

# Appendix 4: State and territory youth justice systems, policies and programs 2016–17

## New South Wales

### Policy directions

Key policy directions in youth justice in New South Wales include:

- providing diversion under the *Young Offenders Act 1997*, including warnings, cautions (administered by the New South Wales Police Force) and the Youth Justice Conferencing scheme (administered by Juvenile Justice)
- providing bail support and the Bail Assistance Line to reduce the number of young people in detention on remand when conditional bail could be granted
- providing multi-agency approaches to managing complex needs
- expanding pre- and post-release support, including the establishment of the Pre-Release Unit at Reiby Juvenile Justice Centre
- providing early intervention through the Youth on Track program which provides case management for young people who are over 10 years of age and identified by police and education as being at risk of further entering the criminal justice system
- implementing a standardised criminogenic risk, needs, responsivity model across community, custody and Youth Justice Conferences. This will inform levels of supervision for young people on community supervision.

### Agencies

#### Youth justice agency

The Department of Justice is responsible for providing youth justice services in New South Wales. These services are provided by the agency Juvenile Justice NSW.

Juvenile Justice NSW is responsible for:

- supervising young people sentenced to community-based or custodial orders
- supporting young offenders to meet the conditions of bail
- supervising young offenders who are on conditional bail or remanded in custody
- preparing reports for the courts to consider in determining sentences
- managing the Youth on Track early intervention program
- administering Youth Justice Conferencing.

Juvenile Justice NSW operates 35 community offices and 6 youth justice centres.

Juvenile Justice NSW shares responsibility for addressing the offending behaviour of young people with a number of other agencies including Justice and Forensic Health Network; Ageing, Disability and Home Care; Department of Family and Community Services; the Department of Education and Communities; Centrelink; and the Australian Government Department of Education, Employment and Workplace Relations. It also funds a number of

community agencies through the Joint Support Program to assist young people involved in the youth justice system and their families.

## **Police**

The New South Wales Police Force is responsible for detecting and investigating crime. Police may choose to use alternatives to court proceedings, such as warnings, cautions or referral to Youth Justice Conferences, as set out in the Young Offenders Act, or may commence court proceedings under the *Children (Criminal Proceedings) Act 1987*.

Juvenile Justice works closely with police, particularly in relation to transporting young people and managing incidents within youth justice centres. Police also provide specialist support to young people through Police and Community Youth Clubs, and engage young people through a variety of recreational and social programs.

## **Courts**

Court proceedings against young people who are alleged to have committed an offence and are not eligible to be dealt with under the Young Offenders Act are governed principally by the Children (Criminal Proceedings) Act.

Possible outcomes for young people appearing before the court include:

- unsupervised options: cautions, fines, recognisance
- community-based orders: recognisance, probation or community service orders
- custodial orders
- youth justice conference.

## **Elements, programs and services**

### **Diversion**

The Young Offenders Act provides for warnings, cautions and Youth Justice Conferencing in New South Wales. Not all young people are eligible for a Youth Justice Conference. Some categories of offence, such as sexual assault, serious drug offences, breaches of apprehended violence orders, traffic offences and offences causing death, can be dealt with only by a court.

### **Work and Development Orders**

Work and Development Orders (WDO) are a State Debt Recovery Office initiative, allowing young people to satisfy debt due to outstanding fines through voluntary work, or approved courses or treatment.

Juvenile Justice NSW is an approved sponsor for WDO and is one of the largest participating organisations in the scheme.

Juvenile Justice's involvement with WDO enables young people in custody or subject to community supervision to be screened for outstanding fines. If outstanding fines are identified, Juvenile Justice NSW then assesses the eligibility and suitability of a WDO and develops an action plan to enable young people to satisfy their debt.

## **Case management**

Casework interventions aim to address the specific needs of young people under supervision. Community and custodial staff work closely together to provide services to ensure that a young person's period in custody is used to address their offending behaviour. Services are focused on maximising the capacity and opportunity of the young person to choose positive alternatives when they return to their community.

## **Offence-specific and therapeutic programs**

Juvenile Justice NSW provides a range of programs and interventions within the community and custodial environments that are designed to address the needs of young people. These include counselling and group-work programs that focus on alcohol and other drug issues. Some examples of programs offered include:

- the Community/Custodial Services Intervention Framework and Framework for Programming, which helps staff to develop and deliver programs to tackle offending behaviour such as violent and aggressive behaviour, alcohol and drug misuse
- the Changing Habits and Reaching Targets (CHART) program, a cognitive-based intervention designed specifically for caseworkers to engage and work with young people who require moderate to high intervention to reduce their risk of re-offending.

Juvenile Justice NSW has also developed a range of partnerships to assist young offenders. These include the delivery of education and health services within Juvenile Justice Centres, post-release support and employment skills programs, disability support, health and mental health support, and legal services.

## **Programs for Aboriginal and Torres Strait Islander young people**

To ensure a coordinated approach to addressing the over-representation of Indigenous young people in the youth justice system, Juvenile Justice NSW developed the Aboriginal Strategic Plan. Included are a number of programs to address issues for Indigenous young people in the youth justice system, including DthinaYuwali, and My Journey My Life.

DthinaYuwali is a group work program for Aboriginal young people with substance-related offending.

The My Journey My Life program was developed in 2000 in partnership with Gilgai Aboriginal Centre, as an intergenerational violence prevention program aimed at reducing the incidence of violence against older people. In 2014, it was revised; the program is aimed at motivating young people to make changes to violent behaviours; educating young people about criminal behaviours; and providing skill development/practiced learning in non-violent strategies.

## **Supported accommodation and bail programs**

Juvenile Justice NSW provides bail support and remand interventions to help young people meet their bail conditions and to reduce the number in custody on remand. Community-based staff work with young people, court officials and other service providers to ensure that, where appropriate, young people are able to remain in the community while being supervised for compliance with bail conditions.

Brokerage funds are used to buy services-such as accommodation, support services, clothing, and health care-that help young people meet their bail conditions and stay out of detention. Resources are also allocated to help young people access mental health services, and alcohol and other drug services.

Juvenile Justice NSW operates the Bail Assistance Line (BAL) in collaboration with the New South Wales Police Force. Police liaise over the phone directly with a Juvenile Justice Bail Co-ordinator. The BAL aims to divert young people from remand to bail.

### **Pre- and post-release programs**

Juvenile Justice NSW provides pre- and post-release casework in collaboration with other agencies, particularly the Department of Education and Communities, NSW Health, Department of Families and Community Services.

The Waratah pre-release unit at the Reiby Juvenile Justice Centre prepares young people in detention for their release back into the community.

The Joint Support Program supports young people released from custody by facilitating successful reintegration into their communities. Juvenile Justice NSW funds non-government organisations to provide post-release support in a range of areas including accommodation, employment, training and education, income, recreation, and issues around family or relationships and peer association.

### **Alcohol and other drug programs**

The Juvenile Justice Alcohol and Other Drug treatment pathway is composed of three evidence-based programs, designed in stages according to a client's level of risk of re-offending. It was developed by the National Drug and Research Centre (NDARC) in partnership with Juvenile Justice.

- Stage 1 is a drug education program that aims to create awareness of substances and of consequences related to their misuse.
- Stage 2 is designed to promote problem recognition and treatment readiness in participants.
- Stage 3 is a high-intensity treatment program for participants who have been assessed as being 'treatment ready', or willing to give change a chance.

### **Program evaluation**

Core programs and interventions are evaluated either internally by the Research and Information Unit, or by external organisations. Pre- and post-program assessments are used for offending-focused programs. Juvenile Justice is undertaking an audit and review of program structure and delivery.

## **Victoria**

In Victoria, criminal responsibility commences at age 10 with children who are alleged to have committed an offence under the age of 18 appearing in the Criminal Division of the Children's Court. The Children's Court has jurisdiction to hear and determine most charges apart from very serious indictable offences which are uplifted to the County or Supreme courts.

Additionally, Victoria has the 'dual track' system, allowing young adults aged 18–20 appearing in the Magistrates' and higher courts to be sentenced to custody in a youth justice centre, rather than an adult prison. To support the court's determination, youth justice provides advice regarding a young person's prospects for rehabilitation, or, whether they are considered particularly impressionable immature or likely to be subject to undesirable influences in an adult prison.

The Magistrates' and higher courts may request that youth justice provide bail supervision and progress reports for young adults aged 18–20 where diversion from a more intensive adult justice outcome is possible.

In certain circumstances the Adult Parole Board may direct a child or young person sentenced to imprisonment to be transferred to from prison to serve their sentence (or part of it) in a youth justice centre. Once transferred, the young person becomes subject to the jurisdiction of the Youth Parole Board.

## **Policy directions**

Key policy directions for youth justice in Victoria include to:

- divert young people, where appropriate, from the justice system, to minimise further progression into the system, promote opportunities for rehabilitation and contribute to the reduction of crime in the community
- hold young people to account for their offending while ensuring they are supported to develop pro-social behaviour and effectively participate in the community
- provide service responses that are evidence based and appropriate to the developmental needs of children and young people
- undertake thorough assessment of risk and needs to inform a plan of interventions that address criminogenic need and the causal links to offending
- work in partnership with service systems to provide a coordinated and integrated approach to service delivery for young people
- reduce the over-representation of young Aboriginal and Torres Strait Islander people in the justice system, including through the Children's Koori Court and the further development of the Koori Youth Justice Program.

## **Agencies**

### **Youth justice service**

The Department of Justice and Regulation (DJR) is responsible for providing youth justice services in Victoria. DJR assumed responsibility from April 2017 following a Machinery of Government change. Prior to this, the Department of Health and Human Services was the responsible agency.

The objectives of the youth justice service are to:

- where appropriate, support the diversion of young people charged with an offence from the criminal justice system
- minimise the likelihood of re-offending and further progression into the criminal justice system through supervision that challenges offending behaviours and related attitudes and promotes pro-social behaviours
- provide supervision and rehabilitation through case management and other services to assist young people address offending behaviour and support their successful reintegration into the community
- work with other services to strengthen community-based options for young people enabling an integrated approach to the provision of support that extends beyond the court order
- engender public support and confidence in youth justice.

