

VERIFIED VERSION

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE

Inquiry into Budget Estimates 2016–17

Melbourne — 12 May 2016

Members

Mr Danny Pearson — Chair

Ms Sue Pennicuik

Mr David Morris — Deputy Chair

Ms Harriet Shing

Dr Rachel Carling-Jenkins

Mr Tim Smith

Mr Steve Dimopoulos

Ms Vicki Ward

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Witnesses

Ms Jenny Mikakos, Minister for Families and Children; and

Ms Gill Callister, Secretary,

Ms Katy Haire, Deputy Secretary, Early Childhood and School Education, and

Mr Chris Keating, Acting Deputy Secretary, Infrastructure and Finance Services, Department of Education and Training; and

Ms Kym Peake, Secretary, and

Mr Lance Wallace, Deputy Secretary, Corporate Services, Department of Health and Human Services.

The CHAIR — I declare open the public hearings for the Public Accounts and Estimates Committee inquiry into the 2016–17 budget estimates. All mobile telephones should now be turned to silent.

I would like to welcome the Minister for Families and Children, the Honourable Jenny Mikakos, MLC; Ms Gill Callister, Secretary of the Department of Education and Training; Ms Katy Haire, Deputy Secretary, Early Childhood and School Education, and Mr Chris Keating, Acting Deputy Secretary, Infrastructure and Finance Services.

All evidence is taken by this committee under the provisions of the Parliamentary Committees Act, attracts parliamentary privilege and is protected from judicial review. Comments made outside the hearing, including on social media, are not afforded such privilege. Witnesses will not be sworn but are requested to answer all questions succinctly, accurately and truthfully. Witnesses found to be giving false or misleading evidence may be in contempt of Parliament and subject to penalty.

Questions from the committee will be asked on a group basis, meaning that specific time has been allocated to members of the government, opposition and crossbench to ask a series of questions in a set amount of time before moving onto the next group. I will advise witnesses who will be asking questions at each segment.

All evidence given today is being recorded by Hansard, and you will be provided with proof versions of the transcript for verification as soon as available. Verified transcripts, presentations and handouts will be placed on the committee's website as soon as possible.

All written communication to witnesses can only be provided via officers of the PAEC secretariat. Members of the public gallery cannot participate in the committee's proceedings in any way — cannot photograph, audio record or video record any part of these proceedings. Members of the media must remain focused only on the persons speaking. Any filming and recording must cease immediately at the completion of the hearing.

The families and children portfolio will be divided between the two departments that this portfolio falls under. The committee will ask question relating to department of education issues from 1.57 p.m. until 2.52 p.m. The committee will then ask questions relating to Department of Health and Human Services issues from 2.54 p.m. until 3.47 p.m.

I invite the witness to make an opening statement of no more than 10 minutes. Questions will follow.

Ms MIKAKOS — Thank you very much, Chair, and thank you to the committee members. Thank you for the opportunity to speak today. As part of this year's budget estimates hearings I am pleased to present an overview of the work the Andrews Labor government is doing to support families, to protect children and to ensure all Victorians have the opportunity to reach their full potential.

Visual presentation.

Ms MIKAKOS — The 2016–17 Victorian budget will deliver sweeping changes to services for families and children across the state. The Royal Commission into Family Violence has charted a clear path for future service directions. Aligning with the commission's recommendations, we are improving access to our universal services that all children and families need, like maternal and child health and our kindergarten services. And we are building on last year's record investment to protect the most vulnerable children and young people. This amounts to a whole portfolio investment of \$369 million over four years for families and children initiatives.

As you can see, our priorities fit within the whole-of-government social policy agenda to reduce the scourge of family violence and to help victims to recover, to make Victoria the education state and to transform the child protection system so that we focus on prevention and early intervention. Across government, work has begun to implement the family violence royal commission's recommendations. In my portfolio the *Roadmap for Reform* is how many recommendations will be implemented. The road map is a once-in-a-generation opportunity to transform children's and family services so that the focus shifts from it being the ambulance at the bottom of the cliff to a system that is focused and resourced to prevent neglect and abuse.

Whilst we know that our early childhood services are generally good, we know that we need to do more for those most in need. We also know that the first years of life are when brains develop the most and that the early years can set the child up for life. That is why early childhood services are critical to making Victoria the education state. As this chart demonstrates, between 2011–12 and 2014–15 the average additional investment

into early childhood development was just over \$70 million. In our first two years in government we have averaged an additional \$157 million.

Last year we fully funded our election commitment to invest \$50 million over four years to build and upgrade kindergartens and children's centres. This year we are boosting this funding to our fastest growing areas. The budget has an additional \$10 million to build and expand early childhood facilities in Melbourne's growth areas. In relation to our small rural kinders, we are giving our small kinders in our smallest rural towns a hand with \$4.4 million to make them strong, viable and affordable. We are investing \$3.8 million in the national occasional care program.

We are committing more than \$133 million to our vital maternal and child health service. This is the largest ever investment in maternal child health by a Victorian government. We are also investing \$1.6 million to provide culturally appropriate links to maternal child health for Aboriginal families.

Now we know that respectful relationships education can help tackle the broader conditions that lead to family violence. As part of a joint schools-early childhood initiative in the family violence package, we are delivering more than \$3 million to provide professional learning for up to 4000 early childhood educators so that this is able to reach all of our kindergarten services.

Last year we provided the biggest funding boost to the child protection system in a decade. This represented a 17 per cent increase in funding compared to the 2014–15 budget. The \$257 million investment over four years made last year has meant we can better resource early intervention programs, assist young people leaving care and employ more child protection workers. But we have not rested on our laurels. Our 2016–17 investment is a 12 per cent increase on last year's budget. In two years our government has increased funding for children's and family services by 31 per cent compared to the 2014–15 budget.

Chair, I am very proud of our *Roadmap for Reform* and of the way it complements the government's broader social policy response to family violence. Our *Roadmap for Reform* package delivers a \$168 million investment over two years to transform our children's and family service system from crisis driven to a system focused on prevention and early intervention. The *Roadmap* starts with a focus on the beginning of a child's life, investing \$33.9 million across my portfolios to ensure we are delivering the best supports to women and families with new babies.

Our government understands the unique circumstances and needs of our Aboriginal communities. We know that working in partnership with Aboriginal agencies and leaders is the only way to achieve effective and meaningful reform. The 2016–17 budget provides \$16.5 million to boost the Aboriginal Child Specialist Advice and Support Service to provide cultural support to Aboriginal children in out-of-home care and ensure they have a cultural support plan.

Family violence is a key driver of trauma for women and children, which is why in my portfolio our budget is providing \$25.4 million for family violence and sexual assault counselling for family violence victims, \$1.8 million for financial counselling to support victims in financial stress and \$8.3 million in 2016–17 for men's behaviour change programs to hold more perpetrators to account.

We are also working across government on developing other key initiatives in response to the royal commission's recommendations. By boosting integrated family services we can support families before problems escalate into crises. We are investing nearly \$20 million in integrated and wraparound supports and targeted early interventions. This includes \$8.5 million to provide trauma-informed family violence and sexual assault counselling to children and young people. It also includes \$5.7 million for integrated family services and \$5.8 million to boost our vital child protection workforce.

Our 2016–17 budget invests \$100 million to transform the out-of-home care system that is there to support children and young people who cannot live safely with their parents. We are designing and resourcing our system so the focus is on enabling all Victorian children to reach their full potential. That is why we are investing \$16.2 million for specialised support for the most complex cases of children and young people in home-based care and increased training for their carers to prevent placement breakdown; investing \$34.2 million to increase the number of foster and kinship carers; \$35.9 million to improve safety of young people in residential care through increased staffing, whilst we transform residential care into a clinical treatment model; \$1 million to provide sexual health and relationships education for young people in

out-of-home care; \$9.4 million to replace or refurbish residential care properties; and \$2.3 million for urgent maintenance on residential properties.

Of course this builds on a substantial investment in our budget last year where we boosted payments to foster carers — the first increase in a decade — with substantial support for our foster carers and other home-based carers through a range of initiatives, including the launch of a new foster care recruitment and retention strategy.

When it comes to youth justice the safety of staff, young people and the broader community is paramount. We are investing more across the youth justice system to implement a youth diversion program statewide to address the underlying causes of criminal behaviour in young people and divert them away from the criminal justice system when appropriate, reducing the risk of young people reoffending and keeping the community safer. We are allocating an additional \$3.3 million to strengthen secure services to ensure improved safety of staff, clients and the community.

Thank you, Chair. I thank the committee for the opportunity to address you, and I very much look forward to responding to your questions.

Ms SHING — As do we all.

The CHAIR — Thank you, Minister. Just to remind members, between now and 2.52 the questions will focus on the DET component of the minister's portfolio. We have got government questions until 2.08 p.m. Ms Ward.

Ms WARD — Welcome, Minister. Welcome, everyone. It is lovely to see you this afternoon. Minister, you referred in your presentation to \$133 million that will be used for vital maternal and child health services. It is also referred to in budget paper 3, page 61. Now, it is 133 million over four years; can you please break down this cost for us and give us an explanation as to what it is?

Ms MIKAKOS — Thank you, Ms Ward, for your question. I am very proud of the fact that the Andrews Labor government has committed \$133 million over four years and \$36 million ongoing to deliver the maternal and child health services — which is done so, I should add, in partnership with local government.

This substantial investment enables the continuation of the maternal and child health service in the vital building block of Victoria's early childhood service system, and this funding package represents the largest state government investment in the maternal and child health service to date. I should also say that our service is regarded as a world-class service. In fact I have met with visiting officials from overseas, and I have had the opportunity to speak to officials overseas who really regard our universal service as being really a subject of great envy by many other jurisdictions.

Our maternal and child health service is important because it is a non-stigmatising opportunity for early identification of a range of issues, including concerns with a child's physical and cognitive development, physical and mental health issues for the mother and risk of family violence. In terms of the specifics that you have asked about — the breakdown — I can advise you that \$100.5 million over four years and \$27.6 million ongoing is to replace lapsing funding; \$1 million over four years and \$0.6 million ongoing is to meet service demand for future Victorian population growth; \$29.4 million over four years and \$7.7 million ongoing is to fund an increased unit price reflecting the contemporary cost of service provision; and \$2.1 —

Ms WARD — Sorry, with the unit price increase, how does this compare to the last negotiated increase?

Ms MIKAKOS — Sure. And just the last component, can I just also say it is another further \$2.1 million over four years and \$0.1 million ongoing for improved data systems and communication channels.

Coming to your further question around the unit price, as I said, this is a partnership service that is delivered in partnership with local government. We were responsive to issues raised by the MAV on behalf of local government around this issue. This represents more than a 15 per cent increase to the unit price, which is almost double the previous increase of 8 per cent negotiated in 2012. The increase in the unit price is really a recognition of an appreciation of the vital service that our Maternal and Child Health Service represents to parents and to our community, and also cost pressures faced by those services, so I think it is really a very good outcome for Victorian parents.

