

LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY

WRITTEN QUESTION

Mrs Finocchiaro to the Attorney-General and Justice:

**Annual Report – Department of the Attorney-General and Justice**

1. What was the total spend by the Department of Attorney-General and Justice for the Royal Commission and Board of Inquiry into the Protection and Detention of Children in the Northern Territory during the time period covered by the 2016-17 annual report?

The total cost was \$6,509,000. The cost includes employee costs, external legal expenses and purchase of goods and services.

2. What consultations were undertaken by the Department of Attorney-General and Justice prior to the introduction of Regulation 5AB of the *Liquor Regulations* (repealed) in January of 2017?

Nil by the Director-General of Licensing or by Licensing NT.

3. How much money was expended on outside legal and other professional advice in relation to the matter that Endeavour Drinks Group filed and later dismissed in the Federal Court of Australia?

Total expenditure for external legal counsel was \$86,240.72

4. How many lawyer hours have been spent dealing with Regulation 5AB of the Liquor Regulations, the Federal Court matter filed by Endeavour Drinks Group, the drafting and passage of the *Liquor Legislation Amendment Act* and the *Liquor Amendment Bill 2017*?

A total of 610 lawyer hours were recorded.

5. At any time in 2016-17 did representatives, staff or contractors of the Department of Attorney-General and Justice meet with representatives, staff or contractors of AHA (NT) and, if so, what was the nature and subject matter of those meeting(s)?

Representatives from Licensing NT have met with the AHA and other industry representatives as one of multiple stakeholders in forums such as liquor accords and late night licensee meetings on several occasions during the reporting period.

6. What was the total funding for the Aboriginal Justice Unit in 2016-17?

The ATSI Justice Unit was established in quarter 2 of 2016-17. Expenditure for 2016-17 totalled: \$0.478 million.

Personnel	\$0.452 m
Operations	\$0.026 m
Total	\$0.478 m

7. What were the results of the KPMG independent review into the Director of Public Prosecutions and when will those results, along with the suggested changes and improvements, be completed?

The final report was delivered on 7 November 2016 and distributed to staff on 14 November 2016.

In consultation with staff an implementation plan was developed and outcomes of the review will be implemented in the 2017-18 financial year and beyond.

Prior to the finalisation of the implementation plan the Director of Public Prosecutions (DPP) had progressed with issues identified in the review prior to its commencement. Such issues included the amalgamation of the Darwin registries, updating of the CaseNet system to allow of enhancements so that staff were able access information on reasons for engaging external counsel, provision of additional administrative support to summary prosecutors in Alice Springs and Katherine, and work with AGD ICT division on the development of the electronic brief.

The implementation plan includes the development of two working groups to look at:

1. Organisational structure and
2. Organisational communication.

Nominations from staff for development of two working groups were sought on the 10 February 2017. Both groups are in the finalisation phases of providing the DPP Review Oversight Committee with their final reports. It is expected that final reports will be delivered in the third quarter of 2017/18.

Other issues identified in the KPMG report such as staff turnover, review of induction process and training form part of the DPP Implementation Plan and DPP Business Plan and are reported via AGD.

8. What was the total cost of the re-implementation of the Banned Drinker Register (“BDR”) under the *Alcohol Harm Reduction Act 2017*, including technology and implementation costs?

The implementation of the BDR was undertaken in a staged approach from August 2017, in regional areas, with scanning devices becoming operational in all off premise licence venues (with the exception of those exempt) on 1 September 2017.

The expenditure associated with the implementation of the BDR in 2016/17 \$0.989M. The expenditure from 1 July 2017 to 30 November 2017 was \$1.444M.

9. What consultations, if any, were undertaken with stakeholders prior to the re-introduction of the BDR to the Parliament in May of 2017?

The key industry peak bodies were all engaged during the development and implementation of the BDR, including AHA NT, Clubs NT and Liquor Stores Association NT. In addition all licensees who held off premises liquor licenses were also engaged during that time.

10. What is the reason that only 59 per cent of eligible prisoners participated in Sentenced to a Job, against the budgeted 85 per cent and what is being done to ensure that the target of 85 per cent is reached in the next year?

The Sentenced to a Job (STAJ) program did not reach the budgeted outcome of 85% of eligible prisoners participating owing to the low numbers of prisoners who had achieved the "Open" security classification.

Departmental directives only allow prisoners who have attained the "Open" classification to participate in the STAJ Program. Community safety is paramount and stringent assessments are conducted, taking into account the prisoner's behaviour, length of sentence, sentence type and completion of clinical programs before a prisoner is considered eligible for either a volunteer or paid employment position on the program.

11. Is a Certificate II in Hospitality the only certificate level VET training available to prisoners in work camps and are there any plans to make additional certifications available?

The Certificate II in Hospitality undertaken in the Barkly Work Camp is the only certificate level course offered in the work camps to date. Corrections is working with the Batchelor Institute of Indigenous Tertiary Education to offer more nationally recognised skill sets to prisoners.

Nationally accredited short courses are offered in the Work Camps including the White Card, Outdoor Power Equipment and Chainsaw Operations. These are offered regularly throughout the year and delivered through local providers.

12. How many VET programs were available to adult prisoners in the Alice Springs Correctional Centre and the Darwin Correctional Precinct at the end of the reporting period and what were those programs?

For the reporting period 1 July 2016 to 30 June 2017, 12 VET programs were available to prisoners in the Darwin Correctional Centre and eight VET programs were available to prisoners at the Alice Springs Correctional Centre.

These programs were:

Darwin Correctional Centre:

1. Certificate I in Agri-food Operations
2. Certificate II in Horticulture
3. Certificate I in Engineering
4. Certificate II in Resources and Infrastructure
5. Certificate II in Kitchen Operations
6. Certificate II in Health Support Services
7. Certificate I in Visual Arts
8. Certificate I in Access to Vocational Pathways
9. Certificate II in Skills to Vocational Pathways
10. Certificate II in Family Wellbeing
11. Operate Forklift truck
12. White Card

Alice Springs Correctional Centre:

1. Certificate I Visual Arts
2. Certificate II Visual Arts
3. Certificate I in Access to Vocational Pathways
4. White Card
5. Certificate I in Engineering
6. Certificate II in Kitchen Operations
7. Certificate I in Food Processing
8. Certificate I in Construction

**Annual Report – Director-General Licensing**

1. At any time during the past 18 months, did the Director-General of Licensing undertake any consultation, with any party public or private, concerning a 400 square metre restriction on the floor space of off-license liquor outlets?

The Director-General of Licensing has advised: No.

2. If the answer to question 1 is yes, what consultations—and with what parties—were undertaken prior to the introduction of Regulation 5AB of the *Liquor Regulations* (repealed)?

