



YJAC
ANNUAL
REPORT
2015/16

YOUTH JUSTICE ADVISORY COMMITTEE
NT CORRECTIONAL SERVICES





YJAC

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REPORT
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The Hon Dale Wakefield MLA
Minister for Territory Families
Parliament House
Darwin NT 0810

10 October 2016

Dear Minister

The Youth Justice Advisory Committee (YJAC) in accordance with section 213 of the *Youth Justice Act*, the Act, is pleased to present the 2015/16 YJAC Annual Report.

In the reporting period YJAC's involvement in the Youth Justice System (YJS), as per section 204 of the Act, has included the monitoring and evaluation of the operation of the Act, advising the former Minister on needs and issues within in the YJS, adherence to the Act and the sector to inform government policy and program direction.

The primary focus of YJAC meetings, discussions, considerations, research and correspondence in 2015/16 has involved:

- Researching and proposing justice reinvestment program models in regional and remote communities, evidenced based programs and services of best practice, as an alternative to detention and electronic monitoring.
- Evaluating alternatives and the cost of electronic monitoring of young people, the pro and cons, especially for young people living in regional and remote communities.
- Proposing proactive alternatives to detention to address a young person's offending behaviours through a case management approach to address their needs, issues and barriers through and the establishment of residential bail support programs for young people that have no residential alternatives to bail, as per the Youth Justice Framework.
- Advocating for YJAC to continue negotiating with NTDCS, YJ and proposing to monitor, evaluate and advise on all aspects of NTDCS, YJ, operations and functions, as per the Youth Justice Framework.
- Monitoring the Responsible Adult Support Program (RASP).
- Monitoring the Early Intervention Youth Boot Camp Program (EIYBC) guidelines and program and service delivery.
- Monitoring section sixty four referrals, as per the Act, from the Youth Justice Court to diversion programs, due to the Firth Supreme Court ruling.
- Reinstating the Youth Justice Issues Register for mainly Non-Government Organisations working in the YJS. This Register provider operators at the 'grass roots' level to have the ability to voice their issues, needs and concerns in YJS for YJAC to discuss, address and propose solutions and raise with Minister.
- Inspecting the Don Dale Youth Detention Centre and discussing their findings and observations with the Minister as compared to:

Part 8 youth detention centres, as per the Act.

- Recommending the need for an independent body or person, such as YJAC, as per section 168 of the Act, to inspect a detention centre, above and beyond the Elders Visitors Program and Official Visitors Program as approved by the Minister, on a regular basis, not only when the centre is in crisis.
- The Australasian Juvenile Justice Administrator's standards and guidelines for young people in detention, especially for young people on remand.
- The United Nations Standard Minimum Rules for the Administration of Juvenile Justice (Beijing Rules).
- The United Nations Standard Minimum Rules for the Protection of Juveniles Deprived of their Liberty (Beijing Rules)
- The United Nations Standard Minimum Rules for Non-Custodial Measures (Tokyo Rules), notably for young people on remand because they have no residential bail alternatives prior to sentencing

In 2015-16 the overall functions of YJAC have been constrained, due to the demand of Northern Territory Government (NTG) appointed members and community committee member's workloads, periods of leave, resignations and family problems and their capacity to engage with other committee members outside designated meetings, due to the same employment and family restraints. YJAC is resolving these issues with consultations with NTG and community networks to identify the most appropriate NTG and community member representatives, as per section 206 of the Act, to ensure that YJAC committee members are more representative and committed to their involvement to monitor, advise and address young people's involvement in the YJS.

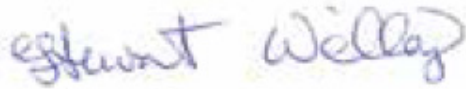
YJAC is already planning its future direction for 2016/17 with a conscientious focus on the following YJS areas to reduce and cease a young person's involvement in the YJS:

- Proposing justice reinvestment program models as an alternative to a young person's involvement in the YJS, especially in regional and remote communities.
- Proposing alternatives to detention to address a young person's offending behaviours through a case management approach with residential bail support programs, as per the Youth Justice Framework, 2015/17.
- Advocating for YJAC to continue negotiating with NTDCS, YJ and proposing to monitor, evaluate and advise on all aspects of NTDCS, YJ, operations as per the Youth Justice Framework, 2015/17 and the Act and proposing that YJAC Secretariat position be independent to NTDCS.
- Monitoring the effectiveness of diversion programs with pre and post court referrals to diversion programs to address a young person's recidivist offending.
- Monitoring the Responsible Adult Support Program (RASP).
- Monitoring the Early Intervention Youth Boot Camp Program (EIYBC) and Sentenced to a Boot Camp (SYBC) guidelines, program, service delivery and evaluation.
- Reinstating and exploring a Restorative Justice approach to youth justice issues.
- YJAC inspecting the Youth Detention Centres as per section 168 of the Act.

I appreciate the efforts of all YJAC committee members where possible, due to their busy workloads and I recognise the Secretariat support of YJAC, throughout this reporting period.

In accordance with the Act, I verify to you that the 2015/16 YJAC Annual Report is an accurate record of YJAC's involvement in the YJS in 2015/16.

Yours sincerely

A handwritten signature in blue ink that reads "Stewart Willey". The signature is written in a cursive style with a light blue circular highlight behind the name.

Stewart Willey
Youth Justice Advisory Committee Chair

BACKGROUND

The Youth Justice Act commenced on 1 August 2006 and the establishment of the Youth Justice Advisory Committee commenced in 2008.

Part 13 of the Youth Justice Act provides for the establishment of the Youth Justice Advisory Committee (YJAC).

On 1 July 2008, responsibility for the Youth Justice Act (except Part 3 and provisions relating to youth detention) was transferred from the Minister for Justice and Attorney General, Department of Justice to the Minister for Children and Families, Department of Children and Families. On 1 July 2012, responsibility for the Youth Justice Act (except Part 3 and provisions relating to youth detention) was transferred from the former Minister for Children and Families, Department of Children and Families to the Minister for Justice in accordance with the Review of the Northern Territory Youth Justice System: Report September 2011.

August 2012 saw a change in Government and responsibility for the Youth Justice Act transferred to the Department of Correctional Services.

In 2015-16 the Youth Justice Division, Department of Correctional Services was responsible for providing administrative and secretariat support to the YJAC.

Section 203 Establishment

- (1.) There is established the Youth Justice Advisory Committee comprising government, non-government and community representatives.
- (2.) The committee must reflect the composition of the community at large and accordingly, as far as practicable, should consist of the following:
 - (a.) Equal numbers of male and female members;
 - (b.) At least 2 members who are Aboriginals;
 - (c.) At least one member who is under the age of 25 years at the time of appointment;
 - (d.) At least one member who has formally been a detainee.

Section 204 YJAC Functions are;

- (a.) To monitor and evaluate the administration and operation of this Act.
- (b.) To advise the Minister (whether on request by the Minister or otherwise) on issues relevant to the administration of youth justice, including the planning, development, inter
- (c.) To collect, analyse and provide the Minister information relating to issues and policies concerning youth justice.
- (d.) Any other functions imposed by this Act.
- (e.) Any other functions as directed by the Minister.

Section 205 YJAC Powers are:

The Committee has the powers necessary or convenient to carry out its functions.

