analysis, which includes an understanding of the ethics involved and considers what will cause the greater harm versus the greater good.

The ACT Government considers that the age at which a child can make an informed decision about who they live with, and who they spend time with, will vary from child to child. This means each child will be different in terms of the age at which they can understand the long-term implications of consenting to an adoption. As children grow and develop at their own pace, each child's situation must be assessed with sensitivity to their circumstances and developmental stage, acknowledging that all children are unique, and their thinking and reasoning develop in diverse ways that do not necessarily align with their age. The Court plays a key role in independently considering each aspect of best interests for adoption decisions, including the views expressed by the child or young person.



**LEGISLATIVE ASSEMBLY**  
FOR THE AUSTRALIAN CAPITAL TERRITORY

**CSD QON No. 8**

STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING  
JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KICKERT MLA (DEPUTY CHAIR), MICHAEL PETTERSSON MLA

Approved for circulation to the Standing Committee on Health and Community Wellbeing

Signature:

Date: 28/3/21

By the Minister for Families and Community Services, Rachel Stephen-Smith MLA



**LEGISLATIVE ASSEMBLY**  
FOR THE AUSTRALIAN CAPITAL TERRITORY

**CSD QON No. 9**

**STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING**

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KICKERT MLA (DEPUTY CHAIR), MICHAEL PETTERSSON MLA

**Inquiry into referred 2019–20 Annual and Financial Reports and Budget Estimates 2020-21**  
**ANSWER TO QUESTION ON NOTICE**

Asked by Johnathan Davis MLA:

In relation to: Hold and resumption of adoptions process

Q1. Can the Minister please confirm if foster families are currently being advised that they cannot proceed with their planned adoptions?

Q2. May the Minister clarify why that is?

Q3. If adoptions are not currently proceeding, when can foster families expect adoptions to resume in the ACT?

Rachel Stephen-Smith MLA: The answer to the Member's question is as follows: –

Please refer to Pg. 65-69 of Hansard of 26 February 2021 where this matter was discussed in some detail.

Approved for circulation to the Standing Committee on Health and Community Wellbeing

Signature:

Date: 28/3/21

By the Minister for Families and Community Services, Rachel Stephen-Smith MLA



STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING  
JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KICKERT MLA (DEPUTY CHAIR), MICHAEL PETERSSON MLA

**Inquiry into referred 2019–20 Annual and Financial Reports and Budget Estimates 2020-21  
ANSWER TO QUESTION ON NOTICE**

Asked by Johnathan Davis MLA:

In relation to: Long term orders in child protection system

Q1. Where restoration with the birth family has been exhausted, what outcomes does the Minister intend to achieve for children and young people who are in the child protection system on long term orders?

Rachel Stephen-Smith MLA: The answer to the Member's question is as follows:—

Q1. Achieving permanency and stability in the care of biological family or extended family arrangement (kinship care) is the government's primary objective for children in out of home care.

Where a child cannot be restored to their biological family or placed in kinship care, the child will be placed in a suitable foster care placement. Depending on the individual circumstances of each child and care arrangement, the viability of restoration to either biological parent/s or suitable kin may continue to be further explored. The importance of security and permanency is also recognised and is taken into account in applying the best interests principles in each individual case. This may mean that the most appropriate outcome is long-term foster care or a permanency order such as Enduring Parental Responsibility or adoption.

These decisions are never made lightly and are always informed by professional assessments of the child's best interests (s349 and s10 of the *Children and Young People Act 2008*) along with the child's views and wishes and considering safety and wellbeing of the child.

Approved for circulation to the Standing Committee on Health and Community Wellbeing

Signature:

Date:

20/3/21

By the Minister for Families and Community Services, Rachel Stephen-Smith MLA



STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KICKERT MLA (DEPUTY CHAIR), MICHAEL PETERSSON MLA

**Inquiry into referred 2019–20 Annual and Financial Reports and Budget Estimates 2020-21  
ANSWER TO QUESTION ON NOTICE**

Asked by Johnathan Davis MLA:

In relation to: National Framework of Adoption

Q1. How is the Government demonstrating its commitment to the National Framework of Adoption?

Rachel Stephen-Smith MLA: The answer to the Member's question is as follows:–

The key existing national policy platform that applies to permanency for children in out-of-home care, including adoption, is the *National Framework for Protecting Australia's Children 2009-2020* (National Framework). This framework seeks to improve outcomes for children in out-of-home care, by enhancing placement stability through reunification and other permanency care options, including through adoption. The Fourth Action Plan 2018-2020 (Fourth Action Plan) under the National Framework includes the following key priority area: Improving outcomes for children in out-of-home care by enhancing placement stability through reunification and other permanent care options.

In 2018, Commonwealth, state and territory governments jointly developed the National Permanency Work Plan. This work recognises there are various pathways to permanency, based on the best interests of the child. It does not aim to achieve consistency in adoption legislation across states and territories.

Strategic direction and practice change under the ACT's out of home care strategy *A Step Up for Our Kids* and recent amendments to the *Adoption Act 1993* have been guided by the priorities of the National Framework. It is anticipated that this approach will continue under the successor plan to the National Framework.

Approved for circulation to the Standing Committee on Health and Community Wellbeing

Signature:

Date: 28/3/21

By the Minister for Families and Community Services, Rachel Stephen-Smith MLA



**LEGISLATIVE ASSEMBLY**  
FOR THE AUSTRALIAN CAPITAL TERRITORY

**CSD QON No. 12**

STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING  
JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KICKERT MLA (DEPUTY CHAIR), MICHAEL PETERSSON MLA

**Inquiry into referred 2019–20 Annual and Financial Reports and Budget Estimates 2020-21**  
**ANSWER TO QUESTION ON NOTICE**

Asked by Johnathan Davis MLA:

In relation to: 'Step Up for Kids': EPR and adoption

- Q1. How many EPR orders have there been compared to adoption orders since the 'Step Up for Kids' initiative was implemented in 2015?
- Q2. How many children were on long term orders in 2015?
- Q3. How many were granted EPR or adoption orders during the 'Step Up for Kids' initiative between 2015 and 2020?

Rachel Stephen-Smith MLA: The answer to the Member's question is as follows: –

Keeping children safe with their families and restoring them home is the primary focus for Child and Youth Protection Services. When these options have been exhausted, finding a safe and loving home for children with extended family or foster carers is a priority.

- Q1. Over the five financial years 2015-16 to 2019-20, there have been 14 finalised Adoption Orders and 66 finalised EPR orders issued for children and young people living in out of home care in the ACT (Data from CYRIS, January 2021).
- Q2. On 30 June 2016 (the end of the 2015-16 financial year), there were 517 children and young people in the ACT who were under long-term, finalised guardianship or custody orders (Data from AiHW, Child Protection Australia 2015-16).
- Q3. Over the five financial years 2015-16 to 2019-20, 80 children and young people who were living in out of home care in the ACT have been issued finalised Adoption or EPR Orders.

Approved for circulation to the Standing Committee on Health and Community Wellbeing

Signature:

Date:

30/3/21

By the Minister for Families and Community Services, Rachel Stephen-Smith MLA



**LEGISLATIVE ASSEMBLY**  
FOR THE AUSTRALIAN CAPITAL TERRITORY

**CSD QON No. 13**

STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING  
JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KICKERT MLA (DEPUTY CHAIR), MICHAEL PETTERSSON MLA

**Inquiry into referred 2019–20 Annual and Financial Reports and Budget Estimates 2020-21**  
**ANSWER TO QUESTION ON NOTICE**

Asked by Johnathan Davis MLA:

In relation to: Adoption hold and legislative conflict

Q1. If adoptions are being put on hold because of the judiciary system, but legislation states that the Department must act in the best interests of the child, how does the Government seek to resolve this apparent conflict?

Rachel Stephen-Smith MLA: The answer to the Member's question is as follows:–

Q1. The process of adoption acts to sever the legal relationship between a biological parent/s and their child. It has a psychological and emotional, rather than physical, impact on a child. While delays in the adoption process are regrettable, and likely to be distressing for applicants, there will be no change to the high-quality care arrangements and supports that the child has been receiving in that care placement. It is also important to note that taking an adoption application to court that is not supported through the judicial process would cause extreme distress for all concerned.

The provisions of the *Children and Young People Act 2008* indicate that a child's best interests are met when care arrangements are safe, stable, and their needs are being met – physically, emotionally, culturally and in terms of regular contact with the people they love. The *Adoption Act 1993*, at section 4, makes clear that the process of adoption is centred on the needs of the child or young person rather than an adult wanting to adopt a child or young person.

The Government considers that it is in the best interests of pre-adoptive children for the Directorate to properly engage with the legal process for this extremely important and life changing decision.

Approved for circulation to the Standing Committee on Health and Community Wellbeing

Signature:

Date:

26/3/21

By the Minister for Families and Community Services, Rachel Stephen-Smith MLA



**LEGISLATIVE ASSEMBLY**  
FOR THE AUSTRALIAN CAPITAL TERRITORY

**CSD QON No. 14**

STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING  
JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KICKERT MLA (DEPUTY CHAIR), MICHAEL PETERSSON MLA

**Inquiry into referred 2019–20 Annual and Financial Reports and Budget Estimates 2020-21**  
**ANSWER TO QUESTION ON NOTICE**

Asked by Johnathan Davis MLA:

In relation to: Comparative adoption processing times for the ACT

Q1. How do the timeframes for processing adoption compare to other states and territories?

Rachel Stephen-Smith MLA: The answer to the Member's question is as follows: –

Due to the complexities of the different adoption and permanency processes in each state and territory, including the inability to identify comparable start and end points for each process, neither the Australian Institute of Health and Welfare nor the Report on Government Services collect or publish this type of comparative information on adoptions.

Approved for circulation to the Standing Committee on Health and Community Wellbeing

Signature:

Date: 25/3/21

By the Minister for Families and Community Services, Rachel Stephen-Smith MLA



**Inquiry into referred 2019–20 Annual and Financial Reports and Budget Estimates 2020-21**  
**ANSWER TO QUESTION ON NOTICE**

Asked by Johnathan Davis MLA:

In relation to: Dissatisfaction among foster carers

Q1. There appears to be great dissatisfaction among some foster carers regarding the treatment they and their children in care are receiving.

- a) What is the Government doing to address this dissatisfaction?
- b) What is the expected timeframe to address these concerns?

Rachel Stephen-Smith MLA: The answer to the Member's question is as follows:—

a. The best interests of children and young people who are involved in the ACT's out of home care sector will always remain front and centre in making critical decisions to support their health and wellbeing. These decisions are not made lightly and include a team of people from across a number of disciplines to provide a wholistic response to ensure a child or young person's needs are being met.

The ACT Government acknowledges the critical position carers have in relation to ensuring and maintaining the health and wellbeing of the child or young person in their care. The provision of support to all foster carers, including prospective adoptive parents is delivered through the *A Step Up for Our Kids* Out of Home Care Strategy (Strategy) and in close collaboration with Barnardos Australia (Barnardos) as the lead for the ACT Together consortium.

Under the Continuum of Care domain of the Strategy, the Community Services Directorate funds Barnardos via ACT Together to provide support and case management for foster and kinship carers with children and young people on long-term court orders. This includes:

- recruit, assess, train and support a range of suitable foster carers
- match children and young people with carers who are able to meet their needs
- provide information and support in managing children's trauma and behavioural concerns
- ensure support is available for carers on a 24 hour, seven days per week basis
- provide caseworker contact that is responsive to issues and concerns that arise throughout the duration of the placement and
- provide additional support and services to kinship and foster carers under stress due to, for example, difficulties managing particular behaviours.



**LEGISLATIVE ASSEMBLY**  
FOR THE AUSTRALIAN CAPITAL TERRITORY

**CSD QON No. 15**

**STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING**

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KICKERT MLA (DEPUTY CHAIR), MICHAEL PETTERSSON MLA

As part of the support and case management of kinship and foster carers, ACT Together leads the Carer Wellbeing Sub-Committee. The inaugural meeting of the Carer Wellbeing Sub-Committee was held in July 2017 with the purpose of the Sub-Committee being to support good governance of the Strategy by providing advice on matters relating to:

- monitoring and reporting on the wellbeing of carers to facilitate greater understanding of the carer experience of the ACT's out of home care system
- advice on strategies to support the role of carers within *A Step Up for Our Kids* such as the development of a Carer Health and Wellbeing Strategy, Carer Engagement Strategy and Carer Recruitment and Retention Strategy
- monitor how the Strategy impacts on the carer experience.

Membership comprises of ACT Together, Carers ACT, Children, Youth and Families (Government representative), Foster Care Association, Adoptive Families Association and six kinship and foster carer representatives.

Carers ACT is also funded under the Strategy to provide an additional layer of support for kinship and foster carers. Carers ACT is funded to deliver the independent Kinship and Foster Care Advocacy Support Service to provide independent support and advice to assist carers in their caring role and resolve issues with service providers and Child and Youth Protection Services (CYPS).

b. The Carer Wellbeing Sub-Committee is the forum in which a number of concerns are raised by kinship and foster carers. These meetings are held bi-monthly.

The timeframe to address concerns raised directly to the Community Services Directorate is based on the complexity of the issues being raised and if any investigations need to take place as a result of the information provided.

Approved for circulation to the Standing Committee on Health and Community Wellbeing

Signature:

Date:

7/4/21

By the Minister for Families and Community Services, Rachel Stephen-Smith MLA



STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING  
JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KIKKERT MLA (DEPUTY CHAIR), MICHAEL PETTERSSON MLA

**Inquiry into referred 2019–20 Annual and Financial Reports and Budget Estimates 2020-21**  
**ANSWER TO QUESTION ON NOTICE**

Asked by Elizabeth Kikkert MLA:

In relation to: the ACT Community Sector Sustainability Review

How much will be spent on the jointly funded ACT Community Services Sector Sustainability Review in 2020-21 and across the forward estimates?

- a. For each year above, what is the funding commitment from the ACT Government, and what is the contribution from the community services sector?
- b. Which specific organisations are providing the community services sector contributions, and what has been the process of securing this funding?
- c. Has any of the former co-contribution levy been used for this review in any way?
- d. How exactly is this work intended to 'inform any approaches to contract renewal prior to current contracts ending in June 2022' (AR, p. 46)?

Stephen-Smith MLA: The answer to the Member's question is as follows:—

- a. The ACT Government and the community services sector are partnering to progress the ACT Community Services Sector Sustainability Review (the Sustainability Review). Both ACT Government and the community services sector have agreed to contribute \$50,000 each towards the Sustainability Review, for a total of \$100,000. This funding is expected to be expended across 2020-21 and 2021-22, in line with milestones in the contract with the provider which is currently being finalised. The ACT Government will contract the ACT Council of Social Service (ACTCOSS) to deliver the project, and ACTCOSS will hold the MOU with the research provider.
- b. Funding committed by the community services sector has been sourced from the remaining funds of the 0.34 per cent co-contribution levy (the co-contribution levy). The co-contribution levy commenced in 2012 with any organisation that had a service funding agreement of over \$100,000 per annum contributing to the levy. The co-contribution levy ceased in 2016-17. The expenditure of levy funds is the responsibility of the Joint Community Government Reference Group (JCGRG). In its meeting of 30 June 2020, JCGRG members agreed to utilise \$50,000 of the remaining levy to support the Sustainability Review.



**LEGISLATIVE ASSEMBLY**  
FOR THE AUSTRALIAN CAPITAL TERRITORY

**CSD QON No. 17**

**STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING**

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KICKERT MLA (DEPUTY CHAIR), MICHAEL PETTERSSON MLA

- c. Yes, \$50,000 of the co-contribution levy has been provided for the Sustainability Review. For additional information, please see response to question b above.
- d. The intent of the Sustainability Review is to provide a better understanding of the viability of the community sector through the analysis of the existing funding levels and demand pressures on non-government services responding to the needs of the community. The Sustainability Review will be a key component of an evidence base for the true cost of service delivery, and other operational expenses such as professional development and training for the community services sector here in the ACT. This evidence base will inform discussions and contract negotiations for future funding arrangements between Government and our community partners.

Approved for circulation to the Standing Committee on Health and Community Wellbeing

Signature:

Date: 7/4/21

By the Minister for Families and Community Services, Rachel Stephen-Smith MLA



**LEGISLATIVE ASSEMBLY**  
FOR THE AUSTRALIAN CAPITAL TERRITORY

**CSD QON No. 19**

**STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING**

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KICKERT MLA (DEPUTY CHAIR), MICHAEL PETTERSSON MLA

**Inquiry into referred 2019–20 Annual and Financial Reports and Budget Estimates 2020-21**  
**ANSWER TO QUESTION ON NOTICE**

Asked by Elizabeth Kikkert MLA:

In relation to: building connections for early intervention and prevention

Can the minister please provide more information about the project listed on p. 241 of the Budget Outlook, 'Building connections for early intervention and prevention'?

Rachel Stephen-Smith MLA: The answer to the Member's question is as follows:—

This project is part of funding for the Child and Youth Record Information System (CYRIS) ICT System for Children, Youth and Families. This component was for the following:

- connecting the Children, Youth and Families staff who provide direct service delivery to vulnerable children at the Child and Family Centres (CFCs) and the Child Development Service (CDS) and transferring all relevant client data to CYRIS, retiring the 18 year old legacy system, and;
- building system interfaces to share child protection information with key government partners, commencing with the Education Directorate and the Australian Federal Police, to integrate and automate real time information exchange.

The Budget included funding for development work, licenses, project team and vendor consultancies.

Approved for circulation to the Standing Committee on Health and Community Wellbeing

Signature:

Date:

29/3/21

By the Minister for Families and Community Services, Rachel Stephen-Smith MLA



STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING  
JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KICKERT MLA (DEPUTY CHAIR), MICHAEL PETTERSSON MLA

**Inquiry into referred 2019–20 Annual and Financial Reports and Budget Estimates 2020-21  
ANSWER TO QUESTION ON NOTICE**

Asked by Elizabeth Kikkert MLA:

In relation to: decreased funding for community services and housing

Table 2.4.2 in the 2019-20 Budget Outlook shows a combined spend on community services and housing of \$624 million, making up 11 per cent of the territory's budget (p. 57). Table 3.3.2 in the 2020-21 Budget Outlook shows a combined spend on disability, community services and housing of only \$437 million, making up only 7 per cent of the budget (p. 107). Why are community services and housing receiving \$187 million less in this budget than in the previous budget?