Not applicable.

3. What communications or consultations, if any, has the Director-General of Licensing had with the AHA (NT) during the time period covered by the Annual Report and what were the topics of discussion in those communications or consultations?

Representatives from Licensing NT, including the Director-General, have met with the AHA and other industry representatives as one of multiple

stakeholders in forums such as liquor accords and late night licensee meetings on several occasions during the reporting period.

4. Did Dan Murphy's, Endeavour Drinks Group, Woolworth's Ltd or any other party acting on their behalf apply for an off-premises liquor license or the transfer of an existing liquor license during the time period of the report and, if so, why is it not listed in the report?

An application was lodged in December 2016 by Woolworths Ltd for the substitution of premises for an off premise liquor licence.

No decision was made that was reportable in the Annual report.

5. Does Dan Murphy's, Endeavour Drinks Group, Woolworth's Ltd or any party acting on their behalf currently have a pending application for a liquor license or the transfer of a liquor license and, if so, what is the status of that application?

No.

6. How much money was spent by the Director-General of Licensing on outside legal or other professional advice concerning the 400 square metre floor space limit that was introduced through Regulation 5AB of the Liquor Regulations and later enshrined in the *Liquor Legislation Amendment Act*, which was passed on 22 June 2017?

\$2,200 was expended by the Director-General in seeking independent legal advice concerning Regulation 5AB of the Liquor Regulations.

7. One liquor license was suspended and 2 others were issued a monetary penalty or infringement notice in 2016-17, what was the identity of those licensees and what were the investigation findings leading to those penalties being imposed?

Ford Dynasty Pty Ltd- trading as Lasseters was dealt with for a breach of section 102 of the *Liquor Act* - Prohibition of sale or supply of liquor to person who is drunk. Penalty: Suspension of licence to operate the CashahBar, being part of licence number 80103004, for a period of two days. This penalty was suspended for a period of 12 months.

Tropics Holdings Pty Ltd trading as Monsoons was dealt with for two separate breaches of section 121 – Fail to remove a drunk person from licensed premise. Penalty: Infringement notice penalty of \$770.00 in each instance.

8. What was the total amount spent on Compliance and Enforcement operations in 2016-17?

The total, including personnel related expenses for compliance and enforcement across the liquor, gambling and associations portfolios was \$3,756,619, which includes \$1,465,300 of Commonwealth funding for liquor related compliance.

9. Totalisator licensing wagering revenue decreased by nearly \$16 million, how does the department account for that drop in turnover?

Totalisator wagering has been observed to decline in line with a growth in fixed odds wagering.

10. What is the total number of electronic gaming machines in operation in the Territory as of the date of the annual report and by how many new machines have been added since 1 September 2016?

The Annual Report provided reported that a total number of 1729 machines had been approved for operation across the Northern Territory during 2016-17. However only 1480 machines actually operated during that period.

Since 1 September 2016, five gaming machine licences have been issued that authorise 105 machines to operate.

### **Annual Report – Commissioner for Information and Public Interest Disclosures**

1. The 2015-16 annual report showed Disclosures by Type as a percentage. This year's report shows Disclosures by Type as a number which makes it difficult, at least initially, to compare the two years. Interestingly, the largest type of disclosure 'Other forms of dishonesty' accounts for 39% of all types in both years. Can you please explain what this category covers?

There are categories of 'improper conduct' that are specifically defined in section 5 of the *Public Interest Disclosure Act* (the PID Act). These include bribery, inappropriate bias and misuse of confidential information. The category in the annual report titled 'Other forms of dishonesty' broadly covers other types of dishonest conduct that do not fall within the specified categories in section 5 of the PID Act e.g. stealing, criminal deception and abuse of office.

2. 57% of all disclosures were made by public servants. Can you please advise the top three Agencies, the number and type of disclosures for each where these public servants were employed?

The Commissioner for Public Interest Disclosures has advised me as follows:

*The Commissioner has strong concerns about identifying agencies in this response.*

*Section 53 of the PID Act contains strong confidentiality provisions to ensure that the investigation and reporting process is a confidential one, primarily to protect disclosers. For this reason, there is no legislative requirement to specifically identify agencies in the annual report. Instead, section 48(2) of the Act prescribes the details about disclosures and investigations that must be included in the Annual Report.*

3. The estimated number of FOI complaints in 2015-16 was 20 and the actual number was 43. The estimated number of FOI complaints in 2016-17 was 20 and the actual number was 35. It is noted the estimated number of FOI

complaints for 2017-18 is again, 20. Are the number of complaints expected to continue to decline and if so, what is the reason for this?

The Commissioner for Public Interest Disclosures has advised me as follows:

*It is difficult to accurately estimate the number of FOI complaints that this Office is likely to receive during any reporting period.*

*Between 2013-14 and 2016-17, an unusually large number of complaints from two complainants were received and completed. This resulted in an increase in the number of FOI complaints handled during that period but no clear view that the increased complaint numbers will continue into the future. This issue is being closely monitored and if complaint numbers in 2017-18 remain high, the current estimate of 20 will be adjusted.*

4. Please explain why the number of training sessions has reduced from 27 to 10 and a corresponding number of participants has reduced from 446 to 321 in the past year. With the high turnover of public servants, shouldn't training remain at an optimum level?

The Commissioner for Public Interest Disclosures has advised me as follows:

*The current estimate of 400 participants is being reconsidered as it does not tend to reflect what is reasonably achievable by the Office within current resourcing. While the number of presentations may fluctuate for many reasons (such as the relevance of a specific topic to a wider audience or the location of the agencies seeking training), annual participation numbers normally range between 250 and 320.*

*Training numbers increased to 446 in 2015-16 for two main reasons. Various amendments to the Information Act meant that general training was more relevant to a larger number of public officers across the NT. Further, the Office undertook a specific privacy initiative targeting the needs of remote and regional areas that lead to an increase in the number of sessions and participants. Such an initiative is not feasible every year under current resourcing as complaints management and the provision of timely policy advice of agencies would be compromised.*

5. It is noted the number of policy hours has also reduced significantly, from 708 to 464 and yet the estimate for both years was 650. Please explain the reason for this. It is noticed that the 708 figure in 2015-16 was unusually high. Advice on privacy and other issues is generally provided to Agencies upon request so the accuracy of time estimates depends on the types of initiatives being developed by organisations and the extent to which this Office is approached for assistance.

