

**Queensland Child Protection  
Commission of Inquiry**

**Statement of Steve Armitage**

I, Stephen William Armitage, of c/- Level 25, Anne St, Brisbane in the State of Queensland, Assistant Director-General, Youth Justice, Department of Justice and Attorney-General, solemnly and sincerely affirm and declare:

1. I make this statement pursuant to a request to provide information to the Queensland Child Protection Commission of Inquiry (the Commission).
2. I am the Assistant Director-General of Youth Justice, Department of Justice and Attorney-General.
3. I have held the position of Assistant Director-General since 4 June 2012. Prior to the commencement of this position, I was the Executive Director, Indigenous Education in the former Department of Education and Training from July 2007 to June 2012. From December 2004 to July 2007, I held the position of Executive Director, Strategic Implementation Branch in the former Department of Education and Training. I also held the positions of the Deputy Director-General, Families (2002 to 2004) and Executive Director, Youth Justice (1999 to 2002) in the former Department of Families.
4. My qualifications include a Bachelor of Social Work (Hons) from the University of Queensland.
5. As the Assistant Director-General, I have overall responsibility and accountability for the Youth Justice Program delivered by, Department of Justice and Attorney-General. An organisational chart outlining Youth Justice is attached as Annexure 1.
6. The Youth Justice Program aims to provide statutory youth justice community based and detention centre based services to ensure that young people are held accountable for their offending behaviour and that they are supported to become responsible members of the community through reparation and rehabilitation.

**QCPCI**

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**Exhibit number:** 36

### **Introduction to the current Youth Justice system**

7. The youth justice service system is delivered within the context of *Youth Justice Act 1992* and the *Childrens Court Act 1992*. The legislation provides a framework in which the following key principles are upheld:
  - Protection of the community from criminal offences
  - Encouraging young people to take responsibility for their actions
  - Providing programs and services to address offending behaviour and rehabilitate and reintegrate young people
  - Recognising the vulnerability and special protection required for children and young people and specifically recognising the needs of Aboriginal and Torres Strait Islander young people
  - The use of detention as a sentencing option of last resort
  - Ensuring that young people in youth detention services are safe and receive quality care
8. Services within the Youth Justice Program in Queensland are structured to give effect to these principles, dealing with young people who are alleged to have committed offences and the sentencing options in the *Youth Justice Act 1992*.
9. Queensland's youth justice system comprises of a number of agencies, including the Department of Justice and Attorney-General (JAG) who are responsible for delivering youth justice responses, statutory supervision and administering Queensland's courts and the Queensland Police Service who has first contact with the offending young person.
10. The effective delivery of services to reduce offending behaviour requires input from a broader range of government departments, including but not limited to Queensland Health and Department of Education, Training and Employment, Department of Communities, Child Safety and Disability Services, Department of Aboriginal and Torres Strait Islander and Multicultural Affairs and the Commission for Children, Young People and Child Guardian.

### **What JAG delivers**

11. JAG provides court services for all criminal justice matters referred to the court.
12. Since machinery of government changes took effect in April 2012, JAG now has responsibility for the Youth Justice Program. These services were previously provided by the former Department of Communities.
13. With an estimated budget of \$142M in 2012-13, the Youth Justice Program provides youth detention centre services, community based youth justice services, youth justice conferencing services, limited early intervention services and funding for some non-government organisations.

14. The purpose of the Youth Justice Program is to contribute to community safety through the provision of:
  - secure custody for high risk young offenders
  - supervision for young people subject to community based court orders
  - youth justice conferencing services where victims and others affected by a young person's offending have the opportunity to decide on how the young person should repair the harm they caused
  - programs to address offending behaviour and services to respond to factors contributing to offending behaviour.
15. The Youth Justice Program has responsibility for the secure custody of young people in detention centres where they are either remanded in custody or sentenced to a period of detention.
16. There are two youth detention centres in Queensland: Brisbane Youth Detention Centre and Cleveland Youth Detention Centre (Townsville). The average daily number of young people in detention (both sentenced and remand) in 2010-11 was 137.
17. Brisbane Youth Detention Centre (BYDC) has a built capacity of 118 beds. In 2001 the centre opened with 102. In February 2010 a further 8 beds increased capacity to 110 and in March 2010 another 8 increased capacity to its current capacity of 118.
18. Cleveland Youth Detention Centre (CYDC) has a built capacity of 48, however has operated with an interim bed capacity of 60 since 1 November 2007. CYDC is currently being expanded and when completed will have a 96 bed capacity.
19. While the daily average is 137, the number of young people in detention spikes. At times the number of young people in detention exceeds capacity.
20. Youth Detention Centres have a combined budget in 2010-11 of \$125.041M (\$41.2M operating and \$83.841M capital).
21. There are 16 Youth Justice Service Centres and 9 smaller outpost services which deliver supervision and intervention services to young people who are subject to supervised youth justice orders.
22. In 2010-11, the budget for Youth Justice Service Centres was \$31M.
23. During 2010-11, 1693 young people were subject to supervised youth justice orders. Young people are subject to a range of orders including probation, community service, supervised release orders, conditional release orders, intensive supervision orders and conditional bail.
24. Fourteen Youth Justice Conferencing services manage referrals to youth justice conferencing from the police and courts and conduct conferences.

25. During 2010-11, 2860 referrals were made to youth justice conferencing with 2387 conferences being held. Approximately 44% of these referrals were made by police with the remainder made by courts as either pre-sentence conferences or indefinite referrals (where no further action is required by the court); the estimated budget for youth justice conferencing was \$10M.
26. All services delivered through the Youth Justice Program work closely with justice system departments, human services departments and non-government organisations to coordinate the delivery of services for young people and their families. Research consistently demonstrates that this approach ensures the best chances of rehabilitation.
27. Non-government services are funded by JAG under the provisions of the *Community Services Act 2007* to deliver a range of other services to young people and their families. 15 organisations are funded a total of \$5.23M per annum to provide specialist case management, support and counselling to young people and their families. These services are generally outside the expertise of youth justice staff who focus on supervision and addressing offending behaviour. Annexure 2 is the Youth Justice Intervention Framework which outlines the nature of responsibilities of non-government organisations and youth justice services.
28. The 15 organisations are funded to deliver services under the following initiatives: Young Offender Support Services; Bail Support Services; Supervised Accommodation; Specialist Counselling Services; Employment Services; and Complex Needs Assessment Panel Services. None of the initiatives have state-wide coverage; rather service providers have been contracted based on local need.
29. Details of each service, geographic coverage and funding amounts and provided are included in Annexure 3.
30. Interventions orchestrated by the Youth Justice Program include strategies to address the causes of crime. The delivery of programs that target therapeutic, educational, employment, family functioning and accommodation outcomes involve human services agencies through government and non-government partners. The leverage from these services is critical to achieving community safety and life trajectory outcomes for young people.

#### **Policy and practice context – Youth Justice contemporary challenges**

31. Youth Justice responses are a nexus of community safety, accountability and rehabilitation. Public policy attempts to balance the sometimes complex objectives.
32. Young people in contact with the youth justice system are among the most vulnerable and disadvantaged in Queensland, with increasingly complex social, developmental and environmental issues underpinning the reasons for offending. This trend is consistent not only across Australia, but also across many developed nations.

33. The *Youth Justice Act 1992* underpins Queensland's youth justice system and applies a set of principles for dealing with young people. The principles require that the community should be protected from offences; the system should uphold the rights of children keeping them safe and promoting their physical and mental wellbeing; that children should be encouraged to take responsibility for their actions; and that children should be treated in a way that diverts them from the courts. However, where the nature of the offence requires the child to attend court and where guilt is established, detention is an option of last resort, but where detention is necessary that the child is safe and receives quality care.
34. The Government's recent commitment to trial Youth Boot Camps as a sentencing option to divert young people from detention is a further commitment to ensuring detention is utilised as a last resort.
35. This framework of principles and sentencing options establishes a practice context that primarily focuses on community safety through the rehabilitation and reintegration of young offenders to the community. The Youth Justice Program adopts an evidence base approach which focuses on achieving outcomes, particularly reducing recidivism and improving the protective factors that, if strong, reduce the likelihood of further offending.
36. Indigenous over-representation continues to be a challenge for the Youth Justice Program and indeed other human service systems. Aboriginal and Torres Strait Islanders continue to be over-represented in the justice system from point of police contact through to detention. Aboriginal and Torres Strait Islander young people enter the justice system at an earlier age with a higher likelihood of continuing through the juvenile system into the adult system.
37. Queensland has one of the highest remand populations in the country. In 2010-11 in Queensland there were 92 young people held on remand on an average night. This represents 68% of the total Queensland detention population. In comparison, in 2010-11 the Australian average was 58% of the total detention population were held on remand. The Youth Justice Program is continuously looking for opportunities to reduce the number of young people remanded in custody, through improving bail support programs and working with the legal sector and judiciary.

### **The Youth Justice journey**

#### *Pre-Forde Inquiry*

38. On 4 August 1992, Queensland parliament passed the *Juvenile Justice Act 1992* and the *Children's Court Act 1992*. The commencement of these Acts represented a significant philosophical shift from a care and control model to a justice and accountability model.
39. The *Juvenile Justice Act 1992* repealed the juvenile justice provisions of the *Children's Services Act 1965* and provided the legislative framework for the administration of juvenile justice in Queensland, the ethos of which informed practice and policy in the administration of youth justice practice and policy for Queensland. Further detail of all legislative amendments to the then *Juvenile Justice Act 1992* and now *Youth Justice Act 1992* is at Annexure 4.

40. The *Juvenile Justice Act 1992* established as a principle of juvenile justice that:
- a child who commits an offence should be:
    - (a) held accountable and encouraged to accept responsibility for the offending behaviour; and
    - (b) punished in a way that will give the child the opportunity to develop in a responsible, beneficial and socially acceptable way.
41. In 1995, the Conditional Bail Program was established. The key purpose of the Conditional Bail Program was to provide support to young people charged with an offence and released on bail, to meet their bail conditions.
42. In 1996 amendments were made to the *Juvenile Justice Act 1992* to introduce new ways to divert young people from the criminal justice system. This included providing for youth justice conferencing, as well as revising juvenile justice principles to ensure the protection of the community and the interest of victims were considered.
43. In 1997 in response to the Act amendments, a Youth Justice Conferencing program was established in three locations. This program was the first restorative justice program which brought together the young offender, the victim, community representative and the police. The program is designed to enable the young person to gain an understanding of the impact of their crime on the victim and community.
44. In 1998, the *Juvenile Justice Legislation Amendment Bill 1998* enabled the transfer of the responsibility of youth detention centres from the Queensland Corrective Services Commission to the then Department of Families, Youth and Community Care. This Bill integrated the administration of juvenile detention centres with other juvenile justice functions and direct responsibility for the delivery of the juvenile justice system to the then Department of Families, Youth and Community Care.
45. Until 1999 the Youth Justice Program and Child Safety Services were administered jointly through regional offices. In 1999 three stand alone Youth Justice Service Centres in Townsville, Ipswich and Logan were established as a pilot. The remainder of the state continued to deliver collocated services.

*Post Forde Inquiry: 1999-2005*

46. In response to the Forde Inquiry recommendations a number of critical actions were taken by the Government in the following years.
47. The Petford Training Farm in Far North Queensland was closed.
48. In 2001 a number of services were funded to provide a range of youth justice programs including:
- Griffith University to provide a specialist assessment and treatment program for young sexual offenders;
  - Youth Bail Accommodation and Support Service (YBASS) – to provide accommodation support services to young people subject to bail;

- North West Aboriginal and Torres Strait Islander Community Association (NWAICA) to address factors underlying the offending behaviour, including the cultural needs of Indigenous young people;
49. Queensland Health and Education Queensland commenced providing 24/7 health care services and formal schooling programs within both Youth Detention Centres.
  50. In 2002, the *Juvenile Justice Amendment Bill 2002* amended the *Juvenile Justice Act 1992*, the *Bail Act 1980*, the *Childrens Court Act 1992*, the *Criminal Code*, the *Criminal Offence Victims Act 1995*, the *District Court Act 1967*, the *Evidence Act 1977*, the *Jury Act 1995*, the *Police Powers and Responsibilities Act 2000* and other relevant legislation in response to the *Commission of Inquiry into Abuse of Children in Queensland Institutions* (the Forde Report) recommendations and to provide an improved, relevant and cohesive legislative basis to the administration of juvenile justice. The amendments commenced on 1 July 2003.
  51. A detailed summary of the amendments is at Part B Annexure 4. In summary, the amendments enhanced naming provisions, introduced a new sentencing option, strengthened the Childrens Court of Queensland, and incorporated a new “charter of juvenile justice principles”.
  52. The Bill included a list of basic rights of children in youth detention centres in the charter of juvenile justice principles, an obligation on youth detention centre staff to report harm suffered by a child in a youth detention centre and mandatory regular inspection of youth detention centres.
  53. The Bill also included a section (s.224AL) which allowed disclosure to specified people if a child is being placed in care under the *Child Protection Act 1999*. The section is now contained at s.293 of the Act.
  54. At this time the Government also took action to address over-representation of Indigenous children in juvenile detention centres and develop alternative placement options to reduce the number of young people being held on remand through the Queensland Aboriginal and Torres Strait Islander Justice Agreement (2000) and the Government’s response to the 2001 Cape York Justice Study was the *Meeting Challenges Making Choices* Report.
  55. Youth Crime Prevention Programs were established at a cost of \$0.68 million over 3 years, in Townsville, Charters Towers, Bundaberg, Rockhampton and Gladstone and twelve month projects were established in Mackay, Cairns and remote communities in Cape York at a cost of \$0.55 million over two years.

#### *Specific responses for detention centres*

56. As recommended by the Forde Inquiry, in 2001 significant capital works projects were prioritised in order to close the Sir Lesley Wilson Detention Centre, open Brisbane Youth Detention Centre (BYDC) and complete the upgrade of Cleveland Youth Detention Centre (CYDC).

57. During this year, all young people accommodated at the former John Oxley Detention Centre were transferred to the newly built BYDC. The John Oxley Youth Detention Centre subsequently ceased operating.
58. With the 2002 amendments to the *Juvenile Justice Act 1992*, the obligation for the department to report harm was strengthened with the enactment of the now section 268. Section 268 requires youth detention staff to identify and report harm that is suspected or alleged to have occurred in the youth detention context.
59. This obligation is provided oversight by the regular provision of this information to the Commission for Children and Young People and Child Guardian (CCYPCG) as mandated under sections 35 to 37 of the *Youth Justice Regulation 2003*.
60. Section 268 of the *Youth Justice Act 1992* does not exclude youth detention centre staff from their obligations to refer suspicions of harm under section 9 of the *Child Protection Act 1999* (ie. harm that may have occurred prior to young people entering youth detention). As part of the youth detention admissions process, young people are assessed to ascertain whether they may have been harmed prior to their admission (to ensure this is referred to Child Safety Services) and are provided an opportunity to make a complaint about any alleged mistreatment by the escorting Queensland Police Service officers.
61. Quarterly inspections of youth detention centres commenced in 2002 administered by the Youth Detention Inspectorate. The Inspectorate was separate from the Youth Justice program and this 'arms length' positioning from detention centre service delivery provides the Department with a robust and independent internal youth detention inspection model.
62. The Inspectorate's primary role is to inspect and monitor each Queensland youth detention centre at least once every three months in accordance with section 263(4) to ensure centre operations are consistent with the Chief Executive's responsibilities and that current operations reflect current policy and the legislative framework. This includes examining issues relating to the wellbeing and safe custody of young people in detention and the security and management of detention centres.
63. The *Commission for Children and Young People Act 2000* commenced in 2001 and expanded the CCYPCG mandate to advocate for children and young people, established the Commission as a statutory body, extended their Community Visitor Program to include children detained in youth detention centres and increased their power and function relating to complaints.
64. The CCYPCG plays a critical role in providing oversight to the youth justice system, particularly youth detention service delivery.
65. The CCYPCG Community Visitors regularly visit young people in youth detention to discuss issues of concern they may wish to raise. Community Visitors either resolve these issues locally with youth detention centre staff or refer issues relating to allegations of harm to the appropriate agency for action (eg. the CMC or QPS).



66. CCYPCG's youth justice monitoring role also includes receiving and investigating complaints about youth detention service delivery, conducting systemic reviews and audits and research detained young people's views about their youth detention experiences.
67. The CCYPCG has recently commenced a systemic monitoring plan across government agencies covering the youth justice system.

*2004 CMC Inquiry into Abuse of Children in Foster Care*

68. In 2004, following the *CMC Inquiry into Abuse of Children in Foster Care*, the child protection and youth justice functionality split and the Department of Child Safety and the Department of Communities were established. At this time five youth justice locations operated (Townsville, Ipswich, Logan, Caboolture and Hervey Bay). In 2005-06, this expanded state-wide with 16 youth justice service centres becoming operational. At the same time youth justice conferencing services expanded to become a state-wide program.
69. In 2005/06 the budget for the Youth Justice Program was \$45.17M. Youth Justice service delivery accounted for \$21.38 million including \$7.22 million for youth justice conferencing. The two detention centres had a combined budget of approximately \$23.79 million. The number of young people subject to supervised youth justice orders in 2005/06 was 1571.

*Commitment to continuous improvement: 2006-2012*

70. Throughout the period from 2006 to 2012 activities focussed on strengthening youth justice responses. The framework for youth justice responses was based on evidence to ensure the safety and wellbeing of young people. This period also ensured that the measures put in place immediately following the Inquiry continued to ensure that all youth justice services were appropriately delivered, monitored, recorded and reported and that information sharing provisions were maintained and improved.
71. In 2006-07, a youth justice quality assurance framework was developed to support the delivery of high quality youth justice services and enable the department to measure its performance against a range of key performance indicators and service standards.
72. During the same year the Mater Counselling Service was established as a pilot program to provide preparatory support and therapeutic interventions for young people, families and victims who are referred to a youth justice conference in relation to a sexual offence. Further Bail Support Services were funded in Atherton, Mount Isa and Townsville.
73. A trial of Indigenous Conferencing Support Officers (\$0.56M for six positions) and Indigenous Service Support Officer roles (\$0.44M for five positions) commenced as a part of the continued focus on improving the cultural competence of youth justice service delivery. These positions are now part of the Youth Justice Program structure.
74. In 2007, the *Community Services Bill 2007* amended the *Juvenile Justice Act 1992* to enable information acquired through the administration of the Act to be made available to officers of the Department of Child Safety for the purposes of the *Child Protection Act 1999*.

75. Offence focused programs of Aggression Replacement Therapy (ART) and Changing Habits and Reaching Targets (CHART) were purchased and implementation across the state commenced. ACT for Kids was funded to provide the innovative Youth Opportunity Program in Cairns to provide interventions and support to at-risk young people and their families and bail support.
76. In 2007-08, significant work was undertaken in response to increasing demand on the system and to ensure the detention centres could continue to deliver quality service with this increased demand.
77. This included funding of \$82M over four years to undertake initiatives to expand facilities including a multi-purpose building to provide educational, vocational and therapeutic services and a Reintegration Unit to enable young people nearing the end of their sentence to reside in a less supervised environment to focus on developing their independent living skills at CYDC. An upgrade to infrastructure to improve health, safety and security at both BYDC and CYDC and the introduction of a skills development program for Youth Workers (Cert IV – Youth Work) to improve their ability to manage young people.
78. Also as part of this funding allocation, in 2007 CYDCs bed capacity was expanded from 48 to 60 as an interim measure to meet demand.
79. The Australasian Juvenile Justice Administrators (AJJA) has a set of standards for juvenile custodial centres and these standards were implemented as part of these upgrades and are now embedded in all aspects of youth detention policy, process and practice, including most notably within the Youth Detention Inspectorate's Inspection Framework. Accordingly, each youth detention centre is inspected on a quarterly basis to ensure its compliance with the AJJA standards. The AJJA Standards is at Annexure 5.
80. In the 2009-10 budget, funding of \$170.7M over four years was allocated to upgrade and expand the CYDC. At the completion of this work CYDC will have a built bed capacity of 98.
81. During 2008 and 2009 a review of the *Juvenile Justice Act 1992* was undertaken. In March 2010, amendments were introduced and the *Juvenile Justice Act 1992* was renamed the *Youth Justice Act 1992*.
82. The amendments aimed to strengthen the Act's approach to youth crime and were based on evidence and community feedback. They included a widening of the Courts' powers to hold young people more accountable for their offending behaviour and also sought to place an increased focus on addressing the concerns of victims and meeting community expectations.
83. Specifically, the amendments gave the courts specific powers to place curfews on young offenders to reduce the chances of them re-offending and to ensure they are properly supervised.

84. Despite the amendments implemented in 2010 Queensland continued to have very high remand in custody populations and in response to this, in January 2011 a remand reduction project commenced in partnership with Legal Aid Queensland. The project aimed to enhance young people's access to a range of bail and bail support options. The project resulted in changes to departmental policy, practice and processes to enable young people to more readily bring bail applications before the court. There continues to be monitoring of remand data and remand reduction strategies generated by the initial project.
85. Processes remain in place as a result of this strategy to ensure bail merit is reviewed for all young people in custody. While this process saw a reduction in 2011 the remand population has increased again in 2012 to near record levels. Analysis of the bail population and court processes will continue to explore additional strategies to appropriately reduce remand.
86. In late 2011, in response to data that indicated that a small number of young offenders were responsible for a high proportion of crime, an integrated case management initiative was launched. The initiative was a whole of government response led by the Youth Justice Program. Local panels were formed with representatives from across government and non-government organisations to discuss and determine a case management approach to respond to the individual needs and offending behaviour of identified young people.
87. This collaborative approach results in the young person receiving the range of services they require, including education programs, suitable accommodation, access to health, mental health, drug and alcohol services, support to address offending behaviour and family support. These panels are most effective when relevant human service agencies and local non-government organisations are actively involved.
88. Investment in contemporary information systems has been the last major investment in the Youth Justice Program. Commencing in 2004 and concluding in 2012 is a suite of new youth justice information systems collectively known as Youth Justice Information Management (YJIM) that has reshaped how data is collected on youth justice matters, from first court appearances through to admissions and release from youth detention centres. The YJIM program of work was allocated at total of \$40.67M in capital and \$23.18M in operating expenses over this time.
89. The program of work has delivered four key ICT systems. The Integrated Case Management System (ICMS) provides for integrated case management and court functionality and reporting, a system also utilised by Child Safety Services. The Detention Centre Operational Information System (DCOIS) provides a comprehensive and centralised repository for young person information within a youth detention centre. The Integrated Criminal Justice System, formerly known as the Integrated Justice Information system (IJIS) links justice agencies and police and creates a single person identifier. The development of YJIM has occurred in parallel with the IJIS processes that is now contributing to a criminal justice dataset that will be used to test the effectiveness and efficiency of interventions. While not included in the original scope of the program of work the Conferencing, Reporting and Information System has been implemented through judicious project and budget management at no additional cost.

90. Collectively this suite of information systems will enable youth justice to provide state-wide consistency in case, court, conferencing and detention centre management practice, improved data quality, accuracy, currency and confidentiality, greater process transparency, more timely information updates and a single state-wide view of all relevant court information about youth justice clients, including an electronic court diary and court outcomes. As the full utilisation of these systems only became effective this year, the Youth Justice Program is in a position to review its performance measurement framework and introduce improved performance reporting capability.
91. Following the March 2012 election all youth justice services were transitioned to the Department of Justice and Attorney-General. This transition enabled the whole youth justice service area (detention centres, regional service centres, policy, performance, programs and practice) to be coordinated in a much flatter structure under one Senior Executive Officer, and provides new opportunities to align the Youth Justice Program within the justice sector and clarifies the role of youth justice as justice administrators.

### **Profile of YJ clients**

92. Data consistently shows that the majority of young people in contact with the youth justice system are male. For example for the five years between 2006-07 and 2010-11 young males represented approximately 80% of young people admitted to supervised youth justice orders. An overview of youth justice data is at Annexure 6 and a summary of youth justice annual statistics from 2006-07 to 2010-11 is at Annexure 7.
93. Indigenous young people are over-represented in the youth justice system and in the more serious stages of the youth justice system. For example, in 2010-11:
  - 49% of young people admitted to supervised youth justice orders were Indigenous.
  - Indigenous young people represent 23% of total police cautions for young people aged 10-16 (stable from 2009-10), but comprised 57% (down from 58% in 2009-10) of the average daily number of young people in detention.
94. Conversely, there is an under-representation of Indigenous young people in diversionary options (e.g. cautioning, conferencing) relative to their involvement in other parts of the youth justice system.
95. Young people in the youth justice system present with multiple and complex needs, often without support systems to address these needs, e.g. family, community or school support. These needs include mental health issues, substance misuse and lack of stable accommodation with appropriate role models and supervision.
96. Risk assessment using an evidence based assessment tool is undertaken with all young offenders entering supervision. This tool assesses the level of risk of re-offending of young people based on a set of evidence based risk factors.
97. Of the 1522 young people who were formally assessed during 2012:
  - 38% were assessed as moderate to high risk of reoffending with their family circumstances (e.g. inadequate supervision, inappropriate parenting, inappropriate discipline) presenting as a significant factor;

- 57% were assessed as moderate to high risk with their lack of engagement in education or employment presenting as a significant factor;
  - 63% were assessed as moderate to high with substance abuse (including drug and alcohol usage and substance abuse linked to offending) presenting as a significant factor; and
  - 63% were assessed as moderate to high risk with their peer relations (e.g. anti-social associates and few positive peers) presenting as a significant factor.
98. This data indicates that in addition to ensuring that there is a direct consequence for a young person's behaviour, effort must be directed at addressing support systems for families, improving education and employment engagement, addressing substance misuse, improving access to mental health and health services and developing positive social skills and networks, to reduce young people's long term risk of reoffending.
99. In addition to the above risk factors, a large proportion of young people in the youth justice system were known to the child protection system (69% as at 30 June 2011).
100. If a young person in the youth justice system is subject to intervention by Child Safety Services, this is often referred to as 'dual intervention'. Dual intervention involves Child Safety Services and Youth Justice Services working with a young person to ensure their safety and wellbeing.
101. In cases of dual intervention, each service maintains individual case management responsibility for the young person and the two coordinate the services they deliver to that young person.
102. Coordination of services includes both Youth Justice Services and Child Safety Services participating in joint assessment and planning processes (e.g. Youth Justice staff can be invited to participate in Child Safety Services' legislated Suspected Child Abuse and Neglect (SCAN) panels). There are also existing legislative provisions that allow the sharing of relevant youth justice information with Child Safety Services (and visa versa).

### **The way forward**

103. The way forward is a matter of government policy and subject to the availability of resources. The following are my views.
104. The research and evidence on how to best achieve a reduction in youth crime has improved significantly since the 1990s. The investment in the youth justice program, particularly since 1999, has enabled Queensland to establish a Youth Justice Program that now ensures young people have clear consequences for their offending.
- a. Youth Justice Services Centres deliver high quality evidence based programs that respond to criminogenic needs.
  - b. Youth Detention Centres are providing safe environments for young people while ensuring the community are safe by ensuring there are no escapes.

- c. Victims are also more frequently involved in the justice process now through the use of Youth Justice Conferencing.
105. Notwithstanding these developments there remain opportunities to improve responses to young people and their families that can break the cycle of offending and in doing so improve the safety of our communities.
  106. These opportunities present themselves in terms of identifying young people who are on a trajectory into the justice system and intervening in those critical protective factors to reduce the chance of offending in the first instance.
  107. One of the significant risk factors for involvement in the justice system is disengagement from school. Improving the capacity or capability of an education system to retain children and young people in active learning will impact on the level of youth crime.
  108. Research demonstrates, as does Queensland's own data that a family's functioning is also a contributing factor in a young persons offending behaviour. 69% of young people in the justice system have had prior contact with the child safety system.
  109. New South Wales has recently commissioned research into the developmental levels of young people in detention centres. The findings from this study and others identify higher than average community levels of developmental delay and mental illness in the detention centre populations. Additional studies have identified very high levels of Acquired Brain Injury in the same population.
  110. Research and inquiries into the over-representation of Aboriginal and Torres Strait Islander young people have consistently found that Indigenous young people are over-represented in primary health, education and child safety indicators.
  111. The protective factors such as education, family functioning and primary health all provide indications as to when a young person is at an increased likelihood of offending. Information available to the service systems that provide responses to these factors can assist in identifying these high risk young people. Anecdotal evidence from 'place based' initiatives routinely finds that officers across these service systems are able to identify the same high risk young people.
  112. Once a young person has been identified, the opportunity then needs to be seized with a collective and coordinated response to the individualised circumstances of that young person and family. This provides a challenge for government to work outside of the silos of jurisdictional responsibility and discrete performance measures and work collectively on often very complex and intergenerational problems. While these challenges are difficult to overcome the cost-benefit for the community and government is well documented.
  113. In addition to the opportunities that are provided by earlier intervention there are also significant opportunities to refine the youth justice program and its interface with both the justice system and the broader human services system
  114. If opportunities for early intervention are not present then evidence demonstrates a tertiary response will be required.

