

YOUTH JUSTICE
ADVISORY COMMITTEE
ANNUAL REPORT 2018-19

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

01 August 2019

Dear Minister Wakefield

The Youth Justice Advisory Committee (YJAC) in accordance with Section 213 of the Youth Justice Act 2005 (the Act) is pleased to present the 2018/19 YJAC Annual Report.

In the reporting period YJAC's involvement in the Youth Justice Sector, as per Section 204 of the Act, has included monitoring and evaluation of the operation of the Act, advising you on needs and issues within the Youth Justice System, adherence to the Act and the sector, to inform government policy and program direction, especially with the amendments to Youth Justice legislation in conjunction with the Royal Commission Recommendations.

I appreciate the efforts of all YJAC committee members, particularly given their busy work lives. I also recognise the Secretariat support of YJAC throughout this reporting period and past involvement. YJAC members wish the past Secretariat officer the best for her future endeavours and commend the efforts of the current officer in supporting YJAC members and resolving the majority of the YJAC administrative problems.

In accordance with the Act, I verify to you that the 2018/19 YJAC Annual Report is an accurate record of YJAC's involvement in the youth justice system over the past financial year.

Yours sincerely

Stewart Willey

Stewart Willey
Acting Chair,
Youth Justice Advisory Committee

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BACKGROUND

The *Youth Justice Act 2005 (the Act)* commenced on 1 August 2006 and the establishment of the Youth Justice Advisory Committee (YJAC) commenced in 2008.

Part 13 of *the Act* provides for the establishment of the YJAC.

On 1 July 2008, responsibility for *the 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 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 Act* was transferred to the Department of Correctional Services. The Youth Justice Division, Department of Correctional Services was responsible for providing administrative and secretariat support to the YJAC.

In 2016, the change in government resulted in most Youth Justice areas being transferred to the responsibility of Territory Families. For example, bail and supervision orders under NTCS to TF and the powers of CEO, TF, to be in line with commissioner of NTCS.

In March 2019, the Youth Justice Amendment Bill 2019 was introduced and passed in Parliament. The Bill amended the *Youth Justice Act 2005* to clarify key provisions relating to the use of force and the powers and function of the superintendent youth detention. The *Youth Justice Amendment Act 2019* was taken to commence on 24 May 2018. This is the date that the *Youth Justice Amendment Act 2018* commenced. The purpose of the amendments were to remove any doubt about the meaning of the amendments made in the *Youth Justice Amendment Act 2018*.



YJAC FUNCTIONS, MEMBERSHIP, POWERS, MEETINGS AND ANNUAL REPORT REQUIREMENTS AS PER THE ACT.

Section 203 Establishment of the YJAC:

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; at least 2 members who are Aboriginals;
 - (b) at least one member who is under the age of 25 years at the time of appointment;
 - (c) at least one member who has formerly been a detainee;
 - (d) one member who is an official visitor within the meaning of Part 9;
 - (e) at least one member who, at the time of appointment, resides in the Alice Springs area;
 - (f) at least one member who, at the time of appointment, resides in a remote community.
3. Equal numbers of male and female members;
4. At least 2 members who are Aboriginals;
5. At least one member who is under the age of 25 years at the time of appointment;
 - (a) At least one member who has formally been a detainee.

Section 204 YJAC Functions:

- (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, integration and implementation of government policies and programs concerning youth
- (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:

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.

YJAC Current 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.

- ▷ The current YJAC committee member composition should be more representative of the Northern Territory (NT), community and regions, with the recruitment of members and their involvement in the youth justice system, as per the Act. YJAC members should be committed to their involvement to monitor, advise and address young people's involvement in the YJS, through advising the Minister.

A key focus of ongoing recruitment to the YJAC is increasing the representation of community members who are Aboriginal; work as 'grassroots' case and youth workers or work in the health and mental health sector.

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 has held four face to face meetings in August, October, February and May in the financial period 2018/19. Following each meeting, minutes are prepared by the Secretariat and distributed to members and the Minister.
 - ▷ The Committee held three teleconferences during the 2018-19 year.

Section 212 Quorum:

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

- ▷ During the reporting period it has been difficult to raise a quorum due to the resignations of members, changes in Territory Families Secretariat support services and member's workloads. At times, it has been difficult for members to engage in designated meetings and outside meetings to progress YJAC action items. This is being addressed through the current recruitment to fill vacant community member positions on the YJAC and the new Secretariat support from Territory Families.

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.

MEMBERS DURING THE REPORTING PERIOD

Region	Name	Organisation
Darwin	Mr Ian Lea	Northern Territory Police
	Ms Susan Macpherson	Department of Education
	Mr Desmond Campbell	Anti-Discrimination Commissioner (resigned prior to 30 June 2019)
	Mr Clement Ng	Department of Attorney-General and Justice
	Mr Matthew Bonson	Law and Justice Legal Services (resigned prior to 30 June 2019)
	Ms Jane Bochmann	Law Society Northern Territory
Tennant Creek	Mr Stewart Wiley	Community Member
	Ms Michelle Bates	Community Member
Katherine	Ms Meg Geritz	Territory Families
	Ms Thomasin Opie	Legal Aid Commission (resigned prior to 30 June 2019)
Alice Springs	Ms Sarah Holder	Northern Territory Council of Social Service
	Ms Tierneigh Parnell	Youth member (resigned prior to 30 June 2019)

CURRENT MEMBERS

Mr Stewart Willey, Acting Chair

Stewart is a Community Member from Tennant Creek and was the YJAC Chair from 2009 to December 31, 2017. Stewart was employed by Papulu Apparr kari Aboriginal Corporation as the Parent and Community Engagement (PaCE) Project Manager till February 11, 2019. PaCE engages with family members, schools and youth services providers in Tennant Creek and the Barkly Region to address the needs, issues and barriers to a young person's school attendance and engagement. He is now reestablishing the Youth Development Unit (YDU) in Tennant Creek and The Barkly Region through intensive case management engagements with young people, their family members and Elders and providing alternatives to offending behaviours such as playing football games linked to school attendance and engagement, at their request.

Ms Meg Geritz

Over the last 19 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 Geritz is the Senior Director Territory Families Big Rivers Region, leading the integrated responses to Territory Families responsibilities across the Katherine region. This includes service delivery functions in the areas of child protection, youth services, child and family support, domestic violence and Non-Government Organisation (NGO) engagement and development to deliver place based integrated and responsive services.

Previously as the Regional Manager for Australian Red Cross, Meg was responsible for the development and implementation of Community Programs responding to Community priorities in Katherine, Kalano and Daly River (Nauiyu). Australian 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 Nauiyu - a community capacity building initiative for young people.

Meg has been a key support and promoter for regional networks including the Youth Justice Advisory Committee (YITCG), the Community Helping Action and Information Network (CHAIN), and the Nauiyu Action Group (NAG) driving Suicide Intervention and Prevention Strategies and in 2018 was a finalist in the 2018 Telstra Business Awards as a Social Change Maker.

Ms Susan Macpherson

Susan Macpherson has worked in education and training for more than 30 years. She has had a diverse career, working across the private and public sectors and for two tiers of Government in three jurisdictions; she has worked as a teacher, in school leadership positions, and at the executive and senior executive levels in the public service. Ms Macpherson has a particular interest in the education of young people with additional needs, and in working collaboratively to broker whole-of-government solutions to complex social policy issues.

