



YOUTH JUSTICE ADVISORY COMMITTEE

Annual Report 2021-22





Contents

Chair's Letter	4
Letter to the Minister	5
Overview	7
Current Youth Justice Advisory Committee Members	9
Former members during the reporting period	9
About the Members	10
Overview of 2021-22 Membership and Membership Aspiration for 2022-23	12
Chairperson's overview	13
Meetings	14
Correspondence out	14
Presentations and discussions	15
Focus areas	16
Section 205 Powers	16
YJAC Focus Areas for 2021/2022	17



Register of Appropriate Support Persons (RASP) for 2021/22	18
Register of Appropriate Support Person (RASP) Program Annual Data for 2021-22	20
Supported Bail Accommodation.	21
Barkly Region Youth Justice Supported Accommodation	22
Diagnosed or Undiagnosed Disabilities	23
Alternatives to Youth Justice Court involvement	23
Community Youth Diversion Program	24
Back on Track (BoT) Program	27
Restorative Youth Justice Conferencing	29
Early Intervention and Strategic BoT ‘On Country’ Camp Programs.	29
Community Work Orders and Providers	30
Central Australian Youth Justice (CAYJ).	31
Elders and Mentor’s Program within the Youth Detention Centres	31
Family Responsibility Agreements	32
Synopsis of trends and issues considered by YJAC in the reporting period.	33
YJAC Issues Register Annual Report 2021/22	34

Chair's Letter

Hon Kate Worden
Minister for Territory Families
Parliament House
Darwin NT 0810

26 September 2022

Dear Minister Worden

The Youth Justice Advisory Committee (YJAC) in accordance with Section 213 of the Youth Justice Act 2005 (the Act) is pleased to present the 2021-22 YJAC Annual Report.

In the reporting period, pursuant to Section 204 of the Act, YJAC has primarily focussed on:

- The Youth Justice Legislation Amendment Bill 2021 and subsequent increase in numbers of young people being remanded in detention;
- Providing advice on alternative sentencing, and diversionary options including Restorative Youth Justice Conferencing, Youth Diversion, Community Work Orders, Minister Approved Programs such as Back on Track (BoT) and the Youth Outreach and Re-Engagement Team;
- Supporting raising of the age of criminal responsibility through providing advice on early intervention and prevention programs and services as a mechanism to engage young people, their family members, Elders and community members prior to or upon entry into the youth justice system.

Like all others, the 2021-22 reporting period for YJAC has been adversely effected by the pandemic, resulting in difficulties regarding members' attendance, secretariat support and meeting scheduling.

During the reporting period, YJAC was required to navigate the appointment of two Chairpersons, members' resignations and new member recruitment. It is the absolute expectation of current YJAC members that the aforementioned constraints will be rectified in the next financial year.

I appreciate and acknowledge the efforts of all YJAC members in 2021-22 and the proposed new YJAC members for 2022-23, which will enable YJAC to better inform you through a refreshed perspective.

I also recognise the secretariat support of YJAC throughout this reporting period, although there were changes in secretariat position and challenges associated with COVID-19.

In accordance with the Act, I verify to you that the 2021-22 YJAC Annual Report is an accurate record of YJAC's involvement in the youth justice system over the past financial year.

Yours sincerely



Stewart Willey
Youth Justice Advisory Committee Chair



Letter to the Minister

Hon Kate Worden
Minister for Territory Families
Parliament House
Darwin NT 0810

26 September 2022

Dear Minister Worden

As you are aware the Youth Justice Advisory Committee (YJAC) members are appointed under Part 13 of the Northern Territory (NT) Youth Justice Act 2005 (the Act) to carry out the following functions:

- (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; and
- (e) any other functions as directed by the Minister.

YJAC members are currently reflecting on the past 12 months as part of the YJAC Annual Report process and reviewing priority areas for the next 12 months.

An area where there is complete consensus, is that YJAC members are committed to continuing to work towards building a strong line of communication with your Office, particularly in order to continue to provide advice as required under Part 13 of the Act.

YJAC members consider that the flow of advice between the YJAC membership and your Office could be strengthened by your Office committing yourself or a key advisor to attend a one-hour session as part of each YJAC quarterly meeting.

The aim of this session would be for YJAC to receive an update on youth justice priorities for your Office, as well as an opportunity for YJAC to give real time advice regarding matters as they relate to the enactment of the Act.

We would also welcome any other ideas you might have regarding ways to strengthen communication as we move forward.

A clear plan for communication moving into the 2021-22 year will ensure that we will be able to document this plan in the annual report, which is currently in its initial draft form.

YJAC members are looking forward to continuing this conversation with you as the Minister, your advisors and your Office.

If you need more information or clarification, please contact the YJAC Secretariat at TFHC. YJACSecretarit@nt.gov.au and/or the YJAC Chair at stewart.willey@gmail.com or more preferably on 0409 459 380.

Yours sincerely



Stewart Willey
Youth Justice Advisory Committee Chair



Overview

The YJAC'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 YJAC

1. There is established the YJAC comprising government, non-government, and community representatives.
2. The YJAC 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 YJAC 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 YJAC has the powers necessary or convenient to carry out its functions.

Section 206: Members

1. The YJAC 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
- (h) the remainder drawn from the community generally, and the Aboriginal community in particular.

3. The Minister must be satisfied that each person appointed to be a member has experience, skills, qualifications or other credentials that the Minister considers appropriate for the person to satisfactorily contribute to the Committee's work.

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.