The DJR Youth Justice Division oversees delivery of services, programs and resources to assist young people to manage their lives effectively without further offending.

The Youth Justice Division comprises:

- Youth Justice Operations including:
  - Youth Justice Community Services responsible for service delivery, development and design to support the supervision young people on statutory orders in the community
  - Youth Justice Custodial Services responsible for the operations, management and security of Victoria's youth justice centres.
- Youth Justice Policy, Strategy and Business Services responsible for the development and implementation of policy and program initiatives.

## **Police**

In Victoria, police may use their discretionary power to caution young people.

## **Courts**

The sentencing principles in the *Children, Youth and Families Act 2005* distinguish the developmental needs of children and adolescents as separate from adults' needs. The Children's Court has a range of options available to it with a legislated sentencing hierarchy.

To facilitate diversionary options, where appropriate, youth justice provides assessment and advice to the Children's Court, the Magistrates' and higher courts. The *Youth Justice Court Advice Service (YJCAS)* advises the court on the range of community based options including diversion, bail and community support services. YJCAS provides suitability assessments for Bail Supervision, Youth Justice Group Conferencing and Youth Justice Centre orders and prepares pre-sentence reports which may recommend an appropriate sentence for the young person who is the subject of the report.

The *Central After-Hours Assessment and Bail Placement Service* assesses young peoples' suitability for bail and provides advice to the Bail Justice regarding supports and services available to maintain the young person in the community.

## **Elements, programs and services**

Youth justice seeks to enhance community safety through diverting young people from entering or progressing further into the criminal justice system, providing rehabilitation services to young people at high risk of offending, and delivering pre-release, transition and post-release support programs to reduce their risk of re-offending. To complement its legislated obligations and to realise its service objectives, youth justice engages with a range of stakeholders. These include other government departments and agencies, community sector organisations and Aboriginal Community Controlled Organisations. DJR has committed over \$25 million for the delivery of services by the community sector to young people involved with the youth justice service in 2017–18.

## **Diversion**

The *Youth Support Service (YSS)*, delivered by the community sector, aims to intervene early and divert young people away from the youth justice system by addressing the underlying causes of their offending behaviour. The YSS works with young people aged 10–17 following their first contact with Victoria Police.

The *Children's Court Youth Diversion service (CCYD)* assists young people early in their contact with the Children's Court, to address the underlying causes of their offending and prevent their further progression into the criminal justice system. Legislation directs that successful completion of a diversion activity will see the court discharge the matter and the child avoid a disclosable criminal record for those offences.

At the direction of the court, young people who are at immediate risk of remand, may be supported and monitored in the community through the *Youth Justice Bail Supervision Program*. This program may be available to those aged 10–18 appearing in the Children's Court and some young adults aged 18–20 appearing in the Magistrates' and higher courts.

A pre-sentence *Youth Justice Group Conferencing* program exists across Victoria; its legislative framework is incorporated into the *Children, Youth and Families Act 2005*. The program is available to the Children's Court where a young person has been found guilty of an offence serious enough to warrant a sentence requiring youth justice supervision, either in the community or in custody. The conference, chaired by a convener, must be attended by the young person, their legal representative and the police. Also in attendance may be the young person's family or carer, the victim or their representative. The aim of the conference is increase the young person's understanding of the impact of their offending and reduce the likelihood of them reoffending.

As part of the diversionary approach, Victoria has a unique sentencing option known as the 'dual track' system. The *Sentencing Act 1991* provides for the adult courts to sentence a young person aged 18–20 to a Youth Justice Centre order as a direct alternative to imprisonment.

## **Case management**

Youth justice is responsible for managing community-based and custodial orders imposed by the Children's Court as well as Youth Justice Centre orders imposed by the Magistrates' and higher courts, including youth parole. Case management and interventions are informed by a comprehensive client assessment and planning process. Offending-related and offence-specific needs are addressed through individual casework, group work and referral to specialist services and programs.

## **Supported accommodation**

The *Youth Justice Community Support Service (YJCSS)*, delivered by community sector organisations, provides a single entry point to support and services to complement the statutory case management undertaken by community youth justice teams. This model recognises that young people have a range of complex needs that require an individualised response. The YJCSS aims to enhance rehabilitation, increase economic participation and improve social connectedness. The YJCSS incorporates transitional housing and support with 55 transitional properties across Victoria. Information and referral workers from the Youth Justice Homelessness Assistance Service also provide outreach to assist young people who are not able to access the properties and other supports.

## **Offence-specific and therapeutic programs**

A range of offence-specific programs are offered in Victoria:

- *Changing Habits and Reaching Targets (CHART)* is delivered by youth justice case managers in supervision with young people, CHART is a structured, individualised intervention program used as part of the casework intervention. It uses a skills-oriented, cognitive behavioural focus to challenge offending behaviour.

- *Male Adolescent Program for Positive Sexuality (MAPPS)* is an intensive individual, group and family work-treatment program for adolescent males who have been found guilty of a sexual offence. MAPPS incorporates attitudinal and cognitive restructuring techniques, social skills training, relapse prevention, victim awareness, and education on sex and sexuality.
- The *Adolescent Violence Intervention Program (AVIP)* is delivered by the Youth Health and Rehabilitation Service to young people on community and custodial sentences. AVIP is targeted towards young people at moderate risk of violent behaviour and offending to assist them to understand the factors that contribute to them using violence and develop skills to desist from further offending
- *Motor Vehicle Offending (MVO)* program is delivered to young people found guilty of motor vehicle offences.

Victoria also offers a range of programs designed to address offence-related issues and behaviours including substance abuse programs, health and mental health programs, housing programs and independent living support, education training and employment programs and a range of pre and post-release programs.

### **Transition support**

The *Temporary Leave Program* supports the effective transition of young people from custody back into the community by promoting personal growth, skills development, behavioural and attitudinal change and the adoption of appropriate, non-offending behaviours. Temporary leave refers to purposeful time-limited leave of absence from a youth justice centre where a young person is serving a custodial sentence.

Under the *Children, Youth and Families Act 2005*, each young person ordered by a court to be detained in a youth residential centre of youth justice centre is subject to the jurisdiction of the Youth Parole Board, which is empowered to release, or grant parole to, young people subject to its jurisdiction. With supervision and support provided by the community youth justice parole officers, the Board aims to balance the rehabilitative needs of the young person with the safety of the community.

### **Programs for Indigenous young people**

Aboriginal-specific programs have been developed and expanded to address the over-representation of Aboriginal young people in youth justice and to connect them with Aboriginal Community Controlled Organisations.

The *Koori Youth Justice Program* supports Aboriginal young people to access appropriate role models and culturally-sensitive support, advocacy and casework.

Community-based Koori youth justice workers develop cultural support plans with Aboriginal young people; provide practical support to young people and their families; support other youth justice workers in assessing, planning and setting goals for Aboriginal young people; and develop preventive programs, such as sporting and recreational programs.

The Koori Intensive Support Program provides intensive, culturally-based case management focused on developing family and community support and linkages with specialist services for Aboriginal young people involved with youth justice. This includes supervised bail for those who may be at immediate risk of remand or supervision pre-sentencing or for the duration of a sentence.

The Koori Court Advice worker provides culturally-specific support to Aboriginal young people and assists the courts in determining the most appropriate sentence.



Aboriginal Liaison Officers provide culturally sensitive support, advocacy and casework for Aboriginal young people remanded or sentenced in youth justice centres.

## **Other programs and services**

### **Education**

Parkville College is a registered specialist school under the Victorian Registration and Qualifications Authority. It has campuses at both youth justice precincts and a Flexible Learning Centre for young people transitioning from custody to the community.

The College provides education for all young people at both youth justice precincts, including the senior secondary Victorian Certificate of Education and the Victorian Certificate of Applied Learning and Industry Related Skills, known as Vocational Education and Training.

### **Health and Rehabilitation Services**

The Youth Health and Rehabilitation Service (YHaRS) is a consortium of service providers operating across the two youth justice precincts and co-located with community youth justice teams. YHaRS can facilitate access to secondary and tertiary health services.

The health services provided to young people involved with youth justice are as follows:

- *Primary health services* are available in youth justice centres and include general practitioner, general and mental health nursing, mental health assessment and treatment, pharmacy, pharmacotherapy treatment, alcohol and other drug assessment and treatment, pathology, radiology, dental, audiology, optometry, podiatry, physiotherapy, health promotion and illness prevention.
- *Rehabilitation programs* aim to reduce re-offending by addressing criminogenic risk. Assessment that identifies a young person's risk of re-offending and associated criminogenic needs is a central mechanism in matching young people to the most appropriate type of program. The assessment informs the intervention which is tailored to respond to the level of risk and need.

## **Queensland**

Criminal responsibility commences at the age of 10. In Queensland, young people are dealt with as children for offences committed when they are aged 10–16.

During 2016–17, the Queensland Parliament passed the *Youth Justice and Other Legislation (Inclusion of 17-year-old Persons) Amendment Act 2016*, which increases the age of a child from under 17 to under 18. That Act is expected to commence during 2017–18.

## **Policy directions**

### **Strategic direction for Youth Justice**

The Queensland Government is committed to providing a youth justice system that is based on evidence, holds young people accountable for their behaviour and provides effective programs and services to address their offending. This commitment has underpinned a reform process, commencing in 2015, driven by the recognition that the youth justice system could not be motivated by compliance alone—but must also provide real outcomes for young people that change their lives, their families and the community.

Youth Justice is continuing to transform the way it works with children to reduce youth offending and the over-representation of Aboriginal and Torres Strait Islander children in the youth justice system.

This transformation can be characterised as a shift away from focusing on children's compliance with youth justice orders, to providing individually responsive intervention to address the underlying risk factors for their offending.