Mr Clement Ng

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 (NTLAC) as a criminal lawyer, a position that he maintained for six years.

Between 2011 and 2017, he was the designated youth justice lawyer in the Alice Springs office. He primarily represented both indigenous and non-indigenous young offenders in the Youth Justice Court and the Supreme Court. His past involvements in the youth justice 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 NTLAC on various youth justice issues. He also represented NTLAC as part of the Central Australian Youth Justice Coalition (CAYJ).

He has presented papers and published on issues in relation to youth justice in the Northern Territory. He completed his Master of Laws degree at the University of New South Wales in December 2016 specialising in criminal justice and human rights. Most recently, he was awarded a Churchill fellowship to study mental health courts and other justice responses to youth with mental health issues in Canada, USA and New Zealand.

Clement Ng was nominated by the Law Society as the member of the Youth Justice Advisory Committee (YJAC) between 2015 and 2017. Since then, Clement Ng joined the Department of the Attorney-General and Justice (AGD) as a senior policy lawyer in March 2017. He was nominated by AGD and has since served as the representative of AGD on YJAC

Ms Jane Bochmann

Jane Bochmann is a Senior Summary Prosecutor, currently based in Summary Prosecution section of Director of Public Prosecutions, Darwin. Previously in Crown Prosecution at the DPP Darwin, a role taken after moving from Adelaide, where she was a criminal defence lawyer at the Legal Services Commission of South Australia for over 6 years and part of the Complex Criminal Law Panel. She has also worked as a SA District Court Judge's Associate and in private practice in a major Adelaide law firm.

Ms Sarah Holder

Sarah Holder is the Child and Youth Policy Officer with the Northern Territory Council of Social Service (NTCOSS), where she has worked since 2017. Prior to taking on this role, Ms Holder was employed as Policy Officer with Jesuit Social Services, with a particular focus on social justice issues in the NT. Ms Holder has completed post-graduate studies in youth justice and has commenced a Masters in Policy and Applied Social Research.

Ms Holder has worked in Central Australia for the past 16 years in policy, youth work and community development roles, and has a strong understanding of the needs of young people in remote communities and the issues they face in relation to social exclusion, homelessness, poverty and youth justice.

Ms Michelle Bates

Appointed to YJAC in 2017 as a community representative, and working for First Peoples Disability Network, a systemic advocacy body, Michelle offers insights and learnings from years of work in strategic and operational leadership roles, nationally in the disability support sector. This experience includes the establishment of a successful team operating in the National Disability Insurance Scheme (NDIS) Trial Site, in Tennant Creek and Barkly NT.

A descendant of the Anaiwan nation, for four years Michelle has cared for children as a foster carer and is an active community member of Tennant Creek. Michelle's particular interest is in advocating for the needs of and identifying barriers and issues faced by children and young people with diagnosed and yet to be assessed/diagnosed disabilities and complex care needs who are engaged in child protection and youth justice systems.

YJAC'S FOCUS AREAS

YJAC focus areas are linked to the Recommendations of the Northern Territory Royal Commission into the Protection and Detention of Children in the Northern Territory. The focus areas for the 2018/19 financial year included:

1. Implications of raising the age of criminal responsibility to 12 years (recommendation 27.1)
2. Decriminalising bail breaches (recommendation 25.19 (4))
3. Availability of presentence conferencing (recommendation 25.40)
4. Separation of child and adult court matters (recommendations 25.23 and 25.24)
5. Throughcare (recommendation 24.1)
6. Availability of reports for young people with mental health conditions/intellectual disabilities (recommendations 25.37 and 25.38)
7. Electronic monitoring (recommendation 25.17)
8. Interface between child protection and youth justice (recommendation 35.5)
9. Future role/functions of YJAC (refer to recommendations, volume 4 – page 17)

SYNOPSIS OF YJAC'S INVOLVEMENT IN THE YOUTH JUSTICE SYSTEM

YJAC members commend and respect Territory Families' engagement with YJAC in the current government reforms into Youth Justice. These reforms aim to align the Royal Commission recommendations and Territory Families regional based solutions, with a focus on local decision making and the involvement of Aboriginal organisations.

This is especially evident with proposed early intervention and prevention frameworks for young people entering the youth justice and child protection systems such as diversion, 'Back on Track' and residential bail support programs that are supported by Youth Outreach and Re-Engagement Officers as an alternative to detention for young people who have no residential bail program alternatives.



During the reporting period, YJAC members have also focused on vulnerable young people with complex needs who have been remanded in watch houses and detention for breaches of bail conditions, primarily for failure to comply with curfew conditions. YJAC notes that these young people are mainly from regional and remote communities. YJAC is concerned at the removal of these young people from Country, family and Elders.

Furthermore, YJAC is concerned that the majority of these young people have diagnosed or undiagnosed cognitive impairments and disorders. There is an urgent need for psychologist assessments outside of youth detention and assessments for National Disability Insurance Scheme (NDIS) support services as regional solutions to reduce and cease offending behaviours. This could be rectified through proposed local solutions such as the Barkly Regional Deal Initiatives in the Barkly Region and the newly established NAAJA Throughcare program in the Southern Region of the Northern Territory.

YJAC's research projects during the reporting period are linked to YJAC focus areas, the Royal Commission recommendations and the YJAC Issues register. These projects include:

- Advocating and reviewing residential bail support, including the use of electronic monitoring.
- Throughcare and the interface between child protection and youth justice, especially for young people with diagnosed or undiagnosed cognitive disorders in and out youth detention centres.
- The length of time young people are being held in watch houses.
- Territory Families' establishment of a consistent practice philosophy throughout the various operational areas of the youth justice system, pre-sentence and Youth Justice conferencing. This philosophy should recognise the principles of restorative justice and the need to divert young people from the youth justice system at the earliest opportunity. Diversion and throughcare planning strategies need to be provided at every stage of the youth justice system from first contact with police through to post detention. It is expected this will be addressed through the proposed 'Back on Track' program and Territory Families resourcing of pre-sentence conferencing.

A WAY FORWARD FOR YJAC

Meeting with Brent Warren on 14 February 2019

In February 2019, representatives of Youth Justice Advisory Committee met with Brent Warren, General Manager Territory Families to discuss the way forward for continuing improvements to the support of children and young people in detention centres.

In addition, discussion involved the central work of Youth Justice Advisory Committee in monitoring the implementation of the Youth Justice Act and the provision of advice to the Minister's office.

Brent noted several areas of prioritised focus for his team which included actions to stabilise Detention Centre workforce; a strengthened recruitment process, the development of an improved and robust induction process for Youth Justice Officers? and supported improvements to workplace culture.

Brent spoke to the need to continue attending to security (people and place) infrastructure, security and safety. Another priority, is recruitment into key positions which will bring essential leadership and clinical expertise, positively influencing program development.

Youth Justice Advisory Committee representatives identified the need for further culture - specific programs and confirmed support for the Elders Visiting Programs and other programs which centralise 'culture' in learning and engagement of children and young people while in detention, promoting more cultural connectedness.

The introduction of Back on Track programs occurring later in 2019 will provide opportunity to assess place based alternatives for youth at risk of or engaged in the youth justice system.

It was agreed more work was required in the following areas of availability of assessment for children and young people, through-care focus and connected planning and a focus on the statutory responsibility to establish and increase opportunities for children and young people to engage in Community Work Orders.

The meeting with Brent served as a very useful way for Youth Justice Advisory Committee to raise and discuss strategic policy and practice issues and responses with Territory Families Executive about detention centre and youth justice matters.