2. A member is eligible for re-appointment.

Section 211: Meetings

1. The Chairperson must call meetings of the YJAC as often as necessary for the performance of its functions, but so that not more than six months elapses between two successive meetings.

2. The Minister may at any time direct the Chairperson to convene a meeting of the YJAC and the Chairperson must convene a meeting accordingly.

3. The Chairperson must preside at all meetings at which he or she is present and, in his or her absence, the members present must elect one of their number to act as the Chairperson.

4. Subject to the Act, the YJAC may determine the procedure to be followed at or in connection with its meetings.

5. The YJAC must keep records of its meetings.

Section 212: Quorum

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

Section 213: Annual Report

1. The YJAC must, as soon as practicable after 30 June in each year, and in any event not later than the next following 30 September, give to the Minister a report on the activities of the YJAC during the preceding financial year.

2. The Minister must be able to table a copy of the report in the Legislative Assembly within five sitting days of the Assembly after receiving it.

Current Youth Justice Advisory Committee Members

Region	Name	Organisation
Darwin	Ms Jane Bochmann	Department of the Attorney-General and Justice (AGD)
	Mr Peter Fletcher	Territory Families, Housing and Communities (TFHC)
Tennant Creek	Mr Stewart Willey (Chairperson)	Community Member
Alice Springs	Mr Andrew Lockyer	Community Member

Former members during the reporting period

Region	Name	Organisation
Darwin	Mr Ian Lea	NT Police, Fire and Emergency Services (NTPFES)
	Ms Aysha Kerr	NT Social Services (NTCOSS)
	Ms Shannon Ramsay	Law Society NT
	Ms Danielle Taylor	Community Member
	Mr Victor Williams	Department of Education
Alice Springs	Ms Michelle Bates	Community Member



About the Members

Stewart Willey, Chairperson

Stewart Willey is a community member from Tennant Creek and the current YJAC Chairperson, he has been a member of the YJAC for more than 11 years.

Stewart is currently 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.

Stewart 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.

Stewart works closely with young people's family and Elders to develop positive pathways and case plans.

Additionally, Stewart provides intensive case management, engagement and support to young people, their family 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. Case plans may involve participation in football games linked to school attendance and engagement, support for training and employment, and support with the Youth Development Unit in Tennant Creek and the Barkly Region.

Jane Bochmann

Jane Bochmann is a Senior Policy Lawyer for the Solicitor for the NT within AGD. Prior to this, Jane worked as a Senior Summary Prosecutor in the Summary Prosecution section of the Director of Public Prosecutions (DPP) in Darwin.

Jane 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. She has also worked as a SA District Court Judge's Associate and in private practice in a major Adelaide law firm.

Peter Fletcher

Peter Fletcher is the current Director for Community Youth Justice and Crossover Care for the Greater Darwin Region with TFHC.

This role oversees the Youth Outreach and Re-Engagement Teams (YORET) across Greater Darwin, as well as the Crossover Care Team, who work with young people involved in both the out-of-home care (OOHC) and youth justice systems, in accordance with Recommendation 35.5 of the Royal Commission into the Protection and Detention of Young People.

Prior to this, Peter was the Manager of the YORET across Katherine and East Arnhem Land, and also brings six years' experience in frontline child protection work, undertaken within the Katherine region.

Peter is currently the Chairperson of the BoT referral panel for the Northern Region, a member of the Darwin and Palmerston Multi Agency Community Child Safety Team (MASSCT), and was a member of the Electronic Monitoring Steering Committee during the reporting period.

Andrew Lockyer

Andrew Lockyer is a local Arrente man from Alice Springs with cultural connections to the people and country west of Alice Springs. Andrew's current work is with the North Australian Aboriginal Justice Agency (NAAJA) in the Throughcare Program, supporting youth that are involved with the youth justice system.

Andrew 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.



Overview of 2021-22 Membership and Membership Aspiration for 2022-23

During 2021-22, the YJAC were challenged with a number of changes to membership and on occasion struggled to meet quorum. There were times where members were affected by COVID-19 or unable to attend due to competing priorities with their nominal occupation.

There were six formal resignations during the reporting period. The following were forwarded to the Minister for consideration and appointment.

- The CEO of TFHC confirmed the nomination of Mr Michael Hebb, Acting Executive Director Youth Justice TFHC, pursuant to section 206(2)(g) of the Act.

Mr Hebb brings 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.

- Following the retirement of Mr Ian Lea, Superintendent of the Youth Engagement and Judicial Services Division with NTPFES, NTPFES confirmed its nomination of Mr James Joseph O'Brien SC, Commander, Territory Communications and Operational Support, pursuant to section 206(2)(b) of the Act on 22 June 2022.

Mr O'Brien has 27 years' experience in the NT Police Force and has held various positions including Officer in Charge for numerous units, Detective Superintendent, Chief of Staff and Commander.

- NTCOSS is the NT's closest representation to a peak youth organisation. On 22 June 2022, NTCOSS confirmed their nomination of Ms Stephanie Louise Burgess pursuant to section 206(2)(f) of the Act.

Ms Burgess brings more than ten years' experience working with young people across diverse backgrounds and has spent the last two years working in the youth sector in Alice Springs.

In early 2022, to re-establish membership numbers, on behalf of the YJAC, TFHC advertised an Expression of Interest (EOI) for members of the community to apply to participate in the YJAC under section 206(2)(h).

On 20 May 2022, the application period for the EOI closed and applications were reviewed accordingly. The shortlisted applicants will be invited to attend as observers in 2022-23 as an

opportunity to develop an understanding of the YJAC and their responsibilities as members before being appointed.