- a. How much of this reduction in funding will be borne by community services, how much of it will be borne by disability, and how much of it will be borne by housing?
- b. Can the minister please provide a detailed list of what services, programs, and staffing will be cut under this budget reduction?

Rachel Stephen-Smith MLA: The answer to the Member's question is as follows:–

- a. The Chief Minister, Treasury and Economic Development Directorate has advised that the Community Services funding figure published in Table 3.3.2 of the 2020-21 Budget Outlook is incorrect due to an error in table category headings.

The correct funding figure for community services and housing in Table 3.3.2 is \$662 million which will be republished on the 2020-21 Budget website in due course.

- b. As above.

Approved for circulation to the Standing Committee on Health and Community Wellbeing

Signature:

Date: 26/3/21

By the Minister for Families and Community Services, Rachel Stephen-Smith MLA



STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KICKERT MLA (DEPUTY CHAIR), MICHAEL PETERSSON MLA

**Inquiry into referred 2019–20 Annual and Financial Reports and Budget Estimates 2020-21  
ANSWER TO QUESTION ON NOTICE**

Asked by Elizabeth Kikkert MLA:

In relation to: Equal Remuneration Order

Budget Statement G shows a funding commitment of \$9.027 million over four years for 'ERO-Funding increase for Community Organisations and Development of Evidence Base for Future Funding Decisions' (p. 25), but the Annual Report states on p. 464 that 'the ERO formally ends on 30 November 2021 and from 2022 onwards it is expected that community sector organisations will pay staff at the minimum level'. Can the minister please explain this apparent contradiction?

- a. Table 3.3.4 of the Budget Outlook shows a 1.5 per cent funding increase for the community sector (p. 131). Is the ERO-funding increase on top of this one, and do they impact on each other in any way?
- b. In each year, how much of the money in the line item on p. 25 of the Budget Statement is for the ERO-funding increase, and how much is for the development of the evidence base?

Rachel Stephen-Smith MLA: The answer to the Member's question is as follows: –

*The National Partnership Agreement on Pay Equity for the Social and Community Services Sector - ERO ceases on 30 November 2021.*

The ACT Government has committed to extend ERO-equivalent contract funding into Community Services Directorate base funding for eligible community organisations to continue to be funded at these levels from November 2021. The provision of extended ERO equivalent funding will prevent significant job losses or retraction in services and enables community organisations to continue to remunerate staff fairly.

- a. The ERO funding extension includes additional indexation at the community sector indexation rate; and
- b. \$50,000 is committed for the Sector Sustainability Review in 2020-21. The remainder of the funding (\$8.99 million) is to provide the equivalent funding into the base funding of eligible community organisations from November 2021 where ERO has been paid to date.



**LEGISLATIVE ASSEMBLY**  
FOR THE AUSTRALIAN CAPITAL TERRITORY

**CSD QON No. 21**

STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING  
JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KICKERT MLA (DEPUTY CHAIR), MICHAEL PETTERSSON MLA

Approved for circulation to the Standing Committee on Health and Community Wellbeing

Signature:

Date:

29/3/21

By the Minister for Families and Community Services, Rachel Stephen-Smith MLA



**STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING**

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KIKKERT MLA (DEPUTY CHAIR), MICHAEL PETERSSON MLA

**Inquiry into referred 2019–20 Annual and Financial Reports and Budget Estimates 2020-21**  
**ANSWER TO QUESTION ON NOTICE**

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Asked by Elizabeth Kikkert MLA:

In relation to: estimated employment level

Table 1 in Budget Statement G shows an increase in staffing in 2019-20 of 45 FTE, some of it 'relating to new initiatives' and some of it related to the COVID-19 pandemic (both delivering the Community Support Package and extending employment for temporary employees). The 2020-21 budget shows a reduction of only 8.5 FTE as a result of pandemic-related stimulus measures easing. How many of the additional 45 positions were for new initiatives, and what are these new initiatives?

- a. How many of the additional 45 positions belong to the coordinating team delivering the Community Support Package?
- b. How many of the additional 45 positions related to extensions of employment for temporary employees?
- c. Of these positions above, which account for the decrease in 8.5 FTE in 2020-21?

Emma Davidson MLA: The answer to the Member's question is as follows:–

There were 19 FTE related to new initiatives provided through the 2019-20 Budget Review. These new initiatives are:

- Building capacity in Child and Youth Protection Services
  - Supporting the Reportable Conduct Scheme
  - Improving and expanding online services
  - Increased support for the Bimberi Youth Justice Centre
  - Disability Justice Strategy
  - Strengthening services for Aboriginal and Torres Strait Islander children and young people; and
  - More support for the Out of Home Care system.
- a. There were 8 staff in the coordinating team delivering the Community Support Package.
  - b. There were 18 temporary employees whose contracts were extended.
  - c. The decrease in FTE is mainly related to the coordination team in delivering the Community Support Package during the COVID-19 pandemic



**LEGISLATIVE ASSEMBLY**  
FOR THE AUSTRALIAN CAPITAL TERRITORY

**CSD QON No. 22**

**STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING**

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KICKERT MLA (DEPUTY CHAIR), MICHAEL PETERSSON MLA

Approved for circulation to the Standing Committee on Health and Community Wellbeing

Signature: *Emma Davidson*

Date: *29/03/2021*

By the Assistant Minister for Seniors, Veterans, Families and Community Services, Emma Davidson MLA



**Inquiry into referred 2019–20 Annual and Financial Reports and Budget Estimates 2020-21**  
**ANSWER TO QUESTION ON NOTICE**

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Asked by Elizabeth Kikkert MLA:

In relation to: external merits review

In the hearing, Ms Sabellico mentioned that part of implementing an external merits review process for child protection decisions in the ACT is to create a more restorative approach from first contact. What will that more restorative approach include?

- a. In hearings, the minister mentioned the need to avoid any overlap of external review with court processes. What was meant by this statement?
- b. In hearings, the minister noted that consultations with figures from both Victoria and Queensland suggested ways to improve on their respective external merits review processes. Can the minister please summarise these recommended improvements?
- c. What did Victoria and/or Queensland identify as not working in their processes?
- d. In hearings, Ms Bassett said that a tender is in process for an organisation to recommend an external review model for the ACT. How much will this contract cost?

Rachel Stephen-Smith MLA: The answer to the Member's question is as follows: –

Restorative approaches in the child protection system are concerned with empowering families to be involved in all aspects of decision-making and building partnerships between families and support services to ensure open and trusting relationships. It is well understood that this approach, established from first contact, improves the likelihood of positive outcomes for children, young people, and their families. Restorative practice facilitates and encourages children and their families to have genuine involvement in the decisions that affect them.

- a. It will be important to ensure that an External Merits Review mechanism in the ACT does not impose unnecessary delays in the resolution of matters for children and their families. This includes ensuring that dual processes (for example, a matter before the Court coinciding with a matter before an external merit review) can be appropriately designed and managed to deliver clarity and effective resolution of these sensitive matters. This will be a key consideration in the design of the External Merits Review mechanism.



**LEGISLATIVE ASSEMBLY**  
FOR THE AUSTRALIAN CAPITAL TERRITORY

**CSD QON No. 23**

**STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING**

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KICKERT MLA (DEPUTY CHAIR), MICHAEL PETTERSSON MLA

- b. The ACT Human Rights Commission and the ACT Government co-hosted a Roundtable discussion with experts, including from Victoria and Queensland, who shared their insights in relation to the implementation of an External Merits Review mechanism for child protection decisions. The advice they provided can be found in the published Communique from the Roundtable available on CSD's website, which includes the following key findings:
- The need to establish an External Review mechanism to build community confidence and to ensure that human rights are properly protected and balanced.
  - Internal and external review processes need to be established as a unified system with clear governance arrangements, decision-making points and timeframes.
  - Any external review process must be simple, accessible and responsive.
  - Participation of children and families must be prioritised, and active efforts should support their right to review decisions.
  - Independent legal representation of a child should be considered, drawing on Queensland's experience.
  - Embedding the Aboriginal and Torres Strait Islander Child Placement Principle in all aspects of the care and protection system is critical.
  - Further consideration must be given to the need for active participation with Aboriginal and Torres Strait Islander Community Controlled Organisations in supporting improved outcomes for Aboriginal and Torres Strait Islander children, young people and families, drawing on Victoria's experience.
  - Support is needed to help people participate equally in any review processes, both external and internal, and address the power imbalance inherent in these processes. This may be especially important for children, people with disability or parents who have difficulty understanding or engaging with the complexities of the system.
  - Further exploration is required to consider a trauma-informed and restorative approach to reviewing decisions in child protection.
- c. Experts from Victoria and Queensland provided valuable guidance on what they regarded as key features for a quality external merits review system. They contributed to the findings in the Communique outlined in answer to question (b) above.
- d. The project has been allocated \$100,000.

Approved for circulation to the Standing Committee on Health and Community Wellbeing

Signature:

Date: 30/3/21

By the Minister for Families and Community Services, Rachel Stephen-Smith MLA



STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KIKKERT MLA (DEPUTY CHAIR), MICHAEL PETERSSON MLA

**Inquiry into referred 2019–20 Annual and Financial Reports and Budget Estimates 2020-21**  
**ANSWER TO QUESTION ON NOTICE**

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Asked by Elizabeth Kikkert MLA:

In relation to: grants and purchased services

Table 32 in Budget Statement G shows a projected decrease in grants and purchased services of nearly \$14 million in 2022-23 and 2023-24. Can the minister please explain this estimated decrease?

- a. Will any of the services currently funded through this line item be discontinued, and if so, which ones and why?
- b. Will any of the services currently funded through this line item be brought in-house, and if so, which ones and why?

Emma Davidson MLA: The answer to the Member's question is as follows: –

Table 32 in the Budget Statement G reflects that in 2021-22, ERO equivalent support funding will be paid. The Community Services Directorate (CSD) is currently undertaking an ACT Community Services Sector Sustainability Review (Sustainability Review) to determine what the funding for the sector should look like from 2022-23 onwards. This is why it shows a projected decrease.

The Sustainability Review will assist to build a collective understanding of the viability of the community sector through the analysis of the existing funding supply in relation to the demand pressures on non-government services responding to the needs of the community. Some of these demand pressures include a growing population; changing demographics; and increasing program administration and other operational expenses.

This analysis is essential to build an evidence-based understanding of the current state, and a data-driven argument for any possible future base funding level changes to respond to community needs.

A total of \$100,000 (GST exclusive) is available to progress the sustainability review, this includes:

- \$50,000 (GST exclusive) allocated via a Cabinet agreement; and
- \$50,000 (GST exclusive) committed by the community sector through the co-contribution levy.



**LEGISLATIVE ASSEMBLY**  
FOR THE AUSTRALIAN CAPITAL TERRITORY

**CSD QON No. 25**

**STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING**

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KICKERT MLA (DEPUTY CHAIR), MICHAEL PETERSSON MLA

The co-contribution levy was a pooled resource that was first announced in July 2012 and extended for a further two years in July 2015, until July 2017. The pooled funds have been used to support initiatives through the *ACT Community Services Industry Strategy 2016-26*.

The funds will be used to engage an expert advisor/consultant to work with ACT Government and the sector to define and build the system to gather the data and reports required for analysis.

Joint planning has been occurring through the ACT Community Services Industry Strategy Steering Group (ISSG) and the Joint Community Government Reference Group (JCGRG). The JCGRG is co-chaired by the Deputy Director-General, CSD and the Chief Executive Officer, ACTCOSS.

Approved for circulation to the Standing Committee on Health and Community Wellbeing

Signature: 

Date: 30 MAR 2021

By the Minister for Assistant Minister for Seniors, Veterans, Families and Community Services,  
Emma Davidson MLA



STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KICKERT MLA (DEPUTY CHAIR), MICHAEL PETERSSON MLA

**Inquiry into referred 2019–20 Annual and Financial Reports and Budget Estimates 2020-21  
ANSWER TO QUESTION ON NOTICE**

Asked by Elizabeth Kikkert MLA:

In relation to maintaining therapeutic assessments for kids in care:

- a. How much in total was spent on paying the Australian Childhood Trauma Group to (ACTG) finalise all outstanding therapeutic assessments, as noted on p. 100 of the Annual Report?
- b. Has CYPS been able to maintain all children in care having a completed therapeutic assessment since 30 June 2020?
- c. Are all new therapeutic assessments being doing by CYPS, or is the ACTG still involved in any way? (If involved, at what cost?)

Rachel Stephen-Smith MLA: The answer to the Member's question is as follows:

- a. Since July 2019 to June 2020 the total funding provided to the Australian Childhood Trauma Group was \$1,481,796.04 (including GST).
- b. Yes, Child and Youth Protection Services (CYPS) has been able to maintain completing annual therapeutic assessment report reviews (TARRs) for children and young people case managed by CYPS and initial therapeutic assessment reports (TARs).
- c. As of 1 July 2020, Child and Youth Protection Services has been completing all therapeutic assessments.

Approved for circulation to the Standing Committee on Health and Community Wellbeing

Signature:

Date: 26/3/21

By the Minister for Families and Community Services, Rachel Stephen-Smith MLA



**STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING**

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KIKKERT MLA (DEPUTY CHAIR), MICHAEL PETERSSON MLA

**Inquiry into referred 2019–20 Annual and Financial Reports and Budget Estimates 2020-21**  
**ANSWER TO QUESTION ON NOTICE**

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Asked by Elizabeth Kikkert MLA:

In relation to: notes to the controlled budget statements

Regarding the notes to the controlled budget statements on pp. 35-36 of Budget Statement G, can the minister please explain the following:

- a. What was the precise nature of the 'higher than budgeted legal services' provided free of charge by JACS (p. 35)?
- b. What specifically were the 'savings initiatives' that resulted in a partial offset under supplies and services (p. 35)?
- c. Why was the 'unspent cash relating to the Community Support Package' not spent (p. 35)?
- d. Were the 'outstanding invoices' mentioned on p. 35 in dispute, or were they just late?
- e. Are the 'Affordable Rental Properties' that were transferred from Housing ACT to the CSD managed by the ACT Government or by an external organisation (p. 35), and what was the purpose of the transfer?
- f. Regarding payables, what is the current timing for the payment of invoices (p. 36)?
- g. How many staff were returned to the CSD's budget from Housing ACT (p. 36), and what was the purpose of this move?

Emma Davidson MLA: The answer to the Member's question is as follows:–

- a. The legal services provided free of charge by JACS refers to legal advice provided to the Child, Youth and Families. The services provided vary from case to case depending upon the complexity of each matter.
- b. The savings initiatives related to: rental savings associated with the move to the new Civic Office Building; savings due to reduced workers compensation premiums; and savings to offset the costs of the ACT Government's Covid-19 public health response.



**LEGISLATIVE ASSEMBLY**  
FOR THE AUSTRALIAN CAPITAL TERRITORY

**CSD QON No. 28**

**STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING**

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KICKERT MLA (DEPUTY CHAIR), MICHAEL PETERSSON MLA

- c. Cash was drawn down in the 2019-20 financial year to ensure funding to organisations could be provided in timely manner given the COVID-19 emergency. The 2019-20 cash drawn down was not fully spent prior to 30 June 2020 for several reasons including the time necessary to finalise grant recipients, negotiate agreements and execute contracts.
- d. The outstanding invoices were progressing through the appropriate internal processes and were all within the standard payment terms.
- e. The 'Affordable Rental Properties' are managed by the ACT Government. The purpose of the transfer of the properties from HACT to CSD is to establish a different arrangement that ensures tenants are eligible for the Commonwealth Rent Assistance and to ensure the continued affordability of rents.
- f. As part of the ACT Government's response to Covid-19, the ACT Government's standard payment terms were adjusted to 14 days from the receipt of a correctly rendered invoice.
- g. 21 full time equivalent staff were returned to CSD's budget from Housing ACT's budget as a realignment of operational responsibilities.

Approved for circulation to the Standing Committee on Health and Community Wellbeing

Signature: *Emma Davidson*

Date: *25/03/2021*

By the Minister for Assistant Minister for Families and Community Services, [name of Minister]



STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KIKKERT MLA (DEPUTY CHAIR), MICHAEL PETERSSON MLA

**Inquiry into referred 2019–20 Annual and Financial Reports and Budget Estimates 2020-21  
ANSWER TO QUESTION ON NOTICE**

Asked by Elizabeth Kikkert MLA:

In relation to: Our Booris, Our Way

Budget Statement G states that funding in 2020-21 to implement Our Booris, Our Way recommendations is \$1.064 million (p. 25), but the Budget Outlook states that the funding for this measure in 2020-21 is only \$472,000 (pp. 62 and 80). Can the minister please explain the discrepancy between these numbers?

- a. The Budget Outlook lists a number of initiatives in relation to Our Booris, Our Way on p. 78: an independent implementation oversight committee; growing the community-controlled sector focussing on children, young people and families; Family Group Conferencing; Family Finding; embedding the Child Placement Principle; and cultural expertise within CYPS. Can the minister please provide a funding breakdown for 2020-21 and across the forward estimates for each of these initiatives (and any not listed)?
- b. In reference to note 4 on p. 20 of Budget Statement G, in what way/s did the Our Booris, Our Way Implementation Oversight Committee contribute to the lower than budgeted result in Table 14? If because of staff vacancies, have these now been filled?

Rachel Stephen-Smith MLA: The answer to the Member's question is as follows:--

CSD received two allocations of funding totalling \$1.064 million for 2020-21 related to the Government's Our Booris, Our Way response:

- the first amount of \$592,000 was provided through the 2020-21 Supply Bill. This amount was referenced in the Government's August 2020 Economic Fiscal Update (Page 99 refers, \$592k for Strengthening Services for Aboriginal and Torres Strait Islander and Young People). This funding was an extension of a previous initiative first published in the 2018-19 Budget; and
- the second component of \$472,000 was the first year (2020-21) of funding provided via the 2020-21 Budget initiative: Implementation of Our Booris, Our Way recommendations (Page 80 of the 2020-21 Budget Paper 3 refers).
- A breakdown of funding for 2020-21 and forward estimates is below.