The Commissioner for Public Interest Disclosures has advised me as follows:

*In 2015-16 there were a large number of proposed initiatives that raised privacy issues (such as the proposed Sex Offender's Register) and the Office received a significant number of requests for advice or comment. Further, the Office*

*conducted detailed privacy audits of four large agencies which significantly increased the number of policy hours undertaken.*

*During the early months of 2016-17, the number of requests for policy advice was reduced, with many organisations concentrating on machinery of government changes and the early development of new initiatives proposed by the new government. This reduction in requests for policy advice may be reflected in our statistics for the 2016-17 reporting period.*

*The current estimate of 650 hours for policy advice will be reviewed and adjusted at the end of the current reporting period if it appears to be too high.*

### **Annual Report – Community Benefit Fund**

1. The Community Benefit Levy (10% of player losses) raised \$11m in financial year 16/17. What threats exist to predicting a similar level of revenue from the Community Benefit Levy into the future?

There would be a reduction in revenue flowing to the CBF if there were to be a decrease in player losses.

2. How will the CBF review impact Somerville Community Services given that it received \$354,397 for its problem gambling service?

The Review is looking at improving efficiencies for the CBF. Adequate funding will be allocated to the organisations who provide education and amelioration services to support those experiencing harms from gambling, including those provided by Somerville Community Services.

3. How can one explain the drop in numbers approved from 97 in 14/15 to 57 in 16/17?

The fourth round of the 2016-17 year was not determined until after the reporting period.

4. Why was there such a fall from the amount approved in 14/15 of \$6.5m to \$3.6m in 16/17?

The fourth round of the 2016-17 year was not determined until after the reporting period.

5. How does the NT Field and Game website cost \$10,000 but the MyFuel NT website cost over \$250,000 per year?

Questions regarding the Northern Territory Field and Game Association Incorporated website should be addressed to that organisation.



6. When was it decided that the CBF grants system should be reviewed? How many groups were consulted? What advertising was commissioned in relation to this review?

The review was requested by the Minister in August 2017. The Minister met with the Community Benefit Committee to consult with them regarding the review. No advertising has been commissioned.

### **Annual Report – Community Justice Centre**

1. There was a significant amount of information in the 2015-16 report that is missing from this year's report, such as the activities of the Community Justice Centre (CJC). Is there a reason for this?

The format of the Community Justice Centre Annual Report has changed to provide more succinct and structured information regarding the inputs and outputs of delivering effective and efficient mediation services; while also highlighting the key achievements and challenges.

In 2015-16 the Community Justice Centre experienced a full turnover of staff. This presented difficulties for Centre staff to understand and reasonably report on outcomes for the reporting period. It was decided that the 2015-16 Annual Report would be based on the format provided previously and contain information that could easily be extracted from the system.

2. It is difficult to compare CJC statistical information across the 2015-16 and 2016-17 annual reports. The number of dispute resolution files opened in 2015-16 was 445. The wording used in this year's report is different; regardless, it does appear that the number of new cases is significantly less. Please confirm the total number of new cases in both 2015-16 and 2016-17.

It has been determined that statistical information relating to 'dispute resolution files opened' in the 2015-16 Annual Report is not representative of the volume of actual cases opened by the Centre in the reporting period.

The number provided in 2015-16, being 445, reflects occurrences where the Centre has not been able to assist, these include:

- making an inquiry, but not relating to services offered by the Centre
- making an inquiry, but subsequently been referred to another service
- making an inquiry, but declined any assistance of the Centre

On further investigation of the data and the subsequent removal of the aforementioned instances the number of cases opened by the Centre in 2015-16 was 230. These cases are defined by the following parameters:

- the case involved two or more participants
- the case involved issues that were assessed as appropriate to mediate
- the case followed a process where people were invited to voluntarily participate

Applying the same definition to the data in 2016-17, the number of cases opened was 190. While this is less than the previous reporting period, the Centre did experience significant challenges through the full turnover of staff.

3. Are you able to explain why the number of cases referred to CJC in 2016-17 was considerably lower than the previous year?

As stated in response to question 2, the datasets between 2015-16 and 2016-17 are not comparable.

The definition previously applied to 'cases referred' or 'dispute resolution files opened' included matters where the Centre was not able to provide a meaningful level of assistance to the community through the process of mediation.

4. Can you please explain the current referral process?

The Community Justice Centre has a range of referral processes that are determined by the dispute context and the requirements of the referring authority.

At present a matter may be referred by the following means:

- the public may approach the service for assistance in-person, by phone or via email
  - a matter may be referred by a Court
  - a matter may be referred by a community organisation / association
  - a matter may be referred by a government authority.
5. Please explain why the results of the Client Satisfaction survey, which the 2015-16 report states is provided to parties during the intake phase by the Community Justice Centre, does not appear in this year's report.

A voluntary client satisfaction survey is provided to parties at the end of the mediation process. In 2016-17 the return rate of surveys was 8%. It was determined that this limited sample could not be relied upon to accurately reflect the overall satisfaction rate of participants in mediation.

However, based on the sample, the percentage of clients satisfied with the services offered by the Centre was over 85%.

6. This year's report did not detail any regional highlights or provide any statistical data by region. Can you please advise if the complexity scores recorded in the Central Australia region are still notably higher than those in the Top End?

The analysis of complexity scores for both Central Australia and the Top End did not identify a vast difference in the overall complexity of matters between the two regions managed in 2016-17. It was further identified that the results

for 2015-16 indicated the same limited variation; this would not be considered “notably higher”.

The complexity of matters in Central Australia and the Top End scored an overall average of 1.38 and 1.18 respectively; placing matters in both regions within the range of standard to moderate in complexity.

7. The 2015-16 report indicated the need for expert mediators with advanced knowledge, skills and ethical understanding, given the absence of a permanent office in Alice Springs. Have any such appointments been made as yet in Central Australia?

It is not supported that matters in Central Australia are vastly more complex than those experienced elsewhere. On this basis, it has been determined that the panel of mediators currently appointed in Central Australia is sufficient in skill, knowledge and local understanding to manage those matters referred.

At times where it is identified additional skill, knowledge and experience is required the Director may travel from Darwin to assist.

8. It is noted that the number of cases being referred regarding antisocial behavior has increased by 8%. Are you able to explain the reason why the cases in this dispute environment have increased by this degree?

The increase in matters relating to antisocial behaviours can be attributed to the improved relationship between the Community Justice Centre and the Local Court for the referral of Personal Violence Restraining Order matters.

### **Annual Report – Community Visitor Program**

1. It was difficult to compare statistical data across the last two years in the overview sections as there was far more data presented in this year’s report, which is an indication of improvements in the administration of the Program. However, it is noted that the spikes in cases were in 2012-13 and 2015-16 with a reduction in 2013-14 and a smaller reduction in this last year. Is there any data available that may explain the reasons for this?

The data in the overview sections can be compared across the last three years by reference to the appendix (data table) in each of the reports.

