

YOUTH JUSTICE ADVISORY COMMITTEE

Annual Report 2023-24



TERRITORY FAMILIES,
HOUSING AND
COMMUNITIES



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Letter to the Minister

Gerard Maley
Minister for Corrections
Parliament House
Darwin NT 0810

20th September 2024

Dear Minister Maley,

The Youth Justice Advisory Committee (YJAC) in accordance with Section 213 of the Youth Justice Act 2005 (the Act), is pleased to present the 2023/24 YJAC Annual Report.

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

During this reporting period for this annual report, we welcomed Minister Ah Kit as the incoming Minister for Territory Families Housing and Communities and we would like to thank her for her commitment to improving the lives of children caught up in the Northern Territory Justice System. We are now entering a new period of change for Youth Justice in the Northern Territory with the incoming Country Liberal Party. We welcome you to the role of Minister for Correction, which will have Youth Justice in its remit. We can all acknowledge that with the current high rates of incarceration of children in the Northern Territory and rate of recidivism, the system is not working in the way it needs to be. We hope that this is an opportunity for the Youth Justice advisory Committee to work closely with you to provide expert advice on reform that is able effect positive change across our community.

YJAC has welcomed two new members in Acting Assistant Commissioner, Assistant Commissioner Domestic Violence and Youth Sachin Sharma of the Northern Territory Police and Alexandra Craig as appointed by the Law Society. We would like to thank outgoing committee members Clement Ng as the Law Society committee member for his tireless work across YJAC and the youth justice sector as well as Commander Territory Communications and Operational Support Command James O'Brien of the Northern Territory Police.

YJAC remains committed to increasing both our Aboriginal and Torres Strait Islander representation on the committee as well as opportunities to include an individual with lived experience. These are both incredibly important in the ongoing functionality and utility of YJAC and our ability to be of credible influence in relation to our role. In accordance with the Act, I verify to you that the 2023/24 YJAC Annual Report is an accurate record of YJAC's involvement in the youth justice system over the past financial year.

Yours sincerely

Kirsten Wilson

Kirsten Wilson
Chairperson
Youth Justice Advisory Committee

Youth Justice Advisory Committee Overview

The Committee's establishment, membership composition, meetings, functions, powers and reporting requirements are detailed in the *Youth Justice Act 2005* (the Act).

Section 203: Establishment of the COMMITTEE

1. There is established the COMMITTEE comprising government, non-government, and community representatives.
2. The COMMITTEE must reflect the composition of the community at large and accordingly, as far as practicable, should consist of the following:
 - (a) equal numbers of male and female members;
 - (b) at least two members who are Aboriginals;
 - (c) at least one member who is under the age of 25 years at the time of appointment;
 - (d) at least one member who has formerly been a detainee;
 - (e) one member who is an official visitor within the meaning of Part 9 of the Act;
 - (f) at least one member who, at the time of appointment, resides in Alice Springs; and
 - (g) at least one member who, at the time of appointment, resides in a remote community.

Section 204: Functions

The functions of the COMMITTEE are as follows:

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

Section 205: Powers

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

Section 206: Members

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

207 Chairperson

The members must appoint one of their number to be the Chairperson.

208 Term of office

1. A member holds office for:
 - (a) three years; or
 - (b) if a lesser period is specified in the instrument of appointment – that period.

Overview of the 2023-2024 Membership

During the 2023-2024 year, the Committee welcomed a new Police representative nominated by the Commissioner for the Northern Territory Police under section 206 (2) (a) of the *Youth Justice Act 2005* and a new Law Society representative nominated by the Law Society under section 206 (2) (g) of the *Youth Justice Act 2005*.

There is one Aboriginal member on the Committee with the Committee actively seeking increased representation in line with legislation, as well as representation of lived experience of the youth justice system.

The Committee have identified that there is a need to have a health representative ideally from an Aboriginal Medical Service as this specifically relates to underlying issues that may result in a young person's involvement in the youth justice system. The Committee have been liaising with the Minister to evoke a legislative amendment to the *Youth Justice Act 2005*, to include this member position.

Kirsten Wilson

Ms Kirsten Wilson sits on the Committee as a community member from Mparntwe (Alice Springs) and is the current Chairperson and has been since November 2022. Ms Wilson is a narrative therapist and social worker, working within a specific focus around youth justice. Ms Wilson works within a social justice framework that requires an intersectional understanding in practice that makes visible the social inequalities, power imbalances and systemic discrimination experienced by young people, families and communities. Ms Wilson's experience includes work within youth justice, social and emotional wellbeing within education, children's therapeutic teams, sexual assault and family support. Ms Wilson currently works as an Advocacy and Campaign Coordinator for the Justice Reform Initiative. Prior to this, Ms Wilson Coordinated North Australian Aboriginal Justice Agency's (NAAJA) Mparntwe based Youth Throughcare team. For the past three years, Ms Wilson has Chaired the Central Australian Youth Justice (CAYJ) network, a respected advocate for the legal, social, cultural and developmental rights of all young people in Central Australia, which she has recently stepped away to support the growth and development of future leaders.

Stewart Willey

Mr Stewart Willey is a community member from Tennant Creek and the Deputy Chairperson of Committee and has been a member of the Committee for over 14 years. Mr Willey is a Community Coordinator and Coach with the Moriarty Foundation, a holistic program that uses soccer/football as a vehicle to engage young people through mindfulness, physical growth, skill development, nutrition, proactive health messages, and encourages school attendance and engagement, as an alternative to offending and antisocial behaviours. Mr Willey is also a part time Advanced Practitioner with Jesuits Social Services to support young people and their family members prior to, during, and after their Restorative Youth Justice Conferences to ensure that the young person's conference experience promotes change through family, Elder and the young person's case management engagement and support with positive pathways and case plans. Additionally, Mr Willey provides intensive case management engagement and support with young people, their family members and Elders, through providing alternatives to offending behaviours, substance misuse, diagnosed and undiagnosed disabilities and mental health issues through case management assessments, wellbeing screenings and developing case plans with the young person's input that involves support playing football games linked to school attendance and engagement, support for training and employment support with the Youth Development Unit in Tennant Creek and the Barkly Region.

Stephanie Burgess

Ms Stephanie Burgess sits on the Committee as a representative nominated by a youth peak organisation. Ms Burgess works in youth advocacy at Northern Territory Council of Social Service (NTCOSS). Ms Burgess has over 15 years' experience working with young people across diverse backgrounds and has spent the last three years working in the youth sector in Mparntwe/Alice Springs. In her role as the Youth Voice Project Officer, Ms Burgess gives voice to young people experiencing disadvantage and vulnerability and also raises these issues to Australian Governments. In lieu of a youth peak body, Youth Voice NT provides representation on behalf of the Northern Territory youth sector and young people to bring youth focused solutions into strategies and policies. Youth Voice works closely with youth service providers to elevate the voices of young people and provide a platform for change. Ms Burgess brings strong resolve for youth focused approaches and the continuation of centring young people, their stories and honouring their experiences.

Andrew Lockyer

Mr Andrew Lockyer is a local Arrernte man from Alice Springs with cultural connections to the people and country west of Alice Springs and sits on the Committee as a community member from Mparntwe/Alice Springs. Mr Lockyer has previously worked with NAAJA in the Youth Throughcare Program, supporting youth that are involved with the Youth Justice system. Since relocating to Larrakia country, Mr Lockyer currently works with Brother to Another (B2A). Based in the greater Darwin region B2A is a local First Nations men's developed, governed and lead charity, that aims to guide and empower First Nations young people, families and communities towards the tools, resources and life skills necessary for healing. Mr Lockyer continues to support and advocate for youth that are incarcerated both in the Alice Springs Youth Detention Centre (ASYDC) and the Don Dale Youth Detention Centre (DDYDC) in Darwin.