Section 206 Members

- (1.) The committee consists of not less than 8 and not more than 12 members appointed by the Minister.
- (2.) The members are to be comprised, as far as practicable, of:
 - (a.) One person nominated by the Director, and
 - (b.) One person nominated by the Commissioner of police; and
 - (c.) One person nominated by the Agency responsible for protection of children and young people; and
 - (d.) One person nominated by the Agency responsible for the education of youth; and
 - (e.) One person nominated by the Agency responsible for crime prevention; and
 - (f.) One person nominated by a peak youth organisation; and
 - (g.) One person nominated by the Law Society Northern Territory; and
 - (h.) The remainder drawn from the community generally and the Aboriginal community in particular.
- (3.) The Minister must be satisfied that each person appointed to be a member has experience, skills, qualifications or other credentials that the Minister considers appropriate for the person to satisfactorily contribute to the Committee's work.

MEMBERSHIP

The committee must reflect the composition of the community at large and comprise government, non-government and community representatives. The terms of office are for three years or as stated in the Instrument of Appointment. Members are eligible for reappointment.

At the beginning of 2015/16 financial year, the committee had eleven members. Members have resigned from YJAC due to resignations from their employment position, to pursue other interests, changing employment from a NGO to a NTG position and their current employment being no longer relevant to YJAC. Nominations were sought to fill these vacancies.





REPRESENTATIVES



Stewart Willey, Chair
TENNANT CREEK
Community representative

Over the last 30 years, my experience has been in researching, devising, adapting and providing innovative evidenced based programs of best practice to develop and empower young people and their family members to address their needs, issues and barriers. The implementation and evaluation of these programs and services requires input from the young person, family members, Elders and community members and incorporates the enhancement and sustaining of case workers, to ensure that quality program and service provision enables positive outcomes for young people and their families.

During the last 17 years, I have focused more on engaging with vulnerable, disengaged, Indigenous and non-Indigenous young people, especially in regards to their involvement in the youth justice system and education and training support, through a case management framework approach.

This commitment has included court support for young people and their family members, in a language that they understand, acting as a responsible adult and the provision of case management programs and services, awareness programs and supported and facilitated referrals to other youth service providers to address a young person's needs, issues and barriers, to their offending behaviours.

I am currently employed as the PaCE (Parental and Community Engagement) Project Manager, at Papulu Apparr-Kari Aboriginal Corporation. PaCE provides service and program support, engagement and empowerment for Indigenous young people, their family members, community members, education providers and other service providers through a holistic approach to support to focus on a young person's engagement with education and training.

COMMUNITY MEMBERS



Clement Ng
ALICE SPRINGS
NT Law Society Representative

Chun Wai (Clement) Ng was born and raised in Hong Kong. He came to Australia in 2004. He graduated with Bachelor of Arts and Bachelor of Laws from the University of Melbourne. He was admitted to practice as a lawyer in 2010. He moved to Alice Springs in 2011 where he started working for the Northern Territory Legal Aid Commission as a criminal lawyer, a position he still currently holds. Over the last four years, he has been the designated youth justice lawyer in the Alice Springs office. He primarily represents both indigenous and non-indigenous young offenders in the Youth Justice Court and the Supreme Court.

His past involvements in the sector also include drafting submissions to the Youth Justice Framework and the Juvenile Detention Review, planning and delivering community legal education sessions to high school students and advising the Commission on various youth justice issues. He also attends the monthly meetings of the Central Australian Youth Justice Coalition (CAYJ). Recently, he presented a paper on the NT Youth Justice System at the 2014 National Association of Community Legal Centres Annual Conference. He began studying a Master of Laws degree at the University of New South Wales last year with the view to specialise in criminal justice and human rights.



Bernie Wilson - Resigned February 2016
DARWIN
Community representative

Bernie Wilson has over a number of years worked closely with young people, their families and supporting community agencies in his roles both as a former case manager for the Northern Territory Youth Diversion Program and in his current role as a North Australian Aboriginal Justice Agency (NAAJA) Throughcare Program Case Manager.

Mr Wilson previously worked in youth services in Melbourne including alcohol and other drugs and youth housing. He has a strong interest in ensuring that young people have a voice that is listened to in their communities.

Mr Wilson completed a Bachelor of Social Work at RMIT University Melbourne in 2011, graduating with First Class Honours. He aims to use his degree to help influence policy and develop programs using the voice of young people.



Meg Geritz
KATHERINE
Community representative

Over the last 16 years Meg Geritz has worked in the Katherine Region in the field of Community Services and Development. This has included implementation of and brokerage for Youth Services and Youth Justice initiatives.

Meg is the Regional Manager for Australian Red Cross, responsible for the development and implementation of Community Programs responding to Community priorities in Katherine, Kalano and Daly River (Naiiyu). Red Cross programs supporting Youth in this region include the Register of Appropriate Support Persons (RASP) - a youth justice program, Personal Helpers and Mentor Support - supporting people with suspected or diagnosed illness, and the Pop-up Shak in Naiiyu - a community capacity building initiative for young people.

Meg has been a key support and promotor for regional networks including the Youth Justice Advisory Committee (YITCG), the Community Helping Action and Information Network (CHAIN), and the Naiiyu Action Group (NAG) driving Suicide Intervention and Prevention Strategies.

Over the past 16 years Meg has been a strong advocate for the ongoing youth needs and issues within the community and has developed working partnership with peak bodies, government agencies, community groups and other youth organisations.



Noeletta McKenzie-Young
MANINGRIDA
Community representative

My name is Noeletta; I am a mother of 6 wonderful children and have been married into Maningrida community for 21 years. I am the manager of "GREATS" Youth Services - Malabam Health Board in Maningrida Community. I have always had a passion for youth affairs and recently won the Top End NAIDOC Person of the year award. I am the case manager for the Youth Diversion "On Track" Program, funded through the Youth Diversion Unit.

My passion in the area of youth justice stems from my extensive experience with young people in general. I love to advocate for young people and give support when and where it is required. I did undertake a law degree in my younger days but was steered more towards a wider scope of youth work and have now worked in this field for about 18 years.



Melissa May
ALICE SPRINGS
Community representative

I have worked in humane services most of my life. I was a Prison Officer for 10 years in Townsville Qld. I have worked as a Senior Community Facilitator with CREATE Foundation here in the NT; I also was the Program Manager for Youth and Out of Home Care with Life Without Barriers Alice Springs.

I am in my 3rd year as Program Manager for BushMob working with young people from 12 – 25 years who are suffering the effects of Volatile Substance Abuse and Alcohol and other Drugs. I have always been interested in the criminal justice system and working with young offenders and young disadvantaged youth in general.

GOVERNMENT MEMBERS



Luke Twyford
DARWIN
Government representative - Territory Families

Luke Twyford is the representative from the agency responsible for the protection of children and young people (in 2015-16 this was the Department of Children and Families). He joined the Northern Territory child protection agency in 2012 and in 2015-16 he held the positions of Executive Director for Professional Practice and General Manager Enabling Services. Mr Twyford's current role includes providing strategic leadership of the Department's internal review, performance monitoring, practice investigation and audit functions. He is also responsible for complaints management, administration of the client management systems and freedom of information.

Over the last 12 months, Luke has led the design and implementation of improved outcome reporting in the child protection and out of home care systems, and a Departmental cultural framework.



Commander Brent Warren

DARWIN

Government representative - NT Police

Brent joined the NT Police Force in 2000 and has worked in a variety of operational and policy roles across Darwin, Alice Springs and Katherine. He currently holds the position of Commander. In his former role Brent had responsibility for a variety of specialist investigative areas including the Child Abuse Task Force, Domestic Violence Unit and Property Crime Reduction Unit. Investigators from each of these teams have regular contact with youth, as victims, offenders and bystanders.

Brent first became interested in Youth Justice issues whilst working in a team focussed on youth offending, and has experience dealing with teenage offenders and referring them to youth diversion, counselling and support services. In his spare time Brent volunteers as the Officer in Charge of the Australian Air Force Cadets in Alice Springs, and is a member of the Board of the Mental Health Association of Central Australia. He has completed tertiary qualifications including a Master of Arts in International Relations and a Bachelor of Laws.