115. Research suggests that periods of incarceration, while providing the most serious consequence for behaviour and protecting the community from further offending for that period of time, have little effect on young people's future offending behaviour. Where detention is ordered, the most benefit is achieved by this being followed by periods of community based supervision and intervention.
116. This is despite the best example of integrated service delivery occurring within the states two Youth Detention Centres.
117. Within the detention centre young people are able to access high quality primary and forensic health care delivered by Queensland Health. They are also able to access quality education programs delivered by Department of Education, Training and Employment.
118. Improvements in basic literacy levels of three years in education are regularly achieved within three months once the young person is in detention centres. Identification of hearing and sight problems is regularly diagnosed for the first time in the detention centre, particularly for Aboriginal and Torres Strait Islander young people.
119. The ability of the youth detention centre environment to achieve these outcomes with these young people is undermined by the availability or access to equivalent level of service provision and support when young people return to the community.
120. The Governments commitment to trial Youth Boot Camps is a proposal that looks to bridge this gap. A whole of government commitment to Youth Boot Camps can deliver highly structured community alternative to detention including the delivery of education, training, therapeutic programs that involve the family and longer term mentoring. With appropriate levels of intensity and structure the program can provide a consequence for the young person's behaviour and also brings together evidence based interventions that provide a chance to break the offending cycle.
121. Government will soon be considering options for the implementation of trial Youth Boot Camps. Documentation of the governments approach to youth boot camps may be available to the commission in the coming months.
122. Once a young person has entered the justice system breaking the offending cycle becomes incrementally difficult. In part this is because the causes of the offending behaviour are likely to be entrenched and therefore the response required is incrementally more complex and expensive. At present there are key service types that are required to improve the chances of breaking the offending cycle; these include:
- Community based intervention for the families of young people and children who are risk of offending (limited coverage in Queensland).
  - Supported accommodation for young people with a lack of suitable, stable accommodation (only one in Queensland, Townsville).
  - Substance abuse services for adolescents (only one in Queensland, Brisbane)

- Specialist counselling services for high risk young people such as those who have committed sexual offences (only two service providers in Queensland, both based on South East Queensland with limited capacity to provide services in other locations due to current demand)

123. Over the past 20 years in Queensland, there have been attempts at either integrating or separating child protection and youth justice functions. This has been accompanied by increased levels of investment and improvements in both service systems.

- Experience has shown that the question of which is a better approach is not as relevant as:
- appropriate levels of investment in both child protection and youth justice accompanied by specialised skills across each function;
- high levels of collaboration between child protection and youth justice functions;
- appropriate levels of investment in prevention, early intervention and tertiary intervention across both functions.

124. The nexus between youth justice and child protection is as important as the nexus between youth justice and education, health and police. An integrated service system is crucial. There needs to be congruence at a policy level and collaboration at a practice level across all government service providers.

125. The alignment of youth justice services into DJAG will enable the development of the justice sector, while maintaining the collaboration across all human service agencies. Fundamental to the youth justice role is the administration of youth justice. The delivery of youth justice responses are complex and this role is not undertaken by any other agency.

I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the *Oaths Act 1867*.

Signed.....  
  
 Stephen William Armitage

Taken and declared before me, at Brisbane this 16 day of August 2012.

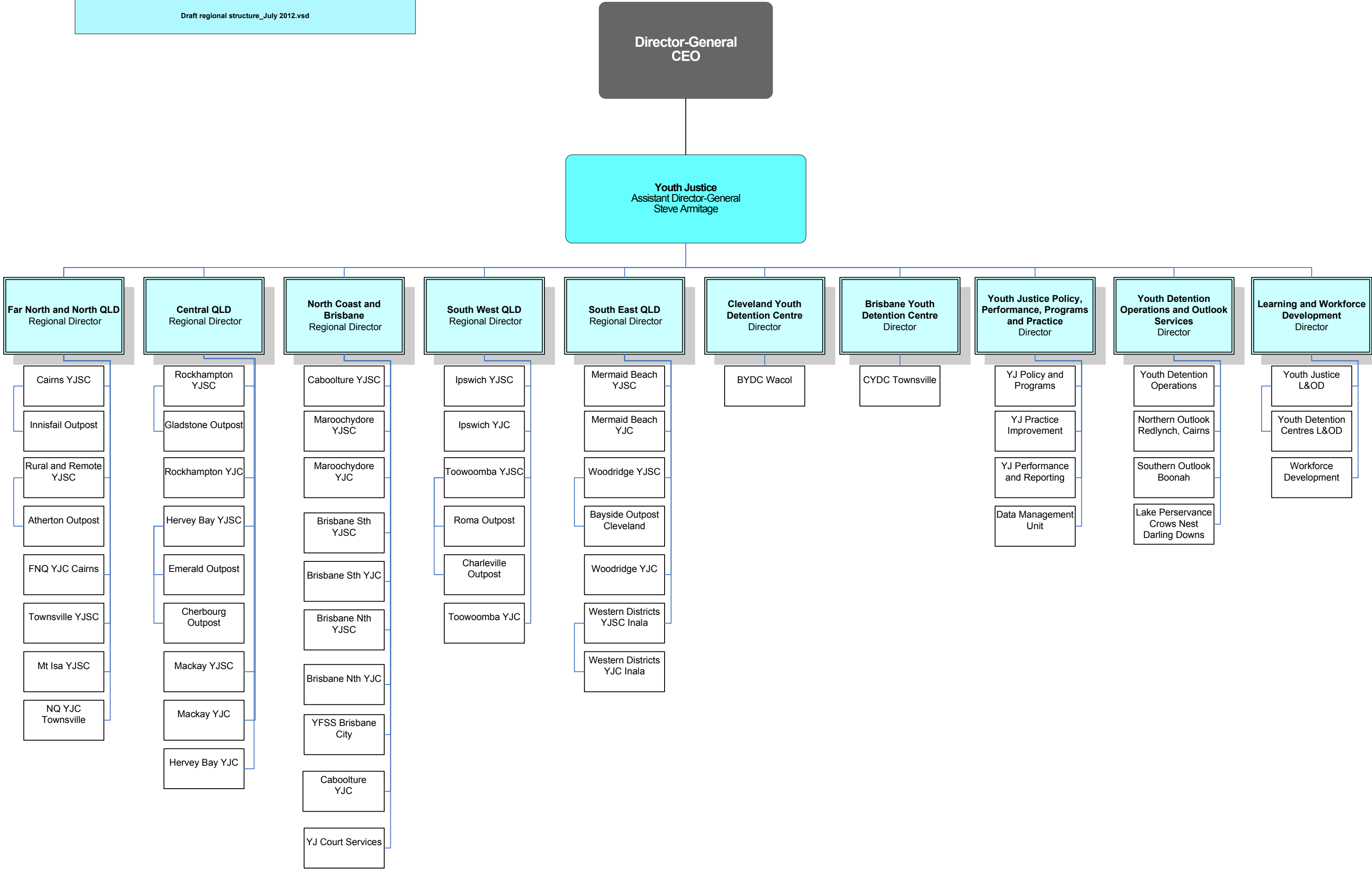
Witness.....  


~~Solicitor/Barrister/Justice of the Peace/Commission for Declarations~~



**Attachments**

1. Youth Justice Structure July 2012
2. Youth Justice Intervention Framework
3. Youth Justice Services Investment
4. History of Youth Justice legislative amendments
5. Australasian Juvenile Justice Administrators Standards for Juvenile Custody Facilities
6. Overview of Youth Justice data 2010-11
7. Youth Justice Annual Summary Statistics 2006-07 to 2010-11





# YOUTH JUSTICE INTERVENTION FRAMEWORK

(Version 4: March 2010)

<b>1. INTRODUCTION.....</b>	<b>3</b>
<b>2. INTERVENTION CATEGORIES.....</b>	<b>4</b>
2.1 Court Orders and Bail Support .....	5
2.2 Support Services.....	5
2.3 Offence Focused Intervention .....	6
2.4 Developmental Intervention .....	8
<b>3. INTERVENTION DELIVERY THROUGH CASE MANAGEMENT .....</b>	<b>12</b>
<b>4. INTERVENTION DELIVERY THROUGH PROGRAMS .....</b>	<b>12</b>
4.1 Program Development Process .....	13
4.2 Program Governance.....	14
4.3 Statewide Youth Justice Programs .....	15
<b>5. PRINCIPLES OF INTERVENTION.....</b>	<b>16</b>
5.1 Theoretical Principles.....	16
5.2 Practice Principles .....	18
<b>6. MONITORING AND EVALUATION OF INTERVENTION.....</b>	<b>20</b>
6.1 Monitoring.....	20
6.2 Evaluation .....	22
<b>DIAGRAM 1: YOUTH JUSTICE INTERVENTION FRAMEWORK .....</b>	<b>23</b>
<b>DIAGRAM 2: YOUTH JUSTICE INTERVENTION TYPES .....</b>	<b>24</b>
<b>DIAGRAM 3: YOUTH JUSTICE INTERVENTION PRINCIPLES.....</b>	<b>25</b>
<b>(APPENDIX 1) COURT ORDERS AND BAIL SUPPORT.....</b>	<b>26</b>
<b>(APPENDIX 2) SUPPORT SERVICES.....</b>	<b>34</b>
<b>(APPENDIX 3) OFFENCE-FOCUSED INTERVENTION.....</b>	<b>36</b>
<b>(APPENDIX 4) DEVELOPMENTAL INTERVENTION .....</b>	<b>39</b>

## 1. INTRODUCTION

The Youth Justice Programs Review undertaken in June 2006 examined youth justice programs delivered by Youth Justice Services and Youth Detention Centres to young people subject to bail support and statutory orders under the *Youth Justice Act 1992*.

The objectives of the Youth Justice Programs Review were to identify strategies:

- to improve the design, delivery and evaluation of program interventions that address the needs of youth justice clients, and
- to improve programs that reduce over-representation of Aboriginal and Torres Strait Islander young people in the justice system.

Findings from the Youth Justice Programs Review have contributed to a range of initiatives aimed at improving the delivery of youth justice interventions in Queensland including implementing a Youth Justice Intervention Framework.

## YOUTH JUSTICE INTERVENTION FRAMEWORK

The intervention framework supports youth justice staff to respond in a consistent and evidence-based approach to the assessed risk/needs of young people by:

- identifying four broad categories of intervention
- detailing a range of intervention types, including activities suitable for delivery within the intervention types, to be implemented through case management in response to assessed risk/needs
- defining the desired outcomes of the intervention types
- providing a set of uniform success indicators with which to monitor progress in relation to the outcomes
- creating a structure around intervention delivery through programs by defining youth justice programs and promoting the implementation of a program development process (supported by a governance structure) that ensures program development and delivery is consistent with the framework and integrated with case management
- outlining intervention practice principles that guide intervention delivery; and
- setting out monitoring and evaluation requirements that will contribute to continuous improvement of intervention.

## YOUTH JUSTICE INTERVENTION FRAMEWORK 'PROGRAM LOGIC'

The following program logic provides a structure to represent the youth justice service system goal and outcomes. The goal encompasses the department's commitment and responsibility to reduce offending, restore victims and enhance community safety. The outcomes and intervention types are evidence-based and will inform the delivery of all programs and activities through Youth Justice Services (YJS) and Youth Detention Centres (YDC).

### Goal

The goal of the Youth Justice System:

*Offending is reduced, victims and communities are restored, and young people are integrated into their communities.*

### **Outcomes**

The desired outcomes for young people and their families that contribute to achieving this goal are that young people:

- complete court orders and requirements including statutory orders made under the Youth Justice Act 1992 and bail requirements ordered by the court
- have improved stability, health and well being to enhance their capacity to engage in and maintain the outcomes of intervention
- make positive changes to their offending behaviour by taking responsibility for their actions and engaging in intervention targeted at reducing offending; and
- engage positively with their peers, families and communities through interventions aimed at strengthening protective factors and mitigating the risk of offending.

### **Intervention**

These outcomes are achieved through the intervention implemented under four categories:

- Court Orders and Bail Support
- Support Services
- Offence Focused Intervention
- Developmental Intervention.

### **Program and Activities**

Interventions can be delivered as programs or activities. These are described in greater detail later in this document.

A youth justice program is defined as a planned sequence of structured activities directed at bringing about measurable learning and change that will contribute to lowering the risk of re-offending in an identified target group or an individual.

Youth justice activities are defined as unstructured activities delivered discreetly or over time directed at bringing about measurable learning and change that contribute to lowering the risk of re-offending in an identified target group or an individual.

## **2. INTERVENTION CATEGORIES**

In administering youth justice services, the department has dual responsibility to ensure community safety and address the diverse risks and needs presenting in the lives of those young people who have offended to reduce the risk of future re-offending. The intervention framework captures both the accountability and rehabilitative aspects of the department's core business in the following four categories of intervention:

- Court Orders and Bail Support
- Support Services
- Offence Focused Intervention
- Developmental Intervention.

## 2.1 Court Orders and Bail Support

The *Youth Justice Act 1992* Section 302 (1) (a) and (b) mandates the department to establish programs and services necessary to give effect to any order or direction under the Act. The inclusion of court orders and bail support as a category of intervention within the framework reflects the department's statutory responsibility to ensure that orders and directions given by the court under the Act are completed by young people.

Court orders and bail support also provide the context to initiate other types of intervention aimed at addressing the risks and needs of young people. Evidence suggests that statutory orders and requirements are more effective at reducing the risk of re-offending when combined with intervention aimed at addressing risk and needs (McLaren 2000).

**Court orders and bail support includes the following intervention types** (for more detailed information see Appendix 1):

- Probation Order
- Community Service Order
- Intensive Supervision Order
- Conditional Release Order
- Detention Order/Remand
- Supervised Release Order
- Bail with departmental support.

The statutory requirements of court orders and bail support as set out in the *Youth Justice Act 1992* constitute the 'activities' to be completed by young people whilst subject to this category of intervention. The responsibilities of young people subject to court orders and bail support, and the responsibilities of departmental officers in case managing court orders and bail support are set out in the *Youth Justice Services Practice Manual*.

## 2.2 Support Services

The provision of support services involves assisting young people and/or family members to improve their stability, health and well being. These services may be required immediately upon engagement, on an ongoing basis during the young person's involvement with the YJS or YDC and should also be considered as part of reintegration planning. Issues to be addressed through support services may include homelessness, lack of financial and material resources, current or past experience of harm or risk of harm or neglect, psychological states such as depression, anxiety or trauma and substance misuse treatment (where substance misuse is impacting on health and well being but not linked directly to offending).

Providing support services to young people and/or their family members may serve to increase the likelihood that young people will effectively engage in other intervention and maintain positive outcomes achieved through this intervention.

To promote sustainability of support to young people and family members, support services should be delivered externally by non-government and non statutory government service providers, unless it is assessed that there is insufficient capacity

within this sector, or that youth justice or contracted staff have an area of expertise unable to be efficiently replicated by an external service provider.

**Support Services includes the following intervention types** (for more detailed information see Appendix 2):

#### **Personal and Practical Support**

Personal and practical support is provided to ensure that young people and/or their family members have access to resources and support to improve their level of stability.

Personal and practical support involves young people and/or family members being assisted to access support services to address the following:

- Homelessness
- Unsafe or unsuitable accommodation
- Lack of financial or material resources.

#### **Health and Therapeutic Support**

Health and therapeutic support is provided to ensure that young people and/or their family members have access to resources and support to improve their health and well-being.

Health and therapeutic support involves young people and/or family members being assisted to access support services to address the following:

- Mental and/or general health issues
- Harm or risk of harm or neglect
- Substance misuse (where not linked to offending)
- Personal and relationship issues

### **2.3 Offence Focused Intervention**

Offence focused intervention is aimed at the criminogenic needs that contributed directly to the commission of offence(s). In particular, offence focused intervention seeks to modify the thoughts, feelings and behaviour that contributed to offending and hold young people accountable for the impacts of their offending behaviour. Offence focused intervention is suitable for young people who are assessed (overall) moderate to high risk of offending (with the exception of young people on remand). Young people who are assessed at (overall) low risk of re-offending may be suitable for this type of intervention in some circumstances. For example, where the nature of the offence committed by the young person indicates any re-offending would result in significant harm to victims and/or the community; a young person holds attitudes and/or exhibits behaviour that presents a moderate to high risk and/or substance abuse contributed directly to offending.

Offence focused intervention should be delivered by Youth Justice Services (YJS) or Youth Detention Centre (YDC) staff as the primary provider. Where it is assessed that a non-government or other government service provider (eg Griffith Youth Forensic Service, Queensland Fire and Rescue Service, ATODS, CYFOS) have specialist knowledge unable to be replicated with integrity by the YJS or YDC, young people should be engaged with these services. Through reintegration planning, efforts should be made to ensure that any offence focused intervention commenced



with a young person in detention can continue to be delivered in the community upon their release.

**Offence focused intervention types include** (for more detailed information see Appendix 3):

### **Modifying offending thoughts and behaviour**

Research indicates that young people in the justice system are impulsive; have poor reasoning, planning and problem-solving skills; have “fixed thinking” and are unable to see others’ perspectives (Zamble and Porporino 1998 in AIC). These deficiencies in cognitive skills appear to contribute to the development and maintenance of criminal behaviour. Effective interventions that modify thoughts and behaviours are generally based on cognitive behavioural therapy.

These cognitive behavioural approaches teach thinking skills and new behaviours through cognitive restructuring, modelling, graduated practice, rehearsal/role playing and reinforcement (McLaren 1999, cited in McLaren 2000). Intervention based on cognitive behavioural approaches has shown to produce the largest effects of all interventions reviewed in the literature. The activities to be delivered under modifying offending thoughts and behaviour are based on a cognitive-behavioural approach and aim to ensure that young people have insight into the thinking and behaviour that contribute to their offending and the skills to apply pro-social alternatives.

Modifying offending thoughts and behaviour involves young people engaging in the following activities:

- CHART (Changing Habits and Reaching Targets) program (see section 4.3) – all six core modules (and discretionary modules: Violence and Motor Vehicle Offending if assessed as relevant)
- ART (Aggression Replacement Training) program (see section 4.3) – all three components
- Specialist programs aimed at target groups (e.g. sex offenders; violent offenders; arson offenders etc).

### **Reparative Action**

The principles set out in the *Youth Justice Act 1992* require that young people should be held accountable and encouraged to accept responsibility for their offending behaviour. Young people can be held accountable for their offending behaviour by being encouraged to accept responsibility; engaged to increase their understanding of the consequences of their offending and given the opportunity to make amends or repair the harm.

Reparative action involves the young person completing activities to make amends or repair the harm caused by their offending. Reparative action may take the form of direct reparation (e.g. a written or verbal apology to the victim or unpaid work completed for the victim) or indirect reparation (e.g. unpaid work in the community or at an organisation nominated by the victim). However, for reparative action to be meaningful, the young person must understand the link between their offending behaviour and reparative activity they undertake.

Reparative action involves young people participating in the following types of activity:

- Completing the contents of Youth Justice Conferencing agreements
- Community Service Order hours (where the nature of the community service work can be linked to the harm/damage caused by the offence) and
- Letters of apology.

### **Substance Misuse Intervention**

National and international research shows there is a relationship between drug and alcohol use among young people and the onset and continued participation in crime. In 2001, the Australian Institute of Criminology commenced a major study of the drug use careers of youth detainees in Australia, with the majority of the sample reporting chronic, persistent and multiple drug use (Prichard and Payne, 2005).

Research has shown that drug and alcohol use among young people on community based orders is also prevalent. The early detection of youths at high risk of continued drug use and who require effective, coordinated and sustained treatment interventions has been highlighted, as has the importance of targeting young Indigenous men with substance misuse issues when they first enter the youth justice system (ACC, 2005; ANCD, 2005; Prichard & Payne, 2005; Putt, et al., 2005).

Substance misuse intervention should be implemented when substance misuse is directly linked to offending behaviour and involves young people engaging in the following types of activity:

- Drug and alcohol assessment
- Brief Intervention
- Relapse prevention
- Detoxification and treatment (this type of activity must be delivered by a specialist organisation)

CHART discretionary module: Drugs and Alcohol can be used to facilitate Substance misuse intervention where it is assessed that the module is sufficient to address the level of risk/need presented by the young person.

## **2.4 Developmental Intervention**

Developmental intervention is aimed at improving the protective capacity of a young person to mitigate or reduce the impact of risk factors. These protective factors include increased capacity to function personally and socially in the community; links to sustainable family and community based support and access to positive community based activity. Developmental intervention will have particular importance when planning for a young persons reintegration into the community, either from detention and/or when exiting the youth justice system.

Developmental intervention is suitable for young people at all levels of assessed risk. However it is likely that young people who are assessed as low risk and young people on remand and conditional bail programs will engage in this category of intervention exclusively. To promote sustainability of protective factors, developmental interventions should be delivered externally by non-government and non statutory government service providers unless it is assessed that there is insufficient capacity within this sector or that youth justice or contracted staff have an

area of expertise unable to be efficiently replicated by an external service provider. Developmental intervention can be delivered as discrete activities or as part of offence focused programs and Developmental programs (see section 3).

**Developmental intervention types include** (for more detailed information see Appendix 4):

### **Social Skills Development**

Social skills development is accessed or provided to young people to enhance their capacity for positive social interaction. Evidence suggests that social skills deficits are an important risk factor and that this type of intervention has a significant impact on recidivism. Specifically, having a range of social skills has been identified as an important protective factor against anti-social peers, one of the most powerful risk factors. When participation in education, positive family relationships, parental supervision and monitoring; and social skills are in place, anti- social peers loses some of its power as a risk factor (McLaren 2000).

Social skills development involves young people engaging in the following types of activity:

- Relationship skills
- Conversation skills
- Negotiation skills
- Conflict resolution skills
- Assertiveness skills.

CHART discretionary module: Healthy Relationships and ART modules: Skill streaming (behavioural component) and Anger control training (emotional component) can be used to facilitate the development of a range of social skills.

### **Life Skills Development**

Life skills development is accessed or provided to young people to develop their capacity for independent and/or community living. Studies highlight those life skill deficits are an important risk factor and appear to generate or compound other risk factors such as homelessness, poor mental and/or physical health, financial problems and difficulties in maintaining involvement in education, training or employment (Jones, Masters, Griffiths and Moulday 2002). Life skills are a significant protective factor for young people who have limited family support and/or are making the transition to independent living.

Life skills development involves young people engaging in the following types of activity:

- Money management (budgeting and banking)
- Shopping and cooking
- Accessing and utilising public facilities and resources (e.g. transport, support agencies)
- Health education (e.g. sexual health; drugs and alcohol)
- Stress management
- Time management
- Problem solving.

CHART modules: Problem solving, Lifestyle Balance and Living Independently can be used to facilitate the development of a range of life skills.

**Family Support**

Family support is accessed or provided to families to enhance relationships and increase family functioning. Research indicates strongly that strengthening the families of young offenders can have a positive impact on their offending behaviour. In families where there are high levels of conflict and negative family relationships, parents are less likely to monitor the associations between young people and anti-social peers (McLaren 2000).

Significantly, studies have also highlighted that an anti-social peer group only exerts an influence on a young person when family relationships have deteriorated. Therefore effective intervention, aimed at strengthening family relationships and parent's capacity to supervise and support their young people, can reduce family risk factors and potentially reduce the risks associated with an anti-social peer group (McLaren 2000).

Family support involves families engaging in the following types of activity:

- Family management and parenting skills (e.g. consistent parenting; appropriate monitoring and discipline)
- Family mediation/therapy
- Linking with sustainable community based support.

**Cultural Identity Development and Support**

Cultural identity development and support should be accessed or provided to young people to enhance their sense of cultural identity and to assist them to connect and/or maintain connection to their cultural community. Research indicates that a negative sense of cultural identity can be an additional risk factor for Indigenous young people (McLaren 2000; Jones, Masters, Griffiths and Moulday 2002). This risk factor severely restricts the development of a healthy sense of self and is commonly present in the lives of Indigenous young people due to loss of knowledge and connections to their culture of origin and racism (Jones, Lored, Johnson & McFarlane-Nathan, 1999).

Culturally relevant interventions need to address loss of knowledge and connection to culture with Indigenous young people in order to be effective. Reconnections may need to be cultural and spiritual, such as becoming re-acquainted with Indigenous values, traditions, language and culture. As identity in Indigenous culture is constructed around relationships with others, reconnections also need to be practical and involve reconnection and/or maintenance of connection with family and community members (Jones, Masters, Griffiths and Moulday 2002)

Experiences of racism can also have a corrosive impact on identity (Sue and Sue 1990). Negative emotions brought about by real and perceived racism may increase self harm, violence and offending behaviour. While reducing the likelihood of racism and discrimination in society calls for large scale cultural awareness and cultural competence it is also important to enhance the capacity of Indigenous young people to interpret, cope with and respond to experiences of racism and discrimination in their lives (Jones, Masters, Griffiths and Moulday 2002)

Cultural Identity Development and Support involves young people engaging in the following types of activity:

- Strengthening knowledge of cultural beliefs, values, traditions, lore and language
- History and ancestor/family tracing
- Mentoring/support from Elders and respected persons
- Developing skills for interpreting, coping and responding to racism
- Connecting with or maintain connection with family and other members of their cultural community.

This intervention type may also be assessed as necessary for young people from other culturally and linguistically diverse backgrounds. While some of the activities outlined above may be useful, consultation should take place with family and members of the young person's cultural community and/or language group to identify culturally relevant activities. Essentially these activities should contribute to the young person gaining an enhanced sense of cultural identity, establishing and/or maintaining contact with members of their cultural community and having the confidence and ability to access culturally relevant activities, programs and support when needed.

### **Access to Recreation/Leisure**

Research evidence suggests that participation in positive recreational activity promotes social and personal development which may impact positively on behaviour. Recreational activity delivered collaboratively by a range of agencies can also assist young people to develop links to other services and resources available to youth in the local community. However participation in recreational activity alone will not impact directly on reducing anti-social or offending behaviour (Morris, Sallybanks and Willis 2003).

To be effective recreational activity needs to be facilitated in combination with interventions aimed directly at risk factors (e.g. Access to education/training and/or employment; Substance Misuse Intervention). In addition, to ensure the benefits derived from participation in recreational activity are sustainable, it is important to engage young people in recreational activities that are based in the community or are delivered for the purpose of preparing young people to engage independently in community based recreation.

Access to Recreation/Leisure involves young people engaging in the following types of activity:

- Basic skills development and/or
- Linking with community based recreation/leisure clubs, organisations and facilities.

### **Access to Education, Training and/or Employment**

Increasing participation in education, training and/or employment by young people is a key part of reducing offending behaviour. Research indicates that young people who do not attend education are at high risk of engaging in antisocial and offending behaviour and while it is difficult to establish a link between unemployment and crime, evidence suggests that offenders are more likely to re-offend if they are unemployed (AIC, 2000). In addition, offenders as a target group (on average) are less educated and have fewer marketable job skills when compared to the general population (Wilson, Gallagher and McKenzie, 2000). In response to these research

findings, intervention that increases access to education, training and employment for offenders is widely used as a means of reducing re-offending (Stewart).

Access to education/training and/or employment involves young people engaging in the following types of activity:

- Basic skills development (i.e. numeracy and literacy skills)
- Linking with an Employment Project Officer
- Linking with established education providers
- Linking with established training providers and/or opportunities for work experience
- Job search skills development (e.g. resume preparation; searching and applying for employment; interview skills).

Where specific activities relate to skill development or links to education or employment all effort should be made to ensure the young persons attendance or completion will result in accreditation or acknowledgement of attendance through industry related certification.

CHART discretionary module: Education and Work can be used to facilitate Access to education/training and/or employment.

### 3. INTERVENTION DELIVERY THROUGH CASE MANAGEMENT

The intervention framework was designed for implementation through the case management framework currently employed by youth justice staff. Details of how the intervention framework applies to each phase of case management are outlined in Chapter 3: *Case Plan of the Youth Justice Services Practice Manual*.

### 4. INTERVENTION DELIVERY THROUGH PROGRAMS

The activities described under each intervention type can be delivered discretely or combined into a developmental or offence focused 'youth justice program'. These are defined below:

#### ***Youth justice program***

A youth justice program is a planned sequence of structured activities directed at bringing about measurable learning and change that will contribute to lowering the risk of re-offending in an identified target group or an individual.

#### ***Developmental youth justice programs***

Developmental youth justice programs must be constituted by activities described under one or a combination of developmental intervention types.

#### ***Offence-focused youth justice programs***

Offence-focused youth justice programs must be constituted by activities described under one or a combination of offence-focused intervention types and may also include activities described under the developmental intervention types.

## 4.1 Program Development Process

### ***Programs developed by a YJS or YDC (including programs developed collaboratively with external service providers)***

A *Program Development Toolkit* has been written for the purpose of providing YJS and YDC staff with a contemporary process to follow when independently developing a youth justice program or when developing a youth justice program in collaboration with an external service provider to meet local needs. It is anticipated that the application of this development process, in conjunction with the intervention framework, will promote quality, consistency and an evidence based approach to program development for offence focused interventions throughout Queensland.