The aspiration of the YJAC membership is to have a membership in accordance with section 203(2) of the Act and hold representation from across the NT at a 'grassroots' level to better inform the Minister.

The YJAC expects this will be achievable with the Chairperson and members having already identified and approached potential members and potential members approaching the YJAC who are passionate about youth justice needs, issues and barriers; and who live in regional and remote communities. Potential new members are mainly Indigenous, and include youth representatives.

The YJAC respectfully recommended Section 206(2) is amended and a Department of Health representative is added to the YJAC membership as this portfolio brings specific knowledge related to underlying issues that may result in a young person's involvement in the youth justice system.

Chairperson's overview

In the 2021-22 reporting period the YJAC has been constrained due to members' resignations, community and government members attendance at meetings and involvement in out of session workshops. As with all other areas, the COVID-19 pandemic had an adverse impact on the availability of members and guests.

It is the absolute expectation of current YJAC members that the aforementioned constraints will be rectified in the next financial year through the recruitment and nomination of new members and improved sophistication regarding mechanisms to bring the members together.

Furthermore, the YJAC is refining its processes through the development of terms of reference, induction materials, communication, and new members 'shadowing' current members to improve support.

Please see:

- YJAC Terms of Reference
- YJAC Member Induction.

Nevertheless, the YJAC has provided the Minister with advice on:

- Raising the age of criminal responsibility with alternative programs and services with the proposed legislative changes
- Advocating for increased numbers of restorative conferences as an alternative to the Youth Justice Court. This also includes Community Work Orders (CWO), Youth Diversion, 'diversionary' activities, BoT and sentenced to a program under section 90 of the Act.
- Advocating and supporting an interagency and inter-organisation youth justice network in the Top End.
- Family Responsibility Agreements (FRA).
- Young people attending and engaging in education as an alternative to antisocial and offending behaviours:

- This is a priority in the Barkly and is particularly prevalent with low attendance and engagement at the High School.
- Subsequently, attendance and engagement are being linked to playing football games to increase attendance, as an alternative to antisocial and offending behaviours and as CWO project with mentored and supervised umpiring and coaching of under 13 games by qualified coaches, football support i.e., line marking and scoring and timekeeping.
- Reinstatement of the Elders and mentors programs at Youth Detention Centres:
 - Self-identified Barkly Elders and respected persons are wanting to engage with young people in youth detention centres.
- Developing a Minister's presence at every YJAC face-to-face meeting, as per correspondence.

Additionally, the YJAC has been overseeing the Register of Appropriate Support Persons (RASP) program, as per section 14 of the Act.

Through open communication with the YJAC, Red Cross was able to raise concerns and be supported through police issues, which the YJAC has addressed through members or raised to the Minister.

I look forward to the appointment of new YJAC members.

This will allow the YJAC to be more proactive to advise the Minister, especially with our collaboration discussions with the Office of the Children's Commissioner, new members that are more representative of the youth justice sector and to overcome potential conflicts with TFHC.

Meetings

During the reporting period YJAC meetings were held on:

- 8 July 2021
- 19 to 20 October 2021
- 27 January 2022 (two-hour workshop on focus areas and the Issue Register)
- 28 January 2022
- 12 April 2022.

Correspondence out

- The YJAC invite to Office of the Children's Commission to attend, advise, and discuss collaboration and the YJAC's secretariat position being independent of TFHC due to perceived conflicts.
- YJAC correspondence with the Police Commissioner to nominate a police representative to represent NT Police on YJAC.
- YJAC correspondence with the Minister to request an active Ministerial presence at all YJAC face-to-face meetings.



Presentations and discussions

During 2021-22, the YJAC received presentations and held discussions with the following government and non-government representatives:

- The Hon Kate Worden MLA, Minister for Territory Families, who discussed expectations of the YJAC, areas of concern and issues raised by the YJAC
- Ms Kelsey Branford, Minister for Territory Families Advisor, who attended on behalf of Minister Worden for the YJAC to raise their areas of concern and report their findings
- Ms Joanne Huyben, Manager Youth Justice Programs TFHC who delivered a presentation and provided updates on community youth diversion programs, the BoT program and youth diversion camps
- Ms Janice Rentuza, Manager Youth Justice Projects TFHC who delivered a presentation on RYJC and provided updates on the panel contract award
- Mr Chris Simcock, (then) General Manager Youth Justice TFHC who provided an update on Youth Justice Operations for the Alice Springs and Don Dale Youth Detention Centres, which included the Elders and Mentors Program and recruitment for both centres
- Mr Joseph Miliado, Youth Justice Programs Coordinator Red Cross – RASP who provided an update on the quarterly services delivered from 1 October to 31 December and 1 January to 31 March 2022
- Ms Kaitlyn Anderson, Youth Justice Programs Coordinator Red Cross – RASP who provided an update on the services delivered from 1 July to 30 September 2021
- Ms Leonie Warburton, Senior Director Performance TFHC provided an update on law reform which addressed the impacts of the Youth Justice Act Amendment
- Ms Rachelle Hobbs, Senior Director Strategic Youth Justice Projects and Infrastructure TFHC, delivered a presentation on the infrastructure development of the new Darwin Youth Justice Centre and redevelopment of the existing Alice Springs Detention Centre which included discussions regarding the Model of Care.



Focus areas

Preamble

The YJAC focus areas are initiated by members through consultation with NT youth justice networks.

