

VERIFIED TRANSCRIPT

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE

Inquiry into 2006-07 budget estimates

Melbourne—14 June 2006

Members

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Witnesses

Ms S. Garbutt, Minister for Children;

Ms P. Faulkner, secretary;

Ms G. Callister, executive director, Office for Children;

Mr A. Hall, acting executive director, financial and corporate services; and

Ms P. White, executive director, operations, Department of Human Services.

The CHAIR—I welcome Ms Gill Callister, executive director, Office for Children, and Ms Pam White, executive director, operations, both from DHS. I call on the minister to give a brief presentation on the more complex financial and performance information relating to the Children's portfolio.

Ms GARBUTT—Thank you.

Slides shown.

Ms GARBUTT—This budget provides the largest investment increase ever for services for children and families, and my task today is to introduce the budget initiatives but I also want to put those initiatives in the context of the government's effort to protect and create opportunities for Victorian children and families. This budget is building on earlier record investments by the government. In November last year I announced a funding boost of \$75 million for the next 4½ years. There are a number of initiatives there: to recruit 60 new child protection workers, improve the quality of the service offered by community service organisations and establish a register of carers, to name just a few. In December last year we announced \$26 million over three years to boost the pay and conditions of kindergarten teachers. That is the background.

This year's Office for Children budget is the largest ever for services for children and families. With those other investments announced throughout last year, it is a total of \$307 million over four years. That is an enormous boost. The key investments are outlined there in the green. I will not go through them all. To implement the new Children, Youth and Families Act, the budget provides \$219 million over four years and introduces a whole suite of child protection reforms that will focus on prevention and early intervention and also support extra out-of-home care services. \$14 million of that is for the delivery of culturally appropriate services for Aboriginal children and families. There is \$17.3 million to improve the quality of children's services, which includes the kindergarten funds and also includes 200 extra places for early childhood intervention services. That formally allocates the money for kindergarten teachers' pay and conditions that we announced in December.

The final group of budget initiatives relate to whole-of-government strategies, and the Office for Children has a role in implementing some of that. There is phase 2 of the Aboriginal Justice Agreement, services to respond to sexual assault and a third one is providing relief for low-income families facing energy bills that they cannot afford. Building on the major reforms: people would be familiar with these, I think, and some of the background there. The Office for Children has been fully operational since March last year. We have been comprehensively reforming child protection and have the legislation through now. The Children's Services Coordination Board is working, is meeting and is driving reform right across government. That board brings together the secretaries of most of the government departments that have an interest in children. Bernie Geary has been appointed Child Safety Commissioner. The Victorian Children's Council has been established and is providing expert advice to myself and to the Premier.

Looking at this year's budget, our initiative called Growing Communities, Thriving Children is targeted at the nine local government areas at the rural-metropolitan interface. They are generally the fastest growing areas with high numbers of children and with new developments outstripping the pace of services and infrastructure. They all have quite significant pockets of disadvantage, so these are services and infrastructure focused on them. I will not go into detail, but it includes six additional children's centres in the fastest growing of those LGAs, establishing Best Start projects in both Wyndham and Nillumbik and expanding the project in the Mornington Peninsula. It is about enhancing Maternal and Child Health, especially so that it can have a look at post-natal depression and provide in-home parent assistance. It is providing funds so that they can look at some innovative service approaches. For example, there is a program called Let's Read, which encourages reading stories to young children to increase their vocabulary, build up their relationship with their parents and so on. They might choose to fund that program, if that is suitable for them. There are other many other innovations that they could pick up under that program.

There is planning and consultation money so that they can get their plans developed and in place and funded, as well as 100 extra planning grants for outside-school-hours care services—not to establish the services but to develop their submissions, get their information, do their surveys, do their planning and then they can get that reward.

The CHAIR—Minister, two minutes more.

Ms GARBUTT—Okay. The next one is, 'Intervening early and maintaining services.' You can see those programs there. I will let you look at that. The next one is about implementing the new Children, Youth and Families Act. This is a very large amount of money, \$150 million over four years. If you add that to the \$75 million that the Premier announced last November, that is a huge boost obviously, \$220 million. What is it over four years, Gill?

Ms CALLISTER—\$168 million.

Ms GARBUTT—Early intervention and prevention, showing again our family support innovation projects. The results that we are getting in those project areas show child abuse notifications down and substantiations also down. That is an average across those projects. The projects funded this year will cover up to 62 per cent of Victoria. Eventually it will go right across the state. The second part of implementing the act is there. This graph shows how our child protection system is working in comparison to other states. For 1999 to 2004-05 it shows that our substantiations in the system are stable. If you have a look at New South Wales and Queensland, it shows that they have real problems. We have achieved a very good result with our extra funding and emphasis on early intervention and prevention.

The CHAIR—Thank you. I would like to take you to Budget Paper No. 3, page 112, which refers to funding provided for kindergarten services. You also referred to that in your slides. There has been a significant increase, you can see, from that information over the last few years. It is clear that it is located within DHS. Could you explain to us why the funding is in DHS and not in the Department of Education.

Ms GARBUTT—Yes, and it is an interesting day to be having this debate or this discussion, isn't it? Let us put the focus very clearly where it belongs. It is about what is best for children. We are not talking about what is best for government departments or anybody else. It is what is best for children. Our approach to early childhood has been based on world-leading research, and a very solid understanding coming out of that about how young children grow, learn and socialise.

