

**Juvenile Justice, Volunteering, Youth and Veterans' Affairs Budget Estimates
Hearing on 18 September 2009**

Responses to Questions on Notice

Question from the Hon. Christine Robertson:

Question 1. Juvenile Justice

- a) Can the Minister outline the changes to the Emu Plains Centre, and its detainee population?
- b) How will the NSW Government's Young People in Custody Health Survey benefit the Juvenile Justice system?

Response.

a) Emu Plains Juvenile Justice Centre:

Emu Plains Centre was opened to accommodate a rapidly-rising demand for short-term remand beds in 2008.

\$4.361M was spent on the Emu Plains facility prior to occupation with the refurbishment of the accommodation units, creation of recreation areas, offices, kitchen, a clinic and a visits area as well as installing an emergency backup generator and air conditioning in the accommodation units.

Further significant changes are being made to the Emu Plains Juvenile Justice Centre, both physically and in its operation, that will improve conditions and programs for young people at the facility.

For while the intention for, and indeed the original use of, Emu Plains was to accommodate short-term detainees, there has been a significant change to the detainee population since March this year.

Between 2007 and 2008, the juvenile remand population in NSW experienced unprecedented growth of 32% from an average of 181 young people per day to 239 young people per day (BOCSAR). The remand number peaked in October 2008, when there were 261 young people in custody on remand.

There has also been a growth in the average length of stay on remand, from 10 days in December 2007 to 34 days in February 2009.

The growth in remand numbers continued until the end of March 2009, when there was a downward turn in remand numbers and an upward trend in control orders. This trend has continued with the number of young people in custody on control orders increasing by 26% in the last 12 months.

In addition, many young people who would have spent just a few days on remand (until mounting a successful bail application) are staying on remand until the charges against them are finalised by a court resulting in a growth in the average length of stay on remand from 10 days in December 2007 to 34 days in February 2009. (BOCSAR)

Given the changed composition of detainees within the system and the increased length of stay (control order clients stay on average 180 days), further improvements are being made to the Emu Plains facility to improve the flexibility of the centre.

The numbers of young people accommodated at Emu Plains will be capped at 40.

Building work will begin shortly to convert an accommodation unit into program and education rooms.

Further security improvements will be made at the centre to provide another outdoor recreational area.

These changes will mean that young people at Emu Plains will have improved access to a range of education, recreation and rehabilitation programs.

It will also mean that out of room hours can be increased to bring Emu Plains in line with other centres and to provide flexibility in the profile of detainees that can be housed at the facility.

A range of options have also been submitted to Treasury for further improvements.

The capital works and procedural changes being undertaken will better cater for the changing needs of the detainees.

b) Health Survey:

Juvenile Justice is working in conjunction with the Centre for Research in Criminal Justice (CHRCJ), Justice Health, to replicate the successful 2003 Young People in Custody Health Survey. Juvenile Justice contributed \$300,000 towards the project and received a grant of \$179,327 from the Centre for Aboriginal Health, NSW Health.

The research team is being led by Juvenile Justice's Research Psychologist and the CHRCJ's Head of Research, supported by a team of co-investigators from both agencies who are experts in the areas of adolescent physical and psychological health.

The research team is further supported by a team of Juvenile Justice psychologists and counsellors and Justice Health registered nurses who have volunteered to undertake the comprehensive participant interviews.

Ethics approval for the project was obtained from the Justice Health Human Research Ethics Committee, Aboriginal Health and Medical Research Council, Corrective Services Human Research Ethics Committee, along with approval for the project's implementation from Juvenile Justice's Research Steering Committee.

Participation in the survey is voluntary and agreement to participate will allow each young person to undergo a comprehensive assessment of their physical and psychological health.

The 2009 survey contains some improvements on the information previously collected in 2003.

A full IQ test is being administered in this survey, a significant improvement to the screening IQ assessment that was implemented in 2003. A full IQ assessment will allow for a more in-depth examination of the levels of functioning and abilities of young people in custody. Further, it will allow follow-up testing of areas of deficit with those young people who score less than 70 on the IQ assessment.

The administration of full IQ inventories is standard best practice in the assessment of levels of functioning around the world, and this part of the research will be a first for the juvenile justice based population in Australia.

A full psychiatric diagnostic interview is being conducted, another important and very significant improvement. The data collected in this area in 2003 only allowed for an indication of possible symptoms of psychiatric and behavioural problems to be examined. This survey is collecting both screening and diagnostic information for a range of psychiatric and behavioural disorders.

The screening instrument for experiences of childhood trauma, abuse and neglect has been retained for this survey and will provide valuable information on the histories of young people in custody.