The *Program Development Toolkit* assists staff to implement the intervention framework through programs, by guiding them through the following four phases of program development:

- Program Needs Assessment
- Program Design
- Program Implementation and Monitoring
- Summarising Monitoring Data

### ***Impact on external service providers***

After undertaking a Program Needs Assessment (Phase one of the development process) in relation to the YJS or YDC, a programming need may be established that can be met by an external service provider. The external program provider may be engaged to independently develop and deliver the content of a youth justice program or approached to receive referrals from the YJS or YDC for young people to engage in an existing program.

Where an external service provider is engaged to independently develop and deliver the content of a youth justice program, the process outlined in the toolkit does not need to be applied. However, the external service provider should be given access to the intervention framework as it will be necessary for the external service provider to confirm that the program developed by them is consistent with the intervention framework (i.e. is constituted by intervention types/activities set out in the framework and will contribute to achieving the identified outcomes of the intervention types).

Negotiations will also need to take place with the external service provider around monitoring requirements and responsibilities to ensure that the implementation and effectiveness of the program is assessed using the success indicators set out in the intervention framework (see Section 6: Monitoring and Evaluation of Intervention). This process can be part of the memorandum of understanding or service agreement negotiated with the external service provider.

*Template 2A: Offence-focused Program Plan* and *Template 2B: Developmental Program Plan* from the toolkit can be used as a format for the external service provider to provide detail around the program they plan to deliver.

### ***Purchasing programs from external providers***

YJS or YDC staff should attempt to gather information about the program outcome and activities to ensure compatibility to the intervention framework. Services should pay particular attention to which intervention framework outcomes and intervention

types the program would best describe. Monitoring of the program will need to take place as set out in Section 6: Monitoring and Evaluation of Intervention.

It is recommended that there is a written agreement with the service provider that specifies the nature of the services being provided. This may be in the form of a letter or contract. Please contact Statewide Quality Services Team for examples of fee for service contracts you may wish to use. It is also recommended that *Template 2A Offence-focused Program Plan* and/ or *Template 2B: Developmental Program Plan* is attached to contractual documentation as this will provide clarity around service expectations.

Please note: Where YJS and YDC purchase services under an operational budget (for example, the 'programs budget'), the provider is not required to be an Approved Service Provider under the *Community Services Act 2007*.

## 4.2 Program Governance

The delegate for approval of youth justice programs developed at a local level will be the YJS Manager or YDC Deputy Director. To support this process each YJS and YDC will establish a Youth Justice Program Advisory Group. Each location will determine the membership of this group. Suggestions have been provided below to inform this process.

### **Youth Justice Programs Advisory Groups**

It is recommended that Youth Justice Programs Advisory Groups consist of representatives from:

- Youth Justice Service and/or Youth Detention Centre staff
- Community Capacity and Service Quality (CCSQ)

Possibly including where appropriate:

- Non-government agencies
- Representatives from other government departments
- Research or academic stakeholders

The Youth Justice Programs Advisory Group will assist the delegate to:

- quality assure locally developed program plans for compliance with the intervention framework
- support the delegate in decisions with respect to program priorities
- identify potential community partnerships and opportunities for increasing YJS/YDC and community capacity to deliver intervention through programs.

### **Statewide Youth Justice Programs Advisory Group**

A Statewide Youth Justice Program Advisory Group will be established to monitor trends in youth justice program delivery and advise on priorities for statewide program development and evaluation.

The Statewide Youth Justice Programs Advisory Group will consist of representatives from:

- State Wide Quality Service Team - Youth Justice
- Youth Justice Program



- Youth Detention Operations
- Strategic Planning and Performance Measurement
- Strategic Policy, Evaluation and Research.

The Statewide Youth Justice Programs Advisory Groups will:

- monitor regional developments to inform the development of statewide programs
- monitor availability and access to state-wide programs across the state
- provide advice on training and development requirements for continued implementation of interventions
- inform the development of data collection, evaluation and budget initiatives.

#### **4.3 Statewide Youth Justice Programs**

From 2007-2008 each YJS and YDC will have available to them offence focused programs, Changing Habits Reaching Targets (CHART) and Aggression Replacement Training (ART). Each of these programs has been evaluated and demonstrates a strong evidence base for positive and consistent outcomes.

Further state-wide programs will be implemented each year. The content of these programs will be determined by regional priorities and trends and available evidence demonstrating strong outcomes.

The 2007-2008 statewide programs are outlined below:

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

CHART has been selected as a state-wide program as it is an evidence-based, cognitive behavioural program that is transferable between custody and the community, can be delivered individually or in groups and has been endorsed as culturally appropriate for Aboriginal Torres Strait Islander young people.

CHART is a 12 module structured intervention program developed by the Victorian Department of Human Services (DHS) specifically for youth who require moderate and high intervention to reduce their risk of re-offending. In some cases, it may also be useful for those assessed as suited to low or intensive levels of intervention.

The modules contained in the program are outlined below:

Core modules (which must be delivered in a full sequence to be considered as the CHART program):

- Mapping my offences
- Motivation to change
- Thinking and offending
- Problem-solving
- Lifestyle balance
- Relapse prevention

Discretionary modules:

- Violence
- Motor Vehicle Offending

- Drugs and alcohol
- Healthy Relationships
- Living independently
- Education and work

### **Aggression Replacement Training (ART)**

Aggression Replacement Training (ART) is a 10-week intensive cognitive-behavioural therapy program aimed at providing young people with significant anger problems (young people assessed as moderate to high risk on the needs assessment tool) with alternative ways of reacting to anger provoking situations.

The program has a strong evidence-base and will respond to the needs of a significant proportion of young offenders in Queensland. ART is a group work program; however the three components of the program can be delivered as stand alone interventions as part of an individual case plan.

ART has been conducted successfully with diverse cultural groups in the USA, UK and Europe. The Department of Communities will consult with Indigenous staff and staff with extensive experience of working with Indigenous young people to ensure the cultural appropriateness within the Queensland context.

The goal of ART is to help young people function at a level in our society that keeps them out of the justice system, while respecting their culture.

The modules contained in the program are outlined below:

- Skill streaming (behavioural component). This is designed to teach young people effective social skills aimed at replacing aggressive behaviour.
- Anger Control Training (emotional component). This is designed to reduce the frequency of anger arousal and teach techniques of self control when anger is aroused.
- Moral Reasoning Training (cognitive/values component). This is designed to teach the ability to take the perspective of another person and use moral decision making as research has demonstrated that this is delayed in antisocial and chronically aggressive youth. The moral reasoning component of ART is deemed to be unsuitable for young people under the age of 14 years because of developmental immaturity.

Note: While each of these programs must be delivered in its entirety to be considered the CHART (minimum of the 6 core modules) or ART program, components of the programs can be used separately by youth justice staff as developmental intervention. For example, the Skills streaming component of ART can be used to facilitate Social Skills Development activities. Please refer to the details on each of the intervention types (Appendices 1-4) for more information about which components are suitable for this purpose.

## **5. PRINCIPLES OF INTERVENTION**

### **5.1 Theoretical Principles**

To maximise the effectiveness of intervention, best practice principles for reducing recidivism must be applied. Five key theoretical principles have been demonstrated to provide an effective structure for intervention delivery. These principles include: the risk principle; the needs principle; the responsivity principle; the program integrity principle and the flexibility principle.

**Risk principle**

Intervention is more beneficial for individuals who pose a higher risk of recidivism, compared with individuals who pose a low risk (Day et al., 2003; Jung and Rawana, 1999). Therefore intervention should target those offenders who pose a high risk of recidivism (Andrews et al., 2006; Jung and Rawana, 1999; Lowenkamp et al., 2006). Those offenders who pose a low risk of recidivism should receive low levels of intervention.

The risk principle is supported by the fact that for the majority of young offenders, offending is short-lived, and desistance occurs naturally without intervention (Cain, 1996; Moffitt, 1993, 1997). Furthermore it is argued that a minority of young offenders are responsible for a disproportionate amount of youth crime (Howell 1997 cited in R. Borum, 2003). Consequently, intensive intervention should be reserved for those chronic offenders who represent an ongoing risk (Day et al., 2003; Lowenkamp et al., 2006; Putnins, 2004).

**Need**

To reduce recidivism, the intervention should address an offender's criminogenic needs. Criminogenic needs are those dynamic risk factors that are demonstrably associated with the risk of re-offending and non-criminogenic needs are not (R. Borum, 2003). This principle is supported by research which suggests that interventions that address criminogenic needs are effective in reducing levels of recidivism and interventions that address non-criminogenic needs are largely ineffective in reducing levels of recidivism (Dowden and Andrews, 1999b; Putnins, 2004).

**Responsivity**

The responsivity principles state that factors may impact on an offender's capacity to participate in intervention should be assessed, and intervention should be delivered in a way that the offender will respond to and engage in.

Responsivity factors can be divided into internal and external factors. Internal responsivity factors are within the offender such as, learning style, age, gender, culture and various barriers to participation (e.g. lack of motivation; instability in personal circumstances and mental health issues). These factors need to be addressed prior to and during intervention with an offender to increase their capacity to effectively engage in intervention and to maintain the outcomes of intervention.

External responsivity factors are factors in the environment that can be influenced to make intervention more responsive (e.g. location/context of intervention delivery; the person chosen to deliver the intervention).

**Integrity**

The integrity principle states that interventions must be delivered in practice as intended in theory and design (Day et al., 2003, p.4). This principle promotes consistency in intervention delivery and success (Day et al., 2003).

**Flexibility**

The flexibility principle states that interventions need to have appropriate capacity for flexibility to allow adaptation across various locations and room for innovation from practitioners (James Maguire, 1995 and 2001).

## 5.2 Practice Principles

Based on the five theoretical principles for effective intervention, the following practice principles guide the application of the intervention framework in the Queensland context. The application of these practice principles promotes a consistent, state-wide approach to intervention and ensures that intervention practices are linked to evidence based theory.

Note: While the Youth Justice Risk/Needs Assessment Tool is applied to young people on community based and detention orders and those on remand, criminogenic factors are not considered for those on remand. The tool is not applied to young people on bail with departmental support; however the following principles should still be applied when selecting appropriate interventions.

*(Theoretical principle: Risk)*

- **Intervention is delivered with a focus and intensity appropriate to the assessed level of risk**

The Youth Justice Risk/Needs Assessment Tool is used to assess the risk of re-offending for young people. The assessed risk level informs decision-making around the nature of and intensity of intervention. While all young people will be engaged in intervention, the intensity and nature of intervention will vary according to the assessed risk level of each young person. (e.g. moderate to high risk young people should be engaged in intense offence-focused intervention and developmental intervention to reduce the risk of re-offending; low risk young people should be engaged in developmental intervention at minimal intensity).

*(Theoretical principle: Need)*

- **A range of intervention types are delivered to address the complex needs of young people and their families.**

Court orders and bail support are administered by the department to ensure young people meet the legislative requirements imposed on them by the Court.

Support Services are delivered to address the needs of young people and family members impacting on their stability, health and well being.

Offence-focused and Developmental Intervention is delivered to address the criminogenic needs of individual young people as identified through assessment.

*(Theoretical principle: Responsivity)*

- **Intervention is delivered to young people and their family members in a way that promotes participation.**

The Youth Justice Risk/Needs Assessment Tool is used to identify responsivity factors that must be addressed prior to or accommodated during intervention to ensure that intervention is delivered as responsively as possible.

Young people and their families are provided with or assisted to access support services that can help them to stabilise, prepare and maintain their capacity for engagement in intervention.

Intervention delivery takes into account the motivation to change, strengths and abilities, learning styles, age, gender, cultural background of young people and their families.

- **Intervention delivery is culturally appropriate**

Intervention with a cultural focus (i.e. Cultural identity development and support) should be delivered by (in order of preference):

- an individual(s) or an organisation from the young person's community or language group who is assessed as appropriate
- another Aboriginal person or Torres Strait Islander who is compatible with the child's community or language group who is assessed as appropriate; or
- another Aboriginal person or Torres Strait Islander who is assessed as appropriate.

Intervention that does not have a cultural focus, should be delivered to Aboriginal and Torres Strait Islander young people by (in order of preference):

- an individual(s) or an organisation from the young person's community or language group who is assessed as appropriate
- another Aboriginal person or Torres Strait Islander who is compatible with the child's community or language group who is assessed as appropriate or
- another Aboriginal person or Torres Strait Islander who is assessed as appropriate or
- a non-Indigenous person who is assessed as appropriate, in consultation with key Aboriginal or Torres Strait Islander persons and/or organisations.

**Note:** this principle should also be applied when delivering intervention to young people and families from other culturally and linguistically diverse backgrounds.

*(Theoretical principle: Integrity)*

- **Intervention is evidence based and linked to theory**

Intervention types and activities outlined in the intervention framework are based on theory and contemporary evidence that is effective in reducing recidivism in young people. All intervention delivered by youth justice staff is drawn from the intervention framework.

Non-government and non-statutory government services are engaged to deliver Support Services and Developmental Intervention (where local capacity allows) in line with evidence that indicates this type of intervention should be delivered in a way which promotes community integration and sustainability of outcomes.

- **Intervention integrity is maintained**

Endorsed intervention types have clear outcomes to be achieved, activities identified as suitable for delivery and success indicators to be used for monitoring purposes. Youth justice staff deliver the intervention types and activities for the purpose of achieving the desired outcomes and apply the success indicators to monitor their effectiveness.

Case management supervision processes and a program governance structure (specifically focused on the development and delivery of programs) are in place to monitor intervention.

*(Theoretical principle: Flexibility)*

- **Intervention delivery is adapted to suit individual needs and local capacity**

Youth justice staff adapt intervention delivery to suit the needs of individual young people and families and local capacity whilst maintaining intervention integrity.

## 6. MONITORING AND EVALUATION OF INTERVENTION

### 6.1 Monitoring

It is an expectation that YJS and YDC staff will monitor the **implementation** and **effectiveness** of all intervention. Monitoring will predominantly take place during case management of individual young people, however monitoring intervention delivery through 'programs' involves additional data collection to inform reporting and evaluation (see relevant sections below and the *Program Development Toolkit*).

Monitoring the **implementation** of intervention is necessary to ensure that planned activities are delivered as intended and that young people and/or family members are successfully engaged in the intervention.

Each intervention type has short term and long term outcomes and a set of success indicators attached for the purpose of monitoring effectiveness (see Appendices 1-4). Monitoring the **effectiveness** of intervention is necessary to establish whether the activities delivered have contributed to the identified outcome of the intervention type.

#### Intervention delivered as discrete activities

##### *Monitoring implementation*

Monitoring the implementation of intervention delivered as discrete activities (e.g. Family support delivered through unstructured home visits to a young person's parent) requires regular discussion to occur between staff about the activities being implemented, to confirm activities are being delivered as intended and young people and/or family members are engaging. Where activities are delivered by an external service provider, departmental staff should liaise with the provider to gather this type of information. Case reviews can be used as forums to discuss the implementation of activities with young people and family members. Information recorded on case files regarding the nature of intervention activities implemented and the level of engagement in the activity will constitute monitoring data.

##### *Monitoring effectiveness*

To monitoring the effectiveness of intervention delivered as discrete activities, involves staff using the success indicators for each intervention type to assess if the activities are contributing to the identified outcome. The success indicators will be particularly relevant to structuring discussion during case reviews. Information recorded on case files regarding the effectiveness of activities will constitute monitoring data.

#### Intervention delivered through programs

##### ***Programs developed by the YJS or YDC (including programs developed collaboratively with external service providers)***

##### *Monitoring implementation*

A tool has been developed as part of the *Program Development Toolkit* (Template 3: Program Implementation Monitoring Tool) for the purpose of monitoring intervention delivery through programs. The tool is to be completed by the program facilitator following the delivery of each program activity. The tool requires the facilitator to provide details about the nature of the activity, the implementation of the activity and observations about the program participant(s) engagement in the activity. The completed form must be submitted to the Program Coordinator who will collate the information. Where the facilitator of the activity is not the Case worker for the

participant(s), the Program Coordinator will be responsible for ensuring that relevant information is passed on to the Case worker.

#### *Monitoring effectiveness*

Monitoring the effectiveness of a program is necessary to establish the outcomes for the individual program participant(s) and to establish if the program has been effective overall. Monitoring the effectiveness of programs involves collecting information from the program participant(s) immediately upon the program concluding (post-program) and at a point after the program is complete (follow up).

Follow up information also needs to be collected from family members and Case workers and is most likely to be collected at a case review subsequent to the program. Success indicators developed for the intervention types should be used to inform the design of questionnaires and/or to structure interviews to be held at these intervals. The responses to the questionnaires/interviews will help to identify if the program has been effective in achieving the desired outcomes for the program participant(s). The information collected at these points constitutes monitoring data and must be submitted to the Program Coordinator. Where the person who collected the data was not the Case worker for the participant(s), the Program Coordinator will be responsible for ensuring that relevant information is passed onto the Case worker.

When the program has been delivered to a predetermined number of young people, the information collected regarding implementation and effectiveness will be summarised into a Monitoring Data Summary Report (*Program Development Toolkit*, Template 4: Monitoring Data Summary Report). This report includes a summary of the data, conclusions about the program's implementation and effectiveness and recommendations for future program delivery. This report will be discussed with the Youth Justice Programs Advisory Group. Monitoring a program in this form should continue until sufficient information has been collected to satisfy the Youth Justice Programs Advisory Group that the program is efficiently and effectively meeting desired outcomes.

### ***Programs developed and delivered by an external service provider***

#### *Monitoring implementation*

When a young person(s) and/or family member(s) are engaged in a program developed and delivered by an external service provider, nominated departmental staff will liaise with the provider during the program regarding the nature of activities being implemented and the participation of young people and/or family members in the program. Where the person collecting the information is not the Case worker for the participant(s), the Program Coordinator will be responsible for ensuring that relevant information is collected passed on to the Case worker. The information made available will be recorded on case files and will constitute monitoring data.

#### *Monitoring effectiveness*

Immediately following the conclusion of the program, departmental staff or the external service provider should use questionnaires, an exit interview or other appropriate tool based on the short term success indicators for the intervention type(s) delivered through the program to assess if the young person has achieved the short term outcomes of the program. When an external service provider has been engaged by the YJS or YDC to develop and deliver a program, responsibility for gathering this information will have been negotiated during the program development phase. Where an existing program, managed by an external service provider in line with their funding or service level agreement, is accessed by the YJS or YDC it is likely that YJS or YDC staff will gather this information. Where the person collecting

the information is not the Case worker for the participant(s), the Program Coordinator will be responsible for ensuring that relevant information is collected passed on to the Case worker. This information will be recorded on the case file and will constitute monitoring data.

A subsequent case review can be used as a forum to discuss the long term success indicators of the intervention type(s) delivered as part of the program. This information will be recorded on the case file and will constitute monitoring data. In addition, this information should be passed onto the Program Coordinator who can discuss the long term outcomes for the program participant(s) with the external service provider for their information and ongoing improvement.

### ***Statewide programs***

Statewide programs (e.g. CHART, ART) and any future statewide programs will be subject to a rigorous evaluation process. Monitoring data collected by YJS and YDC staff will contribute to this process. As evaluation frameworks are established for these programs and monitoring requirements are determined, youth justice staff will be informed of their role in monitoring these programs.

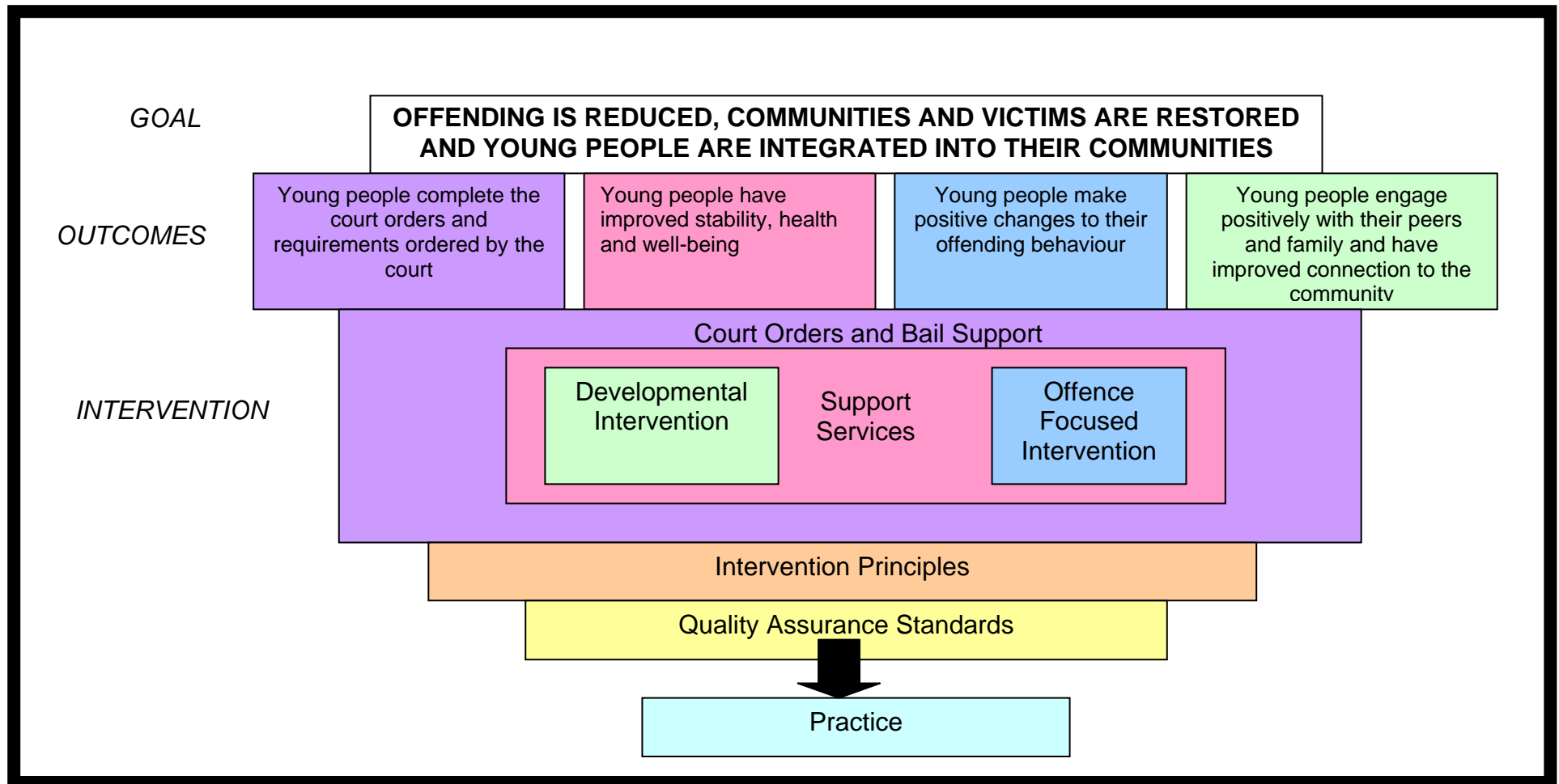
## **6.2 Evaluation**

When a Developmental program or Offence focused program developed locally by a YJS or YDC is identified as effective (i.e. consistently achieving the desired outcomes of the intervention framework) and relevant beyond a specific location, the Youth Justice Programs Advisory Group can nominate the program to the Statewide Youth Justice Programs Advisory Group who will consider the program for evaluation and possible expansion throughout Queensland.

Where possible, evaluations of selected programs will be undertaken through Strategic Policy and Evaluation Directorate or locally by YJS or YDC staff in consultation with Strategic Policy and Evaluation Directorate. State-wide programs will also be subject to a rigorous evaluation process conducted through the Strategic Policy and Evaluation Directorate.



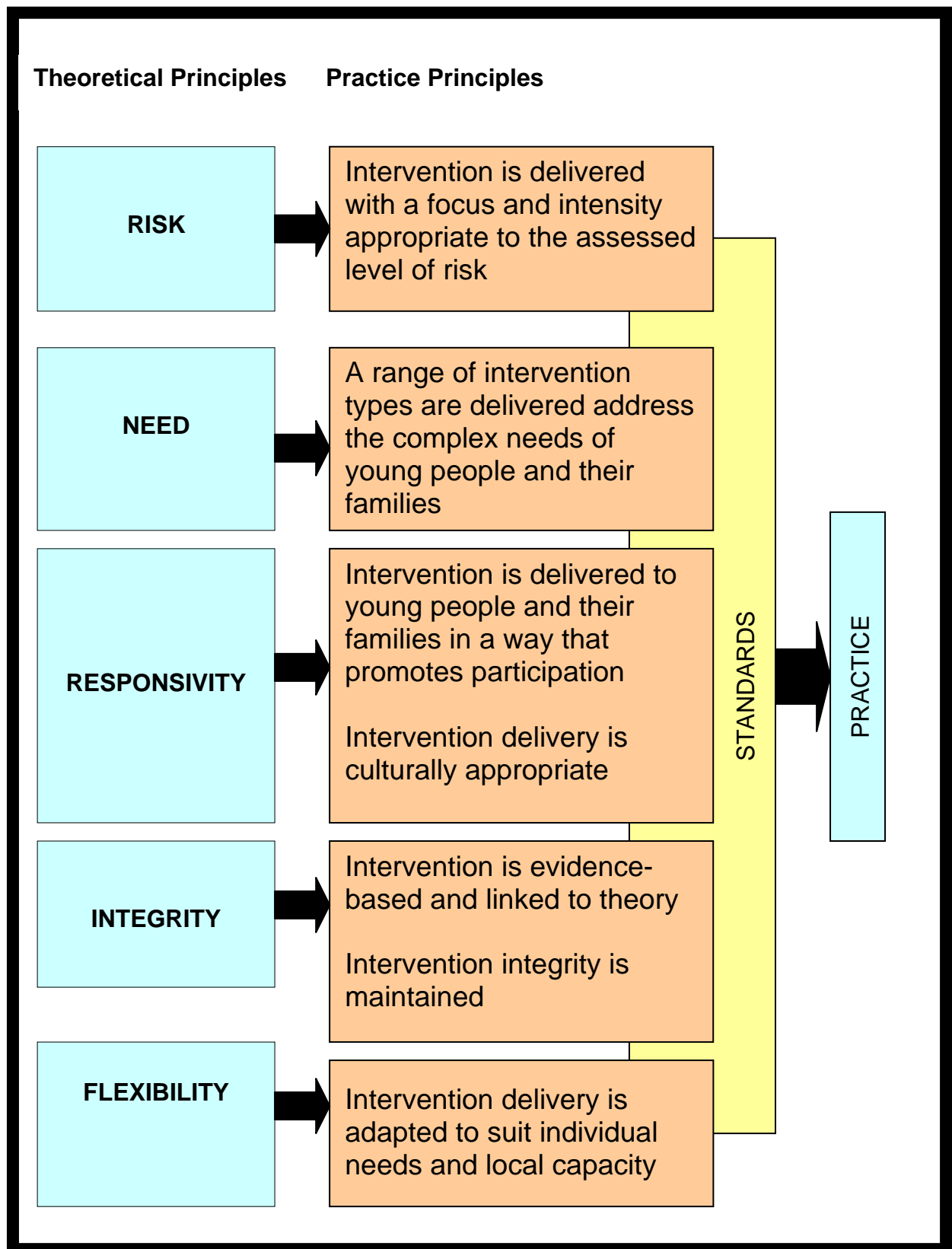
**DIAGRAM 1: YOUTH JUSTICE INTERVENTION FRAMEWORK**



**DIAGRAM 2: YOUTH JUSTICE INTERVENTION TYPES**

Offending is reduced, communities and victims are restored and young people are integrated into their communities				
YJ GOAL	COURT ORDERS AND BAIL SUPPORT	SUPPORT SERVICES	OFFENCE FOCUSED INTERVENTION	DEVELOPMENTAL INTERVENTION
LONG TERM OUTCOMES	Young person has completed the court orders and requirements imposed on him/her by the court	Young person has improved stability, health and well being	Young person makes positive changes to his/her offending behaviour	Young person engages positively with his/her peers, families and communities.
SHORT TERM OUTCOMES	Young person complies with the court order(s) and requirements imposed on him/her by the Court	<p>Young person and /or their family members have increased access to resources and support to improve stability</p> <p>Young person and/or their family members have increased access to resources and support to improve health and well being</p>	<p>Young person has insight into the thinking and behaviour that contributed to his/her offending and has the skills to apply pro-social alternatives</p> <p>Young person is held accountable for his/her offending behaviour and (where possible) has repaired the harm caused by his/her offending.</p> <p>Young person has knowledge and strategies to reduce the level of his/her drug and alcohol use</p>	<p>Young person has skills and knowledge for positive social interaction and community living</p> <p>Young person and his/her family have an increased level of functioning and connection to sustainable community based support.</p> <p>Young person has increased access to positive community based activity</p>
INTERVENTION TYPES	<ul style="list-style-type: none"> <li>• Probation Order</li> <li>• Community Service Order</li> <li>• Intensive Supervision Order</li> <li>• Conditional Release Order</li> <li>• Detention Order/Remand</li> <li>• Supervised Release Order</li> <li>• Bail with departmental support</li> </ul>	<ul style="list-style-type: none"> <li>• Personal and Practical Support</li> <li>• Health and Therapeutic Support</li> </ul>	<ul style="list-style-type: none"> <li>• Modifying Offending Thoughts and Behaviour</li> <li>• Reparative Action</li> <li>• Substance Misuse Intervention</li> </ul>	<ul style="list-style-type: none"> <li>• Social Skills Development</li> <li>• Life Skills Development</li> <li>• Family support</li> <li>• Cultural Identity Development and Support</li> <li>• Access to Recreation/ Leisure</li> <li>• Access to Education, Training and/or Employment</li> </ul>