So let us be very clear about some basic facts. Children start learning from the day they are born; in fact, probably before they are born, I would say. They learn through discovering the world around them, interacting with it, playing and developing relationships with other people; particularly their parents obviously, but also with other children and adults. The early experiences of a child, those first few early childhood years, absolutely determine how a child will grow and develop, but also—and we know this now—it is how a child's brain develops. Initially their brains are quite plastic and malleable, and the neurological pathways are still being determined and laid down as they grow. They are not born with that fully formed. It is determined as they grow.

Children, of course, do not make distinctions between what is care, what is education and what is fun. It all goes together. They learn in every environment. So it means that we have to make sure all our services and all our supports help young children to develop and grow healthily, as well as being caring, fun and supportive. We have to start thinking in different ways. It is not about the services now. It is about the children and we have to stop following those traditional, artificial boundaries between child care, kindergarten, playgroups, at home and so on. So we have to start treating all those services, all those opportunities and relationships as part of the one thing.

So our emphasis is on an integrated and coordinated approach to early childhood and not fragmenting those services; keeping them all together. We understand that children do not just learn in schools. So that is the understanding behind what we are doing. For that we want to keep kindergarten, child care, maternal and child health and playgroups—all that range of early childhood services—together so that they are in the same portfolio. I would also make the point that that is the way it is done in New South Wales and Queensland. We are not out on our own here. It is the way that is supported by our recent visitor, Dr Jack Shonkoff, who is a leading expert in early childhood development. He remarked that Victoria is indeed leading the way in our approach to early years.

There is a lot of commentary about it needing to be with schools. What we would say is that, particularly to

help parents with the modern stresses on family life, they need to have both child care and kindergarten together and accessible so that it suits their program. But essentially it is about children. We have put a lot of effort into kindergartens. Obviously, the contrast is very clear. The previous government put \$11 million into kindergartens. We have put in huge amounts now. We have increased funding to kindergartens by 109 per cent, so that is our commitment. We have put funding into child care so that kindergarten is delivered there as well. We have put \$19 million into that. We have brought the kindergarten fee subsidy up to \$320 per year for lower income families, up from \$100 in 1999. So we have put a lot of emphasis on kinders. We have made services easier to get to, easier to use, more affordable, more accessible and more adaptable to the needs of modern families.

Mr FORWOOD—Minister, I would like to do the money side first, if I could. The press release of 22 November said that there would be \$75 million over four years into child protection and foster care, on top of \$101 million child services protection in A Fairer Victoria. I thought you said \$168 million?

Ms WHITMORE-SEIDEL—I am not really a witness, but the question was what was the four-year effect of the \$75 million for that announcement; it was a 4½ year figure. The figure for four years was \$68 million because the rest was in the half-year.

Mr FORWOOD—Now I am even more confused.

Ms WHITMORE-SEIDEL—It is \$68 million plus \$151 million.

Ms GARBUTT—Let me say, Bill, I announced \$75 million over 4½ years including the existing year that we are still in. So some money was for immediate implementation of the act. That was for the 2005-06 year. When we look at the 2006-07 budget we have \$68 million left out of that \$75 million that is going to be implemented, plus the extra \$150 million over the four years that we have just announced in this budget, coming to \$218 million over these four years—

Mr FORWOOD—Does that include the \$101 million from April?

Ms GARBUTT—No, that was for last year's budget; A Fairer Victoria.

Mr FORWOOD—\$101 million from A Fairer Victoria in April last year—

Ms GARBUTT—Was spread over four years, starting from last year.

Mr FORWOOD—So which output groups is it in?

Ms GARBUTT—Is what in?

Mr FORWOOD—There are three tranches of money.

Ms GARBUTT—Yes.

Mr FORWOOD—There is \$101 million from April. There is \$75 million from November and the funds in this year's budget. What I would like is a little diagram that adds up to \$101 million, plus \$75 million plus the money in this year's budget by output group and by year. Are you with me?

Ms GARBUTT—Yes.

The CHAIR—Will you take that on notice, Minister?

Ms GARBUTT—Let us deal with the \$75 million and \$150 million. That is mainly child protection and out-of-home care and family support services, so that will be in that bunch of outputs. We will spread the \$101 million more broadly.

Mr FORWOOD—Yes. Some of this was for child protection?

Ms GARBUTT—Obviously, most of it was. Most of the \$75 million and the \$150 million were for child protection, family support and out-of-home care services because they were focused around the bill and the reforms to child protection and out-of-home care services. The \$101 million included kindergartens, early childhood intervention service places, playgroups, Best Start, Aboriginal Best Start and family support innovations projects, so that clearly is in family support. So it spreads right across the Office of Children output areas. Some was responding to family violence. Some were juvenile justice programs. So that \$101 million is spread very broadly. The others were more focused.

Mr FORWOOD—It is a significant commitment.

Ms GARBUTT—Absolutely.

The CHAIR—Is everyone clear? There is nothing needed on notice now?

Mr FORWOOD—They said they are going to draw me a diagram.

The CHAIR—You will still do that, Minister?

Ms GARBUTT—I can do that, yes.

The CHAIR—Mr Somyurek.

Mr SOMYUREK—Minister, I refer you to page 21 of Budget Paper No. 3, under the heading there Growing Communities, Thriving Children. It states in this reference in the budget paper that a \$25 million package of initiatives should deliver better integrated services for our suburban areas. When the budget refers to outer suburban areas, my electorate covers most of Casey and that sits right in the middle of one of the biggest growth corridors in Australia. I am hoping that the growth corridors will also receive a part of this \$25 million package. Can you please answer that question? The other part of my question is: will this \$25 million package result in improved services for children and families?

Ms GARBUTT—The answer is yes to both of those.