Brent has been a member of the Youth Justice Advisory Committee since 2013



Superintendent Mark Christopher - Resigned May 2016

DARWIN

Government representative - NT Police

Mark Christopher grew up in Western Victoria and after completing year 12 attended Monash University where he gained a Bachelor of Science in Physics and Material Science. After this Mark commenced research as a staff member of the university for two years.

Whilst a member of staff at Monash University Mark applied for and was accepted into the NT Police Force and he started his training in January 1986.

Mark has served at all major locations within the Territory and several Bush Stations. He has been a "Bush" police officer, a general duties officer, and a detective in the Drug Squad and in General Crime. Mark was the Officer in charge of the Palmerston Police Station prior to being promoted to Superintendent in a policy area. As a superintendent Mark has served in policy, as a staff officer to senior police, as the Superintendent in charge of recruit training, as the Superintendent in charge of Police Communications, Anti-Terrorism, Tactical Police and Water Police. Mark's current position is as the Superintendent of the Public Safety Division which includes Prosecutions, Judicial Operations, Youth Diversion, Junior Police Rangers and the police staff who assist the PCYC/Wongabilla Equestrian Centre.

In addition to his Police position Mark is also a member of the Army Reserve having joined 35 years ago. Mark currently holds the rank of Lieutenant Colonel and is in charge of the Army Cadets for the NT and has had six years previous close association with the Army Cadets.



Marion Guppy

DARWIN

Government representative - Department of Education

I began my education career teaching in a Victorian secondary school for five years before moving to the Northern Territory. Here I have taken teaching and leadership roles in primary and secondary schools, urban and regional schools and in a remote community school. I was a principal for 14 years, first as the founding principal of Casuarina Street Primary School in Katherine, then the principal of Dripstone High School and Darwin High School. My career in the Northern Territory Department of Education spans 26 years with the past 4 years being in senior departmental corporate leadership roles.

My current line management responsibility includes all middle schools and senior secondary schools in Darwin and Palmerston, including Tivendale and Malak Re-engagement Centre.



Louise Blacker

ALICE SPRINGS

Government representative - NTCS

Louise Blacker commenced with Northern Territory Correctional Services as an Administration Officer at Community Corrections in Alice Springs in 1988. Since then she has held various positions including Executive Officer, Program Officer, Probation and Parole Officer, Senior Probation and Parole Officer, Coordinator Indigenous Family Violence Program, Manager and Regional Manager of Alice Springs and Tennant Creek Community Corrections and has acted in the position of General Manager, Community Corrections.

Louise worked extensively with youth on community based orders when in the role of Probation and Parole Officer and more recently, is a member of the Interagency Tasking and Coordination Group, which is made up of government and nongovernment agencies for the purpose of developing strategic level integrated problem solving for Alice Springs with a focus on youth and the coordination of service delivery to youth across all agencies. Louise is an Authorised Officer under Part 6A Youth Justice Act. She is also a board member of the Alice Springs Women's Shelter.

Louise Blacker has 26 years' experience in the Correctional Services field in the Northern Territory, in various divisions of the Department, having worked in both the Correctional Centres and Community Corrections. Ms Blacker has extensive experience in relation to the management of youth and adult offenders. As such, she is aware of the needs of young offenders in both detention and community settings, with a strong interest in the reintegration and throughcare.

MEETINGS

Section 211 Meetings

- (1.) The chairperson must call meetings of the Committee as often as necessary for the performance of its functions, but so that not more than six months elapses between two successive meetings.
- (2.) The Minister may at any time direct the Chairperson to convene a meeting of the Committee and the Chairperson must convene a meeting accordingly.
- (3.) The Chairperson must preside at all meetings at which he or she is present and, in his or her absence, the members present must elect one of their number to act as the Chairperson.
- (4.) Subject to this Act, the Committee may determine the procedure to be followed at or in connection to its meetings.
- (5.) The Committee must keep records of its meetings.

YJAC held one face to face meeting and one video link meeting during the 2015/16 financial year, in October 2015, including an inspection of DDYDC and February, 2016. There was also a teleconference meeting held in November, 2015, regarding the changes to Alice Springs Detention Centre for Barkly Region and Central Australian young people to a short term facility and the uncertainty of transferring these young people to DDYDC, with lack of family, Elder and local youth service support for through care plans. A teleconference was then proposed, in April 2016, to discuss YJAC's intention to the Minister's response regarding the transfer of detainees, from ASYDC to DDYDC and the YJAC Annual Report. This teleconference was postponed due to not having a quorum.

Following each meeting, minutes were to be prepared by the Secretariat and distributed to members. However, due the Secretariat's workload with NTDCS, minutes for the financial year 2015/16 were only distributed to members in August, 2016. YJAC is unsure if the minutes were then forwarded to the then Minister for Correctional Services, through the Commissioner of the Department of Correctional Services for noting, in a timely manner and there is a need for YJAC members to discuss all of the meeting minutes at the next nominated teleconference meeting in September 2016, to ensure that they are a true and accurate record of that particular YJAC meeting, as per the YJAC focus areas for the financial year, 2015/16 and the Act.

In late 2015 the YJAC asked Corrections to explore the establishment of a dedicated information store where past minutes and actions, resources and tools, and the issues register could be stored. This work was considered as an important way for the Committee to share information, ensure an appropriate record of its activities was kept and that resources and literature deemed important to the Youth Justice System was able to be stored and disseminated.

Section 212 Quorum

At a meeting of the Committee, half the number of members appointed constitutes a quorum.

Section 213 Annual Report

- (1.) The Committee must, as practicable after 30 June in each year, and in any event not later than the next following 30 September, give the Minister a report of the activities of the Committee during the preceding financial year.
- (2.) The Minister must table a copy of the report in the Legislative Assembly within 5 sitting days of the Assembly after receiving it.

FOCUS AREAS FOR 2015/16

YJAC's had a conscientious focus on the following areas of the YJS, to reduce and cease young people's involvement through alternative programs and service provision to address their offending behaviours, especially utilising a through care case management approach prior to, during and after their YJS involvement and concerning an early intervention and prevention framework:

- Researching and proposing justice reinvestment program models in regional and remote communities, evidenced based programs and services of best practice as an alternative to detention and electronic monitoring.
- Alternatives and evaluating the cost of electronic monitoring of young people, the pro and cons, especially for young people living in regional and remote communities.
- Proposing proactive alternatives to detention to address a young person's offending behaviours through a case management approach to address their needs, issues and barriers through and the establishment of residential bail support programs for young people that have no residential alternatives to bail, as per the proposed Youth Justice Framework and access to case management services in regional and remote communities.
- Advocating for YJAC to continue negotiating with NTDCS, YJ and proposing to monitor, evaluate and advise on all aspects of NTDCS, YJ, operations and functions as per the proposed Youth Justice Framework.
- Monitoring the Responsible Adult Support Program (RASP).
- Monitoring the Early Intervention Youth Boot Camp Program (EIYBC) guidelines and program and service delivery.
- Ongoing monitoring of section sixty four referrals, as per the Act, from the Youth Justice Court to diversion programs, due to recent Supreme Court ruling.
- Reinstating the Youth Justice Issues Register for mainly Non-Government Organisations (NGOs), working in the YJS at the 'grass roots' level and the Central Australian Youth Justice Committee (CAYJ) and the Top End Youth Justice Coalition, to have the ability to voice their issues, needs and concerns in YJS for YJAC to discuss, address and propose solutions and advise and raise with Minister.



