

REVISED CORRECTED TRANSCRIPT

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE

Inquiry into budget estimates 2005–06

Melbourne — 2 June 2005

Members

Mr W. R. Baxter
Ms C. M. Campbell
Mr R. W. Clark
Mr B. Forwood
Ms D. L. Green

Mr J. Merlino
Mr G. K. Rich-Phillips
Ms G. D. Romanes
Mr A. Somyurek

Chair: Ms C. M. Campbell
Deputy Chair: Mr B. Forwood

Staff

Executive Officer: Ms M. Cornwell

Witnesses

Ms S. Garbutt, Minister for Community Services;
Ms P. Faulkner, secretary;
Ms G. Callister, executive director, Office of Children;
Mr A. Rogers, executive director, disability services;
Ms P. White, executive director, operations division; and
Mr L. Wallace, executive director, financial and corporate services, Department of Human Services.

The CHAIR — Welcome. I declare open the Public Accounts and Estimates Committee hearings on the 2005–06 budget estimates for the community services and children’s portfolios. I welcome the Honourable Sherryl Garbutt, Minister for Community Services; Ms Patricia Faulkner, secretary, Department of Human Services; Mr Lance Wallace, executive director, financial and corporate services, DHS; Mr Arthur Rogers, executive director, disability services, DHS; officials and other members of the public and media in attendance.

In accordance with the guidelines for public hearings I remind members of the public that they cannot participate in the committee’s proceedings. Only officers of the PAEC secretariat are to approach PAEC members. Departmental officers, as requested by the minister or her chief of staff, can approach the table during the hearing. Members of the media are also requested to observe the guidelines for filming or recording proceedings in the Legislative Council committee room.

All evidence taken by this committee is taken under the provisions of the Parliamentary Committees Act and is protected from judicial review. However, any comments made outside the precincts of the hearing are not protected by parliamentary privilege. All evidence given today is being recorded by Hansard, and witnesses will be provided with proof versions of their transcripts early next week. Could all mobile phones please be turned off and pagers put to silent.

Minister, I now call on you to give a brief presentation on the more complex financial and performance information relating to the community services portfolio. First of all, I understand we will be given information on disability services, and then we will proceed afterwards to a presentation on children.

Overheads shown.

Ms GARBUTT — I am going to present in three parts and they are outlined there, including achievements.

Mr FORWOOD — May we have copies, please?

Ms GARBUTT — The first slide shows the three areas that I will cover. Moving to the achievements and the strategies for moving forward, of course, we are basing this work on the state disability plan which has been in place for the past two and a half years that sets the directions and what we want to achieve and particularly focuses on the active inclusion and participation of people with a disability in our community.

Moving on to the next slide, they are the three goals and the priority strategies. There are initiatives under way in relation to each of these goals and strategies. This slide really tries to encapsulate the old way, and what we are trying to do moving forward in line with the goals and directions of the state plan, and it really compares and contrasts a number of elements of that, and I am going to use that framework listed there to outline the progress we have made on moving forward.

On the generic services and community-based options, where we want to focus our direction, the disability housing trust is a key initiative. That is going to provide new options for people with disabilities in housing choices, and we will do that in partnership with families, community agencies and local government.

RuralAccess and MetroAccess are about building community capacity to support people with a disability. Yesterday I launched the MetroAccess project right across the metropolitan area. It has moved from being a pilot to being across all local government areas. Companion Card is another example of how we are trying to encourage community access and community inclusion for people with disability. As the committee can see there on the slide, we have had over 10 000 applications received, and 650 outlets participating. I think that is a great record and a great achievement.

Part of our strategy is early intervention and crisis prevention, so we are investing \$119.5 million over the next four years to provide more flexible services for individuals to create new opportunities for people with a disability and their families and to enhance their quality of support. Respite, as we know, is absolutely critical for support for people with disability and their carers and it has particular importance for supporting children with disabilities. We are trying to diversify the respite options and give real choice for people with disabilities.

Looking at the next slide, which is about focusing on facility-based solutions, moving towards focusing on supporting informal care and independent living, we are continuing to invest in aids and equipment which continue

to maintain independence and to support carers. We have also introduced this year the transitional assessment and support packages. That will enable informal care arrangements that might have broken down or be at risk of breaking down to be assessed, stabilised and where possible restored before a placement has to be made in a long-term accommodation facility.

The next slide is about the tailored packages of support. In the last three budgets we have been moving very strongly to provide individual packages tailored to people's support needs rather than having a one-size-fits-all or two or three different options and expecting the person with disability to fit into them. These are individual packages, and one of the particularly pleasing aspects is that we have seen people moving out of community residential units (CRUs) — around 100 individuals are in the process of moving out or have moved out — into more independent living in the community, and of course that opens up those places in CRUs for others that might need them. So there have been some very positive outcomes from that process.

The CHAIR — Minister, before you move on to the next slide, I remind you there is a lot to go and there is a limited time.

Ms GARBUTT — In regard to the personal outcomes here, support and choice, again it is an important avenue for providing accountability based on personal outcomes. We are revising the Victorian standards of disability services, and again that will focus on personal outcomes as well. Just quickly, the next slide on changing the service mix shows that not only is the service mix changing but of course more and more people are being supported, but you can see from that graph that the proportions are changing somewhat.

I move quickly to the budget priorities here. I will not go through them, but we will continue to build on the priorities. The next slide emphasises the growth in the number of services. The total budget is nearly \$1 billion, and that is a 73 per cent increase since we came to office. Interstate comparisons also show us very favourably. The per capita expenditure on services in Victoria is still higher than in any other state or territory. Our per capita funding averages \$4220. The national average is \$2947, and we contribute 86 per cent of all funds to the commonwealth-state disability agreement.

The next slide is summarising the new initiatives, and no doubt we will talk about those later. The asset initiative is an important one, with nearly \$40 million to replace and refurbish the CRUs. It is a very important process to bring the CRUs up to standard.

The Kew redevelopment is going well. We have extra money this year to continue that. Seventy-two of the 73 sites for the new houses out in the community have been purchased, and 192 residents will have moved out of KRS by the end of this month. So that is good news. We are getting some excellent responses. People who have moved out are enjoying themselves. They are more involved in their daily household activities and more involved in the community, and we have some independent analysis backing that up and showing some very positive results.

The CHAIR — Thank you, minister. I would like to take you to BP3, page 11, where there is an indication that the government has since 1999–2000 increased funding by 73 per cent to up to the \$988 million mark. Could you outline for me where that money is actually being spent, and particularly what its impact is on waiting lists?