**DIAGRAM 3: YOUTH JUSTICE INTERVENTION PRINCIPLES**



## (APPENDIX 1) COURT ORDERS AND BAIL SUPPORT

YJ SYSTEM GOAL	Offending is reduced, communities and victims are restored and young people are integrated into their communities						
L/T OUTCOME	Young person has completed the court order(s) and/or met the requirements imposed on them by the Court						
S/T OUTCOMES	Young person complies with court order(s) and/or the requirements imposed on them by the Court						
INTERVENTIONS	Probation Order	Community Service Order	Intensive Supervision Order	Conditional Release Order	Detention Order/ Remand	Supervised Release Order	Bail with department- al support

## COURT ORDERS AND BAIL SUPPORT

Long term outcome	Short term outcome	Intervention types	Activities	Success indicators- short term outcomes (observable during the intervention)	Success indicators – long term outcome (observable at the end of the intervention)
YOUNG PERSON HAS COMPLETED THE COURT ORDER(S) AND/OR MET THE REQUIREMENTS IMPOSED ON HIM/HER BY THE COURT	(Young person) complies with court order(s) and/or the requirements imposed on him/her by the court	<b>Probation Order</b>	<p>During the Probation Order a young person must:</p> <ul style="list-style-type: none"> <li>• Abstain from violating the law;</li> <li>• Satisfactorily attend programs as directed by the department;</li> <li>• Carry out every reasonable direction of the department;</li> <li>• Report and receive visits as directed by the department;</li> <li>• (or a parent/s or carer must) notify the department within 2 business days of any change of address, employment or school;</li> <li>• Not leave or stay out of Queensland during the probation period without the written prior approval of the department; and</li> <li>• Meet special conditions imposed as part of the order (e.g to participate in an offence specific program or to fulfil a youth justice conference agreement).</li> </ul>	<p>(Young person) has not been found guilty of indictable offences committed during the life of the order.</p> <p>(Young person) is attending/ has attended programs as directed.</p> <p>(Young person) has complied with reasonable directions of the department</p> <p>(Young person) has reported and received visits by the department as directed.</p> <p>(Young person) has advised YJSC of changes of address, employment or school as necessary</p> <p>(Young person) has not left Queensland without prior approval.</p> <p>(Young person) has met or is meeting special conditions imposed as part of the order.</p>	<p>(Young person) completed order without the order being discharged and re-sentenced.</p> <p>(Young person) completed order without being found guilty of indictable offences committed within the life of the order.</p>

Long term outcome	Short term outcome	Intervention type	Activities	Success indicators- short term outcomes (observable during the intervention)	Success indicators (observable at the end of the intervention)
	(Young person) complies with court order(s) and/or the requirements imposed on him/her by the court	<b>Community Service Order</b>	<p>During the Community Service Order the young person must:</p> <ul style="list-style-type: none"> <li>• Abstain from violating the law;</li> <li>• Perform in a satisfactory way the number of hours specified in the order;</li> <li>• While performing community service, carry out every reasonable direction of the department;</li> <li>• Notify the department within 2 business days of any change of address; and</li> <li>• Not leave or stay out of Queensland during the order period without the written prior approval of the department.</li> </ul> <p>In addition, the young person may also voluntarily participate in activities and programs designed to meet their welfare needs and reintegrate the young person into the community.</p>	<p>(Young person) has not been found guilty of indictable offences committed during the life of the order.</p> <p>(Young person) is performing in a satisfactory way the number of hours specified in the order.</p> <p>(Young person) has complied with reasonable directions of the department.</p> <p>(Young person) has advised YJSC of changes of address as necessary.</p> <p>(Young person) has not left Queensland without prior approval.</p> <p>Where appropriate, (young person) has voluntarily participated in activities and programs designed to meet their welfare needs and reintegrate into the community.</p>	<p>(Young person) completed order without the order being discharged and re-sentenced.</p> <p>(Young person) completed order without being found guilty of indictable offences committed within the life of the order.</p>

Long term outcome	Short term outcome	Intervention type	Activities	Success indicators- short term outcomes (observable during the intervention)	Success indicators (observable at the end of the intervention)
	(Young person) complies with court order(s) and/or the requirements imposed on him/her by the court	<b>Intensive Supervision Order</b>	<p>During the Intensive Supervision Order the young person must:</p> <ul style="list-style-type: none"> <li>• Participate in an Intensive Supervision Order conference;</li> <li>• Participate an Intensive Supervision Order Program which includes: <ul style="list-style-type: none"> <li>- strategies to address the factors contributing to offending</li> <li>- intensive supervision to ensures the young person complies with the order</li> <li>- activities which facilitate the young person's integration into their family and community</li> </ul> </li> <li>• Comply with every reasonable direction of the chief executive;</li> <li>• Report and receive visits as directed by the chief executive.</li> <li>• Abstain from violation of the law</li> <li>• (parent or carer must) Notify the Chief Executive within 2 business days of any change of address or school;</li> <li>• Not leave, or stay out of, Queensland without the prior approval of the chief executive.</li> </ul>	<p>(Young person) has participated in an Intensive Supervision Order conference.</p> <p>(Young person) is participating as directed in an Intensive Supervision Order program which includes:</p> <ul style="list-style-type: none"> <li>- strategies to address the factors contributing to offending</li> <li>- intensive supervision to ensures the young person complies with the order</li> <li>- activities which facilitate the young person's integration into their family and community</li> </ul> <p>(Young person) has complied with reasonable directions of the department</p> <p>(Young person) has reported and received visits by the department as directed.</p> <p>(Young person) has not been found guilty of indictable offences committed during the life of</p>	<p>(Young person) completed order without the order being discharged and re-sentenced.</p> <p>(Young person) completed order without being found guilty of indictable offences committed within the life of the order.</p>

Long term outcome	Short term outcome	Intervention type	Activities	Success indicators- short term outcomes (observable during the intervention)	Success indicators (observable at the end of the intervention)
				<p>the order.</p> <p>Parent/carer has advised YJSC of changes of address or school as necessary.</p> <p>(Young person) has not left Queensland without prior approval.</p>	
	(Young person) complies with court order(s) and/or the requirements imposed on him/her by the court	<b>Conditional Release Order</b>	<p>During the Conditional Release Order the young person must:</p> <ul style="list-style-type: none"> <li>Participate as directed by the department in a Conditional Release Order program which includes: <ul style="list-style-type: none"> <li>Educational, vocational and work activities</li> <li>Re-integrative activities</li> <li>Intervention to address offending</li> </ul> </li> <li>Abstain from violation of the law;</li> <li>Comply with every reasonable direction of the department;</li> <li>Report and receive visits as directed by the department;</li> <li>(or a parent/s or carer must) notify the department within 2 business days of any change of address, employment or school; and</li> <li>Not leave, or stay out of, Queensland without prior approval of the department.</li> </ul>	<p>(Young person) is participating as directed in an Conditional Release Order program which includes:</p> <ul style="list-style-type: none"> <li>Educational, vocational and work activities</li> <li>Re-integrative activities</li> <li>Intervention to address offending.</li> </ul> <p>(Young person) has not been found guilty of indictable offences committed during the life of the order.</p> <p>(Young person) has complied with reasonable directions of the department.</p> <p>(Young person) has reported and received visits</p>	<p>(Young person) completed order without the order being revoked.</p> <p>(Young person) completed order without being found guilty of indictable offences committed within the life of the order.</p>



Long term outcome	Short term outcome	Intervention type	Activities	Success indicators- short term outcomes (observable during the intervention)	Success indicators (observable at the end of the intervention)
				<p>by the department as directed.</p> <p>Parent/carer has advised YJSC of changes of address, employment or school as necessary</p> <p>(Young person) has not left Queensland without prior approval.</p>	
	(Young person) complies with court order(s) and/or the requirements imposed on him/her by the court	<b>Detention Order/ Remand</b>	<p>During a Detention Order a young person must:</p> <ul style="list-style-type: none"> <li>• Serve either 50% or 70% of the Detention Order within a Youth Detention Centre.</li> </ul> <p>A young person subject to a Detention Order/ period of remand should also:</p> <ul style="list-style-type: none"> <li>• Participate in Structured Day activities focused on reintegration which may include: <ul style="list-style-type: none"> <li>- Support services</li> <li>- Developmental intervention</li> <li>- Offence-focused intervention (Detention Orders only)</li> </ul> </li> <li>• Abstain from violation of the law.</li> </ul> <p>A young person on remand is also likely to be engaged in activities related to their legal matters before the court.</p>	<p>(Young person) is complying with directions given by detention centre staff.</p> <p>(Young person) is attending structured day activities focused on reintegration.</p> <p>(Young person) has not been found guilty of indictable offences committed during the life of the order.</p>	(Young person) has served the Detention Order / period of remand without being found guilty of indictable offences committed within the life of the order.

Long term outcome	Short term outcome	Intervention type	Activities	Success indicators- short term outcomes (observable during the intervention)	Success indicators (observable at the end of the intervention)
	(Young person) complies with court order(s) and/or the requirements imposed on him/her by the court	<b>Supervised Release Order</b>	<p>During the Supervised Release Order a young person must:</p> <ul style="list-style-type: none"> <li>• Abstain from violating the law</li> <li>• Satisfactorily attend or participate in programs (with a focus on community reintegration) as directed by the department</li> <li>• Comply with every reasonable direction of the department</li> <li>• Report to and receive visits as directed by department</li> <li>• Notify, or their parent/s or carer must notify, the department of any change of address or school within 2 business days</li> <li>• Not leave Queensland during the order period without prior approval from the department.</li> </ul>	<p>(Young person) has not been found guilty of indictable offences committed during the life of the order.</p> <p>(Young person) is participating in activities and programs (with a focus on community reintegration) as directed by the department.</p> <p>(Young person) has complied with reasonable directions of the department.</p> <p>(Young person) has reported and received visits by the department as directed.</p> <p>(Young person), or their parent/carers, has advised YJSC of changes of address or school as necessary.</p> <p>(Young person) has not left Queensland without prior approval.</p>	<p>(Young person) completed order without the order being cancelled.</p> <p>(Young person) completed order without being found guilty of indictable offences committed within the life of the order.</p>
	(Young person) complies with	<b>Bail with departmental support</b>	<p>During the Bail with Departmental Support the young person must:</p> <ul style="list-style-type: none"> <li>• Participate in the activities set out in</li> </ul>	(Young person) is attending Conditional Bail Program activities as directed.	(Young person) has completed the Conditional Bail Program without bail being revoked.

<b>Long term outcome</b>	<b>Short term outcome</b>	<b>Intervention type</b>	<b>Activities</b>	<b>Success indicators- short term outcomes</b> (observable during the intervention)	<b>Success indicators</b> (observable at the end of the intervention)
	court order(s) and/or the requirements imposed on him/her by the court		the Conditional Bail Program.		

## (APPENDIX 2) SUPPORT SERVICES

YJ SYSTEM GOAL	Offending is reduced, communities and victims are restored and young people are integrated into their communities	
L/T OUTCOME	Young person has improved stability, health and well-being	
S/T OUTCOMES	Young person and/or their family members have increased access to resources and support to improve stability	Young person and/or their family members have increased access to resources and support to improve health and well being
INTERVENTIONS	Personal and Practical Support	Health and Therapeutic Support

## SUPPORT SERVICES

Long term outcome	Short term outcomes	Intervention types	Activities	Success indicators – short term outcomes (observable during or immediately at the end of the intervention)	Success indicators – Long term outcome (observable after the end of the intervention)
YOUNG PERSON HAS IMPROVED STABILITY, HEALTH AND WELL-BEING	(Young person) and/or his/her family members have increased access to resources and support to improve health and well being	<b>Health and therapeutic support</b>	Health and therapeutic support involves a young person and/or family members being assisted to access support services to address the following: <ul style="list-style-type: none"> <li>• Mental and/or general health issues;</li> <li>• Harm or risk of harm or neglect; and</li> <li>• Substance misuse detoxification and treatment (where substance misuse is not directly linked to offending behaviour).</li> </ul>	(Young person) and/or his/her family members have increased connection to relevant support services.	(Young person) and/or his/her family members access appropriate health and therapeutic support services when needed.  (Young person) and/or his/her family members experience improved health and well being.
	(Young person) and/or his/her family members have increased access to resources and support to improve stability	<b>Personal and practical support</b>	Personal and practical support involves a young person and/or family members being assisted to access support services to address the following: <ul style="list-style-type: none"> <li>• Homelessness;</li> <li>• Unsafe or unsuitable accommodation;</li> <li>• Legal issues;</li> <li>• Lack of financial or material resources.</li> </ul>	(Young person) and/or his/her family members have increased connection to relevant support services.	(Young person) and/or his/her family members access appropriate personal and practical support services when needed.  (Young person) and/or his/her family members experience improved stability.

### (APPENDIX 3) OFFENCE-FOCUSED INTERVENTION

YJ SYSTEM GOAL	Offending is reduced, communities and victims are restored and young people are integrated into their communities		
L/T OUTCOME	Young person makes positive changes to their offending behaviour		
S/T OUTCOMES	Young person has insight into the thinking and behaviour that contributed to their offending and has the skills to apply pro-social alternatives	Young person is held accountable for their offending behaviour and (where possible) repairs the harm caused by their offending.	Young person has knowledge and strategies to reduce the level of their drug and alcohol use
INTERVENTIONS	Modifying Offending Thoughts and Behaviour	Reparative Action	Substance Misuse Intervention

## OFFENCE-FOCUSED INTERVENTION

Long term outcome	Short term outcomes	Intervention type	Activities	Success indicators – short term outcomes (observable during or immediately at the end of the intervention)	Success indicators – long term outcome (observable after the end of the intervention)
YOUNG PERSON MAKES POSITIVE CHANGES TO THEIR OFFENDING BEHAVIOUR	(Young person) has insight into the thinking and behaviour that contributed to his/her offending and has the skills to apply pro-social alternatives	<b>Modifying Offending Thoughts and Behaviour</b>	Modifying offending thoughts and behaviour involves a young person engaging in the following types of activity: <ul style="list-style-type: none"> <li>• CHART program - (minimum of 6 core modules);</li> <li>• ART program - all 3 components; and</li> <li>• Specialist programs aimed at target groups (e.g. sex offenders; violent offenders; arson offenders).</li> </ul>	(Young person) can identify the thoughts/feelings and behaviour patterns that contributed to his/her offending.  (Young person) can identify skills and strategies to avoid future offending.	(Young person) employs strategies and demonstrates skills that assist him/her to avoid offending.  There is a decrease in the frequency and/or the seriousness of (the young person's) proven offending.
	(Young person) is held accountable for his/her offending behaviour and (where possible) repairs the harm caused by his/her offending	<b>Reparative Action</b>	Reparative action involves a young person engaging in the following types of activity: <ul style="list-style-type: none"> <li>• Completing Youth Justice Conferencing agreements (where this has been made a condition of an order)</li> <li>• Community Service Order hours (where the nature of the work can be linked to the harm caused by the offence)</li> </ul>	(Young person) is able to identify and articulate how his/her offending behaviour has impacted on others.  Where possible, direct or indirect reparative activity has been completed.  (Young person) can articulate the link between the impact of his/her offending and the activity	(Young person) demonstrates a capacity to consider the likely impact of his/her actions on others to avoid further offending behaviour.  There is a decrease in the frequency and/or the seriousness of (the young person's) proven offending.

Long term outcome	Short term outcomes	Intervention type	Activities	Success indicators – short term outcomes (observable during or immediately at the end of the intervention)	Success indicators – long term outcome (observable after the end of the intervention)
				they have undertaken to repair the harm.	
	(Young person) has knowledge and strategies to reduce the level of his/her drug and alcohol use	<b>Substance Misuse Intervention</b>	<p>Substance misuse intervention involves young people engaging in the following types of activity:</p> <ul style="list-style-type: none"> <li>• Drug and alcohol assessment</li> <li>• Education</li> <li>• Brief Intervention</li> <li>• Relapse prevention</li> <li>• Detoxification and treatment (this type of activity must be delivered by a specialist organisation)</li> </ul> <p>(CHART module: Drugs and alcohol can be used to facilitate Substance Misuse Intervention where it is assessed as sufficient to address the risk/need presented by the young person)</p>	<p>(Young person) has an understanding of the impact of drug and alcohol use on his/her offending behaviour.</p> <p>(Young person) is able to identify high risk situations involving substance misuse (eg within their peer, family and community networks).</p> <p>(Young person) can identify strategies for reducing the level of his/her drug and alcohol use and/or maintaining the reduced level of drug and alcohol use.</p>	<p>(Young person) demonstrates strategies for reducing the level of his/her drug and alcohol use and/or maintaining the reduced level of drug and alcohol use.</p> <p>There is a decrease in the frequency and/or the seriousness of (the young person's) proven offending involving substance misuse.</p>



## (APPENDIX 4) DEVELOPMENTAL INTERVENTION

YJ SYSTEM GOAL	Offending is reduced, communities and victims are restored and young people are integrated into their communities					
L/T OUTCOME	Young person engages positively with their peers and family and has improved connection to the community					
S/T OUTCOMES	Young person has knowledge and skills useful for positive social interaction and community living	Young person and their family have an increased level of functioning and connection to sustainable community based support.		Young person has increased access to positive community based activity		
INTERVENTIONS	Social Skills Development	Life Skills Development	Cultural Identity Development and/or Support	Family Support	Access to Recreation/Leisure	Access to education/training and/or employment

## DEVELOPMENTAL INTERVENTION

Long term outcome	Short term outcomes	Intervention type	Activities	Success indicators – short term outcomes (observable during or immediately at the end of the intervention)	Success indicators – Long term outcome (observable after the end of the intervention)
Young person engages positively with their peers and family and has improved connection to the community	(Young person) has knowledge and skills useful for positive social interaction and community living	<b>Social skills development</b>	<p>Social skills development involves a young person participating in the following types of activity:</p> <ul style="list-style-type: none"> <li>• Building and maintaining healthy relationships;</li> <li>• Basic communication skills (e.g. conversation skills, negotiation, assertiveness, and conflict resolution skills)</li> </ul> <p>(CHART module: Healthy relationships and/or the ART modules: Skill streaming (behavioural component) and Anger control training (emotional component) can be used to facilitate the development of a range of social skills)</p>	<p>(Young person) has an increased awareness of how to relate to others in a positive way.</p> <p>(Young person) can identify and demonstrate a range of positive communication skills.</p>	(Young person) expresses themselves positively within his/her peer group, family and community.
	(Young person) has knowledge and skills useful for positive social interaction and community living	<b>Life skills development</b>	<p>Life skills development involves a young person participating in the following types of activity:</p> <ul style="list-style-type: none"> <li>• Maintaining independent living arrangements;</li> <li>• Money management;</li> <li>• Shopping and cooking;</li> <li>• Using public transport;</li> <li>• Health education (sexual health drugs and alcohol);</li> <li>• Stress management;</li> </ul>	(Young person) has enhanced knowledge and skills needed for independent and/or community living.	(Young person) utilises new knowledge and independent and/or community living skills.

<b>Long term outcome</b>	<b>Short term outcomes</b>	<b>Intervention type</b>	<b>Activities</b>	<b>Success indicators – short term outcomes</b> (observable during or immediately at the end of the intervention)	<b>Success indicators – Long term outcome</b> (observable after the end of the intervention)
			<ul style="list-style-type: none"> <li>• Time management; and</li> <li>• Problem solving.</li> </ul> <p>(CHART modules: Problem Solving; Lifestyle Balance and Living Independently can be used to facilitate life skills development activities)</p>		
	(Young person) has an increased level of functioning and connection to sustainable community based support	<b>Cultural Identity Development and Support</b>	<p>Cultural identity development and support involves a young person participating in the following types of activity:</p> <ul style="list-style-type: none"> <li>• strengthening knowledge of cultural beliefs, values, traditions, lore and language;</li> <li>• history and ancestor/family tracing;</li> <li>• mentoring/support from Elders and respected persons;</li> <li>• developing skills for navigating mainstream culture and responding to racism;</li> <li>• linking with or maintaining links with family and other members of their cultural community.</li> </ul>	<p>(Young person) has increased knowledge of his /her own culture.</p> <p>(Young person) can identify people in his/her community who can provide cultural and/or other necessary knowledge and support.</p> <p>(Young person) can identify where and how to access cultural activities, programs and support.</p>	<p>(Young person) has an enhanced sense of cultural identity.</p> <p>(Young person) maintains contact with members of his/her cultural community.</p> <p>(Young person) has the confidence and ability to access cultural activities, programs and support when desired.</p>
	(Young person) and his/her family have	<b>Family Support</b>	<p>Family support involves family members participating in the following types of activity:</p> <ul style="list-style-type: none"> <li>• Development of family</li> </ul>	Family members are able to identify where to access appropriate assistance with family / parenting	Family members access appropriate assistance with family / parenting issues when needed.

Long term outcome	Short term outcomes	Intervention type	Activities	Success indicators – short term outcomes (observable during or immediately at the end of the intervention)	Success indicators – Long term outcome (observable after the end of the intervention)
	an increased level of functioning and connection to sustainable community based support		management and/or parenting skills (e.g. consistent parenting; appropriate monitoring and discipline); <ul style="list-style-type: none"> <li>• Family mediation/therapy;</li> <li>• Linking with sustainable community based support networks.</li> </ul>	issues.  Family members have increased knowledge and enhanced skills in communication and/or family management/parenting skills.	Families have improved levels of functioning (e.g. ability to manage conflict; improved relationships).
	(Young person) has increased access to positive community based activity.	<b>Access to Recreation/Leisure</b>	Access to recreation/leisure involves a young person participating in the following types of activity: <ul style="list-style-type: none"> <li>• Skills development;</li> <li>• linking with community based recreation/leisure clubs, organisations and facilities.</li> </ul>	(Young person) can identify recreation/leisure activities in the community that he/she is engaging in or interested in engaging in.  (Young person) has increased confidence and basic skills necessary for participating in recreation/leisure.	(Young person) is independently participating in community based recreation/leisure activities.

Long term outcome	Short term outcomes	Intervention type	Activities	Success indicators – short term outcomes (observable during or immediately at the end of the intervention)	Success indicators – Long term outcome (observable after the end of the intervention)
	(Young person) has increased access to positive community based activity.	<b>Access to education/ training and or employment</b>	<p>Access to education/training and/or employment involves a young person participating in the following types of activity:</p> <ul style="list-style-type: none"> <li>• Basic skills development (i.e. numeracy and literacy skills);</li> <li>• Participation in careers counselling</li> <li>• linking with established education providers;</li> <li>• linking with established training providers and/or opportunities for work experience.</li> <li>• Job search skills development (e.g. resume preparation; searching and applying for employment; interview skills).</li> </ul> <p>(CHART module: Education and work can be used to facilitate Access to education/ training and/or employment activities)</p> <p>Where specific activities are related to skills development, efforts should be made to ensure the young persons attendance or completion will result in accreditation or acknowledgement of attendance through industry related certification.</p>	<p><i>Education/Training:</i> (Young person) has increased confidence and basic skills for participating in education/training.</p> <p>(Young person) can identify education/training providers who provide education/ training in an area of interest and/or is engaging with these education/training providers.</p> <p><i>Employment:</i> (Young person) can identify and demonstrate a range of job search skills in relation to securing employment in an area of interest.</p>	<p><i>Education/Training:</i> (Young person) is participating in education/training in an area of interest.</p> <p><i>Employment:</i> (Young person) is actively seeking employment and/or participating in employment in an area of interest.</p>



## Youth Justice Services Investment

Initiative - Sub Initiative	Region	Geographic coverage	Organisation Name	Service Name	11/12 Budget Amount
<b>Bail Support Service</b>					
	Brisbane	Sunshine Coast, Greater Brisbane and Moreton Regions	Youth Advocacy Centre Inc	Youth Bail Accommodation Support Service (YBASS)	\$478,793.00
	North Qld	Mt Isa	Young People Ahead Inc	Bail Support Program	\$128,656.00
	Far North Qld	All of Far North Queensland excluding Atherton Tablelands and surrounding areas	ACT for Kids	BSS	\$274,377.00
	North Qld	Townsville	Murri Watch Aboriginal and Torres Strait Islanders Corporation	North Queensland Aboriginal & Torres Strait Islanders Bail Support Service	\$41,358.00
	Far North	Atherton Tablelands	Community Services Tablelands Inc	Bail Support Tablelands	\$91,357.00
<b>Bail Support Service totals</b>					<b>\$1,014,541.00</b>
<b>Complex Needs Assessment Panels</b>					
	Central Qld	Woorabinda	Rockhampton Youth Justice Service*	Woorabinda Early Intervention Panel	\$155,000.00
	Brisbane	Logan and Western Districts	Inala Youth Care Community Inc	Safe Youth - Safe Communities	\$377,660.00
<b>Complex Needs Assessment Panels totals</b>					<b>\$532,660.00</b>
<b>Employment Project Officer</b>					
	North Coast	Caboolture and Maroochydhore	Caboolture Business Enterprise Centre Association Inc	Caboolture Business Enterprise Centre Association	\$85,295.00
	South East	Logan	Career Employment Australia Inc	Career Employment Australia - Logan	\$85,295.00
	South West	Ipswich	Career Employment Australia Inc	Employment Project Officer – Ipswich	\$85,295.00
	Central Qld	Hervey Bay	Hervey Bay Youth Justice Service*	EPO	\$40,000.00
	North Qld	Townsville	Choice Australia Management Ltd	Choice Australia Management (Get Set for Work)	\$85,295.00
<b>Employment Project Officer totals</b>					<b>\$381,180.00</b>

<b>Young Offender Support Service</b>					
	Brisbane	Brisbane	NWAICA - North West Aboriginal and Torres Strait Islander Community Association Inc	NWAICA - North West Aboriginal and Torres Strait Islander Community Association	\$335,962.00
	Central Qld	Rockhampton	Milbi Inc	Milbi Listen and Learn Young Offender Support Service	\$104,649.00
	Brisbane	Brisbane	Murri Watch Aboriginal and Torres Strait Islanders Corporation	Murri Watch - Cultural Resource Worker	\$75,944.00
	South West	Ipswich	Goodna/Ipswich Youth and Community Action Association Inc	The Base Young Offender Support Service	\$203,463.00
	Far North	Cairns, Yarrabah, Mareeba, Weipa, Napranum and Old Mapoon	ACT for Kids	Youth Opportunity Program	\$1,367,370.00
<b>Young Offender Support Service totals</b>					<b>\$2,087,388.00</b>
<b>Youth Justice Specialist Counselling Services</b>					
	Brisbane	Statewide	Griffith University - School of Criminology and Criminal Justice	Griffith Youth Forensic Service	\$822,402.00
	Brisbane	Brisbane, with secondary catchment area of South East Region, North Coast Region and South West Region (where vacancies in the program exist)	Mater Misericordiae Health Services Brisbane Ltd	Mater Family and Youth Counselling Service	\$395,713.00
<b>Youth Justice Specialist Counselling Services totals</b>					<b>\$1,218,115.00</b>
<b>Youth Justice total</b>					<b>\$5,233,884.00</b>



### Youth Justice Services Timeline

Year	Program	Geographic coverage	Description
1994/ 1995	Conditional Bail Program	Statewide	The key purpose of the Conditional Bail Program was to provide support to young people charged with an offence and released on bail, to meet their bail conditions and thus avoid remand in custody.
1997/ 1998	Youth Justice Conferencing	Ipswich, Logan and Palm Island	This program was the first restorative justice program which brought together the young offender, the victim, community representative and the police. The program is designed to enable the young person to gain an understanding of the impact of their crime on the victim and community.
1999/ 2000	Implementation of Watchhouse Memorandum of Understanding	Statewide	Memorandum of Understanding between the Department and the Queensland Police Service regarding the detention of children in watchhouses was implemented
2000/ 2001	Youth Justice Services	Ipswich Logan and Townsville	Establishment of three pilot Youth Justice Services. These services were designed to help young people better understand and begin to address issues relating to their offending behaviour.
	Crime prevention projects	Hervey Bay, Ipswich and North Queensland	Local community organisations and local government across the state funded to undertake youth crime prevention initiatives to provide opportunities to reduce the number of young people who come into contact with the youth justice system
2001/ 2002	Griffith Youth Forensic Service (GYFS) Formerly Griffith Adolescent Forensic Assessment Treatment (GAFAT)	Statewide	Establishment of specialist assessment and treatment program for young sexual offenders in partnership with Griffith University.
	Youth Justice Conferencing expansion	Brisbane/ Gold Coast, FNQ, Ipswich/ Logan and Central Office	\$900 000 received for the expansion of youth justice conferencing into new sites.
	Youth Bail Accommodation and Support Service (YBASS)	Brisbane/ Logan/ Ipswich	This service identifies accommodation options for young people to reduce the number of young people being remanded in custody as a response to welfare needs.
	Youth and Family Support Service	Brisbane City Council area	The Youth and Family Support Service (YFSS) is a free, extended-hours prevention and early intervention service for at-risk young people and their families. The objectives of YFSS are to assist families and young people respond to conflict or crisis; ensure young people at risk of harm have an appropriate service response; divert young people at risk of harm from further involvement in the statutory youth justice system
	Graffiti grants	Statewide	Three year investment of \$110 000 for graffiti removal programs, organisation of mural paintings and development of a skate park.
	Detention centre health services	Brisbane Youth Detention Centre	Delivery of enhanced health services to young people in detention by Queensland Health commenced. Services include oral health services, sexual health services and integrated mental health/ alcohol, tobacco and other drug services.
2002/ 2003	Youth Justice Services expansion	Hervey Bay, Maryborough, Caboolture and Redcliffe	Additional Youth Justice Services established.
	Youth Crime Prevention Programs	Townsville, Charters Towers, Bundaberg, Rockhampton and Gladstone	\$0.68 million over three years for programs that provide cultural, life skills and recreational activities for young people, designed to reduce the incidence and seriousness of offending by young people.