I should point out that, apart from obviously the visits that parents engage in, they are also provided with materials and resources. Earlier this year I had the opportunity to launch the revamped green book, which essentially is a little folder of lots of very important resources and materials for new parents. The reason we relaunched that is we put a bigger emphasis in that book on early childhood learning and on encouraging parents to read to their children from when they are babies, because we know that children are little sponges and they are absorbing all of that information and developing their literacy skills from a very, very young age. I take this opportunity to thank local government as well for the important partnership that we do have in providing this critical service.

Ms WARD — So what service improvements are being provided then with this initiative?

Ms MIKAKOS — Thank you for that further question. The funding provides for enhancements to maternal and child health data systems and improvements to strengthen the communication between the Maternal and Child Health Service and families across Victoria. This will include the development of automated data collection and collation processes, which will improve reporting and funding acquittal effectiveness and reduce the administrative burden on nurses.

As well as that, it will enable the development and dissemination of culturally appropriate and contemporary communication tools to improve parental engagement and provide evidence-based and timely and practical health information to families. We know that we need to make sure that, for example, our newly arrived families have appropriate materials that they can access, but that all families have materials made available to them responding to their particular needs.

That is why — coming back to the green book again, for example — we have lots of very simple to understand illustrations in there, providing basic tools for new parents, particularly even those for whom English is not their first language, to understand how they can better support their baby — soothe their baby, read to their baby and engage in other supportive behaviours. We are going to be providing additional supports in those culturally appropriate tools to make sure that the service is responsive to the needs of all parents.

Ms WARD — You spoke about helping families across Victoria, and you have talked about families a lot. Can you tell me exactly how many families are supported by the Maternal and Child Health Service?

Ms MIKAKOS — Thank you, Ms Ward. In terms of the data that I have, in 2014–15 more than 660 000 key ages and stages consultations were provided to more than 455 000 Victorian families through the universal maternal child service.

Within the enhanced Maternal and Child Health Service, a service which is fully funded by the Victorian government, almost 90 000 hours of additional support were provided to 12 500 Victorian families experiencing vulnerability, such as poor mental health, family violence, substance addiction and homelessness.

In addition to that, the 24-hour Maternal and Child Health Line received nearly 100 000 calls from families seeking around-the-clock information and health advice. This is a very important service. I acknowledge local government, but I also want to acknowledge our maternal child health nurses as well.

Ms WARD — They do a great job.

Ms MIKAKOS — I have had the opportunity to meet with many of them. Today is in fact International Nurses Day, but I just want to say that we are very fortunate to have a very well trained and very supportive maternal child workforce across our state that does such a fantastic job in supporting new parents in that critically important role that they are undertaking.

Ms WARD — They do. The ones I had in Nillumbik were fantastic, without doubt. You have referred a number of times to the Royal Commission into Family Violence. We know — and anecdotally we knew this before the commission, but the commission has proved the anecdote to be true — that when women are pregnant and immediately after having a child, they are most at risk. What role do maternal and child health nurses play in helping to identify and also responding to incidents of family violence?

Ms MIKAKOS — I think that is really a critically important question that you have asked. As I said right at the outset in my presentation, the value of the Maternal and Child Health Service is that it is a non-stigmatising platform. It does not have ‘Family Violence Service’ on its door, and therefore being a universal service that all

parents are accessing, it provides an opportunity to engage with new parents around this particular issue. We know that during pregnancy and new mothers are at risk of family violence, which means that our Maternal and Child Health Service must be at the forefront of our response.

There was a recent maternal and child health study of over 1500 first-time mothers and their children, and this found that one in five mothers experience emotional and/or physical abuse by an intimate partner in the year after having a baby, and 27 per cent of pregnant inpatients at the Royal Women's Hospital had experienced violence.

Ms WARD — Sorry. That was 25 per cent?

Ms MIKAKOS — Twenty-seven per cent had experienced violence. The family violence royal commission noted the value of the Maternal and Child Health Service and antenatal services as key platforms for identifying and responding to family violence. In particular, the maternal and child health nurses use the CRAF, which is the common risk assessment framework, which is based on family violence identification. We are actually also updating that CRAF, which I can talk about later in the proceedings. They also engage in informal processes in their key ages and stages framework. So the data that we have got — the latest — —

Ms WARD — So it is monitoring both women as well as their children?

Ms MIKAKOS — Absolutely. And we do have a process where nurses do engage, typically at the four-week consultation, asking new mothers about family violence issues. However, we know that that has not been across the board and we want to strengthen the service — —

Ms WARD — In terms of each maternal and child health nurse asking that?

Ms MIKAKOS — Exactly. We want to make sure that all of our maternal and child health nurses are engaging with new mothers around this issue at those visits and providing them with additional support and referral information. So that is something that we recognise we have more work to do in that particular space.

Ms WARD — Is there a difference between regional and Melbourne metropolitan responses to this? Do you find that maternal and child health — —

The CHAIR — Order! The Deputy Chair.

Ms WARD — Sorry. I will come back.

Mr MORRIS — Thanks, Chair. Just before I move on to the matters in front of the committee, I want to raise a point of order, and it relates to the appearance of Minister Allan this morning in her capacity as the Minister for Public Transport. During what was the opposition's third opportunity for questions there was — I am sure you will recall, because you were a participant — a discussion on the potential for industrial action on the various rail projects that are underway. The minister said, during her response — and I am quoting from my notes here — 'It is important to note that there is no industrial action afoot'. But as the *Age* has reported, a protection action ballot was lodged with the Fair Work Commission this morning, covering some 300 electrical workers.

It is inconceivable that the minister was not informed of the action by her staff; there were a number of them in the room. On the kindest possible interpretation I would suggest that the minister has misled the committee. You of course as Chair, in your opening comments remind witnesses of the necessity for them to be accurate. So I would suggest that it would be appropriate, and I would move accordingly:

That the committee recall the Minister for Public Transport, the Hon. Jacinta Allan, to appear before the committee following the conclusion of the public hearings scheduled to be held on Friday 13th May 2016, in order to provide an explanation of her testimony to the committee.

I move to recall the minister to reappear before the committee, to attend the committee following the scheduled hearings tomorrow afternoon or at some other time that may suit members, but within the next couple of days, in order to provide an explanation to the committee for her actions.

Ms SHING — Further to the point of order, I note what the Deputy Chair has said in relation to the article in the *Age* and the evidence given by the public transport minister earlier today. The notion of industrial action is

that a ballot is taken, a ballot occurs. The results of that ballot are then filed with the independent umpire, the Fair Work Commission. Thereupon notice is required to be given of a prescribed period before any industrial action of a protected nature can take place. On that basis it would be my view, having practised also in this area, that the mere lodgement of a ballot in support of an outcome in support of taking protected industrial action down the track does not in and of itself constitute industrial action within the meaning of the words that were proposed in the question this morning.

Mr T. SMITH — She said there was nothing afoot, she said it was highly speculative. That was clearly misleading the committee.

Mr DIMOPOULOS — Further to that point of order — —

Ms SHING — Sorry, Mr Dimopoulos. The nature of industrial action is that once a ballot has been conducted and concluded the results are then required to be filed with the independent umpire and after that point a notice period is required to be given before the taking of any industrial action. The fact that there has not actually been any notice given, as far as I am aware — and I am not sure what else the *Age* has reported in relation to this matter — would tend to support a conclusion that in fact the minister has not misled the committee in that regard.

Ms WARD — Indeed.

Mr MORRIS — That may be the lawyer's view of the world but that certainly is not the community's view of the world.

Ms SHING — It is how the legislation operates.

Members interjecting.

The CHAIR — Order! Through the Chair.

Mr MORRIS — The fact is she has said there is no industrial action afoot — —

Mr DIMOPOULOS — Chair, my notes say that she said that, but also said 'as far as I am aware'.

Mr MORRIS — No, in this context she did not say 'as far as I am aware'.

Mr DIMOPOULOS — My notes indicate she did.

Mr MORRIS — She was quite deliberate. She said, 'It is important to note that there is no industrial action afoot'.

Ms SHING — Further to that point of order, there is no industrial action on foot or afoot prior to the giving of notice in accordance with the requirements of the fair work legislation. That notice has not been issued — —

Mr MORRIS — As I indicated, that might be the lawyer's explanation of — —

Ms SHING — It is not the lawyer's explanation — —

Members interjecting.

Mr MORRIS — As I said before, this is not a court; it is a parliamentary committee, and it is conducted according to those rules. I view it as misleading; absolutely I view it as misleading. We do not interpret things in this hearing in the context of acts. We are not lawyers, with the exception of one member of the committee — —

Mr T. SMITH — Who loves to tell us that she is.

Ms WARD — No, but we do act on precedent. With respect, Mr Morris, we do act on precedent and we do act on how things have been played out — —

Members interjecting.

Mr MORRIS — We interpret things as a reasonable person would, and any reasonable person would say when a ballot is being lodged with the Fair Work Commission industrial action is afoot. You can argue it until you are blue in the face — —

Ms WARD — No, we do not know that it has been lodged with the Fair Work Commission, Mr Morris.

Mr MORRIS — No reasonable person would argue to the contrary.

Ms WARD — You are confusing the actions here.

The CHAIR — Order! Ms Ward!

Ms SHING — There is a notice period required to be given where that notice period has not been given of the intention to take industrial action.

Mr T. SMITH — Does Ms Shing have the call, Chair?

The CHAIR — Order! Mr Smith.

Mr T. SMITH — Thank you, Chair. I began a line of questioning this morning to the minister that was very clear. She obfuscated, she misled the committee. She spoke at length to suggest that I was engaging in speculation. I was not. You, with respect, Chair, essentially protected her with that line of argument. And I was simply asking a line of questioning with regard to something that happened 5 minutes after we walked out of the committee room. So the sun really did come up this afternoon, as you were suggesting, Chair.

Ms SHING — Further to that point of order, again, to perhaps assist with any confusion that may exist on the other side of the table, once the results of a ballot are filed with the Fair Work Commission there is then a fixed period within which notice can be given of the intention to take protected industrial action. Where that notice has not been given it is, in my view, not open for the minister to conclude that there is any intention to take protected industrial action. It is simply that the representatives of those employees have actually taken the first step towards a potential taking of protected industrial action in accordance with the federal framework. It is not complicated.

Mr DIMOPOULOS — Chair, I would suggest that given the lack of clarity both in terms of what the minister actually said, the lack of recollection and the advice we have from someone who is in fact an industrial lawyer, that yourself and the Deputy Chair might want to take this offline and come to an arrangement about what were — —

Ms SHING — Seek some advice, Chair.