Ms GARBUTT — I just want to set a bit of the context first of all. The ageing of the population is presenting major challenges all around the country, and the Victorian disability service system of course is feeling that as well. The estimates from the Australian Institute of Health and Welfare indicate that the number of people with severe and profound disabilities will significantly increase over the next 10 years. We need to remember that disability is quite a bit different to a lot of other issues. Disability is obviously with a person for life, so when they need a service, that need continues for the rest of their life. So we have the situation where more and more people are coming into the system. People are living longer, and people do not leave the system in the way that they leave hospitals or schools.

We understand this means we have to plan better and change the delivery of services. It is obviously very easy for people to talk about waiting lists and show where the numbers are growing, but we are actually getting on and doing something about it. One of the most important things that we have to do if we are going to have an impact on waiting lists is provide more flexible services and provide them earlier so that people do not slip into a crisis and so we are able to link people into the supports that might already be there in the community. It is not just about

providing more of the same; it is about providing things in a different way and providing new things. It is about strengthening the community so it is able to respond and help.

People are now being offered a greater range of support options rather than just shared supported accommodation or institutions. We are providing much more flexible services, and when we do that we find that people appreciate them much more. They appreciate the wider range of services — the range of accommodation, for example. We have been keeping track of the services people want. So far that has been through the service needs register, but it only manages applications in three categories: the shared supported accommodations, or CRUs, Home First and day programs. So they are very limited categories, and they are applications and not people, so a lot of people are on the three lists — the same person might well be on more than one list. It is important to know that those people are actually receiving a service now. Most of them are already receiving support services.

The number of urgent applications for shared supported accommodation, I am happy to say, actually went down by 5.8 per cent between December 2003 and December 2004. That is the first time that that has gone down. That is not through building more CRUs — although places are continually opening up — but through offering a bigger range of choices; that other range of support options for people. So the service needs register is unfortunately not a very accurate or enlightening way to tell us what is really happening out there and what people are wanting, but nevertheless it is very encouraging to see that the new approach to individual planning, more supports and more options, is already making a difference. We can say that over the period we have been in government over 5000 extra support services have been delivered to people with disabilities and their families. That includes the Support and Choice packages; the new transitional assessment support packages; respite, which has gone up enormously; and the aids and equipment. Certainly there is more to be done; we understand that, but that massive 73 per cent increase in funding is starting to make a difference, and we need to keep at it.

Mr FORWOOD — Minister, I want to turn to juvenile justice and the youth services output group on page 92. I refer to His Honour Judge Gebhardt's findings last week.

Ms GARBUTT — That is not about disability.

Mr FORWOOD — No, but you are responsible for both juvenile justice and disability.

Ms GARBUTT — My understanding was that we were going to do disability first.

The CHAIR — We were going to have disability — Mr Forwood wants to ask a range of questions, to which I have agreed, but I said what we have to do is make sure that we have the opportunity to have juvenile justice people up here if that is what he wants to do.

Ms GARBUTT — I have to find the appropriate information.

The CHAIR — Yes, right.

Mr FORWOOD — I refer to His Honour Judge Gebhardt's comments last week in the case of Damien Bird, which was reported in the media. He said in paragraph 15 of his judgment:

I am driven to the conclusion there has been, in your case, a gross breach of a duty of care ...

He goes on to ask the following questions:

- i) Where is the supervision?
- ii) Where is the care?
- iii) Where is the justice?
- iv) What does juvenile justice think or imagine about the consequences to young people who are both vulnerable and at risk?
- v) Are we really concerned about the damage done to future generations, about the deep-seated, and justifiable, resentments and anger?

He says in the next paragraph:

Where a department seems to be working against the interests of young people by indifference, negligence or neglect, I have to wonder about its principles, practices and concerns.

He then says:

Juvenile justice ... is not a pretext for bullying, bastardisation and brutality inflicted because of inadequacy, indifference or simple negligence.

He makes the comment in paragraph 25 — as he said before:

What can one say of a department whose behaviour and activities makes lives worse.

He also says:

I believe that a frank judicial inquiry into ... juvenile justice should direct its attention to policies, practices, management and recruitment. All is not well, and a measure of honesty rather than self-protection might resuscitate the decomposing body.

You were quoted as saying that you thought it was an isolated case. I am wondering if you care to pick up the comments made by Judge Gebhardt and relate them to why you think this is an isolated case.

The CHAIR — Before the minister answers, do you wish to have a copy of that, and would that be helpful?

Ms GARBUTT — I think that is fine. This is an appalling case and totally unacceptable. I have said that publicly. I have not accepted it nor has the department accepted it. In fact the police have been brought in by the department to investigate this matter. The young men accused of the incident have been immediately shifted to the adult corrections system. I also demanded that the department undertake an investigation of the whole case. It has already made a number of changes. I support these changes. It has increased the number of staff on the evening shift at the centre. That clearly had been an issue. They are making funds available for an additional senior forensic psychologist at the centre. There is also extra funding to provide access to psychiatric services for the assessment and treatment of inmates. There is going to be stronger supervision of inmates and tighter security within the centre including limiting them to access to unsupervised areas. The department has responded to this particular case. It is an appalling case. There is no doubt that. Everyone agrees with that.

But then I will move on to say whether there needs to be a systemic review. There have already been two recent reviews — the Falconer review and the Baird review. In the case of the Baird review all those recommendations have been implemented, I am told. All the recommendations of the Falconer review have been implemented or are under way. All the recommendations were accepted. There have been judicial reviews. Neither of them has found systemic problems that seem to be implied. So this was I think an isolated case where one particular young man was attacked a number of times. He was a vulnerable inmate. I have directed that the department undertake further inquiries and reviews about how they better protect young men with special needs of whatever sort they are.

I would have to say that we have invested significant extra funds into this system to improve security and operation of the system. Funding has in fact increased by over 80 per cent since we have come into government. While this particular case was appalling and totally unacceptable, the department has all ready moved on that.

Ms FAULKNER — Again, as the minister has said, in terms of the juvenile justice response what we have done is to look to see what processes we can improve. In my time in the department this is probably the worst instance that I have seen of an incident of this nature. I suppose intuitively I would support the notion that this is a reasonably unique event. However, as well as the things that the minister has answered about what we are doing, we are looking at whether in fact the nature of the youths who are coming to us and the pattern of their offending behaviour is changing and the extent to which we can cater for what anecdotally appears to be a more difficult group coming into the juvenile justice facility. That is about all I would add. We are having a look at the evidence about who is coming into the system and what needs to be done if it is going to be a continuing trend that the judiciary is sentencing what appears to be more serious offenders to the system.

Mr FORWOOD — Minister — —

The CHAIR — Was there anything in relation to that particular question?

Mr FORWOOD — Yes.

The CHAIR — It should be in relation and supplementary to what you have asked.

Mr FORWOOD — The minister said that there has been an increase to staff on an evening shift.

The CHAIR — Yes.

Mr FORWOOD — She said there has been extra funding made available.

The CHAIR — Yes.