YJAC members then liaise with the Minister and adviser to seek input and involvement on a 'roadmap' to further inform the Minister with information as per Part 13, section 204, of the Act.

Section 205 Powers

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

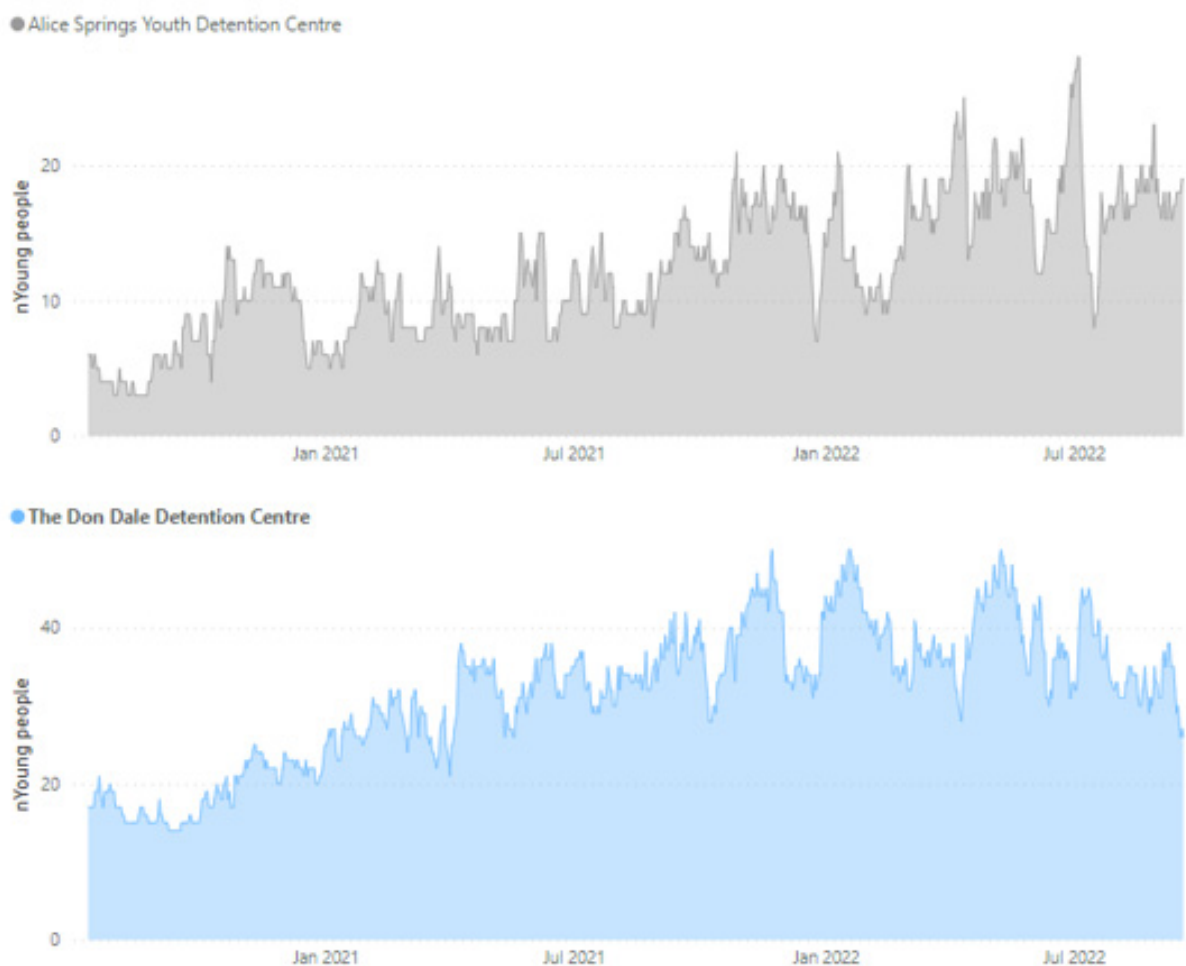
Please note: these focus areas are further developed by members during meetings with data from TFHC Youth Justice section, information from TFHC and 'grassroots' information from youth workers, RASP, youth lawyers and community members, to better inform the Minister via the YJAC issues' register.

YJAC Focus Areas for 2021/2022

The Youth Justice Legislation Amendment Bill 2021 and subsequent increase in numbers of young people being remanded into detention. Figure 1 shows the total number of young people in the ASYDC and DDYDC from before the legislation changes in May 2021, until September 2022.

This report shows the total number of youth under supervision in detention facilities includes new admissions and discharges youth on the census date. This data is refresh overnight every day using data from the Integrated Offender Management System (IOMS), and dashboard is refreshed in the morning every day.

Figure 1:



Register of Appropriate Support Persons (RASP) for 2021/22

Background

The RASP provides NT Police with access to support persons who can be present and assist unaccompanied young people when they are required to engage or be interviewed by NT Police in relation to a possible or perceived criminal matter. The appropriate support person acts as an independent observer for the young person, by providing appropriate support and non-legal guidance.

In the NT, the RASP is provided by the Australian Red Cross. The Australian Red Cross entered into a five-year funding agreement with TFHC for administration of the program only. The RASP program aims to assist young people to make informed decisions, ensure their rights are upheld, and reduce the time young people spend in custody.

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 NT Police, TFHC and legal organisations, such as NAAJA, to ensure volunteers are appropriately trained and able to fulfil their functions.

The RASP volunteer's role is to support the young person in the police interview and when being charged, so the young person understands the police procedures and their rights.

