



NSW Ombudsman

Level 24 580 George Street
Sydney NSW 2000

Phone 02 9286 1000

Fax 02 9283 2911

Tollfree 1800 451 524

TTY 02 9264 8050

Web www.ombo.nsw.gov.au

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Mr Elton Humphrey
Committee Secretary
Senate Community Affairs References Committee
Parliament House
CANBERRA ACT 2600

Dear Mr Humphrey

Re: Inquiry into children in institutional care

Thank you for your letter to Robert Fitzgerald, inviting the NSW Community Services Commission to provide a submission to your Inquiry.

The Community Services Commission merged with my office in December 2002. My office carries out the functions of the previous Commission and moreover, has additional roles resulting from legislative changes accompanying the merger. I have attached a fact sheet providing more details of my role in community services, for your information.

My office has a strong interest in the provision of out of home care to children and young people. In addition to having an enhanced role in community services under the *Community Services (Complaints, Reviews and Monitoring) Act 1993* (CS-CRAMA), my office has further responsibility for overseeing and monitoring the investigation of allegations of child abuse against employees of government agencies and certain non-government agencies. I therefore welcome the Inquiry as a positive initiative to address past and current issues in the provision of out of home care.

The functions provided by CS CRAMA and the *Ombudsman Act 1974* have instigated a significant number of inquiries and investigations concerning aspects of out of home care and child protection. The reports of these activities clearly identify critical issues in institutional and other forms of care for children and young people in NSW, which are directly relevant to the Inquiry terms of reference 1(a) and 1(g). These reports are attached:

- Submission to the Legislative Council Standing Committee on Social Issues: Inquiry into Child Protection (2002)
- *DoCS - Critical Issues*: Concerns arising from investigations into the Department of Community Services (2002)
- *Choices and Challenges*: Behaviour intervention and use of restraint in care and supported accommodation services for children and young people (2001)
- *A Question of Safeguards*: Inquiry into the care and circumstances of Aboriginal or Torres Strait Islander children and young people in care (2001)
- *New Directions - From substitute to supported care*: Inquiry into the practice and provision of Substitute Care in NSW: Final Report (2000)

- *Service Closures Inquiry*: Inquiry into the experiences of children and young people affected by the 1997/98 closure of substitute care services (2000)
- *The Ormond Centre*: A complaint investigation into institutional care of children (1999)
- *Group Review Report*: The experiences and progress of 17 young people in substitute care (1999).
- *Keeping Connected*: Contact between children in care and their families (1999)
- *Just Solutions*: Wards and juvenile justice (1999)

I trust these reports will assist your Inquiry. Should you have any queries or require any further information, please contact Monica Wolf, Manager Policy and Community Education, Community Services Division on (02) 9286 0982.

Yours sincerely

A handwritten signature in black ink, appearing to read "B. A. Barbour". The signature is fluid and cursive, with the first name "B." and last name "Barbour" clearly distinguishable.

Bruce Barbour
Ombudsman