Year	Program	Geographic coverage	Description
2003/ 2004	Youth Crime Prevention Programs	Mackay, Cairns and remote communities in Cape York	\$0.55 million over two years for 12 month projects aimed at preventing youth crime and inform the development of future targeted local responses.
	Bail Support Service (Young People Ahead)	Mt Isa	Bail Support Services support young people who have been granted bail by the courts and who require additional assistance to meet bail conditions
	Youth Justice Conferencing expansion	Statewide	State-wide rollout of 10 additional services including Far North Queensland, North Queensland, and Central Queensland \$1,960,000 including an additional FTE Convenor and resource officer positions, expansion of Brisbane Youth Justice Conferencing services.
	Employment Project Officers	Caboolture, Townsville, Ipswich, Logan, Hervey Bay	Funded by Department of Employment and Industrial Relations (DEIR) 2003/04-2007/08, internally funded since then. Provides specialist job search, career planning, training education and employment related activities to young people aged 15 years and over who are subject to youth justice orders.
2005/ 2006	Expansion of Youth Justice Service Centres	Bowen Hills, Buranda, Rockhampton, Mackay, Maroochydore, Cairns, a Rural and Remote service in Far North Queensland, Mermaid Beach, Toowoomba, Mount Isa	As a result of the 2004 CMC Inquiry into Abuse of children in Foster Care, Youth Justice and Child Safety functions were separated with the establishment of Department of Child Safety and Department of Communities. In 2005-06 ten additional Youth Justice Service Centres established taking the total to 16, complemented by smaller youth justice services and whole-of-government facilities or hubs. Youth Justice delivered in 32 locations across the State.
2005/ 2006	North West Aboriginal and Torres Strait Islander Community Association (NWAICA)	Brisbane	Integrate young people into their communities addressing factors underlying the offending behaviour of young people, including the cultural needs of Indigenous young people and assisting young people to comply with conditions of bail.
	Youth Justice Conferencing	Statewide	Additional \$2.5 million for staffing, training and resources to reduce the number of referrals awaiting conference and address new referrals in a timely manner
	Conditional Bail Program	Statewide	Funding increased this financial year by \$0.2 million to \$0.89 million per annum to provide for increasing acceptance and usage of the program by the courts.
2006/ 2007	YLS/CMI risk/need assessment tool	Statewide	Implementation to all Youth Justice Service Centres of a empirically based assessment tool to assist in identifying and responding to the criminogenic needs of youth offenders.
	Burrakah Flexi School	Townsville	Community based alternative education program aimed at assisting young recidivist offenders to re-engage with education or vocational training following their stay in detention or while completing court-based orders.
	Trial of Indigenous Conferencing Support Officer positions	Six locations	\$0.56 million for six identified positions to encourage increased participation and completion of Aboriginal and Torres Strait Islander young people in youth justice conferencing
	Indigenous Service Support Officer	Five locations	\$0.44 million for five positions to support culturally appropriate service provision to young people on supervised orders
	Participation of Indigenous Elders in youth justice conferencing	Statewide	\$0.08 million to support Indigenous Elders and respected persons to participate in Youth Justice Conferences.
	Mater Family and Youth Counselling Service (Formerly Mater FACEUP)	Brisbane with secondary locations of Sunshine Coast, South West and South East Qld regions	Mater provides therapeutic interventions for young people, families and victims who are referred to a youth justice conference by police or a court in relation to a sexual offence

Year	Program	Geographic coverage	Description
2007/ 2008	Complex Needs Assessment Panels in	Woorabinda and Inala	Re-aligned Youth Crime and Graffiti funding. Complex Needs Assessment Panels prevent and respond to youth violence for young people and their families in Inala and the Logan/Ipswich corridor.
	Bail Support Services	Atherton, Mount Isa and Townsville	Bail Support Services support young people who have been granted bail by the courts and who require additional assistance to meet bail conditions
	Youth Justice Intervention Framework	Statewide	Introduction of a research based youth justice intervention framework to help prioritise and direct interventions with young people on supervised orders within youth justice and youth detention centres.
	Aggression Replacement Training (known as ART)	Statewide	Introduction of an anger management program for violent young offenders within youth justice services and detention centres.
	Changing Habits and Reaching Targets (known as CHART)	Statewide	Introduction of a case management program for young people assessed as moderate to very high risk of offending within youth justice services and youth detention centres. Program addresses causes of offending and teaches problem solving skills
	Youth Justice Service Centre Budgets	Statewide	Youth Justice Services were provided with a budget of \$20,000 per service centre to develop or tailor programs that address the common risks/needs of the young people within their service.
	Hymbah Yumbah Flexi School	Brisbane South	Community based alternative education program aimed at assisting young recidivist offenders to re-engage with education or vocational training following their stay in detention or while completing court-based orders.
	Employment Project Officers	Caboolture, Townsville, Ipswich, Logan, Hervey Bay	Previously funded by Department of Employment and Industrial Relations (DEIR). Specialist job search, career planning, training education and employment related activities to young people aged 15 years and over who are subject to youth justice orders.
	Young Offender Community Response Service and Bail Support Service	Far North Queensland.	\$0.6 million for support and intervention services to young offenders and young people at risk of offending and to the families of the young people, bail support services for young people at risk of being remanded in custody, and transitional support for young people exiting detention and returning to their communities.
	Milbi Listen and Learn	Rockhampton	Milbi program realigned to youth justice program following DATSIP divestment strategy. Milbi supports the cultural, emotional and social well-being of young people at risk of entering the youth justice system or young people in the youth justice system
2008/ 2009	Baywatch	Burdekin shire	BAYWATCH program realigned to youth justice program following DATSIP divestment strategy. BAYWATCH provides culturally appropriate youth camps/activities for young people at risk of entering the youth justice system/young people in youth justice system
	Treatment for Children and Youth at Risk for Long-Term Antisocial Outcomes in Hard to Reach Families	Rockhampton	Professor Ronan funded to undertake an action research project based on a multi-systemic therapy (MST) approach for young people and their families in the youth justice system. The program aims to engage hard to reach, hard to engage families who have youth with multiple risk factors for antisocial outcomes.
	Youth Justice Service caseworker workload review	Statewide	Review of caseloads and how caseworkers were spending their time. Resulted in increase in caseworker FTEs in discrete locations.
2009/ 2010	Murri Watch	Brisbane	Provide a culturally appropriate support service for young people detained at the Brisbane Youth Detention Centre (BYDC), their families and communities as well as assist the management and staff at the Brisbane Youth Detention Centre to understand the needs and cultural values of Aboriginal and Torres Strait Islander young people and their families.
	Griffith Youth Forensic Service	Far North Queensland and North Queensland	Increase in recurrent funding to enhance service to regions
	South West Queensland Indigenous	South West Queensland	Pilot funding to respond to the over representation of Indigenous young people in the statutory

Year	Program	Geographic coverage	Description
	Family and Youth Mentoring and Coaching Service		child protection and youth justice systems and address their under representation in education and employment.
	Youth Enterprise Partnership	Townsville and Brisbane	Assist young people to gain skills and experience in 'real world' business ventures which increases confidence and employability
	Supervised Community Accommodation	Townsville	provides 24 hour seven day per week accommodation and case management to young people aged 16-18 years who are homeless or at risk of homelessness and exiting youth detention
2010/ 2011	Baywatch	Burdekin shire	BAYWATCH program realigned to youth support program as considered an effective early intervention program rather than a youth justice program.
	Mater Family and Youth Counselling Service	Brisbane with secondary locations of Sunshine Coast, South West and South East Qld regions	Increase in funding to include outreach program model and to address funding shortfall.
	Youth Housing and Reintegration Service (including After Care Service)	Townsville, Toowoomba, Rockhampton, Inala, Mount Isa and Hervey Bay/Maryborough	Provides case management, brokerage services and accommodation (independent living units and youth studios) to young people aged 12-20 years who are homeless/at risk of homelessness, exiting care or exiting detention or chronically homeless.
	Just Futures Indigenous Strategy	Statewide	To develop and implement youth justice activities statewide consistent with the initiatives and targets identified in the Just Futures Strategy 2012-2015. These activities will have an overarching focus on reducing the over-representation of Indigenous young people in the youth justice system.
	Remand Reduction strategy	Statewide	Partnership with Legal Aid to review status of all young people on remand in youth detention centres to determine whether they could be granted bail.
2011/ 2012	Young Offender Community Response Service	Far North Queensland	Two year additional funding in response to evaluation outlining the successful outcomes in reducing reoffending of this service.
	Mt Isa Bail Support Service	Mt Isa	Increase in funding to \$128,656 to enable the employment of a full time position and based on assessed need for increase bail support within the region.
	Hymbah Yumbah Flexi School	Brisbane South	Program ceased due to ending of partnership between Education Queensland and Department of Communities.
	Cairns Willing to Learn Flexi school	Cairns	Partnership with Cairns School of Distance Education to provide a community based alternative education program aimed at assisting young recidivist offenders to re-engage with education or vocational training following their stay in detention or while completing court-based orders.
	Employment project officers	Caboolture, Townsville, Ipswich, Logan, Hervey Bay	Three year funding secured for employment project officer program.
	South West Queensland Indigenous Family and Youth Mentoring and Coaching Service	South West Queensland	Pilot funding for this program ceased. Due to favourable outcomes of an evaluation of the services, the minister approved the service to continue for an additional 12 months using savings from the program.
	Treatment for Children and Youth at Risk for Long-Term Antisocial Outcomes in Hard to Reach Families	Rockhampton	Additional 12 month extension provided for this project based on exceptional outcomes from research outlining the successful outcomes in reducing reoffending of this service and in response to need analysis of a Rockhampton service area review.
	Youth Offender Blitz/ Project 200	Statewide	Program designed to respond to a small cohort - 200 young people- who were responsible for the majority of offences by addressing this cohort through a collaborative case planning model that is underpinned by integrated case management.

## PART A

### Legislation that directed Youth Justice prior to the Forde Inquiry

#### Juvenile Justice Act 1992; Children's Court Act 1992

On 4 August 1992, Queensland parliament passed the *Juvenile Justice Act 1992* and the *Children's Court Act 1992*. The legislation repealed the juvenile justice provisions of the *Children's Services Act 1965* and provided the legislative framework for the administration of juvenile justice in Queensland, the ethos of which informed practice and policy in the administration of youth justice practice and policy for Queensland into the future. This shift effectively represents a shift from what was a welfare model to a justice model of practice.

The *Juvenile Justice Act* establishes as a principle of juvenile justice that a child who commits an offence should be:

- (a) held accountable and encouraged to accept responsibility for the offending behaviour; and
- (b) punished in a way that will give the child the opportunity to develop in a responsible, beneficial and socially acceptable way.

The sentencing principles which were introduced into the Act (Section 109(1)) require amongst other matters, a fitting proportion between sentence and offence. As such a number of sentencing options were introduced which were reflective of the justice model as opposed to the welfare model which existed under the *Children's Services Act*. The table below outlines the changes in sentencing options crucial to understanding the practical way in which this shift was effected.

<i>JUVENILE JUSTICE ACT</i> (s.120)	<i>CHILDREN'S SERVICES ACT</i> (s.62(1))
<ul style="list-style-type: none"> <li>• reprimand</li> <li>• good behaviour bond (up to 1 year)</li> <li>• fine</li> <li>• probation order— 6 months (if before judge up to 1 year)</li> <li>• community services orders</li> <li>13-14 years— 20-60 hours</li> <li>15-16 years— 20-120 hours</li> <li>• detention order— immediate release</li> <li>• detention order— 6 months</li> <li>-&gt;or if Judge— 2 years</li> <li>• or if Judge and serious offence— half of maximum adult term or max. 7 years</li> <li>• or life offence— 10 years</li> <li>-&gt; heinous violent offence— 14 years</li> </ul>	<ul style="list-style-type: none"> <li>• admonish and discharge</li> <li>• convict and fine</li> <li>• supervision order up to 2 years</li> <li>• community service orders (passed 1989, but never proclaimed)</li> <li>• care and control order— recommendation for release by Magistrate</li> <li>• Care and control up to 2 years— recommendation custody from Magistrate</li> <li>• Queen's pleasure— for offences punishable by life imprisonment</li> </ul>

The legislation also provided statutory backing for the Queensland Police Service's cautioning program, and therefore envisages a substantial number of children will continue to be diverted from the court.

Juvenile Justice Legislation Amendment Bill 1996

Amendments to the *Juvenile Justices Act 1992* which were made in 1996 included the introduction of new ways to divert young people from the criminal justice system (such as youth justice conferencing) as well as revised juvenile justice principles to ensure the protection of the community and the interest of victims were considered. The amendments contained in the Bill emphasised 5 areas of changes outlined as follows:

- 1) Courts and police were provided with adequate and appropriate powers to effect justice;
- 2) The principles of juvenile justice were amended to include a reference to people other than the child. As such, the community, the victim and the family were expressly recognised.
- 3) Processes become available to divert a child offender from the criminal justice system including the introduction of community conferencing; and
- 4) The Bill contained provisions emphasising the role of parents.

Juvenile Justice Legislation Amendment Bill 1998

This Bill enabled the transfer of the responsibility of youth detention centres from the Queensland Corrective Services Commission to the Department of Families, Youth and Community Care. A 1998 election commitment of the Government was to integrate the responsibility for the delivery of the juvenile justice system within the Department of Families, Youth and Community Care. The transfer ensured that the administration of the juvenile justice system was completely removed from the operations of the adult correctional system.

## **PART B**

### **Legislation that directed Youth Justice following the *Commission of Inquiry into Abuse of Children in Queensland Institutions***

#### *Juvenile Justice Amendment Bill 2002*

The object of the Bill was to amend the *Juvenile Justice Act 1992* (the Act), the *Bail Act 1980*, the *Childrens Court Act 1992*, the *Criminal Code*, the *Criminal Offence Victims Act 1995*, the *District Court Act 1967*, the *Evidence Act 1977*, the *Jury Act 1995*, the *Police Powers and Responsibilities Act 2000* and other relevant legislation to provide an improved, relevant and cohesive legislative basis to the administration of juvenile justice. In addition to commentary on the operation of the Act by the judiciary and by important juvenile justice stakeholders, particularly in relation to bail provisions for children and the right of election to the Childrens Court of Queensland, certain recommendations from the *Commission of Inquiry into Abuse of Children in Queensland Institutions* (the Forde Inquiry) and implementation of election commitments were achieved through legislative change.

Major objectives of the Bill included the implementation of a number of the then Government's election commitments including:

- allowing a court to permit the naming of a child convicted of a serious, violent offence in certain circumstances; and
- empowering the chief executive of the Department of Families to release the name and details of a child when the safety of the public requires this.

A further election commitment implemented by the Bill was to strengthen the *Juvenile Justice Act 1992*, by:

- introducing a new sentence option called the “intensive supervision order” targeted at high risk children too young to do community service work;
- transferring to courts the decision making power, currently exercised by public servants, to revoke supervised release from detention;
- preventing “forum shopping” and strengthening the Childrens Court of Queensland by removing a child's right to elect to be dealt with by the District Court; and
- incorporating into the Act a new “charter of juvenile justice principles”.

The Bill also implemented those parts of the Government's response to the recommendations of the Forde Inquiry which were appropriate to include in the *Juvenile Justice Act 1992*. The matters which required amendment of the *Juvenile Justice Act 1992* included, for example, inclusion of a list of basic rights of children in youth detention centres in the charter of juvenile justice principles, an obligation on youth detention centre staff to report harm suffered by a child in a youth detention centre and mandatory regular inspection of youth detention centres. The inspections were carried out quarterly by the Youth Detention Inspectorate. The Inspectorate was not located within Youth Justice Services and this ‘arms length’ positioning from detention centre service delivery provided the Department with a robust and independent internal youth detention inspection model.

In addition, a further section was inserted to provide that the Chief Executive must ensure that a child who asks for a lawyer is provided with the necessary assistance. Amendments were also made in response to recommendation 18 where a power was created to make regulations for the collection and publication of information and statistics about children dealt with under the Act. This is now contained at s.303 of the Act. The 2002 amendments also included a section (s.224AL) which allowed disclosure to specified people if a child is being placed in care under the *Child Protection Act 1999*. The section is now contained at s.293 of the *Youth Justice Act 1992*.

The Bill also contained amendments that sought to improve the juvenile justice system by providing clarification in a number of areas, including that changes were made so that police were able to use the same process (a notice to appear) to bring children to court that is used to bring adults to court, in matters where arrest is not required. The bail system was enhanced to ensure that it was consistent with well-established juvenile justice principles, including the principle that for a child, detention is the option of last resort. This resulted in amendments including the removal of the requirement that a child “show cause” why they should be granted bail in certain circumstances, so that for a child, each bail application is considered on its merits.

The use and administration of court diversionary responses to juvenile offending, such as cautioning and conferencing, were revised and updated. This included removing the complex rules relating to the admissibility of a child’s participation in diversionary processes, where evidence has not been tested by a court, and replacing these with a straightforward system that places appropriate limitations on the admissibility of these processes.

Also, while the amendments ensured that it would no longer be a requirement that a victim must consent to a conference, convenors were given a duty to ensure that the victim was notified of, and invited to, the conference. Provision was made for the return of the conference referral to the referral source if the victim did not wish to participate and the victim’s participation was considered necessary.

The management of community based sentence orders such as probation and community service orders were replaced by a consolidated and consistent framework for the administration, breach and variation of these orders.

The Bill also sought to improve the management of young people who were involved in both the adult and child criminal justice systems. The court processes relevant to young people who have both adult and child offences or who are subject to an application to stand trial with an adult offender were refined. Clear direction was also provided about whether a young adult is to be incarcerated in a youth detention centre or in a corrective services facility.

The confidentiality provisions in the Act were also amended to be consistent with other legislation dealing with children, such as the *Child Protection Act 1999*.



## PART C

### **Legislation that directed Youth Justice following the Crime and Misconduct Commission Inquiry in 2004, *Protecting Children: An Inquiry into the Abuse of Children in Foster Care* (CMC Report)**

#### Community Services Bill 2007

In 2007, s.297A was included in the then *Juvenile Justices Act* to enable information acquired in the administration of the *Juvenile Justice Act 1992* to be made available to officers of the department (child safety) for the purposes of the *Child Protection Act 1999*. However, the clause prohibited the release of information about the identity of a detention centre employee who makes a report to the chief executive under section 268 of the *Juvenile Justice Act 1992* (which relates to the reporting of harm as outlined above).

#### Juvenile Justice and Other Acts Amendment Bill 2009

A review of the Act was publicly announced on 31 May 2007 to provide a best practice youth justice system with the capacity to respond to current demands and challenges. The aim of the consultation and resultant amendments was to ensure Queensland's youth justice system was one of best practice and achieved the right balance between positive outcomes for young people and their families with the protection of community safety by meeting the expectations of the victim and community. In line with the terms of reference for the review, the Bill proposed legislative amendments to:

- give courts specific powers to place curfews on juvenile offenders to reduce the chances of them reoffending and to ensure they are properly supervised;
- widen court powers in relation to naming juvenile offenders, allowing orders to be issued allowing publication of identifying information if the court considers it to be in the interests of justice to do so;
- increase the minimum mandatory detention period for young people convicted of multiple murders from 15 years to 20 years' imprisonment;
- give police stronger powers to arrest and take to court young people who:
  - do not comply with youth justice conferencing requirements; or
  - contravene an agreement; or
  - fail to attend a drug assessment session;
- require courts to consider setting a date for the transfer of offenders from youth detention to adult prison when sentencing young offenders to be detained beyond the age of 18;
- automatically prohibit the publication of information which identifies a child victim;
- contribute to reducing remand levels by:
  - requiring courts to consider the likely sentence when making bail decisions;
  - clarifying that if a young person is remanded in detention because of a threat of harm to their safety, the threat must arise from the circumstances of the alleged offence (such as a threat of retribution from a victim or a co-accused).
- update the name of the *Juvenile Justice Act 1992* to the *Youth Justice Act 2002*.

Australasian  
Juvenile Justice  
Administrators

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Standards  
for Juvenile Custodial  
Facilities

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Revised Edition\*  
March 1999

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Under construction:

<http://www.juvenile-justice.net>

A web site for juvenile custodial facilities  
in Australia and New Zealand.

A list  
of juvenile custodial facilities is shown  
on the last page of this document.

## Contents

<b>Introduction</b>	<b>5</b>
Working Party membership	5
Consultation in member States and Territories	5
Why Australasian standards?	5
Broad, outcome-focused standards	7
Relationship to United Nations rules	7
Sample indicators	8
Modifications and additions	8
<b>1. Basic Entitlements</b>	<b>9</b>
1.1 Abuse-Free Environment	10
1.2 Respect, Dignity, Individual Focus	11
1.3 Regard to Age and Gender	12
1.4 Privacy and Confidentiality	13
<b>2. Rights of Expression</b>	<b>14</b>
2.1 Linguistic and Cultural Diversity	15
2.2 Religious Observance	16
2.3 Clothing and Grooming	17
2.4 Personal Property	18
2.5 Legal Advice and Advocacy	19
2.6 Access to Personal Information	20
2.7 Complaints and Grievances	21
<b>3. Entry</b>	<b>22</b>
3.1 Admission	23
3.2 Orientation and Induction	24
<b>4. Personal and Social Development</b>	<b>25</b>
4.1 Case Management	26
4.2 Academic and Vocational Programs	27
4.3 Offender Programs	28
4.4 Counselling Services	29
4.5 Recreation and Leisure	30
<b>5. Family and Community</b>	<b>31</b>
5.1 Family and Significant Others	32
5.2 Community Contact	33
5.3 Transition Support	34

<b>6. Health</b>	<b>35</b>
6.1 Health Care	36
6.2 Cleanliness and Hygiene	37
6.3 Food and Nutrition	38
6.4 Mental Health	39
6.5 Drug Dependency	40
<b>7. Behaviour Management</b>	<b>41</b>
7.1 Personal and Social Responsibility	42
7.2 Incentive Scheme	43
7.3 Disciplinary Scheme	44
7.4 Protective Care	45
7.5 Self Harm and Suicide Prevention	46
7.6 Separation	47
7.7 Use of Force	48
<b>8. Security and Safety</b>	<b>49</b>
8.1 Security	50
8.2 Safety	51
8.3 Emergencies	52
<b>9. Built Environment</b>	<b>53</b>
9.1 Building Design	54
9.2 Cyclic Maintenance	55
<b>10. Human Resources</b>	<b>56</b>
10.1 Selection and Promotion	57
10.2 Competency of Staff	58
10.3 Range of Specialists	59
10.4 Accessibility of Staff	60
10.5 Development and Training	61
<b>11. Quality Leadership</b>	<b>62</b>
11.1 Commitment to Quality	63
11.2 Supportive Leadership	64
11.3 Ethical Conduct	65

## Introduction

In May 1998 the Australasian Juvenile Justice Administrators formed a National Working Party with instructions to prepare service standards for juvenile custodial facilities. The working party was asked also to design an accreditation mechanism for the formal regulation of the standards.

The present document contains the standards that were adopted by the AJJA in November 1998, along with five new standards that the National Working Party developed in response to resolutions of the Australasian Conference of Managers and Superintendents in Sydney (March 1999).

The Sydney Conference also resolved that the standards would be given immediate effect, and would be implemented by way of locally developed (internal) processes, in preparation for formal (external) accreditation.

The accreditation mechanism developed by the National Working Party will be fully described in a separate document, which will be published following the AJJA's meeting in May 1999.

### Working Party membership

The Working Party was chaired by Ken Buttrum, Director-General, New South Wales Department of Juvenile Justice. The other members were:

Diana Batzias	CEO, Melbourne Juvenile Justice Centre (Vic)
Inara Blundell	Manager, Cavan Training Centre (SA)
Martin Grandellis	Manager, John Oxley Youth Detention Centre (Qld)
Kevin Hanson	A/Manager, Ashley Youth Detention Centre (Tas)
Lou Johnston	Manager, Worimi Juvenile Justice Centre (NSW)
Rhonda Lang	A/Manager, Quamby Youth Detention Centre (ACT)
Steve Parker	Superintendent, Juvenile Detention (NT)
Jan Shuard	Superintendent, Banksia Hill Juvenile Detention Centre (WA)
Alexander Zahar	Co-ordinator of Working Party

### Consultation in member States and Territories

A large number of people were consulted on the standards, including nurses, official visitors, chaplains, school principals, staff development personnel, etc., and, of course, a variety of centre staff, from youth workers to managers and superintendents.

### Why Australasian standards?

In the United Nations' *Standard Minimum Rules for the Administration of Juvenile Justice* (1985), there is the following grim comment:

Little or no difference has been found in terms of the success of institutionalization as compared to non-institutionalization. The many adverse influences on an individual that seem unavoidable within any institutional setting evidently cannot be outbalanced by treatment efforts. This is especially the case for juveniles, who are vulnerable to negative influences. [Commentary on Rule 19.1.]

Nevertheless, as long as custodial systems for juveniles exist, they should aim to maximise young people's chances of rehabilitation and integration into society. The fundamental principles of this philosophy may be found in the *Design Guidelines for Juvenile Justice Facilities in Australia and New Zealand*,<sup>1</sup> where it is stated that all young people in custody are entitled to:

1. a safe and secure environment;
2. living conditions that meet duty-of-care requirements;
3. privacy and dignity;
4. programs and services that meet their educational, vocational, and gender- and age-related needs;
5. adequate health services;
6. adequate recreation facilities.

In summary, the objective of juvenile custodial facilities should be to provide a humane, safe and secure environment, which assists young people to address their offending behaviour and to make positive choices about their lives, both during custody and upon their return to the community.

The *quality* of services provided to young people in custody is fundamental to the achievement of the above objective. One way to define "quality" is through *standards*. Common standards with a general application in New Zealand and Australia have the potential to:

1. fully and systematically describe the rights and needs of young people in custodial care;
2. create a shared commitment across Australia and New Zealand to quality practices;
3. encourage the exchange of information about quality practices;
4. provide benchmarks for comparison within the industry;
5. be a springboard for further development and innovation.

Standards are also a sign to the community that staff and authorities responsible for juvenile custodial facilities intend continually to improve the quality of their services, in the best interests of young people and other stakeholders who come into contact with the centres.

Common standards will not remain common for long if they are not administered uniformly across the AJJA's member States and Territories. Hence the need for a common *accreditation* mechanism.

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<sup>1</sup> Department of Health and Community Services (Vic) and the Australasian Juvenile Justice Administrators (1996), p. 11. (Standard 9.1 incorporates the Design Guidelines.)

Accreditation is an assurance to young people in custody, their families, custodial staff, and government and community stakeholders, of the high quality of services provided at the accredited custodial facility. (The AJJA's accreditation mechanism will be described in a separate paper.)

### **Broad, outcome-focused standards**

This document lists 46 standards grouped into eleven major areas of service. It is unavoidable that standards that aim to be comprehensive but are few in number will be worded broadly, and this is true of the present standards. However, broadly-worded standards are not necessarily imprecise or uncertain, especially if interpreted thoughtfully, knowledgeably, and fairly.

There are three distinct advantages to the broadness of the present standards: they allow for variability and innovation at the centre level; they allow outsiders to scrutinise the traditionally closed institutions in terms that are not entirely controlled by the institutions themselves; and they enable “floating” standards, that is, standards whose interpretation changes as expert opinion and expectations themselves change with time.

Another characteristic of the present standards is that they are, wherever possible, outcome-focused. One might distinguish between standards whose purpose is to regulate a *process*, or guarantee a *protection*, or safeguard a *right* of the young person while in detention, and standards whose purpose is to make a *positive difference* to the health, knowledge, reasoning ability, self-control, self-esteem, creative thinking, independent living skills, appetite for sport and entertainment, or other constitutional feature of a young person in the course of detention.