This shift reflects contemporary evidence about effective ways to reduce offending and improve community safety. It also corresponds with emerging knowledge about children's brain development.

Youth Justice will work in new ways to ensure that policy, programs and practice are:

- Culturally responsive—programs and services are delivered by a culturally capable workforce, meet the needs of Aboriginal and Torres Strait Islander children, young people, families and communities, and reduce over-representation.
- Seamless and Collaborative—programs and services are developed and delivered in partnership with other government agencies, non-government organisations, families and the broader community to address the underlying contributors to offending and transition children and young people away from offending.
- Evidence based—programs and services are trauma-informed, innovative, best practice, tailored to the Queensland context and evaluated.
- Responsive to risk and needs—quality validated assessments of risk and need are central to planning and delivering responses to children and young people.
- Developmentally appropriate—programs and services are responsive to the age, vulnerability and special needs of children and young people in Youth Justice.

### **Trauma-Informed Practice**

In 2015–16, Youth Justice implemented Trauma-Informed Practice (TIP). TIP is a strengths-based framework grounded in an understanding of and responsiveness to the impact of trauma, that emphasises physical, psychological, and emotional safety for both providers and survivors, and that creates opportunities for survivors to rebuild a sense of control and empowerment.

It provides staff with the skills to work more effectively with young people regarding their behaviour, trauma impacts and behavioural triggers.

The trauma-informed approach adopted by Queensland involves:

- improving worker knowledge and skills to enable them to work more effectively with young people regarding the function and triggers for their behaviour, and trauma impacts
- providing young people with more appropriate and adaptive ways of responding when they experience a behavioural trigger, which can be replicated in multiple situations
- extending an organisational culture that acknowledges the trauma young people have experienced, holds them accountable for their actions through appropriate consequences and works towards rehabilitating young people so they can live crime-free lives
- acknowledging historical trauma for Aboriginal and Torres Strait Islander young people and promoting culturally-appropriate healing strategies.

Over 900 staff have been trained in trauma informed practice.

## **Integrated Case Management**

Due to the complex needs of children and young people in the youth justice system, most require multiple service system responses including health, education, housing, child safety and disability. An integrated system response is critical to supporting children and young people, and their families to meet their potential and to manage and overcome disadvantage. Youth Justice has implemented an integrated case management program for high risk children and young people that aims to increase coordination and provide intensive intervention to both young people and their families.

## **First Nations Action Board and Youth Justice Cultural Unit**

The Queensland Government Aboriginal and Torres Strait Islander Cultural Capability Framework underpins all Queensland Government actions and aims to ensure Aboriginal and Torres Strait Islander Queenslanders enjoy the same opportunities as non-Indigenous Queenslanders.

The Youth Justice First Nations Action Board (YJFNAB) was established in 2016 to assist Youth Justice to develop culturally appropriate approaches to reducing the over-representation of First Nations people in the youth justice system and also works to ensure that youth justice policy, programs and interventions are designed and delivered appropriately for Aboriginal and Torres Strait Islander young people, their families and communities. The Board is comprised of Aboriginal and Torres Strait Islander youth justice staff from across the State. YJFNAB representatives sit on the Executive Board of Management to ensure youth justice policy, programs and interventions are designed and delivered appropriately for Aboriginal and Torres Strait Islander young people, their families and communities.

A Youth Justice Cultural Directorate has been established permanently within Youth Justice to enable the organisation to build protective factors in the lives of Aboriginal and Torres Strait Islander young people as well as enhance knowledge and understanding of Aboriginal and Torres Strait Islander culture amongst staff. The Directorate gives Youth Justice capacity to ensure the YJFNAB's priorities are embedded into practice.

Youth Justice also recognises that culture is fundamental to improving service delivery and ensuring systems and services are culturally responsive for young people, families and communities. During 2016–17 the Cultural Directorate began an assessment of the effectiveness of restorative justice conferencing for Aboriginal and Torres Strait Islander peoples is currently being explored. It is expected that the results of this work will lead to an improved cultural responsiveness of restorative practices through strengthening the participation of Aboriginal and Torres Strait Islander family/kinship groups within conferencing processes.

## **Program Improvement**

Queensland is making improvements to the quality of locally-developed and state-wide Youth Justice programs using the Standardised Program Evaluation Protocol (SPEP™). The SPEP process assesses how programs align with the evidence base and predicts how effective a program is likely to be in reducing recidivism. This assessment informs improvements to programs aimed at increasing their quality and effectiveness.

Research<sup>1</sup> has identified four major factors as correlates of effective programs in reducing re-offending. These include: intervention services are of a therapeutic nature; service delivery is of a high quality; services target moderate to high-risk young people; and services are delivered for the optimal duration for the type of service.

## **Agencies**

### **Youth justice agency**

During 2016–17, Youth Justice was located within the Department of Justice and Attorney-General (DJAG). DJAG has lead government responsibility for providing legislated, tertiary, offence-focused interventions and supervision to young people subject to a community-based or detention order by the court.

DJAG also has a key role in ensuring assessed needs of children and young people are responded to through the provision or related Government, non-government and community interventions and supports.

### **Police**

Police are the first point of contact for young people entering the criminal justice system. In Queensland, police can opt to either divert young people by way of a warning, caution, youth justice conference, a diversionary graffiti removal program or a drug diversion assessment program, or refer them directly to the courts.

### **Courts**

In Queensland, young people who are alleged to have committed an offence and who are not diverted are dealt with by the Childrens Court, District Court or the Supreme Court under the provisions of the *Youth Justice Act 1992*.

## **Elements, programs and services**

### **Diversion**

If a young person admits guilt to the police and consents to being cautioned, the police may caution the young person and give them a notice of caution.

Alternatively, police can refer the young person to a restorative justice conference (see below).

If the offence is a minor drug offence, the police may offer the young person an opportunity to attend a drug diversion assessment program. This consists of an education program arranged by Queensland Health.

Where an admission of guilt is made in relation to a graffiti offence, a police officer may refer a young offender to a graffiti removal program instead of bringing the matter before a court. Graffiti removal programs, arranged by DJAG, hold young offenders accountable by requiring the young offender to perform unpaid work to remove graffiti whilst also providing a direct consequence for their offending.

### **Restorative justice**

When a young person admits to or is found guilty of an offence they may be referred to a restorative justice conference by the police or the court. This entails a meeting between the young person and the people most affected by the offence, including victims, parents, community representatives, Elders and on occasions, the police. Each conference allows participants to talk about what happened, the effects of the offence and for an agreement to be reached about how the young person can make reparation.

In 2013, the capacity for courts to refer a young person to a Restorative Justice Conference ceased, however the police were able to continue referring, as a diversionary option. The *Youth Justice and Other Legislation Amendment Act 2016* commenced on 1 July 2016,

reinstating the courts' capacity to refer any offence to conference, as well as providing greater flexibility to deliver diversionary restorative justice interventions. There was a substantial increase in the number of state-wide referrals after the reinstatement of court referrals, from 839 (police only) in 2015–16 to 2110 (police and court) in 2016–17 (a 151% increase).

Enhancements include better targeting of specific cohorts of young people (for example, serious offenders and repeat offenders) and improving the cultural relevance of restorative justice processes for Aboriginal and Torres Strait Islander young people, their families and communities to increase their level of participation in conferencing.

A rigorous evaluation is being undertaken to examine the effectiveness of the Restorative Justice Project in achieving criminogenic, social and wellbeing outcomes, as well as cost savings to government. The evaluation will also examine the effectiveness of different referral pathways, including what works for particular cohorts and under what circumstances, taking into account age, culture, offence types, prior offending history and risk factors.

### **Case management**

Young people under the statutory supervision of youth justice service centres and youth detention centres are actively case managed. Collaborative case management panels have been adopted across the state to enable delivery of coordinated interventions and support packages for young people with complex needs and their families. Case management and interventions are informed by a comprehensive risk/needs assessment tool and case-planning process which includes the engagement of the young person, their family, other government departments and community stakeholders. Young people are monitored and case plans are reviewed on a regular basis to ensure that interventions are tailored to the young people's changing rehabilitative and support needs.

### **Offence-specific and therapeutic programs**

The Aggression Replacement Training (ART<sup>®</sup>) program targets moderate-to-high-risk young people who exhibit aggressive and violent behaviour, and aims to reduce their risk of committing violent offences by teaching them social skills, anger management techniques and moral reasoning.

The Changing Habits and Reaching Targets (CHART) program is a structured individual intervention program for young people at moderate to high-level risk of re-offending. The CHART program is also delivered to meet the cultural needs of Aboriginal and Torres Strait Islander young people.

The Girls....Moving On (GMO) program, is a gender responsive program for moderate—high risk girls and young women aged 12–21. GMO incorporates motivational interviewing and cognitive-behavioural methods to provide justice-involved young women with new skills and personal resources; decreasing the risk for antisocial behaviour, increasing life satisfaction and addressing issues of trauma related to abuse and neglect. GMO is currently being trialled within the Brisbane Youth Detention Centre, and across several Youth Justice Centre's, and includes the development of adaptations to ensure cultural responsiveness.

Emotional Regulation and Impulse Control (ERIC) is also being trialled across several Queensland Youth Justice sites, including detention centres. Consisting of eight domains, ERIC is delivered individually, targeting processes for the development of emotional regulation. Focus areas include emotional literacy, flexible thinking and decision making with the aim to reduce maladaptive strategies and harmful thought processes.

The Mater Family and Youth Counselling Service is funded to provide preparatory support and therapeutic interventions for young people, families and victims who are referred to a youth justice conference in relation to offences of a sexual nature.

The Griffith Youth Forensic Service is a funded service that works with departmental caseworkers to provide specialised assessment and treatment programs for young sexual offenders; pre-sentence reports to facilitate court decisions; and treatment planning, consultancy and training services.