Gabrielle McMullen

Appointed to the Committee in November 2022 as a community representative, Ms Gabrielle McMullen is a criminal solicitor in the youth team at Northern Territory Legal Aid Commission. Prior to this, Ms McMullen worked in roles as a senior youth justice worker and intensive case manager in the criminal and Throughcare teams at the NAAJA, predominantly in advocacy, policy, and complex case coordination supporting justice involved young people. Ms McMullen has also worked in the areas of civil and family law as a solicitor at the Top End Women's Legal Service, mainly with women incarcerated. Ms McMullen holds a Diploma of Counselling from Charles Darwin University.

Alexandra Craig

Ms Alexandra Craig is the current legal representative on the Committee. Alexandra holds a Bachelor of Laws, a Bachelor of Business, a Graduate Diploma in Legal Practice and is currently studying a Masters of Laws through Australian National University. Alexandra was awarded the 2021 NT Young Achiever of the Year for career achievement. Alexandra is gainfully employed as an In-House Lawyer and Contracts Manager at the Aboriginal community controlled primary health organisation, Central Australian Aboriginal Congress Aboriginal Corporation in Mparntwe (Alice Springs). Alexandra also undertakes part time work with Alice Springs Youth Accommodation Support Services Inc. and has been Ministerially appointed as a sessional Community Visitor with the Anti-Discrimination Commission's Community Visitor Program. Alexandra has previously worked for the Central Land Council, the Central Australian Women's Legal Service and Minter Ellison.

Sachin Sharma

Sachin Sharma has been a member of the Northern Territory Police since 2004, completing his probationary period in Katherine. In 2010, he became a Detective and was subsequently promoted to the rank of Detective Sergeant and Senior Sergeant. In 2014, he was promoted to the rank of Superintendent and was again promoted to the rank of Commander in 2021. His professional qualifications include a Master of Business Administration, Graduate Certificate in Strategic Management, Diploma of Public Safety (Policing), Diploma of Justice Administration, and Bachelor of Commerce.

During his 20 years of policing, Commander Sharma has worked in a wide variety of roles including:

- General duties policing, including Shift Sergeant and Watch Commander
- The Substance Abuse Intelligence Desk (SAID), based in Alice Springs
- Professional Standards Command, Complaints Against Police and Internal Investigations
- Territory Duty Superintendent
- Divisional Superintendent of Arnhem and Western Division, comprising 15 remote police stations
- Police Recruitment, Selections and Indigenous Employment Division
- Capability Division, College Command,
- Territory Emergency Operations Centre, including the role of Incident Controller during the declared COVID-19 Emergency
- Commander of Domestic Violence and Youth (Northern), and Acting Assistant Commissioner, Domestic Violence and Youth.

Commander Sharma has also held positions as a Police Advisor in the Minister's Advisory Committee for Multicultural Affairs (MACMA); Statutory appointee to the NT Child Death Review and Prevention Committee, Member of ANZPAA's national Family violence Network (AFVN), representative of the NTPF to the National Criminal Intelligence Coordination Committee and the Australian Serious and Organised Crime Capability Committee; and Alumnus of leadership in Counter Terrorism (Five Eye Country alliance).

Peter Fletcher

Mr Peter Fletcher is the Director for Community Youth Justice for the Greater Darwin Region with the Department of Territory Families, Housing and Communities. This role oversees the Youth Outreach and Re-Engagement Teams (YORET) across Greater Darwin, the Crossover Care Team, who work with young people involved in both the Out-of-Home Care and Youth Justice systems, Multi-Agency Taskforce Orion, designed to support families where the young people within are under the minimum age of criminal responsibility and the recently formed Co-Responder teams, who operate on a 24/7 roster, focussed on youth outreach and engagement, and connecting young people to families and safe places. Mr Fletcher has experience in front line child protection across the Big Rivers, East Arnhem and Greater Darwin regions and recent experience overseeing Child Protection and Community Youth Justice the Greater Darwin Region.

Michael Hebb/Samantha Overall

Mr Michael Hebb is the Senior Director Youth Justice Programs with the Department of Territory Families, Housing and Communities. Mr Hebb has over 30 years policing experience across two policing jurisdictions, including the Northern Territory, where he has performed a large number of diverse roles leading specialised and operational teams. Mr Hebb has performed Senior Executive roles and managed large Commands and Service Areas to deliver quality policing services. Mr Hebb has now been with TFHC for over two years in roles that have oversaw Youth Justice Programs and Youth Detention Centres, including supporting the development of the Model of Care. Mr Hebb has attained extensive experience within stakeholder engagement and coordination of teams to deliver positive outcomes for the community both at an operational level and as a governance body.

Ms Overall is currently Acting Senior Director with Youth Justice Programs within the Department of Territory Families, Housing and Communities. Prior to this, Ms Overall acted in Director positions across child protection and community youth justice.

Katrina Sadowski

Ms Katrina Sadowski represents the Department of Education and is the Director of Engagement Programs, Performance and Reporting. This role is responsible for developing strategic, evidence-based, and data-informed initiatives to re-engage disengaged and identified priority students with place-based approaches that are culturally appropriate, and trauma informed. Including driving system wide management of the development, implementation, and evaluation of evidence-based initiatives aimed at young people intersecting with the youth justice system through collaborative inter and intra agency partnerships. Ms Sadowski has a 14-year career in child protection, domestic and family violence and education.

Jane Bochmann

Ms Jane Bochmann sits on the Committee as the representative nominated by the agency responsible for crime prevention, and is a Senior Policy Lawyer for the Solicitor for the Northern Territory with the AGD. Prior to this, Ms Bochmann worked as a Senior Summary Prosecutor in the Summary Prosecution section of the Director of Public Prosecutions (DPP) in Darwin. Ms Bochmann previously worked in Crown Prosecution at the DPP in Darwin, a role taken after moving from Adelaide where she was a Criminal Defence Lawyer at the Legal Services Commission of South Australia for over six years and part of the Complex Criminal Law Panel. Ms Bochmann has also worked as a South Australia District Court Judge's Associate and in private practice in a major Adelaide law firm.

Jemma Wood

Ms Jemma Wood was appointed to the Committee in November 2022 as a community member. Ms Wood has over two decades of experience in youth and community services, having worked in a range of roles in community health, community organisations and local government with young people and their families. Ms Wood has worked and led teams in youth justice, Out of Home Care, housing and homelessness, youth health and alternative education. Ms Wood has a Bachelor of Social Science Youth Studies, Masters of Youth Health & Education Management, Advanced Diploma of Community Sector Management and Graduate Certificate of Developmental Trauma. Ms Wood has worked with Anglicare NT since February 2015 as Operations Manager Youth Support and development. More recently, Ms Wood commenced in the newly created position of Director Community Services with Anglicare NT.

Left to right: Ngawai Chown, Katrina Sadowski, Kirsten Wilson, Stephanie Burgess, Jane Bochmann, Samantha Overall, Peter Fletcher, Gabrielle McMullen and Stewart Willey at the Alice Springs Youth Detention Centre.



Youth Justice Advisory Committee Advice to Minister for Territory Families, Housing and Communities

At the completion of each meeting, YJAC provides written advice to the Minister. Below is a summary of this advice throughout the reporting period.