New additions to the survey include a criminal history questionnaire to survey the range of offending that young people may be involved in and from what age this behaviour started, as well as a screening tool for anti-social behaviours and processes that may be developing in young people.

A full physical health screen is also being completed with participants, including blood screening, sight and hearing assessment, dental assessment and a full physical health questionnaire which covers a wide variety of medical, social and other health factors that may be experienced by young people in custody.

The data collection is currently being undertaken at all juvenile detention centres across the state as well as at the Kariiong Juvenile Correctional Centre. Current projections of the number of participants are between 380 and 400 young people.

Testing is expected to be completed by the end of October 2009, with preliminary results available by early 2010. More comprehensive analysis should be available in late 2010.

There is also a new follow-up component within this survey. Young people are being asked to provide their consent during this first data collection phase for follow up to occur for a five year period after the survey's completion.

The survey will provide a range of data for both Juvenile Justice and Health that will assist in improving service delivery as well as expanding the evidence base regarding the juvenile offender population.

Question 2. Veterans Affairs

- a) Can the Minister update the Committee on the Korean War Memorial project in Moore Park?

- b) What funds are provided by the NSW Government for the ANZAC War Memorial Building in Hyde Park?

Response

- a) Korean War Memorial project

The NSW Korean War Memorial in Moore Park was dedicated on 26th July 2009, marking the 56th anniversary of the war's armistice on 27th July 1953.

The Memorial honours the military personnel of the Commonwealth of Australia and the Republic of Korea who served, suffered and gave their lives in the cause of freedom.

The memorial project budget was \$700,000. The project was funded jointly by the NSW Government (\$350,000 – half the project budget) and the Korean Government (\$223,000), with the balance met by contributions from veterans' groups and the Korean community of Sydney. The Commonwealth Government has also made a small contribution (\$25,000).

The NSW Government welcomed the Korean Government's commitment to the Korean War Memorial. Korean Consul General, Woong-nam Kim and Deputy Consul General, Chikeun Son personally delivered the cheque for almost \$223,000.

At that meeting the Korean Consul General, Woong-nam Kim said Australians and South Koreans continue to stand side by side in the name of freedom and thanked the NSW Government for their support and also the Korean Community in Sydney for their fundraising efforts.

Veterans of Australian service in Korea have long sought to ensure we do not forget their place in Australia's military history. It was almost fifty years after the armistice agreement of 1953 before a national memorial to the Korean War was built in Canberra. More recently the Rudd Government has acted to appropriately recognise those who continued to serve in the post-armistice period.

The Korean War Memorial was a significant undertaking of the NSW Government to correct the lack in this international city of a memorial to those who served on the Korean peninsula.

The memorial commemorates the Australian and Korean veterans of the Korean War (1950-1953) and acts as a reminder of the partnership and continued relationship between the two countries.

Australian forces served alongside the Republic of Korea and twenty other nations under the authorisation of the United Nations to repel the North Korean attack on South Korea. Millions of lives were lost during the war, including 340 Australians and 130,000 South Korean soldiers. Australian forces continued to serve on the Korean peninsula until 1957, during which time a further eighteen Australians died

The NSW memorial commemorates those Australians and Koreans who served in the war, and the interpretation panels adjacent to the memorial, in telling some of the war's history, refer to those Australians who continued to serve during the Post-Armistice period through to 1957. The NSW Korean War Memorial is the first memorial to list the names of the 18 Australians who died in the Post-Armistice period as well as the 340 who died during the war.

The Government responded to advocacy by the Korean and veterans' communities, including Mr NY Paik, Mr Steven Kim and Mr Harry Spicer and others. As a result of their efforts, the service of our Australian forces in Korea will be visibly and tangibly commemorated for all time.

b) ANZAC War Memorial

The NSW Government is committed to the preservation and enhancement of the State's principal war memorial. The ANZAC War Memorial in Hyde Park was opened in 1934 following many years of planning and fund-raising to erect a memorial to those who served in World War One. In 1984 it was rededicated to all Australians who served in war.

The Memorial is host to many important commemorative occasions throughout the year. These occasions provide the community with significant opportunities to remember the sacrifices of the past with dignity and honour.

The Premier has announced an increase of \$750,000 per annum in the funding of the ANZAC War Memorial commencing in 2009-10 to bring the Memorial's recurrent budget to a total of \$1.25 million.

The increase in recurrent funding, which had been requested by the Memorial's Trustees, was announced by the Premier at the annual RSL State Congress on 26th May 2009.

The additional funds will primarily enhance security by the provision of guards whilst the Memorial is closed at night, and ensure the Trustees can fund regular maintenance. For the first time, a curatorial expertise will be funded to handle the Memorial's commemorative and historical collection of wartime memorabilia.