- YJAC inspecting the Don Dale Youth Detention Centre and discussing their findings and observations with the Minister as compared to:
 - Part 8 youth detention centres, as per the Act.
 - There is need for an independent body or person, such as YJAC, as per section 168 of the Act, to inspect a detention centre, above and beyond the Elders Visitors Program and Official Visitors Program as approved by the Minister, on a regular basis, not only when the centre is in crisis.
 - The Australasian Juvenile Justice Administrator’s standards and guidelines for young people in detention, especially for young people on remand.
 - The United Nations Standard Minimum Rules for the Protection of Juveniles Deprived of their Liberty (Beijing Rules)
 - The United Nations Standard Minimum Rules for Non-Custodial Measures (Tokyo Rules), notably for young people on remand because they have no residential bail alternatives prior to sentencing
 - The United Nations Standard Minimum Rules for the Administration of Juvenile Justice (Beijing Rules).

Additionally, YJAC is proposing a need for an independent body or person, such as YJAC, as per section 168 of the Act, to inspect a detention centre, above and beyond the EVP and OVP, on a regular basis, not only when the centre is in crisis. However, this should only complement the Youth Detention Reform Advisory Group involvement as ‘grass roots’ NGO case managers and workers, especially from regional and remote communities, have access to YJAC members and input through the reestablishment of the YJAC YJS Issues Register.

Furthermore, the Central Australian Youth Justice Committee (CAYJ) and the Top End Youth Justice Coalition, have the ability to voice their issues, needs and concerns in the YJS for YJAC to discuss, address and propose solutions and to advise and raise with Minister, through the YJS issues register format.



JUSTICE REINVESTMENT

YJAC is committed to encouraging the Minister to endorse and implement appropriate justice reinvestment initiatives within the Youth Justice Framework.

It is the committee's view that justice reinvestment has the ability to transform the entire system by preventing offending, minimizing the remand population and curbing recidivism through re-directing the state budget on incarceration into expenditure back in certain crime-prone neighborhoods to fund community-based programs with the aim of overcoming the underlying causes of youth offending.

In the course of the last financial year, the sub-committee had undertaken research into various justice reinvestment initiatives in other parts of Australia.

Recently, there has been some discussion about a pilot justice investment project in Katherine. An outline of the project is provided below and it is intended to consult with key stakeholders in the near future with the view to provide more strategic advice to the minister.

In early 2015 the NT Council of Social Services (NTCOSS) and North Australian Aboriginal Justice Agency (NAAJA) received funding from the Law Society Public Purposes Trust (NT) to conduct a justice reinvestment (JR) 'proof of concept' project in the NT. The project sought to determine the capacity of JR to reduce incarceration and offending of 10 – 24 year old Indigenous people in Katherine and provide a successful framework that could be used in other NT communities.

At this time Research Fellow Fiona Allison, James Cook University, was engaged to conduct Project consultations, the results of which indicated that stakeholders in Katherine are overwhelmingly in support of introduction of JR. The project also commenced collection and analysis of publicly available justice data, as well as other statistics helpful in understanding local social issues feeding contact with the justice system. These statistics are referred to in the attached report.

In response to consultations and the attached report Australian Red Cross NT Developed the attached Options Paper which include investigation of Collective Impact to progress JR in coming months, dependent on sourcing additional funding. Also dependant on the sourcing of additional funding is the opportunity to conduct further research required to produce baseline data. Formal request for justice data to both NT Police (NTPFES) and Corrective Services (NTDCS) to address gaps in publicly reported statistics has been submitted. This data will assist the community to establish a baseline against which it might measure progress over time and can also be used to move the project forward through its next stages. Further data collection and analysis will be necessary as the project develops.

Current Katherine Stakeholders include members with influence, skills, expertise and ability to commit to a long term project. These members are Traditional Elders and/or part of community organisations such as NAAJA, Red Cross, NT Youth Justice Advisory Committee, NT Police, Education and YMCA.

ELECTRONIC MONITORING

During this financial year, the Acting Executive Director of Youth Justice attended the February YJAC meeting to provide a briefing.

Based on this briefing YJAC understood that electronic monitoring became an option as a condition for bail for youths on 20 January 2016 after the necessary legislative changes.

Since then, various committee members had identified a very small number of youths being granted bail in court with the option of electronic monitoring across the jurisdiction. Therefore, its effects as an alternative to detention are yet to be seen.

It is, however, the intention of the sub-committee to continue to collect data around the utility and effectiveness of this bail option in the next financial year. The sub-committee had already begun liaising with the responsible staff members within the Department of Correctional Services with the aim of obtaining further information to undertake further evaluation of this option.



RESIDENTIAL AND NON-RESIDENTIAL BAIL SUPPORT PROGRAMS

Background

Bail enables a young person in custody or on remand, who is charged with a criminal offence, to be released from custody on the condition that they undertake to appear in court and observe specified conditions. Bail laws attempt to strike the right balance between infringing upon the liberty of an accused young person who is entitled to the presumption of innocence and ensuring that an accused young person will attend court and will not interfere with witnesses or commit other offences¹.

In addition, bail support is defined as the provision of services, intervention or support, designed to assist a young person to successfully complete their bail period conditions².

For bail and bail support to be effective for young people, it must involve intensive, holistic and supported interventions, strategies, programs and services. This includes supporting the most appropriate family members, Elders and other youth service providers through a lead case manager and integrated case management and through-care planning that addresses the nature of offending (for example, alcohol and other substance abuse programs and accommodation solutions) and needs to consider socioeconomic disadvantage as well as access to education and training.

YJAC members have been advocating for the resourcing of residential bail support programs as an alternative to detention and remand because the majority of Indigenous community young people have little to no access to bail residential alternatives to detention, to address their offending behaviours.

This was evidenced in the 2011 Carney review of the Youth Justice System with YJAC's submission and is better substantiated by a letter to the Minister in 2013 advocating for residential bail support programs with a service provider gaining outcomes with non-residential programs due to the commitment of the young people, families and the service providers.

It may also include residential programs and other holistic interventions, strategies and supported and facilitated referrals to other youth service providers in their area of expertise, using a multi-systemic approach. This is to ensure that the young person will not re-offend while on a supported bail program and addresses their needs, issues and barriers which caused the offending, in an integrated case management and through-care planning model framework.

Bail programs that use a model such as the 'Griffiths Remand' three month bail program, may address the young person's issues, needs and barriers prior to the young person returning to court for sentencing, and negating sentencing or resulting in a good behaviour bond or a 'no further trouble' order. This ensures that they are following through with their program conditions and promises to the court, and is enhanced through residential programs with holistic programs and services that address their needs, issues and barriers.

Impact of bail conditions for young people

The majority of bail conditions for young people in the Northern Territory involve a curfew condition. There is evidence that curfew conditions are not effective due to young people not being able to go home, thereby setting them up to fail the condition.

There are also concerns about young people on pre-sentence, post-court diversion programs where they have to adhere to bail conditions as well as diversion conditions responsibilities. For example; a young person on pre-sentence, post-court diversion programs that breaches their bail, which prevents them from continuing in their diversion program.

In the Northern Territory, there are no official bail support programs, either residential or non-residential, apart from referral to three or four residential support services which have long waiting lists.

Additionally, police are primarily the first point of contact to assess the young person and their family's situation for suitability to grant bail, as they often have first-hand knowledge of the young person's circumstances, family environment and likelihood to re-offend. A residential bail support program option could assist police in their decision to grant bail.

Advantages of bail support programs, evidenced-based residential and non-residential bail support programs in other Australian jurisdictions and other countries.