In August 2023, YJAC provided a written summary to Minister Worden. Some of the advice provided by YJAC included:

- Request to further consider implementing the second part of recommendation 27.1 of the Royal Commission that 'youth under the age of 14 years may not be ordered to serve a term of detention', subject to certain exceptions.
- Concerns regarding the current resourcing and timeframe in relation to section 67 reports as ordered by the Youth Justice Court.
- Concern raised that despite the significant investment into the Alice Springs Youth Detention Centre that it is still not a purpose-built facility and its close proximity to the adult correctional facility goes against recommendations as outlined in the Royal Commission.
- Significant concerns raised by The Committee in relation to young people from Central Australia and the Barkly region being transferred to Don Dale Youth Detention Centre for extended periods or time without prior adequate consultation with young people's families.
- Consider amending section 64 of the *Youth Justice Act 2005* to enable court to refer a youth back to diversion. The Committee considered the current section 64(3) significantly undermines a court's discretion to refer a matter for re-consideration for diversion and there is no reasonable justification to restrict the court's power to do so.
- Amend section 68 of the *Youth Justice Act 2015* to remove the requirement of 'if a youth has been found guilty of an offence'.
- Amend section 206 of the *Youth Justice Act 2005* to expand the membership of YJAC to include a representative from an Aboriginal Community Controlled Health Organisation (ACCHO).

In November 2023, YJAC met with incoming Minister Ah Kit, soon after taking over the Youth Justice portfolio. Some of the advice provided by YJAC included:

- Concerns regarding delay of the Barkly Youth Justice Accommodation Facility becoming operational;
- Concerns regarding further delay to the refurbishments of the Alice Springs Youth Justice Centre;
- Noting several young people from Central Australia remain on remand in Don Dale Youth Detention Centre in Darwin, communication with family and services could be improved;
- Supported bail accommodation services should be funded and staffed to minimise unnecessary incarceration of young people;
- Consideration to be given to a bail accommodation service in Katherine;
- Noted the critical importance of psychological reports for young people which can inform the Court of a young person's Neurodisability and subsequently expressed concern regarding delays in preparation of the reports pursuant to Section 67 of the *Youth Justice Act*;
- Consideration to be given to the role and future direction of the Register of Appropriate Support Persons (RASP);
- Consideration to be given to the increased use of Elders' input in sentencing Aboriginal young people in Northern Territory urban courts; and
- Consideration to be given to a specialist therapeutic Treatment Intervention Court model in the Youth Court to prioritise young people with complex needs, as has occurred in other jurisdictions;

In February 2024, the Minister again made time to meet directly with members of YJAC. The following is a short summary of some advice provided:

- Concern regarding impact of further delays on the opening of the new Alice Springs Youth Detention Centre;
- Concern regarding resourcing and significant delays regarding Section 67 reports ordered by the Youth Justice Court;
- Consideration to be given to re-design of the Register of Appropriate Support Person (RASP) program;
- Advice regarding the implications of community court models on Aboriginal youths involved in the youth justice system;
- Consideration be given to directing the proposed 'Youth Justice Review' toward the Northern Territory Royal Commission recommendations to '...consider a single Act (and)...form a working group, with input from children and young people who have direct experience of the child protection and youth justice systems, to guide the legislative review';
- Noting TFHC fund a service provider to deliver youth camps, but until a formal evaluation occurs, other Aboriginal-led and community-based alternatives should be prioritised, utilised and funded as evidence-based interventions;
- Noting Menzies School of Health Research has finalised its evaluation of the implementation of the recommendations of the Northern Territory Royal Commission, YJAC request a copy of the evaluation report to assist YJAC to provide improved and informed advice;
- Consideration be given to amending the *Youth Justice Act 2005* to remove the requirement that a youth be found guilty of an offence before the Court can order an educational report under Section 68 of the Act; and
- Consideration be given to amending the *Youth Justice Act 2005* to expand the membership of YJAC to include a representative from an Aboriginal Community Controlled Health Organisation (ACCHO).

In May 2024, YJAC again met with the Minister directly. The following is a short summary of some advice provided:

- Advice regarding some NDIS service providers not providing proper therapeutic or mental health services;
- Consideration and follow up be given to a cultural unit (with decision-making capacity) within each Youth Justice Centre;
- Request to consider the Model of Care Implementation Plan and progress;
- Concern regarding further delays to the opening of the Darwin Youth Detention Centre and the way education is currently being provided in detention;
- Concern regarding the evaluation of Back on Track and Community Youth Diversion, in particular YJAC would like to be consulted to provide advice on the recommendations and advice on any redesign if recommendations are accepted;
- Concern regarding resourcing and significant delays regarding Section 67 reports ordered by the Youth Justice Court; and
- Concern regarding the time frame of the 'Youth Justice Review'.

Youth Justice Review

The Department of Chief Minister and Cabinet is conducting a Youth Justice Review (the Review). The Review commenced in May 2024, and is being undertaken by an appointed independent panel of three. The panel consists of Chair, Kati Kraszlan, the Western Australian Victims of Crime Commissioner, who has spent many years working in the Department of Justice, Catherine Liddle, Arrernte/ Luritja woman from Central Australia who is the Chief Executive of SNAICC and Tony Moses, a barrister with William Foster Chambers who has worked on significant youth justice cases in the Northern Territory.

The review is underway, and findings are expected to be provided to the Northern Territory Government in November 2024. It will look at the following elements of the youth justice system: prevention, early Intervention, targeted responses and detention. From these four areas the review will focus on practical recommendations around system design, service delivery, legislative framework, workforce capacity and capability, funding, governance and oversight.

During YJAC's meeting in May 2024, we heard from the Chair of the independent panel, Kati Kraszlan. We were encouraged to hear that the complexities of young people will be a priority within the review and that victims of crime will be taken into consideration. YJAC look forward to continuing engagement with the review process. We hope that this review gives an opportunity to create a better youth justice system for the children, young people, families and communities that are responding within it.



The YJAC Involvement in and Access to Youth Justice evaluations and Reports

Background

In the reporting period, the YJAC has been requesting access to and involvement in Youth Justice evaluations and reporting to better inform the Minister on Youth Justice issues, needs, strengths and challenges.

This has included:

- NOUS review of the 'Back on Track' and Community Youth Diversion.
- The Northern Territory Government review of the *Bail Act 2021*.
- The review of the residential bail support.
- The Safe, Thriving and Connected evaluation into the implementation of the recommendations from the Royal Commission into the Protection and Detection of Children in the Northern Territory.

Overview

The YJAC has been consistently frustrated by the lack of involvement and access to evaluations and reports. This was particularly evident in the review of the 'Back on Track' and Community Youth Diversion, where the committee was consulted at the last meeting and by the YJAC's request after the consultation process that didn't include young people and their family members.

Additionally, the YJAC has been requesting a review of the changes to *Bail act 2021* to confirm findings of increased young people being placed on remand due to minor bail breaches.

This also includes residential bail support and the implications of accommodating young people off country and without access to family members and elders.

This inhibits the YJAC's statutory function to advise the Minister on all Youth Justice matters without informed data and up to date information.

Minimum Age of Criminal Responsibility

In August of 2023, we saw the legislative changes to the minimum age of criminal responsibility (MACR) implemented, increasing the age from 10 years to 12 years of age. The MACR is the minimum age that someone can be prosecuted for committing a crime.

The Criminal Code Amendment Act 2022:

- Raises the MACR from 10 to 12 years.
- Makes it an offence to disclose information of a criminal record or past charges for children under 12.
- Simplifies statutory tests for children under 14.
- Amends the Criminal Code Act 1983.