The YJAC oversee the RASP as per part 14 of the Act and as per this requirement, the YJAC receives reports on a quarterly basis to better support this program under the Act.

Red Cross conducts the RASP program through recruitment and training of volunteers and engagement with police and NT 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.

Also, the RASP volunteer's role is to ensure that the young person has been treated fairly by police.



Overview of RASP during the reporting period with YJAC's involvement

In the reporting period, Red Cross has prepared quarterly reports about their involvement in RASP, and these are presented at the YJAC meetings, as per the funding agreement with TFHC.

YJAC has requested additional data from Red Cross to better support the RASP volunteers in their role with needs and issues, to better support their role.

This has included:

- increases and decreases in RASP involvement in the NT regional centres, by individual young person presentations – especially due the legislative bail reforms for recidivist offenders and serious breaches of bail
- involvement of young people in the NT Regional Centres from remote communities with no residential bail alternatives
- issues with police procedures and access to on call Youth Justice Court Judges after hours i.e., locating responsible adults and on call judges being busy with other matters resulting in the young person being remanded in custody
- Red Cross adding Tennant Creek as a RASP response area with little to no involvement.

Register of Appropriate Support Person (RASP) Program Annual Data for 2021-22

Outcome	Measure	Data by Location				
		Darwin	Katherine	Alice Springs	Tennant Creek	
<i>Provide 24-hour support service to young persons being interviewed, questioned or charged by Police</i>	Total number of call outs					
	Age breakdown					
	10	77	7	27	3	
	11	5	0	0	0	
	12	1	0	0	0	
	13	5	0	1	0	
	14	11	0	1	0	
	15	24	2	5	2	
	16	14	2	3	0	
	17	7	0	10	0	
	18	10	2	8	0	
	Unknown/other	0	0	0	0	
	Gender	M	0	1	0	0
		F	62	7	17	2
	Ethnicity	ATSI	15	0	10	0
		Other	71	1	27	2
	Usual place of residence	Darwin/ Palmerston	51	6	0	0
		Katherine	5	1	0	0
		Alice Springs	0	0	21	1
		Tennant Creek	0	0	0	1
		Remote community	18	0	4	0
		Interstate	2	0	2	0
		Unknown	1	0	0	0
	Number of young people unable to be supported	0	0	0	1	
	Referrals made to other services					
	Legal	8	0	4	0	
	Housing/Bail accommodation	10	0	0	1	
	Welfare/ Territory Families	4	0	1	0	
<i>Maintenance of Roster</i>	Total number of persons on register	17	10	39	12	
	Gender					
		M	0	1	7	9
		F	17	9	32	3
	Volunteer hours contributed	63 hours 45 minutes	1 hour 10 minutes	20 hours 45 minutes	30 minutes	



Bail Support and Youth Justice residential facilities in regional communities as an alternative to Youth Detention Centres because Young People have no residential bail alternative. Focus program in the Barkly Region.

The YJAC advocating supported residential bail accommodation due to lack of residential bail alternatives in regional and remote areas because of the reforms to the bail act. This includes the impending Barkly Region Youth Justice residential facility in Tennant Creek and the proposed facility in Katherine.

Supported Bail Accommodation

Supported Bail Accommodation (SBA) provides a safe, secure and supportive alternative avenue for young people for police and court bail, where the courts determine that it would be preferable to remanding the young person in custody.

SBA services aim to reduce the number of young people being remanded in custody, by providing the required support and interventions to young people. SBA services increase the confidence of a Court or police that a young person will comply with the conditions of their bail order.

SBA services provides a holistic therapeutic response to address the risk factors that have contributed to a young person's involvement in the Youth Justice System.

For high risk young people, Courts and police are more likely to grant bail if a bail support service is available.

The objectives of the SBA service are to:

- increase the number of young people receiving bail instead of being remanded in custody
- increase the number of young people complying with their bail conditions
- reduce the risk factors that lead to non-compliance with bail conditions
- increase the confidence of bail decision makers (police and Courts) so remand is not used to limit reoffending or be used as a care and protection placement option.



Barkly Region Youth Justice Supported Accommodation

Construction is underway for a facility to support the Barkly region youth justice supported accommodation program.

Funding of \$3.6 million is committed for the Barkly Region Youth Justice Supported Accommodation facility as part of a tripartite funded project that is the first of its kind for the NT.

This is part of a continuum of diversion programs and actions including alternatives to detention in the Barkly region. The facility is being funded through the \$78.4 million Barkly regional deal.

This project will see young people, who are at risk of entering the youth justice system, being able to remain on country in the Barkly region.

They will be supported by a culturally connected residential program which has been informed by local Aboriginal organisations.

This regional approach supports the findings of the Royal Commission into the protection and detention of young people in the NT. Specifically, in relation to ensuring opportunities to keep young people within the youth justice system on country where appropriate.

This service will provide supervised accommodation and tailored support to young people who do not otherwise have a suitable or safe place to reside while on bail or while completing their court order within the Barkly region.

Diagnosed or Undiagnosed Disabilities

Diagnosed or undiagnosed disabilities as related to a young person's involvement in the youth justice system and access to other programs and services i.e., health, education, housing

- cognitive
- trauma
- hearing
- mental health
- Fetal Alcohol Spectrum Disorder (FASD)
- National Disability Insurance Scheme (NDIS) plans in and outside of detention involved in the youth justice system.