The first significant spike in cases occurred in 2013-2014. This was principally due to the receiving of enquiries and complaints under the (now repealed) *Alcohol Mandatory Treatment Act*.

There was a decrease in overall complaints and enquiries in the mental health field in 2014-2015 (this is most easily understood visually by referencing the historical chart in the Community Visitor Program (CVP) *Annual Report 2015-2016*). There is no clear answer to this reduction in cases.

## **Mental Health**

Quotes used in the report:

*Notes on reading the Annual Report:*

*'Quotes' used in the Annual Report faithfully represent the issues and matters raised by people in facilities. They are not intended to be read as direct, word for word statements. By including the 'quotes', the CVP does not imply that there were errors or failings in the service in response to any matters raised or represented.*

*The CVP notes that the Annual Report does not raise all issues that arise over the course of the year. Some serious matters are not reported on for confidentiality reasons or in the interests of fairness to the services overall.*

2. Some of the quotes used in the report are disturbing. Rather than just referring to these quotes as faithfully representing the issues and matters raised by people in facilities, can you please explain where these quotes are recorded and how the selection of these quotes for publication in the annual report is decided?

The 'quotes' used in the report are recorded in the CVP's electronic case management database, Resolve. The case or visit number from which the quote is derived is included as a reference. Quotes are selected based on the commentary that is made in each section in the report that relates to case and visit data analysis.

It is acknowledged that some quotes are disturbing, however the quotes represent the voices of consumers and people affected by the relevant legislation.

3. Page 19 of the report shows there were 227 seclusion events in the Territory with a breakup of 94 adults and 7 children. Can you please explain this discrepancy?

Some individuals experience more than one seclusion event during their admission. The total number of people (adults and children secluded) is therefore less than the total number of seclusion events.

4. It is noted that the following recommendation has been open since 2006: *That a comprehensive accommodation and support model is developed, adequately resourced and provided in the Top End of Northern Territory.* There are obvious measures being adopted to place long term residents in community accommodation while waiting for the accommodation and support model to be developed. However, can you please explain the current process and also the number of long term residents that were successfully placed during 2016/17?

**Response provided by the Department of Health:**

Since this recommendation was made in 2006 TEMHS has worked with the Department of Health (DoH) and Top End Health Service (TEHS) to ensure that a wider range and capacity of supported accommodation is available.

Contractual arrangements with non-government organisations ensure that there is community supported accommodation to service acute mental health need; and step-down facilities to provide services to people on discharge from hospital.

A five bedroom house currently provides 24-hour high-level supported accommodation for mental health clients who have complex needs. There are currently three residents, with one transitioning to this accommodation; and one resident recently moving out.

National and local level discussion around twenty four hour supported accommodation for mental health consumers continues. TEMHS continues to actively participate in dialogue around how to ensure appropriate and effective accommodation can be found for consumers.

5. Can you please advise the number of long term residents that are currently being placed in hospital accommodation while waiting for appropriate community accommodation?

**Response provided by the Department of Health:**

There is currently one long term client who is waiting for appropriate community accommodation. Transition to the community accommodation has commenced and all relevant services are engaged to facilitate and monitor the transition.

6. It is noted that the following recommendation has been open since 2007: *That the Mental Health Service ensure that interpreters are present at assessment for all consumers whose first language is not English. It is further recommended that interpreter assistance is then arranged for all further assessments and to assist the consumer at any hearing before the Mental Health Review Tribunal.* Can you please advise the proportion of those consumers whose first language is not English who are not currently provided with an interpreter at assessment and at any hearing before the Mental Health Review Tribunal?

**Response provided by the Department of Health:**

TEMHS does not currently keep interpreter data. The Aboriginal Interpreter Service (AIS) maintains data on interpreter bookings, this includes the availability of interpreters and the language groups.

TEMHS Aboriginal Mental Health Workers work closely with the Aboriginal Interpreter Service to make arrangements for interpreters to attend the Inpatient Unit for assessments and the Mental Health Review Tribunal.

Interpreters are normally present at MHRT hearings, individual cases are adjourned if an Interpreter is not available. Culturally and linguistically diverse (CALD) Interpreters are normally available via telephone.

7. Please provide a breakdown of the particular languages for which interpreters cannot be found.

**Response provided by the Department of Health:**

Top End Mental Health Service, Mental Health Inpatient Unit does not maintain data on specific language groups that are not available. Aboriginal Interpreter Service maintains records pertaining to request for interpreters and should have the details relating to the number of interpreters for each language.

8. What measures have been put in place to date to progress the placement of interpreters at these assessments?

**Response provided by the Department of Health:**

Education has been provided by Top End Mental Health Service so all staff are aware of the Language Service Policy and recognise that effective communication is integral to the delivery of care. TEMHS has developed two procedures for booking interpreters for CALD backgrounds and ATSI backgrounds. All staff are encouraged to attend the Aboriginal Interpreter Service training.

The Aboriginal Mental Health Workers make the arrangements for Interpreters on the Inpatient Unit. All efforts are made to undertake assessments with an interpreter when available.

9. Another recommendation, outstanding since 2011 is: *That the service provide evidence that in the process of involuntary admissions that there is adequate explanation of rights to consumers, including legal status on admission, offering of interpreters and early access to the Mental Health Review Tribunal. (Reworded, 2016).* Notwithstanding the obvious issue with interpreters, can you please advise whether consumers undergoing the process of involuntary admissions, who do not require an interpreter, are provided with adequate explanation of rights, including legal status on admission, and the offer of early access to the Mental Health Review Tribunal? There is reference to the improvement of reporting of involuntary admissions in the report, but it is not clear as to the extent of the communication of the consumer's rights on admission.

**Response provided by the Department of Health:**

The Top End Mental Health Service has an obligation under the *Mental Health and Related Services Act* to ensure that all consumers on admission are provided with information about their rights, including their legal status, and their right to early review at the Mental Health Review Tribunal, with the use of an interpreter if required and if available.

The Act requires that Form 10 'Examination at an Approved Treatment Facility and Involuntary Admissions' is completed which covers these provisions, a copy of this form is faxed to the Tribunal, the Principal Community Visitor, Legal Practitioner acting or prepared to act for the person. A copy of this is also retained on the consumers' clinical file.

10. A recommendation open since 2013 regarding cultural safety is: *That the Top End Mental Health Service (TEMHS) implement strategies to ensure the cultural safety of clients with a particular focus on the needs of Indigenous clients in line with TEMHS.* Can you please explain what is currently in place to ensure the cultural safety of consumers, in particular Indigenous clients?

**Response provided by the Department of Health:**

Top End Mental Health Services, Mental Health Inpatient Unit employs five FTE Aboriginal Mental Health Workers. The AMHW work with clients throughout their admission and in discharge planning.