Mr FORWOOD — I think the committee would like to know: when the changes were made to the increased evening shift; how many people are now on shift in the evenings; how much money has been put in; and when did these changes took place? I think if the minister believes this is an isolated case and she wishes to convince the community of that, then she needs to provide us with the information that would give us some comfort in regard to that. I do not particularly mind whether we get it straight away or whether we take it on notice.

The CHAIR — Do you want to take it on notice?

Ms GARBUTT — No, we will get back to you later on because we are expecting disability first. Some of the people that can provide that information are not yet here. But they will be here so we will provide that.

Mr FORWOOD — Excellent. All right, that would be good.

Ms GREEN — Minister, I think it is probably more productive if I take you back to a disability question and the particular issue of young people in nursing homes. Minister, could you advise the committee of how the government is progressing the issue of young people residing in the nursing homes?

Ms GARBUTT — There seems to have been an issue about who is responsible for young people in nursing homes. I was quite surprised and very disappointed when my federal counterpart said that it was all the states' responsibility when we have a bilateral agreement with the government — a bilateral commonwealth-state-territory disability agreement — which outlines joint responsibility for various disability services. It says:

Both governments acknowledge the inappropriate placement of some young people with disabilities in aged care facilities.

Both levels of government acknowledge that:

... some older people with disabilities require additional frail aged care services.

... both parties with explore together:

alternative support models for young people in nursing homes including the capacity to transfer young people in nursing homes to more age-appropriate accommodation.

There it says clearly in this bilateral agreement that we have both levels of government accept the responsibilities. It is pretty clear to me that we both have that responsibility. In fact the Victorian government has been funding a range of services for young people with disabilities who require nursing services. I went and met with Senator Kay Patterson last year on 6 April in Treasury Place. I put it to her that we could both do more and what was needed was flexibility in funding. These people need disability support services which we supply and nursing support services which the commonwealth government has responsibility for. Many people are getting both of those in aged care facilities, which is the problem. It is already providing that funding. I put to her and we are just saying that if she was prepared to make that funding more flexible, they could be put into better, more appropriate accommodation, which the state is prepared to fund. Then to my surprise I found her totally denying any responsibility. That has been very disappointing.

In fact the state government is already providing a number of specialist units within nursing homes, such as the Garden View nursing home and Cyrill Jewel House where we fund extra supports and the commonwealth government also puts in supports. There is an example of St Martins Court in Beaumaris which I opened last year, and which is again a joint project. The commonwealth puts in funding to some of these projects. We put in funding. We put in more funding than the commonwealth, but nevertheless the example is there. That is the sort of model that I thought we could expand on. We also provide funding under the Acquired Brain Injury Slow to Recover program. That program has assisted over 181 people so far. That is state money. Clearly we are doing our part of it.

We have proposals on the table where we hope the commonwealth would pick up as well. There are a couple of other joint projects with aged care, not with the commonwealth disability services but with the commonwealth aged care program. The Carnegie project was one that was mentioned on air the other week where we have committed nearly a \$250 000 annually for flexible support services that go with the person. The commonwealth government has also put in \$124 000 or \$125 000, but only for two years. These are young people whose nursing needs are going to continue for the rest of their lives and are not going to finish after two years. What we need is for the commonwealth to actually face up to that responsibility and put on the table nursing care that is going to be flexible and continuous. So that has been a problem.

I have also written to the Minister for Ageing in the commonwealth government, the Honourable Julie Bishop, who administers this pool of funding that the Carnegie project has been funded through, and I have now got a meeting with her to see if we cannot advance the agenda a little bit further there. Interestingly, tomorrow on the COAG agenda is an item about better supporting younger people in nursing homes and working together to progress it, so we are certainly playing our part. I acknowledge that aged care facilities are not always the most appropriate facility.

Our funding now through the Support and Choice model that we have moved to is flexible. It will go with the person, whether they are in an aged care facility or a more appropriate facility. What we want, clearly, is for the commonwealth government to work out a way to make their nursing home funding more flexible in the same way — to move it with the person and let us develop a better model so that we can meet the needs of these people.

The CHAIR — Thank you. There is a supplementary on young people in nursing homes.

Mr FORWOOD — I was advised by Minister Patterson's office on 19 May that this was an issue of particular concern to her. The advice I received was:

Under current arrangements the states have responsibility for accommodation for people under 65 with a disability. Commonwealth has responsibility for those over 65.

It goes on later to say:

Of course, where the state is not providing the accommodation required, the commonwealth does take these people into the nursing home.

I guess my question is: are you saying that the minister's advice to me was wrong?

Ms GARBUTT — Yes, I am, very clearly, and I will read it again.

Mr FORWOOD — No, I heard what you have said.

Ms GARBUTT — The appropriate quote from the agreement that we have says:

Both parties will explore alternative support models for young people in nursing homes, including the capacity to transfer young people in nursing homes to more age appropriate accommodation.

Mr FORWOOD — I will send her the transcript.

Ms GARBUTT — It is very clear. She does not need a transcript. She only has to look at what was signed by the previous minister. So it is very clear.

The CHAIR — Thank you, Minister.

Mr FORWOOD — I would like to return to the issue of juvenile justice and Malmsbury in particular. You mentioned in your previous response the Baird report. My understanding is the Baird report is not a public document, and so I think it is difficult for people to judge whether their recommendations have been agreed to or not. The main finding of the Baird review on page 2 was that:

A lessening of staff control and an increase in clients with drug problems has given rise to a culture of intimidation at Malmsbury ...

It also says that some staff do in fact turn a blind eye to the drug taking that goes on at Malmsbury and it makes a series of recommendations about what should happen. But this again, I put to you, was a report that the department has had on for five years now and what has happened is that last week we had the case of Damien Bird.

In the year 2000 you received the Baird report which said that there was a lessening of staff control and a culture of intimidation which you say has been fixed, but last week we had the case of Mr Bird. So I wonder if you believe that in fact the steps that have been taken are appropriate and will you now make the Baird report available for everybody?

Ms GARBUTT — My advice is that the Baird report is publicly available. It is an old report. It was before my time. I am also advised that all its recommendations have been implemented.

Mr FORWOOD — Well, if they have been implemented, how did we arrive at a situation where Damien Bird was so badly bashed?

Ms GARBUTT — As I have said, it was, I think, an isolated case. The department has moved immediately to implement all those measures and, quite clearly, the Baird report is outdated.

The CHAIR — Thank you, Minister.

Mr SOMYUREK — Minister, the issue of accommodation services for people with a disability is a very important issue in our society. Budget paper 3 at pages 11 and 86 to 88 goes through various output groups that deal with this issue. I know during your presentation earlier and your answer to a question from a colleague you did touch on this subject a little bit, but can you please expand on that and inform the committee what is being done to improve choices for people with a disability who require accommodation services?