Alongside this change Territory Families Housing and Communities have implemented a program called On the Right Track, which is an intensive family support service that works with children under 12 and their families when it has been identified that they have allegedly engaged in negative behaviour that would otherwise be deemed an offence.

The YJAC acknowledge that harm that is perpetuated through children's early engagement in the Youth Justice system and the increased likelihood of continual cycle of offending when connected with this system from an early age. The YJAC continue to advocate for the further increase of the MACR to 14, in line with the 2019 United Nations Committee on the Rights of the Child recommendations.

Additionally YJAC have and continue to recommend that programs such as On The Right Track be embedded within Aboriginal Community Controlled Organisations as committed to in the 10 Year Generational Strategy for Children and Families through 'Our Commitment to Better Services', commitment 21: 'prioritising investment in local organisations that communities identify as preferred service providers, such as local Aboriginal organisations and community-controlled organisations'.



Barkly Youth Justice Residential Facility and Youth Initiatives Under the Barkly Regional Deal

Background

The Barkly Regional Deal is the first regional deal in Australia—a 10-year \$83.6 million commitment between the Australian Government, the Northern Territory Government, and the Barkly Regional Council. The Barkly Regional Deal was signed by the Australian Government, the Northern Territory Government and Barkly Regional Council on 13 April 2019 in Tennant Creek following a six-month consultation process.

The Deal will support the productivity and liveability of the Barkly region by stimulating economic growth and improving social outcomes, including reducing overcrowding and improving child safety.

- The Deal aims to maximise the value of new and existing public investment through greater collaboration, alignment, and coordination between the three levels of government in response to community identified priorities.
- The Deal will strengthen the capacity of the local community to respond to identified priorities through the establishment of a community governance group to oversight delivery of the deal. Membership includes the three tiers of government, Aboriginal leaders, local business leaders, non-government organisations, young people, and other community stakeholders.

The Regional Deal involves 28 initiatives, and the first established working group involved the Barkly Youth Justice Residential Facility with working group members identified through community meetings. This working group was a 'pilot' for additional working groups resulting in the Aboriginal Alliance group and the Aboriginal Administration group to the Barkly Regional Deal being established, in addition to the Governance Table overseeing the deal.

Overview of the Barkly Youth Justice Residential Facility working group and YJAC's involvement

YJAC has been advocating for the Barkly Youth Justice Residential Facility for Barkly young people to have a youth justice residential facility on country with access to Elders and respected community members, as an alternative to detention centres and residential bail support off country.

One YJAC member was a Barkly Youth Justice Residential Facility working group member for two years and was able to provide YJAC members with ongoing updates in the progress to residential facility being established and this was reinforced with TFHC members providing department reports, supported by the Barkly Regional Deal Backbone Team.

The Barkly Youth Justice Residential Facility working group involved:

- Inclusion of Elders, respected community members and the community at large to inform the project.
- The working group, Elders, respected community members and the community at large to inform the location of the residential facility.
- The working group, Elders, respected community members and the community at large to inform the program and service model. The BRD Aboriginal Alliance gained oversight of working group responsibilities due to proactively working together.
- The working group, Elders, respected community members engaged with the three tiers of government to provide working group progress reports to the Barkly Regional Governance table for oversight and approval of the project outcomes with the Aboriginal Alliance gaining oversight to report to three tiers of government and BRD governance table.

Reasoning for YJAC advocacy of the Barkly Youth Justice Residential Facility

YJAC proactively advocated for the Barkly Youth Justice Residential Facility to provide a residential youth justice facility on country as an alternative to detention and bail support off country with supported access to Elders, respected community members and youth service providers on country.

Currently:

- The facility buildings have been constructed in arwin and are located onsite.
- The groundworks are being undertaken through a cultural awareness process to prepare the site with cultural protocols.
- The tender for program and service provision is being vetted by the BRD Aboriginal Alliance to ensure the most appropriate Aboriginal Organisation is engaged to run the best culturally appropriate program for Barkly young people.
- TFHC has identified an immediate need for Barkly Region youth justice residential facility and has fast tracked the program through use of the NTG Education Department facility at the Juno Centre.

The Minister had an active interest in the development of this facility for addressing young people's involvement in the youth justice system which required YJAC's ongoing advice, especially in the Barkly Region and for other NT regions which are receiving the same facility.

Furthermore, YJAC has been advising the Minister on other youth initiatives under the Barkly Regional deal, with an early intervention, prevention programs and service focus and alternatives to young people's involvement in youth justice such as the Youth Centres in Tennant Creek and Alekarenge, Barkly Region trauma training and mediation and Safety and Wellbeing Working Group (Law and Justice) and Elders in courts.

Residential Youth Justice Facilities

YJAC has been briefed on changes to the current Darwin and Alice Springs Youth Bail Support facilities to Residential Youth Justice Facilities and the expansion of these into Tennant Creek and Katherine. The YJAC are supportive of this in principle as it meets the need for supported bail accommodation options in new locations as well as expanding sentencing options outside of custodial centres. The YJAC look forward to hearing updates in relation to how these facilities have been rolled out.

An evaluation of the *Youth Justice Legislation Amendment Act (NT) 2021* (the Act) demonstrated an increase in the number of young people on remand.

Across the 23/24 The Department of Territory Families, Housing and Communities (TFHC) has designed and funded Youth Justice Programs across the Northern Territory (NT) with a strong focus on diverting young people from the Youth Justice System, increasing educational and vocational engagement and improving cultural connections.

Currently there are several youth Services in operation across the NT. These Services provide; work experience, training and youth diversion programs. These programs, however, do not provide a long-term intensive residential program.

To meet this demand, TFHC were tasked by the Community Safety Sub-Committee of Cabinet to develop four (4) Residential Youth Justice Facilities as an alternative to remand or bail for young people in the youth justice system. These facilities will be an additional sentencing option across the Northern Territory. The locations for these facilities are Darwin, Katherine, Tennant Creek and Alice Springs.

These Facilities will provide services that support young people who have entered the youth justice system with safe, supervised accommodation, support education and training opportunities within their local community whilst addressing risk factors associated with offending.

The Services will provide:

- The courts with more options for sentencing young people to a supervised and structured program.
- Local education and training opportunities to assist young people into work; and
- Support to engage in learning, develop life skills and become positive members of our community.

The Facility is to operate 24 hours per day, 365 days per year.

The services will be achieved through outsourcing to suitable local suppliers, through a procurement process.

TFHC are committed to supporting the establishment and ongoing success of the Facilities and will commit the following resources:

- 3 FTE TFHC staff (YORET) to support young people sentenced to the Program.
- 2 FTE classroom teachers to support the delivery of education including any required teaching resources and materials.
- 2 training positions to facilitate the delivery of vocational training in collaboration with DoE.

In 2023-24 we achieved the following:

Recruitment and Training:

- In March 2024, commenced YORET recruitment to support Facility operations, achieving:

	YORET Positions	Required	Recruited
Darwin	AO7 - Team Leader	1	1
	AO5 - Team Leader	2	0
Katherine	AO7 - Team Leader	1	1
	AO5 - Team Leader	2	2
Tennant Creek	AO7 - Team Leader	1	1
	AO5 - Team Leader	2	2
Alice Springs	AO7 - Team Leader	1	0
	AO5 - Team Leader	2	0

- In May 2024 completed the first round of Chart and YLS/CMI training for the incoming YORET.

Darwin:

- On 27 March 2024 awarded the service contract to local supplier First Step Development Enterprises. Transitioning-in activities were then undertaken to achieve Facility operations commencing as of 3 July 2024.