Cultural Security forms part of the TEMHS SafeCARE Top End Project that commenced in January 2016.

The Sensory Mob – The Indigenous Way project was specifically developed to improve the care experience for Aboriginal and Torres Strait Islander (ATSI) consumers, especially those admitted to the Inpatient Unit. This Project ensures ATSI consumers have access to culturally responsive care.

The Aboriginal Cultural Awareness Program has been designed to enhance the service delivery and health outcomes of Aboriginal and Torres Strait Islander peoples through increased knowledge of culturally aware practice.

'Top End Health Service Aboriginal and Torres Strait Islander Cultural Workplace Handbook' is a guide to creating a culturally secure workplace environment for staff based at and visiting the workspace.

11. The following recommendation has also been open since 2013: *That management request a report from the Director of ECT on evidence of quality activities, demographics of clients receiving ECT, the nature of consent and key clinical indicators for ECT across the patient population.* Can you please explain why a recommendation which appears quite simple on the surface is still open after four years?

TEMHS Mental Health Inpatient Unit has formally kept the CVP Panel up to date on the progress on this recommendation. From 1 July 2017, TEMHS ECT register was transferred to an electronic record in excel. The CVP Panel were informed of this at their visit in November 2017. The CVP Panel indicated it is likely this recommendation can be closed.

## **Disability**

12. The following recommendation has been open since 2013: *That adequate duress alarms for staff and visitors are installed.* This is surely a relatively simple request through the Minor New Works program? Is there a reason this has not been finalised?

### **Response provided by the Department of Health:**

The electronic duress alarm system currently installed at the Alice Springs Secure Care Facility has had technical difficulties since it was installed. The Group Home Manager has recently sought quotes for a new wireless radio type system to be implemented. The new system will be more reliable and flexible to be used outside of the facility as well.

13. There are several recommendations open since 2014, but one in particular stands out as one that surely is achievable in a relatively short time frame. The recommendation is: *That the Secure Care Facility management explore options for accommodating women within the facility separate from men.* Please explain why this has not occurred.

### **Response provided by the Department of Health:**

Clients are admitted to the facility based on individual assessment and not based on gender. There is one female client currently accommodated within the facility. Additional female staff are recruited to support the client. The female client's room is equipped with a private en suite and living space which is in a separate 'pod' to male clients.

## **Annual Report – Electricity Safety Regulator**

1. Can you please explain why the number of Certificates of Compliance audited as per sections 67 and 68 have increased from 900 in 2015-16 to 1,353 in 2016-17 i.e. over 400 in one year.

This increase is due to a rise in the number of solar installations in the Northern Territory and the two authorised officers who commenced in late 2015 now being able to conduct independent inspections and site visits.

2. The number of complaints investigated has increased from 37 to 57. Has the nature of complaints changed between the two years?

No.

3. Does this increase explain the 50% increase in the number of audits?

Yes, there was a 40.21% increase in audits due to a rise in the number of solar installations.

NT WorkSafe also engaged an independent electrical inspection company, TechSafe who conducted 30 auditing inspections for 2015-16.



## **Annual Report – NT Civil and Administrative Tribunal**

1. Does the Tribunal have sufficient funding to recruit an additional full time Alice Springs based member or will that appointment require additional funding?

The recruitment process for a full time Alice Springs member was completed in late 2016 and the successful applicant, Mr Mark O'Reilly, commenced a five year appointment with NTCAT in late January 2017. The tribunal is presently adequately funded.

2. Has a policy review of the NTCAT Act been initiated, with particular regard to the issue of costs, including, among other things the ability of successful parties to recover reasonable expenses they have no alternative but to incur and the ability of the Tribunal to enter default judgments?

There has not yet been a review of the entire NTCAT Act; however, the matter of amendments addressing the two areas referred to in the question is currently being considered.

3. With the additional caseload that is expected in the next year, will additional funding be required as part of the 2018 budget process?

The present assessment is that the tribunal's current funding level is adequate. A potential spike in caseload was expected in respect of NTCAT's jurisdiction to review decisions relating to the Banned Drinker Register; however, this has not yet occurred.

## **Annual Report – NT Police: Misuse of Drugs**

1. There were over double the amount of drug detection area authorisations in 2016-17, with 42 of those resulting in the seizure of a dangerous drug or precursor; how many of those instances involved the seizure of methyl-amphetamine or the precursors of methyl-amphetamine?

There were eight drug detection area authorisations in 2016-17 that resulted in seizures of methylamphetamine.

## **Annual Report – Anti-Discrimination Commission NT**

1. To date, how much has been spent on the review of the *Anti-Discrimination Act*, including the consultations that have been performed in various locations throughout the Territory?

The Review is being conducted by the Department of the Attorney-General and Justice on behalf of the Attorney-General.

Anti-Discrimination Commission (ADC) staff have accompanied staff from AGD at all public consultations and met with numerous groups and organisations who are frequent users of the ADC, in Darwin, Alice Springs, and Katherine and Nhulunbuy.

2. In the categorisation of complaints, listed on page 51 of the Annual Report, it states that there were 91 complaints for failure to accommodate a special need; what are the special needs that are at issue and can you provide a breakdown by need classification?

Failure to accommodate a special need is discussed in more detail at page 52 of the Annual Report. Specifics cannot be provided without breaching section 108 of the Act "Confidentiality of Information" provisions, as the special need is specific to the individual making the complaint.

The Commission has advised that generally the type of accommodations sought include matters such as flexible work arrangements for parents and those with a disability, including those experiencing mental illness. It may also include physical access requirements such as a ramp or tactile mark indicators for someone with low vision.

3. In the past year, has the Commission received any complaints about either the hiring practices at religious schools in the Territory or the process by which religious schools admit students?

Specifics cannot be provided without breaching section 108 of the Act.

The Commission has advised that generally this is not a high basis of complaint to the ADC.

4. At page 52 of the Annual Report there is a discussion of the seeking of unnecessary information pursuant to section 26 of the *Anti-Discrimination Act*, are you able to provide a summary of the information that served as the predicate for the 84 complaints in this subject area in 2016-17?

A significant number of the complaints received for this ground were declined (45%). However in the matters that were accepted they usually arose in the workplace or in accessing services and included questions about:

- Age
- Disability – particularly in relation to mental health
- Sexuality

5. Is it anticipated that changes to the *Anti-Discrimination Act* that may be made in conjunction with the review that is currently underway would necessitate an increase in funding for the Commission in the next financial year?

The review of the Act is being conducted by the Department of the Attorney-General and Justice and is focused on potential legislative reform.