Ms GARBUTT — It is certainly a very clear focus of this government that we increase the choice, flexibility and options for accommodation for people with disabilities. We have done that in several ways; the first would be through the Support and Choice initiative. One of the requirements of that when we first brought it in with the last two budgets was that around 100 people — 50 each year — who are currently living in community residential units in shared, supported accommodation be offered the opportunity to move out into more independent forms of living. They have been doing that and we have seen some great outcomes from it. It has been a terrific success. So that is a sort of subset of Support and Choice, but Support and Choice itself does offer people access to different housing choices.

We have had examples of people using their Support and Choice packages to rent public housing or private housing units, apartments and so on and to buy in the supports they need to live independently like that. We have seen where people are able to pool their Support and Choice packages together and perhaps rent a bigger house and share the supports that they need. So there has been a whole range of that sort of option being exercised by people through the Support and Choice initiative.

As well as that, one of our election commitments in 2002 was \$10 million to establish a disability housing trust, and we have done a lot of work on that and it is almost ready to commence. This will work by seeking partnerships with parents, with local government, with non-government agencies, community service and not-for-profit agencies and so on, who will also be able to contribute. We think that we will be able to get 100 new housing opportunities. We cannot call them houses because they will depend on what people choose to do for their accommodation. That will work in partnership and open up a whole lot of new possibilities there, so we will see a new range of opportunities.

I also recently announced some accommodation innovation grants, just over half a million dollars worth of money for 16 organisations around the state. This was very well received. These are non-government agencies, parents groups, friends groups, support groups right across the state. I will not go through all of them — there are 16 — but there are people like Create Inc. in Geelong, the Yarooga working party in Warragul and Drouin, Harrison Community Services in Melbourne's east, the E. W. Tipping Foundation in a couple of different locations and the Dame Pattie Menzies Centre in Alexandra.

What they will be able to do is work with parents, families, carers and people with disabilities to identify their own housing options and what people might need. That is going to deliver new options for up to 170 people off our lists to live independently in the community in the way they choose and with the supports they choose and think they need. So that is going to make a terrific difference. The enthusiasm that I saw in those groups was just amazing — the most enthusiasm that I have seen around any disability program.

We have also made available a planning and advisory service that will be able to talk with families and take them through all these options. People do not automatically know what is on offer and they need to be able to share it and get advice on it. We funded Supported Housing Ltd, which is a very experienced operator of various sorts of housing for people with disabilities. They are providing that service on a statewide basis. So that is getting the message out as well that there are a whole lot of other opportunities that people could be considering.

As well, people with disabilities are an important target group for the government's affordable housing strategy which is being handled by my colleague the Minister for Housing, Candy Broad. That strategy is for \$70 million over the next four years which will provide more affordable housing options and a greater choice and diversity and people with a disability are a very important target group there. As part of that strategy, housing associations are being established. They will acquire and manage the additional housing in partnership with community-based organisations or with local government or with the private sector. That again is opening up a whole range of options. We are putting a lot of alternatives on the table.

Community residential units are still very important. We have around 4500 people still living in community residential units, so it is a very important option. But it has been the only option apart from institutions for a long time. What we want to do is provide some alternatives. People are responding to that very well, clearly seeking out those other alternatives. While we are also maintaining CRUs we have put a lot of extra funding as you saw — almost \$40 million in this budget — into renovating and bringing up to standard all the CRUs, and opportunities are opening up there as well. But these other alternatives are what people are really seeking. We are seeing that on the service needs register as well where people who had been putting their name down for shared supported accommodation has declined almost 6 per cent because they are shifting over to Home First which is the more flexible of the greater options. So the demand is still there obviously, but we are saying that there are better ways and more ways of meeting that demand than have been available in the past.

Mr FORWOOD — I would like to finish on the Malmsbury issue. Perhaps it might be possible for you to advise the committee in your own time when the Baird review was released and by what method, because I understand that Mr Baird himself does not believe it has been released.

Ms GARBUTT — I can get an answer for that. I think the people are here now.

Ms WHITE — It was not publicly released as in put on the Internet or anything like that, but certainly there was never any attempt not to release it if anyone asked.

Ms CALLISTER — And it was provided under FOI.

Ms GARBUTT — It has gone out.

Mr FORWOOD — To?

Ms GARBUTT — Whoever asked.

Mr FORWOOD — When?

Ms GARBUTT — It is not going to be a best seller. You do not put it out on the book shops and wait for people to come in and buy it — but anyone that asks, gets it.

Mr FORWOOD — It probably would have been a best seller! On page 12 of the Baird review it says:

A significant proportion of staff admitted that they have, on occasions, turned a blind eye to marijuana smoking.

It goes on to say:

The review has found that some staff at the centre are not following procedures in a number of key areas. These include turning a blind eye to smoking marijuana, not conducting room searches on a regular basis, not confiscating hypodermic needles, not accurately recording movements in and out of the centre and not completing case notes on each client on a daily basis.

It also details cases where staff did not act on the reporting of harassment and intimidation, and it also says that some shifts lacked the critical mass of experienced staff required to manage the difficult client group because of the difficulty in recruiting staff. What confidence can the people of Victoria have that the staff at the current time do in

fact follow the procedures that were not being followed in the past, that there is now a critical mass of experienced staff, and that there are appropriate staff in place at Malmsbury?

Ms GARBUTT — That is an old report and, as I indicated to you, all the recommendations have been accepted and implemented. We can go through some of these issues that you raised now. The juvenile justice centre has a zero tolerance on drug use. There are a range of prevention and detection deterrents and treatment strategies in place. They include searches of clients and their belongings on admission, upon return from leave, following visits, and on other occasions where there is a reasonable possibility that a search is warranted. Random searches of the clients' living quarters are conducted. Searches of the entire facility are conducted. The prison dog squad is used to search, if necessary, the buildings and grounds. There is screening and supervision of visits. So there are a big range of things now in place addressing that particular issue and those recommendations. With regard to bullying — —

Mr FORWOOD — The staff issue.

Ms GARBUTT — You asked for three things; I have done one. Don't carry on, Bill.

In relation to bullying and so on that you mentioned, the majority of workers at the three juvenile justice centres, I think, do an excellent job. There are strict policies and guidelines in place outlining the expectations of staff performance. If there are occasions when these are not followed then there are formal investigations, if necessary, that follow — and from time to time that does happen. The staff member on those sorts of occasions is stood down until the investigation outcomes are known. With our staff, I think we have very high levels of qualifications now. I need to ask Gill to comment on that. Gill heads up the Office for Children which has responsibility for the juvenile justice centres.

Ms CALLISTER — As the minister said, all the recommendations of the Baird review have been implemented and those sorts of procedures around substance abuse and some of the staffing issues that were identified have been responded to and the level of qualification and training of staff has significantly increased as a result. I guess the only thing I would add is that the Falconer review found that the quality of staff at the centre and the commitment of staff and their adherence to policies and new practices was of a very high level.