Tennant Creek:

- On 27 May 2027 commenced site survey works in preparation for the Tennant Creek acility Infrastructure.
- On 18 June 2024 an open tender was released to market seeking a suitable supplier to undertake acility services.
- On 20 June 2024 opened the Tennant Creek Residential Youth Justice Facility at the Juno Site on Peko Road.

Alice Springs:

- On 27 March 2024 existing Supported Accommodation Services were extended until 27 March 2025 to allow for a suitable service supplier to be identified and construction of a new Facility.
- On 17 June 2024 an open tender was released to market seeking a suitable supplier to undertake acility services.

Northern Territory Youth Justice Centres

Alice Springs Youth Detention Centre

On the 22nd February members of the Youth Justice Advisory Committee (YJAC) were invited to attend the opening of the new Alice Springs Youth Detention Centre (the Centre). This invitation was also extended to service providers who operate at the Centre, staff of Territory Families, Housing and Communities and Department of Education staff. The Centre was opened by Hon Ngaree Ah Kit, Minister for Territory Families Housing and Communities (TFHC).

The Northern Territory Youth Detention Centre Model of Care (the Model of Care) was referenced heavily during the visit. In the Model of Care there are two main, intertwined and overarching objectives, these are:

1. Enable an environment for young people, staff and visitors that is safe and secure and in which the community has confidence; and
2. Facilitate therapeutic, trauma-informed, culturally secure service delivery to improve the wellbeing of young people and reduce their likelihood of reoffending[1]

News of the opening was encouraging, considering the completion of the Centre had continued to be delayed. The YJAC went along to inspect the new facility. During the tour we heard from Rachelle Hobbs, Project Manager – Youth Justice Centres TFHC, about how the new facilities would be supporting young people in detention to have better experiences, as the facility is purpose built to support therapeutic treatment for young people in detention. It included a dedicated area for families to visit, with an outdoor play area and kitchen. There were meeting rooms for service providers, such as lawyers, to use when talking with young people. These rooms also had video conferencing ability, to use for court appearances. The education area had purpose-built classrooms. We were proudly told, 'with everything you would see in a normal classroom' and it had a low sensory room for young people when they become overstimulated. The sleeping cells had a bed, their own bathroom, plus views of the outside world and gardens. Also in view from some cells is the adult prison, this is on full view from the family area too. Something that the community was hoping could be overcome by design. A new medical area has dedicated room for more casual checkups and appointments with

psychologists.

The medical area also had an onsite dedicated space for dental. These spaces are brand new and equipped with all the latest modern supports.

Imagining young people in this space is relatively easy, hearing about how these areas are purpose built and all tied into the Model of Care, that the Northern Territory Government (NTG) has committed to implementing. However, then again, imagining children in this new space is also highly disheartening. Listening to the commentary around the new Centre, this was heard 'we don't want young people coming to the Centre in order to access the services here'. This rhetoric speaks to a much wider problem. There is no joy in welcoming a new young person into detention because they cannot access services from outside.

Everything about this new Centre should be defined and led with a recovery and support lens. Prioritizing long-term support for rehabilitation to decreasing recidivism and fully fund early intervention programs. This new facility is leaps and bounds beyond the old one, we need to acknowledge that the last thing we want to be doing is seeing young people fill this facility.

Hopefully this new space can lend itself to more restorative and therapeutic recovery that will support these young people onto better pathways. The first step is implementing the whole Model of Care.

What did others think of the Alice Springs Youth Detention Centre?

Frankie Snowdon

GUTS Dance

The new Alice Springs Youth Detention Centre (ASYDC) has the capacity to create varied environments from which GUTS can deliver our dance and movement programs, which will vastly help to improve engagement in and enjoyment by the young people. In particular, the multipurpose training room, more undercover areas, and the capacity to have young people doing different things in different space will aid in reducing things like feeling shame in front of one another, and exploring different elements of learning about and creating dance to be happening concurrently in a session. This allows us to better cater for the interests and needs of any

particular group of young people on any given day.

The multiplicity of the centre in general, the projected capacity of the young people to move more freely between its spaces and the mentioned emphasis on being able to bring families into the centre also provides more ways for us to get creative with working towards diverse outcomes that can be shared with families and wider community, helping to create a sense of pride and understanding for and with the young people.

Joel Hohn

Principal Owen Springs School

The educational facilities available in the renovated Alice Springs Justice Centre are a significant improvement in quality and available space. The old school consisted of a single classroom and learning kitchen. In the renovated facility there is two classrooms, a multi-purpose Vocational Education and Training (VET) room, a learning kitchen, an undercover learning area, and two break-out/de-stimulation rooms. With the multi-purpose VET room we will now be able to offer programs that lead to VET qualifications (for those staying long enough) and work experience opportunities. Having two classrooms will also allow us to deliver education to multiple groups simultaneously.

From an educational stance this could support with differentiation to meet students at their point of learning by allowing ability groups to be taught in separate spaces. From a therapeutic lens, this will allow us to have separate groups which may make some students feel safer at school (e.g. a female and male class, an older and younger students class, separate groups for students in conflict, etc.). The break-out/de-stimulation rooms will enable teachers to work one-on-one with students who need additional support and provide a space for students to remove themselves from the larger group if they need to self-regulate or would like a quiet, calm setting to complete their learning. The undercover learning space provides a new outside learning environment education staff can use to develop diverse activities to engage students in their school work.

Darwin Youth Detention Centre

The Youth Justice Advisory Committee remain concerned about the ongoing delays in opening the new Darwin Youth Detention Centre. The YJAC look forward to visiting the new facility early in the next reporting period and hope to do as with the Alice Springs Youth Detention Centre that the new space can lend itself to more restorative and therapeutic recovery that will support these young people onto better pathways.

[1] Northern Territory Youth Detention Model of Care, 2022, Territory Families, Housing and Community, Northern Territory Government

Education in Youth Justice Centre

Education Liaison Officers Youth Court

In 2023-2024, the Department of Education (DoE) employed 3 Education Liaison Officers Youth Court, based in both Darwin and Alice Springs to support and advocate for the educational needs of young people involved in the youth justice system.

s68 Education Reports

Under section 68 of the Youth Justice Act 2005, court may seek submissions or reports under the following:

1. If a youth has been found guilty of an offence, the Court may (whether before or after the proceedings are complete) seek submissions or reports in relation to the youth.
2. A submission or report may be written or oral.

Table 1: s68 Education Reports for 2023-2024

	Semester 2 2023 1 Jul 2023 – 31 Dec 2023	Semester 1 2024 1 Jan – 30 June 2024	Total
s68 Education Reports	45	69	114
STAGES OF SCHOOLING			
Primary	1	1	2
Middle	31	43	74
Senior years	11	23	34
Post-compulsory school aged	2	2	4
REGION			
North (Darwin, Top End, Katherine, Arnhem)	39	60	99
South (Barkly and Central)	6	6	12

Vocational education and training

An Australian vocational education and training (VET) qualification provides a sustainable pathway to employment and further education by providing applied and practical learning opportunities. The Department of Education (DoE) invests in the delivery of a range of VET courses at both Tivendale School and Owen Springs Education Centre to broaden opportunities for young people when they exit youth detention.