Research indicates that a young person in a supported residential or non-residential bail support program is less likely to re-offend if provided with the opportunity to address their issues, needs and barriers in conjunction with the most appropriate family member, Elder or respected community member, and in consultation with youth service providers.

Bail support programs provide for services, interventions and support to assist the young offender to successfully complete their bail program. These programs aim to reduce re-offending whilst on bail and provide police and magistrates with viable alternatives to custodial remand³.

This is evidenced in the Western Australian and United States of America (USA) models that uses a multi-systemic approach involving family, community, therapist/counselor and the young person in their own environment, and is further evidenced based on the Multi Systemic Therapy Model in Memphis, Tennessee.

In the United Kingdom, the Youth Justice Board provides a model for remand management and reduction through a system of diversion programs. These programs are initiated upon the young person's first entry into the youth justice system, to meet their individual needs and provide access to programs and services that meet those needs by providing support and including family involvement.

In Australia, bail support programs should also provide the opportunity for young people to be responsible for their actions and to support and self-initiate their involvement in the programs offered to address their needs, issues and barriers.

YJAC's involvement in advocating for residential and non-residential bail support programs

The Northern Territory is the only jurisdiction in Australia that does not have resourced bail support programs for young people. YJAC has been advocating for bail support programs to reduce offending and the reasons young people offend, prior to the Review of the Northern Territory Youth Justice System: Report September 2011 (the Review).

This was raised in a letter to the Attorney General explaining the advantages of bail support programs, both residential and non-residential, and citing evidenced-based programs of best practice with outcomes that reduced offending rates and addressed the offending issues, needs and barriers of young people, to reduce the number of young people being held in detention, either on remand or on a sentence.

Young people being remanded in detention versus residential bail support programs

Our research indicates that the cost of holding a young person on remand is \$682 per day, which may not address or reduce their offending, with additional financial, society and community burden costs of failing to address the issues of recidivist offending.

A program provider advised the cost of a residential bail program was \$385 per day. This involves a case manager, case management and case plans, referral support to appropriate youth services, and support for the appropriate family member, Elder or respected person, to address the needs, issues and barriers of the young person, their reasons for offending and recidivist offending.

In addition, remand conditions isolate a young person from family, community and country, which reduces a young person's ability to assume family responsibility, address their offending issues, needs and barriers. Further, the family may not have the means to visit the young person.

As well as punishment for serious offending and for the protection of the community, one of the major justifications in the court system for imprisonment is rehabilitation.

The deterrent effect of imprisonment can be greatly reduced for groups that are over-represented within the criminal justice system. This is seen in some Northern Territory communities where the high rates of detention and imprisonment have led to it being normalised. Anecdotally, organisations speak of young people seeing imprisonment as a rite of passage.



Conclusion

The comparison between residential and non-residential bail support programs has indicated that it reduces recidivist offending to 22 per cent. If a multi-systemic approach is used there is a 25 per cent to 70 per cent reduction in arrests rates of young people, using the Western Australian model. This is achieved by addressing young people's needs, issues and barriers before their sentencing.

Bail support programs must involve holistic programs and appropriate services, and a residential component that supports not only the young person but also includes the involvement and support of the most appropriate family members, Elders and respected persons and the community.

Currently, residential and non-residential bail support programs are only available to young people in Queensland, New South Wales, Victoria and Tasmania. However, there is no evidenced-based data on the impact of Indigenous young people's involvement and support need requirements, and the need to develop an Indigenous residential bail support program model of support and case management.

YJAC recommends that holistic bail support programs and services should be tailored to the individual needs, issues and barriers of Indigenous young people, through integrated case management and through-care planning in their community and using the involvement of Elders and/or respected persons combined with the support and facilitation of family members, in a residential environment.

What is effective in an urban environment may not be appropriate for a young person and their family from a regional and remote location. It is more effective if young people are rehabilitated and empowered on country in conjunction with their most appropriate family and Elders in receiving support and advice on the interventions and strategies that are working with their young people.

NTDCS, as part of the Youth Justice Framework 2015/17, has indicated that bail support programs are an area to be considered and resourced. However, it needs to reflect the needs, issues and barriers of young people from regional and remote communities, not just the Northern Territory urban centres. These residential bail support program need to region specific, so young people have access to family support and Elders and not taking away young people from their community, country and family support mechanisms.

This is evidenced, by residential rehabilitation programs, where young people have little access to family members to assist their rehabilitation with through care planning and local service providers engaging with and up skilling family members, so there circumstances change upon their return or case plans are developed to ensure that they don't relapse. This is particularly prevalent with the young people that have petrol sniffing issues related to their offending behaviours.

1. Lenny Roth, Bail Law: developments, debates and statistics, NSW Parliamentary Library, Research Services Briefing Paper, May, 2010.
2. Gabrielle Denning - Cotter, Bail Support in Australia, Indigenous Justice Clearinghouse, Brief 2, April 2008.
3. Denning - Cotter, Bail Support in Australia, Indigenous Justice Clearinghouse, Brief 2, April 2008.

YOUTH JUSTICE COURT SECTION 64 REFERRALS TO A DIVERSION PROGRAM

YJAC has been involved in the ongoing monitoring of section sixty four referrals, as per the Act, from the Youth Justice Court (YJC) to diversion programs, due to the recent Firth Supreme Court ruling, during this reporting period.

This involves the NT Supreme Court ruling in regards to section 64 referrals, under the Act, for the reassessment of young people from Youth Justice Court to a diversion program. This also includes the practise direction number six of young people admitting their guilt.

Initially, there was reluctance by some magistrates to refer young people from YJC to youth diversion under an s64 referral unless they made admission of guilt through a guilty plea or not referring a young person at all and dealing with their matter in the YJC. This was mainly due to the experience of lawyers then setting the matters down for a hearing to contest the charges. However, due to the Supreme Court ruling and the practise directions Judges are now referring young people to diversion under an s64 referral, although some Judges are still requiring an admission of guilt through a guilty plea.

However, YJAC members still have concerns with YJC s64 referrals to diversion programs involving:

Numerous Adjournments

There are several examples of lengthy adjournments for young people. This is especially the case when young people are given the option of diversion or they are on post court diversion. These matters can take a least three adjournments till the young person is granted diversion and then three more court appearances whilst they are on a diversion program. This process can take at least six to eight months with about eight court appearances, until the diversion is completed.

The aim of the diversion program is to keep young people out of the youth justice system. However, the current process is involving young people more and more and is clogging up the court system unnecessarily.

Diversion Program Conditions utilising bail or NTDCS reporting conditions

All young people on post court diversion (section 37 – 45 of the Act) are also on bail with the same or similar conditions, especially curfews. This appears to be double dipping. If they breach their bail, they will fail their diversion program.

Curfews seem to a standard program condition which is in place for the whole of the diversion program, sometimes three months. It seems youth justice system is setting up the young people to fail.

The Youth Diversion Unit (YDU) completes the assessment for diversion within a two week time frame (in Tennant Creek). However, it can take at least three months for the program providers to initiate the diversion program after the conference. Most programs are at least three months long. In most cases, the whole diversion process can take up to eight months to complete and some of the offences were committed eight months prior. In saying this, Police are reviewing their diversion program procedures.

The length of time this takes is impacting on diversion as young people cannot remember their offending behaviour clearly. As a young man stated to an YJAC member this week, he would rather take his chance in court because diversion takes too long.

YJAC Solutions

Proposition for Diversion Programs to be facilitated by Non-Government Organisations (NGO's) Youth Workers, in conjunction with police and NT Correctional Services Supervised orders to be Co-Case Managed with NGO Youth Workers.