What the former kind of standard requires is best described as a process or service in existence (if it exists and is in working order, the standard is met). By contrast, the latter kind of standard looks to the *effect* of the centre's intervention in the life of a young person, and attempts to measure that effect (if there is an effect and it is beneficial, the standard is met).

Both kinds of standard are required to ensure that a custodial facility is offering a reasonable service – that is, not just humane treatment of young people, but also the imparting of skills to enable community integration.

### **Relationship to United Nations rules**

Following each of the standards in this document are “references” to United Nations rules. These are meant to indicate the moral – and possibly legal – authorities on which the AJJA's standards are based.<sup>2</sup>

Rule 2 of the United Nations' *Rules for the Protection of Juveniles Deprived of their Liberty* (December 1990) states that:

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<sup>2</sup> On the legal force of the United Nations' instruments see the discussion in chapter 5 of the New South Wales Ombudsman's *Inquiry into Juvenile Detention Centres* (December 1996).



Juveniles should only be deprived of their liberty in accordance with the principles and procedures set forth in these Rules and in the United Nations Standard Minimum Rules for the Administration of Juvenile Justice.

This other set of rules – the *Standard Minimum Rules for the Administration of Juvenile Justice* – was adopted by the United Nations in 1985. It sets out general principles for the administration of juvenile justice, but it does not specify detailed provisions about the conditions under which juveniles may be deprived of their liberty.

By contrast, the (later) *Rules for the Protection of Juveniles Deprived of their Liberty*, adopted by the General Assembly of the United Nations in December 1990, give an exceedingly detailed account of conditions that should prevail in juvenile detention centres.

Rule 3 states:

***The Rules are intended to establish minimum standards*** accepted by the United Nations for the protection of juveniles deprived of their liberty in all forms, consistent with human rights and fundamental freedoms, and with a view to counteracting the detrimental effects of all types of detention and to fostering integration in society.

Rule 5 adds:

The Rules are designed to serve as ***convenient standards of reference*** and to provide encouragement and guidance to professionals involved in the management of the juvenile justice system.

The extensive excerpts from the *Rules* following each of the AJJA's standards should assist the reader to interpret those standards, while serving as "convenient standards of reference" for detention centre staff.

## Sample indicators

The "sample indicators" following each standard are just what the name suggests: *they are relevant to consider when deciding if a standard is met.*

This does not mean, of course, that the indicators appearing after a standard are either individually necessary or jointly sufficient conditions for meeting that standard. Other indicators certainly exist, and will be added to this document in the course of time.

A reasonable assessment of the performance of a centre against a standard may therefore be based on a set of indicators that is partly or (very unlikely) wholly different from the indicators shown after that standard.

## Modifications and additions

A request to modify an existing standard, add a new standard, add a sample indicator, or contribute in some other way, should be addressed to the Chairperson of the AJJA (see [www.juvenile-justice.net](http://www.juvenile-justice.net) for contact details).

## 1. Basic Entitlements

## 1.1 Abuse-Free Environment

### Standard

The centre provides an environment in which young people, staff and others feel safe, secure and not threatened by any form of abuse or harassment.

### Sample indicators

- A. The centre's policy and practice documents include:
  - commitments to an environment free of physical, psychological and emotional abuse or harassment;
  - mechanisms for dealing with incidents of abuse or harassment;
  - mechanisms for dealing with complaints;
  - records of abuse and harassment and records of complaints.
- B. Young people, staff and visitors report that they are satisfied that the environment of the centre is free of physical, psychological and emotional abuse or harassment.
- C. During sleeping hours there is regular, unobtrusive supervision of all sleeping areas, including individual rooms and group dormitories.

### References

#### *United Nations Rules for the Protection of Juveniles Deprived of their Liberty:*

1. The juvenile justice system should uphold the rights and safety and promote the physical and mental well-being of juveniles.

87(d). All personnel should ensure the full protection of the physical and mental health of juveniles, including protection from physical, sexual and emotional abuse and exploitation, and should take immediate action to secure medical attention whenever required.

87(a). No member of the detention facility or institutional personnel may inflict, instigate or tolerate any act of torture or any form of harsh, cruel, inhuman, or degrading treatment, punishment, correction or discipline under any pretext or circumstance whatsoever.

66. Any disciplinary measures and procedures should maintain the interest of safety and an ordered community life and should be consistent with the upholding of the inherent dignity of the juvenile and the fundamental objective of institutional care, namely, instilling a sense of justice, self-respect and respect for the basic rights of every person.

65. The carrying and use of weapons by personnel should be prohibited in any facility where juveniles are detained.

#### *United Nations Standard Minimum Rules for the Administration of Juvenile Justice:*

26.2. Juveniles in institutions shall receive care, protection and all necessary assistance – social, educational, vocational, psychological, medical and physical – that they may require because of their age, sex and personality and in the interest of their wholesome development.

## 1.2 Respect, Dignity, Individual Focus

### Standard

The centre promotes the individuality and diversity of young people, builds on their strengths, encourages their personal growth, and respects their dignity as human beings.

### Sample indicators

- A. The centre's policies, procedures and practices are consistent, and reflect the standard.
- B. Young people, including girls and young women, indigenous young people, young people of non-English speaking background, and young people with disabilities and other special needs, report that they feel valued and respected at the centre.
- C. Staff report that they work in an environment that values and respects the individual needs of young people, and staff can provide examples of the ways in which they themselves apply the standard.
- D. Young people's case plans refer to their individual needs, rights, strengths, and areas for development.

### References

#### *United Nations Rules for the Protection of Juveniles Deprived of their Liberty:*

12. The deprivation of liberty should be effected in conditions and circumstances which ensure respect for the human rights of juveniles.

87(f). All personnel should seek to minimise any differences between life inside and outside the detention facility which tend to lessen due respect to the dignity of juveniles as human beings.

13. Juveniles deprived of their liberty shall not for any reason related to their status be denied the civil, economic, political, social or cultural rights to which they are entitled under national or international law, and which are compatible with the deprivation of liberty.

4. The [UN] Rules should be applied impartially, without discrimination of any kind as to race, colour, sex, age, language, religion, nationality, political or other opinion, cultural beliefs or practices, property, birth or family status, ethnic or social origin, and disability. The religious and cultural beliefs, practices and moral concepts of the juvenile should be respected.

28. The detention of juveniles should only take place under conditions that take full account of their particular needs, status and special requirements according to their age, personality, sex and type of offence, as well as mental and physical health, and which ensure their protection from harmful influences and risk situations. The principal criterion for the separation of different categories of juveniles deprived of their liberty should be the provision of the type of care best suited to the particular needs of the individuals concerned and the protection of their physical, mental and moral integrity and well-being.

## 1.3 Regard to Age and Gender

### Standard

The centre provides age-appropriate and gender-appropriate services in recognition of the differing needs of young people at different stages of development and the specific needs of young females.

### Sample indicators

- A. The centre interprets policies, follows procedures, delivers programs, and generally provides services with due regard to the age and gender of the young people in its care.
- B. There is an appropriate policy or established method of responding to the needs of pregnant young females and young mothers.
- C. There is an appropriate policy or established method of responding to the needs of transgender and other young people who do not fit traditional gender categories.

### References

*United Nations Standard Minimum Rules for the Administration of Juvenile Justice:*

13.5. While in custody, juveniles shall receive care, protection and all necessary individual assistance – social, educational, vocational, psychological, medical and physical – that they may require in view of their age, sex and personality.

22.2. Juvenile justice personnel shall reflect the diversity of juveniles who come into contact with the juvenile justice system. Efforts shall be made to ensure the fair representation of women in juvenile justice agencies.

26.4. Young female offenders placed in an institution deserve special attention as to their personal needs and problems. They shall by no means receive less care, protection, assistance, treatment and training than young male offenders.

## 1.4 Privacy and Confidentiality

### Standard

The centre recognises and responds appropriately to the right of each young person to privacy and confidentiality.

### Sample indicators

- A. The centre's privacy and confidentiality policies, procedures and practices are consistent, and reflect the standard.
- B. Staff are aware of and demonstrate respect for the right of young people to privacy and confidentiality.
- C. Young people report that staff respect their privacy and confidentiality.

### References

#### *United Nations Rules for the Protection of Juveniles Deprived of their Liberty:*

87(e). All personnel should respect the right of the juvenile to privacy, and, in particular, should safeguard all confidential matters concerning juveniles or their families learned as a result of their professional capacity.

19. All reports, including legal records, medical records and records of disciplinary proceedings, and all other documents relating to the form, content and details of treatment, should be placed in a confidential individual file, which should be kept up to date, accessible only to authorised persons and classified in such a way as to be easily understood.

#### *United Nations Standard Minimum Rules for the Administration of Juvenile Justice:*

8.1. The juvenile's right to privacy shall be respected at all stages in order to avoid harm being caused to her or him by undue publicity or by the process of labelling.

8.2. In principle, no information that may lead to the identification of a juvenile offender shall be published.

## 2. Rights of Expression

## 2.1 Linguistic and Cultural Diversity

### Standard

The centre recognises and responds appropriately to the linguistic and cultural diversity of young people, their families and significant others.

### Sample indicators

- A. The centre's policies, procedures, practices and staff training in relation to the linguistic and cultural needs of young people are consistent, and reflect the standard.
- B. Young people have access to staff and community representatives of appropriate linguistic and cultural groups.
- C. Young people, their families and significant others report that they are satisfied with the centre's response to their linguistic and cultural needs.

### References

*United Nations Rules for the Protection of Juveniles Deprived of their Liberty:*

6. Juveniles who are not fluent in the language spoken by the personnel of the detention facility should have the right to the services of an interpreter free of charge whenever necessary, in particular during medical examinations and disciplinary proceedings.

38. Special attention should be given by the administration of the detention facilities to the education of juveniles of foreign origin or with particular cultural or ethnic needs. Juveniles who are illiterate or have cognitive or learning difficulties should have the right to special education.



## 2.2 Religious Observance

### Standard

The centre recognises and responds appropriately to the expressed religious and spiritual needs of young people.

### Sample indicators

- A. The centre's policy, procedure and practices are consistent, and reflect the standard.
- B. There is a communal area available in the centre for religious observance.
- C. There is a chaplaincy service available at the centre.
- D. The centre provides young people with reading materials and special diets in accordance with their religious requirements.
- E. Young people report that the centre allows them to satisfy their religious and spiritual needs.
- F. Staff demonstrate awareness of the religious and spiritual needs of young people from differing cultural backgrounds.

### References

*United Nations Rules for the Protection of Juveniles Deprived of their Liberty:*

48. Every juvenile should be allowed to satisfy the needs of his or her religious and spiritual life, in particular by attending the services or meetings provided in the detention facility or by conducting his or her own services and having possession of the necessary books or items of religious observance and instruction of his or her denomination. If a detention facility contains a sufficient number of juveniles of a given religion, one or more qualified representatives of that religion should be appointed or approved and allowed to hold regular services and to pay pastoral visits in private to juveniles at their request. Every juvenile should have the right to receive visits from a qualified representative of any religion of his or her choice, as well as the right not to participate in religious services and freely to decline religious education, counselling or indoctrination.

## 2.3 Clothing and Grooming

### Standard

Young people are provided with a sufficient quantity and reasonable choice of clean clothing in good condition, and their choices in matters of personal grooming are maximised.

### Sample indicators

- A. Observation of variety, cleanliness, and condition of clothing.
- B. Young people report satisfaction with clothing and grooming choices available to them.
- C. Young people have regular access to a hairdresser.
- D. Level of complaints relating to clothing and grooming.

### References

*United Nations Rules for the Protection of Juveniles Deprived of their Liberty:*

36. To the extent possible juveniles should have the right to use their own clothing. Detention facilities should ensure that each juvenile has personal clothing suitable for the climate and adequate to ensure good health, and which should in no manner be degrading or humiliating. Juveniles removed from or leaving a facility for any purpose should be allowed to wear their own clothing.

## 2.4 Personal Property

### Standard

The preservation of good order and safety at the centre is the only basis for limiting the possession of personal effects by young people. Young people's property held at the centre is safeguarded.

### Sample indicators

- A. Policy, procedure and practices are consistent, and reflect the standard.
- B. Documentation and secure storage of personal effects held by the centre.
- C. Complaints about / reports of property loss or theft.
- D. Observation of range of personal effects allowed to young people, and facilities available for safe storage.
- E. Young people report that they understand the centre's reasons for any restrictions imposed on their possession of personal property.

### References

#### *United Nations Rules for the Protection of Juveniles Deprived of their Liberty:*

35. The possession of personal effects is a basic element of the right to privacy and essential to the psychological well-being of the juvenile. The right of every juvenile to possess personal effects and to have adequate storage facilities for them should be fully recognised and respected. Personal effects that the juvenile does not choose to retain or that are confiscated should be placed in safe custody. An inventory thereof should be signed by the juvenile. Steps should be taken to keep them in good condition. All such articles and money should be returned to the juvenile on release, except in so far as he or she has been authorized to spend the money or send such property out of the facility. If a juvenile receives or is found in possession of any medicine, the medical officer should decide what use should be made of it.

18(c). Juveniles should receive and retain materials for their leisure and recreation as are compatible with the interests of the administration of justice.

46. Every juvenile who performs work should have the right to an equitable remuneration. Part of the earnings of a juvenile should normally be set aside to constitute a savings fund to be handed over to the juvenile on release. The juvenile should have the right to use the remainder of those earnings to purchase articles for his or her own use or to indemnify the victim injured by his or her offence or to send it to his or her family or other persons outside the detention facility.

## 2.5 Legal Advice and Advocacy

### Standard

The centre advises and enables each young person to make or maintain confidential contact with a legal adviser, and advocates for young people within the justice system.

### Sample indicators

- A. The centre's legal access policy, procedure and practices are consistent, and reflect the standard.
- B. Young people are aware of their right to access legal advice or advocacy while in detention.
- C. Staff support and assist young people to access legal advice and to assert their legal rights.
- D. Legal advisers or advocates report that access to their clients is supported and facilitated by the centre.
- E. Frequency of visits or contacts between young people and their legal advisers.

### References

#### *United Nations Rules for the Protection of Juveniles Deprived of their Liberty:*

18(a). Juveniles should have the right of legal counsel and be enabled to apply for free legal aid, where such aid is available, and to communicate regularly with their legal advisers. Privacy and confidentiality shall be ensured for such communications.

20. No juvenile should be received in any detention facility without a valid commitment order of a judicial, administrative or other public authority. The details of this order should be immediately entered in the register. No juvenile should be detained in any facility where there is no such register.

#### *United Nations Standard Minimum Rules for the Administration of Juvenile Justice:*

7.1. Basic procedural safeguards such as the presumption of innocence, the right to be notified of the charges, the right to remain silent, the right to counsel, the right to the presence of a parent or guardian, the right to confront and cross-examine witnesses and the right to appeal to a higher authority shall be guaranteed at all stages or proceedings.

19.1. The placement of a juvenile in an institution shall always be a disposition of last resort and for the minimum necessary period.

28.1. Conditional release from an institution shall be used by the appropriate authority to the greatest possible extent, and shall be granted at the earliest possible time.

## 2.6 Access to Personal Information

### Standard

The centre gives young people reasonable access to information about themselves held by the centre, and the opportunity to challenge and correct inaccuracies.

### Sample indicators

- A. The centre's policy, procedure and practices are consistent, and reflect the standard.
- B. A simple, accessible and timely process exists for young people to challenge and correct inaccurate information about themselves held by the centre.
- C. Young people know they can access, challenge and correct personal information held by the centre.

### References

*United Nations Rules for the Protection of Juveniles Deprived of their Liberty:*

19. Where possible, every juvenile should have the right to contest any fact or opinion contained in his or her file so as to permit rectification of inaccurate, unfounded or unfair statements. In order to exercise this right, there should be procedures that allow an appropriate third party to have access to and to consult the file on request.

## 2.7 Complaints and Grievances

### Standard

The centre provides young people with clear, accessible and fair avenues for lodging and resolving complaints and grievances, and with the opportunity to appeal decisions.

### Sample indicators

- A. Formal and informal complaints are dealt with in accordance with written policy and procedure.
- B. Young people are assisted to raise concerns about the centre or its services without fear of retribution.
- C. Young people and their advocates know about and understand the internal and external complaints procedures, and report satisfaction with the centre's practices.
- D. Young people are presented with sufficient opportunities to voice their complaints to independent people who visit the centre, such as Official Visitors or officers of the Ombudsman.
- E. Visitors who take complaints from young people as part of their official duties report satisfaction with the centre's practices.
- F. Feedback is provided to young people who lodge or appeal complaints.
- G. Number of complaints and grievances received, and number resolved to the satisfaction of those involved.

### References

*United Nations Rules for the Protection of Juveniles Deprived of their Liberty:*

- 75. Every juvenile should have the opportunity of making requests or complaints to the director of the detention facility and to his or her authorized representative.
- 76. Every juvenile should have the right to make a request or complaint, without censorship as to substance, to the central administration, the judicial authority or other proper authorities through approved channels, and to be informed of the response without delay.
- 78. Every juvenile should have the right to request assistance from family members, legal counsellors, humanitarian groups or others where possible, in order to make a complaint. Illiterate juveniles should be provided with assistance should they need to use the services of public or private agencies and organizations which provide legal counsel or which are competent to receive complaints.

### 3. Entry

## 3.1 Admission

### Standard

On admission, screening and assessment of young people identify risk factors and individual needs that are relevant to the safe management of young people while in detention.

### Sample indicators

- A. The centre's admission policy, procedure and practices are consistent, and reflect the standard.
- B. Admissions staff demonstrate ability to identify risk factors.
- C. Percentage of young people screened and assessed within an acceptable time frame after admission.
- D. Immediate risk factors identified on admission are communicated to relevant staff.

### References

#### *United Nations Rules for the Protection of Juveniles Deprived of their Liberty:*

50. Every juvenile has a right to be examined by a physician immediately upon admission to a detention facility, for the purpose of recording any evidence of prior ill-treatment and identifying any physical or mental condition requiring medical attention.

27. As soon as possible after the moment of admission, each juvenile should be interviewed, and a psychological and social report identifying any factors relevant to the specific type and level of care and programme required by the juvenile should be prepared. This report, together with the report prepared by a medical officer who has examined the juvenile upon admission, should be forwarded to the director for purposes of determining the most appropriate placement for the juvenile within the facility and the specific type and level of care and programme required and to be pursued.

22. Information on admission, place, transfer and release should be provided without delay to the parents and guardians or closest relative of the juvenile concerned.

26. The transport of juveniles should be carried out at the expense of the administration in conveyances with adequate ventilation and light, in conditions that should in no way subject them to hardship or indignity. Juveniles should not be transferred from one facility to another arbitrarily.



## 3.2 Orientation and Induction

### Standard

Young people and their families or significant others are provided with comprehensive information in accessible formats about their rights, obligations, programs and services at the centre, as soon as practicable after admission.

### Sample indicators

- A. The centre's orientation and induction policy, procedure and practices are consistent, and reflect the standard.
- B. Young people and their families or significant others report that orientation / induction information received from the centre is adequate, useful and easy to understand.
- C. The induction program reduces the anxiety of young people entering the centre.
- D. Young people report that they continue to have appropriate access to relevant information throughout their residence at the centre.

### References

*United Nations Rules for the Protection of Juveniles Deprived of their Liberty:*

24. On admission, all juveniles shall be given a copy of the rules governing the detention facility and a written description of their rights and obligations in a language they can understand, together with the address of the authorities competent to receive complaints, as well as the address of public or private agencies and organizations which provide legal assistance. For those juveniles who are illiterate or who cannot understand the language in the written form, the information should be conveyed in a manner enabling full comprehension.

25. All juveniles should be helped to understand the regulations governing the internal organisation of the facility, the goals and methodology of care provided, the disciplinary requirements and procedures, other authorised methods of seeking information and of making complaints, and all such other matters as are necessary to enable them to understand fully their rights and obligations during detention.

## 4. Personal and Social Development



## 4.2 Academic and Vocational Programs

### Standard

The centre's coordinated and varied educational and accredited vocational programs are suited to individual needs, interests and market-place opportunities, provide positive learning experiences, and systematically assess and improve the numeracy levels, literacy levels and the work-place knowledge, experience, and qualifications of young people.

### Sample indicators

- A. Programs on offer at the centre are selected or designed with reference to identified client needs and offending behaviour.
- B. Programs reflect valid scientific theory on personal development.
- C. Program-delivery staff demonstrate understanding of the programming model.
- D. Program delivery is monitored to ensure the integrity of programs is maintained.
- E. Program attendance rate. Patterns of success. Percent of young people completing accredited vocational and other programs.
- F. Intake and exit academic and vocational assessments.
- G. Young people report that they find the programs interesting and useful.

### References

#### *United Nations Rules for the Protection of Juveniles Deprived of their Liberty:*

38. Every juvenile of compulsory school age has the right to education suited to his or her needs and abilities and designed to prepare him or her for return to society. Such education should be provided in community schools wherever possible and, in any case, by qualified teachers through programmes integrated with the education system of the country so that, after release, juveniles may continue their education without difficulty. Special attention should be given by the administration of the detention facilities to the education of juveniles of foreign origin or with particular cultural or ethnic needs. Juveniles who are illiterate or have cognitive or learning difficulties should have the right to special education.

39. Juveniles above compulsory school age who wish to continue their education should be encouraged to do so, and every effort should be made to provide them with access to appropriate educational programmes.

42. Every juvenile should have the right to receive vocational training in occupations likely to prepare him or her for future employment.

43. With due regard to proper vocational selection and to the requirements of institutional administration, juveniles should be able to choose the type of work they wish to perform.

45. Wherever possible, juveniles should be provided with the opportunity to perform remunerated labour, if possible within the local community, as a complement to the vocational training provided in order to enhance the possibility of finding suitable employment when they return to their communities. The type of work should be such as to provide appropriate training that will be of benefit to the juveniles following release. The organisation and methods of work offered in detention facilities should resemble as closely as possible those of similar work in the community, so as to prepare juveniles for the conditions of normal occupational life.

46. Every juvenile who performs work should have the right to an equitable remuneration.

## 4.3 Offender Programs

### Standard

The centre provides specialised programs that assist young people to understand why they offend and what measures they can take to stop or reduce their offending.

### Sample indicators

- A. Number of programs available with a specific focus on offending, and percentage of young people participating.
- B. Offender program intake and exit assessments.
- C. Young people report increased knowledge of factors that influence their offending, and express empathy with victims.

### References

*United Nations Rules for the Protection of Juveniles Deprived of their Liberty:*

12. Juveniles detained in facilities should be guaranteed the benefit of meaningful activities and programmes which would serve to promote and sustain their health and self-respect, to foster their sense of responsibility and encourage those attitudes and skills that will assist them in developing their potential as members of society.

79. All juveniles should benefit from arrangements designed to assist them in returning to society, family life, education or employment after release.

## 4.4 Counselling Services

### Standard

The centre provides opportunities for young people to resolve family and personal issues through supportive guidance and professional assistance, including individual, group, and family counselling.

### Sample indicators

- A. Records of participation in counselling sessions and clinical groups.
- B. Counselling referrals are influenced by the identified needs and the offending behaviour of young people.
- C. Young people and their families or significant others report that the capacity of young people to manage situations after counselling has improved.

### References

*United Nations Rules for the Protection of Juveniles Deprived of their Liberty:*

12. Juveniles detained in facilities should be guaranteed the benefit of meaningful activities and programmes which would serve to promote and sustain their health and self-respect, to foster their sense of responsibility and encourage those attitudes and skills that will assist them in developing their potential as members of society.

79. All juveniles should benefit from arrangements designed to assist them in returning to society, family life, education or employment after release.

## 4.5 Recreation and Leisure

### Standard

The centre provides a broad range of coordinated physical and passive recreational and leisure activities that are enjoyable and improve the fitness levels, skills, self-esteem, and community integration of young people. These activities involve a reasonable level of community interaction, and include activities initiated by young people themselves.

### Sample indicators

- A. Amount of recreation and leisure time for young people structured into daily routines.
- B. Degree of choice available to young people about how they use allocated recreation and leisure time.
- C. Range of available indoor and outdoor options in the centre and in the community.
- D. Young people report enjoyment and satisfaction with the range of recreation and leisure programs.
- E. Fitness intake and exit assessments.

### References

#### *United Nations Rules for the Protection of Juveniles Deprived of their Liberty:*

12. Juveniles detained in facilities should be guaranteed the benefit of meaningful activities and programmes which would serve to promote and sustain their health and self-respect, to foster their sense of responsibility and encourage those attitudes and skills that will assist them in developing their potential as members of society.

32. The design of detention facilities for juveniles and the physical environment should be in keeping with the rehabilitative aim of residential treatment, with due regard to the need of the juvenile for privacy, sensory stimuli, opportunities for association with peers and participation in sports, physical exercise and leisure-time activities.

47. Every juvenile should have the right to a suitable amount of time for daily free exercise, in the open air whenever weather permits, during which time appropriate recreational and physical training should normally be provided. Adequate space, installations and equipment should be provided for these activities. Every juvenile should have additional time for daily leisure activities, part of which should be devoted, if the juvenile so wishes, to arts and crafts skill development. The detention facility should ensure that each juvenile is physically able to participate in the available programs of physical education. Remedial physical education and therapy should be offered, under medical supervision, to juveniles needing it.

41. Every detention facility should provide access to a library that is adequately stocked with both instructional and recreational books and periodicals suitable for the juveniles, who should be encouraged and enabled to make full use of it.

## 5. Family and Community



## 5.1 Family and Significant Others

### Standard

The centre encourages and enables visitation and communication between young people and their families or significant others that is not unreasonably limited by the centre, is responsive to individuals' needs, and occurs in conditions that are dignified and relatively private.

### Sample indicators

- A. Statistics on the frequency and length of contact between young people and their families or significant others.
- B. Quality of designated areas for contact.
- C. Range and flexibility of options available to achieve equitable contact between young people and their families or significant others.
- D. Young people report that they are provided with adequate opportunities to contact their families or significant others.
- E. The families or significant others of young people report that they are provided with adequate opportunities to contact their young people in custody.

### References

#### *United Nations Rules for the Protection of Juveniles Deprived of their Liberty:*

59. Every means should be provided to ensure that juveniles have adequate communication with the outside world, which is an integral part of the right to fair and humane treatment and is essential to the preparation of juveniles for their return to society. Juveniles should be allowed to communicate with their families, friends and other persons or representatives of reputable organizations, to leave detention facilities for a visit to their home and family and to receive special permission to leave the detention facility for educational, vocational or other important reasons.

60. Every juvenile should have the right to receive regular and frequent visits, in principle once a week and not less than once a month, in circumstances that respect the need of the juvenile for privacy, contact and unrestricted communication with the family and the defence counsel.

61. Every juvenile should have the right to communicate in writing or by telephone at least twice a week with the person of his or her choice, unless legally restricted, and should be assisted as necessary in order effectively to enjoy this right.

30. Detention facilities for juveniles should be decentralised and of such size as to facilitate access and contact between the juveniles and their families.

58. A juvenile should be informed at the earliest possible time of the death, serious illness or injury of any immediate family member and should be provided with the opportunity to attend the funeral of the deceased or go to the bedside of a critically ill relative.

56. The family or guardian of a juvenile and any other person designated by the juvenile have the right to be informed of the state of health of the juvenile on request and in the event of any important changes in the health of the juvenile. The director of the detention facility should notify immediately the family or guardian of the juvenile concerned, or other designated person, in case of death, illness requiring transfer of the juvenile to an outside medical facility, or a condition requiring clinical care within the detention facility for more than 48 hours.

## 5.2 Community Contact

### Standard

The centre maximises opportunities for young people at every stage of custody to interact with the community, and fosters community involvement in, and support for, the centre.

### Sample indicators

- A. Range and frequency of contacts of community representatives with young people at the centre and in the community.
- B. Community representatives report that the centre supports their involvement.
- C. The centre has established a committee with community liaison functions, and the committee includes community representatives in its membership.
- D. Availability of televisions, radios, newspapers, etc., to young people other than through the incentive scheme.
- E. Amount, type and quality of information resources supplied to the public.

### References

#### *United Nations Rules for the Protection of Juveniles Deprived of their Liberty:*

59. Every means should be provided to ensure that juveniles have adequate communication with the outside world, which is an integral part of the right to fair and humane treatment and is essential to the preparation of juveniles for their return to society. Juveniles should be allowed to communicate with their families, friends and other persons or representatives of reputable organizations, to leave detention facilities for a visit to their home and family and to receive special permission to leave the detention facility for educational, vocational or other important reasons.

30. Open detention facilities for juveniles should be established. Open detention facilities are those with no or minimal security measures. Detention facilities for juveniles should be de-centralised and of such size as to facilitate access and contact between the juveniles and their families. Small-scale detention facilities should be established and integrated into the social, economic and cultural environment of the community.

62. Juveniles should have the opportunity to keep themselves informed regularly of the news by reading newspapers, periodicals and other publications, through access to radio and television programmes and motion pictures, and through the visits of the representatives of any lawful club or organization in which the juvenile is interested.