The CHAIR — Thank you very much.

Mr MERLINO — Minister, there are a number of references to families of children with disabilities within the budget, including the Primary support output proposal at page 86 of budget paper 3 which refers to providing respite for families and carers, and the Individual support output on page 87 which talks about packages of support enabling people with a disability and families and carers of people with a disability to access support based on choice. Can you explain to the committee or provide further information to the committee on what is being done to support families of children with disabilities?

Ms GARBUTT — Good question. We think families are the best place for children to grow up in, including children with disabilities. Regardless of their needs, families are the best place so it does make a lot of sense to put support and resources and a lot of thought into how we support the needs of families in caring for their children. Of course a few years ago that was not the case and children were often put into residential facilities. We do not support that. We think that is devastating for the family and quite disastrous for children so we have been very determined to make sure that we increase support that is family based for children with disabilities. We are doing that in a whole range of families — in a whole range of ways for different families, of course. The additional choice and support packages are important. A lot of them are aimed at families where families identify what they need to do — what will help them to support their children — and that is implemented. That flexibility is absolutely crucial.

Respite, of course, is fundamental to how families are able to manage in the long term with their children and we have put in this new budget \$12.3 million over the next four years. That is extra, on top of what we are already providing. That will provide around 560 new respite breaks. We cannot call them a particular type of respite any more because we want to increase the range of respites that are available. So for some it is overnight in a facility or a house, which is the traditional sort, but for others it might be a vacation camp, for example. It might be an activity which involves some recreation: a day out playing footy or visiting the zoo or something. It is still a respite break; it is a great way to give a break to parents, but kids enjoy it as well. So we are putting an effort into extending the range of respite possibilities that are available.

We are also increasing funding through the Office for Children to better support children with a disability and that includes extra early-intervention services. We are putting in funds for an additional 460 children to attend an early-childhood intervention service.

We are putting in nearly \$8 million in this budget for extra packages of support for families of children with a disability, including autism. Once again they will be very flexible. We have also tried to emphasise the prevention and early intervention angle of services, and Signpost is one of the most interesting of these new services. This is to provide parents of young children with strategies where they might manage children's behaviours that are a bit difficult or complex so that parents do not become frustrated and annoyed and the children are not able to cope. There are some strategies and ideas that parents can try out and get working for them, so that the behaviour does not escalate and the whole family become anxious, uptight and in crisis, which has become a very obvious pattern when children have quite difficult and complex behaviours. So we have put funds into that, and that has been a joint state and federal program. That has been a useful program as well.

Aids and equipment is very important for families of children with disabilities, whether it is new wheelchairs every couple of years as the kids grow, or whether it is changes to the house and home, so that they are better able to meet those needs too. There has been a lot of thought and effort gone into extra supports for families and more flexible and a wider range of supports.

Mr FORWOOD — I want to return one last time to Damien Bird. What I think is interesting is that he was transferred from Malmsbury to juvenile justice at Parkville after he had been maltreated at Malmsbury. While he was at Parkville, he was bashed and suffered a broken nose, so inside a month in the care of the government, he was abused in two different facilities, and I put it to you it can hardly be an isolated incident if it occurs in two different facilities.

Ms GARBUTT — I am a little constrained by privacy considerations, Bill, from going into a lot of detail as opposed to the system response — —

Mr FORWOOD — It is in the report.

Ms GARBUTT — However, Gill might be able to give a bit of detail.

Ms CALLISTER — As I understand it, what occurred was that Damien in fact assaulted somebody else and that person retaliated on that occasion.

Ms GARBUTT — At Melbourne — at Parkville.

Ms CALLISTER — At Parkville.

Ms ROMANES — Minister, could you provide the committee with an update on the review of disability legislation?

Ms GARBUTT — We have been undertaking a review of the legislation carefully and comprehensively for quite a period — for almost two years — and that is very deliberate. It needs to be slow and careful because it affects people's lives very directly, and people want to understand it very carefully. So phase 1 of the process was a discussion paper and consultation, and that was completed back in October 2003. Phase 2 was a report on that consultation and some recommendations that went out in October of 2004. Then there was more consultation and that was wrapped up at the end of last year.

Now we are at the stage of preparing the new bill, and we will release a draft exposure bill later this year, so that people can have a look at the actual wording. It has a number of objectives. It talks about promoting and protecting the rights of people with disabilities who are receiving services from DHS. It is about creating mechanisms to make communities more accessible for people with disabilities. This is not just about people with disabilities; this is about whole communities opening up, responding, welcoming and including people with disabilities in their own community activities.

It also has a focus on regulating disability services to ensure that they maintain a high quality and are accountable to people with disabilities and to the government, and it is about ensuring more transparency and more accountability in the compulsory treatment of people with an intellectual disability. That arose out of recommendations from the Victorian Law Reform Commission inquiry.

The drafting instructions are currently underway. As I say, we will shortly release the exposure draft when the parliamentary counsel has completed that. There has certainly been a lot of interest in it, and the consultations and the forums have been very well attended. There has been some nervousness around the provisions already in place in the Intellectually Disabled Persons Services Act, that they will be perhaps diminished. They will not — that is fairly clear. That is one of the reasons that I want to release the exposure draft so people are able to examine that very carefully and reassure themselves that that is not the case, that the rights of people with an intellectual disability will be absolutely respected.

One of the important things in the legislation will be to make sure that everyone in the community sees that they have a responsibility for opening up and including people with disabilities in activities, that we all have a responsibility to be more accessible and relevant, and inclusive of people with disabilities. It will bring together two existing acts which are quite different, have separate rights, principles and obligations. It will bring them together, but it will be done with an exposure draft to reassure people, that they can see and comment on what is already proposed, but I hope we will get the whole legislation through by the end of the year.

Mr CLARK — Minister, I refer you to this committee's report of December last year into services for people with an intellectual disability and to our report on the information that we were provided, that in assessing people for an entitlement to disability services, more than 80 per cent took more than four weeks to complete, and that 31.7 per cent took longer than three months, and we recommended that the department determine the underlying reasons for the delay in completing eligibility assessments as required under the Intellectually Disabled Persons Services Act 1986, and that the department urgently obtain an opinion from the Victorian Government Solicitor as to the interpretation of section 7(3) of the Intellectually Disabled Persons Services Act 1986.

Can you tell the committee whether you have been able to ascertain the reasons for the delays, whether that opinion has been obtained from the Victorian Government Solicitor and, if so, what that opinion says, and perhaps most important of all, what action has been taken to reduce delays and what do you expect the results of any such action to be?