The NSW Government has also in recent years provided a total of \$6.5 million to repair and upgrade the Memorial. This major capital works program includes repairs to the building fabric, internal renovations, and the addition of amenities such as public toilets and a lift for the elderly and disabled.

The works are due for completion in advance of the 75th anniversary of the building in November 2009. Whilst these works are being completed the Memorial is closed to the public.

Annual commemorative activities that utilise the Memorial's precinct have continued to occur throughout 2009 without interference, including the Schools Remember ANZAC ceremony, the ANZAC Day Commemoration Service, the commemoration service for Indigenous Veterans in May, as well as commemoration services in July for both the Battle of Fromelles and the Australian Army Training Team, Vietnam.

The memorial is a highly significant building in the Sydney landscape which serves as a perpetual reminder of the debt we owe to all those who have served our nation in the armed forces and particularly those who paid the ultimate sacrifice.

The much-needed capital works undertaken in recent years will ensure that the building is handed on to future generations in sound physical condition.

A revitalised memorial along with its new exhibition area to be opened on 24 November will also ensure that future generations continue to fulfil our promise of perpetual remembrance and commemoration of those who served and died.

Question 3. Youth

a) What action has the Government taken to encourage young people to participate in their communities more actively?

Response

The NSW Government has taken many actions to encourage young people to participate more actively in their communities, including:

1. The Premier has issued a directive to NSW Government agencies to apply best practice participation principles in their dealings with young people.
2. The NSW Government supports the NSW Youth Advisory Council which conducts consultations with young people and acts, through the Minister for Youth, as a communication channel between young people and the Government.
3. The NSW Government funds Youth Week, which enables government and the community to engage with young people aged 12 to 25 years to build community connections and achieve positive outcomes for young people.
4. The *Premier's Student Volunteering Awards* program, which is currently in development for full implementation in 2010, and which aims to inspire and support all government school students in Year 9 and 10 to volunteer for at least 20 hours over two years in their local community.
5. The Department of Education and Training operates a network of Student Representative Councils and School Parliaments throughout the public school system, to give students a mechanism to influence decision making.
6. The Commission for Children and Young People promotes young people's involvement in all aspects of community life. Most recently, the Commission released *Built for kids*, a resource to help local government and the planning

profession increase their young people's participation in planning public spaces and built environments.

Questions from the Hon. David Clarke:

Question 4.

What is the September 2009 proportion of NSW juveniles with Indigenous descent?

Response.

For the period from 1 to 18 September 2009, 43% of young people in custody were Indigenous and 57% non-Indigenous.

Question 5.

What are the male and female proportions of juveniles with Indigenous descent?

Response.

For the period from 1 to 18 September 2009, 94% of Indigenous detainees were male and 6% female.

Question 6.

What is the current rate of recidivism for Indigenous offenders? (2008-2009 figure is sufficient)

Response.

The Bureau of Crime Statistics and Research collates information about reoffending in NSW. BOCSAR does not distinguish between Indigenous and non-Indigenous young people.

Question 7.

For each early intervention program (listed below), would the Minister please outline how many Indigenous juveniles participated in each program and what are the results on their success rates in these programs?

- a) Dthina Yuwali (Drug & Alcohol program)
- b) The Journey to Respect Program (family intergenerational violence)
- c) The Intensive Supervision Program (family-focussed approach)
- d) The Targets for Effective Change (offending behaviour targeted relationship skills, handling conflict)

- e) If there are no results on success rates in these programs, how does the Department and the NSW Government assess their performance in these programs?

Response.

- a) Dthina Yuwali is a new Juvenile Justice program that is currently being implemented. The program consists of three stages and the content of each stage was piloted as it was written and developed (from late 2006 through to 2008).

The program stages were piloted on five occasions at four different juvenile justice centres (stage 1 at Reiby, Acmena, Juniperina and Frank Baxter JJs, stage 2 at Reiby and Frank Baxter JJs, stage 3 at Reiby JJC). Male and female Indigenous young people from metropolitan, rural and regional locations participated.

The pilots revealed a high level of participation and completion rates. Twenty nine young people commenced Dthina Yuwali during the five pilot occasions, of whom 25 successfully completed the program (four young people did not complete the program).

Pilot pre-group interviews indicated that the majority, or all, of the young people referred to each group wanted to participate in the program. Referrals included up to fifteen young people for each pilot, with participation numbers restricted to between six and eight young people.

Following the success of the pilots, 44 Juvenile Justice staff members were trained between April and June 2009 to deliver Dthina Yuwali in both custodial and community-based settings. Staff training will continue this year.