### **Transition to Success (T2S)**

Transition to Success (T2S) is a therapeutic and vocational training service model delivered in a community setting to young people aged 15–18 who are involved in, or at risk of entering, the justice system. The approach is made possible by partnerships at a local level between the Youth Justice Service Centre, Education Queensland, registered training organisations, not-for-profits and local businesses.

The purpose of T2S is to reduce risk factors associated with disengagement from education, training and employment; contact with the justice system and/or continued offending due to a lack of pro-social opportunities.

The program delivers three primary service types– job-related training, social skills training and behaviour management – aimed at developing skills that will help a young person self-regulate his/her behaviour and/or enhance their ability to participate in normative, pro-social activity such as employment or reintegration back into mainstream education.

T2S is currently established in 11 Youth Justice Service Centres around the state, with additional sites coming on-board as the service delivery model is rolled out.

### **Programs for Aboriginal and Torres Strait Island young people**

Culture-specific programs have been defined by YJFNAB as ‘programs with culturally specific knowledge, run by First Nations staff for First Nations young people’. Program design, adaptation and enhancement work is continuing to support locally delivered programs such as Young, Black and Proud, Straight Talk and Black Chics Talking. Addressing risk factors specific to the over-representation of Aboriginal and Torres Strait Island young people, these services aim to strengthen positive cultural identity and connection, cultural knowledge and understanding, and challenge stereotypes and misconceptions.

Indigenous Service Support Officers (ISSOs) are located in areas where there are a high proportion of Aboriginal and Torres Strait Islander young people under supervision. ISSOs contribute to case planning and consult with families, Elders, other key community members, community agencies and government departments to ensure Aboriginal and Torres Strait Islander young people are effectively supported. Indigenous Conferencing Support Officers (ICSOs) provide culturally responsive and appropriate youth justice conferencing services to Aboriginal and Torres Strait Islander young people, victims, families and communities.

Indigenous Program Development Officer (PDO) roles are located all throughout Queensland, including regional and remote areas. PDOs develop, deliver and support the provision of local programs and services consistent with case plans. They collaborate as a member of a multi-disciplinary team in delivering programs and services to young people.

PDOs maintain knowledge of contemporary trends, practices, funding initiatives and service delivery options and develop and maintain relationships with Aboriginal and Torres Strait Islander communities, and also other agencies or organisations.

Procurement has been undertaken to commence new services in three remote, discrete Indigenous communities to enhance cultural connectedness for young offenders.

### **Lesbian, Gay, Bisexual, Transgender, Questioning or Intersex (LGBTQI) Initiative**

Queensland Youth Justice Services and Detention Centres have identified increasing visibility of young people openly identifying as Lesbian, Gay, Bisexual, Transgender, Questioning or Intersex (LGBTQI). As such, it was recognised by Youth Justice Service Centres and Detention Centres that a gap existed in practice regarding the way in which services are informed, safe and responsive to the unique risks and needs that present themselves to young people identifying as LGBTQI and/or gender diverse.

To address this gap, Queensland Youth Justice consulted with leading LGBTQI organisations, in addition to Youth Justice Services, to develop an overarching Youth Justice LGBTQI Inclusion Framework. The Framework, which incorporates the principles of trauma informed practice, primarily aims to underpin how Youth Justice staff will work effectively and responsively with young people identifying as LGBTQI and/or gender non-conforming.

This Framework follows amendments made to the *Youth Justice Regulation 2016* concerning searches of young people within Queensland Detention Centres. Due to the increased complexities of working with LGBTQI young people in detention centres it was deemed as integral to the health and wellbeing of young people, that those who identify as transgender or intersex have the ability to request the gender of the staff member that they would feel most comfortable being searched by.

Training on LGBTQI awareness and working with LGBTQI young people has become mandatory for all staff members in Queensland Youth Justice in order to not only increase the skills of staff so they can work in a respectful and supportive way, but to assist in the implementation the LGBTQI Inclusion Framework.

In May 2016, Youth Justice made system upgrades to capture data on the number of young people identifying as LGBTQI as a means of ascertaining the representation of LGBTQI young people in the Youth Justice system to assist in informing practice and program development.

### **Supported accommodation and bail programs**

The Supervised Community Accommodation (SCA) service provides 24-hour, seven-days-per-week supervised accommodation for up to four young men who are leaving detention or within ten weeks of leaving detention that are homeless or at risk of homelessness. Young people who have engaged with this program have been shown to have a reduced risk of re-offending and increased ability to function independently.

The Conditional Bail Program, supervised by Youth Justice Services, provides the courts with an alternative to remanding young people in custody and targets those at risk of remand in custody by engaging them in activities for the duration of their bail period.

Youth Justice funds four non-government agencies to deliver Bail Support Services in four locations. These services provide tailored support to young people who have been granted bail by the courts and who require additional assistance to meet bail conditions.

## **Pre- and post-release support**

In accordance with their assessed needs, young people in detention are involved in a variety of programs including therapeutic, educational, vocational, behavioural, life skills, cultural and recreational programs. These programs are regularly reviewed to ensure that they continue to meet the needs of the cohort in custody at that time.

Transition officers and case management officers, in partnership with Queensland Health and the Department of Education and Training, support young people exiting detention. As part of the transition planning process, young people are referred to local community services to continue any programs they may have been receiving in detention and to access any necessary therapeutic interventions relevant to each individual young person.

## **Other programs and services**

### **Young Offender Support Services**

Four non-government organisations in Queensland are funded to deliver a Young Offender Support Service (YOSS). Risk factors contributing to offending are identified and dealt with by YOSS workers in partnership with statutory youth justice staff and family members to reduce the likelihood of offending and further contact with the youth justice system.

The program assists young people to develop skills in the areas of obtaining stable accommodation, relationships, health, decision-making, interpersonal skills and goal setting.

### **Employment Project Officer**

Three non-government organisations are funded to deliver five Employment Project Officer (EPO) initiatives. The target audience for the EPO service is young people with a range of complex needs and risk factors, generally long term disengagement from school and a level of instability that means they are neither job ready or able to successfully access employment programs without high levels of support. The EPOs provide specialist job preparation, career planning and employment related activities to young people aged 15 and over who are clients of Youth Justice Services. These services are concluding in mid-2017.

### **Place-based initiative – Townsville Community Youth Response**

In response to community concerns about crime in Townsville and, in particular, the number of young people who offend, a cross-agency response was established.

Representatives from seven key agencies which respond to young offenders (Police, Department of Aboriginal and Torres Strait Islander Partnerships, Child Safety, Youth Justice, Department of Housing and Public Works, Education, and Health) are co-located to work together full time, providing an intensive coordination of government and non-government services for young offenders and at risk children (10–16 years) in a united approach to tackle youth crime. The group seek to address underlying issues that lead young people to offend.

Additionally, new services have been established including a specialist high risk court response, an intensive case management team in Youth Justice, a funded after-hours diversion service, a funded teacher for flexible learning, and vocational programs and a bus to support a cultural support program. A cultural mentoring program is to commence in late 2017.

This approach acknowledges that many young offenders experience difficulties in family environments, homelessness, disengagement from education and training, substance misuse and mental health issues.



## **Aurukun Reintegration Justice Project**

The Aurukun Reintegration Justice Project (ARJP) is a collaborative process that includes key agencies within the Aurukun community who are able to provide programs and support to individuals those transitioning back from adult jail or youth detention centre into the Aurukun community. The Youth Justice Project Team takes lead in coordinating the efforts between these agencies to ensure client needs are met. If service gaps are identified the Youth Justice Project Team provide additional intensive case management, encouragement and assistance to the client to ensure and prevent the opportunity of a client re-offending and returning to prison. The ARJP also provides specific pre- and post-release processes to support Aurukun residents on their return to the community from prison or CYDC. Reintegration activities commence when an individual enters police custody, continues during their incarceration and after their release and return home to Aurukun. The ARJP team coordinate and facilitate regular weekly stakeholder meetings, coordinate stakeholder engagement, refer and provide intensive case management to all new releases to the Aurukun Community.

## **Cairns Safer Streets Taskforce**

The Cairns Safer Streets Taskforce (CSSTF) has been established since May 2013 and is ongoing in its commitment to combat crime and social dysfunction in the Cairns Local Government Area. CSSTF has representatives from seven key agencies which respond to young offenders (Police, Department of Aboriginal and Torres Strait Islander Partnerships, Child Safety, Youth Justice, Department of Housing and Public Works, Education and Queensland Health) are co-located to work together full time to improve community safety and well-being in West Cairns through community and whole-of-government partnerships. The CSSTF develop, implement and finalise a range of projects relating to community safety and well-being in the Cairns area.

## **Youth detention centres**

Youth detention centres continue to focus on the safety, wellbeing and rehabilitation of young people. The safe and secure management of youth detention facilities remained a key priority for the department in 2016-17, and was enhanced through the following initiatives:

- ongoing review of detention centre policies and procedures to ensure a contemporary and best practice framework for youth detention service delivery in Queensland
- developing and establishing a protocol with the Office of the Public Guardian to ensure the ongoing safety of young people in youth detention
- continued negotiations with the Department of Education and Training to develop a more apt approach to educational and vocational outcomes in youth detention
- following the amendments to the Mental Health act, additional psychologists and social workers were introduced into detention to meet the demands of an increasingly complex population
- continued successful use of the Independent Living Units at the Cleveland Youth Detention Centre (CYDC) with an increased number of young people successfully participating in the use of the unit
- collaborated and responded to the Independent Review of Youth Detention in Queensland, the recommendations of which resulted in the Queensland Government investing over \$6.3 million into enhancing the youth detention service delivery model to ensure:
  - adequate and necessary additional positions are placed in youth detention centres
  - enhancement of cultural units and cultural supports at each detention centre

- additional mental and therapeutic health professionals as well as transitional supports for young people returning to their community
  - ensuring Queensland is responsive to demand on youth detention centres in response to increasing youth detention numbers in Queensland.
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## References

1. Lipsey M 2009. The primary factors that characterise effective interventions with juvenile offenders: a meta-analytic overview. *Victims and Offenders* 4:124–147.