Ms GARBUTT — I think that was all contained within the report that PAEC presented following that review of the recommendations, and of course the government will respond within the required time, which I think was six months. That six months is not yet up, so it is certainly our intention to respond to all the representations, including those ones about assessments.

I can, however, tell you that the waiting times for assessments have been improved from around 32 per cent that commence within 30 days in the year 2000 to 94 per cent that commenced within 30 days in the year 2003–04, so there has been a big increase there. I might get Arthur Rogers, who heads up disability services, to provide an explanation as to how that improvement was achieved. But as to the issue of the legal advice, I would have to say that the train has moved on, and we are now talking about new legislation which will have different requirements and different formulations of that sort of wording that you were talking about. So when the exposure draft is released you will see that has been dealt with in the new legislation, but I will ask Arthur to comment further.

Mr CLARK — Before Mr Rogers starts, I will just interpose: I think the interest will be as much in how long it takes to complete assessments as to how long it takes to commence assessments.

Mr ROGERS — Thank you, Minister. As the minister mentioned, the performance has improved in terms of commencing assessments, and we have progressively increased the target for our regional colleagues to achieve. The current target is 90 per cent to be undertaken or commenced within 30 days. That has increased from 70 per cent in 2001-02 and 75 per cent into 2002-03. The performance is currently running at or above that target.

In relation to the second matter in terms of the average time taken to complete eligibility assessments: in terms of the time taken from the lodgment of the form not from the start of the work, the performance in 2003-04 was 88 days and in 2004-05 so far it is 76 days — that is, to complete the process. I will also say that as per the IDPSA but certainly in terms of our practice, whilst a person is waiting for an assessment to be completed they will be receiving services if they require them urgently or if they are in particular need to receive those services. So that is in terms of the performance.

In terms of the view of the department in relation to 'undertaken', we have considered that to be commenced. We have relied on the common understanding of the word 'undertaken' as per the dictionary, but also another section

of the IDPSA actually refers to ‘undertaken’ or ‘completed’ — in other words, they are not actually interchangeable words. That is part of section 7 of the act as well.

Ms GREEN — Minister, in your presentation you referred to the continuing Kew residential development. Could you provide further detail on that redevelopment and also what evaluations have been undertaken to determine the outcomes for residents who have moved off site to date?

Ms GARBUTT — It is a good story as I indicated then. We are making substantial progress in moving towards that redevelopment. Most of the residents will be moving off site into communities and we will need 73 community houses for those residents scattered right throughout the suburbs mainly. Some are outside Melbourne. Seventy-two of those 73 sites have been purchased; a lot of the houses are under way and we will certainly purchase that last site by the end of the month but certainly by the next few weeks. Thirty-two of those community houses have opened and the construction of the remainder is on target. It has been a very big project and it is moving along very well. One hundred and ninety-two is the target for the number of residents of Kew to have moved off by the end of this month. We are on target for that.

Part of the redevelopment is also that 20 houses will be constructed on the existing site in among other houses that will be sold on the open market. And the location of those houses will be integrated into the overall development. We are expecting those houses to be completed by the end of next year. All of this was preceded by detailed planning of each individual’s needs and where they would be located. That was according to their friendship groups within Kew, their parents’ location or the services that they used, and for most of them the ultimate location has been decided on that basis. Most of them have got their first preferences.

We have asked Gary Radler who is a psychologist and a very experienced person to undertake an independent review of those clients who have moved out already. Some were relocated two years ago. He has found overwhelmingly positive results. He has said that they are more involved in their household activities — whether doing more domestic chores, doing the shopping, choosing the menus or so on; they are much more involved; they make more choices about what they do each day; they interact much more with the community; they see their friends more often and their parents visit more often too. Family members that I have spoken to said they did not actually like to go and visit Kew. It was a bit overwhelming and depressing but they come and visit especially when they are located nearby much more frequently. So there are some very good stories there.

We have also recently commenced a longitudinal study on the quality of the outcomes for the residents. That is being undertaken by the La Trobe University. Staff have also been carefully matched to the new houses and 90 per cent of the direct-care staff have now been matched to the new services and most of them are expressing great satisfaction as well. They are saying their jobs are much better and they are enjoying that much better as well. We have been considering the Heritage Council listing of the site with six buildings. We have brought that into the decision-making and we will be announcing a decision about that shortly.

Mr FORWOOD — You would be aware, Minister, I am sure of the case of the Krupjak family in Gippsland. The Krupjaks have got two small kids who have physical and intellectual disabilities and attend the Traralgon special developmental school. They say:

Life is very difficult dealing with medical problems constantly, funding issues for equipment such as wheelchairs, standing frames, lifting equipment, continence supplies, and funding for in-home services including home care, personal care and respite.

They currently access a personal carer. A year ago a personal care worker who was attending there apparently was bitten by a dog, and as a result had a tetanus injection, had a reaction to the tetanus injection and as a result of that went on WorkCover. So the Victorian WorkCover Authority under section 138 decided it would sue the Krupjaks, this family with the two disabled kids, to get its money back for failing to provide the worker with a safe workplace and failing to provide the worker with a safe passage to the premises et cetera.

One wonders what sort of circumstance we are now in if we have a situation where families receiving care from someone are now in a circumstance where they can be sued by the VWA for third-party recoveries if something happens in the house or on their property or while they are at work. The legislation does not provide protection for families from liability, and if we are not careful we are going to find a whole lot of people saying, ‘We are not going to — —

Mr MERLINO — Sometime, Bill?

Mr FORWOOD — Are you going to put up with that, Chair?

The CHAIR — Why don't you ignore interjections and keep on going? I am wondering if this is a WorkCover or disability issue — that is what I am concentrating on.

Mr FORWOOD — Okay, what effect do you think this will have on unpaid carers working at home? Do you believe that because of this case there will now be people saying to the government, 'We are not going to look after them at home anymore because we are subject to that sort of liability'?

The CHAIR — And the carer was paid for by disability, the carer who came to the site? That is what I'm trying to — —

Ms GARBUTT — It is a complicated case. We do certainly want to continue to provide support to people in their own homes. That is an important principle that we have been operating on and funded. But it is a complicated case. I think we are seeking legal advice in this case and it is probably more a question for the Minister for WorkCover but clearly it is of interest to us as well. Arthur, are you able to provide more information?

Mr ROGERS — Just some related work. There has been done some work done in the industry around home care and WorkCover guidelines which is related to this issue but not directly to that particular thing you have mentioned. We have been working both with WorkCover and the industry around some general guidelines. When we received this letter that went to a number of ministers just recently we sought some advice around that issue. We will be seeking to discuss it with people in WorkCover and elsewhere.

Mr FORWOOD — Perhaps you could get back to the committee once you have resolved the problem.

The CHAIR — My question goes to community building and inclusion. It is a topic that was covered last year and the year before. Could you update the committee on the progress that has occurred to enhance community building and inclusion for people with a disability? I presume this has some bearing on the metro access as well.