### **Annual Report – Workers Rehabilitation and Compensation Advisory Council**

1. The 2015-16 report has in its list of proposed work to be undertaken by the Council in 2016-17, '*stakeholder input surrounding negotiated settlements*'. There are other items in this list that are carried forward to the 2016-17 report and appear under Planned Activities of the Advisory Council for 2017-18. However, this item is missed entirely. Can you please advise if this was dealt with during 2016-17?

The changes supported by the Council require an amendment to the Act which requires further consideration.

### **Annual Report – Children’s Commissioner NT**

1. Can the Minister please explain why only 45 per cent of child protection notifications were investigated within a 28 day time period, a 5 per cent decrease from last year, and why only 69 percent were dealt with within 62 days, a 3 per cent decrease from last year? What will Government do to expedite this process and reverse the decrease?

#### **Response provided by Territory Families:**

Child protection investigations only commence when action has been taken to assess the safety of the child.

Impacts on timeliness may be attributable to:

- an increase in investigations;
- the increased time it takes to complete an investigation of more complexity;
- when more parties are involved and need to be interviewed before a conclusion is reached;
- commencing some investigations is delayed when a family is difficult to locate or has moved interstate;
- the capacity to respond to notifications in one child protection investigation case causes delays. Frontline staff maintain an open investigation until all of the concerns have been addressed and closed by a senior leader; and
- administrative delays i.e. the substantiation outcome is not recorded until it has been reviewed by a senior leader.

Not all investigations can, or should, be completed within 28 days. A child’s safety is always the paramount consideration, so if required, protective action is taken prior to the completion of an investigation.

Territory Families continue to assess ways to enhance the timeliness of completing investigations. Strategies include:

- implementation of the Dual Pathways model to ensure only those families in need of a statutory child protection response receive one;
- streamlining written administrative requirements to finalise an investigation;
- exploring options to enable ‘one child one investigation’ capability in the electronic client information system to ensure investigations are holistic and reduce the amount of concurrent investigation activity occurring within one family;

- continuous recruitment to ensure child protection investigation teams are staffed to optimum levels.
2. According to the Office of the Children’s Commissioner’s Annual Report in reference to child protection notifications, ‘it would be highly desirable for an audit to be conducted by Territory Families to assess why so many notifications continue to be screened out. Does Government plan on conducting an audit? If so, when is the expected completion date? If not, why not?

**Response provided by Territory Families:**

Each year, Territory Families conducts a variety of audits that review a random sample of cases across all regions. Audits are selected based on emerging practice themes and trends.

An audit review of notifications that have been screened out is scheduled in 2018.

3. In comparison to other jurisdictions, the Northern Territory has a low rate of Aboriginal children being placed with Aboriginal carers. Please provide details of current and planned initiatives aimed at increasing the number of Aboriginal carers, and current and planned support provisions in place for Aboriginal carers.

**Response provided by Territory Families:**

Where children cannot be with family, foster and kinship care is the best option in terms of outcomes for children. Territory Families continues to prioritise the recruitment of foster and kinship carers with the allocation of \$0.5M ongoing.

The number of Aboriginal children in out-of-home care and the proportion placed with Aboriginal carers is presented on page 26 of Territory Families’ Annual Report.

In 2017 Territory Families committed to supporting the Family Matters campaign led by the Secretariat of National Aboriginal and Islander Child Care. The Family Matters campaign includes six principles to address the over-representation of Aboriginal children in the child protection system and is guiding the reform of the *Care and Protection of Children Act* and departmental policy.

Also in 2017 Territory Families partnered with the Aboriginal Peak Organisation of the Northern Territory to develop an out-of-home care strategy that will reshape existing arrangements with the intent of increasing the number of Aboriginal children cared for by Aboriginal organisations. The strategy will include greater partnerships and involvement of Aboriginal community controlled organisations in the child protection system as recommended by the Royal Commission into Child Protection and Youth Detention in the Northern Territory.

The restructure of Territory Families in 2016-17 brought together the Remote Family Support Service, Women's Safe House and statutory child protection teams under one line management team, which has already yielded significant opportunity to work together and leverage off the local knowledge of these staff in relation to remote families.

Child protection teams utilise the knowledge of remote Agency staff. This includes working collaboratively to identify previously unknown family connections.

A strategic goal of the Agency is to Partner to Empower change. Territory Families is working with families, the community, government and non-government organisations to address challenges and strive for a safe and better future. An example of collaborative partnerships includes, the Agency worked with members of the local community to establish the Mikan Reference Group in East Arnhem. The Territory Families Arnhem office works with Mikan to:

- build constructive working relationships between Territory Families and local communities, including outstations and homelands;
- ensure Territory Families' practices and processes are culturally safe; and
- share information and promote child protection awareness in the community.

Territory Families is designing improved induction and ongoing training for kinship carers to be co-delivered in 2018.

The partnership with Foster and Kinship Carers Association NT Inc (FCANT) has grown throughout 2016-17.

Territory Families has worked in collaboration with the FCANT to develop the Foster and Kinship Carer Charter of Rights, which was launched at regional locations through presentations and workshops with carers and staff, along with a video presentation. Foster and Kinship Carer Excellence Awards presentations occurred across regional centres in Quarter One 2017 to recognise the work of carers in the Northern Territory, and a children in care Christmas party also occurred in major centres to support families with children in care.

4. Please provide details of current and planned initiatives aimed at increasing the number of kinship carers, and current and planned support provisions in place for kinship carers in the Northern Territory.

Refer to the response to Question 3.

5. Between 1 July 2016 and 1 July 2017, the CEO of Territory Families notified the Children's Commissioner of 91 cases of harm and exploitation of children. The Commissioner discovered that there were 10 cases that she was not informed of. Why were these cases withheld from the Commissioner?

### **Response provided by Territory Families:**

Differences in the numbers of cases reported by the Children's Commissioner and Territory Families does occur. This is caused by differences in reporting methodologies.

Territory Families uses the national reporting data definitions used by the Australian Institute of Health and Welfare.

Differences also occur given the relative time periods and systems used – for example Territory Families report the number of children harmed in care with information taken directly from the case management system, however it is understood that the Children's Commissioner data is based on correspondence received from Territory Families.

The alignment of data collection and the definitions used for reporting is currently being discussed with the Office of the Children's Commissioner.

Data provided to the Office of the Children's Commissioner regarding cases of harm of children is accurate at the point in time of the report.

The number of substantiated cases of harm of children in care will change across time based on active investigations being finalised.

Caution must be applied when counting substantiations for children in care to ensure the substantiation outcome directly aligns to the period of time the child was in care. Some of the cases identified by the Children's Commissioner do not align to the time children were in the care of the Chief Executive Officer.