Recently, trained staff delivered Stage 1 of the program to the first group (outside of the pilots) at Cobham Juvenile Justice Centre with four young people participating. Further groups are currently being planned at a number of locations.

The Aboriginal staff members who developed Dthina Yuwali and the Manager Evaluation, Programs Branch have developed processes for evaluation and monitoring to ensure Dthina Yuwali continues to produce positive outcomes for Aboriginal young people.

During the pilot stage, process evaluation was conducted throughout to inform the development of the program and its effectiveness. Outcome evaluation has since commenced with implementation and has been built into staff training to continually assess the effectiveness of the program in terms of young people considering changes to their substance use and offending and the program meeting needs of Aboriginal young people.

- b) 'Our Journey to Respect' is currently being reviewed and adapted by Aboriginal Programs, Programs Branch to broaden the content from an intergenerational violence program (targeted towards violence against older family members) to a core violence program, which will include violence in relationships and violence-related offending. However, violence against older family members will remain in the package as it is an important area to focus on and in maintaining Juvenile Justice's partnership with Gilgai Aboriginal Centre.

Plans for the program in the future are to: adapt the package and target group for the program, pilot the content with the target audience, develop evaluation mechanisms, develop the manual and training package, train staff to deliver the amended program, implement the program and continue the partnership with Gilgai Aboriginal Centre and other Aboriginal agencies / communities.

A total of 127 young people participated in Our Journey to Respect between September 2004 and April 2008. Of those, 113 (89%) completed the program and 14 (11%) did not complete the program.

- c) The Intensive Supervision Program is specifically aimed at juveniles who commit serious and/or repeat offences or whose severe antisocial behaviour increases their likelihood of offending. A range of issues are addressed including substance abuse, financial problems, housing needs, family conflict and negative peer pressure. Ultimately, ISP seeks to promote responsible behaviour and decrease antisocial behaviour amongst juvenile offenders and their families.

Twenty-six (74%) of the 35 families that enrolled in the Intensive Supervision Program have completed the program. Fifteen (42%) of those 35 families were Aboriginal, eleven (73%) of whom completed the program.

There are currently 24 families enrolled in the program, of whom nine families (38%) are Aboriginal. Four of the families currently enrolled have returned to the program after not completing it the first time.

An external research-designed evaluation of the program is being undertaken by the Bureau of Crime Statistics and Research (BOCSAR) to assess the success of the program. BOCSAR will assess the recidivism rate of ISP re-offenders in terms of frequency and severity of re-offending. BOCSAR will also assess changes in functioning by the young offender such as drug use, engagement in school or vocational training, family functioning and time in the home. The design will allow for an evaluation of the program with Indigenous families. The external evaluation is expected to be completed by December 2013.

The Multi-systemic Therapy Institute is collecting ongoing data on the program as a quality assurance measure. The data include measuring clinicians' adherence to the Multisystemic therapy with a standardised measure, percent of caregivers with parenting skills necessary to handle future problems, percent

with improved family relationships, percent with improved network of supports, percent with success in educational/vocational setting, percent of youth involved with pro-social peers/activities and percent of cases where changes have been sustained. The data will be used to plan training and improve the consultation process.

Sufficient data for a robust statistical analysis is expected to have been collated in the near future. However, a preliminary review of outcomes to date shows that 87% of caregivers demonstrated parenting skills necessary to handle future problems, 80% had improved family relationships and 60% had an improved network of supports. Reports from caregivers have been positive, mainly affirming the parenting skills training being offered.

Anecdotally, legal representatives have noted fewer court appearances with Indigenous clients and Police personnel have commented that some indigenous young offenders "have dropped off the radar". DoCS has observed in at least two cases a major reduction in costs for behavioural control of two young offenders being served in the program.

Once the efficacy of the program has been established statistically, further funding will be sought to expand the program.

- d) Approximately 273 young people participated in the Targets for Effective Change program between July 2008 and February 2009. Indigenous and non-Indigenous young people are not counted separately.

Training is currently underway on an enhanced version of TARGETS, called CHART – Changing Habits and Reaching Targets. CHART is an offending behaviour program designed specifically for young people on supervised orders. It is an initiative of the Youth Justice division of the Department of Human Services Victoria and will replace TARGETS as the preferred intervention for young people on supervised orders.

CHART training began in August 2009 and all community staff will be trained by December 2009. A robust evaluation process has been built into the program (see (e) for details) and includes pre- and post- assessments to measure and attribute change and the use of a control group.

- e) All Juvenile Justice programs are based on cognitive behavioural principals and are in accordance with international standards. All have been subjected to randomised controlled trials, multiple reviews and meta-analysis.

Each of these programs has been developed based on research literature that indicates positive outcomes. When these evidence-based programs are delivered as intended in Juvenile Justice, positive outcomes are expected.