- Proposal for trained NGO's youth workers to conduct and facilitate diversion programs and Youth Justice Conferencing with the police involvement only in the conferencing phase, as active member of the conference.
- This is a case management model, enhancing the restorative approach, in regards to the barriers that young people are experiencing with their involvement in the youth justice system. This would alleviate the overburdening of police and their background involvement in and expediting the diversion process, for an immediate impact on young people to re-offend.
- Proposal for Correctional Services supervision, community work orders and post release detention parole plans to be co-case managed with an NGO's youth worker assisted case management model, in regards to a restorative approach and providing access to and assistance for young people to appropriate programs and services i.e. education and training, counselling, family conferencing, accommodation and alcohol and other drug services.
 - Therefore, providing improved outcomes for victims, police and Indigenous young people involved in the youth justice system, to recidivist offending.

Barkly Region Youth Justice System Outreach Program

- This program needs to be implemented Northern Territory wide as it is a program of best practice.
- Appropriate Support Persons for young people involved with police need training in regards to:
 - knowing young people's rights in an Electronic Record of Interview
 - explaining bail requirements to young people and
 - explaining the rights of a young person under the Youth Justice Act in a language that young people understand.
- Youth Justice Court provides support involving case management, explanation of the Court processes, in a language that young people understand, education and training plans and support of families and guardians. This program is available in Tennant Creek and the whole of the Barkly Region, including the bush circuit in Elliott and Alekerange, which are growth towns.

- Co-case management of all young people under NT Correctional Services, less than 25 years, to provide the necessary skills of a youth worker in case management and referral to identified services for the needs and issues of the young person. Young people on supervision and community work orders are treated like 'mini' adults without case manager involvement. This is due to the Corrections caseload demands and not being trained to work specifically with young people. Case managers also engage with these young people to ensure they adhere to the orders conditions, especially education and AOD awareness programs. These programs are tailored to the needs and issues of the young person.
- Post release plans from detention that involve parental/guardian support and assistance for the young person to transition into education, training and employment and holistic programming, involving all aspects of young person's life i.e. case management. This is so they have the necessary skills not to re-offend and re-engage in antisocial behaviour.
- Exploring and proposing to government cost effective funding of early intervention/prevention and holistic residential program models, as an alternative to detention for young people whom have recidivist offending, needs and issues, alcohol and other drug misuse, volatile substance misuse/abuse and petrol sniffing, with a focus on education and training.
- These programs were researched Australia wide, for the Barkly Region. This includes an outstation program model, which has necessary infrastructure for a proposed program and services and other residential programs including crisis accommodation, linked to the proposed Barkly Region Headspace program.
- The proposed holistic program model we are advocating for is for young people involved in the youth justice system, to have access to case management, counselling, education and training support, employment support, access to health services; including alcohol and other drugs and volatile substance abuse, housing conditions and family conferencing and skill support for families to better effect their relationship with their young person, to become a productive member of their community.

Trauma and rehabilitation

At its October 2015 meeting, YJAC was joined by Coleen Gwynne the new Northern Territory Children's Commissioner who spoke to the committee about the research and topics being discussed nationally by Children's Commissioners. This included a growing understanding of the impact of trauma on childhood development, and the potential for engagement and understanding to overcome and address offending and other behaviours.

Following the presentation from the Children's Commissioner YJAC members also received a briefing from the Youth Detention Forensic Psychologist who was able to outline the services and processes that apply to young people in detention and the way in which assessments and treatment plans are progressed.

REGISTER OF APPROPRIATE SUPPORT PERSONS

The Register of Appropriate Support Persons provides the Northern Territory Police with access to responsible adults who can be present and assist unaccompanied young people when they are required to attend interviews and engage with police in relation to possible criminal matters.

The appropriate support person acts as a parent would for the young person, by providing appropriate support and non-legal guidance. In the Northern Territory the Register of Appropriate Support Persons is provided by the Australian Red Cross.

The success of the Register of Appropriate Support Persons is in the recruitment, training and availability of appropriate people who are committed to volunteering their time. The Australian Red Cross partners with key stakeholders, particularly the NT Police and NT Department of Correctional Services and legal organisations such as NAAJA and CAALAS to ensure that the volunteers are appropriately trained and able to fulfil their functions.

Maintaining the Register of Appropriate Support Persons is a key function of the Youth Justice Advisory Committee. In 2015-16 discussion of the register, and quarterly reports from the external providers, have formed part of each meeting's agenda.

Data received by the committee showed that over 2015-16 there were 47 volunteers who collectively provided 297 hours of support to 211 young people across 327 call-outs.

Volunteers on the Register of Appropriate Support Persons – 2015/16

		Darwin	Katherine	Alice Springs	Total
Persons on register		27	8	12	47
Gender	Male	2	1	3	6
	Female	25	7	9	41
ATSI Indicator	ATSI	2	1	0	3
	Non-ATSI	23	-	12	35
	Unknown	-	7	-	7
Volunteer hours contributed (approx.)		255	1	41	297

Clients using the Register of Appropriate Support Persons – 2015/16

	Darwin	Katherine	Alice Springs	Total
No. of individuals supported	169	5	41	215
Total number of call outs	282	5	51	338

In 2015-16 the Committee identified the need for police and the provider to work together to strengthen orientation training for the volunteers who perform this service. This was in response to concerns that volunteers may find themselves in situations where the logistics and dynamics in performing their role are unclear. In response the NT police were able to take action to address this concern and confirm this at the February 2016 meeting.

The Youth Justice Advisory Committee notes the continued dedication of the volunteers, and in 2016-17 intends to seek further information and provide advice to the Minister in relation to the potential to improve this service by providing a through-care model that enables the Appropriate Support Person to have a role during the Young Persons court processes and possible detention.



ELDERS VISITING PROGRAM

At the October 2016 meeting the Committee received a brief from NTDCS on the design and activities of the Elders Visiting Program.

The Elders Visiting Program provides:

- (1.) an important cultural link between Indigenous prisoners and
- (2.) advises staff on cultural and community issues that may impact on a prisoner's behaviour or ability to address their offending behaviour.

YJAC heard that through this program Elders and Respected Persons visit correctional facilities on a regular basis to engage and participate in activities with prisoners. This includes covering:

- Family and community issues relating to offenders, e.g. deaths in the family;
- Through-care needs of offenders;
- Discharge planning;
- Cultural advice to staff;
- Cultural development programs with offenders;
- Participation in the planning and conduct of cultural programmes and events;
- Liaison with the Indigenous Services Agencies, Community Corrections and Prisoner Support Officer;
- Provide advice to the suitability and acceptability of offenders remaining in the DWCN;
- Provide feedback and advice to the Office-in-Charge; and
- Report to the NTDCS Elders Co-ordinator on relevant activities. Elders and Respected Persons keep the community informed of the prisoner's progress as well as being a valuable conduit between the DWCN and the broader community; they will also play a vital role in assisting prisoners to transition back to their communities upon release.

YJAC members were able to ask about the frequency of the visits, cost of the program, the outcomes of any evaluation and NTDCS views on how the program could better link or integrate with YJAC.

EARLY INTERVENTION YOUTH BOOT CAMPS

The Early Intervention Youth Boot Camp program is available to young people aged 12 to 17 years old who are at risk of breaking the law. According to the Department of Corrections website the program helps young people to:

- become aware of the impact of their choices
- change their attitude
- learn behaviour management skills
- deal with their alcohol or drug abuse issues
- help their physical health and mental wellbeing
- identify issues they have with their family
- improve cultural connection and identity
- connect young people and their families to services.

The programs are organised by Operation Flinders in partnership with YMCA Darwin (Darwin and Katherine), Relationships Australia (Alice Springs), and CatholicCare NT (Tennant Creek). Throughout the 2015-16 year the Committee received status reports on the Early Intervention Youth Boot Camps as part of its standard agenda. This included the opportunity to review copies of the referral forms and criteria.