Tivendale School

Table 2: Tivendale School VET programs 2023-2024

Programs	Provider	Duration
Cert I Conservation and Ecosystem Management	DE RTO	10 days per term
Cert I Animal Care	DE RTO/ PYSC	10 days per term
Cert I Construction skills set	Housing Industry Association	10 days per term
Cert I Developing independence	YMCA	10 days per term
Try a Trade	PYSC	10 days per term
First Aid	Surf Life Saving NT	2 days per term
Learner's permit	rivesafe NT	1 day per semester
Community Bronze Medallion	Surf Life Saving NT	1 day per year

Owen Springs Education Centre

Due to limited facilities, Owen Springs Education Centre has not been able to engage with or deliver a broad range of VET programs in 2023-2024. This limitation to program delivery is being addressed through the extension of the Alice Springs Youth Detention Centre, which will have a purpose-built space for VET activities.

Table 3: Owen Springs Education Centre VET programs 2023-2024

Programs	Provider	Duration
Cert I in Conservation and Land Management	DE RTO	4 days per term
Learner's permit	rivesafe NT	1 day per semester

Northern Territory Certificate of Education

Senior secondary students (Years 10-12) study towards the Northern Territory Certificate of Education and Training (NTCET). The NTCET is based on and administered by the South Australian Certification of Education. Young people in youth detention are supported by the Northern Territory School of Distance Education to complete components of the NTCET whilst in detention.

Educational adjustment plans

For students with disability and students who have experienced complex trauma, there are often additional challenges and uncertainty when entering and exiting youth detention. All young people enrolled at Tivendale School and Owen Springs Education Centre are provided with an educational adjustment plan based on their specific needs and abilities to support them in their learning whilst in detention. New people to both centres are provided with an educational adjustment plan within 20 days of admission.

Academic assessment

Academic assessment using diagnostic tools for literacy and numeracy supports teachers at Tivendale School and Owen Springs Education Centre to measure students' understanding of a subject and level of skill, enabling them to better plan for and adjust program delivery as required. All young people at Tivendale School and Owen Springs Education Centre complete academic assessment, sometimes multiple times depending on the duration of their stay. Conducting academic assessments enables teachers to adjust learning outcomes, whilst staying aligned to the curriculum, to provide them with the best opportunity to progress in their learning and achieve their goals. The Centre's goal is to ensure that every young person completes academic assessment within 10 days of arrival in youth detention.

Education Programs

Tivendale School

Table 4: Tivendale School Education Programs 2023-2024

Tivendale Programs	Subject Description	Provider
MacqLit	MacqLit is an explicit and systematic reading intervention program for small groups of older low-progress readers who fall in the bottom 25% of a standardised reading tests or curriculum-based measures, and who have difficulties in word recognition. Our MacqLit program develops students' phonemic awareness, phonics, fluency, vocabulary, and comprehension.	o
Numeracy	Essential mathematical skills, knowledge, and understanding within the Australian Curriculum National Numeracy Learning Progressions foundation to year 10.	o
Literacy	Essential literacy skills, knowledge, and understanding within the Australian Curriculum National Literacy Learning Progressions and English as an Additional Language or Dialect Progressions foundation to year 10.	o
NTS	NT School of Distance Education supporting students to engage in the NTCET through years 10, 11, and 12.	o
STEM	Includes the 3 strands of science understanding, science inquiry skills and science as a human endeavour. The 3 strands of the curriculum are interrelated, and their content is taught in an integrated way. Students learn that observations can be organised to reveal patterns, and that these patterns can be used to make predictions about phenomena.	o
Art	Engagement in community competitions and festivals that encourages young people to draw on their cultural heritage and life experiences.	o
Life skills	Improves the development and progression of cooking skills and food literacy to support healthy food choices by having the skills and knowledge necessary to buy, grow, and cook food, with implications for improving health. Where possible the program will incorporate foods grown in the school garden.	o
General Studies	Aims to develop a sense of wonder, curiosity and respect about places, people, cultures, and environments throughout the world, including a deep geographical knowledge of their own locality, Australia, the Asia region, and the world.	o
Health and Physical Education	Develops student knowledge, understanding and skills in relation to their health, wellbeing, and safety. Including content to support them to build and maintain respectful relationships and enhance their knowledge of how to make health enhancing decisions within detention and in the community.	o
Careers Expo	One day a year Tivendale school hosts multiple organisations throughout Darwin to participate in the Careers Expo to engage students in potential employment pathways. Past attendees include NORFORCE, GTNT, Brother to Another, Duke of Ed, NT Music School, PYSC, Youthworx, Mission Australia, Territory Families, Housing and Communities, Darwin Wildlife Sanctuary, and Clontarf.	o

Tivendale Programs	Subject Description	Provider
oE Careers Expo	our students participated in the expo at the show grounds.	o
Tivendale Olympics	Over the course of a week all students participate in a variety of sports and physical challenges, competing against one another in individual and team events. The Olympics week and subsequent medal ceremony is one of the highlights of the school year.	o
IMF NT Youth Running Club	In partnership with the Indigenous Marathon Foundation Tivendale school has set up the NT Youth Running Club offering students the opportunity to get fit outside of school hours, attend excursions, and even try out for national teams. With over 50 students participating in the weekly 6am runs the IMF founder Robert de Castella personally visited the school to encourage continued success.	o
Alcohol and Other Drugs	The Alcohol and Other Drugs program aims to increase students' self-efficacy to refuse alcohol, tobacco and other drugs and equip them with knowledge and skills to reduce harms.	TFHC
Sex Education	The Sex Education program aims to increase students' knowledge around puberty, sexual health and sexual transmitted infections, safe sex, and unintended pregnancy.	TFHC
Love Bites	Love Bites aims to provide young people with a safe environment to examine, discuss and explore respectful relationships. All Love Bites programming takes a strength-based approach and views young people as active participants who can make choices for themselves and their relationships when supported with information and opportunity for skill development.	TFHC
Wildlife	Specifically tailored to include environmental topics that young people are interested in studying. The sessions include a 30-minute talk on anything from biodiversity in schools, wildlife in urban areas to feral animal control and climate change and 30 minutes of animal engagement and photo opportunities. Offsite work experience for students.	arwin Wildlife Sanctuary
Music	ngaging students in groups and individually to create rap songs and give voice to feelings as a wellbeing strategy.	Riley Page
Clontarf - AFL	The Clontarf Foundation aims to improve the education, discipline, life skills, self-esteem, and employment prospects of young Aboriginal and Torres Strait Islander men and by doing so equips them to participate more meaningfully in society.	Clontarf oundation
Job Pathways Mentor	One to one conversations and relationship building with students regarding job training opportunities.	Mission Australia
itness and wellbeing	Offsite fitness and wellbeing program centered around participation in basketball. Volunteer work experience for students.	Hoops 4 Health
YMCA Back to School Camp	Overnight school camp at Litchfield national park with YMCA.	YMCA
ingoes Basketball	Weekly participation in the Darwin Basketball association with the arwin Dingoos.	DBA
Hairdressing	Work ready skills for hairdressing, increasing self-esteem and confidence through practice.	eadly Hair ude