# Western Australia

## Policy directions

Key policy directions in youth justice in Western Australia include:

- providing mandated services in accordance with the *Young Offenders Act 1994*
- the Youth Justice Framework 2015–2018 outlines how the Department of Justice (the Department) will work to keep the community safe by helping young people in the justice system to lead productive law-abiding lives
- the Youth Justice Services Programs and Youth Justice Innovation Fund programs help to achieve a reduction in reoffending, with a particular focus on programs designed for Aboriginal young people
- reducing the over-representation of Aboriginal young people in the justice system with a particular focus on collaborative partnerships and innovative service delivery in regional areas.

## Agencies

### Youth Justice agencies

Youth Justice Services (YJS) is a division of the Department and its work is informed by the principles and functions outlined in the *Young Offenders Act 1994* and the Department's strategic plan 'Creating Value through Performance 2015–2018'.

YJS is responsible for the safety, security and rehabilitation of young people both in community and custody. The core objective is to reduce reoffending among young people through:

- services to divert young people away from the criminal justice system
- programs and services for young people on orders in the community
- programs and services in custody.

Youth Justice Services' staff work in the community and in Banksia Hill to improve outcomes for children and young people in contact with the justice system.

Youth Justice Services will always:

- prioritise the safety of the young person and the community
- consider what is in the best interests of the young person and their family

- deliver services to young people that recognise vulnerability, developmental levels, gender, and cultural and religious beliefs and practices
- be informed by evidenced based practice
- deliver a comprehensive model of practice that is informed by:
  - the needs of each young person and is age, gender, culturally and linguistically appropriate
  - recognition and understanding that many young people in the justice system have experienced multiple traumas and that rehabilitation and care will need to address the trauma's causes and symptoms
  - the identification of protective and risk factors
  - communicate clearly and in a timely manner with all key stakeholders
  - partner with other agencies and organisations to address complex issues contributing to youth offending in the planning and delivery of services
  - engage with Aboriginal people to seek, promote and support culturally competent and Aboriginal-designed and -led initiatives that reduce reoffending.

## **Police**

Young people who come into contact with the justice system do so through contact with the police. The police have the option of issuing a caution, referring the matter to the Juvenile Justice Team (JJT), or referring the matter to court.

## **Courts**

The Children's Court of Western Australia deals with offences alleged to have been committed by young people aged 10 to under the age of 18.

The Court may impose one of following penalties:

- No punishment and no conditions
- No punishment but with conditions
- Fines, costs, restitution and compensation
- Responsible adult bond
- Good behaviour bond
- Referral to a juvenile justice team
- Youth Community Based Order
- Intensive Youth Supervision Order (with or without detention)
- Adult Community Based Order or Adult Intensive Supervision Order
- Custodial sentence (imprisonment or detention).

Young people in the Perth metropolitan area whose offending behaviour is linked to drug use can apply to participate in the Children's Drug Court.

## **Elements, programs and services**

### **Diversion**

Juvenile Justice Team (JJT) referrals are generated by police or the Children's Court. JJTs arrange meetings with the young person, their families, victims and police to determine an action plan. If the young person successfully completes the action plan, they do not receive a criminal record.

The Metropolitan Youth Bail Services (MYBS) provide services such as point of arrest intervention and the location and support of responsible adults. These services aim to divert young people away from custody and ensure they make all reasonable efforts to ensure they attend court.

### **Case management**

YJS case management is the day-to-day management of young people subject to community based orders. It provides the framework for the planning and co-ordination of activities and services directed towards the young person with the objective of meeting statutory and policy requirements. Case management provides the structure in which interventions are provided to the young person. YJS develop and maintain productive and collaborative relationships with stakeholders, and work to support across-agency approaches to address the complex issues and needs of young people.

YJS have introduced the Youth Level of Service/Case Management Index (YLS/CMI) 2.0 as a risk and needs assessment tool that identifies the young person's risks and needs. The results are used to inform the level and types of interventions to ensure that the court report plan and case planning activities are focused in the appropriate areas of need. Changing Habits and Reaching Targets (CHART) is a structured casework intervention program utilised by YJS. CHART provides a way of working with young people subject to Supervised Release Orders, community based orders with supervision, detention sentences and long-term remand.

### **Programs for Indigenous young people**

All YJS services and programs are required to be culturally competent.

The Youth Justice Innovation Fund includes the following programs:

The Wirrapanda Moorditj Ngoorndiak program focuses on Aboriginal males between the ages of 12 and 19 who are detained in Banksia Hill. Moorditj Ngoorndiak is a mentoring program that has a focus on working one on one with young males and their families to assist them in transitioning from custody into the community.

The Kimberley Aboriginal Law and Culture Centre Yiriman Youth Diversion Program involves two types of interventions targeted at reducing reoffending behaviour:

- a five-day trek on country accompanied by Elders and mentors with support from other community service organisations; and
- a six-week 'Caring for Country' work readiness program for youth with little or no work experience.

Kimberley Aboriginal Law and Cultural Centre will run both types of activities several times each year.

As One Nyitting for the Koorlangka Dreaming and Waalitj Nyitting Programs deliver cultural pride and leadership skills to young people in Banksia Hill and back-to-country camps in the community.

The Horsemanship Program delivers on the job training and work experience for Aboriginal young men in the Pilbara area.

The Aboriginal Legal Service of WA (ALSWA) Youth Engagement Program provides two on-site Aboriginal diversion officers to provide supports to Aboriginal young people appearing in the Perth Children's Court. The program provides case management, court support, mentoring and referrals to ALSWA clients and their families.

The Multi-Systemic Therapy Program is an intensive therapeutic intervention for young people, delivered in the family home or in community settings to address multiple factors known to be related to anti-social behaviour and youth offending. Clinicians work intensively with family members to achieve behaviour changes that can be observed and measured.

### **Youth Justice Services Programs**

The YJS Programs recently commenced after a successful tender and procurement process and is encouraging culturally competent program design and delivery. The new programs and services were procured against five program areas:

- Rehabilitation
- Emotional Wellbeing
- Education, Training and Employment
- Life Skills, Health and Development
- Bail Services.

The programs and services are delivered state-wide and are specifically tailored for young people involved in the youth justice system.

### **Supported accommodation and bail programs**

The provision of bail services is tendered to non-government organisations in the metropolitan and most regional areas. The service provides temporary and short term accommodation placements for young people remanded on for bail where no responsible adult or appropriate placement can be located. Bail services require 24 hour, 7 days a week supervision and includes the provision of day programs and transport to appointments for young people.

### **Pre- and post-release support**

All educational and vocational programs that a young person engages in while in custody are aimed to be compatible with the young person's abilities and areas of interest. A young person can be referred to a variety of personal development and treatment programs such as:

- Drug and Alcohol Intervention
- Emotional management programs
- Personal Development programs: cultural, employability and life skills courses, and recreational activities
- Youth and Family Support Teams (metropolitan only)
- Individual psychological counselling Step Up (violent offending group program)
- Sex Offender Treatment (individual counselling with centre psychologist).

Youth Justice Officers provide support to young people exiting detention on Supervised Release Orders. As part of their release plan young people are referred to a range of services including the YJS Programs service providers to assist with their rehabilitation in the community.

### **Psychological services**

A team of psychologists provides individual face-to-face counselling to young people and their families, both to young people in custody and those in the community (both metropolitan and regional areas). Services are offered to custodial and community-based centres in the following areas:

- forensic and clinical psychology
- child development
- behavioural management
- management, family and community interventions
- counselling to address criminogenic needs
- risk issues and managing vulnerable young people.

### **Regional services for young people**

Youth Justice Services are located in regional areas across the state and provide:

- the management of young people on bail, juvenile justice teams, community based orders or supervised release orders
- emergency short-stay accommodation for young people who have been remanded on bail where no responsible adult or appropriate placement can be located.

## **South Australia**

### **Policy directions**

The *Youth Justice Administration Act 2016* (the Act) and subordinate regulations:

- recognise and respond to the needs of Aboriginal young people in the justice system
- reflect that assessment, case planning and rehabilitation programs are key to crime reduction objectives
- reflect the important contribution of families and communities in supporting young people
- align with and reflect the rights of victims and promote community safety.

The key objectives of the Department for Communities and Social Inclusion (DCSI), South Australia, are to:

- support independence and participation
- make our communities stronger
- provide the best services.

Within DCSI, the Youth Justice Division has the following strategic directions:

**Our Vision:** Children and young people in the justice system are inspired to change and positively participate in their community.

**Our Mission:** Contribute to community safety by leading collaborative and evidence-informed statutory services to children and young people in the justice system to reduce re-offending and acknowledge victims of crime.

Key policy directions to meet these objectives are:

- comprehensive and evidence-based criminogenic case management underpins all Youth Justice case planning and service delivery
- design and deliver programs/services to ensure that children and young people with high risk offending, complex and/or specialist needs receive a tailored response
- build partnerships to contribute to transition for children and young people out of Youth Justice back into their communities
- victim and community safety goals underpin security and behavioural management, case management, youth justice planning and service delivery
- children and young people who commit crime are provided with opportunity for restoration/restitution to victims of crime and the community
- partnerships will be strengthened to support family and carer capacity for children and young people during detention and whilst under orders in the community
- sector and community partnerships are fostered to achieve effective and positive outcomes for children and young people
- Youth Justice programs and services are culturally competent and responsive to the diverse needs of the client.

## Agencies

### Youth justice agency

DCSI, Youth Justice was responsible for providing tertiary youth justice services in South Australia during 2016–17. The Department's main responsibilities were to support the rehabilitation of young people and to contribute to reducing their re-offending.

### Police

In South Australia, the police are the first point of contact for young people entering the justice system. The police may issue cautions (either informal or formal) to a child or young person who has admitted to an offence. They may also divert young people who admit an offence to a Family Conference, which is provided by the Courts Administration Authority.