In order to ensure these programs are producing outcomes as expected, every program comes with program specific pre-and post-assessments.

These assessments measure the aspects that match the specific aims of each program. Assessments before the clients start the program (pre-assessments) provide their baseline characteristics. Assessments after program completion (post-assessments) can show if the baseline characteristics changed as the program aimed to. Thus the pre-and post-assessments measure changes in the areas each program intends to change.

The same pre and post data are collected for those who receive treatment as usual (non-programmatic interventions). Comparing the pre and post changes between program participants and treatment as usual participants ensures that the benefits produced for the clients are indeed attributed to these programs.

The data collected through these pre- and post-assessments allow Juvenile Justice to analyse the extent to which the programs are achieving success.

Question 8.

What are the statistics that the Department holds on the rates of recidivism in Indigenous juveniles that have gone through these early intervention programs?

Response.

The Bureau of Crime Statistics and Research collates information about reoffending in NSW. BOCSAR does not distinguish between Indigenous and non-Indigenous young people.

Question 9.

How does the rate of recidivism of Indigenous juveniles compare with the rate of recidivism of non-Indigenous juveniles participating in these early intervention programs?

Response.

The Bureau of Crime Statistics and Research collates information about reoffending in NSW. BOCSAR does not distinguish between Indigenous and non-Indigenous young people.

Question 10.

What are the plans for these early intervention programs in the near future? If they are successful, will these early intervention programs be extended?

Response.

CHART (Changing Habits and Reaching Targets) will be available to all community-based staff to use on completion of training. This program is not indicated for use in a custodial environment.

Dthina Yuwali is currently the subject of a closely-monitored implementation to ensure that program integrity is maintained and that replication is successful in diverse Juvenile Justice locations. This program may be made available to other juvenile justice jurisdictions at a later time.

Our Journey to Respect was originally developed in collaboration with a community agency. The revised program will continue to include a component that can be used by community groups for early intervention. This is true also of Stage 2 of the revised Alcohol and Other Drugs treatment pathway.

Any extension of the Intensive Supervision Program will be considered at the conclusion of the pilot.

Question 11.

What are the expected consultation fees for Noetic Group for compiling the report into NSW's juvenile justice system?

Response.

The review is expected to cost approximately \$210,000 plus travel and other actual expenses.

Question 12.

Will the NSW Government's report by Noetic Group include recommendations on how to address this huge recidivism rate for Indigenous offenders?

Response.

The terms of reference for the Review of Broader Strategic Juvenile Justice Policy in NSW include the requirement to "advise on effective partnerships and strategies with other government agencies and communities to assist in the continuum of services for young people in the juvenile justice system to achieve a reduction in young offending, particularly Indigenous offenders" and to "provide advice on future policy, programs, practices of juvenile justice in NSW (including monitoring and evaluation of these) within available resources & with particular reference to vulnerable groups of young people including Indigenous youth, young women & culturally diverse groups."

Question 13.

Why did the NSW Government declare the BOSCAR Report “Recent Trends in Legal Proceedings for breach of bail, juvenile remand and crime” Cabinet-In-Confidence (CIC)?

Response.

The BOSCAR report was publicly released on 1 July 2009, and it remains available on the BOSCAR website.

I am advised that BOSCAR bulletins are released publicly following approval from the Attorney General. I am further advised that public release will usually be approved without significant delay.

In this particular case, however, the research covered by the report included research that had been specifically undertaken at the request of Cabinet to inform Cabinet deliberations. In accordance with the usual conventions governing Cabinet deliberations, the report was therefore submitted for Cabinet’s consideration prior to being approved for public release.

Question 14.

Given that BOSCAR is set up to provide the public with information, not to hide secret reports, for what purpose was this Report declared CIC?

Response.

I refer to the answer to Q13 above.

BOSCAR has for a long time provided the public with valuable information on crime statistics and research. At the same time, it is perfectly acceptable for the Government to seek advice for the consideration of Cabinet on a confidential basis.

Question 15.

Who ultimately made the decision to give this report a CIC classification?

Response.

Refer to answer for Q13 above.

Question 16.

What has been done by the NSW Government to alleviate the overcrowding in remand and juvenile detention centres caused by the changes to the bail laws limiting the number of bail applications that can be made?

Response.

The Government has responded with a range of strategies to address both the supply of and the demand for beds.

In response to the increase in juvenile detention rates, a comprehensive independent review of the NSW Juvenile Justice system has been commissioned. This review will examine successful diversionary programs used within other states and internationally. The review will provide a comprehensive set of recommendations which will be used to inform this state's juvenile justice practices in coming years.