Mr MORRIS — No, I think it is important and this is why I have taken opposition time in this session, rather than raising it at the start. I think it is important that we address this issue — —

Mr DIMOPOULOS — It is important to have the facts, Deputy Chair. We do not have the facts at the moment, including the transcript.

Members interjecting.

Mr MORRIS — That is why I have proposed a motion. Now, the committee members can support the motion or they can oppose the motion, when the motion is posed.

Mr DIMOPOULOS — I want to see the transcript.

The CHAIR — Look, I think this is all quite sudden in terms of the fact that this matter has just been brought to my attention, literally just 10 seconds before the Deputy Chair raised it. I raise that not from the point of view of criticising the Deputy Chair, but just in making an observation. I think as a committee there are two options available to us. The Deputy Chair, if he so wishes, can put a motion requesting that the Minister for Public Transport be recalled to provide evidence or, alternatively, we can wait until the transcript is made available and we can seek some further advice and clarification offline. I think they are the two options available. I respect the fact that the Deputy Chair has raised this matter. The Deputy Chair may have a preference one way or the other.

Mr MORRIS — Chair, I actually suggested a time, because that will allow time for the transcript to be prepared and made available to all members, so I would move that the Minister for Public Transport, Ms Allan, be recalled to attend the committee at a hearing to be held following the conclusion of our scheduled hearings tomorrow afternoon, in order to provide an explanation of her actions.

Ms WARD — I would like to have the transcript.

Mr MORRIS — So that is the motion.

Ms SHING — Based on your recollection of the transcript.

Mr DIMOPOULOS — That is right.

The CHAIR — All right, if that is the path you wish to go down, Deputy Chair, that is your call. Again, I can only reiterate the fact that that is one option; the other option would be to review the transcript and seek advice, but if that is what you wish to do — —

Mr MORRIS — The transcript will be available, but I think we need to deal with this quickly —

Mr DIMOPOULOS — There are six more days.

Mr MORRIS — otherwise it could go over into the next week.

The CHAIR — Sorry, Dr Carling-Jenkins.

Dr CARLING-JENKINS — No, that is fine, Chair. If we are bringing this to a vote, I just want to put a comment on record: I think I will support the motion, not from an oppositional standpoint, but from the position that this invites the minister to give an explanation, which I am sure she will be more than willing and able to do, so just from that perspective.

Ms SHING — Thanks, Chair, I am just wondering — and I am in everyone else's hands in relation to the time frames that apply for the provision of the transcript that might actually clear up some of this issue, given that the notes that the Deputy Chair has referred to differ from the recollection of Mr Dimopoulos — and on that basis I would suggest that we are putting the cart before the horse in relation to how this issue has arisen and the extent to which any motion around an alleged misleading of the committee might be dealt with. It is always open for the committee to invite the minister to provide additional information to the committee without needing to be recalled.

The CHAIR — Ms Pennicuik, I have not heard from you.

Ms PENNICUIK — Yes, thank you, Chair. I think we should certainly wait to see the transcript, but on the other hand, too, I think we can always just invite the minister to make a clarification on the question without having to necessarily recall her.

Ms SHING — Which would satisfy Dr Carling-Jenkins also — what I understood to have been stated in your commentary.

Ms WARD — I think it is important to actually see the transcript, so that we do know exactly what we are talking about and, as you say, putting the cart before the horse.

Mr DIMOPOULOS — Just finally, from my perspective, Deputy Chair, to be honest with you I think it is a bit of theatrics if you do not give your colleagues on the committee the opportunity to see the facts, to see the transcript. We have six more days. It is not like 5 o'clock is the last in the series. We have six more days. Nothing is — —

The CHAIR — The timing of the motion allows you to see the transcript and to study it.

Mr DIMOPOULOS — My point is that I would take you far more seriously if you gave — —

Members interjecting.

The CHAIR — Order, Mr Morris! Okay, so, Mr Morris, do you have a motion?

Mr MORRIS — I have moved the motion, Chair.

The CHAIR — Would you mind repeating it, Mr Morris?

Mr MORRIS — For the third time, Chair, the motion is that the committee recalls the minister, Minister Allan, to attend a special meeting of the committee, which will be timed to follow the conclusion of the scheduled hearings to be held tomorrow in order to provide an explanation of her actions.

Ms SHING — I would like to move an amendment to that motion.

Mr T. SMITH — I move that Mr Morris's motion be put.

Ms SHING — No, I just indicated that I — —

Ms PENNICUIK — On a point of order, Chair, we are eating into Dr Carling-Jenkins's time here.

The CHAIR — I am conscious of that. Could I suggest that we deal with Dr Carling-Jenkins's time now, and then we return to this matter, just so that the crossbenchers are not disadvantaged. I am happy to discuss this in government time.

Ms SHING — I would like to move an amendment to the motion too, just on the record, Chair, once we get there.

Mr T. SMITH — Mr Morris's motion should be put.

The CHAIR — I am conscious of the fact that the crossbenchers time is being eroded. I am happy for this matter to be dealt with in government time, but I am just conscious that Dr Carling-Jenkins's time is being eroded.

Mr MORRIS — Well, you will need someone to move that the debate be adjourned.

Ms SHING — I move:

That we hold any further discussion in relation to this issue in abeyance, such that we can continue with the crossbenchers' time as allotted in accordance with the schedule.

Ms WARD — I second that.

Motion agreed to.

The CHAIR — Dr Carling-Jenkins for 11 minutes.

Ms SHING — You need to record that.

Dr CARLING-JENKINS — It is okay — 2.30 is fine. I do not mind. Thank you, Chair, and thank you, Minister. I am going to return now to some questions on the budget. I would like to just very quickly follow up on a question that Ms Ward was asking, and I believe the reference was around budget paper 3, page 61, but it was around your answer particularly. I want to get a little bit more feedback on — you mentioned the green book, which I must say I have not had a chance to see as yet and I am very interested in that, and you noted that it had been developed to be responsive to the needs of all parents. You noted in your answer to Ms Ward that it was responsive to the needs, for example, of people from culturally and linguistically diverse backgrounds, and I respect that. So very briefly I just wonder if you can outline how this resource is responsive to the needs of parents with disabilities, especially to the needs of parents with intellectual disabilities?

Ms MIKAKOS — Thank you, Dr Rachel Carling-Jenkins, I thank you for that further question. Can I say firstly, at the outset, that I would be very happy to ensure that you are provided with a copy of the updated green book, because it is a very impressive resource.

Dr CARLING-JENKINS — That would be great, yes.

Ms MIKAKOS — I think it is a very useful resource for all parents, but particularly for new parents, and the issue around the needs of parents with children with special needs is an issue that is a very important issue to me.

Dr CARLING-JENKINS — Sorry, I was actually particularly asking about parents who have disabilities, or parents who have intellectual disabilities.

Ms MIKAKOS — I apologise. I misheard.

Dr CARLING-JENKINS — I know that is a very specific question, so if you need to take that on notice, I understand.

Ms MIKAKOS — Yes, absolutely. You will see when we provide you with the resource there are, for each key age and stage, the different points of the 10 key ages and stages where parents attend with their child to visit. The way that the folder has been produced now is to provide drawings so that it is readily understood by all parents, whether it is a parent for whom English is not their first language, and I believe that parents who themselves have a disability, particularly an intellectual disability, would find that a more readily understandable document. So there are drawings, pictures, there that can easily explain to parents concepts such as how to hold their baby, how to soothe their baby, how to read to their baby — those kinds of issues. But in terms of further detail, I am very happy to take that on notice.

Dr CARLING-JENKINS — Sure, okay.

Ms MIKAKOS — I should also point out that we do have the enhanced maternal child health service, which I explained earlier is a service that is fully funded by the Victorian government. This is a more targeted service that works with more vulnerable parents, and parents in that situation may well be eligible to participate through the enhanced service. That involves some home visiting as well as the parent going to the maternal child health service.

Dr CARLING-JENKINS — Okay. Thank you, Minister; I appreciate that. It was just — —

Ms MIKAKOS — I am very happy, if there is something further that we can add in relation to this particular issue, to take it on notice and provide that to you later.

Dr CARLING-JENKINS — I appreciate that; thank you. It just piqued my interest as Ms Ward was asking her questions. Can I move on to speak to you about the new kindergarten construction in growth suburbs, and this is at budget paper 3, page 61. There is a commitment there to build new kindergartens with around — sorry, I am just looking at my notes — \$10 million across the entire forward estimates period. I have just got to be honest. I have an 18-year-old, not a 3-year-old, so I am a little out of touch with kindergartens. I am also completely unaware of how much it costs to build or set up a kindergarten these days, so I am not sure how far this money will go. I just wonder if you can inform the committee about how much you think will be achieved with this bucket of funding because, to be quite honest, it does not sound like a lot?

Ms MIKAKOS — Thank you for that question. I need to, I guess, give a bit of context in terms of what happened last year. Last year we funded \$50 million, in our first budget, to build new kinders and children's centres across Victoria, including refurbishing existing kindergartens. That was an election commitment that we implemented in our first budget. So we are building on that with this further \$10 million over two years for seven Metropolitan Planning Authority-defined growth areas to be able to access some additional funds, and they are the areas of Casey, Cardinia, Hume and Mitchell in the urban growth zone and Melton, Whittlesea and Wyndham. They are our most rapidly growing areas.

In addition to this funding commitment, grants for early childhood infrastructure will be available through the following programs. There is a \$50 million fund in this budget called the Shared Facilities Fund, which will fund different types of community services on school sites. These projects focus on partnerships between schools, local government and community groups. In addition, there is a further \$50 million for the Growing Suburbs Fund for Melbourne's interface councils. They are those seven councils I mentioned earlier, plus Yarra Ranges, Mornington Peninsula and Nillumbik.

I make the point that the previous government appropriated only \$37 million over their four state budgets. By contrast, our government has already appropriated \$60 million over two budgets, which is a 62 per cent increase in state budget funding for children's capital.

Dr CARLING-JENKINS — Thank you, Minister; I appreciate that.

Ms MIKAKOS — I just want to come to the key point —

Dr CARLING-JENKINS — Yes.

Ms MIKAKOS — and that is, that this is a partnership with local government — I should add that — because the state is a very small direct provider of services in terms of the very small number of kinders that might be on school sites where that is actually run by the school. The vast majority, the overwhelming majority, of kindergarten services in our state are run either by local government or by the not-for-profit community sector, and a smaller number by for-profits. They typically will be through the provision of long day care services that offer a kindergarten program within their long day care setting. So there is obviously a continued expectation that we would see local government and other providers to continue to invest in early childhood services as well as infrastructure needs, and we are essentially supplementing that. We are clearly prioritising in our funding criteria growth areas because we want to build the capacity in the system to respond to population growth.

Dr CARLING-JENKINS — Sure. I think that answers my question around that: it is supplementing rather than actually building the kindergartens through a direct negotiation kind of grant process, so I appreciate that.