**LEGISLATIVE ASSEMBLY**  
FOR THE AUSTRALIAN CAPITAL TERRITORY

**CSD QON No. 29**

**STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING**

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KIKKERT MLA (DEPUTY CHAIR), MICHAEL PETTERSSON MLA

Budget Round	2020-21	2021-22	2022-23	2023-24	Total
20-21 Budget	472	1,477	1,445	1,463	4,857
20-21 Supply Budget (Aug 2020 Economic Fiscal Update)	592				592
<b>Total</b>	<b>1,064</b>	<b>1,477</b>	<b>1,445</b>	<b>1,463</b>	<b>5,449</b>

- a) Please refer to CSD QON No. 60 where an answer to this question has been provided.
- b) The lower than budgeted result is mainly due to staff vacancies and timing of delivering of initiatives and events, including Aboriginal and Torres Strait Islander Elected Body meetings, the Our Booris, Our Way Implementation Oversight Committee and the National Agreement on Closing the Gap.
- The Implementation Oversight Committee has continued to meet monthly and is being supported through existing resources within the Community Services Directorate
  - Two vacancies on the Committee are currently in the process of being filled with an Expression of Interest to the Aboriginal and Torres Strait Islander community to be advertised in the coming week.

Approved for circulation to the Standing Committee on Health and Community Wellbeing

Signature:

Date: 6/4/21

By the Minister for Families and Community Services, Rachel Stephen-Smith MLA



**LEGISLATIVE ASSEMBLY**  
FOR THE AUSTRALIAN CAPITAL TERRITORY

**CSD QON No. 30**

**STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING**

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KIKKERT MLA (DEPUTY CHAIR), MICHAEL PETTERSSON MLA

**Inquiry into referred 2019–20 Annual and Financial Reports and Budget Estimates 2020-21**  
**ANSWER TO QUESTION ON NOTICE**

Asked by Elizabeth Kikkert MLA:

In relation to: out-of-home care funding and numbers

Data on p. 23 of Budget Statement G suggests that the number of children and young people in out-of-home care may be declining, which is certainly a good thing, especially if the trend continues. At the same time, Changes to Appropriation on p. 25 of the same document shows increased spending for out-of-home care of \$1.77 million last financial year and \$2.24 million this financial year. What precisely was this extra funding needed for, especially if the number of kids in care is going down?

Rachel Stephen-Smith MLA: The answer to the Member's question is as follows: –

The increase in investment includes resources to plan and design the next iteration of *A Step Up for Our Kids Strategy*. In addition, it provides a specialised therapeutic care arrangement to support a young person who requires intensive care due to their history of trauma. This service is being delivered by Mackillop Family Services.

Approved for circulation to the Standing Committee on Health and Community Wellbeing

Signature:

Date: 29/3/21

By the Minister for Families and Community Services, Rachel Stephen-Smith MLA



STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KIKKERT MLA (DEPUTY CHAIR), MICHAEL PETERSSON MLA

**Inquiry into referred 2019–20 Annual and Financial Reports and Budget Estimates 2020-21**  
**ANSWER TO QUESTION ON NOTICE**

Asked by Elizabeth Kikkert MLA:

In relation to: purpose-built residential care homes

The Annual Report mentions a 'joint project between CYPs and Housing ACT to co-design and build purpose-built residential care accommodation in recognition of the desire for therapeutically designed housing models' (p. 101). There appears to be no funding in the budget for follow-through on this project.

- a. Can the minister please provide an update, including how many will be built and when these houses will be operational?
- b. How many residential care homes are currently in operation in the ACT, and how many bedrooms does each one include? How many children and young people can currently be accommodated in each of these homes?
- c. At this date, how many children and young are resident in each home?
- d. What are the job titles of the people in the territory's care and protection system who assign specific children and young people to a residential care home?
- e. Before making such assignments, do these decision makers visit the homes, meet with the current residents, and/or consult with youth workers assigned to the home?
- f. Do residential care homes have any kind of classification system to guide the process of assigning children or young people to a home?

Rachel Stephen-Smith MLA: The answer to the Member's question is as follows: –

- a. Work is underway to develop ACT's first purpose built therapeutic residential care home. It is anticipated the new home will be operational in 2022. There is no current commitment to build additional therapeutic residential care homes in the ACT.
- b. There is a total of 30 residential houses being utilised by ACT Together, Mackillop Family Services and CYPs Narrabundah House for residential services, including the Community Adolescent Program (CAP) which provides semi and independent living for young people over the age of 16 with ACT Together.



**LEGISLATIVE ASSEMBLY**  
FOR THE AUSTRALIAN CAPITAL TERRITORY

**CSD QON No. 31**

**STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING**

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KIKKERT MLA (DEPUTY CHAIR), MICHAEL PETTERSSON MLA

There is a mix of 2, 3 and 4 bedrooms.

Summary Breakdown:

<b>AGENCY (Number of properties)</b>	<b>Number of Bedrooms</b>	<b>No of children capacity</b>	<b>Current Number of children</b>
<u>ACT Together – (28)</u> • Residential (16) • CAP (12)	4 Bedrooms (11)	33	23
	3 bedrooms (8)	16	8
	2 bedrooms (8)	14	12
	1 Bedroom (1)	1	0
<u>Mackillop (1)</u>	3 bedrooms (1)	2	1
<u>CYPS Narrabundah house (1)</u>	4 Bedrooms (1)	3	1
<b>TOTAL</b>	<b>87</b>	<b>69</b>	<b>45</b>

- c. There are currently 7 houses with 1 child/young person, 13 houses with 2 children/young people, and 4 houses with 3 children and young people being accommodated and 6 houses currently vacant.
- d. Suitability for placement in residential care, as well as the child or young person's ongoing progress in residential care, is assessed by their allocated case manager / operations manager from either CYPS or ACT Together. The placement decision is made once an assessment of the child or young person's care needs and therapeutic needs have been identified, appropriate services coordinated and appropriate matching undertaken with other young people that may be residing in the same home.
- e. Consultation prior to placement of a child or young person occurs with the ACT Together Regional Manager with responsibility for the Residential Care program who provides advice about dynamics between young people, and gives consideration to matching the care needs of a proposed new resident, with the current cohort in each location. CYPS and ACT Together case managers are familiar with the properties and once a child is placed, will visit the young person at the home. Official Visitors and the ACT Public Advocate provide external oversight of residential care homes.
- f. No, children's placements are determined on a case by case basis, based on an evaluation of their individual care needs.



**LEGISLATIVE ASSEMBLY**  
FOR THE AUSTRALIAN CAPITAL TERRITORY

**CSD QON No. 31**

**STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING**

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KICKERT MLA (DEPUTY CHAIR), MICHAEL PETERSSON MLA

Approved for circulation to the Standing Committee on Health and Community Wellbeing

Signature:

A handwritten signature in blue ink, appearing to read "R Stephen-Smith".

Date:

2/4/21

By the Minister for Families and Community Services, Rachel Stephen-Smith MLA



STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KICKERT MLA (DEPUTY CHAIR), MICHAEL PETTERSSON MLA

**Inquiry into referred 2019–20 Annual and Financial Reports and Budget Estimates 2020-21**  
**ANSWER TO QUESTION ON NOTICE**

Asked by Elizabeth Kikkert MLA:

In relation to: reduced spending on family and children across the estimates

The table on p. 218 of the Budget Outlook shows reductions in funding for 'Family and children' in 2021-22 and 2022-23. On what data and/or expectations have these reductions in funding been based?

Rachel Stephen-Smith MLA: The answer to the Member's question is as follows:–

The reductions in funding for "family and children" in 2021-22 and 2022-23 is mainly due to the provisions in 2019-20 Budget and 2019-20 Budget Review:

1. \$8.764 million provisioned for 2022-23, p95 2019-20 Budget Paper No.3. The provisioned \$6.360 million in 2020-21 and \$8.092 million in 2021-22 have provided to CSD in 2020-21 Budget under the "A Step Up for Our Kids – Beyond 2020" initiative.

**Supporting sustainable Out of Home Care placements**

	2019-20	2020-21	2021-22	2022-23	Total
	\$'000	\$'000	\$'000	\$'000	\$'000
Expenses	9,822	3,648	1,596	1,475	16,541
Expenses – Provision	0	6,360	8,092	8,764	23,216
Net Expenses	9,822	10,008	9,688	10,239	39,757

The Government will strengthen support for vulnerable children and young people, their families and carers through more sustainable funding for Out of Home Care services. The Government will also provide additional resources for the development of the next phase of reforms underpinning *A Step Up for Our Kids*, to be delivered beyond 2020. The investment also includes increased expenses of \$1.134 million in 2018-19.



**LEGISLATIVE ASSEMBLY**  
FOR THE AUSTRALIAN CAPITAL TERRITORY

**CSD QON No. 32**

**STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING**

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KICKERT MLA (DEPUTY CHAIR), MICHAEL PETERSSON MLA

\$1.357 million provisioned for 2022-23, P49 2019-20 Budget Review:

**Strengthening services for Aboriginal and Torres Strait Islander children and young people**

	2019-20	2020-21	2021-22	2022-23	Total
	\$'000	\$'000	\$'000	\$'000	\$'000
Expenses	670	1,030	1,316	0	3,016
Expenses – Provision	0	0	0	1,357	1,357
<b>Net Expenses</b>	<b>670</b>	<b>1,030</b>	<b>1,316</b>	<b>1,357</b>	<b>4,373</b>

The Government will fund and expand the Aboriginal and Torres Strait Islander Functional Family Therapy – Child Welfare (FFT–CW) program, to be delivered by OzChild in partnership with Gugan Gulwan Youth Aboriginal Corporation. Funding is provisioned in 2022-23 for the FFT–CW program pending an evaluation. Resources will also be provided for the Cultural Services team and for a senior practitioner to support improved responses to Aboriginal and Torres Strait Islander families.

Approved for circulation to the Standing Committee on Health and Community Wellbeing

Signature:

Date:

30/3/21

By the Minister for Families and Community Services, Rachel Stephen-Smith MLA



STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KIKKERT MLA (DEPUTY CHAIR), MICHAEL PETERSSON MLA

**Inquiry into referred 2019–20 Annual and Financial Reports and Budget Estimates 2020-21**  
**ANSWER TO QUESTION ON NOTICE**

Asked by Elizabeth Kikkert MLA:

In relation to: refreshed nurse home visiting

The Annual Report mentions 'the development of a refreshed model of care to extend nurse home visiting for vulnerable mothers and babies' (p. 76). Can the minister please provide details of this program, including when it started (will start), how it operates, how referrals are made, staffing, and so forth?

Rachel Stephen-Smith MLA: The answer to the Member's question is as follows:—

Work has progressed on the development of a revised model of care, which is not yet operational. Women, Youth and Children continue to deliver the Parenting Enhancement Program (PEP) which provides sustained nurse home visiting to complex and vulnerable families until the child is 12 months of age.

Approved for circulation to the Standing Committee on Health and Community Wellbeing

Signature:

Date: 29/3/21

By the Minister for Families and Community Services, Rachel Stephen-Smith MLA



STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KIKKERT MLA (DEPUTY CHAIR), MICHAEL PETERSSON MLA

**Inquiry into referred 2019–20 Annual and Financial Reports and Budget Estimates 2020-21  
ANSWER TO QUESTION ON NOTICE**

Asked by Elizabeth Kikkert MLA:

In relation to: stability in out of home care placements

Why does Strategic Indicator 8 show no improvement over the forward estimates when it comes to the proportion of children exiting care having experienced no more than two placements?

- a. Does the government have no plan to improve this outcome in any way?
- b. Regarding children who exit care having experienced more than two placements, what proportion have been removed from a placement against their wishes?

Rachel Stephen-Smith MLA: The answer to the Member's question is as follows: –

- a. *A Step Up for Our Kids* Out of Home Care Strategy (the Strategy) has a key focus on Stability. Stability under the Strategy can refer to the number of out of home care placements a child or young person may experience. Where a safe return to the birth family is not possible, the focus under the Strategy shifts to moving the child or young person into a permanent alternative family setting as quickly as possible.
  - In the ACT, of all children and young people who had been living in out of home care for more than two years at 30 June 2020, 92 per cent had experienced two or fewer placements during their time in out of home care. This is higher than the national figure of 73 per cent.
  - In the ACT in 2019-20, of the children and young people who exited out of home care during the financial year, 65 per cent had experienced two or fewer placements during that episode of out of home care. This is a decrease from 76 per cent in 2017-18. This decrease is likely to be related to a range of issues including increased complexity of young people who are in residential care, children spending longer periods of time living in out of home care, and the effort to restore children and young people to their families.
- b. The data collated does not include the type of placement nor the date and time when a placement change may have occurred or whether it was against a child or young person's wishes.



**LEGISLATIVE ASSEMBLY**  
FOR THE AUSTRALIAN CAPITAL TERRITORY

**CSD QON No. 34**

**STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING**

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KICKERT MLA (DEPUTY CHAIR), MICHAEL PETTERSSON MLA

In order to answer this question, an analysis would need to be undertaken looking at the full length of time in care for each child/young person, when during the child/young person's care experience they experienced placement moves, what type of placement changes occurred and for what reasons (e.g. a young person who experiences a series of moves early on followed by a settled placement for ten years, a young person in residential care with a series of moves, etc).

After careful consideration of this matter and based on advice provided by my Directorate, I have determined that the information sought is not in an easily retrievable form and would be administratively burdensome for the purpose of answering the question. This would require a considerable diversion of resources and in this instance, I do not believe that it would be appropriate to divert resources from the provision of direct services.

Approved for circulation to the Standing Committee on Health and Community Wellbeing

Signature:

Date:

30/3/21

By the Minister for Families and Community Services, Rachel Stephen-Smith MLA



STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KIKKERT MLA (DEPUTY CHAIR), MICHAEL PETERSSON MLA

**Inquiry into referred 2019–20 Annual and Financial Reports and Budget Estimates 2020-21  
ANSWER TO QUESTION ON NOTICE**

Asked by Elizabeth Kikkert MLA:

In relation to: the Strengthening Practice Committee

Specifically, which 'mechanisms in place to support evidence-informed and consistent decision making by CYPS practitioners' were considered by the Strengthening Practice Committee, as reported on p. 84 of the Annual Report?

- a. What were the outcomes of this consideration by the committee?
- b. What were the outcomes of the workshop that was convened with stakeholders 'to consider ways to provide greater early support for children and families to avoid formal child protection intervention'?
- c. Was expanding the use of Functional Family Therapy or any other evidence-based program considered by this workshop? If so, what was the conclusion?

Minister Stephen-Smith: The answer to the Member's question is as follows:—

a. The Strengthening Practice Committee (SPC) comprises individuals who possess diverse skills including research and frontline child protection practice expertise and knowledge. The Committee uses its quarterly meetings to focus on key practice issues. The Committee considers a range of mechanisms in place within CYPS to support evidence-informed and consistent decision making, including Case Analysis, supervision, training and development, and the use of Principal and Senior Practitioners.

Some outcomes of this approach have led to a consideration of models of decisions making, frameworks of supervision and models of internal review of decisions, to inform work in the ACT.

b. The workshop convened in June 2020 included a broad range of stakeholders including a number of areas within the Community Services Directorate (CSD), including Child and Youth Protection Services, Strategic Policy, Family Safety Hub and also ACT Education, ACT Policing and Canberra Health Services. The purpose was to share different perspectives, gain a better understanding of mandatory reporting in the ACT and consider how to respond to concerns about children and young people by utilising early supports. The aim of this work is to inform further reform in the child protection system within the context of the broader human services system.



**LEGISLATIVE ASSEMBLY**  
FOR THE AUSTRALIAN CAPITAL TERRITORY

**CSD QON No. 35**

**STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING**

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KICKERT MLA (DEPUTY CHAIR), MICHAEL PETERSSON MLA

The outcome has been a cross-directorate project being led by CSD to consider improvements in supports and guidance for mandatory reports and responses to children and families who are the subject of mandatory reports. This project is ongoing and has involved further workshops and interviews with key stakeholders.

c) The workshop in June 2020 was an initial conversation with stakeholders to discern a range of views and issues. No recommendations were made about expanding particular programs at this initial discussion.

Approved for circulation to the Standing Committee on Health and Community Wellbeing

Signature:

A handwritten signature in blue ink, appearing to read 'R. Stephen-Smith'.

Date: 26/3/21

By the Minister for Families and Community Services, Rachel Stephen-Smith MLA



**STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING**

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KIKKERT MLA (DEPUTY CHAIR), MICHAEL PETTERSSON MLA

**Inquiry into referred 2019–20 Annual and Financial Reports and Budget Estimates 2020-21**  
**ANSWER TO QUESTION ON NOTICE**

Asked by Elizabeth Kikkert MLA:

In relation to: work of the Community Relations and Funding Support Team

The Community Relations and Funding Support Team administers (1) the Child, Youth and Family Services Program, (2) the Children's Services Program, and (3) the Community Development Program. Funding for each of these as listed on p. 66 of the Annual Report was (1) \$12.643 million, (2) \$2.668 million, and (3) \$15.534 million. Can the minister please provide a detailed breakdown of costs withing each of these three programs?

Emma Davidson MLA: The answer to the Member's question is as follows: –

Please see the below breakdown of the three programs:

**1. Child, Youth and Family Services Program (CYFSP) – Service Descriptions**

In 2019-20, the CYFSP was funded a total of \$12.643 million (GST exclusive) per annum.