The Disability and Development team within TFHC support the agency to ensure children and young people have access to appropriate supports and funding to:

- complete daily activities
- participate in their community
- reach their goals.

The Disability and Development Team can assist young people to:

- facilitate access to assessment and intervention through the agency's medical and allied health specialist services (MAHSS) contract
- navigate the NDIS
- monitor quality of NDIS plans and coordination of supports.

They also coordinate mainstream supports for children and young people in, or at risk of entering voluntary out-of-home care.

Alternatives to Youth Justice Court involvement

Alternative pathways such as Section 39 of the Act, and alternative sentencing options under section 83 (e) and 90 of the Act.

The YJAC have continued to focus and support raising the age of responsibility and recommend additionally resourcing to the following early intervention and prevention programs, should the age of responsibility be increased:

- Community Youth Diversion/Diversiory
- Restorative Community and Youth Justice Conferencing
- BoT
- Youth Outreach and Re-Engagement Officers (YOREOs)
- Early Intervention/Pre Diversion.

Community Youth Diversion Program

TFHC currently funds 13 providers to deliver formal community youth diversion program services across 60 communities in the NT.

Funded Service Providers/ Organisations	Communities Serviced	Funded Capacity	Young People Engaged (as at 30 June 2022)	Number of Young People Successfully Completed in 2021/22
GREATER DARWIN REGION				
Danila Dilba Health Service	Darwin, Palmerston, Humpty Doo, Noonamah, Berry Springs, Coolalinga, Howard Springs, Holtz, Knuckey Lagoon, Virginia, Darwin River, Bees Creek and Southport	45	23	38
ARAFURA REGION				
Adjumarllarl Aboriginal Corporation	Gunbalanya and Jabiru	15	0	0
Mala'la Health Service Aboriginal Corporation	Maningrida and Surrounding Homelands	15	2	10
Thamarrurr Development Corporation	Peppimenarti, Palumpa, Wadeye and Surrounding Outstations.	15	5	14
Tiwi Islands Regional Council	Tiwi Islands (Milikapiti, Pirlangimpi and Wurrumiyanga)	15	9	22

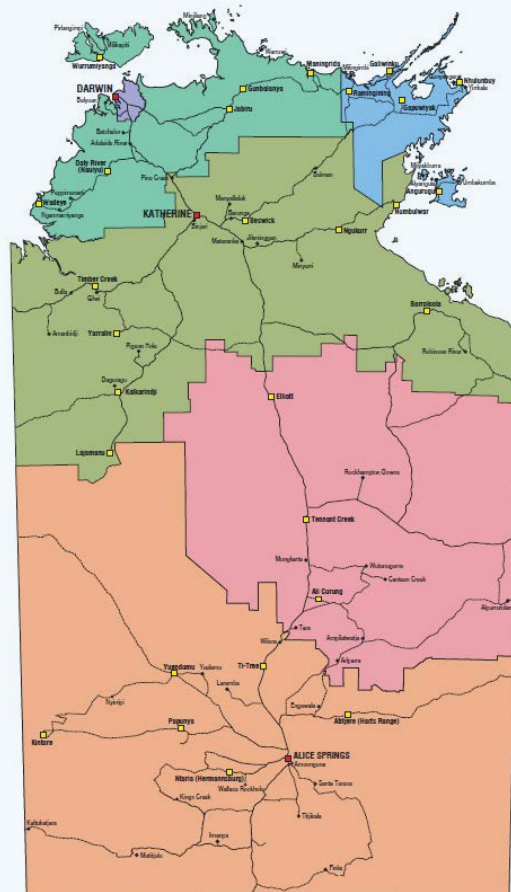
EAST ARNHEM REGION				
Bush Fit Mob	Groote Eylandt (Alyangula, Angurugu, Milyakburra and Umbakumba)	15	1	8
East Arnhem Regional Council	Nhulunbuy, Galiwinku, Gunyangara, Ramingining, Milingimbi, Gapuwiyak and Yirrkala	20	21	53
BIG RIVERS REGION				
Yugul Mangi Development Aboriginal Corporation	Ngukurr and Minyerri	15	6	9
Kalano Community Association Inc	Katherine, Barunga, Beswick, Mataranka (incl. Binjari, Miali Brumby and Rockhole)	30	27	43
BARKLY REGION				
Tennant Creek Mob Aboriginal Corporation	Ali Carung, Elliot and Tennant Creek	30	2	36
CENTRAL AUSTRALIA				
MacDonnell Regional Council	(Central Desert) Amoonguna, Areyonga, Haasts Bluff, Hermannsburg, Kintore, Mt Liebig, Papunya, Santa Teresa and Titjikala	20	3	26
The Gap Youth and Community Centre	Alice Springs	45	8	103
Warlpiri Youth Development Aboriginal Corporation	(Warlpiri Lands) Lajamanu, Nyirripi, Willowra and Yuendumu	15	3	32

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 NT 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 reengagement, 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 YJAC sought clarity on whether these programs are and/or will available for the younger cohort should the age



of responsibility be raised and if existing programs are able to be developed to be suitable for the 8-9 year old cohorts.

TFHC advised where capacity exists, service provider’s work with young people at risk of entering the youth justice system who are not formally engaged; as well as young people who are not between the ages of 10-17 years.

TFHC also included additional focus within all agreements, should capacity permit, for support to be made available to young people aged 8-9 years involved in or at risk of entering the youth justice system.

Back on Track (BoT) Program

The NT Government funds non-government organisations to deliver the multi-faceted, strengths based BoT program for eight to 17 year olds, in Greater Darwin, Alice Springs, Tennant Creek, Nhulunbuy and Katherine.