Moving on to a comment you made in your presentation about the more than doubling of the additional investment in the early childhood space, and you have said this in your answer to me as well. It relates to budget paper 3, page 61. I note that an article last year ranked Australia as 34 out of 36 countries in the OECD in terms of early childhood learning participation. Now I understand that you are investing widely and note your pride in the actual services being provided. I just wonder if you can outline for the committee what work is being done towards encouraging the participation — so, lifting those participation levels up — and how Victoria compares to other states in participation in early childhood learning?

Ms MIKAKOS — Thank you very much for that question. You are right in terms of the international comparisons. I think as a nation we compare badly with many OECD countries, and that really relates to federal government investment in the early childhood space. In terms of our own government, we obviously are providing the infrastructure that I explained earlier, but we fund the kindergarten services, the four-year-old kindergarten program. In terms of participation in kindergarten by four-year-olds in this state, we are sitting on — —

Ms HAIRE — Ninety-eight point one.

Ms MIKAKOS — Ninety-eight point one per cent of all preschool children are currently participating in the four-year-old program. In addition to this — and that is set out in the budget papers as well, the participation rate.

Dr CARLING-JENKINS — How does that compare to other states?

Ms MIKAKOS — In terms of comparison to other states, it does compare very well, but on those we might need to take that on notice. We do not have the interstate comparisons.

Dr CARLING-JENKINS — Of course, but we only have 10 seconds to go as well.

Ms MIKAKOS — Happy to take that on notice, if we can provide that additional detail for you. We are also driving up participation by disadvantaged groups, and this is something I am particularly proud of. Apart from funding the four-year-old kinder program, the Victorian government also provides the free three-year-old kindergarten early start program for Koori children and children known to child protection. In terms of Aboriginal children, we are driving up the participation rate. From 67.2 per cent in 2009 it is now 82.2 per cent in 2015. Since we have been in office we have actually closed the gap to get it to 82.2 per cent. I would like to continue to close that gap and we are working very hard to achieve that. This is why we launched the Koori Kids Shine program. We want to encourage Aboriginal families to enrol their children in kindergarten. We are

working very closely with Aboriginal communities to promote the availability of free kindergarten programs to them, to encourage them to enrol their children.

Dr CARLING-JENKINS — To increase that participation rate there?

Ms MIKAKOS — To increase the participation; that is right.

Dr CARLING-JENKINS — Thank you, Minister.

The CHAIR — Order! The Deputy Chair has moved a motion. I understand that Ms Shing is proposing to move a reasoned amendment to that motion. I will ask Ms Shing to speak to that amendment. Then we will put the motion and then, if need be, we will put the amendment.

Ms SHING — Thanks, Chair. For avoidance of doubt, could we have the wording of the motion as it is being proposed, so that I can speak to the amendment? Alternatively, I am happy to speak to the position that I am going to advance today.

Mr MORRIS — My understanding, Chair, is that Ms Shing's motion was to be foreshadowed.

Ms SHING — Okay, thank you. Further to the issue that has been raised by the Deputy Chair, there is, as I understand it, a concern that the minister has misled the committee by referring to industrial action not being on foot — I think is the paraphrase — on the basis that a ballot for protected industrial action has taken place and been filed with the Fair Work Commission. However, no notice of an intention to take protected industrial action has given. In this regard, I would refer members of the committee to the Fair Work website, fairwork.gov.au, in relation to the fact sheet on the taking of industrial action, which says:

Before an employer —

or an employee —

takes industrial action, written notice must be given to each bargaining representative ... to be covered by the agreement ... all reasonable steps —

must be taken —

to notify —

of —

the proposed ... action.

On that basis and in that reasoning and by reference to the Fair Work legislation and also by reference to case law, which has repeatedly found that industrial action does not satisfy the test for being threatened, impending or probable simply by the lodgement of a ballot result and prior to the giving of notice in accordance with the act, that there is in fact no basis to actually seek an injunction at law, and on that basis the mere fact that a ballot result has been given to the independent umpire is not enough at law to justify a conclusion that industrial action is on foot, to take the words that Mr Morris has referred to.

On that basis and to find a way through this by reference to what Dr Carling-Jenkins has outlined, I would propose that the committee invite the Minister for Public Transport to provide an explanation and/or further information to the committee in relation to the article in the *Age*, as compared and contrasted with the evidence that she gave at hearing today. I would ask that that be made available in the next 24 hours, and I would also ask that that be done subject to the same rules as in providing evidence to the committee.

The other reason as to why I think that is an appropriate way forward is that otherwise we run the risk of any newspaper article or secondary or tertiary source being used to justify recalling witnesses to this particular PAEC proceeding well after their hearing time has expired.

The CHAIR — Thank you, Ms Shing. Ms Pennicuik?

Ms PENNICUIK — Thank you, Chair. If I could say, I think it is a shame that in fact time has been taken up to hear from the Minister for Families and Children with this issue. I think it could have been handled

differently, such as raising the issue and writing to the minister, asking for the explanation, as Ms Shing has said. It does not preclude recalling the minister at some other date if that information is not appropriate or good enough. In regard to that, I would be supporting the amendment and hope to be able to return to the hearing that we have before us. If I could also say that I am in no position to judge what the minister said, because I cannot remember her specific words — and specific words are really important.

The CHAIR — Thank you, Ms Pennicuik. Does anyone wish to speak to Ms Shing's position?

Members interjecting.

Mr MORRIS — In order to allow a sensible discussion, I was happy for the motion to be foreshadowed.

The CHAIR — Okay. That is fine.

Mr MORRIS — What I would suggest is that you now put my motion and then I will have some words to say about Ms Shing's motion.

The CHAIR — Okay. Mr Morris has moved his previous — —

Ms SHING — Do we not put the amendment first? I have just spoken to the amendment.

The CHAIR — I thought we would do the motion first and then we would do the amendment was my advice.

Members interjecting.

Dr CARLING-JENKINS — While that is being sorted out, can I put on the record that I have been trying to consider Ms Shing's amendment, but I was also asking questions — —

Members interjecting.

Dr CARLING-JENKINS — I am pretty good, but I cannot do too many things at once. I think I will be supportive of the amendment. I do think the minister should be given an opportunity to answer these questions. I have no problem with them being on the record, as the Deputy Chair is indicating his preference for. I also want to put on the record that I am disappointed that this has been brought up in this hearing, and that I had no warning that this was going to be brought up until it was.

Ms SHING — No-one did.

The CHAIR — There is a motion that has been moved by Mr Morris and seconded by Mr Smith. I am happy to put the motion.

Mr MORRIS — Can I just round up the debate?

The CHAIR — I am sorry, Mr Morris.

Mr MORRIS — Just to respond to one point raised by Dr Carling-Jenkins. This is an incident that occurred this morning. I was still following up on the evidence until the hearing had started in fact. As you know, I was late coming in. I think it is important to raise it immediately and that is why it is being done that way.

Dr CARLING-JENKINS — Thanks for the explanation. I appreciate that.

Mr MORRIS — Had we had an overnight situation I would have obviously raised it with my committee colleagues first.

Dr CARLING-JENKINS — Thank you, Deputy Chair.

Ms WARD — If I may, I have a question for Mr Morris. What evidence were you looking at, Mr Morris?

Mr MORRIS — I was reviewing the *Age* story and checking on the provisions around the Fair Work application.

Ms WARD — So you are relying only on your own notes of what the minister said.

Mr MORRIS — I am relying on my notes for that quote, but I also, as you are aware, in the timing of the motion, did not ask the minister to be dragged back this afternoon. I suggested tomorrow afternoon in order to have the transcript in front of us.

Ms WARD — I know and understand that. I just wanted to be clear whether or not we were dealing with a transcript, whether there had been some other recording made of her evidence.

Mr MORRIS — No, as I indicated earlier, as the Hansard transcript of this hearing will show, I referred to my notes.

Dr CARLING-JENKINS — Chair, I understand that we are going to vote on the motion first; is that correct?

The CHAIR — Yes.

Dr CARLING-JENKINS — Could I just ask for the motion and the amendment to be read out before we vote on either, so that I can just get them in my head.

The CHAIR — Sure. Okay. Mr Morris, I will ask you to read the motion for a fourth time.

Mr MORRIS — The motion is:

That the committee recall the Minister for Public Transport, the Honourable Jacinta Allan, to attend the committee following the conclusion of our scheduled hearings tomorrow afternoon in order to provide an explanation of her actions at the hearing this morning.

Ms SHING — For the sake of completeness I can give the wording as well:

That we invite the minister to respond in writing to an allegation that she misled the Public Accounts and Estimates Committee in relation to the existence or otherwise of protected industrial action and that such answer be provided not later than close of business on Friday, 13 May 2016.

The CHAIR — The Deputy Chair has moved a motion. I believe it is seconded by Mr Smith.

Mr T. SMITH — That is correct.

Committee divided on motion:

Ayes, 3

Morris, Mr

Smith, Mr T.

O'Brien, Mr D.

Noes, 5

Dimopoulos, Mr

Shing, Ms

Pearson, Mr

Ward, Ms

Pennicuik, Ms

Motion negatived.

Ms SHING — I would now put my amendment to the motion. I will recap again:

That we invite the public transport minister to respond in writing to an allegation that she misled the Public Accounts and Estimates Committee in relation to the existence or otherwise of protected industrial action and that she do so not later than close of business on Friday, 13 May 2016.

The CHAIR — Is there a seconder for Ms Shing's motion?

Ms WARD — I will second the motion.

Mr MORRIS — I have not put the words in front of anyone, so I am not having a crack. It is a little bit difficult to deal with this given the words are not in front of us, but I did hear the words ‘protected industrial action’.

Ms SHING — That is how you take industrial action, with a ballot.

Mr MORRIS — I am aware of all that. The quote that I referred to, or the quote I have recorded in my notes that I referred to, was ‘it is important to note there is no industrial action afoot’. I did not say ‘protected industrial action’.

Ms SHING — How is the minister going to know about any unprotected industrial action?

Mr MORRIS — She did not use the word ‘protected’ in this context.

Ms SHING — The very nature of a ballot, though — —

All right, I am happy to remove it. No, I am not being antagonistic here. I am using the correct technical language, which is what happens with a ballot.

Mr D. O’Brien interjected.

Ms SHING — No, Mr O’Brien, I am trying to get this right and there is no ill will here, so I am happy to remove the reference to ‘protected industrial action’ despite the fact that that is the natural consequence where a ballot is conducted and notice is given in accordance with the Fair Work legislation. So on that basis I will read that amendment again:

That the public transport minister respond in writing to an allegation that she misled the Public Accounts and Estimates Committee in relation to the existence or otherwise of industrial action and that she do so not later than close of business on Friday, 13 May 2016.

I put that amendment.

The CHAIR — Is there a seconder?

Ms WARD — Yes, I second that.

The CHAIR — Secunder, Ms Ward. All in favour?