The CYFSP comprises of several different program components, as listed in the below table:

<b>CYFSP Components</b>	<b>Service Descriptions</b>	<b>2019-20 Recurrent Funding `000 (GST Exclusive)</b>
Case Management Services	Services provided within a case management framework for children, young people and families who are vulnerable and in need.	\$2,412
Group Programs	Group based services that work to achieve positive change (e.g. behaviour, knowledge, skills) for vulnerable and in need children, young people and/or their families.	\$1,359
Integrated Service Model	Series of intentional interventions that work together in an integrated way to promote safety, permanency and well-being of children, youth and families including: <ul style="list-style-type: none"><li>▪ Case Management</li><li>▪ Group Programs</li><li>▪ Youth Engagement</li><li>▪ Therapeutic Services</li><li>▪ Training and support to workers (Cultural competence)</li></ul>	\$1,765



**LEGISLATIVE ASSEMBLY**  
FOR THE AUSTRALIAN CAPITAL TERRITORY

**CSD QON No. 37**

**STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING**

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KIKKERT MLA (DEPUTY CHAIR), MICHAEL PETERSSON MLA

<b>CYFSP Components</b>	<b>Service Descriptions</b>	<b>2019-20 Recurrent Funding `000 (GST Exclusive)</b>
Intensive Intervention	Service(s) that work in partnership with Care and Protection and Youth Justice Services to transition children, young people, and their families out of tertiary services.	\$958
Network Coordination	Manage the engagement of services with identified service users, manage the transition of service users across networks, build and support collaborative practice between service providers, monitor and develop strategic responses to improve service in designated networks.	\$532
Peaks	Provision of Peak Services to the Children, Youth and Family Services Program.	\$567
Therapeutic Services	Professional therapeutic services to meet the needs of children, young people and their families who are vulnerable and in need.	\$651
Young Carers and their families	Provide activities that build on the young person's and their family's strengths and that meet their assessed needs using a case management approach.	\$372
Youth Engagement	Identify and engage young people who are vulnerable and in need (medium to high risk), for whom mainstream service providers typically find hard to engage.	\$1,689
ATSI Engagement Service	Increase the accessibility and effectiveness of services for Aboriginal and Torres Strait Islander peoples in the ACT in the areas of housing support, homelessness and children, young people, and families.	\$150
CALD Youth Engagement	To develop and improve the cultural competency of services working with CALD individuals, young people, and families, by promoting access and engagement with mainstream services through supporting community service workers.	\$303
Young Men Mentoring and Counselling	Provision of one-to-one mentoring support, group mentoring activities and counselling for young men.	\$353
Grants	Provide support to a community sector organisation to assist them to complete their ongoing work.	\$196
Workforce Development and Training	The Child, Youth and Family Services Directors agreed to retain two percent (2%) of the total program budget to fund workforce development and training.	\$215
Unallocated Budget	Excess Awards ACT program funding	\$16



**LEGISLATIVE ASSEMBLY**  
FOR THE AUSTRALIAN CAPITAL TERRITORY

**CSD QON No. 37**

**STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING**

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KIKKERT MLA (DEPUTY CHAIR), MICHAEL PETTERSSON MLA

<b>CYFSP Components</b>	<b>Service Descriptions</b>	<b>2019-20 Recurrent Funding `000 (GST Exclusive)</b>
Equal Remuneration Order (ERO)	The ERO was added in June 2012 to s.302 of the <i>Fair Work Act 2009</i> requiring the pay rates for employees in the social and community services sector to be increased.	\$859
COVID Support		\$246
<b>TOTAL FUNDING (GST exclusive)</b>		<b>\$12,643</b>

**2. Children's Services Program (CSP) Service Descriptions**

In 2019-20, the CSP was funded a total of \$2.668 million (GST exclusive) per annum for the following program components.

<b>CSP Component</b>	<b>Service Descriptions</b>	<b>2019-20 Recurrent Funding '000 (GST Exclusive)</b>
Long Day Care	Long day care childcare places	\$1,657
Parenting Support Program	Provide targeted evidence-based parenting services and deliver strengths-based parenting interventions and supports tailored to individual families.	\$583
Toy Library/ Playgroups	Facilitate the participation of the ACT children aged birth to five years and their families in playgroups; and Resource Centre for families and their children.	\$218
Equal Remuneration Order (ERO)	The ERO was added in June 2012 to s.302 of the <i>Fair Work Act 2009</i> requiring the pay rates for employees in the social and community services sector to be increased.	\$210
<b>TOTAL FUNDING (GST exclusive)</b>		<b>\$2,668</b>

**3. Community Development Program (CDP) – Service Descriptions**

In 2019-20, the CDP was funded a total of \$15.534 million (GST exclusive) per annum. The CDP comprises of a number of different program components, as listed in the below table:

<b>CDP Components</b>	<b>Service Descriptions</b>	<b>2019-20 Recurrent Funding '000 (GST Exclusive)</b>
Emergency Relief and Financial Support Program	ACT Microcredit Program: The Program has been designed to support the objectives of the ACT Government's commitment to advance the economic status of a range of	\$100



**LEGISLATIVE ASSEMBLY**  
FOR THE AUSTRALIAN CAPITAL TERRITORY

**CSD QON No. 37**

**STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING**

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KIKKERT MLA (DEPUTY CHAIR), MICHAEL PETTERSSON MLA

<b>CDP Components</b>	<b>Service Descriptions</b>	<b>2019-20 Recurrent Funding '000 (GST Exclusive)</b>
	vulnerable target groups in the Territory. The Program is directed at individuals on low incomes.	
Emergency Relief and Financial Support Program	<p>Emergency Material and Financial Aid: The Emergency Material and Financial Aid (EMFA) Program provides timely support to individuals and families experiencing disadvantage and financial stress.</p> <p>Support may take various forms; including (but not limited to), vouchers, grocery items, clothing, and financial assistance such as the payment of outstanding bills. In the course of their contact with an EMFA provider, individuals and families may also receive information about, or referrals to, other services for additional and ongoing support, such as financial counselling or case management.</p>	\$1,315
Emergency Relief and Financial Support Program	<p>Financial Counselling: An integrated financial counselling service to ensure low to moderate income and vulnerable Service Users are treated fairly and to support them to overcome debt through provision of information, advice, advocacy education and raising community awareness.</p>	\$502
Emergency Relief and Financial Support Program	<p>Food Assistance: The Food Assistance (FA) Program provides timely support to individuals and families experiencing disadvantage and financial stress.</p> <p>The FA Program provides access to quality food (frozen, chilled, packaged and fresh) in the ACT, by:</p> <ul style="list-style-type: none"> <li>• acting as a conduit between organisations who support those in need and the industry (restaurants, catering businesses, famers, food chains, fruit markets);</li> <li>• providing flexible arrangements in scale, time and location of service delivery to meet changing needs of very small, small and medium size community organisations; and</li> <li>• providing healthier food choices in line with the ACT Healthy Weight Initiative.</li> </ul>	\$88
Emergency Relief and Financial Support Program	<p>No Interest Loan Program: The No Interest Loan Program (NILP) is a microfinance program used to assist individuals on low to middle income that are experiencing financial</p>	\$209



**LEGISLATIVE ASSEMBLY**  
FOR THE AUSTRALIAN CAPITAL TERRITORY

**CSD QON No. 37**

**STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING**

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KICKERT MLA (DEPUTY CHAIR), MICHAEL PETTERSSON MLA

<b>CDP Components</b>	<b>Service Descriptions</b>	<b>2019-20 Recurrent Funding '000 (GST Exclusive)</b>
	pressure and need to access affordable credit to transition to financial stability. The NILP assists individuals to access safe and affordable credit to purchase essential items. NILP loans cannot be issued for bond, rent or debt repayments.	
Community Development	Organisations undertake community development activities based on identifying capacities and assets within the community to enhance opportunities for and establish strong effective community development at a local and regional level.	\$1,572
Community Minibus	A flexible community transport service provided to ACT seniors and people isolated through a lack of transport options, which aims to improve their capacity to participate fully in the life of their communities.	\$350
Support for individuals who have experienced domestic and family violence, and sexual assault (inc Safer Families)	Funding is provided to support frontline service providers to deliver a range of support services to individuals who have experienced domestic and family violence, and sexual assault in the Canberra community.	\$4,505
Community Radio	Funding is provided to support organisations to deliver a community broadcasting service in the Canberra community and surrounding region. This provides an opportunity for radio broadcast to a diverse range of cultural and social groups who would not ordinarily be able to gain access to this media.	\$109
Peak Bodies	Peak bodies undertake community sector capacity and development services including activities that contribute to the priority areas of the ACT Community Services Industry Strategy 2016-2016. Peak bodies provide opportunities for the community and community sector organisations to contribute to service development and policy advice and support innovation in the development of services and engagement with decision-makers. They foster and develop partnerships with other organisations to assist in the provision of support to member organisations and ACT residents.	\$820



**LEGISLATIVE ASSEMBLY**  
FOR THE AUSTRALIAN CAPITAL TERRITORY

**CSD QON No. 37**

**STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING**

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KICKERT MLA (DEPUTY CHAIR), MICHAEL PETTERSSON MLA

CDP Components	Service Descriptions	2019-20 Recurrent Funding '000 (GST Exclusive)
Other		\$1,691
Grants	Community Support and Infrastructure Grants and Participation (Digital Communities) Grants	\$523
Covid		\$2,552
Equal Remuneration Order (ERO)	The ERO was added in June 2012 to s.302 of the <i>Fair Work Act 2009</i> requiring the pay rates for employees in the social and community services sector to be increased.	\$1,198
<b>TOTAL FUNDING (GST exclusive)</b>		<b>\$15,534</b>

Approved for circulation to the Standing Committee on Health and Community Wellbeing

Signature: *Emma Davidson*

Date: *30 MAR 2021*

By the Minister for Assistant Minister for Seniors, Veterans, Families and Community Services,  
Emma Davidson MLA



STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KICKERT MLA (DEPUTY CHAIR), MICHAEL PETTERSSON MLA

**Inquiry into referred 2019–20 Annual and Financial Reports and Budget Estimates 2020-21**  
**ANSWER TO QUESTION ON NOTICE**

Asked by Nicole Lawder MLA:

In relation to: Public Housing Maintenance Expenditure

1. Provide a breakdown of public housing maintenance expenditure for the following years:
  - a. 2015-16;
  - b. 2016-17;
  - c. 2017-18;
  - d. 2019-20;
  - e. 2020-21 to date.
2. What is the current budget for ACT Housing maintenance?
3. How is the budget for ACT Housing maintenance calculated each year?
  - a. Are any factors built in for strategy on social behaviours, mental health, crime, etc?
4. Does Treasury provide any support in modelling the ACT Housing budget?

Yvette Berry MLA: The answer to the Member's question is as follows:–

[Insert answer to question on notice]

1.
  - a. As per the financial statements for 2015-16, public housing maintenance expenditure was \$41,200,000.
  - b. As per the financial statements for 2016-17, public housing maintenance expenditure was \$40,316,000.
  - c. As per the financial statements for 2017-18, public housing maintenance expenditure was \$41,383,000.
  - d. As per the financial statements for 2019-20, public housing maintenance expenditure was \$51,923,000. As part of the ACT Government's COVID-19 Survival Package - Economic Recovery through Social Housing, \$8.9 million dollars over two years has been provided as part of a maintenance and upgrade program for public housing.
  - e. Expenditure on the maintenance of public housing for the 2020-21 financial year as at 5 March 2021 was \$31,829,378.
2. The 2020-21 Budget for Housing ACT Maintenance is \$39,876,000.



**LEGISLATIVE ASSEMBLY**  
FOR THE AUSTRALIAN CAPITAL TERRITORY

**CSD QON No. 38**

**STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING**

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KICKERT MLA (DEPUTY CHAIR), MICHAEL PETTERSSON MLA

3. As a Public Trading Enterprise, Housing ACT budgets are based on the amount of revenue expected to be received, with the main source of this being rent received from tenants. Housing ACT apportions this budget across all operations, including public housing maintenance.
  - a. Through the maintenance budget Housing ACT assists tenants experiencing family and domestic violence and those who wish to age in place and live with dignity through security and disability modifications. Housing ACT has well established connections with a range of community groups and policing to assist those tenants managing mental illness or who may be experiencing crime. Housing ACT has experienced and trained professionals who work closely with tenants to address these and other similar issues.
4. The Housing ACT Budgets are prepared by the agency in conjunction with the Community Services Directorate, who can request additional information or support from Treasury as required.

Approved for circulation to the Standing Committee on Health and Community Wellbeing

Signature:

Date: 31/03/21

By the Minister for Housing and Suburban Development, Yvette Berry MLA



**Inquiry into referred 2019–20 Annual and Financial Reports and Budget Estimates 2020-21**  
**ANSWER TO QUESTION ON NOTICE**

Asked by Nicole Lawder MLA:

In relation to: ACT Housing Portfolio

1. What is the current monetary value of the ACT Housing portfolio?
2. To provide a breakdown of latest condition assessments for the entire ACT Housing Portfolio in regard to their category rating.
3. What is the current estimate (in dollar terms) of the backlog maintenance for the ACT Housing Portfolio?
4. How many properties are currently vacant in the ACT Housing portfolio?
  - a. What is the average time a property is vacant for before it is reallocated?

Yvette Berry MLA: The answer to the Member's question is as follows:—

[Insert answer to question on notice]

1. The value of the Housing ACT portfolio at 31 December 2020 is \$5,485,533,676.
2. Housing ACT, through the TFM Contract with Programmed, undertake Property Condition Assessments on all properties to ascertain the overall condition of the portfolio as well as to use the data to schedule major upgrades. Since the start of the TFM Contract with Programmed, 57% of properties have had a PCA undertaken. These assessments have shown that 21% of the properties assessed were identified as 'end of life' and require major upgrades. These properties are prioritised for either upgrading or a decision as to their future within the Housing ACT portfolio.
3. Housing ACT do not have an overall dollar estimate of all works across the entire portfolio. Housing ACT rely on tenants calling in maintenance and routine condition assessments to prioritise the works to be done.
4. 405 properties are currently vacant which represents about 3% of the portfolio. This is better than the accountability indicator requirement for an occupancy rate of 96% across the portfolio.



**LEGISLATIVE ASSEMBLY**  
FOR THE AUSTRALIAN CAPITAL TERRITORY

**CSD QON No. 39**

**STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING**

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KICKERT MLA (DEPUTY CHAIR), MICHAEL PETTERSSON MLA

- a. During the 2020-21 financial year, the average time a property was vacant before being allocated was 100 days. When a property is vacated, a complete assessment is carried out by Programmed to assess what routine works or major upgrades are required to return the property, ready for re-allocating. When a property requires more substantial work such as a new kitchen, bathroom, painting or floor coverings, this additional work invariably impacts on the time frame and Housing ACT works closely with Programmed to have properties returned and ready for new tenants as soon as possible. Programmed have time frames they are required to meet depending on the volume and complexity of the works at a vacant property. These time frames can vary from 10 days to 365 days.

The allocation time will vary depending upon the dwelling specifics, for example, higher density housing properties generally have higher than average vacant days due to the applicant's requirements, the community perception, and the location of such properties. A further example would be a designated "older Persons Unit" whereby age requirements prevent allocation to younger individuals. Housing ACT aims to reallocate properties within 28 days, where this has not occurred, generally there have been various 'refusals' by applicants meaning the property is offered multiple times before being accepted for occupancy.

Approved for circulation to the Standing Committee on Health and Community Wellbeing

Signature:

Date: 31/03/21

By the Minister for Housing and Suburban Development, Yvette Berry MLA



**Inquiry into referred 2019–20 Annual and Financial Reports and Budget Estimates 2020-21**  
**ANSWER TO QUESTION ON NOTICE**

---

Asked by Elizabeth Lee MLA:

In relation to: Growing and Renewing Public Housing Strategy (2019-2024), discussed at page 110 of the Annual Report

1. What is the capital cost for building and delivering the additional 60 dwellings you announced last year?
2. What is the capital cost for building and delivering the additional 140 houses committed to in the Labor - Greens Parliamentary and Governing Agreement?
3. Over what financial years will this expenditure take place and how much each year?
4. What is the source of funds for the additional housing numbers (e.g. capital borrowings, further public housing sales etc): and
  - a. Where are these provisions featured in the budget documents?
5. Could you provide an indication of the number of properties set to be constructed each year under this scheme to reach the target of 400 properties?

Yvette Berry MLA: The answer to the Member's question is as follows:

1. On 5 August 2020, the ACT Government announced the expansion of the Growing and Renewing Public Housing Program, providing longer-term economic stimulus through the allocation of an additional \$32 million to purchase land from the Suburban Land Agency or Asbestos Response Taskforce and \$20 million to extend the program for a sixth year, funding the construction of the 60 additional new public housing dwellings and expansion of the Program to 30 June 2025. Whilst it is anticipated that a minimum of investment of \$20 million will be required, the specific capital costs to deliver the additional 60 dwellings are still yet to be determined and will be finalised subject to a future budget process.
2. The options for delivery of the 140 additional properties, announced as part of the Parliamentary and Governing Agreement, will be developed by Housing ACT and presented to government for consideration as part of a future budget process.
3. The Growing and Renewing Public Housing Program runs to 30 June 2025 with a total investment commitment of approximately \$652 million over the six years – \$152 million of which is currently allocated through Capital Injections.



**LEGISLATIVE ASSEMBLY**  
FOR THE AUSTRALIAN CAPITAL TERRITORY

**CSD QON No. 40**

**STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING**

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KICKERT MLA (DEPUTY CHAIR), MICHAEL PETERSSON MLA

4. Funding is split between Own Source Revenue and Capital Injections. Own Source Revenue is achieved via the sale of existing public housing properties, which have reached the end of their useful life within the Territory's housing portfolio.
  - a. Capital Injections are featured in the Budget Papers on a yearly basis from 2019-20 to 2024-25.
5. Whilst the forward program sets targets to renew 1,000 properties and grow the portfolio by at least 400 homes, achievement of these targets will not be linear, and the program will be flexible in its delivery to ensure the needs of current and future tenants are being appropriately met.