The February 2016 meeting of the Youth Justice Advisory Committee was provided advice that over 40 referrals had been made from Tennant Creek and that uptake for the program was positive. The Committee was also advised that the mixed regional grouping of participants had not been as successful as expected and that the criteria for the early intervention youth boot camp would be adjusted to ensure that young people with complex needs (i.e. substance misuse) are accepted into the program. The Committee was also advised of the evaluation of the program, which was released in January 2016.

The Evaluation of the program noted that “the implementation of the EIYBC Program has gained traction across the Northern Territory. Further to the 2014 review, there is optimism that the Northern Territory Government is at the forefront of best-practice and benchmarked implementation of such interventions. This is testament to the significant energy and commitment from a large number of passionate stakeholders across government, non-government agencies and the preferred provider/s”.

The evaluation went on to note that “While the full impact of the EIYBC Program will not be assessable until further consolidation has occurred, there is shared agreement among many stakeholders that value is being delivered for young participants and their families, and that this value will be enhanced and strengthened over time.”

YJAC MEMBERS INSPECTION AND REVIEW OF DON DALE YOUTH DETENTION CENTRE (DDYDC) IN OCTOBER 2015

Background

YJAC inspected and reviewed the DDYDC, in October, 2015. Their findings, observations and questions with DDYDC staff were framed with the following legislative requirements in the Act, Australasian Juvenile Justice Administrator's (AJJA) standards and the United Nations minimum guidelines and rules to report back to the Minister, which included the following:

- Part 8 youth detention centres, as per the Act.
- The AJJA standards and guidelines for young people in detention, especially for young people on remand.
- The United Nations Standard Minimum Rules for the Protection of Juveniles Deprived of their Liberty (Beijing Rules)
- The United Nations Standard Minimum Rules for Non-Custodial Measures (Tokyo Rules), notably for young people on remand because they have no residential bail alternatives prior to sentencing
- The United Nations Standard Minimum Rules for the Administration of Juvenile Justice (Beijing Rules).
- The United Nations Standard Minimum Rules for the Rights of a Child (Beijing Rules).
- The National Framework for Protecting Australia's Children (2009 – 2020), Third Action Plan Consultation Report.

Subsequently, YJAC members, have been visiting Youth Detention Centres (YDCs) in their current employment roles with clients, as the then Corrections Minister denied proposed YJAC members' visits and inspections of Youth Detention Centres, as per section 168 of the Act.



Inspection and review of YJAC member findings, observations as compared to the above legislative documents, standards, rules and guidelines. YJAC Members main concerns involved the following areas using the above rules and guidelines

Rehabilitation and Post-Release Plans

- It is our view that any effective detention program needs to incorporate a through care case-management approach. This involves developing realistic and practical through care and post release case management plans, in conjunction with the Northern Territory Department of Correctional Services (NTDCS), Parole Board, Youth Justice (YJ); local youth support workers, Elders, family members and drug and alcohol treatment providers in the community. If detainees are remanded far away from their local communities, opportunities for local youth service providers to effectively engage with the detainees become limited and this can potentially undermine the efficacy of any bail or post-release plans. Community Corrections, for example, are often being ordered to prepare pre-sentence reports for youths in custody. To solely rely on video-conferencing facilities to communicate with the detainees can adversely affect the content of these reports which are often given significant weight by magistrates and judges. In addition, it is questionable whether local youth specific agencies can conduct assessments and communicate effectively with the detainees via video conferencing due to the significant language barriers or cognitive and mental health issues experienced by many young detainees. It must be noted that the failure to devise effective bail or post-release plans can mean that young people are deprived of any real alternatives to detention. If this is the case, their time in custody would be unnecessarily prolonged without any meaningful intervention.

On a more practical level, we are aware that the SEED program is currently not available for detainees in Don Dale Detention Centre. Hence, detainees who initially can access the training in Alice Springs are prevented from these opportunities due to the transfer policy.

YJAC has sought advice and further direction in relation to the below outlined issues:

- Inadequate education reports from the Tivendale school to develop through care and post release plans to boarding school applications
- One young man being held in isolation was yearning to engage with anyone, as were most detainees that YJAC members engaged with. What are the Youth Justice worker's roles if they are not engaging with these young to enhance their rehabilitation and they appeared to have little involvement in the case management planning?
- Observations of the use of handcuffs between high security areas to school and recreation areas inside the confines of the DDYDC and YJAC members questioned DDYDC staff about this practise.
- There has been some refurbishment but the DDYDC is essentially an adult prison and in not conducive environment for the rehabilitation of young people in detention.
- The Elders Visiting Program is on an adhoc basis and NTDCS are reviewing their procedures.
- There has been no information provided on the Official Visitors Program. YJAC needs to review their involvement.

On the positive side, the implementation of CHART program, the case management program involving a forensic physiologist and case managers and young person's involvement in other programs and services to reduce or decrease their offending behavior.

YJAC will need to review data on the success of these programs, as it has not been effective in community corrections perspective with one young man, involved in CHART program, to cease or reduce his offending behaviours and the implementation of a case management framework.

Nevertheless, it appeared that the case managers are not engaging with the youth justice workers, whom are involved with young people on a daily basis to implement the interventions and strategies within these case plans with responsible family members and Elder engagement.

Conclusion

YJAC is still proposing a need for an independent body or person, such as YJAC, as per section 168 of the Act, to inspect a detention centre, above and beyond the EVP and OVP, on a regular basis, not only when the centre is in crisis.



ISSUES REGISTER FOR THE YJAC

ANNUAL REPORT 2015/16

Background

In 2015/16 YJAC reinstated the Youth Justice System (YJS) Issues Register for mainly Non-Government Organisations (NGOs), working in the YJS, at the 'grass roots' level, the Central Australian Youth Justice Committee (CAYJ), the Top End Youth Justice Coalition and community members to have the ability to voice their issues, needs and concerns in the YJS for YJAC to discuss, address and propose solutions and advise and then further raise with Minister if required.

This should only complement the Youth Detention Reform Advisory Group involvement as 'grass roots' NGO case managers and workers, especially from regional and remote communities, to have access to YJAC members and input through the reestablishment of the YJAC YJS Issues Register.

Furthermore, CAYJ and the Top End Youth Justice Coalition, have the ability to voice their issues, needs and concerns in the YJS for YJAC to discuss, address and propose solutions and to advise and raise with Minister, through the YJS issues register format.

Please see attached an example of the YJAC issues register format and the majority of these issues were addressed through the YJAC meeting. There was no need to raise them with Minister; however, the Minister receives minutes of the YJAC meetings.

Current Situation

The main issues raised in 2015/16 are concerning:

- Police or other NTG departments not adhering to the Act.
- Diversion program issues, pre and post court, regarding bail conditions that involve curfew conditions and the Firth Supreme Court ruling, regarding admission of guilt.,
- Early Intervention Youth Boot Camp reengagement of young fellas that attended the program and required intensive support to reengage in school and their awareness, regarding behaviour management, when they were attending and applying themselves prior to this experience.
- YJS officials not explaining a young person's YJS involvement and responsibilities to young person and their responsible adult in a language that they understand. This is to ensure that they follow their bail conditions and NTDCS reporting conditions, so they are not set up to fail.

The YJAC issues register then allows community members, NGO's, YSPs and YJ committees and forum members to raise their YJ issues and concerns with YJAC members so they can be addressed in a YJAC committee meeting or then raised with the Minister.