Mr SOMYUREK—We want to really address the issues, not just—

Ms GARBUTT—Indeed. There are a number of components to it. There are nine councils that consider themselves the interface councils on that rural, urban intersection. It includes City of Whittlesea, City of Wyndham, Shire of Melton, City of Hume, Shire of Nillumbik, Yarra Ranges, Cardinia, Casey and Shire of Mornington; that ring of outer suburban councils. They are a very diverse mix of areas and populations but they are nearly all fast-growing urban areas. Many of them have dispersed semirural townships which have a lot of pressure because they are fast-growing as well and put pressure on the services further in. Often they are still very new and have not developed much local cohesion, let alone services and infrastructure to meet the needs of the families that are shifting out there. This response will be in partnership with those local councils, which have a major role in delivering a lot of these sorts of services anyway.

We are going to put in place a number of initiatives. We have allocated \$100,000 for neighbourhood multipurpose facilities, to make services more accessible for families. Particularly when they are still growing they do not have the necessary bulk of population to establish a whole new service, but a multipurpose service can meet a range of needs, if you put that together with new children's centres. We have allocated six new children's centres to each of the growth corridor councils—that is, Hume, Whittlesea, Melton, Wyndham, Cardinia and Casey—and we have lifted the cap that we have normally had on children's centres from \$0.5 million to \$1.2 million to make it easier for councils to put in for these. These are usually very expensive, \$2 million plus projects, so we have lifted that. Again, they are multipurpose, delivering a whole range of services.

We have also made funds available to councils to encourage non-government service providers to come in too. They have told us that not only are their services and state government services often lagging behind the

population growth, but the non-government services that traditionally supply family support, for example, or counselling or youth services, are slow as well; so there is funding there to help them attract those services in at an earlier stage than they would otherwise be.

There is \$4.7 million to expand and enhance the Maternal and Child Health Service so that they will get extra support from a multidisciplinary team, particularly focusing on postnatal depression and people having other parenting difficulties and over \$5 million towards establishing child health plans in community health centres. There are nine target areas there and that will include Maroondah and the City of Greater Dandenong because they have particularly large numbers of children. There are a lot of other elements in that package, but it will certainly get services there much more quickly than otherwise and it is focusing on families because overwhelmingly these are areas with very young families.

Mr FORWOOD—Minister, I just want to follow up on the issue of child protection. Last year the department contracted with Dr Jenny Dwyer from the Bouverie Centre, an academic from La Trobe University, to produce a report on child protection issues. She is an expert on incest. I wonder if you could tell us how much the report cost and which output group it was paid from, what its key findings were and what action the department took in response?

Ms GARBUTT—I am sorry, I do not have data on how much it cost and the output group that it would be located under.

Ms FAULKNER—The Child Safety Commissioner's budget, I think.

The CHAIR—Do you want to confirm that?

Ms FAULKNER—Yes, I would like to confirm that.

The CHAIR—But you think it is child safety?

Ms FAULKNER—The Child Safety Commissioner's budget.

Mr FORWOOD—You can take it on notice, but I am interested to know what the key findings were and what action you undertook.

Ms GARBUTT—My understanding is that the Child Safety Commissioner has not finalised his report on that, subject to further information.

Mr FORWOOD—My understanding is that that is over nine months now that this has been going. That is, I would have thought, a significant period of time for a report on such an important issue, particularly given the commitment that the government has made in the funds the government has announced for child protection.

Ms FAULKNER—I believe that it is not finalised yet. That is not to say that along the way—the process that have been adopted by the Child Safety Commissioner are the same sorts of processes as adopted by the auditor-general and the Ombudsman and so on. We see drafts along the way. Sometimes they will ask us for comment on factual accuracy and so on. The sorts of issues that are being raised are certainly accommodated in the package of reforms.

Mr FORWOOD—That leads to the fundamental question that I am keen to know the answer to—and that is that, as you go through these various iterations, obviously things come to your attention. The final part of my original question was, 'What action have you put in place to deal with the issues that have been raised?' Even if you do not have the final report, one would have thought that you have put in place, with the money that we have been talking about, actions to in particular deal with the issue of kids under the child protection system who are being preyed upon by paedophiles.

Ms GARBUTT—I can certainly say that we have put in place a range of issues to deal with adolescents who are in care. Many of these children come into care as a result of years of abuse. They are

already very damaged, they have many challenging behaviours and they are very vulnerable, so we have concentrated on putting in place a range of programs to assist those children. The first and fundamental priority of course is to prevent it. You would be very familiar with the range of prevention and early intervention programs and processes that we have already put in place. But for those adolescents in particular, there are things like Take Two, a new \$20 million program. It is a therapeutic program which will take children, particularly those in residential care, and follow them up for quite a long time, providing them with therapeutic treatment and counselling. That is a major project, picking up that range of adolescents.

We have put in place a number of other programs and indeed allowed for that in our new legislation. Secure welfare services, for example, will now have a step-down facility to provide more support for those children as they exit secure welfare back into their residential accommodation. We have put a Take Two therapist in secure welfare to assist them there. We have put in place a range of other programs like CREATE Foundation. I am not sure if you are familiar with CREATE Foundation. It has a young consultants program to strengthen the voice of children in care. We have funded that. We are purchasing a time-out place for children at Hurstbridge.

Mr FORWOOD—The open house facility?

Ms GARBUTT—The previous one, yes. That is a semirural setting. Children will receive counselling, various education and recreational programs. That is another one for adolescents. We have put in place intensive case management services: highly specialised, highly intensive services. Gill, have I missed any that are obvious?

Ms CALLISTER—I do not think so, Minister.

Mr FORWOOD—Do you anticipate that Bernie's report will be made available? Is it going to be finalised after it has been through its iterations and made available?

