



LEGISLATIVE ASSEMBLY

FOR THE AUSTRALIAN CAPITAL TERRITORY

QoN No. 11

STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING

Mr Johnathan Davis MLA (Chair), Mr James Milligan MLA (Deputy Chair), Mr Michael Pettersson MLA

Inquiry into Annual and Financial Reports 2020-2021 ANSWER TO QUESTION ON NOTICE

Kikkert: To ask the Assistant Minister for Seniors, Veterans, Families and Community Services

Ref: Youth Justice, CSD Annual Report 2020–21, p. 88–89

In relation to: Detention of children aged 10–13 in the ACT

1. The Latest RoGS Youth Justice data show that, during 2020–21, the ACT locked up a higher proportion of children aged 10 to 13 years than any other jurisdiction in Australia (distinct from those on community-based orders). Why are children in the ACT more likely to be in detention than other Australian children?
2. Apart from planning to raise the minimum age of criminal responsibility, what is the ACT Government doing to address this high rate of children in detention?
3. Aboriginal and Torres Strait Islander children aged 10–13 in the ACT were locked up last year at a rate 3.42 times greater than in New South Wales and 20.89 times greater than in Victoria. What supports and/or services do those states have in place that the ACT does not and which help prevent the detention of young children engaged with their youth justice systems?

MS DAVIDSON: The answer to the Member's question is as follows:–

1. The ACT Government is committed to reducing the number of children and young people in detention. This is why we are working towards raising the minimum age of criminal responsibility. As noted in the recent Report on Government Services, the ACT has one youth justice detention centre with relatively small numbers in detention and under youth justice supervision. While we are working to prevent any children aged 10-13 going into detention, the small numbers in the ACT do affect comparability to other jurisdictions.
2. The ACT Government is continuing to find new ways to support children and families involved in the ACT youth justice system. One way the Government is doing this is trialling a Functional Family Therapy – Youth Justice (FFT-YJ) program. FFT-YJ specifically targets young people aged 12 to 17 years and aims to prevent young people from entering or becoming further involved in the youth

justice system. In early 2021, a pilot program was established funded through an initial allocation from the Confiscated Assets Trust (CAT) of \$380,000 for a six-month period. A further six months of funding (\$380,000) was also obtained through the CAT to support the continuation of the FFT-YJ program. The Government is also progressing work to review and analyse research and better practice approaches, including current therapeutic approaches in Bimberi.

3. The ACT Magistrate's Court is responsible for youth justice decisions and sentencing within the ACT. As mentioned above, the low number of young people incarcerated in the ACT does affect comparability to other jurisdictions, with each child having individualised criminogenic risks and needs. Child and Youth Protection Services utilises specific case plans, the purpose of which is to focus on the young person's current situation and the associated criminogenic risks and needs.

Child and Youth Protection Services recognises that many of the children and families who come into the youth justice system do so because of their social disadvantage. Effectively addressing disadvantage requires a broad societal focus on prevention and early support and attention to the underlying factors that contribute to such disadvantage, which varies between jurisdictions.

Approved for circulation to the Standing Committee on Health and Community Wellbeing

Signature: 

Date: 10 March 2022

By the Assistant Minister for Seniors, Veterans, Families and Community Services, Emma Davidson MLA