Mr MORRIS — Just before it is put, I will support the motion — —

Ms SHING — Amendment.

Mr MORRIS — Well, no, this is a new motion.

Ms SHING — What is being put now is the substantive motion.

Mr MORRIS — It is a new motion. I will support this motion, but I will do so reluctantly because the intent of the initial motion was so that we could actually have a discussion with the minister about her actions. This is a legal exchange of correspondence, which is obviously a much less satisfactory way to change things. But I do note that if the response is not satisfactory then the opportunity remains to recall the minister prior to the conclusion of these estimates hearings. That would obviously be subject to a further deliberation by the committee.

Ms SHING — Yes, precisely. So, again, that is something that will be subject perhaps to further discussions depending on what the minister’s response to this particular motion is in the event that it succeeds. Again, I put that motion.

Mr DIMOPOULOS — Before you do, just on the motion, I am concerned that it may read that the whole committee has made an allegation, because I am not making any allegation — —

Mr MORRIS — Nor did the initial motion, by the way.

Mr DIMOPOULOS — Can you read it again?

Ms SHING — Sure. I am happy to amend it to take account of Mr Dimopoulos's insistence. I move:

That the public transport minister be invited to respond in writing to an allegation by opposition members that she misled the Public Accounts and Estimates Committee in relation to the existence or otherwise of industrial action, and that such answer be provided in writing not later than close of business on Friday, 13 May 2016.

The CHAIR — Seconded?

Dr CARLING-JENKINS — May I make one comment through the Chair that I want to support the Deputy Chair's comments that we do not rule out recalling the minister at a later stage depending on the outcome of what comes of this motion, and for the record that is why I chose to abstain from the first motion.

The CHAIR — So the motion is moved by Ms Shing and seconded by Mr Dimopoulos.

Motion agreed to.

Ms SHING — Oh, it is unanimous!

The CHAIR — Yes, wonderful. I am conscious of time. We have now got 8 minutes, so what I propose to do is split the 8 minutes between the government and the opposition. The government has had its previous questions, so I propose that the opposition have 4 minutes and then we will — —

Mr D. O'BRIEN — Have we not already equally given up a block of questioning? We gave up one; you have given up one.

The CHAIR — Yes, so there is basically — —

Mr D. O'BRIEN — So we are already actually into ours now.

The CHAIR — So there is actually 8 minutes left.

Mr D. O'BRIEN — Which should just go to us.

The CHAIR — I would have suggested that we have actually given up an equal amount of time, the government and the opposition, so what time is left we go half and half, but I am not proposing to spend the next 8 minutes arguing the toss.

Mr D. O'BRIEN — The government had the first bit, we did not. That is what I am saying.

The CHAIR — I am sorry?

Mr D. O'BRIEN — The government had the first bit of time.

The CHAIR — Okay. Opposition questions until 2.52 p.m.

Mr D. O'BRIEN — Thank you and, Minister, welcome, belatedly. Just going back to the issue that Dr Carling-Jenkins raised about kindergartens, you talked about the \$50 million that has been expended from last year. How much of that has been expended to date?

Ms MIKAKOS — Thank you for the question. The advice that I have is that in the 18 months that we have been in office we have committed to more than 30 projects to develop or upgrade early learning centres across Victoria. Sorry, I am just seeking a clarification. You are asking from the funds allocated from the 50 million from last year.

Mr D. O'BRIEN — The 50 million from last year, yes.

Ms MIKAKOS — Okay, I might refer to Mr Keating for that figure.

Mr KEATING — We can refer to the individual projects and their values. We do not, obviously, have an aggregate figure sitting with us.

Mr D. O'BRIEN — Happy to take it on notice if that — —

Mr KEATING — Yes, so we can do that.

Ms MIKAKOS — Yes, okay. Thank you.

Mr D. O'BRIEN — I wonder also whether we could get a breakdown of how much of that was new buildings versus simply refurbishments. And I will follow that with a question back to the minister: without, obviously, having the detail, can you say how much of any of that money might have gone to refurbishments for the increase in ratios as opposed to just population growth or the like?

Ms MIKAKOS — Sure, and thank you for that question. We have in the kinder capital grants program different categories, so there are funds available for building new integrated children's centres, which are essentially co-locating a range of services within the facility. That might be a kindergarten program, in many cases a long day care program as well as maternal child health services, parenting programs and in many cases early childhood intervention services as well. Then there is a separate category for new kindergartens and then for refurbished kindergartens. What we did last year for the first time is we also provided funding, small grants, for the first time, of \$25 000 per grant to assist our local governments and our kindergartens to meet the new ratios which started from 1 January this year.

Mr D. O'BRIEN — On that, Minister, the grant process, was that decided by you as minister, or was it a competitive application process? How did that work?

Ms MIKAKOS — That is a competitive grants process whereby councils and other eligible applicants — in some cases they are also non-government schools as well as others — apply directly to the department for funding. I just wanted to add further to your earlier question just in terms of the minor expansion grants to meet the ratios, which you asked me about specifically, those \$25 000 grants. The advice that I have is that \$1.4 million was expended in relation to that particular category. We had other forms of support to our kindergartens to meet those new ratios, including a small number of kindergartens that applied for temporary waivers. There were other opportunities to obtain support through scholarships to enable educators to upgrade or attain an approved early childhood qualification as well as other resources. We also have provided funding of \$485 000 to provide expert strategic and financial advice to further support kindergarten services for those who are yet to meet the ratios.

I do also want to make the point that the ratios were something that were agreed to between the federal government and the states and territories some years ago. Sadly the former government did not plan for that, and we funded last year almost \$84 million to implement these new ratios, so it has been a very significant reform.

Mr D. O'BRIEN — You have answered the question, thank you, Minister. Can I ask a quick question of the secretary, and I think we asked a very similar one of you yesterday, Secretary, about vaccinations. I wanted to know whether, particularly given the no jab, no play rules, childhood educators are required to also be vaccinated. What are the rules around that?

Ms CALLISTER — Thank you, Mr O'Brien, and I do not know if the minister may want to add something as well. We have a whole range of guidelines and practices in relation to staff and immunisations and vaccinations. We do not mandate vaccination or immunisation as a condition of employment. We do work with the public health section of the department of human services in relation to encouraging immunisation in our staff groups against a whole range of diseases that are common in early childhood.

Mr D. O'BRIEN — Do you keep a list of those who are not vaccinated?

Ms CALLISTER — I do not believe we keep a register of staff who are vaccinated. In the event of an outbreak of measles or of influenza, the staff who are not vaccinated may be excluded from the workplace, and we take advice from the chief health officer at DHHS in relation to that and in relation to the exclusion for any other communicable diseases. It is based on an assessment of public health risk at the time, so we work pretty closely with the public health area on that.

It is just worth telling you that from 1 June 2015 the government did reintroduce the free whooping cough vaccine for a whole range of categories of people — pregnant women from 28 weeks of gestation, partners of women who are at least 28 weeks pregnant, parents or guardians — —

Mr D. O'BRIEN — Staff as well?

Ms CALLISTER — Yes, staff as well are strongly encouraged to be vaccinated for a range of things.

The CHAIR — Sorry, the time for this section of the hearing has expired. I would like to thank Ms Callister, Ms Haire and Mr Keating.

I would like to now invite Ms Peake and Mr Wallace to appear before the committee for the Department of Health and Human Services aspect of the hearing today.

Ms PENNICUIK — Thank you, Minister, Ms Peake and Mr Wallace. I wonder if I could ask you to turn to budget paper 3 and some specific pages. I want to ask about a relationship between two programs that are on different pages. In terms of budget paper 3, pages 8 and 15, there is reference to 'Increased support for children and carers', and in budget paper 3, pages 78 and 82, to 'meeting unavoidable — —

Ms MIKAKOS — Sorry, which page?

Ms PENNICUIK — Pages 78 and 82. On page 78 under 'Output initiatives' and on page 82 there is an explanation of the output initiative, which is called 'meeting unavoidable placement demand'. So the question is: what is the relationship between the \$16.2 million over two years for increased support for children and carers, listed on pages 3 and 15, and the 34.1 million over two years for meeting unavoidable placement demand in the out-of-home care system? Is there an overlap between these line items? What specifically does each line item refer to and how, if in any way — they appear to overlap, but do they and how do they?

Ms MIKAKOS — Thank you, Ms Pennicuik, for your question. Just coming to the first reference that you refer to, which was in the family violence chapter of the budget papers and the increased support for children and carers, that responds directly to recommendations of the family violence royal commission. What this initiative does is address barriers to the recruitment and retention of foster, kinship and permanent carers by providing additional funding to support the children with the most complex needs. Training will be provided to foster and kinship carers when a placement is at risk of breaking down, and as well a new helpline will be provided for permanent carers.

This is designed to respond to the discussions that I have had with foster carers. I have held a number of round tables with foster carers since I have been minister. We know that children who have come into out-of-home care have come from traumatised backgrounds. Therefore because of that trauma they can exhibit challenging behaviour. The additional training is designed to enable the carers to understand that behaviour. So we have provided additional training since we have come into office, but this is going to be a significant boost to the ability to resource further training for our home-based carers.

We are, as I presented much earlier — it seems a long time ago now — reforming our child protection system to move away from residential care to home-based care. Our residential care system has actually shrunk since we have been in office, and we are providing significant investment to home-based carers on a range of levels — from the biggest boost in a decade of financial support for foster carers in the last budget to the additional training that I have referred to, as well as the launch of a foster care and recruitment strategy that I launched in the first 100 days as minister. At the start of this year we launched a new foster care recruitment campaign, bringing 26 foster care agencies together to work together to recruit more foster carers.

I want to come to your further reference in the DHHS chapter of the budget papers. This was in reference to, if I am correct, the 'meeting unavoidable placement demand'. What that is is funding support for additional foster care placements. So this is actually the financial support that we provide to our foster carers, our kinship carers and our permanent carers so that they can actually meet the needs of children and young people in their care. As I have said, we have got this agenda as part of the *Roadmap for Reform* to move towards more home-based care. As well as that, we recognise that there will still be a need for young people to go into residential care from time to time. But just on the weekend I announced how we are going to be transforming what residential care will look like in the future. We are moving towards a clinical-based treatment model, to have residential care be

an intervention rather than a destination to provide more intensive support to young people when they are in residential care.

Further to that, we are training up the residential care staff. I was shocked to learn as incoming minister that there was a survey undertaken during the time of the former government that found that a third of our residential care staff have no relevant qualifications, and they are working with our most traumatised children and young people. If we are serious about addressing issues in residential care, then we have to look to this issue. I announced on Sunday that, together with Minister Herbert, we are providing up to \$8 million in funding to move towards mandatory minimum qualifications for our residential care staff by the end of next year so that our residential care staff who are employed by community sector agencies can be appropriately equipped to support the young people in their care.