The BoT program is a minister approved program, which means that it is a sentencing option for the judiciary under section 83(1) (e) of the Youth Justice Act 2005.

The program is also a referral pathway for the community, government agencies and non-government organisations (service providers).

The BoT 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 Program is based on four program elements, across two age groups as summarised in the following table:

Element	14-17 years	8-13 years
E 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 	
E 2	Consequences, repatriation and giving back to the community <ul style="list-style-type: none"> Restorative justice, community service, family responsibility Responsibility and reparation to victims of crime 	
E 3	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 	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
E 4	Vocational education, training and employment <ul style="list-style-type: none"> Volunteering and engaging with work Learning skills Positively contributing to community 	Reengagement 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

The BoT program for 8-13 year olds is modelled around building family capacity and responsibility, including individualised case management for the young people, with a goal to re-engage young people with mainstream education.

The BoT program for 14-17 year olds is modelled on a vocational education and training framework, but not an alternative to mainstream education. The aim is to re-engage young people with mainstream schooling subject to the requirements of the Education Act 2015 and/or support their transition to long-term training and/or employment pathways.

Funded Service Providers/ Organisations	Funded capacity	Utilisation (Number of cases as at 30 June 2022)	Throughput (number of cases in 2021/22)	Number of staff members as at 30 June 2022
Central Australia Aboriginal Congress Aboriginal Corporation (Alice Springs)	26	26	50	4.3
Saltbush Social Enterprises (Alice Springs)	20	4	25	1.5
Australian Childhood Foundation (Tennant Creek)	12	12	18	1.4
Saltbush Social Enterprises (Tennant Creek)	12	11	17	2.2
Australian Childhood Foundation (Nhulunbuy)	5	3	5	0.4
Anglicare NT (Nhulunbuy)	8	3	5	0.6
Australian Childhood Foundation (Katherine)	10	10	14	5.5
Save the Children (Katherine)	15	9	13	2.2
Jesuit Social Services (Katherine)	15	9	13	2.2
Australian Childhood Foundation (Darwin)	30	30	58	4.6
Anglicare NT (Darwin)	20	20	40	4.9
First Step Development Enterprises	20	20	37	7

Restorative Youth Justice Conferencing

This 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.

The YJAC has been advocating for this alternative to Youth Justice Courts due to the decreasing impact of young people offending and offended persons, businesses, and community members preferred responses to young people offending.

Restorative justice aims to reduce young people in the justice system, particularly

the over representation 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.

Referrals 2021-22	Referrals Completed 2021-22
15	9

Early Intervention and Strategic BoT 'On Country' Camp Programs

TFHC currently fund two providers to deliver on country camps for the NT:

Jarrdimba Bayamuku Aboriginal Corporation (JBAC) at Seven Emu Station

- to deliver short term camps for young people aged 10-17 years
- to deliver long term camps for young people aged 14-17 years

Operation Flinders at the Northern Flinders Ranges in South Australia

- to deliver an eight-day program for young people based in the Central Australia and Barkly Region aged 13-17 years.

Early Intervention and Strategic BoT 'On Country' Camp Programs are delivered on country and are designed to reduce offending behaviour, target substance abuse and at risk behaviour.

The aim is to increase educational and vocational engagement, improve cultural connectedness and identity and enhance health and wellbeing.

Referrals can be received from NT Police, Department of Education, the Courts, YORET, service providers and/or organisations, including self-made referrals from individuals or families.



Community Work Orders and Providers

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.

TFHC currently has 24 local business, non-government organisations and local governments engaged in working with the YORET program regarding community work.

These business 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.

Since 2019, there has been a trend increase in the number of young people sentenced by the Court under a community work order, as its primary order.

Number of Young People on Community Work Orders in 2021/22 across the NT	29
Community Work Orders Successfully Completed in 2021/22 across the NT	11

Central Australian Youth Justice (CAYJ)

The YJAC have continued to advocate and support the Central Australian Youth Justice (CAYJ) Committee.

CAYJ is a youth justice advocacy that represents a consortium of legal, youth, health, social welfare and community organisations that actively work in the Youth Justice space in Central Australia.

- While many of the issues that young people face in the justice system are universal, there are particular issues that are place-based and pertinent to the Central Australian region. It is from the collected professional experience of working in Alice Springs and across the Central Desert region that CAYJ is able to speak on youth justice matters with grounded knowledge.
- CAYJ member organisations include Alice Springs Youth Accommodation and Support Services (ASYASS), Anglicare,

BushMob, Central Australian Aboriginal Congress (CAAC), Create Foundation, Jesuit Social Services, MacDonnell Regional Council, NAAJA, NTCOSS, NT Legal Aid (NTLAC), Relationships Australia, Salt Bush Social Enterprises, Tangentyere and The Gap Youth Centre.

- CAYJ currently meet once a month and see themselves as being a voice and advocate for all young people in Central Australia in terms of needs in the early intervention and prevention space to not be involved in the formal youth justice system. CAYJ notes there is currently a large focus on Youth Justice which needs to include the community as a whole.
- CAYJ expressed their intention to expand into the Top End which was supported and encouraged by the YJAC.

Elders and Mentor's Program within the Youth Detention Centres

The YJAC have continued to advocate for the reinstatement of the Elders and Mentor's Program within the Youth Detention Centres.

The YJAC were disheartened to hear there has been minimal traction from community elders and/or mentors and not occurred at Don Dale Youth Detention Centre (DDYDC) for quite some time.