YJAC ISSUES REGISTER

Background

The YJAC Issues Register was established for primarily Non-Government Organisations (NGOs) engaging with young people and their family members in the Youth Justice System at the 'grass roots' level as well as for community members and youth justice committees such as the Central Australian Youth Justice Committee (CAYJ) and the Barkly Youth Service Providers Network (BYSPN) to voice their issues, needs and concerns regarding Youth Justice. YJAC's role is to discuss these issues and provide advice to the Minister, including proposed solutions.

The issues raised during 2018/19 relate to Territory Families' Youth Detention and Child Protection reforms, the Recommendations of the Northern Territory Royal Commission into the Protection and Detention of Children in the Northern Territory and the involvement of 'grass roots' NGO case managers and workers, particularly from regional and remote communities.

Summary of issues raised in the 2018/19 reporting period

- YJAC notes that vulnerable Indigenous young people who are facing social disadvantage and have complex needs, mental health issues and cognitive disabilities (diagnosed and undiagnosed) are overwhelmingly involved in the Youth Justice and Child Protections Systems. Many of these young people are diagnosed whilst in detention and in the care of the Territory Families Chief Executive Officer. YJAC's position is that there should be greater support services available for young people and their family members to have cognitive assessments completed in regional and remote communities of the Northern Territory.
- YJAC notes that young people from the Tennant Creek and the Barkly region are remanded in detention due to a lack of suitable residential bail alternatives in these regions. YJAC is concerned that young people from the Tennant Creek and Barkly region in detention or residential bail support programs in Alice Springs or Darwin are away from Elders, respected community members, family members, and support workers from their home community. This issue will likely be addressed through the Barkly Regional Deal Youth Justice Residential Facility and the proposed residential bail support.
- YJAC notes that young people are often held in the Tennant Creek Watch House for extended periods. For example, two young people were held for three consecutive days for breaches of bail conditions, primarily for failure to comply with curfew conditions. Further, for court appearances, young people are transported from the Alice Springs Youth Detention Centre to Tennant Creek Court in the early hours of the morning, held in the Tennant Creek Watch House for an extended period (for example over 48 hours) and then transported back to the Alice Springs Youth Detention Centre. It is anticipated that this issue will be addressed through the Barkly Regional Deal Youth Justice Residential Facility and the proposed residential bail support.
- YJAC notes the Tennant Creek Town meeting regarding the increase in property crime by young people and the need for Victims of Crime and Pre-Sentence Conferencing in Tennant Creek and the Barkly Region. YJAC recommends that Territory Families funds Victims of Crime and Pre-Sentence Conferencing programs in Tennant Creek.
- YJAC notes that young people attending court in Alice Springs are currently held in the Police Watch House on the day of their court appearance until their matter is called. This is due to renovations of the local Court precinct. YJAC considers that the Alice Springs Watch House is not suitable for young people. YJAC notes that some improvements have been made to the Alice Springs watch house, for example a television has been installed and lawyers can now take instructions from young people in a private interview room, however, work is ongoing to soften the watch house for young people.
- YJAC is concerned that Central Australian and Barkly Region young people on remand are often transported to the Don Dale Youth Detention Centre due to safety and security reasons. These young people are isolated from Elders, respected community members, family, and case management from their home community. YJAC is also concerned about the arising conflicts between Top End and Central Australian young people. YJAC recommends that engagement occurs with a known case manager from the young person's home community to ensure the young person is connected to family, Elders and peers, and to ensure more sustainable support. YJAC notes it is important for young people to access photos and messages from their community, as well as maintain connection to country and language. YJAC notes that Territory Families is implementing an Aboriginal Elders and Mentors Program to ensure young people are provided greater cultural support. However, YJAC's position is that Territory Families needs to ensure these Elders and mentors are from the young person's country and/or home community. During the reporting period, the issues regarding the Northern Territory Police Watch Houses in Central Australia and Barkly Region were raised with Minister Wakefield.

RASP

The Register of Appropriate Support Persons (RASP) provides the Northern Territory Police with access to Support Persons 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 an independent observer 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 Register of Appropriate Support Persons program relies on 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 Territory Families and legal organisation such as NAAJA 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. This financial year has seen the committee putting a particular focus on the role of the local youth outreach and re-engagement officers and the RASP program. The Committee was also particularly interested in how the RASP has taken steps to implement the recommendations of the Royal Commission into the Protection and Detention of Children in the NT. Recommendation 25.6 specifically relates to the need to 'ensure the register of support persons established under section 14 of the Youth Justice Act (NT) includes people from Aboriginal Law and Justice Groups and/or other Aboriginal community bodies for each area of the Northern Territory'. YJAC is encouraged by the fact that Australian Red Cross has begun to collect data relevant to the ethnic identity of their volunteers to help monitor the implementation of this aspect of the recommendation.



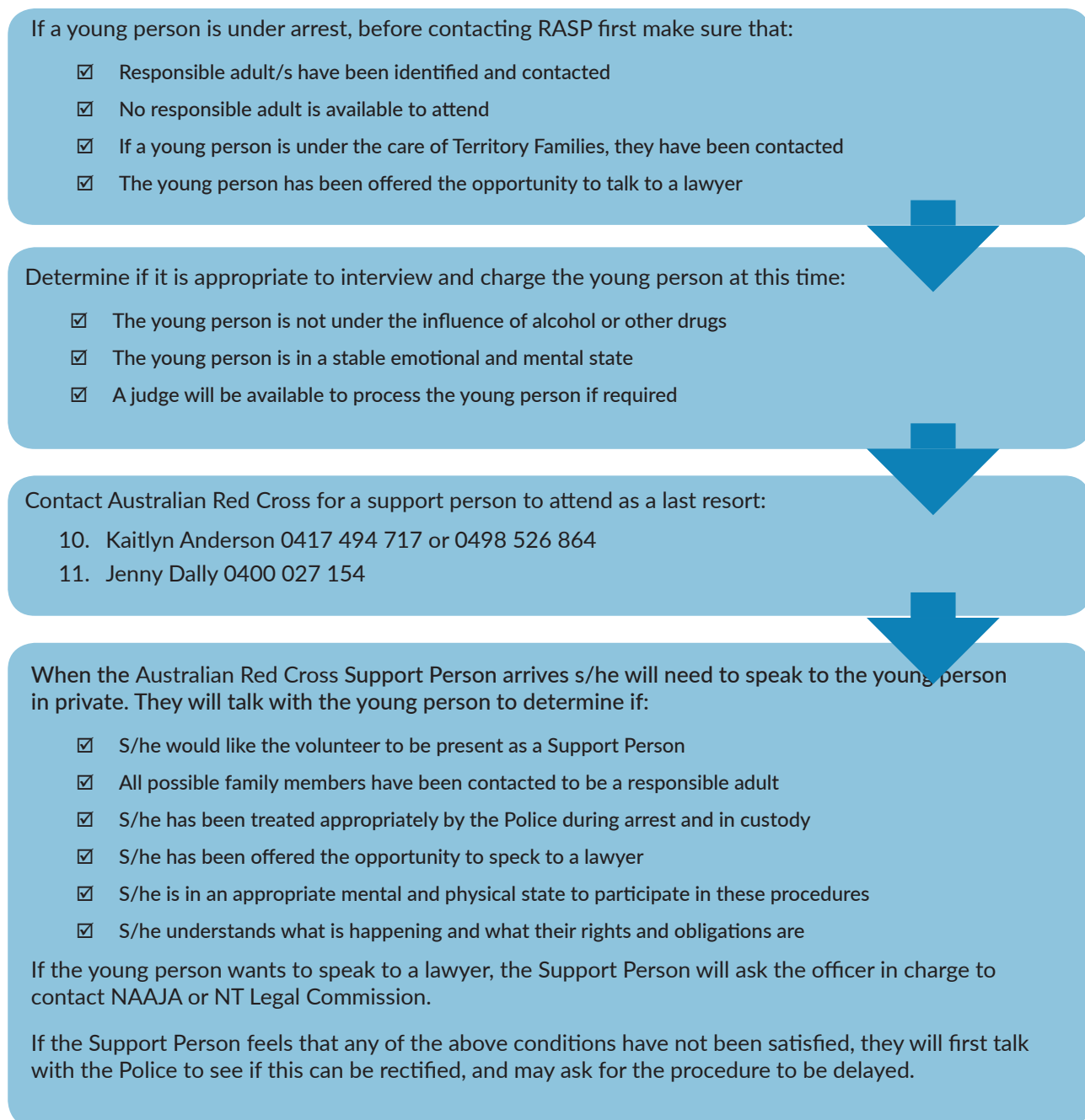
Relevantly, the annual data of the RASP program for this financial year 2018-19 are as follows:

Outcome	Measure	Data by Location			
		Darwin	Katherine	Alice Springs	
Provide 24 hour support service to young persons being interviewed, questioned or charged by Police	Total number of call outs	31	8	80	
	Age breakdown	10			
		11			1
		12	1		2
		13	3		2
		14	4	1	28
		15	5		22
		16	6	4	14
		17	7	1	10
	Unknown	5	2	1	
	Gender	M	28	5	69
		F	2	1	11
		Unknown	1	2	
	Ethnicity	ATSI	27	6	73
		Other	4	2	7
	Place of Residence	Darwin/ Palmerston	22		
		Katherine	3	5	
		Alice Springs	1		57
		Tennant Creek	2		9
		Remote Community	2	2	13
		Interstate		1	1
Unknown		1			
Maintenance of Roster	Number of young people unable to be supported	0	0	0	
	Referrals made to other services				
	Type of referral	Legal	5		
		Housing	3		
		Territory Families	4	1	
	Total number of persons on register	35	12	30	
	Gender	M	4	5	5
		F	31	7	25
	Ethnicity	ATSI	6	4	4
		Other			
Training sessions provided	Police training	3	1	2	
	Psychological First Aid	2	1	1	

Overall, we note that the number of call outs has continued to decrease in the last three years. Whilst it is clear that there are sufficient number of volunteers to provide the service, YJAC is continuing the discussion with Australian Red Cross to investigate the reasons why the services have not been more utilised in Darwin and Katherine when compared with previous years.

RASP Flowchart

This year, Australian Red Cross has also provided the Committee with new flowchart and a table of engagement activities which has been very helpful in assisting the Committee to understand the specific issues in relation to the program. YJAC considers this as a significant positive step in improving the quality of the program in the long run.



The Australian Red Cross provides volunteer Support Persons who attend the watch house when a responsible adult is unable to attend, as defined in the Youth Justice Act Division 4 35(5). The Support Person role is to ensure the welfare and rights of the young person are appropriately managed for the duration of an interview or charging. RASP Support Person volunteers are not responsible adults, carers, or legal practitioners. They are not able to provide accommodation or transport for the young person.

- Following discussions with Alice Springs Police management, the RASP Coordinator offered a presentation on RASP program and process to police at Alice Springs watch house weekly training. Feedback from Police was that they appreciated the training and it has clarified the RASP program operations

Outcome	Measure	Data by Location		
		Darwin	Katherine	Alice Springs
Maintaining Positive working relationships with Police	Number of meetings with police	<ul style="list-style-type: none"> → Ongoing email and phone discussions → 1 Meeting with watch house superintendent and senior sergeant to clarify Australian Red Cross role and procedures → NTPOL providing mock interviews to assist with training of new volunteers → Updated RASP information to NTPOL in Darwin, Katherine and Alice Springs including an explanatory flowchart for each location. 	<ul style="list-style-type: none"> → Regular discussions with relevant officers for clarification of Australian Red Cross role and procedures. 	<ul style="list-style-type: none"> → -Meeting with watch house superintendent and senior sergeant to clarify Australian Red Cross role and procedures. This has led to Australian Red Cross developing a training to deliver to NTPOL
	Outcomes achieved/ planned	<ul style="list-style-type: none"> → Australian Red Cross currently receiving more call outs however only being contacted on a last resort basis → Volunteers are better prepared for the first call out. 	<ul style="list-style-type: none"> → Volunteers are better prepared for the first call out → Australian Red Cross currently receiving more call outs. 	<ul style="list-style-type: none"> → Volunteers are better prepared for the first call out → Australian Red Cross only being contacted on a last resort basis → Police informed of Australian Red Cross Procedures.
	Promotional activities	<ul style="list-style-type: none"> → Advertisement for Volunteers on internet & intranet → ARC information stall at Volunteer expo, Casuarina. 	<ul style="list-style-type: none"> → Advertisement for Volunteers on internet & intranet. 	<ul style="list-style-type: none"> → Advertisement for Volunteers on internet & intranet.



Outcome	Measure	Data by Location		
		Darwin	Katherine	Alice Springs
Provide a quality service to target group	Complaints and feedback received	<ul style="list-style-type: none"> → Ongoing issue of detaining young people on a welfare basis as parents are unwilling or unable to attend bail process and external accommodation options for young people on an immediate basis are full → Bail conditions are still not fully understood and difficult to comply with. This is especially the case if the young person does not have support from members of the household or regular contact with a case manager on a one-to-one basis → Feedback from volunteers on how they can be better assisted to support the young people; the majority of the feedback was to provide Police with briefing to reduce ongoing confusion on how the RASP program operates. 		
	Action taken	<ul style="list-style-type: none"> → Police notified → Included in quarterly report to YJAC → Australian Red Cross to train relevant NTPFES staff in Australian Red Cross processes → Volunteer recruitment and training to cater to the possible increase of RASP callouts → Enhanced internal training for volunteers. 		
	Staff and volunteers have current police and WWC check	<ul style="list-style-type: none"> → As a requirement of this role, all staff and volunteers have a valid Police & WWC clearance. 		
	Initiatives to improve cultural security	<ul style="list-style-type: none"> → Cultural security is covered in Australian Red Cross internal training → Australian Red Cross offer cultural competency training for all Staff & Volunteers. 		
	Evidence of media events	<ul style="list-style-type: none"> → Nil. 		



- A trauma informed group supervision and training package for RASP volunteers was trialled in Alice Springs over a 4 week period.
- In addition to existing mandatory face-to-face and online child protection training for all volunteers, an online training package is currently being designed with the Australian Childhood Foundation and Save the Children; this will be mandatory for all volunteers and staff to complete prior to being activated.
- Australian Red Cross risk assessment review for RASP carried out in Darwin and Alice Springs which has been used to improve the operations and RASP training.

Given YJAC have started to publish all quarterly statistical data received from Australian Red Cross in the last financial year, YJAC considers it is useful to continue to do the same so that comprehensive data can be made available to enhance the transparency of the administration of the program (Attachment A refers).