38. Every juvenile of compulsory school age has the right to education suited to his or her needs and abilities and designed to prepare him or her for return to society. Such education should be provided in community schools wherever possible

49. All medical care should, where possible, be provided to detained juveniles through the appropriate health facilities and services of the community in which the detention facility is located, in order to prevent stigmatization of the juvenile and promote self-respect and integration into the community.

8. The competent authorities should constantly seek to increase the awareness of the public that the care of detained juveniles and preparation for their return to society is a social service of great importance, and to this end active steps should be taken to foster open contacts between the juveniles and the local community.

## 5.3 Transition Support

### Standard

The return of young people to the community happens in a planned and supported manner. Where local laws enable early or conditional release, these options are used to the greatest possible extent and are granted at the earliest possible time.

### Sample indicators

- A. Amount and type of community contact and involvement young people have during the pre-release period.
- B. Case plans and exit plans include arrangements for post-release support.
- C. Referrals and established links with community-based organisations.
- D. Evidence of satisfactory progress towards rehabilitation is systematically gathered and used to effect early or conditional release wherever feasible.
- E. Young people report that the centre supports them to achieve an early and successful return to the community.

### References

#### *United Nations Standard Minimum Rules for the Administration of Juvenile Justice:*

24.1. Efforts shall be made to provide juveniles, at all stages of the proceedings, with necessary assistance such as lodging, education or vocational training, employment or any other assistance, helpful and practical, in order to facilitate the rehabilitative process.

25.1. Volunteers, voluntary organisations, local institutions and other community resources shall be called upon to contribute effectively to the rehabilitation of the juvenile in a community setting and, as far as possible, within the family unit.

19.1. The placement of a juvenile in an institution shall always be a disposition of last resort and for the minimum necessary period.

28.1. Conditional release from an institution shall be used by the appropriate authority to the greatest possible extent, and shall be granted at the earliest possible time.

29.1. Efforts shall be made to provide semi-institutional arrangements, such as half-way houses, educational homes, day-time training centres and other such appropriate arrangements that may assist juveniles in their proper reintegration into society.

#### *United Nations Rules for the Protection of Juveniles Deprived of their Liberty:*

79. All juveniles should benefit from arrangements designed to assist them in returning to society, family life, education or employment after release. Procedures, including early release, and special courses should be devised to this end.

80. Competent authorities should provide or ensure services to assist juveniles in re-establishing themselves in society and to lessen prejudice against such juveniles. These services should ensure, to the extent possible, that the juvenile is provided with suitable residence, employment, clothing, and sufficient means to maintain himself or herself upon release in order to facilitate successful reintegration. The representatives of agencies providing such services should be consulted and should have access to juveniles while detained, with a view to assisting them in their return to the community.

40. Diplomas or educational certificates awarded to juveniles while in detention should not indicate in any way that the juvenile has been institutionalised.

## 6. Health

## 6.1 Health Care

### Standard

Young people have access to a comprehensive range of health care and health promotion services and programs that improve and maintain their health and well-being.

### Sample indicators

- A. The centre's health care and infection control policies, procedures and practices are consistent, reflect the standard, and promote the safety of young people and their right to confidentiality.
- B. Health assessments on admission identify urgent health needs and areas for follow-up. Subsequent assessments identify existing and potential health needs.
- C. Young people have access to programs that provide early intervention, treatment, rehabilitation, health education, and continuity of care, and encourage young people and their families to make decisions about their own health.
- D. The health and the health-enhancing behaviour of young people is improved and maintained while in custody.
- E. Young people report that their health care needs are attended to in the centre.
- F. Percentage of young people assessed within a reasonable time after admission.
- G. Quality assurance and continuous improvement systems are used to evaluate and enhance health care services.

### References

#### *United Nations Rules for the Protection of Juveniles Deprived of their Liberty:*

49. Every juvenile shall receive adequate medical care, both preventive and remedial, including dental, ophthalmological and mental health care, as well as pharmaceutical products and special diets as medically indicated. All medical care should, where possible, be provided to detained juveniles through the appropriate health facilities and services of the community in which the detention facility is located, in order to prevent stigmatization of the juvenile and promote self-respect and integration into the community.

50. Every juvenile has a right to be examined by a physician immediately upon admission to a detention facility, for the purpose of recording any evidence of prior ill-treatment and identifying any physical or mental condition requiring medical attention.

51. The medical services provided to juveniles should seek to detect and should treat any physical or mental illness, substance abuse or other condition that may hinder the integration of the juvenile into society. Every detention facility for juveniles should have immediate access to adequate medical facilities and equipment appropriate to the number and requirements of its residents, and staff trained in preventive health care and the handling of medical emergencies. Every juvenile who is ill, who complains of illness or who demonstrates symptoms of physical and mental difficulties, should be examined promptly by a medical officer.

52. Any medical officer who has reason to believe that the physical or mental health of a juvenile has been or will be injuriously affected by continued detention or any condition of detention should report this fact immediately to the director of the detention facility.

55. Medicines should be administered only for necessary treatment on medical grounds and, when possible, after having obtained the informed consent of the juvenile concerned.

## 6.2 Cleanliness and Hygiene

### Standard

Housekeeping practices ensure a satisfactory level of personal and collective cleanliness and hygiene, and comply with applicable regulations and standards.

### Sample indicators

- A. Infection control training is in place and universal precautions are taken.
- B. Cleaning routines are specified and adhered to.
- C. Observed cleanliness of centre.

### References

*United Nations Rules for the Protection of Juveniles Deprived of their Liberty:*

- 31. Juveniles deprived of their liberty have the right to facilities and services that meet all the requirements of health and human dignity.
- 33. Every juvenile should, in accordance with local or national standards, be provided with separate and sufficient bedding, which should be clean when issued, kept in good order and changed often enough to ensure cleanliness.
- 34. Sanitary installations should be so located and of a sufficient standard to enable every juvenile to comply, as required, with their physical needs in privacy and in a clean and decent manner.

## 6.3 Food and Nutrition

### Standard

Young people are provided with a variety of foods of satisfactory quality in sufficient quantities; meals are nutritious, meet special dietary needs, and their choice and preparation is influenced by young people's preferences.

### Sample indicators

- A. Policy, procedure and practices in relation to food preparation and nutrition are consistent, and reflect the standard.
- B. Food services comply with applicable sanitation and health codes.
- C. Young people report satisfaction with the centre's food services.
- D. Cultural- and age-appropriate diets are provided, and religious requirements are observed.

### References

*United Nations Rules for the Protection of Juveniles Deprived of their Liberty:*

37. Every detention facility shall ensure that every juvenile receives food that is suitably prepared and presented at normal meal times and of a quality and quantity to satisfy the standards of dietetics, hygiene and health and, as far as possible, religious and cultural requirements. Clean drinking water should be available to every juvenile at any time.

## 6.4 Mental Health

### Standard

A comprehensive mental health service provides systematic early assessment, diagnosis and treatment of mental health issues of young people.

### Sample indicators

- A. Case management plans for young people with identified mental health issues specify participation in relevant programs, both during custody and in the community after release.
- B. Staff are adequately trained and supported in the management of mental health issues.
- C. Percentage of young people with identified mental health issues who are provided with relevant services.
- D. The centre has protocols with mental health service providers in the community.
- E. Frequency of contact with mental health services at the centre and in the community.

### References

*United Nations Rules for the Protection of Juveniles Deprived of their Liberty:*

- 51. The medical services provided to juveniles should seek to detect and should treat any physical or mental illness, substance abuse or other condition that may hinder the integration of the juvenile into society. Every detention facility for juveniles should have immediate access to adequate medical facilities and equipment appropriate to the number and requirements of its residents, and staff trained in preventive health care and the handling of medical emergencies. Every juvenile who is ill, who complains of illness or who demonstrates symptoms of physical and mental difficulties, should be examined promptly by a medical officer.
- 52. Any medical officer who has reason to believe that the physical or mental health of a juvenile has been or will be injuriously affected by continued detention or any condition of detention should report this fact immediately to the director of the detention facility.
- 53. A juvenile who is suffering from mental illness should be treated in a specialized institution under independent medical management. Steps should be taken, by arrangement with appropriate agencies, to ensure any necessary continuation of mental health care after release.
- 55. Medicines should be administered only for necessary treatment on medical grounds and, when possible, after having obtained the informed consent of the juvenile concerned.



## 6.5 Drug Dependency

### Standard

A comprehensive alcohol and other drugs service, including assessment, education and intervention, assists young people to understand the issues arising from their use of alcohol or other drugs, and the measures they can take to safely manage or reduce their use of such drugs.

### Sample indicators

- A. Case management plans for young people with identified AOD issues specify participation in relevant programs, both during custody and in the community after release.
- B. Range of AOD educational and counselling programs accessible to young people.
- C. Young people with identified AOD issues demonstrate increased knowledge about substance abuse, how it affects them, and what they can do to help themselves.
- D. Adequacy of system to detect contraband alcohol and other drugs in the centre.

### References

*United Nations Rules for the Protection of Juveniles Deprived of their Liberty:*

51. The medical services provided to juveniles should seek to detect and should treat any physical or mental illness, substance abuse or other condition that may hinder the integration of the juvenile into society.

54. Juvenile detention facilities should adopt specialized drug abuse prevention and rehabilitation programmes administered by qualified personnel. These programmes should be adapted to the age, sex and other requirements of the juveniles concerned, and detoxification facilities and services staffed by trained personnel should be available to drug- or alcohol-dependent juveniles.

## 7. Behaviour Management

## 7.1 Personal and Social Responsibility

### Standard

In their daily interactions with young people, centre staff provide young people with opportunities and support to make decisions, and to responsibly manage their own behaviour.

### Sample indicators

- A. Young people report that staff provide them with opportunities, choices and support for self-management.
- B. Wherever possible, non-punitive methods are used by staff to divert and de-escalate inappropriate behaviours.
- C. There are positive and flexible interactions between young people and staff, through negotiation, conflict resolution, and other effective communication.
- D. Staff report that they have a range of techniques to deal non-punitively with young people's inappropriate behaviours.
- E. Frequency of use of punishments and restraints.

### References

*United Nations Rules for the Protection of Juveniles Deprived of their Liberty:*

66. Any disciplinary measures and procedures should maintain the interest of safety and an ordered community life and should be consistent with the upholding of the inherent dignity of the juvenile and the fundamental objective of institutional care, namely, instilling a sense of justice, self-respect and respect for the basic rights of every person.

83. The personnel of juvenile detention facilities should be continually encouraged to fulfil their duties and obligations in a humane, committed, professional, fair and efficient manner, to conduct themselves at all times in such a way as to deserve and gain the respect of the juveniles, and to provide juveniles with a positive role model and perspective.

87(f). All personnel should seek to minimise any differences between life inside and outside the detention facility which tend to lessen due respect to the dignity of juveniles as human beings.

## 7.2 Incentive Scheme

### Standard

The centre's incentive scheme reinforces socially acceptable behaviours and encourages participation in programs through appropriate rewards.

### Sample indicators

- A. The centre's incentive scheme policy, procedure and practices are consistent, and reflect the standard.
- B. Publications for staff and young people clearly explain how the incentive scheme is meant to operate.
- C. Staff and young people understand the incentive scheme's rules and report that the incentive scheme's rewards are appropriate and desirable.
- D. A range of incentives is used, impartially and without bias.

### References

*United Nations Rules for the Protection of Juveniles Deprived of their Liberty:*

83. The personnel of juvenile detention facilities should be continually encouraged to fulfil their duties and obligations in a humane, committed, professional, fair and efficient manner, to conduct themselves at all times in such a way as to deserve and gain the respect of the juveniles, and to provide juveniles with a positive role model and perspective.

67. The reduction of diet and the restriction or denial of contact with family members should be prohibited for any purpose. Labour should always be viewed as an educational tool and a means of promoting the self-respect of the juvenile in preparing him or her for return to the community.

## 7.3 Disciplinary Scheme

### Standard

Disciplinary responses to unacceptable behaviour are in accord with international principles, local laws, and the centre's policies and procedures, which are applied in an impartial and fair manner.

### Sample indicators

- A. Range of accessible and clear information about the centre's disciplinary scheme.
- B. Staff and young people demonstrate understanding of the disciplinary scheme.
- C. Records of disciplinary proceedings and outcomes are consistent with legislation, policy and procedure.
- D. Punishments for misbehaviour are relevant and timely, but are not "harsh, cruel, inhuman, or degrading".
- E. Statistics on the use of available punishments.

### References

#### *United Nations Rules for the Protection of Juveniles Deprived of their Liberty:*

1. The juvenile justice system should uphold the rights and safety and promote the physical and mental well-being of juveniles. Imprisonment should be used as a last resort.
66. Any disciplinary measures and procedures should maintain the interest of safety and an ordered community life and should be consistent with the upholding of the inherent dignity of the juvenile and the fundamental objective of institutional care, namely, instilling a sense of justice, self-respect and respect for the basic rights of every person.
67. All disciplinary measures constituting cruel, inhumane or degrading treatment shall be strictly prohibited, including corporal punishment, placement in a dark cell, closed or solitary confinement or any other punishment that may compromise the physical or mental health of the juvenile concerned. The reduction of diet and the restriction or denial of contact with family members should be prohibited for any purpose. Labour should always be viewed as an educational tool and a means of promoting the self-respect of the juvenile in preparing him or her for return to the community and should not be imposed as a disciplinary sanction. No juvenile should be sanctioned more than once for the same disciplinary infraction. Collective sanctions should be prohibited.
- 87(a). No member of the detention facility or institutional personnel may inflict, instigate or tolerate any act of torture or any form of harsh, cruel, inhuman, or degrading treatment, punishment, correction or discipline under any pretext or circumstance whatsoever.
69. A report of misconduct should be presented promptly to the competent authority, which should decide on it without undue delay. The competent authority should conduct a thorough examination of the case.
70. No juvenile should be disciplinarily sanctioned except in strict accordance with the terms of the law and regulations in force. No juvenile should be sanctioned unless he or she has been informed of the alleged infraction in a manner appropriate to the full understanding of the juvenile, and given a proper opportunity of presenting his or her defence, including the right to appeal to a competent impartial authority. Complete records should be kept of all disciplinary proceedings.
71. No juveniles should be responsible for disciplinary functions.

## 7.4 Protective Care

### Standard

Appropriate protective care is provided to young people who are deemed to be vulnerable, or who may be a threat to themselves or to others.

### Sample indicators

- A. An adequate method for identifying high-risk young people is followed.
- B. The special management of high-risk young people is documented in each person's case plan.
- C. Intervention plans minimise the separation of an identified young person, and allow access to activities provided to other young people without placing the identified young person at risk.

### References

*United Nations Rules for the Protection of Juveniles Deprived of their Liberty:*

28. The detention of juveniles should only take place under conditions that take full account of their particular needs, status and special requirements according to their age, personality, sex and type of offence, as well as mental and physical health, and which ensure their protection from harmful influences and risk situations.

87(d). All personnel should ensure the full protection of the physical and mental health of juveniles, including protection from physical, sexual and emotional abuse and exploitation, and should take immediate action to secure medical attention whenever required.

## **7.5 Self Harm and Suicide Prevention**

### **Standard 7.5.1**

The centre minimises opportunities for self-harming behaviour by young people, and where self-harming behaviour is exhibited there is effective and responsible intervention.

#### **Sample indicators**

- A. The centre's self-harm prevention policy, procedure and practices are consistent, and reflect the standard.
- B. The centre analyses self-harm incidents and responds on the basis of such analyses.
- C. Regular audits of the built environment and equipment identify and minimise self-harm points and opportunities.
- D. Records of counselling and referral in relation to self-harming behaviour.

### **Standard 7.5.2**

A suicide prevention and intervention strategy includes intake screening, identification and supervision of young people according to their regularly-assessed risk levels.

#### **Sample indicators**

- A. The centre has a current and comprehensive suicide prevention and intervention strategy that is understood and applied by staff.
- B. Procedures and information are available for dealing with suicidal behaviour, both pre-emptively and after-the-fact.
- C. Records of counselling and referral in relation to self-harming behaviour.

### **References**

*United Nations Rules for the Protection of Juveniles Deprived of their Liberty:*

28. The detention of juveniles should only take place under conditions that take full account of their particular needs, status and special requirements according to their age, personality, sex and type of offence, as well as mental and physical health, and which ensure their protection from harmful influences and risk situations.

87(d). All personnel should ensure the full protection of the physical and mental health of juveniles, including protection from physical, sexual and emotional abuse and exploitation, and should take immediate action to secure medical attention whenever required.

## 7.6 Separation

### Standard

Separation of a young person, including separation by means of closed or solitary confinement, is used only in response to an unacceptable risk of immediate harm to the young person or to others.

### Sample indicators

- A. The centre's separation policy, procedure and practices are consistent, and reflect the standard and legislative requirements.
- B. A young person is never isolated from other people except to protect the young person from his or her own actions or from the actions of others, or to protect others from the actions of the young person, when the danger or risk of harm is unacceptably high.
- C. Statistics on the frequency, length and reasons for the use of separation.

### References

*United Nations Rules for the Protection of Juveniles Deprived of their Liberty:*

64. By order of the director of the administration, [instruments of restraint and force] might be resorted to in order to prevent the juvenile from inflicting self-injury, injuries to others or serious destruction of property. In such instances, the director should at once consult medical and other relevant personnel and report to the higher administrative authority.

67. All disciplinary measures constituting cruel, inhumane or degrading treatment shall be strictly prohibited, including corporal punishment, placement in a dark cell, closed or solitary confinement or any other punishment that may compromise the physical or mental health of the juvenile concerned.



## 7.7 Use of Force

### Standard

Force or instruments of restraint are used on a young person only in response to an unacceptable risk of escape, immediate harm to the young person, or immediate harm to others, and are used for the shortest possible period of time, and in such a way as to avoid or minimise feelings of humiliation or degradation.

### Sample indicators

- A. The centre's policies, procedures and practices on the use of force and instruments of restraint are consistent, and reflect the standard and legislative requirements.
- B. Force or instruments of restraint are never used on a young person except to prevent escape, to protect the young person from his or her own actions or from the actions of others, or to protect others from the actions of the young person, when the danger or risk of harm or escape are unacceptably high.
- C. Statistics on the frequency, length and reasons for the use of force.

### References

*United Nations Rules for the Protection of Juveniles Deprived of their Liberty:*

64. Instruments of restraint and force can only be used in exceptional cases, where all other control methods have been exhausted and failed, and only as explicitly authorized and specified by law and regulation. They should not cause humiliation or degradation, and should be used restrictively and only for the shortest possible period of time. By order of the director of the administration, such instruments might be resorted to in order to prevent the juvenile from inflicting self-injury, injuries to others or serious destruction of property. In such instances, the director should at once consult medical and other relevant personnel and report to the higher administrative authority.

## 8. Security and Safety

## 8.1 Security

### Standard

Security measures promote the safe operation of the centre and assure the orderly completion of young people's custodial terms. Unless there is proper authorisation, young people always remain within designated areas on the grounds of the centre, and access by the general public is prevented.

### Sample indicators

- A. Staff are aware of the correct procedures for centre security and control and know how to implement these procedures.
- B. Leave guidelines in relation to assessment, authorisation, supervision, and support of young people on leave are followed.
- C. Number of escapes or abscondings from the centre. Number of incidents involving drugs, weapons or other contraband imported into the centre.
- D. Escapes and incidents involving contraband are investigated, and records are kept of the investigations.
- E. Searches and other methods used to control contraband are respectful of the dignity and rights of the young people and their families or significant others.
- F. The centre's perimeter is appropriately controlled, so that young people remain within the grounds of the centre and do not have unauthorised contact with members of the public.
- G. There is a centre-wide communications system to complement staff supervision activities.
- H. There is a 24-hour system for monitoring and co-ordinating security, safety and communications systems within the centre.
- I. The centre has a system for physically counting young people at least once per shift. Adequate checks are instituted to allow for human error.
- J. A daily report indicates the number of young people in the centre, their names and unit assignments. Daily movement sheets detail the number and types of admissions and the count at the close of the day.

### References

*United Nations Rules for the Protection of Juveniles Deprived of their Liberty:*

84. The administration should introduce forms of organisation and management that facilitate communications between different categories of staff in each detention facility so as to enhance co-operation between the various services engaged in the care of juveniles, as well as between staff and the administration, with a view to ensuring that staff directly in contact with juveniles are able to function in conditions favourable to the efficient fulfilment of their duties.

*United Nations Standard Minimum Rules for the Administration of Juvenile Justice:*

28.2. Juveniles released conditionally from an institution shall be assisted and supervised by an appropriate authority and shall receive full support by the community.

## 8.2 Safety

### Standard

The centre as a whole complies with occupational health and safety standards, and provides a safe living and work environment.

### Sample indicators

- A. Evidence of the implementation and monitoring of OHS standards and procedures.
- B. Young people and staff report that the environment of the centre is safe.
- C. Level of WorkCover claims / accident reports.
- D. Frequency of OHS disputes.

### References

*United Nations Rules for the Protection of Juveniles Deprived of their Liberty:*

- 31. Juveniles deprived of their liberty have the right to facilities and services that meet all the requirements of health and human dignity.
- 32. The design and structure of juvenile detention facilities should be such as to minimise the risk of fire and to ensure safe evacuation from the premises. There should be an effective alarm system in case of fire, as well as formal and drilled procedures to ensure the safety of the juveniles.
- 33. During sleeping hours there should be regular, unobtrusive supervision of all sleeping areas, including individual rooms and group dormitories, in order to ensure the protection of each juvenile.

## 8.3 Emergencies

### Standard

Comprehensive emergency procedures have the protection of life as their first priority.

### Sample indicators

- A. Emergency plans and procedures are in place.
- B. Staff and young people are regularly trained in and are familiar with emergency procedures.
- C. Emergency equipment is operational and readily available.
- D. Emergency keys are checked at least quarterly to make sure that they function properly.

### References

*United Nations Rules for the Protection of Juveniles Deprived of their Liberty:*

32. The design and structure of juvenile detention facilities should be such as to minimise the risk of fire and to ensure safe evacuation from the premises. There should be an effective alarm system in case of fire, as well as formal and drilled procedures to ensure the safety of the juveniles.

## 9. Built Environment

## 9.1 Building Design

### Standard

The centre provides a physical environment that is safe and secure and has due regard to the rehabilitative expectations of custodial care, in accordance with the recommendations of the Royal Commission into Aboriginal Deaths in Custody and the *Design Guidelines for Juvenile Justice Facilities in Australia and New Zealand*.

### Sample indicators

- A. The design of the centre facilitates personal contact and interaction between staff and young people.
- B. Use of the built environment maximises the benefit of young people.
- C. Young people, their families, staff and visitors report satisfaction with the facilities.
- D. Modifications or additions to existing buildings are in line with the recommendations of the Royal Commission into Aboriginal Deaths in Custody and the *Design Guidelines for Juvenile Justice Facilities in Australia and New Zealand* (Department of Health and Community Services, Victoria; Australasian Juvenile Justice Administrators; 1996).
- E. Clinics, kitchens, training rooms and other specialised facilities meet applicable standards.

### References

*United Nations Rules for the Protection of Juveniles Deprived of their Liberty:*

- 31. Juveniles deprived of their liberty have the right to facilities and services that meet all the requirements of health and human dignity.
- 30. Open detention facilities for juveniles should be established. Open detention facilities are those with no or minimal security measures. The population in such detention facilities should be as small as possible. The number of juveniles detained in closed facilities should be small enough to enable individualized treatment. Detention facilities for juveniles should be decentralised and of such size as to facilitate access and contact between the juveniles and their families. Small-scale detention facilities should be established and integrated into the social, economic and cultural environment of the community.
- 32. The design of detention facilities for juveniles and the physical environment should be in keeping with the rehabilitative aim of residential treatment, with due regard to the need of the juvenile for privacy, sensory stimuli, opportunities for association with peers and participation in sports, physical exercise and leisure-time activities.
- 33. Sleeping accommodation should normally consist of small group dormitories or individual bedrooms, while bearing in mind local standards.
- 34. Sanitary installations should be so located and of a sufficient standard to enable every juvenile to comply, as required, with their physical needs in privacy and in a clean and decent manner.

## 9.2 Cyclic Maintenance

### Standard

The centre's buildings, grounds, furnishings and equipment are kept in good repair and working order.

### Sample indicators

- A. A cyclic maintenance plan is implemented.
- B. Signs of disrepair to buildings include large cracks in the plaster, holes in walls and ceilings, chipped and peeling paint, broken windows and worn carpeting.
- C. Condition of equipment for use by young people, such as sporting equipment, musical instruments, kitchenware, library books, etc.
- D. There is a scheduled maintenance procedure for all locks, windows, doors and other security and emergency devices.
- E. Modifications or additions to existing buildings are in line with the recommendations of the Royal Commission into Aboriginal Deaths in Custody and the *Design Guidelines for Juvenile Justice Facilities in Australia and New Zealand* (Department of Health and Community Services, Victoria; Australasian Juvenile Justice Administrators; 1996).

### References

*United Nations Rules for the Protection of Juveniles Deprived of their Liberty:*

- 31. Juveniles deprived of their liberty have the right to facilities and services that meet all the requirements of health and human dignity.
- 32. The design of detention facilities for juveniles and the physical environment should be in keeping with the rehabilitative aim of residential treatment, with due regard to the need of the juvenile for privacy, sensory stimuli, opportunities for association with peers and participation in sports, physical exercise and leisure-time activities.



## 10. Human Resources

## 10.1 Selection and Promotion

### Standard

All qualified persons are able to compete equally for entry into and promotion within the centre. Staff are selected, retained and promoted on the basis of merit and specified qualifications, and an affirmative action program actively encourages the selection, retention and promotion of members of minority groups, people with disabilities, and women.

### Sample indicators

- A. The centre's policies, procedures, practices and staff training in relation to selection and promotion of staff are consistent, and reflect the standard.
- B. Staff involved in selection and promotion decisions understand and know how to apply EEO principles.
- C. Percentage of staff who are women, have disabilities, or are from minority groups represented in the community or in the centre's client group.
- D. Number of staff grievances arising from selection and promotion decisions.
- E. Information evenings are used to reach out to employee target groups.
- F. Police checks form a compulsory part of the recruitment process.

### References

#### *United Nations Rules for the Protection of Juveniles Deprived of their Liberty:*

82. The administration should provide for the careful selection and recruitment of every grade and type of personnel, since the proper management of detention facilities depends on their integrity, humanity, ability and professional capacity to deal with juveniles, as well as personal suitability for the work.

#### *United Nations Standard Minimum Rules for the Administration of Juvenile Justice:*

22.2. Juvenile justice personnel shall reflect the diversity of juveniles who come into contact with the juvenile justice system. Efforts shall be made to ensure the fair representation of women and minorities in juvenile justice agencies.

## 10.2 Competency of Staff

### Standard

All staff possess competencies appropriate to their job descriptions.

### Sample indicators

- A. Correspondence between the job descriptions of staff and their demonstrable qualifications.
- B. Staff report that they are confident they have the necessary skills to adequately perform their duties.
- C. Percent of staff who have been accredited against national competency standards, or who hold other relevant qualifications.
- D. Recruitment policy targets appropriate applicants for positions.
- E. Pre-employment training and placements are used to screen out applicants whose on-the-job performances fall short of the standard expected.

### References

#### *United Nations Rules for the Protection of Juveniles Deprived of their Liberty:*

- 81. Personnel should be qualified and include a sufficient number of specialists such as educators, vocational instructors, counsellors, social workers, psychiatrists and psychologists.
- 82. The administration should provide for the careful selection and recruitment of every grade and type of personnel, since the proper management of detention facilities depends on their integrity, humanity, ability and professional capacity to deal with juveniles, as well as personal suitability for the work.

#### *United Nations Standard Minimum Rules for the Administration of Juvenile Justice:*

- 22.1. Professional education, in-service training, refresher courses and other appropriate modes of instruction shall be utilized to establish and maintain the necessary professional competence of all personnel dealing with juvenile cases.
- 22.2. Juvenile justice personnel shall reflect the diversity of juveniles who come into contact with the juvenile justice system. Efforts shall be made to ensure the fair representation of women and minorities in juvenile justice agencies.

## 10.3 Range of Specialists

### Standard

The centre's staff include a sufficient number of specialists, such as youth workers, educators, vocational instructors, counsellors, social workers, psychiatrists and psychologists, who significantly contribute to the management of the centre.

### Sample indicators

- A. Number of different specialists having input into case plans.
- B. Staff report participation in centre management.
- C. Average specialist hours per week available per young person, by type of specialist.
- D. The centre assists specialist staff to comply with any additional standards that apply to their professions.

### References

#### *United Nations Rules for the Protection of Juveniles Deprived of their Liberty:*

- 81. Personnel should be qualified and include a sufficient number of specialists such as educators, vocational instructors, counsellors, social workers, psychiatrists and psychologists.
- 82. The administration should provide for the careful selection and recruitment of every grade and type of personnel, since the proper management of detention facilities depends on their integrity, humanity, ability and professional capacity to deal with juveniles, as well as personal suitability for the work.