The CHAIR—Excuse me. I thought you said Bouverie were doing the report.

Mr FORWOOD—The Child Safety Commissioner contracted with the Bouverie Centre, Dr Jenny Dwyer, to do the report.

The CHAIR—Yes. So it is not his report.

Mr FORWOOD—No.

Ms GARBUTT—No. Her report will go to him.

Mr FORWOOD—It will go to Bernie, and Bernie has been through two or three iterations with the department, and they are dealing with some contentious issues and facts about the findings. The issue is whether or not, and when, the report will be made available. I would like her report tomorrow, but I do not think I am going to get it. Can I have your report?

Ms GARBUTT—No.

Mr FORWOOD—Okay.

Ms GARBUTT—Both reports are about individuals, where the confidentiality applying through the Children and Young Persons Act and the new act, when it comes into operation, keep those sorts of details absolutely private and, because these are about individuals, it is not appropriate to put that out there in the public—

Mr FORWOOD—No-one is looking for information on any individuals. No-one is looking for that information. But there are, as I think everyone accepts, systemic lessons to be learned from individual cases and I understand that Dwyer's report in particular deals with, apart from some case studies in it, some systemic issues. It has systemic recommendations for dealing with these sorts of issues. I am sure that the secretary

knows this because it has been through two or three iterations already. What I am saying is, take the names out, take the case studies out; give us the finals, so that we can see—all in the interests of transparency—where that \$268 million is going to be spent on this crucial area.

Ms GARBUTT—The \$268 million is being spent right across child protection and out-of-home care services. The report is not yet finished, so it is probably premature to comment on it any further.

Mr FORWOOD—When do you think that it will be available?

Ms GARBUTT—I do not have that information.

Ms FAULKNER—I think it is fairly close to being finalised. As I said, the process that is engaged—and I did not say that there were necessarily contentious issues in this.

Mr FORWOOD—But there are. I know.

Ms FAULKNER—I said the process that is being engaged in is to make sure that it is factually correct and we are testing whether the recommendations that are being suggested are consistent with all of the things that we are already doing. If they are not, then we obviously have to do more.

The CHAIR—Ms Romanes.

Ms ROMANES—Thanks, Chair. Minister, on page 361 of Budget Paper No. 3 there is a section about improving the wellbeing of young children and the relationship of that to overcoming disadvantage and substantially improving quality of life as adults. In the discussion on page 361, the participation among four-year-olds at kinder is used as a proxy measure for wellbeing while waiting for the development of a suite of wellbeing indicators that, it is suggested, may be ready by next year. Could you explain why the government is committed to increasing the kindergarten participation rate and how we can be sure that quality stays high in the face of this expansion?

Ms GARBUTT—We certainly are committed to increasing the kindergarten participation rate. We want kinders to be accessible for all and we have put a major effort into this. As I said before, we have increased kinder funding by 109 per cent. That is \$73 million extra into kinders. It is now a \$140 million program. We have over 1,500 kindergartens. We have undertaken a rebuilding program after the previous government and one of our big efforts is to make kindergarten affordable for low-income families. When we came into office, the fee subsidy was \$100; it is now \$320. So we have more than tripled that subsidy, and that emphasis has clearly worked. Our participation rates last year are 94.4 per cent. That is well above the national average which is 83.4 per cent, so that is a very good record.

It is not just about the fee subsidy, it is about kids with disabilities. Our inclusion support services, which were funded at over \$12 million, have increased the number of children with disabilities and developmental delay that are now participating, with support, in kinder programs. Disadvantaged children, including Koori children, are encouraged into the mainstream universal services, such as kindergarten, with programs such as Best Start. That is not about reinventing the services but encouraging families to get their four-year-olds to participate. With Aboriginal children we have the Koori Early Childhood Education Program, which works specifically with them, encouraging them to go to kindergarten, and we have increased participation there.

Another way that we have increased access and participation is by funding kindergarten for four-year-olds in child care. We have made just over \$19 million available to child-care centres if they employ a kindergarten-trained, qualified kindergarten teacher, so that the four-year-olds in that child-care centre can access a proper kindergarten program. We have been able to lift the participation rates to record levels. One of the key aspects of quality comes from the quality of your staff and we, of course, have qualified staff in our kindergartens but we have also boosted the pay and conditions of our kinder teachers. We have funded that through the special announcement last December but also further in this budget to the tune of \$31 million over the budget time. That is to fund the agreement with the teachers, improve their pay—particularly the starting pay is now on parity with teachers in primary schools. It introduced a new career classification structure; it set certain validation requirements so to move up the ladder they have to be able to demonstrate their quality and

expertise to an independent body. They have offered to improve the maternity leave entitlements as well. We have emphasised getting more kids participating in kinders and we have achieved a record with that. We have also improved the quality of the kinder programs.

The CHAIR—Thank you. Mr Forwood has the next question.

Mr FORWOOD—Minister, I want to go back to child protection. What lessons did the department learn from the Baby Ben case? How many child protection workers and child protection managers were disciplined as a result of it, and what form did the discipline take?

Ms GARBUTT—As you would be aware, the Ombudsman did make some recommendations to the department, and those issues have been fired up. Because the case is now 2½ years old, I think, and was even then two years old, a lot of the recommendations had already been picked up in the legislative review and the reform process that I had started in May of 2003, 18 months before the incident occurred. The recommendations went to things like better assessment and training support for carers, which we put in place; better quality assurance programs for community service organisations, which we have put in place.