YJAC VISIT TO THE DON DALE YOUTH DETENTION CENTRE

Unlike the Official Visitors, YJAC does not have inspection powers, nor any frameworks within which to conduct inspections of a detention centre. On 31 August 2018, YJAC visited the Don Dale Youth Detention Centre accompanied by General Manager of Youth Justice, Brent Warren and Deputy Superintendent Adam Neep. YJAC appreciated efforts made by Territory Families to facilitate the tour of the Centre. This tour gave YJAC an insight into the facilities, programs and services provided for young people in detention.

At the time of the visit, there were 27 young men and two young women in the Centre, and with the exception of two to three sentenced young people, all were on remand.

YJAC observed a number of improvements to the conditions for young people including:

- access to Vocational Education and Training (VET) courses such as the White Card (OH&S Competency Card) and First Aid training, and infrastructure to support this;
- young people on remand are also able to access VET;
- visiting areas for family; access to recreational areas including covered basketball court, music room, and gymnasium;
- improved access to oral health practitioners;
- improved access to therapeutic support including coordinated case management meetings;
- addition of a reflection and healing garden, with a smoking site and dance pit;
- a range of education programs including social and emotional learning; music; language and culture; arts as well as support staff and program facilitators; and
- daily operational meetings including staff from the Departments of Health and Education.

YJAC noted areas of concern, including:

- There was no Elders Visiting Program. However, Territory Families advised that a new program was being negotiated that would include Elders and Mentors, with increased frequency, in both detention centres. This responds to Royal Commission Recommendation 18.1 that a working party comprised of representatives of relevant Aboriginal organisations, the department responsible for youth detention and senior representatives of the detention centres be established to explore the development, funding and implementation of an enhanced Elders Visiting Program and other culturally appropriate activities and programs.
- Ongoing lack of mental health focus, despite some improvement in access to therapeutic support.
- Inadequate staff numbers to allow for extended bedtimes for young people on champion level (a reward system used by Territory Families in both detention facilities). However it was noted that new staff had been recruited and were in training and induction.

- Ongoing challenging dynamics between young people on a day to day basis. Despite meetings between Territory Families and a service provider about providing mediation between the Alice Springs/Central and Darwin young people and relevant training for staff, this still had not been approved at the time of YJAC's visit.
- The requirement for a Unique Student Identifier (USI) number makes the granting of training certificates difficult. Barriers to getting a USI include some young people with multiple aliases and lack of necessary forms of identification.
- Despite availability of VET courses, a limited number of young people (six) were able to access each course at the time of visit due to available facilities and space.
- Despite having the power to grant day releases for young people (including young people on remand), for example to attend school and training outside the facility, it appeared that this practice seldom occurs.

YJAC VISITS TO THE ALICE SPRING YOUTH DETENTION CENTRE

On 18 August 2018, the YJAC visited the Alice Springs Youth Detention Centre accompanied by the Deputy Superintendent Phil Hughes. At the time of visit, Stage two and three infrastructure plans were explained as follows:

- rooms in the main building including the office space and clinic room will be repurposed so the facility can accommodate up to 30 young people;
- the office space and staff recreation room will be moved into demountables outside the facility;
- outdoor plans include grassed area, an eating area, fire pit and yarning circle.

The following concerns were raised during the visit:

- 86% of young people were on remand, and the majority were accused of low level offences.
- On average, staff estimated that 25% of young people were aged 14 or under.
- Most young people held in the Centre were under the care and protection of the CEO.
- Due to a lack of programs, boredom was a primary concern and cited as leading to high levels of restlessness and related incidents.
- Staffing remained an issue and attempts to address this through further recruitment were underway. Due to safety concerns (as a result of overcrowding and low staffing) on numerous occasions young people were forced to spend extended periods of time in their cells.
- There was lack of separate female detainees' accommodation.
- There was lack of appropriate classroom space and space for Education staff.

On 23 May 2019, YJAC conducted a follow up tour of the Alice Springs Youth Detention Centre with Deputy Superintendent Phil Hughes, Superintendent Ed Dean and Executive Director, Youth Justice Operations Chris Simcock to view the refurbishments.



The following improvements were identified:

- the office space, and staff recreation room have been moved into demountable buildings outside the facility;
- two interview rooms had been established alongside the office space (compared to the small single room previously used in the Centre) resulting in an increase in capacity of the Centre to accommodate appointments for young people with legal representatives, counsellors, and family;
- grassed area established within the Centre;
- a separate girls demountable has been installed with the capacity for three girls;
- separate Education area has been established in two demountable buildings including one for Education staff and one classroom; and
- the office space and clinic have been converted into bedrooms.

YJAC noted the following changes had not been made:

- the outdoor recreation space did not include the planned fire pit nor yarning circle; and
- the refurbishments have not resulted in an increase in capacity to 30 young people.

YJAC further noted the following areas of concern:

- only one VET program delivered at ASYDC;
- lack of therapeutic and rehabilitative programs;
- lack of case management services;
- lack of appropriate recreational activities and space; and
- lack of adequate mental health services.

BAIL SUPPORTED ACCOMMODATION

The Youth Justice Advisory Committee discussed issues around bail support accommodation with Minister Wakefield on two occasions, namely 30 August 2018 and 15 February 2019 during this financial year.

Following the Minister's request, members of YJAC have respectively conducted visits to both the Alice Springs and Darwin sites and consulted other stakeholders in the youth justice sector in relation to the operation of Saltbush in both locations.

Royal Commission's recommendations

At the outset, YJAC notes the following specific recommendations of the Royal Commission into the Detention and Protection of Children in the Northern Territory (Royal Commission).

Recommendation 25.21:

Bail support services for children and young people be provided in Darwin, Alice Springs, Tennant Creek, Katherine and Nhulunbuy, together with other such locations as are appropriate, which include the following features:

1. accommodation services in a small, homelike residences
2. bail support plans developed with a specialist youth worker, covering education, employment, recreation and sporting goals;
3. the engagement of the young person and their family, where possible, in the development of the plan, and
4. the availability of, and referral to, services and practical life skills support to assist the young person.

Recommendation 25.22:

The Northern Territory Government, in the establishment and delivery of bail support services, give priority to working with Aboriginal community controlled organisations.

The YJAC also notes that the Royal Commission in its final report (volume 2B) at page 300 identified specific considerations or criteria that are necessary for children and youth bail support in the NT:

'An effective bail support program, including bail accommodation, should:

- be available to support young people from the moment they are granted bail
- operate as a 24-hour service
- be available to young people irrespective of whether they have entered a plea of guilty and are awaiting sentence or not
- have the capacity to deal with young people who may have complex needs
- be designed to include wrap around services, such as education, housing, employment and health
- operate with clear and effective lines of communication to the courts, police, families and other interested parties
- operate in a culturally competent manner
- collect high-quality data about its operations and make that data available for formal evaluation of its effectiveness
- have a specialist youth worker who works with the young people and their families, among other things, to support them in arranging services and provide practical life skills support such as attendance at Centrelink, obtaining a driver's licence and purchasing clothing, and
- develop bail support plans for the young people, through a specialist youth worker engaging with the young person and their family.'

Best practice principles

In addition, it was drawn to YJAC's attention that the following best practice principles were recently referenced in the Queensland youth justice review report 2018 by Bob Atkinson.