6. How does Government account for the increased number of cases of harm and exploitation against young people placed in foster care? Will the support and screening of foster carers be reviewed? If so, when? If not, why not?

### **Response provided by Territory Families:**

Territory Families' policy to investigate allegations of harm to children in care has very broad parameters as it captures any harm to a child regardless of the person believed responsible.

The data in the Office of the Children's Commissioner's Annual Report (page 69) refers to children who have had a substantiated harm or exploitation by placement type. This data reports the house in which the child resides at the time the harm was substantiated, however caution should be applied to make a direct correlation that the person believed responsible was a foster carer. For example, a child placed in foster care had access with their birth family and an incident occurred whilst the child was at access.

The growth represents an increase of 11 matters that were substantiated while a child was living in a foster care placement.

The release of the Report on the Royal Commission into Institutional Responses to Child Sexual Abuse has findings in regard to child safe institutions and working with children checks. Territory Families will consider these recommendations to improve screening processes for people who are caring for children and young people in out-of-home care, in developing improvements to the foster carer assessment process, during 2018.

### **Annual Report – Commissioner of Consumer Affairs**

1. The 2016-17 Department of Attorney-General and Justice Annual Report at page 80 reflects that only 335 compliance actions were initiated in 2016-17, as compared with 635 in 2015-16; what is the reason for that dramatic drop?

In the 2015-16 year the compliance unit undertook a number of investigations involving large numbers of consumers reflected in the increased compliance actions reported for that year. One example was a case involving a training organisation in the vocational education market sector. This case alone dealt with over 300 vulnerable consumers, resulting in securing the cancellation of 300 enrolments and the associated VET FEE-HELP loans for consumers in the Northern Territory and Western Australia.

2016-17 involved a number of more resource intensive matters including the preparation of court proceedings against Mr Colin Thompson.

In the later part of the 2016-17 period, the Compliance Unit resources were also focussed on the development of the MyFuel NT system.

2. How much money has been spent by the Northern Territory Consumer Affairs Commission on the research, design, implementation and compliance in association with the MyFuel NT initiative in conjunction with the *Consumer Affairs and Fair Trading Act* passed in May of 2017?

From 2017-18, the Department of the Attorney-General and Justice received funding of \$250,000 ongoing for administration, compliance and enforcement of the scheme, which includes costs for advertising and educational materials.

3. How many full time equivalent staff have been tasked with research, design, implementation and compliance in association with the MyFuel NT initiative in conjunction with the *Consumer Affairs and Fair Trading Act* passed in May of 2017?

The Department of Treasury and Finance (DTF) was the lead agency to develop the MyFuel NT initiative and legislation. This was conducted within existing resources, in line with DTF's fuel price data monitoring and competition policy responsibilities. The Department of the Attorney-General and Justice and Department of Corporate and Information Services also provided support for implementation from within existing resources.

To develop the MyFuel NT website and for ongoing administration of the scheme, there was approved additional resourcing of:

- \$240,000 one-off to the Department of Corporate and Information Services (\$140,000 in 2016-17 and \$100,000 in 2017-18) for information communication technology (ICT) system development and implementation (this utilised an existing All-of-Government ICT Specialist Panel Contract, which contracted 1 x Project Manager/Business Analyst and 2.5 x software developers from three local companies); and
- \$250,000 ongoing from 2017-18 to the Department of the Attorney-General and Justice (NT Consumer Affairs) for administration, compliance and enforcement of the scheme, which also includes additional staffing of one AO5 (noting that all NTCA staff share responsibility for the range of services carried out by the office).

4. What consultation, if any, was solicited from the ACCC prior to the passage of the *Consumer Affairs and Fair Trading Act* passed in May of 2017?

The Department of Treasury and Finance consulted with the Australian Competition and Consumer Commission (ACCC), as part of developing the MyFuel NT initiative and has continued consultation following implementation.

The ACCC supports improving availability of site-specific retail fuel prices to consumers and third parties on a near real-time basis and advised that this will improve the function of retail fuel markets. The ACCC also supported the data-sharing nature of the scheme as well as suggested engaging with Automobile Association of the Northern Territory (AANT), as an avenue to connect with consumers. This advice is in line with recommendations in the ACCC's Report on the Darwin Petrol Market, released in late 2014, as well as recommendations in its subsequent reports into regional fuel markets and in the ACCC's quarterly reports on the Australian petroleum market.

5. What actions is the Commissioner for Consumer Affairs taking to ensure that that prices reflected on the MyFuel NT website are accurate in accord with the *Consumer Affairs and Fair Trading Act*?

The MyFuel NT system provides an avenue for members of the public to report a price mismatch in circumstances where the bowser price does not match what appears on the MyFuel NT website.

Price mismatch reports can be submitted through the MyFuel NT website application in real time while at the service station or later via a form to NT Consumer Affairs. These reports are investigated by Compliance Officers with a view to rectifying any discrepancy and implementing compliance action in line with NT Consumer Affairs Compliance and Enforcement Policy.

NT Consumer Affairs Compliance Officers actively monitor the MyFuel NT website and fuel outlet price reporting through an online administration portal. Where potential price reporting inconsistencies are detected, trader engagement is conducted by compliance officers to ensure reporting accuracy.



My Fuel NT administrative support is provided by NT Consumer Affairs to remote fuel retailers to upload fuel price updates when reporting by phone to ensure fuel prices are entered in real time and to meet legislative requirements.

### Annual Report – Work Health Authority

1. What was the rate of return to work for the financial year by employees who had lodged claims for workers compensation? How does this rate compare with the last seven accident years?

The national Return to Work Survey is published on the Safe Work Australia website. The Survey is national completed by the Social Research Centre on behalf of Safe Work Australia. The Survey is currently conduct biennially and the next Survey is due in 2018.

The Northern Territory Rates of Return to Work are:

2007-2008	84%
2008-2009	89%
2009-2010	87%
2010-2011	87%
2011-2012	85%
2012-2013	The NT did not participate
2013-2014	86%
2015-2016	83%

2. Why was the average workers compensation claim size of \$42,500 higher than most prior years?

The figure of \$42,500 is an estimate calculated by the Scheme Actuary. It is not a definitive figure and it is not possible to complete an analysis with previous years.

3. How many improvement and prohibition notices were given to businesses during the financial year and how does this compare with previous years? What is the explanation of this trend? How much revenue was received over this period and how does this compare with previous years?

Financial Year	Improvement Notices	Prohibition Notices
2016-17	169	148
2015-16	103	117
2014-15	74	131

The increase of Improvement Notices is associated with the number of workplace visits in new construction sites in the housing industry that resulted in non-compliance with of work, health and safety laws. The data for Prohibition Notices does not show any trends.