CORRESPONDENCE

Correspondence Out

- Letter to Minister regarding YJAC members visiting YDC as section 168 of the Act- September 2015 and April 2016.
- Letter to Northern Territory Children's Commissioner Report and the funding of YJ Programs – December 2015.
- Letter to Minister regarding the changes to Alice Springs Detention Centre for Barkly Region and Central Australian young people to a short term facility and the uncertainty of transferring these young people to DDYDC, with lack of family, Elder and local youth service support for through care plans - April 2015.

Correspondence In

- Minister's response to YJAC visiting YDC's as section 168 of the Act –December 2015.
- Minister's response to regarding the use of ASYDC and transfer of detainees from ASYDC to DDYDC and YJAC visiting YDC's as section 168 of the Act –January 2016.



PROPOSED YJAC FOCUS AREAS

FOR 2016/17

YJAC is already planning its future direction for 2016/17 with a conscientious focus on the following YJS areas to reduce and cease a young person's involvement in the YJS:

- Proposing justice reinvestment program models as an alternative to a young person's involvement in the YJS, especially in regional and remote communities.
- Proposing alternatives to detention to address a young person's offending behaviours through a case management approach with residential bail support programs, as per the Youth Justice Framework, 2015/17.
- Reviewing 2015/16 and August 2017 YJAC meeting minutes to ensure that they are an accurate record of what transpired, as members only received these meeting minutes from the Secretariat on 31/08/2016, to ensure that YJAC is adhering to its future focus direction, as per sections 204, functions and 205, powers, of the Act.
- Advocating for YJAC to continue negotiating with NTDCS, YJ and proposing to monitor, evaluate and advise on all aspects of NTDCS, YJ, operations as per the Youth Justice Framework, 2015/17 and the Act and proposing that YJAC Secretariat position be independent to NTDCS.
- Monitoring the effectiveness of diversion programs with pre and post court referrals to diversion programs to address a young person's recidivist offending.
- Monitoring the Responsible Adult Support Program (RASP).
- Monitoring the Early Intervention Youth Boot Camp Program (EIYBC) and Sentenced to a Boot Camp (SYBC) guidelines, program, service delivery and evaluation.
- Reinstating and exploring a Restorative Justice approach to youth justice issues.
- Advocating for adequately resourced early intervention and prevention programs in regional and remote communities, within a case management framework, to circumvent offending related to volatile substance and other substance misuse.
- YJAC inspecting the Youth Detention Centres as per section 168 of the Act.

However, this focus could be redefined with the findings of the Royal Commission in 2017.

YJAC'S PHILOSOPHY

YJAC supports the establishment of a consistent practice philosophy throughout the various operational areas of the youth justice system. This philosophy should recognise the principles of restorative justice and the need to divert young people from the youth justice system (YJS) at the earliest opportunity. Diversion and through care planning strategies need to be provided at every stage of the youth justice system from first contact with police through to post detention.

The principles and the provisions of the Act do not require change, what is required is a accountable commitment to implement the Act, by all YJ service providers and the Northern Territory Government (NTG) and the NTG to resource the YJ sector accordingly. This is especially with an early intervention, prevention focus, in a case management framework, involving the young person's family members and Elder and Respected Person engagement, pre-sentence conferencing, as per section 84 of the Act, with Elder and Respected Community engagement and involvement, proactive diversion programs being delivered with through care plans being developed, in a case management framework, appropriate through care plans being developed with young people in detention and residential bail support programs, to reduce and cease a young person's offending through the involvement and empowerment of young people, responsible family members, Elders and Respected Persons, community members and proactive youth service providers, at every stage that the young people are involved in the YJS.



CONCLUSION

YJAC has the capability as per its functions and powers, as per sections 204 and 205 of the Act, to liaise and lobby with the Minister and the NTG, Department of Families, YJ for appropriate resourced program and service provision, especially in an early intervention and prevention framework that utilises a case management approach, the ability to lobby and advocate with the NTG for best practise program and service provision that are adequately resourced in regional areas.

This is evidenced by YJAC's contribution and submission into the 2011 Carney Review of the YJS and the proposed recommendations involving YJAC member's input into their implementation in the YJS.

There is potential to address a young person's needs, issues and barriers in the YJS through adequate resourcing of early intervention and prevention programs and services is partially proven with the NTDCS, YJ Early Intervention Youth Boot Camp program (EIYBC), proactive Diversion programs and the proposed residential bail support programs. However, these programs and services need to be delivered in Northern Territory Regions to be effective. This is so young people have access to family members, Elders and Respected persons and youth service providers, with whom they and their family members have an already established rapport and relationship, not to tell their 'story' over and over again, to develop plausible, proactive through care plans to cease their recidivist offending after participating in these programs and services.

There is also the potential to address the young person's volatile substance and petrol sniffing misuse and associated offending behaviours through case management assessments, well-being screenings and developing case plans i.e. a case management program, with the young person and up skilling their most appropriate family members with a adequately resourced regional residential facilities and associated alternative learning programs. This is to ensure that their circumstances change after the completion of their residential rehabilitation program to address their substance misuses issues and associated offending behaviours

Additionally, the current composition of the YJAC committee membership ensures that there is 'grassroots' expertise and experience and is related to young people's involvement in the YJS. This allows YJAC to have the capability to advocate and lobby the NTG and monitor the NTDCS, YJ for resourced best practise programs and services to cease or reduce a young person's involvement in the YJS with through care plans that have family member and Elder and Respected community member involvement if YJAC members are allowed to be proactive, especially with their employers and their current workloads.

This is evidenced by the overall functions of YJAC having been constrained, in 2015/16 due to the lack of Northern Territory Government (NTG) appointed members and community committee member's workloads to attend meetings with leave, resignations and family problems and engage with other committee members outside designated meeting times, due to the same employment and family restraints.

YJAC should be the primary 'voice' to the Minister to inform and promote this change within the YJS and advocating for YJ programs of best practise; early intervention, diversion and through care planning in a case management framework for post court and detention experiences, pre-sentencing options and bail support programs, as an alternative to detention and to reduce or cease of young person's involvement in the YJS.

YJAC is already planning its future direction for 2016/17 with a conscientious focus on the following YJS areas to reduce and cease a young person's involvement in the YJS:

- Proposing justice reinvestment program models as an alternative to a young person's involvement in the YJS, especially in regional and remote communities.
- Proposing alternatives to detention to address a young person's offending behaviours through a case management approach with residential bail support programs, as per the Youth Justice Framework, 2015/17.
- Advocating for YJAC to continue negotiating with NTDCS, YJ and proposing to monitor, evaluate and advise on all aspects of NTDCS, YJ, operations as per the Youth Justice Framework, 2015/17 and the Act and proposing that YJAC Secretariat position be independent to NTDCS.
- Monitoring the effectiveness of diversion programs with pre and post court referrals to diversion programs to address a young person's recidivist offending.
- Monitoring the Responsible Adult Support Program (RASP).
- Monitoring the Early Intervention Youth Boot Camp Program (EIYBC) and Sentenced to a Boot Camp (SYBC) guidelines, program, service delivery and evaluation.
- Reviewing 2015/16 and August 2017 YJAC meeting minutes to ensure that they are an accurate record of what transpired, as members only received these meeting minutes from the Secretariat on 31/08/2016, to ensure that YJAC is adhering to its future focus direction, as per sections 204, functions and 205, powers, of the Act.
- Re-establishing and exploring a Restorative Justice approach to youth justice issues.
- Advocating for adequately resourced early intervention and prevention programs in regional and remote communities, within a case management framework, to circumvent offending related to volatile substance and other substance misuse.
- YJAC inspecting the Youth Detention Centres as per section 168 of the Act.

However, this focus could be redefined with the findings of the Royal Commission in 2017 and YJAC's proposed input.



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