Ms GARBUTT — Absolutely. It is a very important new direction that was outlined in the state disability plan. As I said before, our focus is on ensuring the rights of people with disabilities to participate in the community to the extent that they can, just like any other person has that right. However, the onus should not always be on the person with a disability to try and make their way in the community — the community needs to respond and to be inclusive and accessible to people with disabilities.

We have put in place a lot of new approaches and new initiatives to support that work. The companion card is obviously one of them. I mentioned before the terrific take-up rate: over 10 000 people with disabilities have sought the companion card so they can participate in events and programs — things like the grand prix, the footy finals, their local government swimming pool and a whole range of facilities, events and activities where they want to participate.

We have had 650-plus outlets agree to recognise the companion card so the person with a disability can take in their carer where they cannot attend without a carer, and they will not pay the double price. The 2006 Melbourne Commonwealth Games is a participant, as you would expect. Every public transport service also participates. That has been a great success. Over 40 of our local governments have formally agreed to recognise the card at their facilities so it is spreading.

The CHAIR — Give us the names of those which have not.

Ms GARBUTT — We must go back and make sure that we advise the other local governments. Rural access and metro access, which I mentioned before, have also been a big success. There are 25 full-time rural access workers based in local government or community health centres right across rural Victoria. They have come up with a whole range of initiatives and programs to make sure that their local community is much more accessible and available to people with disabilities. There is a whole range of programs — they have been creative in the ideas they have come up with.

We have now implemented it across the metropolitan area through metro access. We started with four local governments as a pilot. They were the City of Hobsons Bay, the Shire of Nillumbik, the City of Kingston and the City of Maroondah. I was out at Maroondah yesterday announcing that there was further funding for more

coverage across all 31 metropolitan municipal areas. People were very excited by the ideas that people had come up with in making their community much more accessible.

There is a full-time worker per local government area in the metro access program but we have also worked with the Municipal Association of Victoria. We have funded a partnership with it so it will also work on this program and support the individual metro access workers. They are fully on board and that will now see a whole lot of different initiatives across the metropolitan area.

The City of Maroondah yesterday pulled out its brochure about communicating with people with disabilities. They said the local table tennis association, I think it was, was going to use it to make sure that every one of their coaches and team managers had it and was able to communicate with anyone with disabilities interested in table tennis. It is that sort of on-the-ground, grassroots activity that we are looking for. We also heard from three people with disabilities who had gone into six different primary schools talking about their own situation and increasing the understanding primary school students have of people with disabilities and what their needs are. One commented that she also understood her own disability much better now she had had to think about it and analyse it and talk about it.

There is a huge range of things. I could also mention the innovation grants project in relation to accommodation. However, we have also had a program about other aspects of life whether it is including people with disabilities in dance, in television, in festivals, in animation projects — there have been a range of projects where people have included people with disabilities. It has been terrific.

The Disability Advisory Council of Victoria, which we will put into the new legislation, is up and running. Its second term started in April of last year. It will provide advice to relevant ministers as well. A range of activities right across the board mean people with disabilities are able to be included in the community, and the community has to be ready for that and participate in that.

Mr CLARK — In your presentation you referred to the housing trust. As you will know, \$10 million over three years was provided in last year's state budget for the disability housing trust, of which \$3 million was to be spent in the 2004–05 financial year. Do you expect the \$3 million to be outlaid this year in accordance with the scheduled expenditure? Can you provide the committee with further details about progress on establishing the trust and how it is expected to operate? I understand there are around 1848 people on the urgent and high-priority waiting list for housing and support needs. Can you tell the committee what other plans the government has apart from the disability housing trust to help those people meet their needs?

Ms GARBUTT — The disability housing trust was an election promise. The intention is to establish it so that it then seeks out partnerships with other bodies, whether they be parents who are willing to provide a house for their son or daughter, superannuation authorities which are willing to invest, or local charitable organisations and churches which have shown an interest in this. The initial funding was provided in the budget for the current financial year.

However, that did not have targets attached to it — the providing of the housing targets was for the following years. The initial work has been done to develop up proposals for what sort of entity it will be, how it will operate, what sort of statutory requirements it will come under. That work is being done and I am hoping we will be able to make further announcements soon about that. Of course it cannot start to deliver accommodation until it is up and running and further developed.

In relation to other accommodation options, I have already spent quite a bit of time talking about the ways we have sought to add options and alternatives apart from community residential units (CRUs). The support and choice packages have been vital there, and that includes the home first packages. As I said, that has provided opportunities for 100 people to come out of CRUs where they want to be much more independent in their living choices.

I have met people who have come out of CRUs. I remember a young man called Matthew. He had gone into a CRU because of an emergency but did not want to remain living there. He is now living in a unit on his own and has, I think, weekly support. He does not need any more, he is out in the community, he has a job, he is very active and is not looking back. That sort of story is quite possible and has been replicated around the state.

As well as that we are seeing people with the support and choice package renting public housing or renting their own units or their own apartments on the private market and buying in the support they need in order to sustain

themselves there. We have seen two or three people with individual support packages joining together and renting their own accommodation and buying in their support. So any number of alternatives are available, and people are accessing them and, interestingly, choosing them instead of community residential units — although, as I said, there are still 4500 places in CRUs, and they are opening up and some people will choose that option. It is available.

But we have put our focus on increasing the choices so people are able to do that. Fundamentally, that has meant being much more flexible about the funding packages we provide to people. If their only choice is a CRU, then that is what they have to use, but if there is a funding package where they are able to identify what they want and how they can best be supported, then that is what they have been choosing. I think that is why we have seen the change, with the urgent waiting list for shared supported accommodation going down by 5.8 per cent, to the more flexible options, which are going up.

Mr CLARK — Just to clarify the issue of the \$3 million for 2004–05, can you tell the committee now, or on notice, how much of that was not spent in 2004–05 and whether you will be able to get permission to roll that forward into 2005–06?

Ms FAULKNER — It is the Treasurer's decision about rolling it forward, but we can come back to you.

Mr CLARK — Roughly how much will you need to roll forward?

Ms FAULKNER — I have not got that detail with me. We will have to come back to you.

Mr SOMYUREK — Minister, I noticed yesterday that the Commonwealth Games are less than one year away. It is important that people with disabilities are not excluded from enjoying the games. What action has the government taken to improve accessibility to the games for people with a disability?

Ms GARBUTT — I think it is less than 300 days.

Mr MERLINO — Is the clock up yet? There is supposed to be a clock in Queen's Hall.

Ms GARBUTT — Okay. Anyway, it is coming fast. The Department of Human Services has been working with the Department for Victorian Communities to make sure that the Commonwealth Games are as accessible as they can possibly be. The Equal First program, promoting inclusiveness and celebrating diversity through the 2006 Commonwealth Games, has been guiding that. So all along it has been a priority.