The Alice Springs Youth Detention Centre (ASYDC) has ongoing engagement from a community elder, and note TFHC continues to make attempts to enhance interest and have the Elders and Mentor's Program as an ongoing program for young people in both centres.

TFHC confirm its commitment to ensure the reinstatement of the Elders and Mentor's Program. Although attempts to facilitate this program have been unsuccessful, the importance of cultural connectedness remains a high focus and priority.

The YJAC continue to support the identification of suitable and willing Elders, Traditional Owners and mentors to attend both Youth Justice Centres to support young people; and agree on the need for Aboriginal Controlled Organisations to lead the Elders and Mentors Programs.

YJAC have also commenced researching after-hours programs in regional centres as alternative and early intervention/prevention to antisocial and offending behaviours.



Family Responsibility Agreements

Family Responsibility Agreements as per section 6A of the Act, were a focus of YJAC at the Minister's request. Below is an excerpt from TFHC.

- Family Responsibility Agreements (FRAs) are designed to assist parents, carers and/or responsible adults address their young person's problematic behaviour.

This includes where the young person has been engaging in behaviours that have led to participation in anti-social behaviour and/or youth crime. The objective of an FRA is to improve the wellbeing and safety of the young person and the community.

An FRA will require parents, carers and/or responsible adults to address any issues that give rise to their young person committing crime. FRAs may require the young person's parent or responsible adult to participate in services such as the Banned Drinkers Register, drug, alcohol or gambling courses, intensive family support services or to meet conditions such as ensuring their child's school attendance

and welfare needs are met.

- An appropriate agency can initiate FRAs when it is identified that a young person's home life is problematic and is contributing to their offending behaviour.

The Courts also have the authority to order that an appropriate agency take reasonable steps to enter into an FRA with a parent, carer or responsible adult of a young person before the Court.

By increasing the use of FRAs, more families will be supported to improve and strengthen their home environments, ultimately giving children and young people the future and opportunities they deserve.

- The aim of FRAs is to improve family and home environments to advance the welfare of the young person, ultimately reducing the likelihood of reoffending and contributing to a stronger, safer community.

Synopsis of trends and issues considered by YJAC in the reporting period

Aligned to the YJAC focus areas for 2021-22 and linked to the Royal Commission into the Protection and Detention of Children recommendations, YJAC members have concentrated on the following areas to inform the Minister regarding challenges and successes:

- Advocating for Residential Bail support as an alternative to detention – especially in regional and remote communities. This has been more prevalent with advocacy due the changes to the bail amendments for breaches of bail and serious breaches of bail.
 - However, as a first response, the number of young people referred has been limited possibly due to the constraints due absconding and the requirements of Bail Act with being incarcerated. This involved, the positives and challenges, how to increase the number of participants through the Youth Justice Courts and youth service provider referrals and providing support to their requested discussion involving the bail support program needs, issues, and challenges. This has been an ongoing project for YJAC.
- Questioning amendments to the Youth Justice Amendment regarding bail, diversion and the Youth Justice Court, including referrals out of the Youth Justice Court system and TFHC reforms. YJAC members have met with various personnel from TFHC to gain information on the changes in legislation and reforms.
- Advocating for disability support for young people involved in the Child Protection, Youth Justice and Youth Detention Centre systems especially with access to NDIS plans with supported through care and supported and facilitated access to assessments for cognitive, FASD and other mental health needs, issues, and challenges due to substance misuse and linked to offending behaviours. This especially includes young people in Youth Detention Centre's having NDIS plans involving staff training for Youth Justice Officers, Specialist Assessment and Treatment Services team, education staff to allow for increased engagement with the young person.
- Advocating for the Department of Health involvement in the YJAC as per the Royal Commission recommendations and for a more holistic approach for young people and family members with associated general health, disability health and mental health of young people in Youth Detention Centres. This includes the Department of Health involvement in Youth Detention Centres and their progress on implementing Royal Commission recommendations.
- Advocating for BoT as an alternative program and service to Youth Justice Courts and Youth Detention Centre through addressing the needs, issues, and challenges of young people in a holistic, restorative, therapeutic and trauma informed approach. YJAC members have continued discussions with TFHC regarding the BoT evaluation report
- The YJAC examining TFHC Youth Justice performance data to inform and advise the Minister.
- The YJAC introspectively reviewing their own processes/Terms of Reference, communication and the perceived conflict with the secretariat being a TFHC employee and two TFHC employees on the YJAC and discussing an independent secretariat though the Office of the Children's Commissioner.



YJAC Issues Register Annual Report 2021/22

The YJAC Issues Register was principally established for Non-Government Organisations (NGOs) engaging with young people and their family members in the Youth Justice system at the 'grass roots' level as well as for community members and youth justice committees such as the CAYJ and the Barkly Youth Service Providers Network to voice their issues, needs and concerns regarding youth justice.

The YJAC's role is to discuss these issues at a committee level, involve relevant NT government departments through discussion and correspondence and if required, provide advice to the Minister, including proposed solutions.

Most of the issues raised by NGOs and youth justice interest groups during the 2021-22 reporting period relate directly to the legislative amendments to the Bail Act regarding recidivist offenders, serious breaches of bail, and young person's presumption of bail, resulting in increased numbers of young people in detention on remand.

This is also exacerbated by the limited residential bail alternatives for young people with family members in regional and remote communities and access to program and service to support their bail conditions to address their offending behaviours.