### Courts

In South Australia, children and young people who are alleged to have committed an offence and who are not diverted to a Family Conference are primarily dealt with by the Youth Court under the provisions of the *Young Offenders Act 1993*. The Youth Court is established under the *Youth Court Act 1993* and presided over by a District Court judge who is designated by proclamation as the Judge of the Youth Court.

A young person may also have their matters referred to a higher court subject to the seriousness of the offence (for trial as an adult) or if there is a pattern of serious repeat offending.

## **Elements, programs and services**

### **Diversion**

Young people who commit offences that are considered too serious for an informal or formal caution may be directed to attend a Family Conference. To be eligible for a Family Conference, the young person has to admit to carrying out the offence. If the charge is denied, the matter is referred to the Youth Court.

### **Supervision**

Client supervision involves the use of statutory authority as the means of working with Youth Justice clients to meet their mandate requirements and, where necessary, provide interventions to promote their desistance from offending. Supervision tasks may include monitoring, compliance management, electronic surveillance, case management and program participation. Supervision occurs in the community and in the Adelaide Youth Training Centre - Kurlana Tapa (AYTC).

### **Case management**

Case management is a flexible, planned and individualised approach to service delivery that provides the client with choices and maximises the efficient use of formal and informal resources in service provision. Case management focuses on engagement, consistent face-to-face contact, dynamic worker-client relationships, goal setting and goal achievement. Case management promotes desistance from offending and places substantial emphasis on a rehabilitative approach.

South Australia uses a continuum of care approach in the application of case management for those exiting custody into community, with a particular focus on re-integration and re-connecting to the community. Case conferencing with relevant stakeholders, including young people and their families, are an integral component of our case management approach. From a staffing model perspective, in South Australia our community-based and custodial case management teams are co-located to enhance information sharing and continuity principles are embedded through informal mechanisms as well as joint peer discussions and supervision.

Research has demonstrated reductions in recidivism and improved client outcomes when workers display a higher level of core effective practice skills during supervision with their clients. A Reflective Practice Model is part of the ongoing supervision requirements for staff, and prioritises effective practice skills and approaches in all staff interactions with young people and their families.

### **Offence-specific and therapeutic programs**

Youth Justice, together with its sector partners, delivers or facilitates delivery of a range of offence-specific programs and rehabilitation programs for young people. These include therapeutic interventions, life skill development and social integration that build engagement back to community. Examples of rehabilitation programs currently offered include:

CHART (Changing Habits and Reaching Targets) which is a structured, individualised intervention program used as part of case management/statutory supervision. It uses a skills-oriented, cognitive behavioural focus to challenge offending behaviour for young people who require a moderate to high level of intervention to reduce their risk of re-offending. The focus for delivery is to use participatory learning methods and to be responsive to client needs, motivations and learning styles.



The Youth Justice Programs Review Panel ensures all programs offered are evidence-based and are quality-assured through regular review and evaluation. The Program Review Panel aligns to the Youth Justice Programs Strategy Group, which comprises interagency representatives to support and facilitate the investigation of new programs that will better address gaps and needs, in order to achieve longer-term benefits for young people and the community.

### **Youth Justice Psychology Services (YJPS)**

The YJPS team provide assessment and rehabilitation services for young offenders, integrated with case management services and supporting training centre operations.

YJPS prioritises young people who are at high risk of re-offending and convicted of serious offences. Individual offence focused intervention may be provided for referred Youth Justice clients who have been convicted of violent, sexual or high frequency repeat offending. YJPS intervention focuses on addressing the underlying causes of a young person's offending behaviour, with the aim of reducing the likelihood of further offending.

Services include:

- Clinical/forensic psychological assessments to assist case planning and case management—assessments cover background history, patterns of offending and include analysis of risk and recommendations for interventions to reduce the likelihood of further offending by a young person
- Forensic psychological reports for the Youth Court
- Delivery of individual therapeutic interventions and group-based rehabilitation programs
- Consultation services to management and staff regarding behaviour support for residents of the AYTC.

### **Group rehabilitation programs**

PLUS + is an intensive, group-based, criminogenic treatment program based upon cognitive behavioural principles. The primary objective of the program is to help young people acquire, develop and apply a series of social problem solving, interpersonal, and self-control skills that will enable them to manage difficulties in their lives and avoid future reoffending.

The D-Stress Program provides AYTC residents self-regulation techniques and cognitive and behavioural strategies to support effective stress management.

### **Programs for Aboriginal and Torres Strait Islander young people**

DCSI acknowledges the important role culture plays in the positive growth and development of Aboriginal and Torres Strait Islander young people within their family, cultural community and wider community. Aboriginal young people and their families are provided with access to a range of cultural support services. Aboriginal young people in the AYTC and the community receive specialist Aboriginal programs that focus on problem solving and the positive aspects of their cultural identity.

Youth Justice has an Aboriginal Cultural Inclusion Strategy, which includes specific objectives, and strategies to Strengthen Collaborative Partnerships and Improve Family and Cultural Connection. The Circles of Trust engagement tool assists case managers to gather information about Aboriginal clients, their family, cultural group and community supports. The information gathered through this tool promotes an understanding of the young person's kinship and family structure. It can assist to identify strengths and issues within this structure, the young person's connection to culture and community and the impact of any grief and loss.

Metropolitan Aboriginal Youth and Family Services (MAYFS) provide a culturally specific service to support young Aboriginal people to make good choices and have successful futures. The teams work across metropolitan Adelaide and also provide services within the AYTC. MAYFS provides community outreach programs, within the community or at premises located at Regency Park.

### **Child and Adolescent Mental Health Service (CAMHS) Journey Home**

The Journey Home is a program helps young Aboriginal people and their families create pathways out of the justice system. The Journey Home team is part of CAMHS (SA Health).

The program aims to:

- improve the social and emotional wellbeing of young Aboriginal people and their families who are involved with the youth justice system
- reduce the number of young Aboriginal people at risk of ongoing involvement with the youth justice system
- create flexible pathways out of the youth justice system
- strengthen a young Aboriginal person's connection to culture and community
- increase the number and strength of partnerships with services and community groups relevant to the program.

The program helps young Aboriginal people and their families connect to local support services in their community, works with families and communities to address factors contributing to a young person's involvement with the youth justice system, provides outreach support for young people and families in rural and remote areas, and facilitates gender-specific programs to young people.

### **Custodial supervision and post-release support**

The AYTC utilises a Behaviour Support Framework (BSF) which is a progression model that provides individual incentives to encourage and support young people to develop positive behaviours and take responsibility for their progress. The BSF model can assist residents to reach short and long-term goals, develop life skills, address patterns of behaviour and take responsibility for their choices.

Case planning for AYTC residents includes transition planning and goal setting to support young people's successful return to the community following detention. This includes ensuring continued access to education and health supports and establishing connections with community services that will continue to support the young person and their family beyond the expiry of the youth justice order.

Youth Justice works collaboratively with a range of stakeholders to provide on-site services to residents. Key partnerships for service provision include the Department for Education and Child Development and the Department for Health and Ageing.

CAMHS, SA Dental Service and Metropolitan Youth Health Service provide health and dental services within a Centre-based service hub.

The Youth Education Centre (YEC) is a Department for Education and Child Development school providing education to young people in the AYTC and for those transitioning back to the community. Registered primary and secondary school teachers with expertise in non-mainstream education staff the YEC.

Within the first three days of their admission, young people undergo an educational assessment to ascertain literacy and numeracy levels. Additionally, students are screened for speech and language (communication) difficulties, educational engagement and five

domains of wellbeing. This information, along with a social and educational history, informs individual learning plans which outline areas of strength, areas for development, potential pathways for further education and priority educational interventions.

The information also provides evidence for referral to professional support services such as speech pathology, optometry, audiology, educational psychology, special education, TAFE and further education and/or work related opportunities.

Young people who return to the community have priority access to the Flexi Centre, staffed by YEC teachers. Students exiting the AYTC are able to continue on with education at a dedicated site in the community should they choose to do so.

### **Other programs and services**

In addition to rehabilitation and therapeutic programs, a range of recreational and personal development programs are offered to young people in the AYTC including:

- Road Safety Awareness Program
- Health promotion sessions
- Sexual health information sessions.

## **Tasmania**

### **Policy directions**

The key policy directions in youth justice in Tasmania include:

- a commitment to delivering a more streamlined and therapeutic service system for young people at risk. Improved outcomes will be achieved through improved information sharing, coordination and realignment of existing services and increased investment where an unmet need has been identified. This earlier intervention is designed to prevent young people from entering the statutory system
- improving the interfaces into and out of community and custodial youth justice by focusing on the quality of case planning and transition planning and ensuring assessment information is shared
- implementation of a change program within Tasmania's juvenile detention centre designed to enhance the treatment and rehabilitation of young people who have offended
- further development of a model for juvenile detention in Tasmania that includes consideration of models that integrate juvenile detention with secure welfare and support for young people on bail. This will include linkages to flexible learning, therapeutic interventions, alcohol and drug services, mental health and step down transition support.

## Agencies

### Youth justice agency

In Tasmania, Children and Youth Services, Department of Health and Human Services (DHHS) is responsible for providing youth justice services such as:

- coordinating diversionary community conferencing
- providing statutory community based supervision of young people on court orders
- providing support for court processes
- providing safe and secure custodial services and pre- and post-release support
- providing integrated case management of young people on legal orders
- managing the community service order program.

### Police

Tasmania Police (within the Department of Police, Fire and Emergency Management) are the first point of contact for young people entering the criminal justice system, and are responsible for:

- dealing with reported youth crime and deciding whether to divert or to prosecute matters in the courts
- providing diversionary pre-court and informal and formal cautioning services
- referring a young person to Children and Youth Services for a non-court-based community conference.