#### *United Nations Standard Minimum Rules for the Administration of Juvenile Justice:*

- 22.1. Professional education, in-service training, refresher courses and other appropriate modes of instruction shall be utilized to establish and maintain the necessary professional competence of all personnel dealing with juvenile cases.

## 10.4 Accessibility of Staff

### Standard

The centre provides a sufficient number of trained staff to ensure that young people are treated as individuals and are assisted with their involvement in the centre's programs and activities.

### Sample indicators

- A. Policies, procedures, staffing allocations and practices show that the care of young people at the centre is achieved through a culture of positive personal interactions rather than a culture of rules and regulations.
- B. Staff are aware of the risk and dangers of institutionalisation of young people and apply strategies to counteract that tendency within the centre.
- C. The quality of relationships established between staff and young people help young people respond positively to adults as authority figures.
- D. Young people report sufficient personal contact time with staff.
- E. Staff report sufficient personal contact time with young people.
- F. Amount of time per twenty-four-hour period during which young people are not locked in or confined to their bedrooms.
- G. Structured program hours per day.

### References

*United Nations Rules for the Protection of Juveniles Deprived of their Liberty:*

87(f). All personnel should seek to minimise any differences between life inside and outside the detention facility which tend to lessen due respect to the dignity of juveniles as human beings.

28. The detention of juveniles should only take place under conditions that take full account of their particular needs, status and special requirements according to their age, personality, sex and type of offence, as well as mental and physical health.

30. The number of juveniles detained in closed facilities should be small enough to enable individualised treatment.

## **10.5 Development and Training**

### **Standard 10.5.1**

The centre's staff development and training program meets competency and job-related training needs of staff, and is planned, coordinated and reviewed.

#### **Sample indicators**

- A. Average number of staff training hours, by course, competency or other category.
- B. Demonstrated link between actual training and staff development program.
- C. There is adequate training on the policies, procedures and legislation referred to in the present standards.
- D. Staff report satisfaction with the development and training program.

### **Standard 10.5.2**

Supervision and assessment improve staff work performance and development.

#### **Sample indicators**

- A. Records of supervision. Staff feedback on the quality of supervision.
- B. Performance enhancement procedures, such as annual written performance reviews based on defined criteria, are in use with all staff.

### **Standard 10.5.3**

Centre staff participate in the formulation of local policies, procedures, programs and other initiatives.

#### **Sample indicators**

- A. Levels of participation in staff meetings, suggestion programs, staff committees and similar formats.
- B. There is evidence of consultative processes, and of efficient patterns of communication among staff at all levels.

### **References**

*United Nations Rules for the Protection of Juveniles Deprived of their Liberty:*

85. The personnel should receive such training as will enable them to carry out their responsibilities effectively, including, in particular, training in child psychology, child welfare and international standards and norms of human rights and the rights of the child, including the present Rules. The personnel should maintain and improve their knowledge and professional capacity by attending courses of in-service training, to be organized at suitable intervals throughout their career.

## 11. Quality Leadership

## 11.1 Commitment to Quality

### Standard

The centre's staff are committed to the continuous improvement in quality of the centre's services for young people and the public, within the boundaries of responsible fiscal management.

### Sample indicators

- A. Staff have a planned approach to the improvement of services in their areas of responsibility.
- B. The centre systematically assesses all of its service areas against the present standards.
- C. The management of the centre's budget does not cause the quality of the centre's services for young people to fluctuate through the year.
- D. There is internal control and external monitoring of accounting procedures.

### References

*United Nations Rules for the Protection of Juveniles Deprived of their Liberty:*

- 5. The [UN] Rules are designed to serve as convenient standards of reference and to provide encouragement and guidance to professionals involved in the management of the juvenile justice system.



## 11.2 Supportive Leadership

### Standard

The centre's management team, in consultation with other staff, formulates a vision and clear goals for the centre as a whole, translates the goals into clear and measurable objectives, facilitates decision-making by staff to achieve the objectives, monitors and evaluates the results, and takes decisive corrective action when necessary. Goals always include the timely, substantive and consistent implementation of all of the present standards.

### Sample indicators

- A. There is a written business plan which includes the centre's philosophy and goals.
- B. Staff demonstrate understanding and ownership of the centre's goals and objectives, especially in relation to their areas of responsibility.
- C. Client programs and other services are analysed and evaluated in terms of their objectives and their relation to the centre's philosophy and goals.

### References

*United Nations Rules for the Protection of Juveniles Deprived of their Liberty:*

- 5. The [UN] Rules are designed to serve as convenient standards of reference and to provide encouragement and guidance to professionals involved in the management of the juvenile justice system.

## 11.3 Ethical Conduct

### Standard

The centre enforces a code of conduct that requires and assists staff to be positive role models for young people in custody.

### Sample indicators

- A. Staff demonstrate adequate knowledge of the code of conduct.
- B. Evidence of staff participation in the development of strategies to comply with the code of conduct.
- C. Client complaints and staff grievance statistics on alleged misconduct by staff.
- D. The quality of relationships established between staff and young people help young people respond positively to adults as authority figures.
- E. Young people and staff report that they feel valued and respected at the centre.
- F. The centre assists specialist staff to comply with any additional codes of ethics that apply to their professions.

### References

#### *United Nations Rules for the Protection of Juveniles Deprived of their Liberty:*

83. The personnel of juvenile detention facilities should be continually encouraged to fulfil their duties and obligations in a humane, committed, professional, fair and efficient manner, to conduct themselves at all times in such a way as to deserve and gain the respect of the juveniles, and to provide juveniles with a positive role model and perspective.

87. In the performance of their duties, personnel of detention facilities should respect and protect the human dignity and fundamental human rights of all juveniles.

87(a). No member of the detention facility or institutional personnel may inflict, instigate or tolerate any act of torture or any form of harsh, cruel, inhuman, or degrading treatment, punishment, correction or discipline under any pretext or circumstance whatsoever.

87(b). All personnel should rigorously oppose and combat any act of corruption, reporting it without delay to the competent authorities.

87(c). All personnel should respect the present Rules. Personnel who have reason to believe that a serious violation of the present Rules has occurred or is about to occur should report the matter to their superior authorities or organs vested with reviewing or remedial power.

87(d). All personnel should ensure the full protection of the physical and mental health of juveniles, including protection from physical, sexual and emotional abuse and exploitation, and should take immediate action to secure medical attention whenever required.

87(e). All personnel should respect the right of the juvenile to privacy, and, in particular, should safeguard all confidential matters concerning juveniles or their families learned as a result of their professional capacity.

**JUVENILE CUSTODIAL FACILITIES IN NEW ZEALAND  
AND AUSTRALIA**

**NEW ZEALAND**

**Epuni Centre**

441 Riverside Drive  
Lower Hutt, Wellington  
Tel: (04) 577 8450

**Kingslea Centre**

20 Horseshoe Lake Road  
Shirley, Christchurch  
Tel: (03) 385 0720

**Northern Residential Centre**

400 Waymouth Road  
Clendon Town, Manurewa, Auckland  
Tel: (09) 268 3440

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**AUSTRALIAN CAPITAL TERRITORY**

**Quamby Youth Detention Centre**

RMB, Mugga Lane  
Symonston ACT 2600  
Tel: (02) 6207 0716/0600

**NEW SOUTH WALES**

**Broken Hill Juvenile Justice Centre**

146 Chloride Street  
Broken Hill NSW 2880  
Tel: (08) 8087 1446/1439

**Cobham Juvenile Justice Centre**

Corner Great Western Highway and Water Street, St  
Marys NSW 2760  
Tel: (02) 9623 8088

**Kariong Juvenile Justice Centre**

Pacific Highway  
Kariong NSW 2250  
Tel: (02) 4340 2600

**Keelong Juvenile Justice Centre**

Staff Road  
Unanderra NSW 2526  
Tel: (02) 4271 5044

**Minda Juvenile Justice Centre**

1 Joseph Street  
Lidcombe NSW 2141  
Tel: (02) 9646 0777

**Mt Penang Juvenile Justice Centre**

Pacific Highway  
Kariong NSW 2250  
Tel: (02) 4340 1002

**Reiby Juvenile Justice Centre**

20 Briar Road  
Airds NSW 2560  
Tel: (02) 4629 3800

**Riverina Juvenile Justice Centre**

Fernleigh Road  
Wagga Wagga NSW 2650  
Tel: (02) 6931 2811

**Worimi Juvenile Justice Centre**

21 Lambton Road  
Broadmeadow NSW 2292  
Tel: (02) 4969 3255

**Yasmar Juvenile Justice Centre**

185 Parramatta Road  
Haberfield NSW 2045  
Tel: (02) 9797 3000

**NORTHERN TERRITORY**

**Alice Springs Juvenile Holding Centre**

9 Kempe Street  
Alice Springs NT 0870  
Tel: (08) 8953 5934

**Don Dale Centre**

Tivendale Road  
Berrimah NT 0828  
Tel: (08) 8947 1139

**Wilderness Work Camp**

G.P.O. Box 1407  
Darwin NT 0801  
Tel: (08) 8978 8929

**QUEENSLAND**

**Cleveland Youth Detention Centre**

Old Common Road  
Belgian Gardens QLD 4310  
Tel: (07) 4771 2041

**John Oxley Youth Detention Centre**

139 Wacol Station Road  
Wacol QLD 4076  
Tel: (07) 3274 9550/9555

**Sir Leslie Wilson Youth Detention Centre**

Tenth Avenue  
Windsor QLD 4030  
Tel: (07) 3357 0200

**SOUTH AUSTRALIA**

**Cavan Training Centre**

1 Jonal Drive  
Cavan SA 5094  
Tel: (08) 8200 6400

**McGill Training Centre**

Glen Stuart Road  
McGill SA 5072  
Tel: (08) 8130 4444

**TASMANIA**

**Ashley Youth Detention Centre**

4260 Meander Valley Highway  
Deloraine TAS 7304  
Tel: (03) 6362 2311

**VICTORIA**

**Malmsbury Juvenile Justice Centre**

Calder Highway  
Malmsbury VIC 3446  
Tel: (03) 5421 3100

**Melbourne Juvenile Justice Centre**

900 Park Street  
Parkville VIC 3052  
Tel: (03) 9389 4200

**Parkville Youth Residential Centre**

930 Park Street  
Parkville VIC 3052  
Tel: (03) 9389 4400/4401

**WESTERN AUSTRALIA**

**Banksia Hill Juvenile Detention Centre**

Warton Road  
Canningvale WA 6155  
Tel: (08) 9333 2201

**Rangeview Remand Centre**

Murdoch Drive, Murdoch  
Perth WA 6150  
Tel: (08) 9333 9100



Attachment 5

# An overview of youth justice data: 2010-11

### How much Police contact was there during 2010-11?

- There were 34,501 occasions of Police contact for charges<sup>1</sup> against young people aged 10-16 years, a decrease of 5.7% from 2009-10.
- 12,071 (34.9%) charges<sup>1</sup> were against Indigenous young people, an increase of 1.9% from 2009-10.
- The most common charge<sup>1</sup> (10,235 or 29.7%) was for *Other Theft (excluding Unlawful Entry)*<sup>2</sup>, a decrease of 0.4% from 2009-10.

### How many charges went through court during 2010-11?

- There were 26,197 charges<sup>1</sup> heard and finalised through 7,958 court appearances, involving 4,561 young people.
  - This represents a 1.8% increase in charges heard and finalised and a 3.1% decrease of young people involved from 2009-10.
- 290 were for sexual offences (1.1%), a 2.5 % increase from 2009-10.
- 4,274 were for violent offences (16.3%), a 3.8% decrease since 2009-10.
- 12,873 were for property offences (49.1%), a 4.6% increase from 2009-10.
- 12,078 involved Indigenous young people (46%), a 6.6% increase from 2009-10.
- Over half of young people (57.9%) had three or less charges heard and finalised.
  - 1,390 (30.5%) young people each had one charge heard and finalised, a 1% decrease from 2009-10.
  - 1,333 (29.2%) young people each had 4-11 charges heard and finalised, a 1.9% increase from 2009-10
  - 587 (12.9%) young people each had 12 or more charges heard and finalised, a 1.1% increase from 2009-10.

### How many youth justice conference referrals were made in 2010-11?

- There were 2860 referrals to youth justice conferencing, a 6.2% decrease from 2009-10.
- There were 1,248 police referrals to conferencing, accounting for 43.6% of all referrals to conferencing, a 14.2% decrease in police referrals from 2009-10.
- There were 1,169 indefinite court referrals and 442 before sentence referrals made – accounting for 56.3% of all referrals to conferencing, a 1.2% increase of indefinite and pre-sentence referrals from 2009-10.

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<sup>1</sup> This is a count of charges, not distinct young people. Outcomes can either be caution, referral to Youth Justice Conference, proceeding by notice to appear, complaint and summons, arrest, and other.

<sup>2</sup> Data is the sum of 'Stealing from Dwellings', 'Shop Stealing', 'Vehicles (steal from/enter with intent)' and 'Other Stealing'.

### **How many youth justice conference referrals for young people were dealt with through a youth justice conference?**

- 2,387 referrals for young people were dealt with through a youth justice conference (83.4% of referrals), a 5% decrease from 2009-10.
- 691 (28.9%) of referrals dealt with through a youth justice conference were for Indigenous young people, a marginal 0.2% decrease from 2009-10.

### **How many supervised youth justice orders came from court in 2010-11?**

- There were 3,027 supervised youth justice orders made, a 7.7% increase from 2009-10.
- Probation orders accounted for 39.5%, a 2.8% decrease in the proportion from 2009-10.
- Detention orders accounted for 7.2%, a marginal increase in the proportion of 0.3% from 2009-10.
- There were 1,693 distinct young people admitted to supervised youth justice orders, an increase of 2.3% young people from 2009-10.
- 49.1% (831) of distinct young people admitted to supervised youth justice orders were Indigenous, similar to the proportion of 49.4% in 2009-10.
- 79.4% (1345) of distinct young people admitted to supervised youth justice orders were male and 20.6% (348) were female.
  - The number of number of males admitted to supervised youth justice orders increased by 8 (0.06%) from 2009-10 while the number of females increased by 30 (9.4%).
  - The proportion of young people admitted to supervised youth justice orders who were female also increased slightly, by 1.4%.

### **How many young people were subject to supervised youth justice orders as at 30 June 2011?**

- As at 30 June 2011, there were 1,515 young people subject to supervised youth justice orders. 46.5% (705) were Indigenous and 81.1% (1,228) were male.
  - This is a 1.0% decrease in the number of young people subject to supervised youth justice orders as at 30 June 2010.
- 5.9% (90) were aged 10-13 years, 54.7% (828) were aged 14-16 years and 39.4% were aged 17 or older (597).
  - The age proportions are similar to those for 30 June 2010.

### **How many young people were in detention during 2010-11?**

- On an average day, there were 137 young people in detention centres, a decrease of five young people on an average day in detention from 2009-10.
- 56.9% (78) were Indigenous, a decrease of four Indigenous young people on an average day in detention from 2009-10.
- 67.2% (92) were remanded in custody, a decrease of 10 young people on an average day in detention from 2009-10.

Youth Justice Summary Statistics

Key Youth Justice Annual Statistics, 2006-07 to 2010-11					
Queensland Police Service	2006-07	2007-08	2008-09	2009-10	2010-11
Offences <sup>1</sup>	36,741	33,992	33,644	36,576	34,501
Indigenous status					
Indigenous	12,276	10,849	10,134	12,078	12,071
Other <sup>2</sup>	24,465	23,143	23,510	24,498	22,430
Offence					
Offences Against the Person	3,587	3,024	3,403	3,609	3,180
Sexual Offences	544	411	463	509	425
Serious Assault	1,297	1,096	1,245	1,400	1,196
Other Offences Against the Person	1,746	1,517	1,695	1,700	1,559
Offences Against Property	23,444	21,945	21,333	23,518	22,555
Other Theft (excl.Unlawful Entry)	8,995	8,909	9,063	11,001	10,235
Other Offences Against Property	14,449	13,036	12,270	12,517	12,320
Other Offences	9,710	9,023	8,908	9,449	8,766
Drug Offences	2,231	2,007	2,059	2,373	2,485
Other Offences	7,479	7,016	6,849	7,076	6,281
Offences - rate per 1,000 <sup>3</sup>	90.32	82.51	80.86	87.21	81.91
Indigenous status					
Indigenous	479.98	416.74	387.53	457.88	455.42
Other <sup>2</sup>	64.18	59.96	60.30	62.33	56.83
Courts	2006-07	2007-08	2008-09	2009-10	2010-11
Charged offences heard and finalised <sup>4</sup>	25,053	23,298	23,008	25,734	26,197
Indigenous status					
Indigenous	12,071	10,561	10,085	11,334	12,078
Other <sup>2</sup>	12,982	12,737	12,923	14,400	14,119
Sex					
Male	20,508	19,308	18,789	20,808	21,198
Female	4,545	3,990	4,219	4,926	4,999
Offence					
Drug / Alcohol	1,055	944	917	975	989
Fraud	674	647	613	664	633
Motor Vehicle	5,521	5,128	4,962	4,892	4,961
Other	1,902	1,756	1,679	2,167	2,177
Property	11,989	10,662	10,685	12,312	12,873
Other property damage (including Graffiti)	515	495	628	856	1,043
Other property offences	11,474	10,167	10,057	11,456	11,830
Sexual Offences	222	266	193	283	290
Violent	3,690	3,895	3,959	4,441	4,274
Distinct young people - charges heard and finalised	4,387	4,555	4,431	4,708	4,561
Indigenous status					
Indigenous	1,618	1,610	1,544	1,650	1,709
Other <sup>2</sup>	2,769	2,945	2,887	3,058	2,852
Number of charges heard and finalised					
1	1,389	1,503	1,411	1,482	1,390
2 to 3	1,252	1,296	1,294	1,388	1,251
4 to 11	1,200	1,291	1,264	1,284	1,333
12 or more	546	465	462	554	587
Finalised court appearances for offences <sup>5</sup>	7,172	7,366	7,082	7,951	7,958
Indigenous status					
Indigenous	3,133	3,025	2,790	3,188	3,417
Other <sup>2</sup>	4,039	4,341	4,292	4,763	4,541
Sex					
Male	5,585	5,730	5,415	6,034	5,952
Female	1,587	1,636	1,667	1,917	2,006
Most serious offence					
Drug / Alcohol	514	446	408	480	472
Fraud	233	268	315	266	218
Motor Vehicle	956	991	972	877	846
Other	654	660	618	758	847
Property	2,991	3,118	3,009	3,472	3,619
Graffiti	52	55	46	64	55
Other property offences	2,939	3,063	2,963	3,408	3,564
Sexual Offences	109	109	79	103	97
Violent	1,715	1,774	1,681	1,995	1,859
Most serious outcome					
Not proven <sup>6</sup>	524	490	463	615	762
Other outcomes <sup>6</sup>	242	200	266	437	322
Drug Diversions	37	28	18	53	50
Youth Justice conference	802	1,003	1,013	1,060	1,142
Unsupervised youth justice orders	3,089	3,190	3,073	3,377	3,114
Supervised youth justice orders	2,478	2,455	2,249	2,409	2,568
	2006-07	2007-08	2008-09	2009-10	2010-11
Youth Justice Conferencing					
Referral type					
Indefinite Court referral	817	1,028	1,051	1,077	1,169
Conference before sentence referral	384	413	458	515	442
Police	1,309	1,211	1,337	1,455	1,248
Total referrals <sup>7</sup>	2,510	2,652	2,846	3,050	2,860
Measures					
Number of referrals for young people dealt with through youth justice conferencing <sup>8</sup>	2,038	2,203	2,614	2,513	2,387
Number of referrals for Aboriginal and Torres Strait Islander young people dealt with through youth justice conferencing <sup>8</sup>	628	592	664	732	691
Percentage of youth justice participants (including the victim) that are satisfied with the outcome <sup>9</sup>	98%	98%	99%	99%	99%
Queensland population - young people aged 10-16 years <sup>10</sup>	30-Jun-06	30-Jun-07	30-Jun-08	30-Jun-09	30-Jun-10
Young people aged 10-16 years in Queensland	406,782	411,986	416,064	419,421	421,216
Indigenous status					
Indigenous	25,576	26,033	26,150	26,378	26,505
Other <sup>2</sup>	381,206	385,953	389,914	393,043	394,711



Admissions to youth justice orders	2006-07	2007-08	2008-09	2009-10	2010-11
Admissions to supervised youth justice orders <sup>11</sup>	2,849	2,843	2,629	2,810	3,027
Indigenous status					
Indigenous	1,643	1,550	1,423	1,535	1,644
Other <sup>2</sup>	1,206	1,293	1,206	1,275	1,383
Type of order					
Probation	1,206	1,127	1,120	1,188	1,197
Community service	581	626	537	573	664
Combined probation and community service	439	417	346	365	383
Intensive supervision	15	3	2	8	5
Conditional release	218	206	178	208	248
Detention	160	197	175	194	217
Combined detention and probation	32	29	23	38	38
Supervised release	198	238	248	236	275
Admissions to unsupervised youth justice orders <sup>12</sup>	n.a.	n.a.	n.a.	n.a.	n.a.
Distinct young people admitted to supervised youth justice orders	1,656	1,657	1,573	1,655	1,693
Indigenous status					
Indigenous	825	801	766	818	831
Other <sup>2</sup>	831	856	807	837	862
Sex					
Male	1,334	1,339	1,294	1,337	1,345
Female	322	318	279	318	348
Type of order					
Detention order	n.a.	97	106	93	105
Community-based order	n.a.	1,431	1,355	1,431	1,429
Both	n.a.	129	112	131	159
Distinct young people admitted to supervised youth justice orders - rate per 1,000 <sup>3</sup>	4.07	4.02	3.78	3.95	4.02
Indigenous status					
Indigenous	32.26	30.77	29.29	31.01	31.35
Other <sup>2</sup>	2.18	2.22	2.07	2.13	2.18
Young people subject to youth justice orders	30-Jun-07	30-Jun-08	30-Jun-09	30-Jun-10	30-Jun-11
Distinct young people subject to supervised youth justice orders <sup>11</sup> at 30 June	1,605	1,652	1,490	1,531	1,515
Indigenous status					
Indigenous	798	793	689	732	705
Other <sup>2</sup>	807	859	801	799	810
Sex					
Male	1,327	1,337	1,227	1,248	1,228
Female	278	315	263	283	287
Age in completed years					
10	-	1	-	1	1
11	8	2	4	8	6
12	24	26	13	23	28
13	61	69	60	61	55
14	138	155	143	177	146
15	289	259	272	268	304
16	406	426	349	390	378
17	381	379	373	316	335
18 and over	298	335	276	287	262
Distinct young people subject to unsupervised youth justice orders <sup>12</sup> at 30 June	n.a.	n.a.	n.a.	n.a.	n.a.
Distinct young people subject to supervised youth justice orders - rate per 1,000 <sup>3</sup>	3.95	4.01	3.58	3.65	3.60
Indigenous status					
Indigenous	31.20	30.46	26.35	27.75	26.60
Other <sup>2</sup>	2.12	2.23	2.05	2.03	2.05
Successful completion of orders					
Percentage of orders supervised in the community that are successfully completed <sup>3</sup>	79%	80%	79%	75%	76%
Percentage of orders supervised in the community for young Aboriginal and Torres Strait Islanders that are successfully completed <sup>4b</sup>	80%	79%	76%	70%	72%
Detention	2006-07	2007-08	2008-09	2009-10	2010-11
Admissions to detention <sup>14</sup>	1,192	1,292	1,025	1,455	1,415
Indigenous status					
Indigenous	786	745	558	823	785
Other <sup>2</sup>	406	547	467	632	630
Sex					
Male	1,003	1,078	867	1,226	1,206
Female	189	214	158	229	209
Legal status					
Remand only	956	1,019	846	1,241	1,214
Sentenced <sup>17</sup>	236	273	179	214	201
Age in completed years					
10	1	-	2	1	5
11	20	7	6	20	16
12	65	55	32	53	57
13	100	151	102	144	140
14	206	221	205	308	294
15	319	307	270	392	424
16	345	404	310	432	383
17	120	127	88	97	82
18 and over	16	20	10	8	14
Average daily number of young people in detention <sup>15, 16</sup>	133	147	127	142	137
Indigenous status					
Indigenous	79	83	76	82	78
Other <sup>2</sup>	54	64	51	59	59
Sex					
Male	121	134	115	129	124
Female	12	13	11	13	12
Legal status					
Remand only	96	100	80	102	92
Sentenced <sup>17</sup>	37	47	46	39	45
Average daily number of young people in detention - rate per 1,000 <sup>3</sup>	0.33	0.36	0.30	0.34	0.33
Indigenous status					
Indigenous	3.07	3.20	2.89	3.11	2.94
Other <sup>2</sup>	0.14	0.17	0.13	0.15	0.15
Conditional Bail Program					
Percentage of completed referrals to the conditional bail program that are successful <sup>8</sup>	64.0%	70.3%	59.7%	73.7%	71.8%
Percentage of completed referrals to the conditional program for young Aboriginal and Torres Strait Islanders that are successful <sup>18</sup>	n.a.	65.0%	55.3%	72.2%	71.4%

- 1. Reports on juveniles aged 10-16 years. Data is an offence count, not a young person count. An increase in offences does not necessarily mean that more young people are offending. It can also reflect more offences committed per young person. Offenders have not been included if their age and sex is not specified. Offences were those resulting in a police action.
- 2. Other includes non-Indigenous, unknown and not stated.
- 3. Calculated as the number of young people divided by the Queensland estimated resident population aged 10 to 16 years as at the start of the period. Figures may vary slightly due to rounding.
- 4. Counts all charges that resulted in a court appearance and were finalised during the reference period. Not all charges will result in a proven outcome.
- 5. Counts all court appearances where one or more offence was finalised. Excludes offence-related matters such as breaches, variations and appeals.
- 6. Figures may differ from those previously published. The Not Proven category includes the following outcomes: Dismissed, Discharged, Withdrawn, Not Guilty, Nolle Prosequi, and No True Bill. Historically, the Not Proven category also included: No further action and Should have been cautioned. These two outcomes are now reported in the Other Outcomes category.
- 7. The total includes unknown referral types in 2009-10 and 2010-11.
- 8. Defined as the number of referrals for young people (aged between 10 and 16 years at the time of their offence) for which a youth justice conference was held in the reference period. Figures were obtained from our annual report which may vary from the Childrens Court annual report due to live database reporting.
- 9. Defined as the percentage of youth justice conferences where the participants, including the victim, are satisfied with the outcome. As reported through a questionnaire voluntarily completed by participants at the finalisation of a conference.
- 10. Population data is Estimated Residential Population provided by Queensland Treasury and sourced from the Department of Communities, COMSIS. The Indigenous and non-Indigenous splits have been synthetically estimated and should be used with caution.
- 11. Supervised youth justice orders are probation, community service, combined probation and community service, intensive supervision, conditional release, detention, combined detention and probation and supervised release orders.
- 12. Unsupervised youth justice orders are Fines, Good Behaviour, Licence Disqualification and Reprimand.
- 13. Measured as the number of young people who successfully complete community-based orders, divided by the total number of completions of community-based orders for the period. Community-based orders exclude supervised release orders (data for 2008-09 included supervised release orders).
- 14. Data is a count of total admissions to detention for remand and/or sentenced purposes where this is ordered by the courts. This is not a count of admissions to a Youth Detention Centre or a watchhouse.
- 15. Average daily number in detention is calculated by averaging the total number of persons in detention on all days in the reference period.
- 16. Figures for categories may not add to total average daily number due to rounding.
- 17. Includes those sentenced, and those who are both sentenced and remanded in custody.
- 18. Successful completions include young people who comply with their conditional bail program requirements and are subsequently sentenced or have their bail varied or charges withdrawn.

Data availability is limited for the following topics of interest:

- Reporting by location** - reporting by location is typically the department's workgroup or the court location. There are a large number of unknown workgroups assigned to finalised court appearances, including for supervised youth justice orders; and data relating to the Brisbane Courts can also include young people appearing in the higher courts who live outside of the Brisbane area, which limits the usefulness of court location for reporting by location. In addition, due to workgroup derivation rules from ICMS, Brisbane and Cleveland Youth Detention Centres are present in workgroup data as having client responsibility, when in practice this is not necessarily the case.
- Reporting Serious Offences** - It is not currently possible to report on Serious Offences, as defined in the Criminal Code. Additional details about the offence (such as the value of the property) would be required to determine whether an offence is a Serious Offence offence. An alternative is to report on offences heard at the Higher Court. However, in November 2010, changes to the Criminal Code expanded the number of offences that can be dealt with summarily (rather than in the Higher Court). Given that offences not deemed to be serious can also be heard at the Higher Court, reporting on court jurisdiction is not deemed to be a valid indicator of whether an offence is a Serious Offence.
- Reporting a longer time series** - Data is presented from 2006-07 due to greater confidence about the quality of corporate data for this period and limited data availability for previous years. Data marked in the above table as not yet available for reporting ("n.a.") is possible, however requires a more detailed dataset to be extracted from the corporate data warehouse.