We have been working on a number of specific initiatives. The companion part is one that was mentioned before, and that will be promoted right across the games events and venues. In fact we should see a greater uptake of that through the Commonwealth Games. The Australian Communication Exchange runs a national relay service for telephone access for deaf and hard-of-hearing people, and that is being promoted. There is a Commonwealth Games hotline which will be operated by Information Victoria, and that will have TTY access. That phone number will be promoted alongside the regular phone number.

Accessibility guidelines have been developed for every one of the venues that will be used for the games, and reviews have been undertaken to determine whether there are any accessibility issues. An accessibility plan has been or is being developed for every venue. That will be an everlasting outcome from the games; you do not go backwards on those things. There will be an accessible transport option for people with disabilities for each venue. There will be wheelchair-accessible shuttle buses running alongside the regular transport to the venues. So there will be a combination of dedicated services for people with a disability and general services.

The City of Melbourne will also set up mobility centres to provide low-cost hire of powered scooters and a range of other mobility equipment as well as providing other services for people with disabilities. That will certainly help improve access as well. Rural and metropolitan access are projects that I talked about, and we will have a look at those issues as well. It is a very thorough and comprehensive approach to making sure that people with disabilities get to enjoy the Commonwealth Games alongside the rest of us. It is really about an inclusive and accessible community and people with disabilities participating just like everybody else. It will be terrific.

Mr FORWOOD — Minister, I refer you to page 86 of budget paper 3. Under the primary support output group it talks about clients accessing aids and equipment and says that by 2004–05 you will meet your target of providing services to 28 400 people, which is the outcome this year, but that you have set next year's target at

4000-odd less. I presume there is a sensible reason why you are doing that. Perhaps you can tell the committee why.

Ms GARBUTT — Last year there was a \$5 million one-off boost to the aids and equipment program. That was to try to clear the backlog — the waiting lists — and I think we almost did that in some areas. We certainly achieved it in some issuing centres. However, this year we have provided new, ongoing funds. We have lifted the recurrent funding by \$1.2 million, so that will also assist more people. The nature of the aids and equipment program is that people are not necessarily coming back each year. They do not need ongoing services.

Many people get a one-off and that meets their needs. Some pieces of equipment need updating from time to time, but generally you can say that of the 24 310 people, most who access the aids and equipment this year will be new people. They will not necessarily be the same people as last year. The difference is that last year it was a one-off that cleared most of the backlog. This year we have increased the recurrent funding, so that keeps going forward.

Mr MERLINO — Minister, one of the regular questions from this committee is in regard to the state disability plan. Could you please provide the committee with an update on the progress achieved to date in the implementation of the Victorian state disability plan 2002–12?

Ms GARBUTT — Thanks very much. This is a plan that sets out directions and indicates our priorities and, of course, our initiatives are directed towards that. There are three individual goals: pursuing individual lifestyles, building inclusive communities and leading the way. Initiatives have been designed to implement each of those priorities. Some of the major highlights are the individualised planning and support approach, which I have called support and choice, and that is related to pursuing individual lifestyles so that people can choose exactly what it is that they need. The packages are then tailor-made for them, and they can then pursue the lifestyle that they have chosen. In three successive budgets we have put big increases into that funding, and the feedback we are getting is that it has hit the mark. People really support that approach and are choosing them. We have an independent evaluation of that program under way.

The review of the disability legislation and new legislation later this year is an important part of it as well, because that will try to refocus the legislation to incorporate the principles of the state plan. The legislation is quite old. The main piece of legislation goes back to 1986, and it certainly does not reflect the principles, directions and goals of the state disability plan, so the legislation is an opportunity to bring that into line.

With regard to community-building initiatives, I have just talked about the MetroAccess, the RuralAccess and the Companion Card. There have been a whole range of those programs, and they are all very innovative and new. There has not been that approach before of working with the community to encourage people with disabilities to participate and allowing them access and inclusion, so that has been a whole new direction for disability services.

We have done things like Disability Online, which is an Internet-based resource so that people can access information from their own computers at home and so that agencies can access that as well.

We have just recently finalised and are implementing the disability services cultural and linguistically diverse strategy, so that people from culturally and linguistically diverse backgrounds are able to access disability services as well. Things like the redevelopment of Kew fit absolutely into the disability plan. The disability housing trust, which we were just talking about, as well increases that choice of housing options for people. The disability access plan, which we have not talked about, applies to the 10 government departments — 9 plus the police, I think, which makes 10 — and each of the government departments will have to consider its action plan to increase access for people with disabilities, increase their opportunities in jobs, increase their understanding of information that goes out from the departments and generally provide for accessibility in line with the state plan.

We have mentioned the Commonwealth Games. The Deaflympics, which we did not talk about, were held in January this year and were an enormous success. They were also about increasing the participation as well, and we funded a lot of programs there, particularly around interpreter training, making volunteer training available in Auslan and so on, so we really have put in place a lot of initiatives about supporting the directions of the state disability plan.

Mr CLARK — Minister, can I refer you to budget paper 3, page 87, where the first major performance indicator is titled 'Episodes of respite provided', which as you will see go from an actual of 19 200 in 2003–04 to a target in 2004–05 of 16 460 and an expected outcome in 2004–05 of 18 000 and a 2005–06 target of 18 565. I have

two questions: first of all, can you tell the committee what the reason is for the volatility in that number over the series I have cited; and, secondly, can you tell the committee how many different individual people with disabilities are expected to benefit from the provision of these episodes of respite in 2005–06?

Ms GARBUTT — I might get Arthur Rogers, the executive director of disability services, to take you through those issues about targets and outcomes.

Mr ROGERS — The target for respite was changed to ‘episodes’, I think as we discussed at this meeting last year. It was changed from ‘households’. There has been some volatility in terms of how we are measuring that. What we thought we would do was see what the performance was like for a couple of years in terms of episodes and then adjust the target rather than adjust it after one year, because it has moved around. This is the second year we have collected episodes. We have also introduced a new quarterly data collection system, which is a new electronic data collection tool. So with that combined with the change in the measurement, we believed it was useful to actually look at it for two years to see what the changes would be. The targets have been increased in 2005–06 for the state component of the respite funding, the increase in the state component for respite funding, as you can see, is by 565. I do not have the number of people with me that would make up those episodes, but that can be obtained.

Mr SOMYUREK — What stage does that expected outcome relate to — to 30 June?

Mr ROGERS — It is a prediction until 30 June, but when we do it, we do it after the second quarter or the half year, and at that stage it is hard to actually make a clear prediction, particularly with a new measurement and a new data collection system.

The CHAIR — Thank you, Minister.

Witnesses withdrew.