Owen Springs Education Centre

Table 5: Owen Springs Education Centre Education Programs 2023-2024

Programs	Subject Description	Provider
News	Oral language, vocabulary and general knowledge development.	o
English	Comprehending texts through listening, reading, and viewing.	o
Maths	Develop the knowledge and skills to use mathematics across other learning areas at school and in their lives.	o
Reading	Practice literacy skills and time for student assessments.	o
Art	Create, design, communicate and share imagined and conceptual ideas, emotions, and experiences.	o
Writing	Composing texts through speaking, writing and creating.	o
Life Skills	Lessons designed around functional skills students will need in their lives. Developed from observation of student needs and input from students.	o
Indigenous Language and Culture	Acknowledge and respect the histories, values, languages and cultures of Aboriginal Territorians.	o
Beats Cool	Engaging students in making music using IPADS with Groovebox and GarageBand.	oE NT Music School
Values	Exploration of the school values and how they manifest in the classroom. Develops expectations of how students, teachers and guests operate at Owen Springs School.	o
Refresh Start	Literacy program to improve reading ability incorporating phonics, vocabulary development and comprehension skills.	o
Weekly Learning Journey Quiz	Formative assessment of all learning content throughout the week.	o
Dance	Physical education and movement. Building proficiency in multiple dance techniques.	GUTS Dance
Soccer Program	Physical education and movement. Building proficiency in soccer skills.	Soccer NT
Healthy Relationships	Develop personal and social capability. These sessions focus on developing social and emotional skills so students can manage themselves, relate to others, collaborate, develop empathy, set goals and resolve conflict.	Domestic Violence Specialist Children's Service
Social and Emotional Learning	Develop personal and social capability. These sessions focus on developing understanding of interoception (in particular how emotions feel in the body) and the relevant vocabulary.	Department of Territory Families, Housing and Communities Specialist Assessment and Treatment Service
Music	Further students understanding of rhythm, pitch, dynamics and expression, form and structure, timbre and texture in music.	Man the Underdog
Horse Wellbeing	Therapeutic horse program, using interaction with and care of horses to support student wellbeing.	Riding for the Disabled

Continuum of Learning for Young People Entering and Exiting Youth Detention

In 2024, DoE completed the Continuum of Learning which outlines the roles and responsibilities of department staff and describes administrative processes to facilitate transitioning between schools and ensures consistency and quality in the provision of education and support services for young people entering and exiting youth detention centres. The Top End School of Flexible Learning, Tivendale Campus in Darwin, and Owen Springs Education Centre in Alice Springs, are schools currently operating within youth detention centres in the NT.

The Continuum of Learning was presented to the Youth Justice Advisory Committee for their noting.

Department of Education Youth Justice Court Program Guidelines

In 2024, the Department of Education published the Youth Justice Court Program guidelines to provide context and practical guidance to support agency operations within Northern Territory youth court settings. The guidelines explain the role and function of the department and aim to achieve a shared understanding of the youth justice court across the department, school staff and other staff working to support young people who appear before the court. The guidelines also articulate the roles, responsibilities and obligations of personnel who are responsible for supporting young people who appear before the court to achieve better education outcomes and connection with learning of NT Government compulsory school aged young people by.

The guidelines were developed in consultation with schools, youth justice court judges, defence counsels and other key stakeholders, including the NT Children's Commissioner, the NT Anti-Discrimination Commissioner, the Deputy Ombudsman, and the Information Commissioner and were shared with the Youth Justice Advisory Committee for noting.



Community Courts

In 2023 legislation passed to enable community court sentencing procedures.

YJAC remains pleased that the procedures also apply to youth justice court proceedings and hopes to see their practical application soon.

YJAC supports the Territory's move toward justice re-investment. Noting the importance of Justice Reinvestment principles in relation to disinvesting in systematic structures of the justice system being Police, custodial settings and community corrections (youth outreach reengagement team) and investment into community led initiatives and programs.

Community Courts should enable the Judiciary to benefit from considering specific cultural considerations when sentencing Aboriginal offenders. The sentencing procedure will consider an Aboriginal defendant's background, community and culture. The Law and Justice groups will provide advice and a background via an Aboriginal Experience Report. Law and Justice groups will be able to make a sentencing recommendation relevant to the defendant and the community.

Their role also includes giving information to the Court about how the community feels about the crime and any repercussions for the defendant from the Community.

YJAC remains hopeful Community Courts will allow for elders to give input to the sentencing of young people in Northern Territory youth courts. A commitment to community courts and honouring Elders' knowledge and insight should help address key drivers of re-offending.

In mid 2024, at Angurugu, Groote Eylandt, the first (adult) was sentenced using the Community Court sentencing procedure. YJAC member, Ms. Gabrielle McMullen participated as defence counsel for the defendant. Three elders sat alongside the Judge, an interpreter, a community corrections officer and the defendant's support person. The Court was provided with an Aboriginal Experience Report. The report did not capture the victim's views in this instance; however, members of the Law and Justice group flew to Darwin to interview the defendant for the purposes of the report.

The defendant, who had a significant history of domestic and family violence, was released onto a nine-month supervised suspended sentence. This sentence was on par with the recommendations provided by the Law and Justice group. YJAC understands that the process was inclusive, almost entirely properly translated and that the Elders were able to speak and offer their support to the defendant. It is also understood that as the process continues and Law and Justice groups grow in confidence, so will their reports and submissions. YJAC recognises the work of the Anindilyakwa Land Council Community Justice Group who are committed and doing significant work logistically. They are now hiring a specific person to a role for supporting Community Court.



Hearing the Voices of Young People

The YJAC is committed to hearing from young people in the Northern Territory. This includes those directly responding to the impacts of the youth justice system through interactions with police, courts and youth detention, as well as those impacted by the wider narrative around youth justice across the Northern Territory.

The YJAC are actively seeking out opportunities for people with lived experience of youth detention to participate in the YJAC in an ongoing way, with the aim to have an active and ongoing committee member attending meetings and providing their expertise in relation to youth justice in the Northern Territory. Understanding that attending

a YJAC meeting might not be the best way to gain perspectives from young people, the YJAC will continue to diversify engagement tools and keep listening to young people to imbed their voice in the work that the Committee does.

The YJAC has heard from young people and the wider community that the sector needs to genuinely engage and listen to those directly impacted by youth justice policy and legislation. The YJAC has made a commitment to do this in a meaningful way that ensures young people are held at the centre of the Committee's thinking and recommendations.

Youth Justice Programs

The Committee has proactively advocated and provided advice on a number of areas associated with youth diversion. The Committee have been encouraged by the commitment of different government agencies to identify the gaps and streamline processes in implementing diversion reforms in the Northern Territory.

The Department, through the Youth Justice Programs unit, undertook an evaluation on the Back on Track and Community Youth Diversion Programs to identify the extent to which their design features are consistent with the characteristics of effective diversion programmes.

The external evaluation has been completed with recommendations for future design and alignment to the Northern Territory Government's 10-Year Generational Strategy for Children and Young People due to the Chief Executive Officer in August 2024.

Community Youth Diversion Program

Community Youth Diversion Programs are place-based, community-led and supported locally. Services and programs are designed primarily for young people who are engaged in formal youth diversion, and/or are at risk of offending or entering the formal youth justice system where capacity permits.

Objectives of Community Youth Diversion Programs are:

- to assist and support young people, subject to formal youth diversion, to successfully complete the youth diversion program (including supporting the young person to complete Youth Justice Conferencing, relevant activities and any outcome plan) to the satisfaction of the Northern Territory Police and/or the relevant Court;
- to address the individual needs of the young person, including their criminogenic needs, utilising a culturally secure, family-centred and strengths-based approach, and disability and trauma informed practices;
- to empower young people to 'right their wrongs' by embedding restorative practices, promoting both family and victim participation where appropriate and ensuring that the young person understands the consequences of their behaviour on victims, community and family;

- to facilitate pathways to school re-engagement, further training and employment and to ensure continued support for young people and their families when a young person transitions out of the program, by embedding a strong collaborative approach and strong referral practices.

The Department of Territory Families, Housing and Communities currently fund 12 providers to deliver formal Community Youth Diversion Program services across 56 communities in the Northern Territory.

Back on Track Program

The Northern Territory Government funds non-government organisations to deliver the multi-faceted, strengths-based Back on Track program for 8- to 17-year-olds in the Greater Darwin, Alice Springs, Tennant Creek, Nhulunbuy and Katherine regions.