I funded that in the May 2003 ministerial statement. You would be aware that we have established the carers list register and appropriate processes for investigation of any abuse-in-care allegations. That has been put in place. So most of those recommendations have been picked up in that process. Of course, the \$75 million was an early start on implementing that legislation and the reform process which, as I said, have been under way since May 2003. The new act does not come in until next year. I think October next year is the final proclamation date. So there is a range of reforms yet to be implemented, but we have the budget there now. We have many more reforms in place, or about to be put in place. So the child protection system, the out-of-home care system and the foster care system have all been strengthened and changed, and we will meet the challenges that lie ahead.

Mr FORWOOD—I wonder, Minister, if you could answer the bit about how many were disciplined and what you did to them?

Ms GARBUTT—I am not familiar with that matter.

Ms FAULKNER—The findings of the investigation that was done into that did not come down on recommending discipline. They were systemic issues that were raised which involved improving the training and those sorts of things.

Mr FORWOOD—So no-one was disciplined?

Ms FAULKNER—No-one was disciplined and that was not a recommendation that was made to us—that any individual should be disciplined.

Mr FORWOOD—I do not doubt it at all. It is just different to the information that I was given.

The CHAIR—Mr Merlino.

Mr MERLINO—Minister, can we turn to the issue of the age jurisdiction change for the Children's Court. I note that on page 109 of Budget Paper No. 3 there is a significant increase in the number of juvenile justice clients on community based orders; from 872 in 2004-05 to an expected outcome in 2005-06 of 1,169. Some of the increase may relate to the increase in the age jurisdiction of the Children's Court. So if you could deal with that issue? Secondly, could you also explain to the committee how the government is planning to deal with further increased numbers when the full effect of the age jurisdiction change takes hold?

Ms GARBUTT—This was a government election commitment back in 1999 and, of course, was reinforced by the Attorney-General's justice statement that he made in May 2004. The actual age jurisdiction change occurred on 1 July last year when the appropriate changes to the Children and Young Persons Act commenced operation. It was a very strong commitment by this government. It brings us into line with the United Nations Convention on the Rights of the Child and with other jurisdictions in Australia; not all of

them. Queensland is still an exception. So instead of being dealt with in the adult court, children who are 17 years old are dealt with in the Children's Court which has a range of different options available. It has a diversionary and rehabilitative focus, recognising the particular vulnerability of young adults. So it does open up a range of other options.

We opened a new 26-bed secure unit at the Melbourne Juvenile Justice Centre in Parkville. That is a \$11 million facility to coincide with the expected increase in demand. So the demand has been met. That facility is now functioning as a remand unit, with flexibility to be run with two or three discrete units within it. There was nearly \$25 million provided over four years to achieve the age change and to expand the services in those particular areas. There have been new staff brought on in community based juvenile justice units across the eight regions. So these are for young people on parole. There has been an increase in court advice services. There has been an increase in the central after-hours assessment and bail placement services. These are the people that turn up to courts after hours who are able to advise on suitable bail arrangements. We have increased our Koori juvenile justice service to better support Indigenous clients.

The CHAIR—Ms Callister, please feel free to expand as much as you wish. The committee is very keen to hear more.

Ms CALLISTER—Is this the numbers?

The CHAIR—Yes.

Ms CALLISTER—We were estimating that the age change would result probably in an increase in custodial numbers of 26, and the actual increases to 33; so slightly above. We have predicted in the community an increase of 252, the actuals being 151; so somewhat less than has been predicted so far.

The CHAIR—Mr Forwood is going to clarify—

Mr FORWOOD—I wanted to follow up the issue of the Children's Court. Many of the Child Protection clients end up in the Children's Court one way or the other. My understanding is that there are often significant disagreements between child protection workers and the courts over particular treatment of particular cases. Sometimes your recommendations are not accepted and the courts go in a different direction. I wanted to know how the relationship was and what is being done to ensure that, in the interest of the child who is appearing in the forum—particularly those difficult cases under the child protection system—the courts and the department are arriving at an amicable, implementable, solution which can be implemented.

Ms GARBUTT—I want to see a robust court system that does not simply work hand in glove with Child Protection and accept their word. I want to see Child Protection demonstrate its case, argue its case, present its evidence professionally and efficiently. But they must be answerable to a court. That is what a court is about. It has to hear all the evidence, test it out, satisfy itself—and I think it can satisfy itself in whatever means it chooses—as to what it intends to do. Of course, child protection cases come before the Children's Court. The Children's Court makes the decisions about the disposition of the children, the lawyers and so on. It is the Children's Court that makes the decision as to whether children go on guardianship orders or supervision orders; a whole range of orders. Of course, Child Protection has to present its evidence. It is not simply taken at face value. I would expect the Children's Court, or any court, to make an independent, robust decision after hearing all the evidence.

Mr FORWOOD—Let me just—

The CHAIR—We are having a follow-up question on the age jurisdiction of the Children's Court, if you want to concentrate on that. This is your question?

Ms GARBUTT—This is his question.

The CHAIR—Fine.

Mr FORWOOD—There is a case that you know of as well as I where the Children's Court sent a

12-year-old boy back to his home where he was being sexually abused, in his home environment. You had said in the court, 'Don't send this child home.'

Ms GARBUTT—I have not said—

Mr FORWOOD—The department had fiercely advocated that this should not happen and yet the result was that, through the judicial process, this kid was sent straight back from whence he had come. There has to be some system that protects him, does there not?

Ms GARBUTT—Bill, I am not going to second-guess or criticise a judicial decision. If the Children's Court judge has made that decision, that is the Children's Court judge's decision.

Mr FORWOOD—Why—

Ms GARBUTT—Are you criticising the judge?

Mr FORWOOD—Yes, I think he got it seriously wrong.