- Best-practice principles suggest that bail support programs should':
- be voluntary, ensuring that the client is at least somewhat motivated and willing to engage with treatment and make changes to their life;
- be timely and individualised—that is, available immediately upon bail being granted and responsive to the accused person's immediate needs, even before they have left the court;
- be holistic, addressing the full range of the individual's criminogenic needs;
- be collaborative, using inter-agency approaches involving other government and non-government service providers;
- consistently apply a strong program philosophy program-wide, at the individual case-manager level;
- prioritise support over supervision, with response to and treatment of an individual's criminogenic needs emphasised over monitoring;
- be localised and make use of local community resources and knowledge;
- have a court-based staffing presence and establish good working relationships with court officers and service providers. Working relationships with court officials and the judiciary are important for establishing credibility and instilling judicial confidence; and
- be based on sound guidelines and processes that assist clients to engage with the structured processes'.



Facilities and infrastructure

Individual visits were conducted by YJAC members to both Saltbush sites in Darwin and Alice Springs. In general, YJAC members were impressed with the facilities at both sites, with sufficient space for young people to engage in both indoor and outdoor activities. With the capacity of 12 for each site, YJAC understands that initially the number of young people staying at the respective facilities ranged between one and six, with numbers averaging around three or four in Alice Springs and six in Darwin. However, the utilisation of the facilities have increased since YJAC's visits.

YJAC is of the view that both facilities present as significant and meaningful opportunities as alternatives to detention for young people at risk of custodial remand. On the other hand, the current occupancy rate of both sites means that young people with different behavioural issues and risk levels can still be housed and managed in different units within the same facility. Although it may remain a real concern that young people may abscond from the facilities given their respective proximity to the major town centres (particularly in Alice Springs), stakeholders in the Sector agree that the bail supported accommodations may be more effective for young people who normally reside in a remote community.

YJAC also considers this bail support accommodation as appropriate interim accommodation options for young people at risk of custodial remand while alternate long-term accommodation options are being explored. In this respect, the bail support accommodation has the potential to alleviate the burden on the existing detention centres to keep young people on remand. In addition, YJAC also considers these bail support accommodation facilities to be appropriate options for Griffiths Remand orders when young people have formally pleaded guilty to the charges, and Judges want to consider releasing young people in a community setting to assess their prospect of rehabilitation at Saltbush prior to sentencing.

At the time of visiting it was reported to YJAC that Saltbush was bound by contractual arrangements with Territory Families to only accept young people subject to bail undertakings. In December 2018, the contract arrangements were altered and Saltbush can now accept young people on good behaviour bonds, suspended sentences, and alternative to detention orders. It is YJAC's understanding that at least one young person has been sentenced to Saltbush, and this arrangement has been reported to be stable.

Referral and assessment

YJAC understands that Saltbush provides for 24 hours referral service. However, stakeholders reported that a suitability assessment generally takes between three to seven days. In our view, there should be a more streamlined approach to initial assessment which does not result in young people being unnecessarily held on remand for longer than required. We acknowledge that there are young people with significant criminogenic factors and complex behaviour issues which require significant efforts to collect the necessary information and formulate a comprehensive case management plan. In these circumstances, it may be justified that these young people are remanded for the shortest period of time necessary to allow the case management plan to be developed. Nevertheless, we consider timely assessments are appropriate for young people without significant risks and a more flexible arrangement should be adopted to ensure young people can be accepted into Saltbush in a timely manner.

Programs and activities

YJAC understands that Saltbush has established a structured routine, and the recent increase in the number of young people complying with their conditions at the facilities has been partly attributed to this. As a relatively new service provider in the youth sector, it has been critical that Saltbush builds relationships with other service providers that offer complementary programs, to increase the collegial relationships and capacity for integrated service provision with the sector.

Staff training

At the time of visiting, Saltbush staff held a minimum of a Certificate in Community Services and have recently undertaken Restorative Justice training with Territory Families. It was identified that all staff should be provided training in Certificate IV in Youth and Community Services, commensurate with Territory Families Youth Justice Officers. However, it was reported that Saltbush is not adequately resourced to upskill workers.



Case management and supervision

YJAC understands that the Senior Case Worker position with the Alice Springs YORET has been vacant for the past 6 months, which has impacted on Saltbush's capacity to provide a clinical service for young people in its care. This mirrors recruitment difficulties that Territory Families has to the Specialist Assessment and Treatment Service roles in the Alice Springs Youth Detention Centre. YJAC intends to continue to seek updates from Territory Families to ensure the clinical and case management focus is not compromised in the long term operation of the bail supported accommodation.

Collaboration with court and other stakeholders

In order to better utilise these bail support accommodation, YJAC sees the need to improve collaboration with the relevant stakeholders, in particular with Police and Court. It was reported to YJAC that Police is generally reluctant to make after-hours referrals to Saltbush. Through better understanding of the conditions at Saltbush, YJAC believes that bail support accommodation can provide an effective alternative to custody when young people are arrested afterhours. This will avoid young people being unnecessarily detained in a custodial environment before all the alternatives are exhausted and is more consistent with the principles of the Youth Justice Act. To ensure further collaboration and understanding between Saltbush and Police, YJAC encourages further discussions being initiated between Territory Families and senior police executives to promote the use of bail support accommodation after hours in Alice Springs and Darwin.

Saltbush has reported a recent improvement in the number of young people referred by the Courts, and believes that Judges are beginning to trust the capacity of the service to support young people and assist in their compliance with court orders.

Future directions

- noting the proposed changes to the Bail Act 1982 under the Youth Justice and Related Legislation Amendment Bill, YJAC recommends greater utilisation of a direct referral pathway from Police to supported bail accommodation
- improved options for girls, particularly in the Darwin site (noting at the time of writing, recent changes might have been implemented to accommodate this)
- provision of in-house training for Saltbush staff with Territory Families, consistent with training provided to Youth Justice Officers
- consistent therapeutic and clinical input into the referral and case management processes for young people across Saltbush sites
- consistent educational transitional planning processes for young people across Saltbush sites, with potential input from Department of Education youth court liaison officer
- ongoing involvement, relationship building and collaborative processes with the wider youth sector
- YJAC seeks information on how cultural programs are embedded in Saltbush's practice.

YJAC ADVICE TO THE MINISTER – FEBRUARY 2019

On Friday 15 February 2019, YJAC met with Minister Wakefield via video link to Alice Springs. As per YJAC's statutory obligations, YJAC provided advice to the Minister on a number of issues, as well as sought clarification on the Minister's position on those issues. The following issues were raised with Minister Wakefield as relevant to the administration of Youth Justice:

1. YJAC members visited Bail Support Accommodation facilities in Darwin and Alice Springs. YJAC advised that YJAC would prepare a report for the Minister containing an assessment of the Bail Support Accommodation facilities.
2. An ongoing concern regarding the lack of any 'approved program' for Community Work Orders to be ordered for young people as a discrete sentencing option by the Youth Court. It was explained to the Minister that it has been reported to YJAC, the Court is currently unable to order a Community Work Order when there are no programs available. YJAC advised of the urgency of the situation. YJAC advised that it has been reported to YJAC that victims are often keen to see Community Work imposed on young people as part of their reparation to society. YJAC advised this is a statutory obligation which is not being met by Territory Families, as required under the Youth Justice Act. YJAC advised there were anecdotal reports from smaller communities, for instance Katherine and Tennant Creek, that the communities are taking it upon themselves to try and fill this space. YJAC advises that a Territory Families designated community work order team may be required to meet this statutory requirement of Territory Families.
3. Jesuit Social Services (JSS) pre-sentence conferencing model seemed to be working well in particular it was noted that victims are thoroughly supported in this process by the JSS team as well as the NT Victims of Crime allocated worker. It is noted that many hours work and effort from multiple agencies are required for each conference, but YJAC advises the benefits of this type of restorative justice, for both the victims and the offending children, outweighs any cost concerns. The Minister indicated that she would like to see more conferences. YJAC gave an example of one particularly successful conference in Darwin. YJAC advised that the intensive JSS model should be expanded across the Northern Territory. There was discussion about the need to educate the public about restorative justice conferences.
4. The possibility of future gazettal of the Palmerston Police Station in the case of any detention centre emergencies. Anecdotal reports regarding the November 2018 emergency indicated to YJAC that there is a need for children to be housed in a different way if another similar emergency occurred. While YJAC understands all efforts are being made to prevent a similar situation reoccurring, YJAC considers there would be merit in developing alternative options. One option could be gazettal of the new Palmerston Watch House, to ensure children and adults will be kept separately in the event of emergency, i.e. adults would be moved to Darwin Watch House, and children would be housed (without adults) at Palmerston Watch House.
5. YJAC raised the issue of information sharing. YJAC discussed young people in the Youth Justice system who have diagnosed mental health and/or cognitive issues and the ongoing requirement to ensure this information is shared between relevant departments including Department of Education, Department of Health and Territory Families. YJAC specifically identified that case managers in detention as well as Throughcare case managers must be provided with all relevant information. The Minister advised there are new Information Technology systems being developed by police, Department of Health and a new Territory Families system which hopefully will lead to more information sharing. It was agreed information sharing should result in better collaboration among agencies, therefore improving each child's experience.
6. Planning for the new Alice Springs Youth Detention Centre should have equal prominence with planning for the centre in Darwin, given demand in Central Australia and the Barkly Region.

ELECTRONIC MONITORING

Electronic monitoring was introduced in the 2015-2016 financial year as an option for courts to monitor and supervise young people on bail.

The Bail Amendment Act 2017 was introduced to give police additional power to require an accused person, including a young person, to wear an electronic monitoring device as part of their bail condition. The Bill was passed and became operational in late March 2017.

After 2017 changes to the Youth Justice Act, Territory Families took on responsibility for managing young people involved in the youth justice system through the use of electronic monitoring. As at 30 June 2019, there were 29 young people subject to Electronic Monitoring conditions across the NT, and for the period 1 July 2018 to 30 June 2019, 109 young people were connected to Electronic Monitoring devices and were supervised by Territory Families' Youth Outreach and Re-Engagement Teams.

So far, the Committee is not aware whether electronic monitoring has been utilised in the more remote parts of the Northern Territory.

The Committee also understands that electronic monitoring has been used as a tool to monitor other conditions of bail or court orders, such as curfews, requirements to stay away from certain places, or requirements to stay in a particular residence.

Relevantly, it is noted that the Royal Commission into the Protection and Detention of Children in the Northern Territory has made the following recommendation 25.17:

'Electronic monitoring conditions should only be considered when there is no other alternative to remanding the child or young person in detention'.

The Committee shares concerns raised by the Royal Commission that electronic monitoring can be potentially stigmatising for a young person and his/ her family, although it may reduce the likelihood of the young person being placed on remand. While we are yet to see how this recommendation will be implemented, it is acknowledged that Territory Families is in the process of exploring program alternatives which do not require electronic monitoring.

JUSTICE REINVESTMENT

The Katherine Youth Justice Reinvestment (KYJR) is a community-based group comprised of individuals, agencies and services in the Katherine region. The KYJR has been meeting since 2016 with the support of Australian Red Cross to explore ways in which changes can be made to the NT youth justice system with the aspiration of implementing justice reinvestment initiatives in Katherine on a sustainable basis over the longer term.

In 2018 KYJR Members attended and presented at the Justice Reinvestment Reducing Recidivism Forum in Canberra, attended 23rd IUHPE World Conference on Health Promotion in Rotorua New Zealand and received the finalised research report from Menzies mentioned in previous year's YJAC Reports. The research informs the KYJR structured four-stage JR process in Katherine.

The KYJR Board entered a 'Back on Track' funding submission to develop a Diagrama Residential in Katherine providing a Semi-Independent Living space and supportive environment for residents aged 16 to 24 years however the application was unsuccessful.

KYJR has developed and finalised KYJR Business and Strategic plans and members attended the Training Sessions on "Blurred Borders Program" in Kununurra. The aim of Blurred Borders is to produce Resource Kits for legal and community service providers working with Aboriginal people in the NT/WA cross-border region. Currently Blurred Borders Flash Cards are being distributed to Legal Staff in Katherine.

THROUGH-CARE

Recommendation 24.1 of the Royal Commission into the Protection and Detention of Children in the Northern Territory called for an integrated, evidence-based throughcare service to be established for children and young people in detention to deliver:

- adequate planning for release including, as appropriate, safe and stable accommodation, access to physical and mental health support, access to substance abuse programs, assistance with education and/or employment;
- improved exit planning and post-release services to be made available to all children and young people detained more than once or for longer than one week ;
- a comprehensive wraparound approach facilitated by cross-agency involvement; and
- planning for detainees to exit from detention as soon as they enter detention.

In May 2019, representatives from the North Australian Aboriginal Justice Agency (NAAJA) delivered a presentation to the YJAC on the Youth Throughcare Model, funded by the Commonwealth Department of the Prime Minister and Cabinet. Youth Throughcare supports young people exiting detention and aims to reduce the rates and severity of recidivism. It is based on a number of principles:

- building trusting relationships;
- promoting participation in decision making;
- building on strengths and protective factors;
- being flexible;
- strong connection to country, culture and family; and
- trauma-informed service delivery.

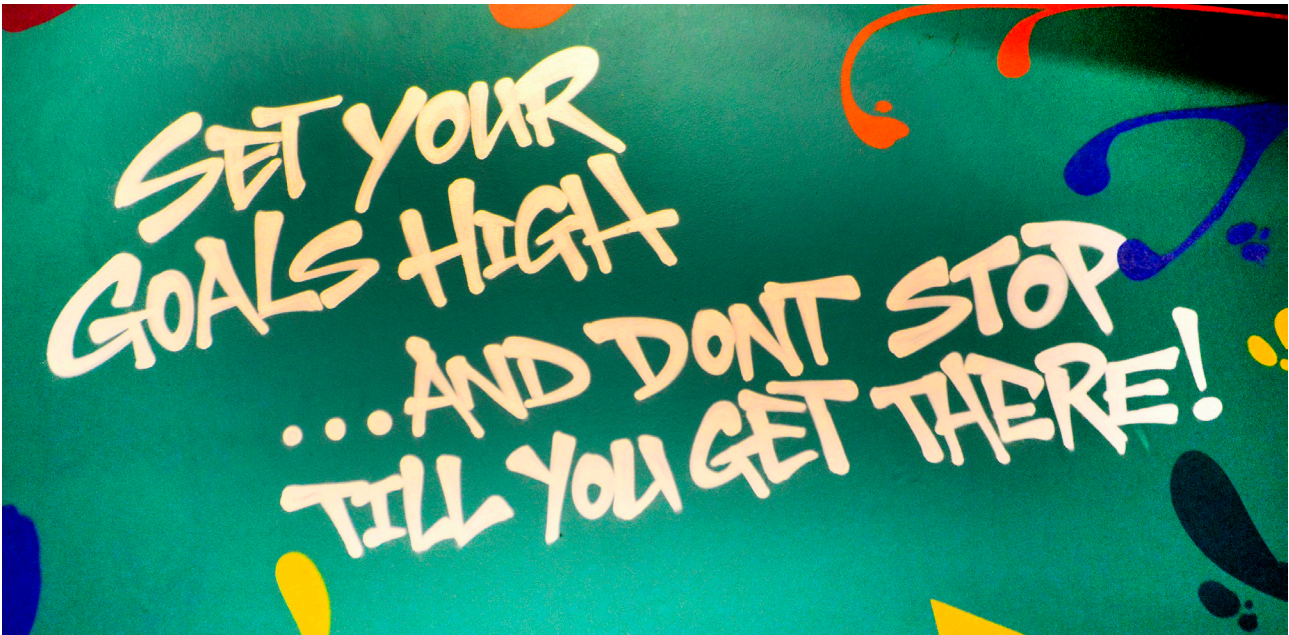
Under this model, care managers commence working with clients six months before they are due for release from detention. Building a pre-release relationship is critical and involves conversations with young people about risk, needs and goals. Case assessment involves a range of areas, including housing, family life, reoffending, and what motivates the young person; for example, social issues, access to training, employment opportunities. This information is used to develop a case management plan.