### Courts

In Tasmania, young people alleged to have committed an offence who are not diverted are dealt with by the Magistrates Court (Youth Justice Division) through a Specialist Youth Magistrate, under the provisions of the *Youth Justice Act 1997*. The Supreme Court may hear offences prescribed under the Act.

The Specialist Youth Magistrate assists the court to improve timeliness to finalisation, consistency in court decisions, coordination of youth justice services to the court and collaboration between relevant agencies.

## Elements, programs and services

### Diversion

The *Youth Justice Act 1997* provides a comprehensive framework for restorative justice, including the restoration or reparation of harm done in the community. Under the Act, diversion from the criminal justice system is the principal outcome sought for all young people. Detention is considered a sentencing option of last resort.

There are two primary levels of non-court-based diversion in Tasmania:

- police have the power to informally or formally caution young people who have admitted to committing an offence
- if the matter is considered more serious, police may request Children and Youth Services to conduct a community conference, which is convened by an independent facilitator.

A formal caution or a community conference can bring young people face-to-face with their victims to decide how best to rectify the harm caused by their offending.

## **Case management**

Case management in Community Youth Justice identifies:

- the requirements of the court order and strategies to fulfil these
- the services and strategies required to address needs as determined by the Youth Level of Service/Case Management Inventory (YLS/CMI or LS/CMI) risk assessment tools and general assessment process, including other professional assessments as required
- the relevant people and services to help identify strategies and goals
- the level of agreement among those involved, including the young person and Community and/or Custodial Youth Justice, on the goals and strategies to achieve these goals, and the associated level of commitment
- the process of assessing and monitoring progress, and the point at which involvement with the young person will diminish.

The case management approach in place at the Ashley Youth Detention Centre (AYDC) takes account of the needs of the individual young person and any court-ordered obligations, as well as community expectations. A comprehensive assessment process undertaken upon admission informs this approach and continues throughout the period of detention.

## **Offence-specific and therapeutic programs**

### **Targeted Youth Support Service**

The Targeted Youth Support Service (TYSS) is a state-wide community-based program funded by Children and Youth Services to provide intensive case management and therapeutic interventions for young people aged 10–17. The target group are young people with substantial or multiple-risk issues who, without intensive support, would be at risk of notification to the Child Safety Service or entry into, or escalation within, the youth justice system.

### **Changing Habits and Reaching Targets (CHART)**

CHART is an offending behaviour program that addresses the offending needs of high risk young people on supervised orders. The program uses active, participatory learning methods and employs a skills-oriented, cognitive-behavioural approach to casework with young offenders.

### **Juvenile Fire Lighting Intervention Program**

The Juvenile Fire Lighting Intervention Program (JFLIP) is a state-wide behaviour change program designed for children aged 4–14 who engage in unsafe fire-setting. It is a family-based program delivered in the home by trained JFLIP fire-fighters. JFLIP practitioners also participate in community conferences and formal cautions for young people who have committed fire-related offences.

### **Health services at AYDC**

AYDC offers an onsite health centre in consortium with Correctional Primary Health Services and Forensic Mental Health Services. It functions 7 days a week, 12 hours a day with an on-call service extending this to 24 hour coverage. Health services provided include general practitioner, general and mental health nursing, mental health assessment and treatment,

pharmacy, pharmacotherapy treatment, alcohol or other drug use and dental. The centre also facilitates access to community based health and assessment services.

### **Rehabilitative programs at the AYDC**

All young people at the AYDC participate in a range of rehabilitative programs. The programs offered and techniques applied take place within a case management context, are evidence based and focus on offender rehabilitation. The program framework is designed to provide cognitive-based therapeutic programs for persistent and serious offenders and address specific criminogenic and social needs. Basic interventions that address issues that may affect community integration, such as employment, education, accommodation and leisure, are also included.

### **Transition from Ashley Youth Detention Centre**

This program, delivered by Save the Children, works with young people aged 10–18 who are in detention and/or remand in AYDC, assisting them to reintegrate back into the community. Youth Workers support young people both in AYDC and when they transition back into the community. Save the Children work in partnership with AYDC, Ashley School, Youth Justice, PCYC, EdZone, and the Department of Education to support young people to identify and meet their recreational, educational and vocational and/or employment goals and aspirations.

### **Supporting Young People on Bail**

Save the Children works in partnership with Youth Justice, the Magistrates Court, Early Intervention Units, Tasmania Police and other community agencies to support children and young people aged 10–17 who have been placed on bail. Youth Workers work with young people to identify their recreational, educational and vocational/employment goals and aspirations. These goals form the young person's Bail Support Plan. Support is provided to the young person during their bail period to help them meet their goals.

### **Education**

The Department of Education operates a school on site at the AYDC for young people of compulsory and non-compulsory school age. The educational focus for detainees reflects the curriculum used in schools and training facilities in the community.

### **Programs for Aboriginal and Torres Strait Islander young people**

Youth Justice has a number of partnerships with Indigenous organisations, including:

- Tasmanian Aboriginal Corporation (TAC), which has supervised a number of young people on community service orders and involved them in health and wellbeing programs, as well as tasks such as land care
- Circular Head Aboriginal Corporation, which provides preparation for work programs and linkages to employment for Indigenous and non-Indigenous Youth Justice clients
- Tasmanian Aboriginal Child Care Association, which has provided placements for a number of young people on community service orders in general maintenance tasks
- Meenah Mienne (My Dream), which is a government-assisted Tasmanian Aboriginal arts community organisation that provides art and mentoring programs.

### **Other programs and services**

Tasmania's Commissioner for Children and Young People acts as an advocate for all young people detained at AYDC. As advocate for young people at AYDC the Commissioner is concerned with the overall physical and emotional wellbeing of each young person. In

fulfilling this role the Commissioner listens to and gives voice to concerns and grievances; educates young people on their rights and facilitates resolution of issues and access to support services as appropriate.

AYDC is also subject to the oversight of the Custodial Inspector. The purpose of the Custodial Inspector is to provide independent, proactive, preventative and systemic oversight of custodial centres. In particular, the Custodial Inspector provides external scrutiny through an independent statutory office and the publication of reports and recommendations. The focus of the Inspector is on systemic issues relating to the management, control and security of the State's prisons and youth detention centre and the care and welfare of prisoners and detainees.

Gateway Services is the single entry point to all family and disability services in each area of the state. The Family Support Services system provides an integrated continuum of services. This includes information and support, early and safety net interventions and targeted tertiary services for hard-to-engage families with high needs, and the provision of safe community living options for children where living with their birth parents is not possible.

## Australian Capital Territory

### Policy directions

Key policy directions in youth justice in the Australian Capital Territory include:

- the *Blueprint for Youth Justice in the ACT 2012–22*, which provides the strategic direction for reform of the youth justice system to improve outcomes for young people. A Blueprint for Youth Justice Taskforce has been established to consider priorities for ongoing reform over the remaining five years of the strategy, including strengthening support to children, young people and families through the combining of statutory functions of the youth justice and care and protection systems with the establishment of Child and Youth Protection Services
- continued implementation of a *Youth Justice Support and Intervention Framework*, giving agencies and staff an evidence-based guide for the design and delivery of support, interventions and programs based on an assessment of a young person's risk of re-offending
- continued delivery of the After Hours Crisis and Bail Support Service to assist young people in police custody by arranging suitable community-based alternatives and assisting them to comply with their bail conditions
- the *ACT Justice Reinvestment Strategy* identifies the drivers of crime and criminal justice costs and develops and implements ways to reinvest resources to run programs that prevent people from entering or re-entering the justice system
- enhanced understanding of, and response to long term trauma through exposure to childhood abuse and neglect through the *A Step Up For Our Kids Strategy 2015–2020*
- the *ACT Aboriginal and Torres Strait Islander Agreement 2015–18* enhances support to Aboriginal and Torres Strait Islander children and young people by recognising the diverse needs and experiences of Aboriginal and Torres Strait Islanders in the ACT.
- ongoing initiatives under the *ACT Children and Young People's Commitment 2015–18* to ensure that the ACT best supports children and young people to reach their potential and work together to promote and protect their rights.

## **Agencies**

### **Youth justice agency**

The Community Services Directorate is responsible for providing youth justice services in the Australian Capital Territory. These services include the Bimberi Youth Justice Centre, Youth Justice Case Management and the After Hours Crisis and Bail Service.

Youth Justice and Care and Protection Services are integrated and known as Child and Youth Protection Services (CYPS) to allow for better coordination of service to prevent children and young people who experience trauma, neglect and abuse from escalating to the youth justice system. CYPS provide a trauma-informed response that focuses on diversion, protection, restoration, transition and permanency.

CYPS is responsible for the assessment, supervision and support of children and young people subject to bail or justice orders, either in the community or in custody. It is also responsible for providing pre-sentence reports on young people to the courts, and is the lead service supporting young people accessing the After Hours Crisis and Bail Service.

The Restorative Justice Unit within the Justice and Community Safety Directorate is responsible for managing all restorative justice conferences.

### **Police**

Police are the first point of contact for young people entering the criminal justice system in the Australian Capital Territory. Police have discretionary powers to divert young people who have committed minor offences using a warning and diversionary system. If a decision is made to prosecute, the police may issue a summons for the young person to attend court, or detain them until the next sitting of the Children's Court.

### **Courts**

The ACT Children's Court deals with young people or young adults who are alleged to have committed an offence between ages 10 and 17, and who are not diverted from the criminal justice system. Young people convicted of indictable offences in the Children's Court may be committed to the Supreme Court for sentencing. Young people whom the Supreme Court has convicted may be remitted to the Children's Court for sentencing.