The CHAIR—We will move on.

Ms GARBUTT—Wait on, can I ask Bill to provide some further information.

The CHAIR—Excuse me, Ms Callister wants to provide further information.

Ms CALLISTER—There are two options open to the department under those circumstances, where a recommendation is made to the court and then the court makes an alternative decision. One is to appeal to the Supreme Court, which we would do based on legal advice as to the wisdom or merit of an appeal. Sometimes an appeal is made. Alternatively, unless the court has dismissed the case altogether, meaning if the court has returned the child home but with an order that requires some level of supervision from the department or places some conditions on the family, what the department would endeavour to do would be to supervise the order as closely as possible to ensure the safety of the child. If new information came to light, quickly or slowly or whatever, the child protection program would take new action.

Sometimes, in circumstances as you describe, although I am not aware of the case you describe, the department would endeavour to ensure the safety of the child within the terms and conditions of the order and bring the matter back to the court as quickly as possible if it had new information about lack of safety, and that may happen within a few days or a couple of weeks of the order, if the department believed the child was not safe and there was new information to put to the court.

Ms GARBUTT—I am not commenting on a particular case either. I do not know which case you have in mind, but obviously the Children's Court makes these decisions and Child Protection takes them out—

Mr FORWOOD—But everybody is fallible, even the courts.

The CHAIR—Mr Somyurek.

Mr SOMYUREK—Thank you, Mr Forwood. Thank you, Chair and Minister. If we can move on now to support for Aboriginal children and families, in particular I refer to Budget Paper No. 2, page 12. Halfway down there is a paragraph that makes reference to building on last year's A Fairer Victoria. It talks about the second tranche of initiatives to reduce disadvantage by providing \$818 million for a range of programs, which I will not go into. It makes reference to Aboriginal disadvantage but not an expansive reference, and that surprises me a little bit since Aboriginal families are the most disadvantaged group in our community. Minister, can you advise the committee on what practical action the government has in train to help disadvantaged Aboriginal children and families.

Ms GARBUTT—It is a major priority of the government to try and reduce the disadvantage suffered

by our Indigenous population. Indigenous children are overrepresented in the child protection system, in the out-of-home care system and in the juvenile justice system, and it has been a major priority to try and put initiatives and projects in place that will address that. There is some pleasing data coming through now showing that the rates of notification and investigation in child protection in relation to Aboriginal children have levelled off since 2002. Given that the population of Aboriginal children is very rapidly growing, that is a very positive outcome.

There is a large range of programs in place, and I will not go through them all. A new one that has been expanded in this particular budget is In Home Support for Aboriginal families. That is building on an existing program, the Koori Maternity Strategy, which demonstrated that you could engage young mothers, pairing them up with Aboriginal health workers. That has worked, so we have built on that, providing in-home support for vulnerable families. That is a \$1.4 million project in this budget.

We have Aboriginal Best Start projects around the state. That is a program that tries to improve access of Aboriginal children to existing services, such as Maternal and Child Health, kindergarten, playgroups and so on. We had Aboriginal Best Start projects in Morwell, Baw Baw and Horsham originally, with four new ones being established. They are going very well. A particularly successful program has been the Aboriginal Family Decision Making service, which involves child protection. It is where a family has been referred to Child Protection—where there has been a notification. The family and extended family are brought together with Child Protection and an elder from the community. They make a safety plan for that child which all parties sign up to. That has been particularly successful in supporting families. The extended family can make that child safe, so they are not referred again to Child Protection.

We have specific Indigenous family support innovation projects. There are several of these across the state, which are also doing very well, providing extra family support for vulnerable families. We have funded them to expand across the state. In the area of Indigenous family violence, we have also funded several healing services, time out services and various local community projects addressing family violence through regional action groups. I spoke earlier about Koori preschool assistance, which supports the attendance of Indigenous children at kindergarten services. We have field officers as well, encouraging those children to attend services.

It is a big commitment, a big investment, that we have made, including in this year's budget. There are a range of services that are culturally appropriate. We have expanded some of the other services, such as the Aboriginal Family Restoration programs. It is a major priority. The figures are startling, and I think they should shame us all. We have been prepared to make it a priority and put a major investment into it.

The CHAIR—Minister, in the interests of time, could you take on notice any performance measures in relation to those projects. It would be useful for our reports if, in the extra investment, there is information on performance measures.

Ms GARBUTT—There is one that Ms Callister just—

The CHAIR—No, if you could take it on notice, that would be fine. We want to keep moving.
Mr Clark.

Mr CLARK—My question relates to the juvenile justice centre in Parkville. I understand that on 22 July last year there was an escape from the secured unit, which was two days after its official opening. If my memory serves me correctly, there was also a further break-out from this centre at the time of the Commonwealth Games. Can you tell the committee what the outcome was of the security review that was undertaken in response to the first incident and, secondly, what reviews were undertaken in response to the break-out during the time of the Commonwealth Games and what the outcome of that review was.

Ms GARBUTT—The youth justice system that we have responsibility for has to achieve a balance between punishment, community safety and rehabilitation. It deals with children and young people. We do want to turn them away from a life of crime. The whole community will benefit from that. We do not want to turn out hardened criminals that are back and forth in the justice system generally. We recognise that rehabilitation is important, alongside community safety. Victoria has the lowest rate of young offenders in custody of all the Australian states and generally we are the safest state on the mainland, so I think we have to

keep that as the context.