NAAJA will provide case management support for as long as a young person needs it.

NAAJA highlighted the importance of young people being able to access appropriate assessments to ensure they receive the support they need, and they indicated that they are working with Territory Families to ensure assessments are occurring for every young person who enters detention.

The Youth Throughcare model will include five pilot projects. NAAJA will operate two of these, one in Darwin and one in Alice Springs. This will allow referral pathways for young people in detention. The pilots will operate for two years and will lead into a sustainable model into the future. The model will have a strong focus on family and connection to family. Members of the Youth Justice Advisory Committee emphasised the importance of close collaboration between Territory Families and NAAJA to ensure roles and responsibilities are clear in relation to the Youth Throughcare Model, particularly in relation to the role of the Youth Outreach and Engagement Team (YORET) in the area of case management. A Memorandum of Understanding is being developed between Territory Families and NAAJA to clarify roles and responsibilities for the Youth Throughcare Model.

NAAJA expects to finalise recruitment for their projects in August 2019.



BARKLY REGIONAL DEAL YOUTH JUSTICE RESIDENTIAL FACILITY

Background

The Barkly Regional Deal is the first regional deal in Australia, a 10-year deal with a \$78.4 million commitment between the Australian Government, the Northern Territory Government and the Barkly Regional Council. The Barkly Regional Deal (BRD) was signed on Saturday 13 April 2019 in Tennant Creek after a six month's consultation process.

The interim Barkly Region Governance Group has responsibility to oversight delivery of the deal and includes membership from the three tiers of government, Aboriginal leaders, local business leaders, non-government organisations, young people and other community stakeholders. A local decision-making group to inform government.

The Barkly Youth Justice Residential Facility Accommodation Facilities and Services Working Group has been established to provide advice to the interim Barkly Governance Table.

A briefing paper was requested, mainly by YJAC members, with further information on options for the delivery of the Barkly Regional Deal justice infrastructure and services commitment and the number of young people currently involved in the YJS from the Barkly Region and Tennant Creek by sex and age.

Overview of Barkly Regional Deal Youth Justice Residential Facility Working Group, Elders and respected community members' responses

The Barkly Youth Justice Residential Facility is intended to support Barkly young people participating in the Back on Track and other programs. Participants in these programs may be court ordered or referred by Police, government agencies or non-government agencies. The facility responds to regional demand for services and ensures provision of services closer to young people's homes and family.

The Barkly Youth Justice Residential Facility Working Group is the first Barkly Regional Deal working group for the 28 initiatives, and as a result is having to contend with other youth and other initiatives due to proposed program locations and program models.

The Barkly Youth Justice Residential Facility Working Group has had robust discussions with Territory Families and the Department of Infrastructure, Planning and Logistics regarding the proposed site, and the need for Elders, and respected community member involvement in the Youth Justice residential facility working group, including providing advice on the proposed sites and program and service delivery. The consensus of the working group is for this Youth Justice facility to not be co-located at the adult Barkly Work Camp. Juno is the preferred site, and at the time of writing this report an additional site was proposed from Patta on Udall Road, as per resolutions from Barkly Youth Service Providers Network, Northern Territory Legal Aid Commission, Culture Authority Group (CAG) and Anyinginyi Health Aboriginal Corporation (AHAC).

The proposed program model is the Diagrama model to reduce recidivism. Under this model, the courts order young people to attend a Diagrama facility/program for 6, 9, or preferably 12-month period to ensure sustainable outcomes, and to work with family involvement. This model has less than 20 percent recidivism over a 12-month period; in the Barkly region, young people tend to reoffend within six weeks. While supporting the introduction of this model in the Barkly region, the working group identified that a justice reinvestment approach is needed, to reduce the need for tertiary responses to young people experiencing vulnerabilities.



The proposed timeframe for establishing this facility is twelve months. YJAC has raised questions regarding whether young people from outside of the Barkly Region can access the facility and whether there are any proposed interim residential programs. For example, crisis short to medium residential accommodation or another Barkly Regional Deal initiative, including a residential bail support program. This is due to the over representation of Barkly Region and Tennant Creek young people, per capita, in the Youth Justice System and youth detention centres mainly due to bail curfew breaches and the lack of bail alternative residences.

The working group noted a lack of engagement with young people and their families post detention to provide ongoing support and through care planning. The Diagrama model involves gradual working towards independent living, with intensive work prior to a young person exiting the facility, and post release support for 12 to 18 months.

Current YJAC involvement

YJAC has two active members on the Barkly Youth Justice Residential Facility Working Group. Their role is to provide input, and an advocacy role in supporting Elders and respected community members involvement in local decision making. The YJAC members also report the on the Barkly Regional Deal Youth Justice Residential Facility Working Group meeting outcomes at the YJAC quarterly meetings.

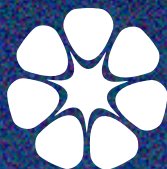
As the Barkly Youth Justice Residential Facility Working Group is in its infancy of formation and decision making this will be an ongoing YJAC project.

PRESENTATIONS TO THE YJAC IN 2018/19

During 2018/19, the YJAC received presentations and held discussions with the following Government and Non-Government representatives:

- Mr Brent Warren, General Manager Youth Justice, Territory Families on departmental initiatives in the youth justice space
- Ms Jacqueline McCann, Aboriginal Policy Officer, Territory Families on the Territory Families Aboriginal Cultural Security Framework
- Ms Fiona Hussin, Northern Territory Legal Aid Commission (NTLAC) on implementation of the Royal Commission reform agenda, in particular as it relates to youth detention in the Northern Territory
- Mr Chris Simcock, Executive Director Youth Justice Operations, Territory Families on detention centre operations in the Northern Territory
- Mr Matt Panayi, Director Youth Services Directorate, Territory Families on youth diversion
- Ms Danielle Taylor and Mr Thomas Quale, Throughcare, North Australian Aboriginal Justice Agency (NAAJA) on the Youth Throughcare Model in Alice Springs and Darwin





**NORTHERN
TERRITORY**
GOVERNMENT