I just want to say that our community sector does a wonderful job in working with us to support vulnerable children and families, but we need to make sure that they are adequately supported to be able to do that work, and we will be rolling out this new model from the southern division of my department from 1 July and progressively across all divisions across the state. So this is very exciting — —

Ms PENNICUIK — Thank you, Minister. It is, yes. We have limited time. I do thank you for your answer. It does seem from your answers that there is some relationship. I do not know if you wanted to make a brief comment about the two projects or the two programs.

Ms MIKAKOS — Absolutely. This is all part of the *Roadmap for Reform* and overhauling our child protection out-of-home care system. So we need to provide a range of supports at different levels to our home-based carers, both training, additional financial support — and we have done that already — as well as a range of other supports. So we want to be more responsive to and more supportive of our home-based carers so we can continue to grow that area of out-of-home care whilst progressively over time see residential care shrink. I just want to say that our foster carers are just amazing people.

Ms SHING — Hear, hear!

Ms MIKAKOS — They are the most selfless people in the community —

Ms PENNICUIK — Yes. We all agree.

Ms MIKAKOS — and I think it is really important —

Ms WARD — They are absolutely amazing.

Ms MIKAKOS — that we provide them with that additional support.

Ms PENNICUIK — I agree with you. Yes, the committee is unanimous in that view. Thank you, Minister. If I could take you to the same budget paper, page 248, which is child protection and family services performance measures. There are a couple of issues there, and I will probably not get time to do them all, but in terms of the daily average number of children in out-of-home care, it says there that the result for that performance measure in 2014–15 was 8043, and then the target for the current year, 2015–16, was 7500, which is 500 fewer than what was the actual result in the earlier year. The expected target for 2015–16 is in fact 1000 more than was targeted for the year and 500 more than the previous year. The target for 2016–17 is 8159, or 340 fewer than the expected result this year. My question is: why is there a projected decrease in the average number of children in out-of-home care, given the permanency reforms that are coming into place and the growing population? Also, what formula is being used to arrive at such a precise figure as 8159 as a target?

Ms MIKAKOS — Thank you, Ms Pennicuik, for your question. As I mentioned earlier, we have got a big reform agenda underway. As of the end of March, we had had 128 children and young people access what are called targeted care packages to transition them out of residential care to home-based care. That is something that I announced early last year, and we are keen to see more and more young people take the opportunity of being able to live with a family or a single person in a home environment rather than being in residential care. We have seen a shrinking of residential care, as I said, despite the fact that we are having more and more young people coming into out-of-home care. We want to see young people not go through a merry-go-round of placements. We want to promote placement stability for children, whether that is to be able to safely return back to their own family, or where that is not possible to place them with a supportive family — —

The CHAIR — Order! Government questions until 3.16 p.m. Mr Dimopoulos. Sorry, Minister, did I miss something then?

Ms MIKAKOS — No, I am happy to take the question on notice just to assist Ms Pennicuk with — —

Ms PENNICUIK — Thank you.

The CHAIR — Okay, thank you, Minister.

Mr DIMOPOULOS — Welcome, Minister. I just want to take you back to your presentation in relation to the *Roadmap for Reform*, but also budget paper 3, pages 8–9, which describe that output initiative. I know you mentioned it briefly in a couple of your answers and your presentation, but what support has been provided to Aboriginal children and their families, particularly given we know the significant impact of family violence in that community? And I have a couple more questions after that.

Ms MIKAKOS — Sure. Thank you, Mr Dimopoulos, for your question. Our government recognises that we have an unacceptable level of over-representation of Aboriginal children in both our child protection and out-of-home care system. This has been an absolute priority for me. I will just run you through very quickly some of the initiatives that we have been doing even prior to this budget. In the targeted care packages that I referred to in response to Ms Pennicuk earlier, \$43 million was announced early last year. We have prioritised Aboriginal children in transitioning them out of residential care into home-based care. We have also established quarterly Aboriginal children's forums that I personally co-chair together with the CEO of an Aboriginal community-controlled organisation. We passed legislation late last year to establish Aboriginal guardianship as a possibility. There were legal issues there which were an impediment to that previously. So we are working with the Aboriginal community and the organisations that work in the Aboriginal community to develop strategies to address this unacceptable over-representation.

In terms of the budget outcomes specifically, there is \$16.5 million to support Aboriginal children and families across a range of programs. The Aboriginal Child Specialist Advice and Support Service received \$3.6 million over two years to meet a significant increase in demand for the service. Connecting vulnerable Aboriginal clients with their culture and ensuring planning occurs to address their cultural needs is supported by \$5.33 million over two years to implement a new model for cultural planning. The Koori Youth Justice programs received \$1.1 million over two years to increase the capacity of Aboriginal organisations and the department to deliver effective and targeted prevention and early intervention and support initiatives to Aboriginal young people at risk of entering the justice system.

And in addition to that, there is an investment of \$5.29 million over two years to enhance the recruitment of and support provided to Aboriginal kinship and foster carers through a local grassroots Aboriginal foster care recruitment campaign by Aboriginal organisations, providing local support for Aboriginal kinship and foster carers, and additional Aboriginal kinship care cases are being contracted to local agencies for case management.

Ultimately where we would like to go with this is to see reform in this space, underpinned by the principle of self-determination that our government is very committed to; to see more Aboriginal children come under the care and support of Aboriginal community organisations, and there is lots of goodwill in the community sector to make that happen. At the moment the majority of Aboriginal children are actually cared for by non-Aboriginal community sector organisations, so there is a lot of reform that needs to happen to make that possible. But there is a lot of goodwill in the sector to assist us with that and to really make sure that there is culturally appropriate support provided to Aboriginal children. That is not to say that those non-Aboriginal organisations do not strive to do that, but we think that we can have better outcomes for children and families in terms of also making reunification possible where that is safe to do so by working directly with Aboriginal-community controlled organisations.

Mr DIMOPOULOS — Thank you, Minister. With both the initiatives you just described — the Aboriginal children and Aboriginal community — but also more broadly the other ones in the same budget reference, pages 8 and 9, they are only funded for two years. Given the importance of them, why is the funding only for a couple of years?

Ms MIKAKOS — Thank you for that question. As the Premier has flagged, our government is committed to implementing all the recommendations of the family violence royal commission. The Premier has also

indicated that our government will be handing down a long-term plan for family violence later this year, and our response to how we better support Aboriginal families and children has to be a key part of that. Sadly, tragically, Aboriginal women are massively over-represented in terms of family violence incidents as well, and this is obviously a factor in terms of what happens, in terms of interactions with the child protection system — not the only factor, of course, but one of other factors.

A lot of these families have a whole complexity of issues in their families and in their lives, and we need to respond to these issues in a holistic way. That is why the Premier said that this is essentially the down payment in our response to the family violence royal commission. We will have more to say about that, but we are moving quickly to implement these recommendations.

Mr DIMOPOULOS — Minister, thank you. The last one I wanted to ask you about was you touched on early intervention. We all agree that not only is it sensible economically but it avoids a world of pain for families. How does the road map address specific concerns raised by VAGO in relation to early intervention programs in residential care services?

Ms MIKAKOS — Thank you for that further question, and I should have also pointed out in terms of Aboriginal children not to neglect the Department of Education and Training part, which we have moved on from, but there is also additional funding there for Aboriginal culturally appropriate maternal and child health services in that early intervention space. But coming to your question about — —

Mr DIMOPOULOS — Just in relation to that question, if you could keep it within a couple of minutes only, because we have got more.

Ms MIKAKOS — You have got more; okay, thank you for your interest. In relation to the *Roadmap for Reform*, that does respond to issues that have been raised by the Auditor-General in previous reports. I assume that you are referring to the report last year or the year before — the 2014 report?

Mr DIMOPOULOS — 2014 it was, yes.

Ms MIKAKOS — There was an early intervention report last year.

Mr DIMOPOULOS — Sorry — early intervention and residential care.

Ms MIKAKOS — Okay. So there have been two Auditor-General reports — one in 2014 that was highly critical of residential care, and then there was one last year really painting a picture of how the Child FIRST system had been very stretched. That is why in our first budget we delivered \$48.1 million for Child FIRST and family services to provide greater support to families in crisis, and we have provided further funding in the budget this year of \$5.65 million for family support services.

This is because, as I explained earlier, we are trying to move away from a crisis response to, quite deliberately, prevention and early intervention. We have seen more and more children come into the child protection system every year — massive growth over the last decade, more recently driven by, I guess, greater community awareness around the issues. We have had the family violence royal commission, we have had the federal royal commission into child sexual abuse — there is heightened community awareness around these issues — but also programmatic changes. So, for example, Victoria Police, under Chief Commissioner Nixon in fact, implemented significant changes to how Victoria Police respond to family violence incidents, and that has also led to an increase in child protection reports.

This is why our response to the family violence royal commission has to be very front and centre in our response to children. The *Roadmap for Reform* is all about that response to family violence and overhauling the child protection system to respond to this increase in reports.

Ms SHING — Minister, I might take you to some of the themes that you have just referred to in your answer to Mr Dimopoulos around the use of information. The Child FIRST initiatives and that additional funding will actually identify programmatic deficiencies, but in addition to that there are often many agencies, groups and individuals working with the same sorts of case loads. I am just wondering how it is that there can be a better implementation of recommendations to improve overall opportunities through a more targeted approach to information sharing and use? I am happy to take that one on notice if you would like to provide an answer after the hearing.

Ms MIKAKOS — Sure. Thank you, Ms Shing, for your question. Absolutely, the family violence royal commission is pointing us in the direction of the need for agencies and government to work more closely together on how we respond to the issue of family violence. They have recommended to us the establishment of 17 hubs.

This is going to lead to a significant system reform of how government and agencies work together and share information as well to respond to both adult and children as victims of family violence. It is a move away from the previous silo approaches of treating adults and children in two separate streams and two completely unrelated service delivery systems. I am happy to take that on notice if there is more that we can add in relation to those issues, or I will ask Ms Peake add — —

Ms SHING — On notice is fine. Thank you very much.

Mr D. O'BRIEN — My first question is to the secretary, Ms Peake. Budget paper 3, page 78, outlines improving the sexual health of children in out-of-home care, which is a one-off payment of \$1 million in 16–17. The information on page 82 gives a bit of a background, but what specifically is that money to be used for, and why is it just a one-off, one year?

Ms PEAKE — Thank you for your question, Mr O'Brien. We are doing a lot of work with the education department to really develop up the resources which will be used both through schools and through the out-of-home care settings to provide that sort of advice to children and young people around their own sexual health. So that one-off money is really about the development of all of those materials.

Mr D. O'BRIEN — So is that not specifically directed at children in out-of-home care — it is broadly?

Ms PEAKE — It is, but it is for children in out-of-home care in all of the settings that those children would best access that information, so it is a combination of the materials being prepared and then the support to the workforces across schools and across out-of-home care settings to make use of those materials.