Under the Work Health and Safety legislation there are maximum penalties for non-compliance with these notices. Revenue has not been received for these notices.

4. How does the number of workplace visits for 2016/17 compare with previous years? What criteria is used to determine these visits? Has this criteria changed? On what basis do inspectors suspect that a breach of legislation may have occurred? What are the factors involved?

<b>Financial Year</b>	<b>Number of Visits</b>
2016-17	6,399
2015-16	6,016
2014-15	5,888

NT WorkSafe receives information in relation to work health and safety matter in a numbers of forms such as Incidents, Complaints and Notifications. This information is logged and sent to the Operations Dispatch Team (Principal Inspectors / Team Leaders) for triaging. The Dispatch Team applies triage filters to determine the urgency of the event. These filters include alignment with national and NT WorkSafe enforcement policies, businesses with poor compliance history, significant community concern and serious conventions of the work, health and safety legislation.

NT WorkSafe also completes proactive workplace visits in line with its campaigns and programs.

5. How many stress claims were lodged by government employees over the year, from which departments, what category/classification of employment and how does this vary from previous years?

<b>Agency</b>	<b>2014-15</b>	<b>2015-16</b>	<b>2016-17</b>
Department of the Attorney-General and Justice	9	9	9
Department of Environment and Natural Resources			1
Department of Housing and Community Development	1	2	1
Department of Primary Industry and Resources			1
Department of the Chief Minister			1
Department of the Legislative Assembly			1
Department of Tourism and Culture		2	
Department of Trade, Business and Innovation			1
Department of Corporate and Information Services	1		1
Department of Education	15	12	12
Department of Health	25	24	20
Department of Infrastructure, Planning and Logistics	1	5	2
NT Police, Fire and Emergency Services	8	10	10
Territory Families	7	4	8
<b>Total</b>	<b>67</b>	<b>68</b>	<b>68</b>

As this information will be made publically available, providing a breakdown by categories/classifications has the potential to identify individuals and therefore a further breakdown cannot be provided.

6. What was the outcome of the seven prosecutions for the financial year?

Two prosecutions were finalised in 2016-17. These were in relation to:

- A worker climbing a tower crane at a height of approximately 18 to 21 metres without appropriate fall protection – the defendant was convicted on 12 May 2017 and fined \$11,800 for a breach of section 32 of the *Work Health and Safety (National Uniform Legislation) Act*, and
- A worker was seriously injured while shredding trees and palm fronds in preparation for an approaching cyclone – the defendant was convicted and fined \$15,000 for a breach of section 32 of the Act.

Two prosecutions in relation to the death of a person and three prosecutions in relation to serious injury or illness of a person were ongoing in 2016-17.

### **Annual Report – Health and Community Services Complaints Commission**

1. It is acknowledged that any increase in enquiries and complaints received by the Commission would in part be due to the Commission's efforts in encouraging an awareness of the rights and responsibilities of users and providers of health and community services. However given that the 823 enquiries and complaints received in 2016-17 represent a 32.5% increase over the 621 received in 2015-16, are you able to provide other reasons for this increase?

The Commission has undertaken a number of analyses in relation to the drivers of increasing workload and has contacted interstate Commissions to obtain a wider view. The Commission is unable to definitively distil the factors which influence workload. There is little doubt, however, that there is an obvious and direct nexus between people being aware of their rights and acting on this knowledge in circumstances where they experience dissatisfaction with a health service or a service for aged people or people with a disability. This awareness is partly a result of increased community engagement and promotion of the Commission's role and charter.

Additionally, the following may be factors which influence more people to avail themselves of the Commission's services:

- Media reports of malpractice or harm to users in the sectors which come under the Commission's purview.
- The quality and safety focus which is an integral part of the rollout of the NDIS.
- Growing community awareness regarding human rights.
- A more discerning approach to health and community services which recognises that even highly qualified practitioners are capable of making mistakes and sub optimal practice.

- Increased options and choice of providers.
  - Providers accepting a more enlightened approach to inviting complaints and acting on these.
2. The 2015-16 report committed to a project plan that would ensure that complaints mechanisms are available and accessible to people receiving services funded by the NDIS, and also to develop a business case for additional short term funding. Can you please provide specific details of the plan and advise if a business case for additional funding was developed?

## **Complaints, Capacity Building and the NDIS**

### **Aims**

1. Develop relevant information and training materials for people with disability and significant others in the Northern Territory to assist with knowledge about rights, including the right to make a complaint and to expect to be treated with respect by providers of disability services.
2. Work collaboratively with other agencies, including those involved in sector development projects in the NT, to ensure this information is available to people with disability and their significant others.

### **Methodology**

This will be a three stage project. This is an outline only.

#### Throughout the project – develop linkages

During the first 9 months of the project, contact will be made with people and agencies working remotely and in disability (including these projects) throughout the Territory to set up a contact list and provide information about the project. Information will also be sought about how contacts might be actively involved from stage three of the project and thereafter.

#### Stage one: needs assessment

First 3 months: conduct focus groups/yarning circles with people with disability and significant others in 8 major areas which will include three remote areas with a view to establishing what is known about rights, including the right to self-determine, the right to complain and the right to be safe from abuse and neglect. Participants in the focus groups will also be asked about how they learn, whether they access technology and how they use this to learn.

#### Stage two: develop material

3 to 9 months: develop and trial information material on rights in collaboration with agencies such as ADC and NDS as well as other key agencies. Materials will include written material and apps for devices.

#### Stage three: disseminate material

Material developed through the project will be made freely available and distributed throughout the NT.

### **Outcomes**

1. Layered understanding of knowledge of rights and how to assert those rights amongst people with disability

2. Contact list of services/people able to disseminate information to people with disability
3. Information for people with disability developed in an accessible format based on consultation outcomes.

Funding for this project was obtained from Commonwealth derived funds of \$3.8m (offset funding) provided to the Office of Disability under the “NT NDIS Quality and Safeguarding Framework Capacity Building Project”. In turn, the Office of Disability assessed the proposal against one of its priority projects, viz: “Promoting the Rights of People with Disability to Promote Safeguarding” and provided once off funding of \$200,000.

A business case was submitted to the Department of Trade, Business and Innovation and met the procurement requirements.

3. To what do you attribute the significant increase in complaints about treatment over the last three years?

These raw complaint numbers represent 26%, 29% and 30% of all issues respectively. These data do not indicate a significant increase for the years nominated but they do indicate exponential growth from the years previous to these (2012-13 and 2013-14), when figures of 41 and 71 (respectively) were recorded.

As with question one above, the Commission can only hypothesize on the factors which influence these data. The major reason may be the growing trend within the Northern Territory community for non-acceptance of suboptimal services and the awareness to seek remedies to this.