As well as this, the adolescents in our centres are serious offenders. They come into custody with a range of problem behaviours, with health issues—they often have drug and alcohol issues, mental health or disability issues—low educational achievement and so on. There are no correctional facilities around Australia that are incident free and do not have difficult behaviour, so that is the context. Every serious incident is taken very seriously and followed up. Depending on the incident, an independent review might be taken. This particular one was a 17-year-old who escaped from the newly opened Melbourne Juvenile Justice Remand Centre.

There were certainly reviews, including a security review. I will ask Ms White to take us through what happened and what has been done since. Can I introduce Ms White, who is the director of operations. Custodial facilities come under her control.

Ms WHITE—There are two different centres on the Parkville precinct. There is Parkville, which deals with the younger boys, 14 and under and the young women up to 21. Then there is the Melbourne Juvenile Justice Centre, which deals with boys 14 up to 17. We did have the one at Parkville. That was where the younger boys are. Certainly when we reviewed that incident a couple of things were highlighted to us. One was that the staff did not maintain an appropriate level of supervision, so they had boys out doing an outdoor activity. The protocols are very clear on being in visual connection with them all the time. We had a staff member who did not do that, so that person has been counselled, which is the first level of our discipline process.

With the remand centre, we had a 17-year-old escape and we had people come back in and look at the perimeter fence. There was an inferior weld there. Because it was a new centre, we had people go round when the centre was commissioned to look at the building, but there was an inferior weld. Obviously the young man had identified that and planned to rip it off, which he did. He got out.

Mr FORWOOD—Full points for ingenuity.

Ms WHITE—Yes, I suppose you could say that. The issues were addressed. Now if there is any new commissioning of buildings, we will get an external person, separate from the department, and the construction people to come in and do a different sort of test to make sure the building is secure. From that we have instigated a complete security review of that Parkville precinct itself because it highlighted that we need to have a total look at the fencing and things like that. That is under way at the moment and due to be completed in July. From that we will do any security upgrades that are necessary. Certainly the staff supervision one contributed to the young man getting out of the centre.

Ms GARBUTT—Can I also add that with the four 14-year-old children that escaped because the centre is over the road from the Games Village, they were out for about 30 seconds. It demonstrates that there is a good level of cooperation with the police because the response was very quick. It does demonstrate a very good relationship between Juvenile Justice and Victoria Police.

Mr CLARK—Just clarifying there, the break-out involving the inferior weld, was that the first break-out in July?

Ms GARBUTT—That was the first, yes.

The CHAIR—Minister, I would like to take you to Budget Paper No. 3 page 111, where we have reference to maternal and child health and there is an exceptionally high enrolment there of 97 per cent of children enrolled in Maternal and Child Health Services from birth. Can you explain what investment is going in this year to maternal and child health and how you expect the outcomes to be reflected?

Ms GARBUTT—This is the 80th anniversary of the Maternal and Child Health Service and services around the state are celebrating that. It has an excellent record, some outstanding service. I think other states and certainly overseas are very envious of us. It has provided a universal service with consistently high standards, so congratulations are well deserved there.

It has various components. There is the universal service, the one that we are all very familiar with. The emphasis these days is on the key age and stage consultations, from birth through to 3½ years, which includes an initial home visit and then consultations at two and four weeks and so on, for all children and their families. It has a terrific participation rate. I think it is around 97 per cent or 98 per cent.

The CHAIR—It says outcome expected 97 per cent and you aim to get it up to 98 per cent with the additional funding.

Ms GARBUTT—That is right. The additional service that has been added in recent years has been the enhanced Maternal and Child Health Service. That is to ensure that parents that have particular difficulties and particular parenting problems receive more intensive support. These nurses will go out and visit people. They are very proactive and intensive. That has been very successful as well. There is also the Maternal and Child Health Line. Just a few figures: the universal service in 2004-05, the last year of full figures, took over half a million consultations. That was up 17,000. The enhanced service supported nearly 6,000 families, so that is a great record. Our extra investment this year is the \$1.5 million to focus on those growing suburbs where there are many babies and young children and where the existing services have yet to be established. It is part of that package of Growing Communities, Thriving Children. It is a \$1.5 million boost to deliver more intensive services, particularly where mothers are at risk of postnatal depression. I am advised that there is a higher risk and a higher rate of that in the outer suburbs. It is probably to do with the disrupted family ties and networks, the sense of isolation and lack of cohesion in those communities. It will provide in-home parent assistance programs as well. The planning money that I identified earlier for local councils will help them to develop this service further as well.

The CHAIR—Minister, you mentioned a figure of increased numbers—was that visits, mothers enrolled or children?

Ms GARBUTT—That was 17,000 extra consultations in the universal service. We did expand it. We put an extra \$17 million into the service and have a very strong relationship with local government, which delivers the services. It is going very well. There are a lot of extra visits for that 3½ year key age and stage visit as well. There has been quite an emphasis on trying to improve that. It is traditionally not something people do.

The CHAIR—The output measures do not reflect that extra work and output. You might have to look at that next year, because you have outlined choice but the way you have put your output measures does not reflect that depth of extra work.

Mr CLARK—Minister, you may recall that last year Mr Forwood raised the tragic case of the young man at the Malmsbury Detention Centre with autism who suffered severe bullying and assaults. If I recall correctly, he was moved to another centre and suffered further bullying and assaults. Can I ask, first of all, have any further incidents of bullying or assault on inmates with intellectual disabilities come to light subsequent to our discussion last year, and has the department put in place any further measures to provide further protection and support for young inmates with intellectual disabilities?

Ms GARBUTT—I am advised that there have not been further similar incidents. I did outline at the time a number of immediate actions that were taken, such as that young offenders can no longer access their bedrooms without the permission of staff, and items that they have made at TAFE or other programs cannot be permitted to be kept in their bedrooms; a whole range of those things were implemented immediately. In addition, staffing levels were boosted at the crucial times, including during the evening when that particular incident occurred. There has been a lot of emphasis put on trying to identify those more vulnerable young people, and to increase support. I might ask Ms White if she will outline some of those initiatives.