Approved for circulation to the Standing Committee on Health and Community Wellbeing

Signature:

Date:

29/03/21

By the Minister for Housing and Suburban Development, Yvette Berry MLA



**STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING**

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KICKERT MLA (DEPUTY CHAIR), MICHAEL PETERSSON MLA

**Inquiry into referred 2019–20 Annual and Financial Reports and Budget Estimates 2020-21  
ANSWER TO QUESTION ON NOTICE**

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Asked by Elizabeth Lee MLA:

In relation to: complaints received by Housing ACT, as detailed at page 108 of the Annual Report

1. Table 18 indicates that for 2019-20, 953 complaints were in relation to "disruptive behaviour and neighbourhood issues." What were the corresponding number of complaints for:
  - a. 2018-19;
  - b. 2017-18; and
  - c. 2016-17
2. What is Housing ACT's policy for managing complaints?
3. Has this policy been evaluated over the past 12 months and if not, when will the next audit of Housing ACT's complaints management policy take place?
4. How does Housing ACT enforce the terms and conditions of tenants' contracts?
5. How many tenants were found to be in breach of the terms and conditions of their tenancy agreement in 2019-20?
6. Of the number in 5, above, how many tenancies were:
  - a. Relocated; and
  - b. Terminated?
7. Does Housing ACT assess the compatibility of new housing ACT tenants with adjacent housing ACT tenants and local neighbourhoods:
  - a. If yes, what criteria is used to assess this compatibility?
8. In the past 12 months, have there been any instances where tenants have been relocated shortly after moving in due to compatibility issues and if so, how many

Rebecca Vassarotti MLA: The answer to the Member's question is as follows:–

1. The following number of disruptive behaviour or neighbourhood issue complaints were received:
  - a. In 2018-19, 841 complaints;
  - b. In 2017-18, 756 complaints; and
  - c. In 2016-17, 940 complaints.



**LEGISLATIVE ASSEMBLY**  
FOR THE AUSTRALIAN CAPITAL TERRITORY

**CSD QON No. 41**

**STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING**

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KICKERT MLA (DEPUTY CHAIR), MICHAEL PETERSSON MLA

2. Housing ACT manages complaints in accordance with the Community Services Directorate's *Complaints Handling and Management Policy (CHaMP)*. The policy is available at <https://www.communityservices.act.gov.au/quality-complaints-and-regulation/complaints-and-advocacy/complaint-handling-and-management-policy>
3. Housing ACT's complaint handling policy and CHaMP were evaluated in 2020 as part of the Community Services Directorate's annual performance audit program.
4. All Housing ACT tenants have residential tenancy agreements that use the standard residential tenancy terms described in Schedule 1 of the *Residential Tenancies Act, 1997* (RTA). As with all tenancy agreements, the terms and conditions are enforced in accordance with the requirements of the RTA. Notices to Remedy are issued for minor breaches and these can then escalate to Notices to Vacate and then to Termination Orders and Evictions. Termination Orders and Evictions are granted by the ACT Civil and Administrative Tribunal (ACAT).
5. In 2019-20, 1,646 Notices to Remedy were issued to Housing ACT tenants for breaches of their tenancy agreements.
6. In 2019-20, 272 tenants were relocated, although this figure includes all tenants that relocated and not just those that may have been in breach of their tenancy agreement. A further 18 tenancies ended as a result of legal action, including three evictions.
7. Housing ACT allocates housing based on bedroom entitlements and areas of preference identified by applicants. Every effort is made to achieve the best possible match of an applicant's needs within the available housing stock noting their physical and psychological needs. The compatibility of new Housing ACT tenants with other tenants is considered primarily where there may be safety concerns because of Domestic and Family Violence Orders or Personal Protection Orders and these have been made known to Housing ACT staff.
8. In the last 12 months there have been no instances of tenants relocating shortly after moving into their property because of compatibility issues with their neighbours.

Approved for circulation to the Standing Committee on Health and Community Wellbeing

Signature:

Date: 25/03/2021

By the Minister for Homelessness and Housing Services, Rebecca Vassarotti MLA



STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KICKERT MLA (DEPUTY CHAIR), MICHAEL PETERSSON MLA

**Inquiry into referred 2019–20 Annual and Financial Reports and Budget Estimates 2020-21  
ANSWER TO QUESTION ON NOTICE**

Asked by ELIZABETH LEE MLA:

In relation to: Housing ACT Accountability Indicators at page 51 of Budget Statement G:

1. Why has the average cost per dwelling already exceeded this financial year's target by almost \$800 per property?
2. Given that two years ago the estimated cost per dwelling was \$13 150, what accounts for the increase in average cost per dwelling of over \$4100, for this financial year; and
  - a. What cost items go into this figure?

Yvette Berry MLA: The answer to the Member's question is as follows:

1. The higher average cost per dwelling for the 2020-21 financial year is mainly attributable to the timing of additional expenditure incurred as part of the Government's Covid-19 response including the cost of compliance and flexible working arrangements as well as higher than budgeted year to date expenditure on repairs and maintenance.

2. The increase in the average cost per dwelling over the last two years can be attributed to the growth in the overall cost of Housing ACT's operations over the same timeframe, and which includes expenses related to the implementation to the Government's Growing and Renewing Public Housing program.

2a. Some of the major components that can be attributed to this cost growth include additional employee expenses due to the implementation of the Growing and Renewing Public Housing Program; salary increases in accordance with the Enterprise Agreements; growth in insurance premiums; increases in the costs of general land rates, water rates and consumption; and increases in consultancy expenses.

Approved for circulation to the Standing Committee on Health and Community Wellbeing

Signature:

Date: 29/03/21

By the Minister for Housing and Suburban Development, Yvette Berry MLA



**Inquiry into referred 2019–20 Annual and Financial Reports and Budget Estimates 2020-21**  
**ANSWER TO QUESTION ON NOTICE**

Asked by ELIZABETH LEE MLA:

In relation to: Housing ACT Cash Flow Statement at p. 58 of Budget Statement G:

1. Why is this year's capital injection set at almost 2 ½ times that of last year's capital injection; and
  - a. Why in 2022-23 is the capital injection set to drop to \$5 million?
2. Do these capital injections go through the appropriation process, and if so, where are these capital injections appropriated from; and
  - a. Where in the budget are these displayed?

Yvette Berry MLA: The answer to the Member's question is as follows:

1. The capital injection for the 2020-21 Budget Year is higher than the 2019-20 audited outcome capital injections as the result of a new and continuing initiatives in the 2020-21 financial year. The majority of the variance between the two years is the result of the following two initiatives.

- The new initiative during the 2020-21 financial year is the Growth and Renewal Program – Land Capital initiative in the amount \$32 million which was funded as part of the Covid-19 Economic Survival Package.
- The continuation of the Reducing homelessness by delivering another Common Ground initiative sees capital injection funding of \$11.594 million in 2020-21 compared to \$0.404 million in 2019-20.

The 2022-23 Budgeted capital injection drops to \$5 million as the funds for programs such as Growing and Renewing More Public Housing is required to go through the Budget Process each year, with future amounts being provisioned. Housing ACT is required to prepare a Business Case each year to enable appropriation of funds.

2. Yes, Housing ACT's capital injections are required to go through the formal Budget process with consideration of Business Cases. The capital injection funds are appropriated to Housing ACT from the Territory, with approved appropriated funds being displayed within Housing ACT's Budget Statements. Future appropriations which are yet to be approved, may be included as provisioned appropriations which are included within disclosures in the Budget Outlook.



**LEGISLATIVE ASSEMBLY**  
FOR THE AUSTRALIAN CAPITAL TERRITORY

**CSD QON No. 43**

**STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING**

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KICKERT MLA (DEPUTY CHAIR), MICHAEL PETTERSSON MLA

Approved for circulation to the Standing Committee on Health and Community Wellbeing

Signature:

A handwritten signature in blue ink, appearing to be "Yvette Berry", written over a large, faint circular stamp.

Date: 29/03/21

By the Minister for Housing and Suburban Development, Yvette Berry MLA



**Inquiry into referred 2019–20 Annual and Financial Reports and Budget Estimates 2020-21**  
**ANSWER TO QUESTION ON NOTICE**

Asked by Elizabeth Lee MLA:

In relation to: community housing referred to in the Annual Report at p. 116

1. How many shared equity arrangements exist between community housing providers and the ACT Government?
2. Does the government intend on expanding the number of shared equity arrangements with community housing providers in 2020-21 and forward estimates, and if so, on what scale?
3. Does the Government intend to increase the level of funding to community housing providers in 2020-21 and forward estimates; and
  - a. If so, by how much and in what financial years?
4. For 2019-20, how many properties were leased to community housing providers under the Housing Assistance Asset Program; and
  - a. How many are planned for 2020-21?

Yvette Berry MLA: The answer to the Member's question is as follows:

1. Housing ACT, through the Commissioner for Social Housing, has mortgaged equity shares over approximately 60 properties held and operated by community housing providers in Canberra.
2. As part of the Economic Recovery through Social Housing Package the government agreed to design and pilot a shared equity scheme for individual participants and community housing providers. Work on the design of the scheme has commenced, with this work informing the scale of the pilot. Community housing providers and other stakeholders will be involved in the design of the pilot scheme.
3. The ACT Government is continuing work with community housing providers (CHPS) on implementation of the ACT Housing Strategy. Housing ACT continues to consider models such as Toolangi mixed tenure complex, where the service and lease agreement is for an initial period with provision for extensions i.e. 5 years fixed term with 3x 5 year options to a maximum of 20 years. Housing ACT will shortly release a tender to market for the supply of service provision and tenancy and property management of 20 supported housing rentals and 20 affordable rentals in Common Ground Dickson – Canberra's second Common Ground development.



STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KICKERT MLA (DEPUTY CHAIR), MICHAEL PETTERSSON MLA

Further support continues to be provided to CHPs in government owned properties by way of rent relief as part of the COVID-19 Government response. As part of that funding, organisations that rent properties from Housing ACT under the Housing Asset Assistance Program received full rent relief for 6 months, to a value of approximately \$2.2 million, meaning that the ACT Government did not charge rent for those properties for that period. This relief was provided for approximately 600 properties.

On 15 September 2020, the ACT Government extended the rent relief package for organisations renting properties from Housing ACT under the Housing Asset Assistance Program to 31 December 2020. The program has been further extended on a case by case basis to 30 June 2021. The rent relief provided community housing providers with direct financial support to continue to focus on providing essential services and provide flexibility around how they work with their tenants.

- a. Outward year funding has not been confirmed at this stage and will be determined through the usual government budget cycles. These will be determined by the various solutions being facilitated as part of the Economic Recovery through Social Housing Package.
4. During the period of FY2019-20 there were 665 housing properties head-leased to community organisations under the Housing Asset Assistance Program at any time during 2019-20. As at June 20, 2020, 633 of those properties were lead-leased.
- a. There are no specific plans relating to the provision of head leased properties. They are driven by funding initiatives and reactions to demands from the community. As at 19 March, there has been an increased to 679 head-leased properties with the majority driven by the funding initiatives of the government in response to COVID-19.

Approved for circulation to the Standing Committee on Health and Community Wellbeing

Signature:

Date: 31/03/21

By the Minister for Housing and Suburban Development, Yvette Berry MLA



**STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING**

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KICKERT MLA (DEPUTY CHAIR), MICHAEL PETERSSON MLA

**Inquiry into referred 2019–20 Annual and Financial Reports and Budget Estimates 2020-21**  
**ANSWER TO QUESTION ON NOTICE**

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Asked by Elizabeth Lee MLA:

In relation to: Strategic Indicator 2 (Proportion of tenants indicating that public housing assists them in participating in the community), at p. 48 of Budget Statement G

1. Why has the 2020-21 Target estimate been reduced to 60%?
  - a. Why is the 2022-23 estimate still only projected to be at 65%?

Rebecca Vassarotti MLA: The answer to the Member's question is as follows:–

1. COVID-19 is continuing to impact the way in which people interact with others across the whole community. The University of Canberra's Living Well in the ACT survey identified the impact of the pandemic as having increased the experience of isolation and loneliness across the ACT community. Consequently, the estimated target for the strategic indicator that concerns opportunities for participation has been reset. Reflecting the observed impact of the pandemic on the experience of isolation and loneliness in the broader community, it is estimated that in 2021, approximately 20% of those in public housing will experience reduced opportunities to feel part of the community. For this reason, the 2021-22 target has been reduced from 79% in 2019-20 to 60% for the current reporting period.
  - a. The trajectory of future year targets has been estimated to reflect the anticipated recovery path of social impact from the pandemic. The speed of recovery in social engagement is dependent not only on vaccination rollout and reduced risk of infection, but the consequent impacts of the pandemic on mental health, drug and alcohol issues and family violence. Housing ACT will continue to monitor these issues and social engagement through the years of recovery ahead and may revise targets accordingly. Targets were developed with recognition that:
    - the public housing cohort tends to be more vulnerable than the general population due to age and disability, and are therefore more likely to be cautious about increasing social engagements as the health risks improve, and
    - mental health and drug and alcohol issues have recently increased among the more vulnerable member of the community, reducing personal wellbeing and impacting on the extent to which people are likely to engage socially.



**LEGISLATIVE ASSEMBLY**  
FOR THE AUSTRALIAN CAPITAL TERRITORY

**CSD QON No. 45**

**STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING**

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KICKERT MLA (DEPUTY CHAIR), MICHAEL PETERSSON MLA

Approved for circulation to the Standing Committee on Health and Community Wellbeing

Signature:

Date: 25/03/2021

By the Minister for Homelessness and Housing Services, Rebecca Vassarotti MLA



**STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING**

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KICKERT MLA (DEPUTY CHAIR), MICHAEL PETERSSON MLA

**Inquiry into referred 2019–20 Annual and Financial Reports and Budget Estimates 2020-21  
ANSWER TO QUESTION ON NOTICE**

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Asked by Elizabeth Lee MLA:

In relation to: complaints received by HACT, as discussed at p. 108 of the Annual Report:

1. Which multi-unit public housing complexes produced the highest number of individual complaints in 2019-20? (Please list the top 5 and the number of complaints received).
  - a. How many individual complaints were received in relation to Condamine Court in the past 12 months
  - b. How regularly do nightly patrols take place at Condamine Court?
  - c. Have you received any safety-related complaints from those undertaking night patrols at Condamine Court and if so, how many?
2. The Annual Report also indicates that Housing ACT staff have a target response time of 28 days for complaints.
  - a. Of the 2687 complaints received, how many were responded to within 28 days?
  - b. What level of response is required within that 28 days?

Rebecca Vassarotti MLA: The answer to the Member's question is as follows:–

1. In 2019-20, the following multi-unit complexes produced the highest number of individual complaints:

Throsby Court, Narrabundah - 41;  
Condamine Court, Turner - 22;  
Malahide Gardens, Wanniasa - 20;  
Ainslie Flats, Ainslie – 17;  
Boooloombah Court, Narrabundah - 17; and  
Carwoola Gardens, Belconnen - 17.

- a. There have been 22 individual complaints received in the past 12 months relating to Condamine Court.



**LEGISLATIVE ASSEMBLY**  
FOR THE AUSTRALIAN CAPITAL TERRITORY

**CSD QON No. 46**

**STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING**

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KICKERT MLA (DEPUTY CHAIR), MICHAEL PETTERSSON MLA

- b. Security Patrols attend Condamine Court 7 times per week, once a night. These patrols have been in place since the beginning of the Programmed TFM Contract.
  - c. Housing ACT is aware of one incident of a glass bottle being smashed close to a security officer in November 2020. The security officer was not able to confirm who, if anyone, had thrown the bottle, so no further action was taken. There have been no further incidents reported.
- 2.
- a. All complaints received by Housing ACT were acknowledged in writing. These letters of acknowledgement were provided to the complainant within two business days of the complaint being received – except where a complaint is made anonymously. A final response was provided within 28 days in about 65% of complaints.
  - b. Housing ACT seeks to finalise complaints as quickly and efficiently as possible. Under CSD’s Complaints Handling and Management Policy a final substantive response to the issues raised in a complaint should be provided to the complainant within 28 days.

Approved for circulation to the Standing Committee on Health and Community Wellbeing

Signature:

Date: 25/03/2021

By the Minister for Homelessness and Housing Services, Rebecca Vassarotti MLA



STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING  
JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KICKERT MLA (DEPUTY CHAIR), MICHAEL PETERSSON MLA

**Inquiry into referred 2019–20 Annual and Financial Reports and Budget Estimates 2020-21**  
**ANSWER TO QUESTION ON NOTICE**

Asked by Elizabeth Lee:

In relation to: Housing ACT Operating Statement, at page 55 of Budget Statement G

1. Does Housing ACT pay ACT government rates and charges on its properties; and if so
  - a. How much did these costs in 2019-20 and how much is allocated for 2020-21?
2. If Housing ACT was required to pay government rates and charges, would this offset the need for yearly capital injections?

Yvette Berry MLA: The answer to the Member's question is as follows:

1. Housing ACT does pay ACT Government rates and charges on its properties.

1a. In 2019-20 the cost in the Financial Statements for rates and charges was \$36,535,000 which is inclusive of general land rates, sewerage rates, water rates and water consumption. The 2020-21 Budget is \$38,435,000 for the same costs, which Housing ACT will be required to pay.

2. The yearly capital injections received by Housing ACT are used to fund the capital works programs to deliver the specific budget initiatives for which they are funded. Housing ACT funds the payment of ACT Government rates and charges from its own source revenue (rental payments), and gains from the disposal of assets (property sales).

Approved for circulation to the Standing Committee on Health and Community Wellbeing

Signature:

Date: 29/03/21

By the Minister for Housing and Suburban Development, Yvette Berry MLA



**STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING**

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KICKERT MLA (DEPUTY CHAIR), MICHAEL PETTERSSON MLA

**Inquiry into referred 2019–20 Annual and Financial Reports and Budget Estimates 2020-21**  
**ANSWER TO QUESTION ON NOTICE**

Asked by Elizabeth Lee MLA:

In relation to maintenance of Housing ACT properties, mentioned at page 108, table 18 of the Annual Report:

1. What is the current estimate, in dollar terms, of the backlog of maintenance items for public housing:
  - a. How many sub-contractors have Programmed Facility Management engaged to perform maintenance on Housing ACT properties throughout FY20-21;
  - b. How many subcontractors completed work for Programmed Facility Management in;
    - I. 2019-20,
    - II. 2018-19, and
    - III. 2017-18
  - c. What internal process is used by Housing ACT to coordinate with Programmed Facility Management to address complaints; and
  - d. Has there been an audit within the past 3 years concerning the efficiency of this process; and
    - I. If so, what were the findings?
2. Table 18 indicates that more than 1100 complaints made by tenants in 2019-20 related to maintenance and property condition issues:
  - a. How much was spent on public housing maintenance in;
    - I. 2019-20,
    - II. 2018-90,
    - III. 2017-18,
  - b. How is the Housing ACT maintenance budget calculated each year; and
  - c. What benchmarks are used to determine the appropriate budget for public housing maintenance?



STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KICKERT MLA (DEPUTY CHAIR), MICHAEL PETTERSSON MLA

3. Are the maintenance targets published by Housing ACT the same targets as those in the contract with Programmed Facility Management?
4. What is the average wait time for a maintenance complaint to be actioned after a work order has been raised; and
  - a. Have any financial contractual penalties been levied against Programmed Facility Management for failing to achieve maintenance targets?
5. In regard to the 666 complaints made in relation to maintenance issues last year (Annual Report page 108, table 18), how does this figure compare to the number of complaints per year under the former provider?

Yvette Berry MLA: The answer to the Member's question is as follows:

1. Housing ACT do not have an overall estimate in dollar terms of the backlog of maintenance. Housing ACT through the TFM Contract with Programmed, undertake Property Condition Assessments (PCA) on all properties to determine the overall condition of the portfolio. Since the start of the TFM Contract with Programmed, 57% of properties have had a PCA undertaken. This data is used to determine the schedule of works to be undertaken each year.
  - a. Programmed Facility Management currently have 78 subcontractors.
  - b.
    - i. 73 subcontractors completed works for Programmed Facility Management in 2019-2020.
    - ii. 70 subcontractors completed works for Programmed Facility Management in 2018-19.
    - iii. Programmed Facility Management did not hold the contract for maintenance of housing properties in 2017-2018.
  - c. The Total Facilities Management Contract obliges Programmed to undertake complaint management and have the first opportunity to address concerns with regards to works undertaken. Should someone not be satisfied with Programmed's complaint resolution, Housing ACT operate a 2<sup>nd</sup> level complaint process and works closely with Programmed to understand where processes have broken down and address any issues raised.
  - d. There has not been a full audit undertaken within the past 3 years concerning the efficiency of this process. A spot check has been undertaken by the Housing ACT Quality Assurance Team in April 2019.
    - i. The findings and recommendations from this spot check led to Programmed employing a dedicated complaints officer and including complaints handling training as part of their regular training schedule for new and existing staff.
2.
  - a.



STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KICKERT MLA (DEPUTY CHAIR), MICHAEL PETTERSSON MLA

- i. As per the financial statements for 2019-2020, \$51,923,000 was spent on public housing maintenance.
    - ii. As per the financial statements for 2018-19, \$41,477,000 was spent on public housing maintenance.
    - iii. As per the financial statements for 2017-18, \$41,383,000 was spent on public housing maintenance.
  - b. As a Public Trading Enterprise, Housing ACT budgets are based on the amount of revenue expected to be received, with the main source of this being rent received from tenants. Housing ACT apportions this budget across all operations, including public housing maintenance.
  - c. Housing ACT do not use any specific benchmarks when determining the budget each year.
3. Housing ACT do not have any maintenance targets published in the annual, financial, or budget estimates reports. As like any landlord, *The Residential Tenancies Act 1997* outlines the obligations for Housing ACT in ensuring properties at the start of a tenancy are fit for habitation, reasonably clean, in a reasonable state of repair and reasonably secure. The Act also outlines the requirement for the landlord to maintain the premises in a reasonable state of repair.
4. The average working days between a tenant raising a complaint and the complaint being resolved is 13 days against a target of 16 days.
- a. Housing ACT unapologetically sets the bar very high for performance. This has resulted in contractual notices and financial penalties against Programmed Facility Management for failing to meet performance targets.
5. The previous contract used a different methodology for capturing and reporting what constituted a complaint. The current contract includes a stricter definition for a complaint to provide greater transparency. Due to this change in definition, previous Annual Reports show around 500 complaints per year compared to the 666 in the 2019-2020 annual report.

Approved for circulation to the Standing Committee on Health and Community Wellbeing

Signature:

Date:

30/03/21

By the Minister for Housing and Suburban Development, Yvette Berry MLA



**Inquiry into referred 2019–20 Annual and Financial Reports and Budget Estimates 2020-21**  
**ANSWER TO QUESTION ON NOTICE**

Asked by Elizabeth Kikkert MLA:

In relation to: Domestic violence testing framework

1. Which community organisation will the ACT Government be testing the draft framework?
  - a. How long will this testing period be for?
2. After testing within the community organisation has finished, what is the next step for the framework?
3. When does the ACT Government plan to rollout the framework as a completed (but evolving) document?

Yvette Berry MLA: The answer to the Member's question is as follows:–

The Office of the Coordinator General for Family Safety is working with the Alcohol, Tobacco & Other Drug Association regarding consistency with the draft Domestic and Family Violence Risk Assessment framework to make sure it is suitable for drug and alcohol services. This includes incorporating feedback from these services to enhance its suitability. The second phase of this work is a trial in a specific drug and alcohol service yet to be determined.

It is anticipated the trial will be for 3 to 4 months.

Once the trial is complete, learnings will be incorporated into the framework along with all other feedback and the framework will be released as a final document at the end of 2021.

The draft framework has already been incorporated into the frontline worker training and the Safety Action Pilot and other Family Safety projects.

Rollout of the draft will continue wherever suitable throughout 2021 and broad rollout of the final (but evolving) framework will continue in 2022.



**LEGISLATIVE ASSEMBLY**  
FOR THE AUSTRALIAN CAPITAL TERRITORY

**CSD QON No. 49**

STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING  
JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KICKERT MLA (DEPUTY CHAIR), MICHAEL PETERSSON MLA

Approved for circulation to the Standing Committee on Health and Community Wellbeing

Signature:

A handwritten signature in blue ink, appearing to be "Yvette Berry".

Date: 31/03/21

By the Minister for Prevention of Domestic and Family Violence, Yvette Berry MLA



**Inquiry into referred 2019–20 Annual and Financial Reports and Budget Estimates 2020-21**  
**ANSWER TO QUESTION ON NOTICE**

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Asked by Elizabeth Kikkert MLA:

In relation to: Domestic Violence Death Review

1. In December 2018, an information paper containing two models of what the Family Violence Death Review would look like were made public for consultation. During the estimates hearing Ms Windeyer said, "at the moment we're at the stage where we are looking at what the model might look like". Given that there has already been a public consultation and more than two years since that has happened, why is the ACT Government still at the stage of "looking at what the model might look like"?
  - a. What progress has been made on the family violence death review since 2018?
  - b. Has the ACT Government decided on either model one or model two?
    - i. If neither, what is the current model being looked at and can the Minister provide a copy of the model?
2. Ms Windeyer indicated that there will be some law reform for the death review in the next sitting period. What reforms are these?
3. Did the ACT ever have a timeline for when the Family Violence Death Review would be complete?
  - a. If so, when was the deadline?
4. Does the ACT Government have a deadline for when the Family Violence Death Review will be complete?
  - a. If so, when is that deadline?
5. What software will the ACT Government be using as the data system to support the Family Violence Death Review?

Yvette Berry MLA: The answer to the Member's question is as follows:–



**STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING**

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KICKERT MLA (DEPUTY CHAIR), MICHAEL PETERSSON MLA

**1a.** The ACT Government is committed to the introduction of an ACT Domestic and Family Violence Death Review (DFV Death Review) and recognises the value of such a review in improving service and system responses to domestic and family violence.

Ongoing funding for the DFV Death Review was secured in the 2019-20 budget, to be established in 2020-21. Work to establish the DFV Death Review began in January 2020. There have been some delays in establishing the processes for a death review in 2020 due to redirection of effort to domestic and family violence responses during the COVID-19 pandemic.

Significant progress has been made by the ACT Government to progress the DFV Death Review, with government currently considering the proposed model and working to establish legislation to enact the DFV Death Review.

**1b.** In December 2018, Justice and Community Safety Directorate undertook a brief consultation process on two draft death review models and a proposed framework for information sharing between family violence-related entities in the ACT. This consultation only considered the broad parameters of a death review.

Further research on national and international models has now been undertaken to develop an appropriate model for the ACT DFV Death Review, which is currently being considered by government. This more detailed model will be shared publicly once government has finalised the model.

**2.** As per a letter of clarification sent to the Committee Chair, the Coordinator General for Family Safety clarified her statement regarding the timing of the DFV Death Review. Page 130 of the transcript shows that the Coordinator General anticipated that that DFV Death Review would go through the legislative process in the next sitting period. The Coordinator General clarified that this matter is still going through the legislative process and it is expected that legislation to establish the DFV Death Review will be introduced into the ACT Legislative Assembly later this year.

**3.** The ACT Government committed to establishing the DFV Death Review in 2020-21 after ongoing funding for the DFV Death Review was secured in the 2019-20 budget. While there have been delays to this project due to the COVID-19 pandemic response, we are currently on track to introduce legislation to establish the DFV Death Review later this year.

**4.** While the ACT Government aims to establish the DFV Death Review as soon as possible, it is essential that the model and legislative process to establish the death review is fully consulted on.

**5.** The ACT Government committed \$200,000 to establishing the DFV Death Review database in the 2020-21 Supply Bills. Work to establish this database is ongoing as we consult with other jurisdictions to determine appropriate software and other considerations including functionality and security.



**LEGISLATIVE ASSEMBLY**  
FOR THE AUSTRALIAN CAPITAL TERRITORY

**CSD QON No. 50**

**STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING**

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KICKERT MLA (DEPUTY CHAIR), MICHAEL PETERSSON MLA

Approved for circulation to the Standing Committee on Health and Community Wellbeing

Signature:

A handwritten signature in blue ink, appearing to be "Yvette Berry", written over a faint circular stamp.

Date: 31/03/21

By the Minister for the Prevention of Domestic and Family Violence, Yvette Berry MLA



yep

**Inquiry into referred 2019–20 Annual and Financial Reports and Budget Estimates 2020-21**  
**ANSWER TO QUESTION ON NOTICE**

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Asked by Elizabeth Kikkert MLA:

In relation to: Health Justice Partnerships

1. How much is being funded to the Health Justice Partnerships this financial year?
  - a. How much is being funded over the next three financial years broken down by year?
2. Have these partnerships had a formal evaluation yet?
  - a. If so, what were the findings?
  - b. If not, will it be undergoing one soon?
3. How many clients/cases have been brought to the attention of the Government organisations through these embedded lawyers?
4. How is the success of this program being measured?
5. Have there been any discussions or plans made to roll these partnerships to any other healthcentres?
  - a. If so, what are these plans and which health centres will they be rolled out to?
6. With significant plans to renovate or expand Canberra Hospital, the UC Hospital and Calvary in the works, has there been any discussion about making permanent and dedicated space for an embedded legal practitioner?

Yvette Berry MLA: The answer to the Member's question is as follows:–



**LEGISLATIVE ASSEMBLY**  
FOR THE AUSTRALIAN CAPITAL TERRITORY

**CSD QON No. 51**

**STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING**

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KICKERT MLA (DEPUTY CHAIR), MICHAEL PETTERSSON MLA

1. Funding for the service in 2020-21 was \$739,000. Future funding of the health justice partnerships will be considered as part of the upcoming budget process.
2. A review of the initial six-month pilot (January to June 2019) has been published on the Family Safety Hub [website](#). The review of a pilot identified the service was reaching people who would otherwise not receive any support, was supporting people with complex and intersecting health and legal problems, and is more effective than an outreach model where a lawyer is only onsite irregularly.
3. Partnership lawyers provide the opportunity for a confidential conversation as well as legal advice, representation in court or other proceedings, and referrals to other support services. This includes social services, healthcare services, financial counselling services, specialist legal services, and crisis services.

There have been more than 450 clients helped by the partnership between January 2019 and December 2020. Clients received help for an average of four legal issues each.

4. The number of clients seen and the number of legal issues they are experiencing are important indicators of the accessibility of the service and how it meets the needs of clients.

The legal partners continue to collect data on client numbers, types of legal issues, the legal services offered and some demographic information and de-identified case studies, where appropriate.

5. Partnership locations will be considered as part of the upcoming budget process.
6. Partnership lawyers have access to appropriate spaces at all partnership locations. This includes options ranging from a 'mobile office' to a private room, which allows the lawyers the flexibility to meet clients.

Approved for circulation to the Standing Committee on Health and Community Wellbeing

Signature:

Date: 31/03/21

By the Minister for the Prevention of Domestic and Family Violence, Yvette Berry MLA



STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KICKERT MLA (DEPUTY CHAIR), MICHAEL PETTERSSON MLA

**Inquiry into referred 2019–20 Annual and Financial Reports and Budget Estimates 2020-21**  
**ANSWER TO QUESTION ON NOTICE**

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Asked by Elizabeth Kikkert MLA:

In relation to: The inquiry into domestic and family violence

1. Which of the 60 recommendations are still outstanding?
  - a. Of the recommendations that are still outstanding, what progress has been made on them?
2. Did the ACT Government release a special budget paper this year in accordance with recommendation one?

Yvette Berry MLA: The answer to the Member's question is as follows:–

Question 1

The government response supported 38 recommendations.

Of the 38 a number reflected work underway across ACT Government Directorates and required no new implementation action. Initiatives funded through the Safer Families package, including other initiatives from the ACT Government Response to Family Violence, addressed most of these recommendations.

The Minister for the Prevention of Domestic and Family Violence reports on progress on Safer Families initiatives and reform via the annual Safer Families Statement to the Legislative Assembly.

Question 2

No, because recommendation 1 was noted. The ACT Government provides detailed reporting on Safer Families initiatives and expenditure as a standalone appendix to Budget Paper 3.



**LEGISLATIVE ASSEMBLY**  
FOR THE AUSTRALIAN CAPITAL TERRITORY

**CSD QON No. 52**

**STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING**

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KICKERT MLA (DEPUTY CHAIR), MICHAEL PETERSSON MLA

Approved for circulation to the Standing Committee on Health and Community Wellbeing

Signature:

A handwritten signature in blue ink, appearing to be "Yvette Berry", written over a circular stamp.

Date: 31/03/21

By the Minister for Prevention of Domestic and Family Violence, Yvette Berry MLA



STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KICKERT MLA (DEPUTY CHAIR), MICHAEL PETTERSSON MLA

**Inquiry into referred 2019–20 Annual and Financial Reports and Budget Estimates 2020-21**  
**ANSWER TO QUESTION ON NOTICE**

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Asked by Elizabeth Kikkert MLA:

In relation to: Rework of case tracking

The ACT Domestic and Family Violence Risk Assessment and Management Framework is currently being developed. This will be used as the foundation for reworking the Family Violence Intervention Program case tracking.

1. Regarding the reworking of family violence intervention program case tracking, what shortcomings have been identified with the current system of case tracking?
2. How is this being re-designed into the Safety Action Pilot, and how will this improve the system?

Yvette Berry MLA: The answer to the Member's question is as follows:–

1. The Family Violence Intervention Program remains unchanged and is ongoing. There is no reworking of family violence intervention program case tracking at this time.
2. The Family Violence Safety Action Pilot is currently being developed alongside and is complementary to the Family Violence Intervention Program case tracking process.

The Family Violence Safety Action Pilot is a coordinated government and non-government response to high risk domestic and family violence and includes matters outside the criminal justice system. Operationally, there are fortnightly meetings where stakeholders discuss cases where there is high risk and complexity. This leads to improved responses required by the service system to address risk. This includes reviewing victim survivor and child safety as well as how the service system can increase perpetrator accountability.

The ACT Domestic and Family Risk Assessment and Management Framework is used within the Safety Action Pilot.



**LEGISLATIVE ASSEMBLY**  
FOR THE AUSTRALIAN CAPITAL TERRITORY

**CSD QON No. 53**

**STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING**

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KICKERT MLA (DEPUTY CHAIR), MICHAEL PETERSSON MLA

Approved for circulation to the Standing Committee on Health and Community Wellbeing

Signature:

Date: 31/03/21

By the Minister for Prevention of Domestic and Family Violence, Yvette Berry MLA



**STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING**

**JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KICKERT MLA (DEPUTY CHAIR), MICHAEL PETTERSSON MLA**

**Inquiry into referred 2019–20 Annual and Financial Reports and Budget Estimates 2020-21**  
**ANSWER TO QUESTION ON NOTICE**

Asked by Elizabeth Kikkert MLA:

In relation to: Room4Change

1. When does the ACT Government expect the ANU review of this program to be finalised?
  - a. Will this review be released to the public?
2. What is the accommodation capacity for the residential program?

Yvette Berry MLA: The answer to the Member's question is as follows:–

1. The Room4Change Review conducted by Dr Jason Payne, ANU is expected to be finalised within the next few months.
  - a) The ACT Government will work with DVCS and its Board of Management to develop a communications plan as to the best way to distribute the report content to stakeholders and other interested parties.
2. The accommodation capacity of Room4Change varies between 5 and 11 men depending on operational requirements and safety measures. There is currently capacity to accommodate 11 men, in two- or three-bedroom units and one house. However, the risk and safety of those concerned is assessed when considering accommodating more than one person at each premises.

Approved for circulation to the Standing Committee on Health and Community Wellbeing

Signature:

Date: 31/03/21

By the Minister for the Prevention of Domestic and Family Violence, Yvette Berry MLA



STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KICKERT MLA (DEPUTY CHAIR), MICHAEL PETERSSON MLA

ANSWER TO QUESTION ON NOTICE

Asked by Elizabeth Kikkert MLA:

In relation to: Safer Families Assistance Program

1. Is this program still being funded?
  - a. If so, under what line item is it being funded in the budget papers?
  - b. How much is the program providing to each successful applicant to help with costs associated with maintaining or establishing a home?
  - c. How was this figure arrived at?
2. If this program is no longer being funded, why is it not being funded?

Yvette Berry MLA: The answer to the Member's question is as follows:

1. The Safer Families Assistance (SFA) program continues to be funded.
  - a. The program appears in the budget papers as *Safer families – support for women and children to leave violence*. Additional funding of \$125,000 was provided as part of COVID-19 stimulus funding to meet demand for the remainder of the 2020-21 financial year.
  - b. The program provides \$2000 to successful applicants. This may be used for buying furniture and white goods, setting up utilities and services, legal costs, pet care, mortgage and rental payments and other costs associated with establishing or sustaining a family home.
  - c. The Safer Families Assistance program's initial targeting was to support women and children leaving domestic and family violence to establish a new home in the private rental market. Acknowledging that these clients may have no access to funds to cover the basic elements of a new tenancy, the amount of \$2,000 was estimated based on then-current rent averages in the private market to cover payment of bond and linked to the Housing ACT Rental Bond Loan Scheme. A review of the program in 2017 identified the following key areas where people are requiring support: housing, finance, legal services, childcare, insurance, transport and pets. The original amount of assistance of \$2,000 is now aimed to support clients to meet some of these costs.
2. The Safer Families Assistance (SFA) program continues to be funded.