Mr D. O'BRIEN — Okay. Are you able to tell me how many incidents of sexual exploitation of children in out-of-home care occurred in the last calendar year?

Ms PEAKE — I am certainly happy to take that on notice, and I am happy to give you more information — and I am sure the minister would as well — about the sorts of strategies that we have been putting in place to really address sexual exploitation. It is an area where we have been doing a lot of work with Victoria Police to share intelligence and information about young people who are at risk of being exploited. The committee would be aware that young people who have experienced trauma and abuse are susceptible to being further exploited. We have been not only sharing that intelligence and information but taking very targeted actions to identify where there are perpetrators, to record their licence plates, so that there is then follow-up by Victoria Police to issue harbouring notices, and to take further steps with the young people — linked to your first question — to really understand the steps that they can take to protect themselves. The minister might want — —

Mr D. O'BRIEN — Thank you. If I could have that data on notice, that would be great.

Ms MIKAKOS — If I could add further to that — —

Mr D. O'BRIEN — Minister, you might be able to answer, but I might be pre-empting. Would the sexual exploitation of children be regarded as a category 1 incident?

Ms MIKAKOS — Firstly, if I could add further to the previous question that you raised, we take the issue of the sexual exploitation of children in care absolutely, extremely seriously. As incoming minister I was very aware of issues that had come to light through the media in 2014 around these issues. So in the first 100 days in office I announced \$16 million to increase the level of staff in our residential care units, increase the staff levels overnight, so we could provide greater safety to the children in our care.

We have built upon that in the budget this year. We have added \$35.9 million to increase the number of staff rostered overnight to keep kids safe, as well as funding safety plans. We are doing that while we are transforming residential care in the manner that I described to Ms Pennicuik earlier — moving to a clinically based model, where we are treating residential care as an intervention rather than a destination. So issues around category 1 — —

Mr D. O'BRIEN — Okay, Minister, I understand it is very important, but it is not actually the question I asked, so could I just go back to that? We have got limited time.

Ms MIKAKOS — Sure. I am happy to explain to you about the category 1s, if I may.

Mr D. O'BRIEN — Yes. So, would sexual exploitation be a category 1?

Ms MIKAKOS — I just want to add further that we also funded last year — —

Mr D. O'BRIEN — Minister, this is important, I understand that, but we have a limited amount of time, so could I just keep you to the question that I have asked?

Ms MIKAKOS — Sure. Category 1 incidents are the most serious types of incidents that are recorded by my department. They are in fact now being published on the website of the department for the first time. In fact, that information is being published on a quarterly basis, which is something that never occurred before. A critical incident report captures information about an unsubstantiated allegation of a significant event that involves or impacts upon a current client of the Department of Health and Human Services. That may capture issues around sexual exploitation.

We do take these matters seriously. What happens is there is always a very strong response to these matters. If there is an allegation that involves medical attention, if that is required, a report to police if it involves an allegation of physical or sexual abuse, and counselling and support is offered as well.

Mr D. O'BRIEN — So if police were called out to a facility, that would be a category 1, presumably?

Ms MIKAKOS — There is a requirement of agency staff to report to my department an incident occurring, and they are required to notify Victoria Police as well, yes. We work very closely with Victoria Police on these matters, as the secretary explained. We are not only issuing harbouring notices where a perpetrator can be identified, but there is a very strong commitment to ensure that everybody understands their obligations and meets them. The way we are ensuring that everyone meets their obligations is that I have introduced, for the first time, spot audits of our residential care units, which has never happened before — \$1.5 million was allocated to that in my first 100 days as minister. That involves the department going out and inspecting these units. They can go through the paperwork of the agencies and make sure that incident reporting has in fact happened and happened in a timely way. We have also funded staff within the department working directly with the agencies around these issues. Again, that is new staff dedicated to sexual exploitation that were never there before — one staff member in each division of my department. So there is a very robust response to these issues.

Mr D. O'BRIEN — Sure. Can I ask: in the case of police being called out, does that need to be recorded by the worker involved?

Ms MIKAKOS — There would be an incident report that would be sent from the community sector agency that would be managing the residential care unit to my department and that would provide details as to Victoria Police notification. There is absolutely an expectation that Victoria Police would be called out and be notified in every case of physical or sexual abuse.

Mr D. O'BRIEN — Does that information get reported to you then as well, Minister?

Ms MIKAKOS — The notification process is exactly the same as was the case under the former Minister for Community Services. Just in terms of the issue around the police and their involvement, I am not sure if the secretary wants to add something further in relation to that.

Ms PEAKE — No. As the minister has outlined, where there is a serious matter — so category 1s are where there has been an allegation of a serious harm to a child or young person, and certainly it would be rare that there would be a police call-out where that would not be the case — then those incidents, as the minister has stepped through, the agency reports to the department and those alerts come through to myself. They also come through to the minister in a consistent process.

Mr D. O'BRIEN — Great. Thank you.

Ms MIKAKOS — Mr O'Brien, I just want to add further —

Mr D. O'BRIEN — Sorry, Minister. I have got a lot to get through.

Ms MIKAKOS — that you need to see this in the context of the reform of residential care. As I said, we are mandating the upskilling of our residential care staff, which is something that we have initiated, and we are reforming what residential care will look like in the future as well.

Mr D. O'BRIEN — Thank you, Minister. Can I just go back to category 1 incidents. Has there been a change in the categorisation of what is a category 1 incident?

Ms PEAKE — There has not, no.

Mr D. O'BRIEN — No? No change at all in the last 12 months?

Ms MIKAKOS — No.

Ms PEAKE — No.

Mr D. O'BRIEN — You mentioned the data that you released just recently. There were 862 category 1 incidents from January to March. Would absconding from a residential unit be regarded as a category 1 incident?

Ms PEAKE — Yes. Certainly.

Mr D. O'BRIEN — Yes? Can you tell me how many have absconded in the period from July?

Ms PEAKE — No, I do not have that data in front of me.

Mr D. O'BRIEN — I am happy if you take that on notice, if you can provide it.

Ms PEAKE — I was just going to add, though, that that certainly has been one of the specific behaviours that we have been working very closely with police on in identifying young people who are absconding regularly and how we try and disrupt that behaviour and engage them more in their care placements.

The CHAIR — Secretary, just for the transcript's benefit, I think you nodded indicating that you were happy to take that question on notice from Mr O'Brien?

Ms PEAKE — Sorry, yes.

Mr D. O'BRIEN — Thank you, Chair. In the instance of either an absconsion — is that a word? I do not think that is a word; I am making up words — where there is a police report in that sort of situation, is a safe custody warrant generally issued?

Ms PEAKE — It would be the case that it would depend on the circumstances and how quickly the young person is identified. There may be a situation, for example, where there is a report through that a young person is missing from placement and then they contact their placement immediately, and so there is not a need for the police to be contacted or a safe custody warrant to be — they might have returned to mum and dad, or they might have been engaged with a friend and they have made contact with the unit on their way back. It is not as straightforward as every time there is a report of absconding a safe custody warrant is required.

Mr D. O'BRIEN — Can I perhaps just ask on that, and other stuff you have taken on notice, to get a list of safe custody warrants that were issued also from July last year?

Ms PEAKE — I am happy to have a look at what data we have available in that regard.

Mr D. O'BRIEN — That would be great. Thank you. How am I going?

The CHAIR — Twenty seconds, Mr O'Brien.

Mr D. O'BRIEN — Twenty seconds. I am not going to get anything further in on the next issue so I will leave it there. Thank you.

Ms WARD — Minister, in the time that you have been able to speak today, thank you, we have spoken about foster carers, and I know I mentioned this last year and I am going to mention it again: I have had a lot of foster carer parents come and speak to me about how they do feel undervalued and they feel they do not often get the support that they need. They do recognise the work that has been done over the last 18 months, for which I am quite grateful. But we do know that they are among the lowest paid in the country. So how is the government listening to these concerns and what support is being provided to these people that just do amazing work?

Ms MIKAKOS — Thank you, Ms Ward. I absolutely agree with you that they do do amazing work and I referred to that earlier. It is very difficult to make interstate comparisons, because we offer things like targeted care packages and other supports which are not directly comparable with payments and supports of other jurisdictions. But the point that I do want to make is that in our first budget last year we allocated \$31.3 million over four years for carer payments, and this was the first increase in a decade for our home-based carers. That has benefited both foster carers and kinship carers as well as our permanent carers. At the base level of payments, the vast majority of our carers have received in excess of \$1000 additionally a year. But we are also providing in our budget this year \$34.1 million to boost the number of foster and kinship carers as part of our \$168 million investment in the road map and \$16.2 million in this year's budget for specialised support for our most complex cases of children and young people in home-based care who have experienced trauma or abuse so we can provide that additional training to carers to prevent placement breakdown.

I established a ministerial advisory committee into out-of-home care in my first 100 days, and that committee is made up of community sector experts but it also includes representatives from the foster care and kinship care communities. I have held round tables with foster carers. I have heard about the impact that our targeted care packages are having. We announced \$43 million early last year and then late in the year there was another \$19 million. These targeted care packages are supporting our foster carers as well. I would like to give you one example just so that you can really understand the tangible difference that that is making. There was one young boy who was nine years of age. He did not speak. I believe he was on the autism spectrum and had other disabilities. The boy was in residential care for two years, had not spoken during that time; he was placed with a foster care family and within three months the child started to speak — a nine-year-old boy. So these targeted care packages are having an amazing impact on the lives of these children.

Ms WARD — Does that also include working with foster parents to give them extra skills?

Ms MIKAKOS — Yes. So what that package meant for that particular family and those carers was additional support for things like respite care, training so that they could work and support that young child to make sure that he has every opportunity in life. It has been, I guess, life transformative for that particular child, and I think that these are the kinds of outcomes we want to replicate across the out-of-home care system.

So we are doing a lot to support our home-based carers and our foster carers. I have met a boy who did go into various placements. He is now an adult. He shared with me in one forum that I attended how he had been in 40 foster care placements in his time. He had attended 15 different schools. This is absolutely unacceptable. This is why our government is committed to supporting our carers to ensure that placements do not break down and that we can provide greater stability for children.

Ms WARD — Thank you. I know that in talking to foster parents they have spoken to me about their concerns about children in residential care, but we have already touched a bit on that. But what I would like to know is the residential care workforce and how issues around their training are being addressed and what is being implemented in terms of regarding the transition to mandatory qualifications.

Ms MIKAKOS — Thank you, Ms Ward, for that question. As I have been explaining, we are absolutely determined to reform our child protection out-of-home care system through the *Roadmap for Reform*. It was shocking to me to be informed that there had been a survey in 2014 of our residential care workforce and that about one-third of the staff had no relevant qualifications. So Minister Herbert and I announced just a few days ago that we are providing up to \$8 million for vocational training, with all our residential care workers required to have a minimum relevant qualification by the end of next year.