Juvenile Justice has already heavily invested in diversionary schemes such as the Intensive Supervision Program, Youth Justice Conferencing and Bail Intervention, programs that work to assist young people to remain in the community and address their offending behaviour.

In order to address the increased demand for beds in detention, this year a new juvenile justice centre at Emu Plains in Sydney's west and a new 15-bed unit at the Orana Juvenile Justice Centre in Dubbo have been opened.

The Government has also committed \$2.3 million in 2009/10 to establish the Bail Assistance Line, which aims to reduce the increasing numbers of young people being held in custody on remand pending a court outcome, who could be supervised on bail in the community more cost-effectively and efficiently.

The after-hours Bail Assistance Line is expected to be operational in March 2010, initially as a pilot service in Metropolitan Sydney and in two locations in regional NSW.

The Government has announced its intention to amend section 22a of the *Bail Act* to clarify that an accused person can make a fresh application for bail if new facts or circumstances arise, or if there is new information to present to the court. In the case of juveniles, such information may include a report from Juvenile Justice or Community Services.

The Minister for Juvenile Justice has pledged \$50,000 to the Government's Bail Working Party to undertake further research to inform the debate regarding bail and remand issues for young people.

Question 17.

Did the Juvenile Justice Minister disagree with either the current Minister for Corrective Services John Robertson or the previous Minister for Corrective Services John Hatzistergos over these amendments to the bail laws?

Response.

All Ministers stand behind the collective decisions of Cabinet.

Question 18.

How many juvenile offenders were detained on remand for each financial year from 2006-2007 to date?

Response.

The number of individual young people in custody on remand each financial year was:

2006-2007: 2,036

2007-2008: 2,367

2008-2009: 2,498

Question 19.

Of these, how many juveniles were detained on remand during this time because they did not complete the conditions of their bail? (Please provide separate figures for each financial year from 2006-2007 to date).

Response.

The number of young people remaining in custody because they were unable to meet the conditions of their bail each financial year was:

2006-2007: 732

2007-2008: 928

2008-2009: 855

Question 20.

On average how many days did these offenders stay in a Juvenile Justice facility because they were unable to meet their bail conditions? (Please provide separate figures for each financial year from 2006-2007 to date).

Response.

As advised by the Chief Executive during the Budget Estimates hearing, the average length of stay for detainees unable to meet their bail conditions was:

2006-2007: 9 days

2007-2008: 10 days

2008-2009: 9 days

Question 21.

Of the juveniles that were jailed for breaching bail conditions, what were the top 3 conditions that were most commonly breached?

Response.

Juvenile Justice does not record this level of detail about the reasons for breaches of bail.

However, the 2009 study by the Bureau of Crime Statistics and Research, *Recent trends in legal proceedings for breach of bail, juvenile remand and crime*, found that only 34% of juveniles in the sample group who were arrested for breach of bail had committed further offences. The remainder (66%) had breached a condition of their bail without further detected offending.

In the cases reviewed, the three most common conditions allegedly breached were: not complying with a curfew order (35 out of 50 cases); not being in the company of a parent (29 out of 50 cases); and associating with co-offenders (7 out of 50 cases).

Question 22.

What is NSW's overall rate of rehabilitation out of custody?

Response.

Juvenile Justice includes data from the Bureau of Crime Statistics and Research in its Annual Report. The 2007/08 Report notes that the percentage of juvenile offenders receiving a subsequent conviction or conference was 55.4% for those originally receiving a supervised order and 41.6% for those attending a youth justice conference.

The NSW State Plan also reports on reoffending in Priority R2. The most recent data shows overall juvenile reoffending in 2004 was 54.1%.

Question 23.

Given that the Mini-Budget (pA-7) announced \$37.5 million of savings over 4 years with the "restructure of operations of the DJJ including sharing various activities with other agencies, with other activities undertaken via centralised service arrangements", what is the progress of the \$500,000 in savings announced for the 2008-2009 financial year?

Response.

Juvenile Justice is on target to achieve the savings required under the mini-budget as well as the unfunded component of pay rises in July 2008 and 2009.

Question 24.

How have these Mini-Budget savings been achieved?

Response.

In December 2008 Juvenile Justice reduced the number of its regions from four to three, with no reduction to the area serviced.

The Central Office and transport structures were reviewed to effect further efficiencies.

Keelong Juvenile Justice Centre was closed in February 2009 as it was an old and outdated centre and the site was unsuitable for further development.

Juvenile Justice changed its staffing model in centres to provide better service delivery to detainees in a cost-efficient manner. Following extensive consultation with the Public Service Association, a new staffing model was developed and implemented on 6 July 2009.