Approved for circulation to the Standing Committee on Health and Community Wellbeing

Signature:

Date: 31/03/21

By the Minister for the Prevention of Domestic and Family Violence, Yvette Berry MLA



**Inquiry into referred 2019–20 Annual and Financial Reports and Budget Estimates 2020-21**  
**ANSWER TO QUESTION ON NOTICE**

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Asked by Elizabeth Kikkert MLA:

In relation to: Toora Funding

1. Why was Toora's budget submission for two specialist children's trauma counsellors denied in 2018-2019?
  - a. Why was Toora's budget submission for two specialist children's trauma counsellors denied in 2019-2020?
  - b. Why was Toora's budget submission for two specialist children's trauma counsellors denied in 2020-21?

Yvette Berry MLA: The answer to the Member's question is as follows:

1. No submission from Toora was received in the 2018-2019 community budget process.
  - a. ACT Government supported the intention of this submission to provide specialist services for children impacted by domestic and family violence. The decision not to fund this community budget submission was because from 2018-2022 a number of services had received annual additional Specialist Homelessness Services funding to support children in their service, and the need to increase funding to a particular service would require further scoping of the types and quantity of services required across the ACT.  
  
In 2020 Toora did receive \$70,000 to work with families, through the ACT COVID-19 Rapid Response Grants, using National Partnership Agreement funds.
  - b. The 2020-21 ACT Budget process was significantly altered due to the COVID-19 pandemic, resulting in a cancellation of the budget submission process for external stakeholders.

The 2021-2022 Budget process has not commenced yet and future budget funding is being considered. The Government has reached out to Toora and officials across three directorates met with Toora on 22 March 2021. Consideration of this proposal will be incorporated into broader work addressing mental health service gaps



**LEGISLATIVE ASSEMBLY**  
FOR THE AUSTRALIAN CAPITAL TERRITORY

**CSD QON No. 56**

STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING  
JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KICKERT MLA (DEPUTY CHAIR), MICHAEL PETERSSON MLA

Approved for circulation to the Standing Committee on Health and Community Wellbeing

Signature:

A handwritten signature in blue ink, appearing to be 'Yvette Berry', written over a large, faint circular watermark.

Date: 8/10/21

By the Minister for the Prevention of Domestic and Family Violence, Yvette Berry MLA



STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KIKKERT MLA (DEPUTY CHAIR), MICHAEL PETTERSSON MLA

**Inquiry into referred 2019–20 Annual and Financial Reports and Budget Estimates 2020-21**  
**ANSWER TO QUESTION ON NOTICE**

Asked by Elizabeth Kikkert MLA:

In relation to: Bimberi Staff training

The 2017 joint Children's Commissioners' Statement includes that 'Governments should ensure that staff in youth justice detention centres are trained in working with children and young people with complex needs, including histories of trauma, mental health issues, drug and alcohol misuse, physical and intellectual disabilities and developmental disorders. Staff should also have expertise in child psychology, child welfare and international child and human rights principles' (p. 22). How much of this recommended training is provided to Bimberi staff?

Emma Davidson MLA: The answer to the Member's question is as follows: –

All operational staff are required to participate in a seven-week comprehensive induction program prior to commencing at Bimberi Youth Justice Centre. The induction program includes trauma-informed practice, cultural awareness, emergency operating procedures, responding to critical situations and a human rights component.

Bimberi staff follow the advice of ACT Health in relation to managing and support young people with drug and alcohol, mental health, and disability issues. This occurs in the context of day-to-day individualised responses to young people and in the context of training of Bimberi staff during induction training.

The Community Services Directorate seeks specialist expertise from several external sources to provide components of the training. These include ACT Health, Australian Childhood Foundation, the Human Rights Commission and NSW Juvenile Justice, as well as the Community Services Directorate's Workforce Development section.

Approved for circulation to the Standing Committee on Health and Community Wellbeing

Signature:

Date: 30 MAR 2021

By the Assistant Minister for Seniors Veterans, Families and Community Services, Emma Davidson MLA



**STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING**

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KIKKERT MLA (DEPUTY CHAIR), MICHAEL PETERSSON MLA

**Inquiry into referred 2019–20 Annual and Financial Reports and Budget Estimates 2020-21  
ANSWER TO QUESTION ON NOTICE**

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Asked by Elizabeth Kikkert MLA:

In relation to: Community Recovery and Support Package

Ref: 2020-21 Budget Statement G, p. 35

Budget Statement G notes on p. 35 that some portion of the Community Support Package was unspent. How much was the total spend budgeted for 2019-20, and what percentage of that was unspent?

- a. Why was the funding unspent? Was the demand for it not there? If so, in what areas?
- b. Will the remainder of this money be spent in 2020-21? In what areas?

Emma Davidson: The answer to the Member's question is as follows: –

\$7 million was allocated to the Community Support Package in 2019-20. As at 30 June 2020, \$5.447 million were drawn to ensure funding to organisations could be provided in timely manner given the COVID-19 emergency. \$2.828 million was paid by the end of the financial year, amounting to 48% of the budget remaining unspent.

- a. The funding was not fully expended by the end of the 2019-20 financial year as the state of emergency was not declared until late in the third quarter of the 2019-20 and the COVID-19 response teams were not formed until early in the fourth quarter. As a result, funds were carried into the 2020-21 financial year.

Some of the funding was also allocated to grant programs. These take time to finalise due to the application and assessment process. While other programs such as the ACT Food Relief and support for asylum seekers were paid monthly, based on invoices or applications.

- b. The remaining funds were paid in the 2020-21 financial year. Many of these payments were made shortly after the end of financial year, in July. The programs include:
  - Emergency Material and Financial Aid;
  - COVID-19 Disability Strategy;
  - Community Resilience and Crisis Response Workplan;
  - Increased counselling for boys and young men; and
  - Support for increased demand for post and antenatal depression.



**LEGISLATIVE ASSEMBLY**  
FOR THE AUSTRALIAN CAPITAL TERRITORY

**QON No. 59**

**STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING**

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KICKERT MLA (DEPUTY CHAIR), MICHAEL PETERSSON MLA

Several programs were paid partly in 2019-20 with the remainder paid in 2020-21. These programs include:

- COVID-19 Stimulus Rapid Response Grants (first round of funding);
- Health and Hygiene Sector Coordination (PPE);
- Support for Temporary Visa Holders - asylum seekers;
- ACT Food Relief;
- Homelessness Support;
- Domestic and Family Violence Support; and
- Support for Veterans and Older Canberrans.

Approved for circulation to the Standing Committee on Health and Community Wellbeing

Signature: *Emma Davidson*

Date: *30 MAR 2021*

By the Minister for Assistant Minister for Seniors, Veterans, Families and Community Services,  
Emma Davidson MLA



STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KIKKERT MLA (DEPUTY CHAIR), MICHAEL PETERSSON MLA

**Inquiry into referred 2019–20 Annual and Financial Reports and Budget Estimates 2020-21  
ANSWER TO QUESTION ON NOTICE**

Asked by Elizabeth Kikkert MLA:

In relation to: COVID and Online Visits at Bimberi  
2020-21 Budget Output Class 2.3 / CSD Annual Report Output Class 3.3

Can the minister please explain how online visitation occurred at Bimberi during the period that face-to-face visits were restricted or reduced? How frequently were detainees allowed to have online visits? For how long? With whom?

- a. Were any of these alterations from the visitation framework pre-COVID?
- b. Will any of these approaches continue post-COVID?

Emma Davidson MLA: The answer to the Member's question is as follows: –

- a. Bimberi Youth Justice Centre did not offer online visits because face-to-face visits did not cease at any time during the COVID-19 pandemic. Bimberi Youth Justice Centre was offering face to face no-contact visits for all young people in custody.
- b. Bimberi is currently offering face to face COVID-19 safe contact visits to young people and their families. Face to face contact will continue and will be adjusted accordingly in line with advice from ACT Health.

Approved for circulation to the Standing Committee on Health and Community Wellbeing

Signature: *Emma Davidson*

Date: 30 MAR 2021

By the Assistant Minister for Seniors, Veterans and Family and Community Services,  
Emma Davison MLA



**Inquiry into referred 2019–20 Annual and Financial Reports and Budget Estimates 2020-21**  
**ANSWER TO QUESTION ON NOTICE**

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Asked by Elizabeth Kikkert MLA:

In relation to: demographically representative staff at Bimberi  
Budget CSD Output Class 2.3 / CSD Annual Report Output Class 3.3

The Official Visitor's latest annual report mentions 'the unreasonably high ratio of Aboriginal and Torres Strait Islander young people' in Bimberi (p. 6), and the Headline Indicators Report shows that, over 2019- 20, these young people made up between one-quarter and one-third of all detainees (p. 2). In a joint statement, Australia's Children's Commissioners have demanded that staff in youth detention centres be 'demographically representative of the children detained', and 'this is specifically applicable to the recruitment of Aboriginal and Torres Strait Islander custodial and support staff' (ACCG Statement, p. 23). What percentage of staff in the territory's youth justice system are currently Indigenous Australians?

- a. What is the percentage at Bimberi in particular?
- b. What specific steps is the government taking to increase the employment of Aboriginals and Torres Strait Islanders as youth justice staff?

Emma Davidson MLA: The answer to the Member's question is as follows:–

- a. Approximately 10 percent of staff at the Bimberi Youth Justice Centre identify as Aboriginal and/or Torres Strait Islander.
- b. The Community Services Directorate (CSD) Strategic Plan 2018-2028, which incorporates the Cultural Integrity Statement, articulates CSD's commitment to increasing Aboriginal and Torres Strait Islander staff in all roles within the directorate. In addition, CSD is committed to advertise vacancies in the Koori Times and the Indigenous Times as well as other media outlets.



**LEGISLATIVE ASSEMBLY**  
FOR THE AUSTRALIAN CAPITAL TERRITORY

**QON No. 61**

**STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING**

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KICKERT MLA (DEPUTY CHAIR), MICHAEL PETERSSON MLA

Approved for circulation to the Standing Committee on Health and Community Wellbeing

Signature: *Emma Davison*

Date: *29/03/2021*

By the Assistant Minister for Seniors Veterans and Family and Community Services,  
Emma Davison MLA



**STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING**

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KIKKERT MLA (DEPUTY CHAIR), MICHAEL PETTERSSON MLA

**Inquiry into referred 2019–20 Annual and Financial Reports and Budget Estimates 2020-21**  
**ANSWER TO QUESTION ON NOTICE**

Asked by Elizabeth Kikkert MLA:

In relation to: ending youth detention in the ACT  
Budget CSD Output Class 2.3 / CSD Annual Report Output class 3.3

In a speech to the Assembly on 11 February this year, the minister said the following: 'I look forward to the day when we no longer need youth detention facilities because the support services and rehabilitation facilities that we have already been working on are able to meet the needs of young people, their families and our community'. Can the minister please outline her plan to achieve this worthy goal?

- a. What is the timeline for achieving this goal? When does the minister expect that Canberra will no longer need a youth detention centre?
- b. Which overseas jurisdictions is the government using as a model of removing the need to lock up young people?
- c. What specific plans does the government have for the Bimberi Youth Justice Centre once it is no longer needed as a place of detention?

Emma Davidson MLA: The answer to the Member's question is as follows:–

The closing statement made in my speech to the Assembly was aspirational and sets a goal for the future wellbeing of young people. There is no specific timeline for this goal, however, the Parliamentary and Governing Agreement sets out our priorities to address youth justice and early intervention over this term of Government:

- a. Appendix 2 of the Parliamentary and Governing Agreement commits to raising the minimum age of criminal responsibility, to keep children under 14 out of Bimberi and introduce increased early support and diversion programs and services.
- b. Appendix 2 also commits to develop a charter of rights for parents and families involved with the care and protection system and embed this in the *Children and Young People Act*; this is an important early intervention tool for children and families who may also have contact with the youth justice system.

In February 2021 the ACT Government and OzChild were pleased to announce a Functional Family Therapy Youth Justice pilot to divert 20 young people and their families from entering or re-entering the youth justice system.



**LEGISLATIVE ASSEMBLY**  
FOR THE AUSTRALIAN CAPITAL TERRITORY

**QON No. 62**

**STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING**

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KICKERT MLA (DEPUTY CHAIR), MICHAEL PETTERSSON MLA

The strategic direction for youth justice is set out in the Blueprint for Youth Justice in the ACT 2012-22. The Blueprint has a focus on early intervention, prevention and diversion with custody used as a measure of last resort.

Recognising that this is a long-term project, there is no immediate plan for the Bimberi Youth Justice beyond its current use.

Approved for circulation to the Standing Committee on Health and Community Wellbeing

Signature: 

Date: 

By the Assistant Minister Family and Community Services,  
Emma Davison MLA



**STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING**

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KIKKERT MLA (DEPUTY CHAIR), MICHAEL PETERSSON MLA

**Inquiry into referred 2019–20 Annual and Financial Reports and Budget Estimates 2020-21**  
**ANSWER TO QUESTION ON NOTICE**

Asked by Elizabeth Kikkert MLA:

In relation to: Functional Family Therapy – Youth Justice pilot

The minister has mentioned a pilot of Functional Family Therapy – Youth Justice and clarified that it will support 20 young people and their families. What is the actual demand in the territory for this program?

- a. How much is the ACT Government contributing to the funding of this program, and how much is OzChild providing?
- b. Why are no Aboriginal Community Controlled Organisations (ACCOs) involved in providing this program?
- c. Were any ACCOs invited to participate in the provision of this pilot, and if so, on what date?
- d. How long will this pilot run?
- e. How will families be chosen to participate in this program?
- f. Considering that this evidence-based program has a long history of successful application in a number of other nations, when can we expect it to be implemented in the ACT beyond a mere pilot.

Emma Davidson MLA: The answer to the Member's question is as follows: –

- a. The ACT Government has contribution \$380,000.00 through the Confiscated Assets Fund. OzChild are not contributing financially to this pilot.
- b. The FFT-YJ program will be available for all young people who are involved with the youth justice system. OzChild will work collaboratively with other services, including ACCO's when working with Aboriginal and Torres Strait Islander young people.
- c. Discussions occurred in September 2020 between OzChild and Gugan Gulwan about participating as a referral agency for Aboriginal and Torres Strait Islander young people involved with the program. Ongoing consultation is required with Gugan Gulwan and the Aboriginal community in relation to the future needs of Aboriginal and Torres Strait Islanders child, young people and their families.
- d. The pilot program is currently scheduled to run until 30 June 2021.



**LEGISLATIVE ASSEMBLY**  
FOR THE AUSTRALIAN CAPITAL TERRITORY

**CSD QON No. 63**

**STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING**

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KICKERT MLA (DEPUTY CHAIR), MICHAEL PETTERSSON MLA

- e. The criteria for a family to be involved in the program is as follows:
- Young people aged 12 to 18 years with aggressive and sometimes violent behaviour
  - Substance misuse
  - Troublesome behaviours
  - Complex needs
  - Considered at risk of entering or re-entering the youth justice system.
- f. Future budget announcements cannot be pre-empted.

Approved for circulation to the Standing Committee on Health and Community Wellbeing

Signature: *Emma Davidson*

Date: *30 MAR 2021*

By the Assistant Minister for Seniors, Veterans, Families and Community Services, Emma Davidson MLA



STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KIKKERT MLA (DEPUTY CHAIR), MICHAEL PETERSSON MLA

**Inquiry into referred 2019–20 Annual and Financial Reports and Budget Estimates 2020-21  
ANSWER TO QUESTION ON NOTICE**

Asked by Elizabeth Kikkert MLA:

In relation to: increased support for Bimberi and strengthening specialist capacity  
20 20-21 Budget Statement G, pp. 25, 27

Can the minister please detail the new spending of \$555,000 for increased support for Bimberi and \$750,000 for strengthening specialist capacity?

Emma Davidson MLA: The answer to the Member's question is as follows: –

The \$555,000 for 2019-20 financial year from the *Strengthening Specialist capacity at Bimberi Youth Justice Centre* was allocated to increase staffing capability as outlined in the Community Services Directorate Annual Report on page 102.

In regard to the associated capital totalling \$750,000 from the *Strengthening Specialist capacity at Bimberi Youth Justice Centre*, this was allocated to physical infrastructure upgrades as outlined in the Community Services Directorate Annual Report on page 102.

Approved for circulation to the Standing Committee on Health and Community Wellbeing

Signature: 

Date: 30 MAR 2021

By the Minister for Assistant Minister for Seniors, Veterans, Family and Community Services,  
Emma Davison MLA



STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KIKKERT MLA (DEPUTY CHAIR), MICHAEL PETTERSSON MLA

**Inquiry into referred 2019–20 Annual and Financial Reports and Budget Estimates 2020-21**  
**ANSWER TO QUESTION ON NOTICE**

Asked by Elizabeth Kikkert MLA:

In relation to: mental health supports during lockdowns at Bimberi.

When I asked in hearings what additional mental health resources were provided to Bimberi detainees to help them better deal with recent extensive lockdowns, I was told that they had access to television, colouring-in books, and regular mental health services - all a standard part of the Bimberi experience. Were any extra steps taken to help young people deal specifically with mental health concerns caused or worsened by the experience of extensive lockdowns during the periods in question? And if not, why not?

Emma Davidson MLA: The answer to the Member's question is as follows:–

In addition to the mental health services available to all young people and provided by Justice Health Services, Bimberi Youth Justice Centre employs a Principal Practitioner who provides trauma-informed advice, consultation, and treatment to young people in the Centre. The Principal Practitioner provides advice and input to operations to ensure the programs and services are therapeutically focused and trauma-informed and addresses the needs of individual young people in Bimberi.