The Back on Track program is a ministerial approved program. It is a sentencing option for the judiciary under section 83(1) (e) of the *Youth Justice Act 2005*. The program also has a referral pathway for the community, government agencies and non-government organisations (service providers).

The Back on Track program is targeted to young people who are engaging in behaviour that places them at significant risk of physical or emotional harm and that may affect community safety. Support focuses on the young person and their family enabling the young person to learn new skills and providing them with the confidence to make safe and responsible decisions to lead them away from the justice system and towards a productive and successful adulthood.

The Back on Track program consists of four program elements, across two cohorts.

Elements	Cohort 1 (8-13 years)	Cohort 2 (14-17 years)
1	Assessment and case management <ul style="list-style-type: none"> Identifying and addressing individual needs Addressing anti-social and offending behaviour Understanding consequences, targeted responses 	
2	Consequences, repatriation and giving back to the community <ul style="list-style-type: none"> Restorative justice, community service, family responsibility Responsibility and repatriation to victims of crime 	
3	Building family capacity and responsibility <ul style="list-style-type: none"> Sense of self, health, accommodation and stability, care of self and others Connection to culture and community 	Life skills and cultural connection <ul style="list-style-type: none"> Foundational skills for adulthood Sense of self, health, accommodation and stability, care of self and others Connection to culture and community
4	Re-engagement with education <ul style="list-style-type: none"> Engaging and working with the family and young person to attend school and connect with learning and education Education as a fundamental building block for young people's future 	Vocational education, training and employment <ul style="list-style-type: none"> Volunteering and engaging with work Learning skills Positivity contributing to community

Community Work Orders

Community Work Orders are a sentencing option for Youth Court Judges to consider after a finding of guilt and are not an immediate consequence to an offending behaviour. They are a sentencing option and can take several months and multiple Court appearances before a young person is sentenced and commences a Community Work Program.

The Department of Territory Families, Housing and Communities currently has 24 local businesses, non-government organisations and local governments engaged in working with the YORET program regarding community work. These businesses provide Regional YORET Directors with intelligence on the type and form of work to be conducted.

These business providers work with the Regional YORET to determine the type and form of work to be conducted.

The Committee has been advocating with the Minister for alternative sentencing options and Judges using these restorative approaches as an alternative to offending, for example, Community Work Order with a restorative conference.

Restorative Youth Justice Conferencing

Restorative Youth Justice Conference includes presentence, group, family, and community conferencing and young people family members, community members and Elders with the pre-empting and proposed raising of the age of criminal responsibility.

Restorative justice aims to reduce young people in the justice system, particularly the overrepresentation of Aboriginal young people, by diverting them from court to restorative justice conferences. The restorative justice process requires effort and participation from the young person and provides the victim with an opportunity to be heard, which differs from traditional justice responses. It has proven that it is an effective strategy to reduce reoffending.

Restorative Group Conferencing has been an ongoing focus area in the reporting period, as an alternative to Youth Justice Court involvement and to make young people accountable for their actions with family member, Elders, the offended person and community member involvement, as evidenced to reduce recidivist offending and the conference outcomes supporting pathways to education, training and other supporting programs. This is especially prevalent with raising the age of criminal responsibility.



Family Responsibility Agreements

- Family Responsibility Agreements (FRAs) remain available for use pursuant to Division 2, S140D of the *Youth Justice Act 2005*. There were 15 FRAs commenced across the Northern Territory with families between 1 January 2023 to 31 December 2024.
- It is important to note that Territory Families, Housing and Communities staff also use Safety Plans to achieve commitment from families about the actions they will take responsibility for to keep their children safe. More families are becoming familiar with Safety Plans. Despite the variations in name, the intent remains the same. The low utilization of FRAs reflects the use of safety plans as the preferred professional tool.
- Use of Safety Plans rather than FRAs recognises that for many young people the worry for their safety and wellbeing is not solely focused on their problematic behaviour. It is also about addressing the broader issues that give rise to that behaviour involving family violence, substance misuse, and child protection concerns.
- Safety Plans and Family Responsibility Agreements share comparable areas of focus to achieve improved child safety and wellbeing, including supporting the child or young person to:
 - regularly attend school;
 - build healthy and safe relationships;
 - engage in programs that address their needs;
 - attend medical and other appointments;
 - take part in community or cultural activities;
 - separate from peers who may be offending or involved in other anti-social behaviour; and
 - be responsible for the care and supervision of the child or young person by making sure they're home at night.
- Use of either a Safety Plan or a Family Responsibility Agreement can give rise to determining whether a child protection response needs to be instigated if the family fail to engage in the plan to keep their children safe. If a child transfers into the statutory child protection system, the Safety Plan can be readily updated, setting revised goals for the child and family to work towards.

Palmerston Drop-In Centre

The TFHC funds YMCA Northern Territory to manage the Palmerston Youth Drop In Centre (PYDIC). PYDIC commenced in July 2020, and on average 23 young people attend the Centre each week.

PYDIC is part of the Breaking the Cycle of Crime initiative, to provide a supervised youth drop-in centre to engage young people who are at risk and involved in anti-social behaviour.

PYDIC provides a safe, inclusive space for young people in Palmerston to join in activities that are fun and engaging, which meets a goal of the Palmerston Youth Action Plan.

Young people can access responsive support, focussed on developing prosocial behaviours, social skills, living skills and engage in positive interactions between staff and people through organised activities.

The COMMITTEE supports the ongoing engagement and support the PYDIC provides to young people in this community. A program of for engagement is implemented each week, which has included cultural activities, music programs, family engagement, swimming, tennis, gym, food programs, health and wellbeing, mothers programs, employment and career development and much more.

The COMMITTEE has been advocating for Youth Centres to provide a safe spaces for young people as alternative to the negative influences of urban environments and offending behaviours, especially if have life skills programs targeted at young people disengaging from to improve school engagement.

Register of Appropriate Support Person

The Register of Appropriate Support Persons (RASP) provides Northern Territory Police with access to support persons who can be present and assist unaccompanied young people when they are required to attend interviews and engage with Police in relation to possible criminal matters. The appropriate support person acts as an independent observer for the young person, by providing appropriate support and non-legal guidance. In the Northern Territory, the RASP is provided by the Australian Red Cross.

Australian Red Cross entered a five-year funding agreement with the Department of Territory Families, Housing and Communities for administration of the program only. The RASP program relies on the recruitment, training and availability of appropriate people who are committed to volunteering their time. The Australian Red Cross partners with key stakeholders, particularly the Northern Territory Police, the Department of Territory Families, Housing and Communities and legal organisations, such as the NAAJA, to ensure that the volunteers are appropriately trained and able to fulfil their functions. Maintaining the RASP is a key statutory function of the Committee.

The Committee oversees the Register of Appropriate Support Persons as per part 14 of Youth Justice Act 2005 and as per this requirement the Committee receives reports on a quarterly basis to better support this program under Youth Justice Act 2005. Australian Red Cross conducts the RASP program though recruitment and training of volunteers and engagement with police and Northern Territory legal organisations to provide a trained support person volunteer for a young person when they are being charged or granted bail, mainly after hours, if police are unable contact family members, and as a last resort before a young person is remanded in custody.

The RASP volunteers' role is to support the young person in the police interview and when being charged, so the young person understands the Police procedures, their rights and when they want to tell their story, say nothing or require support to talk to a lawyer.

Also, the RASP volunteers' role is to ensure that the young person has been treated fairly by the Northern Territory Police.