Strategy	Recurrent savings \$million	Date
Closure of Keelong	\$5,666.3	February 2009
Centres Restructure	\$7,066.4	Implemented 06/07/09
Transport Restructure	\$1,415.9	Implemented 24/08/09
Central Office Restructure	\$3,122.0	Implemented 04/05/09
Total	\$17,270.6	

Question 24a.

How many self-harm incidents occurred in detention centres for each financial year from 2006-2007 to date?

Response.

Incidents of actual self harm in juvenile justice centres:

2006-2007: 82
2007-2008: 95
2008-2009: 196

It should be noted that a very small number of detainees with extremely high needs accounted for a large proportion of instances of self harm during 2008/09. This small group of detainees have high levels of mental health issues.

In fact, four individual detainees (three of whom were young women) were involved in 40% of total incidents and one detainee alone accounted for almost a quarter of all incidents. This young woman has an unstable history in the community and is a troubled young person. A variety of specialist services have been provided to this young woman to deal with her challenging behaviour.

The vast majority of young people in custody who attempt self harm have only one incident.

The recently-opened adolescent wing of the Forensic Hospital at Long Bay will provide a placement option for those young people requiring specialist psychiatric care.

Juvenile Justice records all incidents pertaining to any harm inflicted by a detainee. Incidents that are recorded include relatively minor events including “picking at an old wound” and “attempted self tattoo”.

Question 24b.

Have there been any deaths of juveniles in custody in the financial years 2006-2007, 2007-2008 or 2008-2009? If so, which juvenile justice centre?

- i) What were the circumstances surrounding the incident?
- ii) Has an investigation occurred into the incident?
- iii) Will a report be compiled and be presented to Parliament?

Response.

No.

Question 25.

On how many nights did each juvenile justice centre reach full capacity?

Response.

Juvenile Justice Centre	Days at capacity 2008/09
Acmena	15
Broken Hill	10
Cobham	10
Emu Plains	1
Frank Baxter	19
Juniperina	0
Keelong	20
Orana	23
Reiby	34
Riverina	40

Question 26.

On how many nights did each juvenile justice centre reach over capacity?

Response.

Juvenile Justice Centre	Days over capacity 2008/09
Acmena	323
Broken Hill	0
Cobham	248
Emu Plains	0
Frank Baxter	339
Juniperina	0
Keelong	153
Orana	301
Reiby	148
Riverina	270

Question 27.

What is the total number of beds at each juvenile justice facility? (Current figures as of 21/9/09 only)

Response.

Juvenile Justice Centre	Maximum bed capacity (as at 21/9/09)
Acmena	30
Broken Hill	8
Cobham	74
Emu Plains	50
Frank Baxter	120
Juniperina	46
Orana	45
Reiby	60
Riverina	33
Total	466

Question 28.

How many additional new beds are or will be added to each facility in the current financial year?

Response.

A new 15-bed accommodation unit opened at Orana Juvenile Justice Centre in August 2009.

A new 15-bed accommodation unit is being built at Acmena Juvenile Justice Centre. The early works commenced in April 2009 and the main construction phase commenced in August 2009, with a total project allocation of \$8.225M and an anticipated completion date of June 2010.

Bunk beds will be installed at Cobham Juvenile Justice Centre (11 beds) and Riverina Juvenile Justice Centre (12 beds) during the current financial year.

Question 29.

With respect to funding for each centre, would the Minister please provide the actual funding figure for 2008-2009 and the budgeted figure for 2009-2010 for each Juvenile Justice facility?

Response.

Juvenile Justice Centre	Actual 2008/09 \$million	Budget 2009/10 \$million
Acmena	6.286	5.912
Broken Hill	0.945	0.549
Cobham	14.995	14.732
Emu Plains	2.895	5.174
Frank Baxter	23.500	20.173
Juniperina	8.400	8.223
Keelong	6.042	n/a
Orana	6.363	8.321
Reiby	13.463	10.869
Riverina	7.448	7.955

Question 30.

What was the average length of stay in each juvenile justice facility in 2008-2009?

Response.

Juvenile Justice Centre	Average length of stay in custody in days 2008/09
Acmena	36
Broken Hill	7
Cobham	13
Emu Plains	12
Frank Baxter	80
Juniperina	18
Keelong	38
Orana	20
Reiby	25
Riverina	34

Question 31.

What was the total cost to the Department for audiovisual links / appearances?

Response.

The cost to Juvenile Justice of audiovisual links during 2008-2009 was \$121,014.

Question 32.

How many young people went through the Juvenile Justice system for each financial year from 2006-2007 to date?

Response.

The number of individual young people each financial year was:

2006-2007: 4,707

2007-2008: 5,278

2008-2009: 5,866

Question 33.