Ms WHITE—There is a better assessment process going on which properly identifies young people with an intellectual disability. Some of them come to us and they have not had an assessment, so they are unknown to the disability sector. There is a lot of work going on to identify those people more accurately; even young people who are lower functioning, so they might not have a defined intellectual disability. With disability services we are now employing a disability specialist adviser who works across the three centres to work with staff so they can better understand the needs of people with a disability.

We have started a vulnerable clients project which has been under way since December, to explore options about how best to keep vulnerable clients safe within the juvenile justice system because we have this mixture of clients that come in. It is a small system, so it is important that we try to identify those who are more vulnerable. Sometimes people who have an intellectual disability are not necessarily more vulnerable. Sometimes they are quite strong and can be very aggressive. So the project has reviewed the clinical evidence. Again, that will feed into our detection of vulnerability.

Also we have installed an automated telephone system. It is an interesting sort of thing to install as a way to manage violence, but I think what was happening clients would be on the telephone in Malmsbury to family and loved ones and the staff had to intervene to tell them their time was up and another client would come in. In the other centres we had a phone that automatically switched after so many minutes, so you did not have staff involved and other clients saying, 'Hold on. It's my turn' and the client on the telephone turning around and having an altercation. So that has been installed at Malmsbury. Residential units are being reviewed to ensure we have no blind spots. Also there are a number of programs which have been implemented, particularly around clients managing their own violence, and also relationships and violence.

We have additional mental health services going into Malmsbury. We have opened up the old remand centre at Melbourne juvenile justice as a six-bed unit. That allows us sometimes to move the more vulnerable clients and separate them out from those who are perhaps more violent. So we have taken the opportunity; getting a new remand centre built freed up the old remand centre. We have opened that up and it allows us at Melbourne to have much more flexibility.

The CHAIR—Minister, we have two more questions: one from Ms Romanes and then one from Mr Clark.

Ms ROMANES—Minister, I note on page 107 the output regarding home based care. I ask what the government is doing to support the foster care system in Victoria?

Ms GARBUTT—We are absolutely committed to improving the quality of the service that our children and young people get in out-of-home care. Foster carers, of course, are the very heart and soul of our system. They are absolutely at the centre of it. We know that they need to be properly assessed, trained and supported, as well as adequately paid, to fulfil that role. The new act puts in place requirements for proper assessment. Indeed, we have been undertaking that ever since I took up this portfolio, so they are now better assessed. We have put in place requirements for pre-service training before they start their work and before they are approved.

The department has worked on a common statewide assessment and pre-service training program so that it is consistent across all the community service organisations that provide this, and I think there are about 34 of them. That work will be completed by the end of the year, providing that consistency. We are establishing the Victorian carers list, which will be an up-to-date central register of all carers in the state. In particular, any issues or allegations about abuse in care will be properly investigated. We are setting up the very clear process that is in the act. Some time back we improved the funding levels in two ways: carers are funded more per child and we also increased reimbursements for out-of-pocket expenses such as educational expenses or health expenses for the children that they are caring for.

We are also bringing in a new style of foster care called therapeutic foster care, which will be a different level of support. There will be networks of foster carers, supported with social workers, with therapy and with more experienced people to better support them. That will involve even more comprehensive assessment and training and also an increased payment rate. That is quite a new style of foster care which will come in with the new act. It still demonstrates just how central and how important they are in the whole system. They have said over the years that it is not about the money. They do not do it for the money. It is only reimbursement for out-of-pocket expenses. It is certainly not a full-time job. It is about recognising their role, about recognising the contribution they make, about involving them in planning decisions and about the child's welfare. Things like better recognition, conferences where they meet with child protection workers and community service organisation workers and their role is discussed and supported also help encourage them to stay in the system. We are now delivering a new style of foster care.

The CHAIR—Thank you, Minister. Our last question goes to Mr Clark.

Mr CLARK—Minister, can I refer you to page 111 of Budget Paper No. 3, in particular to the measure entitled, 'Primary-school-age students with completed care plans receiving follow-up care.' For each relevant time period, the indicator there is 100 per cent. I want to raise with you a more general point that this is simply one illustration of—namely, that there is a performance indicator given which is a quality measure but there is no corresponding quantity measure provided. In other words, we are told that 100 per cent of primary-school-age students with completed care plans are receiving follow-up care, but there is nothing in the budget paper that tells us how many primary-school-age students there are who have completed care plans.

I suppose my point is twofold. First of all, can you provide the committee, presumably on notice, with the actual numbers of primary-school-age students who have completed care plans and, secondly, can you take on board and consider providing, in relation to all similar performance measures where you give a percentage, the underlying actual number to which that percentage relates and include that in the suite of performance measures for your output groups.

Ms GARBUTT—I think that you are correct. The child health services came over from the Minister for Health to the newly established Office for Children last year, so it is new to this particular office. We can take those things on board and get back to you with that information. I will consider those suggestions.

Mr CLARK—Thank you.

The CHAIR—That concludes a very interesting afternoon. Thank you very much. Can I place on record our appreciation to the minister for her presentations here in relation to her responsibilities for disability services and children, those two very important portfolios. I want to also place on record our appreciation to the people from within the department who have prepared briefing folders for the minister and provided a lot of information to our secretariat. I thank the witnesses. Good evening and thank you very much.

Ms GARBUTT—Thank you, Chair.

Committee adjourned.