Ms WARD — So these would be mainly TAFE courses?

Ms MIKAKOS — Yes. The expectation would be they would be able to access that funding to attend TAFE and obtain a relevant qualification so that they are equipped with the appropriate skills in supporting some of our most vulnerable children in our community, and that is part of the transformation of residential care.

Ms WARD — When will it be mandatory for them to have those skills?

Ms MIKAKOS — We are aiming to require all our residential care staff to have the necessary minimum qualifications by the end of next year. I am mindful of course that there might be staff who might be away on maternity leave or have other extenuating circumstances that might mean that it might be difficult for them to, you know, skill up in that time frame. But I would be aiming for the overwhelming majority of our workforce to have the relevant qualifications by the end of next year.

Ms WARD — And how is the department encouraging staff to take up that additional training?

Ms MIKAKOS — We are working closely with the Centre for Excellence in Child and Family Welfare as the peak body representing community sector agencies who provide residential care services. We will be working closely with them and all the affected agencies as well as workforce representatives — that is, their appropriate union, the ASU — to ensure that we can encourage our workforce to take up these opportunities as quickly as possible. They are very enthusiastic about this particular announcement, I should add — very positive feedback to date. We will be working closely with them to make sure we can utilise this funding and get the upskilling of the workforce happening quickly.

Ms WARD — Fantastic, thank you. Now we also know that residential care units can be an issue, especially in terms of maintenance and needing repair. This has been a problem that has been around for a while, I believe, and the Commission for Children and Young People last year actually highlighted this as a problem. In budget paper 3, page 17, there is reference. How does this help? What is the money that is involved in assisting this repair work that needs to be done to these units?

Ms MIKAKOS — Thank you very much, Ms Ward. The government is investing in the redesign and renovation of out-of-home care properties to address quality and safety concerns. And I should point out that there were also concerns raised by the Commission for Children and Young People last year, and to address them we are going to be improving the physical state of these facilities and in turn improve the safety and wellbeing of the children and young people who reside in these services. So the budget this year committed \$11.7 million over two years for the renovation, redesign, renewal and maintenance of residential care properties. We want to make sure that these properties are in fact homes, that they can be providing as homelike an environment as possible. As I said, we are looking at transforming what residential care will look like into the future. It will be a clinical model providing more intensive support for young people with the aim to get them into home-based care sooner.

Ms WARD — Thank you. Now you have also talked about residential; there has been reference to residential care being a clinical treatment model. What are the benefits of spending money on uplifting this type of model?

Ms MIKAKOS — Ms Ward, I — —

Ms WARD — This existing model of care.

Ms MIKAKOS — Yes, look, I think we need to ensure that children and young people in our care have every opportunity to thrive and lead fulfilling lives. Last year the Deputy Premier and I worked very closely on his announcement of the LOOKOUT schools to make sure that children in out-of-home care are able to get a good education. We are wanting to make sure that if young people need to go into residential care, that they do so for short interventions and then, not any destination, go into home-based care. So it will be social workers, mental health professionals and others providing the intensive support to those young people in residential care but, as I said, ultimately with the objective of having them go into home-based care if that is possible.

Ms WARD — Thank you, Minister, and I have to say I am very grateful for the respectful way with which you have spoken to and about foster carers and the amount of time that you have taken to listen to them and implement some policies that are making a real difference, which they are recognising, which is fantastic. Thank you.

Ms MIKAKOS — Thank you very much.

Mr D. O'BRIEN — Minister, budget paper 3, page 251, outlines youth justice custodial services, but you also released some data just in the last couple of days which indicated the number of assaults for the first quarter of this year within youth justice was 23. Yet the number of assaults for the entire 14–15 year was 22. I am just wondering what the explanation for that fairly dramatic increase in assaults might have been.

Ms MIKAKOS — Sure. Thank you for that question. As I explained earlier, our government has decided to publish quarterly data of category 1 incident reports on the department's website for the first time. The data that you are referring to has been on the website now for a period of time, and it relates to the first quarter of this year. If you look to the explanation on what is actually up on the website — I think it might be useful if I perhaps read straight from that to give you the context.

Mr D. O'BRIEN — If it answers what the reason for the increase is.

Ms MIKAKOS — It absolutely does respond to your question, and I quote as follows:

Following public hearings at the Royal Commission into Institutional Responses to Child Sexual Abuse, a practice change occurred in mid-2015 that has resulted in all youth justice clients being asked about events prior to being admitted to custody. Following this practice change, there has been an increase in the number of assault incidents reported. These incidents are alleged to have occurred prior to clients entering the custodial setting.

I want to emphasise that our category 1 incident reports, whether they are in relation to children in out-of-home care or in a youth justice custodial setting, do capture information about assaults, whether a physical or sexual assault, that may have occurred before the child came into the state's care but it happens to be that it is reported whilst the child is in the state's care, and therefore it gets captured in category 1 data. I am familiar that we have had situations where children have been in out-of-home care, for example, and have reported a historic incident of sexual abuse by a family member. That does get captured in a category 1. It might give the impression that it is something that has occurred whilst they are in out-of-home care, but it is actually a historic incident.

Mr D. O'BRIEN — Okay. I understand that, Minister.

Ms MIKAKOS — That is a very significant change, because we have heard from the federal royal commission. We have had people who have been in youth justice custodial sentence historically who emphasised that they ran away because they were being abused, and when they came back no-one asked them why they ran away. So we need to make sure that these issues are addressed on a young person coming into the state's care and that these historic issues are able to be questioned and be addressed through that process.

Mr D. O'BRIEN — Minister, that makes it a little bit difficult then to compare what is actually happening in youth justice centres given your explanation, but can you tell us whether there were any additional assaults as a result of the Parkville riots during the first three months of this year? Sorry, the one in March I am talking about.

Ms MIKAKOS — Sorry. Whether there were — —

Mr D. O'BRIEN — Whether any of the assaults that have been reported would have been as a result of the Parkville riot in March.

Ms MIKAKOS — Thank you for that question. My understanding is that there were no serious injuries arising from that particular incident —

Mr D. O'BRIEN — Assaults is what I am asking about.

Ms MIKAKOS — so I would need to take it on notice if there is more we can add in relation to that particular query that you have.

Mr D. O'BRIEN — Thank you.

Ms MIKAKOS — But I am advised that there were no WorkCover claims in terms of impacts on staff.

Mr D. O'BRIEN — If you could take these on notice too. Of the incidents that have been reported, were they all individual or was it, say, for example, two inmates 11 times over or whatever.

Ms MIKAKOS — In relation to the data published for the first quarter?

Mr D. O'BRIEN — Yes.

Ms MIKAKOS — You mean the group, the totality you are referring to?

Mr D. O'BRIEN — Yes. That is right. The totality, and I would appreciate anything that might have been before that went into youth justice may well not be able to be reported. I understand that.

Ms MIKAKOS — I just want to be clear, Mr O'Brien, on your question. So you are asking whether the category of assaults published online by the department, whether they were single incidents or whether they were — —

Mr D. O'BRIEN — It will be of interest if 23 assaults were one person or if it was 23 people. That is the breakdown I am after.

Ms MIKAKOS — I see. Okay. I understand.

Mr D. O'BRIEN — And likewise while you are it, what the types were, so whether it was inmate to inmate, inmate to staff or if it was, as you have mentioned, perhaps prior to going into youth justice. If we could have that on notice as well, that would be good. Minister, that data is good, and we have got that for this quarter. Could I ask if you could provide the breakdown of category 1 incidents for July to December last year?

Ms MIKAKOS — I made a commitment that we would begin to publish quarterly data from the start of this year. In fact it is something that I will be legislating for; we will be changing the legislation to make it a requirement of future governments to similarly publish that quarterly data. This is because we are committed to transparency. Not only am I going to be legislating that — —

Mr D. O'BRIEN — Based on the transparency then, can we get July to December as well?

Ms MIKAKOS — Yes. If I can just finish, Mr O'Brien. We have also legislated recently to require these category 1 incident reports for the youth justice custodial settings to be sent to the Commission for Children and Young People for the first time. That was not something that was required to occur previously. We are making sure that there is independent oversight of these incidents as well through the Commission for Children and Young People.

Mr D. O'BRIEN — I appreciate that, Minister. I am happy to take it on notice, but could we get the July to December figures as well?

Ms MIKAKOS — I am happy to provide what information we can to you in relation to these matters. But I make the point that this quarterly data was not published before.

Mr D. O'BRIEN — Sure. I understand. Minister, do you know if any of the 23 incidents that have been referred to here involved any youth gangs, particularly the Apex gang?

Ms MIKAKOS — You are referring to the totality of the assault numbers.

Mr D. O'BRIEN — The figures that have been reported. Yes.

Ms MIKAKOS — No, that is information that I do not have at hand, because that is a range of incidents there that you are referring to over a three-month period. Are you referring to a specific incident or just the totality?

Mr D. O'BRIEN — No. I was just asking if you know if any of those incidents that have been reported were gang related or by members of the Apex gang?

Ms MIKAKOS — That is not information that I have at hand. But I do make the point, Mr O'Brien, that Mr Ian Lanyon, who is the director of secure services, has stated publicly in relation to these matters that it is our preference not to refer to these community affiliations. In fact there was a member of Victoria Police just quoted in the paper on the weekend I noticed making a similar comment about, I guess, the legitimisation of using that language in terms of the minds of some of the young people involved and whether we are giving

them extra kudos by referring to that terminology. I think it is incumbent on all of us to be responsible about not encouraging young people to be claiming particular affiliations, which in some cases they may not even have, because they do see it as something prestigious to refer to that particular affiliation.

Mr D. O'BRIEN — I take that as read. I understand there are issues with it, but perhaps if I could ask the secretary, because police have identified that there is some suggestion that there has been gang recruitment going on through out-of-home care. Can the department confirm any of that information?

Ms PEAKE — We are working really closely with Victoria Police. In fact what has been identified is that there is not an association in gang activity, a strong activity, in out-of-home care. So, for example, of the youths that identified as associated with particular gangs around the Moomba riots, none of them were living in out-of-home care. The work that we are doing with Victoria Police is really focused more broadly on the young people who are at risk of being involved in youth crime as opposed to there being evidence that there are young people in out-of-home care involved in gang activity.

Mr D. O'BRIEN — So there is no evidence to suggest that gangs are actively going to residential centres to try to recruit members?

Ms PEAKE — Certainly what we are identifying is that young people who are in out-of-home care are vulnerable to being drawn into associations with groups of young people but not gangs.

The CHAIR — Order! The time has expired. I would like to thank the witnesses for their attendance: the Honourable Jenny Mikakos, MLC, Minister for Families and Children, Ms Peake and Mr Wallace. The committee will follow up on any questions taken on notice in writing. A written response should be provided within 14 calendar days of that request.

Witnesses withdrew.