How many transfers / movements of detainees occurred in 2008-2009?

Response.

Type of movement	Number of detainees 2008-2009
To / from court	7,721
Transfer (centre to centre)	1,932
Transit	356
Total	10,009

Question 34.

The 2008 Juvenile Justice Budget estimates indicated that the Department had 8 SES positions, with 2 “substantially vacant”. Given that the Premier announced 20% in cuts to the SES last year, has this been achieved by DJJ?

Response.

In response to this announcement, the Department of Premier and Cabinet approved the deletion of one SES position in Juvenile Justice. The position deleted was Regional Director (Southern and Central Coast).

Question 35.

How many officers were placed under investigation in the last financial year?

- a) What were the outcomes of those investigations?
- b) Disregarding any minor incidents, what was the range of serious incidents that were investigated?

Response.

A total of 110 individual employees were involved in 63 investigations concluded during 2008-2009. Of those individual employees, 14 were involved in more than one investigation.

- a) The outcomes were as follows:

Outcome	By employee
False	38
Remedial – formal warning	20
Fine	18
Not sustained – no further action	16
Remedial – counselling	7
Dispensation – casual / temp only	6
Resignation	5
Dismissal	4
Reprimand	3
Sustained – no further action	2
No further action – local action	2
Annulment	1
Caution	1
Remedial – transfer / staff rotation	1
Total	124

- b) Serious incidents investigated include excessive use of force, assault, supply contraband, corrupt conduct, neglect supervision and grooming behaviour (sexual).

Questions on Notice taken during the hearing

Question from the Hon. David Clarke

Question 37.

Are you aware of any reoffending figures published by other States?

Response.

The only other jurisdiction in Australia that publishes comparable information about juveniles is the ACT's Department of Disability, Housing and Community Services.

The Bureau of Crime Statistics and Research collects and reports on crime statistics in NSW, including those on re-offending. Juvenile Justice publishes these statistics in its Annual Report.

Questions from the Hon. Lee Rhiannon:

Question 38.

What is the longest amount of time that a current detainee has been held at Emu Plains Juvenile Justice Centre?

Response.

As at 18 September 2009, the longest period a detainee had been held at Emu Plains was 68 days.

Question 39.

What is the longest period an inmate has been continuously locked in their cells at Emu Plains Juvenile Justice Centre [in one day]? (for security or other reasons).

Response.

24 hours.

This is a unique response to manage a detainee's behaviour and to preserve the safety and security of the centre. During this time, the detainee is given access to meals, toileting and is in contact with staff.

Question 40.

What progress has been made in implementing the relevant sections of the Beyond Justice 2004-2014 plan?

Is it the case that one of the key objectives that the Government committed to in 2004 when it launched the Aboriginal Justice Plan was to reduce the overrepresentation of young Aboriginal people in the criminal justice system?

Response.

Please refer to Hansard for the response about Juvenile Justice programs with a focus on Indigenous young people.

The Beyond Justice 2004-2014 plan was developed by the former Aboriginal Justice Advisory Council, which was attached to the then Attorney General's Department.

In 2007, Juvenile Justice embarked on a five-year Aboriginal Strategic Plan (ASP) that establishes a platform for well-coordinated and targeted interventions that aim to provide improved responsiveness and better outcomes for Aboriginal young people. The Plan incorporates relevant strategies from other Justice initiatives such as the Beyond Justice, Two Ways Together and Aboriginal Child Sexual Assault Task Force Report.

The Plan provides a series of strategies to be implemented across the agency during the period to 2011, in consultation with the Aboriginal Strategic Advisory Committee (ASAC) and Aboriginal Regional Advisory Committees (ARAC).

The Aboriginal Strategic Coordination Unit (ASCU) monitors the implementation of the ASP and reports to the Chief Executive and the Executive Committee on the agency's progress.

Question 41.

What is the total number of individual Indigenous young people in custody for 2008-2009?

Response.

A total of 993 Indigenous individuals were in custody during 2008-2009. That is, the young person was either already in custody on 1 July 2008 or admitted to a centre throughout the rest of the financial year.

Question 42.

Has the number of front-line Juvenile Justice staff per inmate increased or decreased since 2003-2004? I would be interested in the figures.

Response.

There has been no change in the proportion of front-line staff members in juvenile justice centres since the implementation of the Council on the Cost and Quality of Government staffing structure in 2002.

For a 15-bed unit, rosters are based on:

Morning shift (6:00am to 2:00pm): one Youth Officer per five detainees.

Afternoon shift (2:00pm to 10:00pm): one Youth Officer per five detainees.

Night shift (10:00pm to 6:00am): one Youth Officer per 15 detainees.