Approved for circulation to the Standing Committee on Health and Community Wellbeing

Signature: *Emma Davidson*

Date: *30 MAR 2021*

By the Assistant Minister for Seniors, Veterans, Families and Community Services, Emma Davidson MLA



STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KIKKERT MLA (DEPUTY CHAIR), MICHAEL PETTERSSON MLA

**Inquiry into referred 2019–20 Annual and Financial Reports and Budget Estimates 2020-21**  
**ANSWER TO QUESTION ON NOTICE**

Asked by Elizabeth Kikkert MLA:

In relation to: new residential property for young people on youth justice orders

The CSD Annual Report states on p. 46 that the Directorate would 'establish a residential property for young people on youth justice orders' during 2020-21. Is this new property operational yet, and if not, when will it be?

- a. Will this house be used for young people with community-based supervision, or will some residents be those who otherwise might have been subject to detention?
- b. The annual report states on p. 103 that this new facility 'will be staffed by Bimberi youth workers', but the Official Visitor's latest annual report mentions that one of the main reasons that Aboriginals and Torres Strait Islanders are reluctant to use Narrabundah House is because it is run by Bimberi staff and is therefore seen as an extension of Bimberi (p. 7). What specific steps will the government take to make sure that this new facility does not replicate this problem for First Nations families and young people?
- c. Can the minister please explain how this new facility will 'support young people in their transition from custody'? Will it serve all those who transition from Bimberi? If not, whom will it serve?

Emma Davidson MLA: The answer to the Member's question is as follows: –

The new property is not yet in operation. It will be opened following the completion of some minor renovations to the property.

- a. Young people on youth justice orders with Child and Youth Protection Services supervision can be referred to Bimberi Residential Services for a placement at Narrabundah House or the new property.
- b. The priority is always, where possible, to always place young people within their family or extended family and community networks. Bimberi Community Residential Services are used as accommodation of last resort when no other alternative safe accommodation options can be identified.



**LEGISLATIVE ASSEMBLY**  
FOR THE AUSTRALIAN CAPITAL TERRITORY

**CSD QON No. 66**

**STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING**

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KICKERT MLA (DEPUTY CHAIR), MICHAEL PETTERSSON MLA

- c. Most young people transitioning from custody return to live with their family or carers. For those young people who have no safe place to stay work with their CYPS Case Manager and Care Team to identify suitable accommodation noting this may include Bimberi Community Residential Services. Bimberi Community Residential Services runs a living skills program that supports young people address their case plan goals.

Approved for circulation to the Standing Committee on Health and Community Wellbeing

Signature: *Emma Davidson*

Date: 30 MAR 2021

By the Assistant Minister for Seniors, Veterans, Families and Community Services, Emma Davidson MLA



**LEGISLATIVE ASSEMBLY**  
FOR THE AUSTRALIAN CAPITAL TERRITORY

**CSD QON No. 67**

STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KIKKERT MLA (DEPUTY CHAIR), MICHAEL PETERSSON MLA

**Inquiry into referred 2019–20 Annual and Financial Reports and Budget Estimates 2020-21**  
**ANSWER TO QUESTION ON NOTICE**

Asked by Elizabeth Kikkert MLA:

In relation to: personal protective equipment at Bimberi

In hearings, Ms Brandas noted that, before it was recently replaced, the personal protective equipment at Bimberi was 11 years old and therefore no longer met Australian Standards. What process has been put in place to assure that current personal protective equipment is kept up to standard from this point onward?

Emma Davidson MLA: The answer to the Member's question is as follows: –

Monitoring and refreshing personal protective equipment has been embedded into workplace health and safety inspections processes and workplace health and safety meetings at Bimberi.

Approved for circulation to the Standing Committee on Health and Community Wellbeing

Signature: *Emma Davidson*

Date: *30 MAR 2021*

By the Assistant Minister for Seniors, Veterans, Families and Community Services, Emma Davidson MLA



**LEGISLATIVE ASSEMBLY**  
FOR THE AUSTRALIAN CAPITAL TERRITORY

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**CSD QON No. 67**

**STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING**

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KICKERT MLA (DEPUTY CHAIR), MICHAEL PETTERSSON MLA



STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KIKKERT MLA (DEPUTY CHAIR), MICHAEL PETTERSSON MLA

**Inquiry into referred 2019–20 Annual and Financial Reports and Budget Estimates 2020-21**  
**ANSWER TO QUESTION ON NOTICE**

Asked by Elizabeth Kikkert MLA:

In relation to: programming at Bimberi

Regarding lockdowns at Bimberi, the Official Visitor's latest annual report mentions that 'attending the Education Unit is an activity that many young people look forward to as it provides some relief from their units' (p. 5), but research shows that the best residential youth justice programs tend to fill a young person's day with meaningful and interesting activities. Even without lockdowns, how much time are detainees in Bimberi spending in the rooms/unit on a daily basis?

- a. Have detainees expressed interest in having more to do? If so, what?
- b. What is the government doing to provide more meaningful programming for Bimberi detainees?

Emma Davidson MLA: The answer to the Member's question is as follows:–

Young people attend school from 9:30am to 3:30pm, with potentially some periods of time spent in their unit for meals.

Afternoon and weekend programs are a combination of activities that can occur in the unit or in the various spaces across the centre, such as the gym, pool, oval, gardens or resource centre.

These activities may include, but not limited to, programs such as cooking, sports, movies, music, chicken husbandry, horticulture program including growing vegetables and art and crafts. On an average day young people would be secured in their rooms from 7:30pm – 8:30am.

- a. Young people in the centre are regularly consulted on what programs, services, and activities they are interested in. Bimberi Youth Justice Centre endeavours to support their interests where possible and will frequently invite community services into the centre to respond to individual needs. The information provided by young people depends on the young people who are in Bimberi at the time.
- b. Young people are invited to provide feedback on all activities run at the end of each school holiday period and provide suggestions on what they would like in future. When considering programs and services for the young people, Bimberi Youth Justice Centre look at what will benefit therapy and rehabilitation, as well as equip the young people with the necessary skills for their return to the community.



**LEGISLATIVE ASSEMBLY**  
FOR THE AUSTRALIAN CAPITAL TERRITORY

**CSD QON No. 68**

**STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING**

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KICKERT MLA (DEPUTY CHAIR), MICHAEL PETERSSON MLA

Approved for circulation to the Standing Committee on Health and Community Wellbeing

Signature: *Emma Davidson*

Date: *30 MAR 2021*

By the Assistant Minister for Families and Community Services, Emma Davidson MLA



STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KIKKERT MLA (DEPUTY CHAIR), MICHAEL PETTERSSON MLA

**Inquiry into referred 2019–20 Annual and Financial Reports and Budget Estimates 2020-21**  
**ANSWER TO QUESTION ON NOTICE**

Asked by Elizabeth Kikkert MLA:

In relation to: staffing at Bimberi

In hearings, it was mentioned that Bimberi is currently fully staffed, but it has experienced a repeated cycle of understaffing leading to lockdowns. For this reason, the Muir report specifically calls for a 'Workforce Strategy [that] facilitates the adequate supply of staff to Bimberi to allow for the effective operation of the centre at its correct staffing level' (p. 7). If Bimberi were again hit by 'extensive staffing shortages' later this year, as described in the latest Headline Indicator Report (p. 6), how long would it take for the centre to be at its correct staffing level again, and how is the government preparing for this possibility?

- a. Which elements of the current Workforce Strategy are designed to manage extensive unplanned staff shortages?
- b. Can the minister please provide a report of staffing levels at Bimberi from May 2019 to January 2021, inclusive?

Emma Davidson MLA: The answer to the Member's question is as follows: –

On average it takes approximately 17 weeks to recruit and train new youth workers, as mentioned in the hearings Bimberi has developed a workforce strategy.

- a) Bimberi currently undertakes two recruitment processes each year to manage staff vacancies.
- b) See response to CSD QTON No. 8.

Approved for circulation to the Standing Committee on Health and Community Wellbeing

Signature:

Date:

By the Assistant Minister for Families and Community Services, Emma Davidson MLA



**STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING**

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KIKKERT MLA (DEPUTY CHAIR), MICHAEL PETTERSSON MLA

**Inquiry into referred 2019–20 Annual and Financial Reports and Budget Estimates 2020-21**  
**ANSWER TO QUESTION ON NOTICE**

Asked by Elizabeth Lee MLA:

In relation to:

unsuccessful completion of community-based orders

As discussed in hearings, can the minister please explain why the proportion of young Aboriginals and Torres Strait Islanders who successfully completed community-based orders in the ACT has declined in four of the past five reporting years – dropping to only 15.9 per cent in 2019–20 – whilst the trend across Australia has been steadily upwards over the same period? (See RoGS Table 17A.24.)

- a. In detail, what does the ACT Government currently do to support young people to comply with and complete their orders?
- b. Which community providers help to deliver these supports?
- c. Do any of these community providers have waiting lists or limits on the provision of support services, and if so, what does the government do to address these gaps and/or delays in accessing services?
- d. In detail, what practical steps are currently being taken to halt and then reverse the decline described above?

Emma Davidson MLA: The answer to the Member's question is as follows: –

Due to the relatively small number of young people who are involved in the youth justice system, and the specific nature of their offending, rates within the ACT can fluctuate depending on the specific behaviours of the young person. The population of Aboriginal and Torres Strait Islander children and young people in the Territory is also small. Therefore variations relating to Aboriginal and Torres Strait Islander young people that are completing community based orders may appear to create disproportionate trends.

In 2019-20 the 37 community-based orders for Aboriginal and Torres Strait Islander young people that were not successfully completed relates to three young people.

- a) CYPS provides case management of all young people on the orders that require supervision by the Director-General. Case management includes:
  - A thorough induction process to ensure the circumstances and needs of the young person are understood
  - issuing of reasonable directions to help people comply with their order conditions
  - case planning which is based on the young person's level of criminogenic risks and their needs
  - regular contact with the young person



**LEGISLATIVE ASSEMBLY**  
FOR THE AUSTRALIAN CAPITAL TERRITORY

**QON No. 70**

**STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING**


JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KIKKERT MLA (DEPUTY CHAIR), MICHAEL PETERSSON MLA

- case management meetings with the young person, their supports, and other professionals, and
  - referral to support services which may assist the child or young person to address their criminogenic risks.
- b) There are a range of community service providers that support young people including drug and alcohol services, mental health services, PCYC, Aboriginal Controlled Organisations, youth services, employment service providers, education providers, family support services and accommodation services.
- c) Many of these services have at times, a waiting list for referral. This is managed by CYPS through a warm referral process which ensures that where a wait list exists, an alternative service is referred to and/or a transition plan is put in place and monitored by the CYPS case manager.
- d) A targeted response continues to be offered to the few young people who have not successfully completed their community orders. It should be acknowledged that some young people require extensive support due to their highly complex needs and behaviours and as a result may receive multiple orders in the same year.

The Community Services Directorate recognises the importance of cultural considerations and early intervention measures to ensure compliance with community-based orders. Since February 2021, the Functional Family Therapy – Youth Justice (FFT-YJ) program has been available to young people with youth justice involvement and their families. Priority is given to Aboriginal and Torres Strait Islander families. FFT-YJ strengthens family dynamics and parenting capacity to support parents in addressing their children’s criminogenic behaviour.

In addition, the Warrumbul Circle Sentencing Court has been available since 2020. This service is an alternative model of sentencing for Aboriginal and Torres Strait Islander young people. It aims to provide culturally relevant sentencing options for young Aboriginal and Torres Strait Islander people (10-17 years) by incorporating Elders and cultural aspects into the court process.

Approved for circulation to the Standing Committee on Health and Community Wellbeing

Signature: 

Date: 30 MAR 2021

By the Assistant Minister for Families and Community Services, Emma Davidson MLA



STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KIKKERT MLA (DEPUTY CHAIR), MICHAEL PETERSSON MLA

**Inquiry into referred 2019–20 Annual and Financial Reports and Budget Estimates 2020-21  
ANSWER TO QUESTION ON NOTICE**

Asked by Elizabeth Kikkert MLA:

In relation to: use of force and segregations at Bimberi

The latest Bimberi Headline Indicators Report shows a massive increase in both Use of Force and Segregation Directions in 2019-20. How many of these were directly related to the critical incident, and how many were not? What explains any significant increase in these two indicators not related to the crucial incident?

Emma Davidson MLA: The answer to the Member's question is as follows:–

- As stated, when tabling the Headline Indicator Report on 11 February 2021, six segregation directions were a result of the major incident on the 26 August 2019.
- Seven instances of use of force in 2019-20 were related to the major incident on 26 August 2019.
- As outlined in the Headline Indicator Report in 2019-20, there was an increase in the average number of young people in detention on an average day and an increase in the total number of custody days served by young people. Young people in Bimberi often have multiple and complex needs. These can include drug and alcohol, mental health concerns and/or a trauma background that has resulted in difficulty regulating their behaviour when they get stressed or angry.

Approved for circulation to the Standing Committee on Health and Community Wellbeing

Signature: *Emma Davidson*

Date: 30 MAR 2021

By the Assistant Minister for Seniors, Veterans, Families and Community Services, Emma Davidson MLA



**STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING**

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KIKKERT MLA (DEPUTY CHAIR), MICHAEL PETERSSON MLA

**Inquiry into referred 2019–20 Annual and Financial Reports and Budget Estimates 2020-21**  
**ANSWER TO QUESTION ON NOTICE**

Asked by Elizabeth Kikkert MLA:

In relation to: Youth justice case management

In hearings, the matter of case management was discussed regarding supervising both those on community-based orders and those transitioning from Bimberi. Ms Pappas stated that all case management is provided by CYPS, but I understand that, prior to the roll out of the Blueprint for Youth Justice, at least one community organisation provided case management services within the youth justice space. Is this correct, and if so, which organisations previously provided these services?

- a. Why was the decision made to no longer allow for community organisations to provide case management?
- b. The Blueprint for Youth Justice Final Report (May 2019) mentions the need for 'improvements to existing case management processes for young people on community-based orders' and also recommends 'joint case management' (p. 34). To date, what has the government done to respond to this finding and this recommendation? For example, are there any existing plans to provide joint case management with community organisations?
- c. In hearings, Ms Pappas stated that some young people in the youth justice system are disengaged, and therefore case managers must wait until these young people are ready to engage. She also stated that the CSD needs to try harder to engage such young people. What steps are taken to alter or personalise case management to meet the needs of the young people?
- d. Has the CSD conducted any research into why young people in the youth justice system might disengage from their case managers, and if so, what was learnt?
- e. In the case of Aboriginal and Torres Strait Islander young people on community-based orders, what specific practices ensure that the provision of case management is culturally appropriate?
- f. The Official Visitor's annual report also notes 'it is apparent that many young people return to Bimberi due to administrative breaches of the parole/release conditions' (p. 7). What supports have been put in place to address failures in case management that are resulting in recidivism for purely administrative reasons? -11 March 2021.



**STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING**

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KIKKERT MLA (DEPUTY CHAIR), MICHAEL PETTERSSON MLA

Emma Davidson MLA: The answer to the Member's question is as follows:–

Prior to the introduction of a single case management approach for all children and young people in both the child protection and youth justice systems, there were two arms of youth justice case management. Specifically, children or young people in custody at Bimberi Youth Justice Centre received case management by Bimberi case managers, and children and young people on community-based orders, received case management by a Community Youth Justice case manager located within the Directorate.

Since July 2015, case management for children and young people, in custody or the community, has been delivered within the single case management approach by a single case manager within CYPS. This has ensured consistency in case management standards and simplified the case management process by eliminating duplication in case plans and issues raised by allocating multiple case managers.

- a) Community organisations have never provided case management of young people for whom the Director-General holds responsibility for the supervision of a Youth Justice Order. Rather, CYPS refer to community organisations for the delivery of specialised services based on the needs of young people, such as counselling services or drug and alcohol treatment.
- b) The concept of single case management refers to the case management of children and young people who interact with both custodial and community-based youth justice. This case management is provided by a CYPS case manager.

In relation to the recommendations of the Blueprint for Youth Justice Report (May 2019), the delivery of single case management allows the CYPS case manager to provide individualised services. A primary case plan goal for children and young people in custody at Bimberi Youth Justice Centre is to support their successful transition from custody back into the community. Transition planning incorporates the support provided by the CYPS case manager, community-based services and Bimberi Youth Justice Centre principal practitioner who can provide a therapeutic focus to case planning.

- c) As with any legal order, the value of a community-based justice order is directly linked to the young person's engagement with its terms and associated responsibilities. All case management is tailored to the specific needs of a child or young person subject to the order and is provided in a personal and direct manner which regularly seeks the views and wishes of the young person in case planning. The CYPS case manager works to encourage young people to continue to participate with CYPS and any other services involved, in achieving their individual case plan goals.
- d) There has been no CSD funded research on this subject. There is a significant body of national and international literature regarding the factors which are likely to increase a young person's disengagement from case managers while involved with youth justice services. This is alongside international research on best practice to effectively engage young people at risk of disengagement.



**LEGISLATIVE ASSEMBLY**  
FOR THE AUSTRALIAN CAPITAL TERRITORY

**CSD QON No. 72**

**STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING**

JOHNATHAN DAVIS MLA (CHAIR), ELIZABETH KIKKERT MLA (DEPUTY CHAIR), MICHAEL PETTERSSON MLA

- e) CYPS staff are provided with training on the specific needs of Aboriginal and Torres Strait Islander young people in child protection and in youth justice contexts. This includes a Cultural Development Program which is approximately five days long. Case managers also have access to the Cultural Services Team, a team of Aboriginal and Torres Strait Islander staff who provide advice and expertise in culturally appropriate methods of engagement and referral.
- f) Following the Courts decision to order a community-based order, young people are subject to reasonable directions which are explained to them to ensure they understand the implications of not adhering to the Court's decision.

CYPS case managers follow legislation and policy requirements when implementing breaches. Case management approaches for young people involved with youth justice includes a comprehensive assessment of the presenting criminogenic risks including any potential breach of conditions. This information is incorporated into the assessment to support case management planning which includes diversion methods and connection to support services. CYPS case managers are provided with specialised training in this form of risk assessment.

Approved for circulation to the Standing Committee on Health and Community Wellbeing

Signature: *Emma Davidson*

Date: *30 MAR 2021*

By the Assistant Minister for Seniors, Veterans, Families and Community Services, Emma Davidson MLA