## **Elements, programs and services**

### **Diversion**

Diversionary programs that target young offenders, many who are first-time offenders and could be at risk of becoming persistent offenders, divert young people from entering or continuing in the youth justice system in the ACT. Key programs include:

- The After Hours Crisis and Bail Service aims to keep young people out of custody by providing alternative community-based options to being remanded in Bimberi and assisting young people on justice orders to comply with the conditions of their orders.
- The Alcohol and Other Drugs Diversion Program diverts young people away from the youth justice system and refers them to assessment and education programs, including:
  - The Youth Alcohol Diversion for under-age drinkers who are intoxicated, in possession of, or consuming alcohol in a public place
  - Illicit Drug Diversion for people who are found in possession of illicit drugs for personal use alone



- ACT Policing Crime Reduction Education and Diversion (CRED) team offers education and awareness presentations in relation to drugs and alcohol in ACT secondary schools.

## **Case management**

CYPS provides case management and service coordination for all young people supervised on a community-based order or detained at the Bimberi Youth Justice Centre, as well as transition planning for those serving periods of detention. Evidence-based practice is applied in the case management of young people involved in the criminal justice system, supported by the application of 'What Works' literature and the Youth Level of Service/Case Management Inventory (YLS/CMI). The YLS/CMI is a strengths-based risk assessment tool that predicts a young offenders' risk of re-offending and identifies target-areas for rehabilitation. Case managers prepare reports for the court regarding young people who are alleged to have offended, complete risk assessments and deliver the Changing Habits and Reaching Targets program (CHART) to those who have entered guilty pleas or been sentenced.

CYPS is focused on delivering a more effective and evidence-based approach to the supervision of young people on justice orders. Practice improvements have been made to strengthen the skills of case managers to reduce risk factors associated with offending, increase the compliance of young people under supervision with justice orders and strengthen protective factors. These improvements include:

- embedding single case management across youth services in the assessment, supervision and support of young people on justice orders. Single case management encourages staff to work differently and empowers them to be a 'single point of contact', not only for young people but also for other key service providers and stakeholders
- embedding the *Youth Justice Support and Intervention Framework* to guide staff and agencies in the design and delivery of support, interventions and programs based on a young person's risk of re-offending (low, medium or high) and their areas of criminogenic need
- strengthened cultural planning for young people on justice orders. A revised approach to cultural planning was developed through consultation with government and community organisations, with particular consideration of the needs of Aboriginal and Torres Strait Islander young people.

## **Offence-specific and therapeutic programs**

A range of programs and interventions are delivered within the community and custodial environments to address the needs of young people. These include programs that focus on alcohol and other drug issues, relationship issues and educational needs. The CHART program, a cognitively-based intervention designed to help young people to change their thinking and decision-making processes, is delivered in the community and in the Bimberi Youth Justice Centre.

A range of partnerships also exist to assist young offenders that focus on the delivery of education, employment skills programs, post-release support, disability support, and health and mental health support.

## **Programs for Indigenous young people**

CYPS has a dedicated cultural services team available to assist case managers to provide culturally appropriate support and supervision to Aboriginal and Torres Strait Islander young people and to increase engagement by families.

The Aboriginal and Torres Strait Islander family engagement officer provides services for young people detained in the Bimberi Youth Justice Centre, and works with Aboriginal and Torres Strait Islander community service providers and CYPS case managers to ensure young people transitioning from custody are supported within their community. The Murrumbidgee Education and Training Centre at Bimberi also has an Aboriginal and Torres Strait Islander transition officer who facilitates the transition of Aboriginal and Torres Strait Islander young people into appropriate training, education or employment options.

Aboriginal and Torres Strait Islander community service providers run various programs at the Bimberi Youth Justice Centre including counselling, family support and Indigenous art.

### **Supported accommodation and bail programs**

The After Hours Crisis and Bail Service aims to keep young people out of custody by providing alternative community-based options to being remanded in Bimberi and assisting young people on justice orders to comply with the conditions of their orders. Staff work with young people, court officials and other service providers to ensure that, where appropriate, young people are able to remain in the community while being supervised for compliance with bail conditions.

The Narrabundah House Indigenous Supported Residential Facility provides crisis, short to mid-term accommodation options and intensive case management primarily for Aboriginal and Torres Strait Islander young men aged 15 to 18 years, who are on community-based justice orders. The facility provides supported accommodation, as well as culturally-based residential and integrated programs focused on community participation and integration.

### **Pre- and post-release support**

The Bimberi Youth Justice Centre offers a number of initiatives that aim to provide young people with the skills to help them successfully transition back into the community.

An education program focused on reintegration outcomes is delivered by the Murrumbidgee Education and Training Centre at Bimberi. Suitable young people are provided with skills training and planned leave from Bimberi to prepare for a successful transition into the community.

Housing for Young People Program provides support to young people (16–25 years) who are transitioning from youth justice, care and protection, or homelessness services.

The Canberra Police Community Youth Club provides post-release support in a range of areas including employment, training and education, recreation, and issues around family, relationships and peer association through their Reset Program.

### **Other programs and services**

The ACT has an Official Visitor for Children and Young People and an Official Visitor who identifies as Aboriginal and Torres Strait Islander. Official Visitors visit and inspect places of detention, places of therapeutic protection and places of care in the ACT. In their role, the Official Visitors ensure that young people who are in detention or are living in a place of care have the ability to raise concerns or complaints with an independent adult, external to the government.

Bimberi Youth Justice Centre employs a designated Family Engagement Officer who supports the engagement between families and young people and promotes an Aboriginal and Torres Strait Islander perspective into the daily functions and management of the Centre. This position promotes the strength of Kin in the Aboriginal and Torres Strait Islander community and applies this strength to all young people in Bimberi and their families.

# Northern Territory

## Policy directions

The Northern Territory Government's law and order policy, the Pillars of Justice, identifies the strategic direction for all agencies involved in both the criminal and youth justice systems. The fourth pillar, Youth Turn, is dedicated to strategic youth justice initiatives including:

- the development of the Youth Justice Framework
- development and implementation of Early Intervention and Sentenced Youth Boot Camps
- a review of detention centre operations
- the development and implementation of a community-based youth supervision model.

Central to the Government's focus is to reduce offending and re-offending of children and young people in the Northern Territory through a comprehensive and coordinated approach to program and service delivery by both government and non-government providers.

## Agencies

### Northern Territory Department of Correctional Services—Youth Justice

The Department of Correctional Services (NTDCS) has three divisions with carriage of youth justice. Youth Justice is responsible for diversion grant funding; youth detention centres; the Family Responsibility Program (FRP); strategic development and partnerships; and program and service delivery and coordination. Community Corrections is responsible for young people serving community-based orders.

Youth Justice is accountable for delivering the reforms under Youth Turn and is working with internal and external partners to achieve each reform.

While the number of young people in, or at risk of entering the NT youth justice system are relatively small [1], the NT has the highest youth offender rate in Australia, at 7,241 offenders per 100,000 persons aged 10–19 [2]. NTDCS is working closely with partners who have law and order portfolios, being the departments of: the Attorney-General and Justice; and NT Police; as well as with those partner agencies with direct human service delivery being the departments of: Children and Families; Community Services; Education; Health; Housing; and the non-government and community sectors, to provide a coordinated response to youth offending and its causal criminogenic factors.

Additionally, NTDCS has commenced implementing the 16 recommendations of the *Review of the Northern Territory Youth Detention System Report January 2015* to improve detention centre operations, systems and service delivery.

### Community corrections

Community Corrections is responsible for the case management of young offenders subject to supervised court and parole orders, and the provision of advice to the courts and Parole Board. There are five regional and three remote offices throughout the Northern Territory, and officers travel to remote regions to service bush courts and have face to face contact with young offenders.

Community Corrections also undertakes compliance monitoring including random breath testing and urinalysis, curfew checks and coordinating the attendance of young offenders at programs, counselling, training or employment.

## **Police**

Youth offenders in the Northern Territory who are dealt with by Northern Territory Police may be referred to the NT Police Youth Pre-Court Diversion Scheme (YDS) under either section 39 or 64 of the Youth Justice Act. Depending on the nature of the offending a young person may also be released on bail; or remanded in custody.

## **Courts**

If the court finds a charge proven against a young person, the decision may be made to:

- dismiss the charge or discharge the young person without penalty
- adjourn the matter for up to 6 months and, if the young person does not commit a further offence during that period, discharge them without penalty
- adjourn the matter to a specified date within 12 months of the finding of guilt, and grant bail to the young person for the purposes of assessing prospects for rehabilitation, allowing the youth to demonstrate they have rehabilitated or for any other purpose the court considers appropriate
- order the young person to participate in a specified program that has been approved by the Minister
- order that the young person be released, subject to conditions including to observe any specified conditions, be of good behaviour for a specified period or appear before the Court if called to do so
- impose a fine
- make a community work order
- order that the young person serve a term of detention or imprisonment that is suspended
- order that the young person serve a term of detention or imprisonment
- make any other order that another court could make if the young person were an adult.

## **Elements, programs and services**

### **Youth Pre-Court Diversion**

The YDS operated by Northern Territory Police operates within a Restorative Justice framework and includes verbal and written warnings, Drug Diversion and Youth Justice Conferencing (with either family or victim-offender). Conference outcomes can include referral to formal programs to assist with the issues behind offending. These can include alcohol and other drugs or anger management counselling, and conditions such as an apology to the victim, community work and engagement with school.

NT Police provide ongoing training on the YDS and restorative justice conference facilitation to both police and non-government service providers who work with youth offenders.

### **Case management**

All YDS clients who are formally diverted are case managed through the diversion process. Non-government services, funded under the Youth Diversion Grants Program (YDGP) managed by the Department of Correctional Services provide specific case management

services in urban and remote areas. In remote communities they also work under a community development model with young people at risk and those undergoing reintegration from detention.

### **Offence-specific and therapeutic programs**

NT Police work closely with all community based services so that young people may access programs relevant to their needs. Programs used by the YDS can include substance abuse, anger management, training and education, and community work.

Drug Diversion is also offered for first time low level offending. This is generally referral for education based services.

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### **References**

1. Review of the Northern Territory Youth Justice System Report: September 2011.
2. ABS, *Recorded Crime Offenders—2013–14, 4519.0* (2015) Canberra.