

2023

**THE LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

TENTH ASSEMBLY

Bimberi Headline Indicators Report – November 2023

**Presented by
Emma Davidson MLA
Assistant Minister for Families and Community Services
November 2023**

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BIMBERI HEADLINE INDICATORS REPORT

NOVEMBER 2023

Presented to the ACT Legislative Assembly by Emma Davidson MLA
Assistant Minister for Families and Community Services



ABOUT BIMBERI YOUTH JUSTICE CENTRE

Bimberi Youth Justice Centre (Bimberi) was designed and constructed to provide a safe and secure environment to assist children and young people to return to the community with enhanced skills and personal development and to be better able to live a non-offending lifestyle.

Bimberi is based on a school campus model with separate residential, civic and community zones to reflect the broader community, and to provide a normalised environment for up to 40 young people. Three key elements were considered in the design of Bimberi: physical structures, operating procedures, and programs for young people. Bimberi was the first youth justice facility in Australia to comply with human rights legislation.

ABOUT THIS REPORT

The following report provides trend data in three areas:

- > demographics
- > safety and security
- > programs, education, and community engagement.

NOTE ABOUT THE DATA

Data in this report is presented in financial years, from 1 July 2018 to 30 June 2023.

Data presented in the Bimberi Headline Indicators Report are unpublished data that can be updated or change between reporting periods. Caution should be exercised when using and interpreting data in this report, comparing between reporting periods or comparing to other published data.

The data presented represents a small number of young people in the population, and any changes in trend should be interpreted with caution.

Counting Rules

Age groups in this table are calculated from the age of each young person at the start of their period of detention, or if their period of detention commenced before the start of the quarter, on the first day of the quarter.

Note: Where a young person is in Bimberi over a birthday, this may result in them being reported in the higher classification in the next period.

Data Caveats

A young person may choose not to disclose their cultural identity.

Where there is an unknown Aboriginal and Torres Strait Islander status, these young people have been included in the non-Aboriginal and Torres Strait Islander disaggregation.

DEMOGRAPHICS

YOUNG PEOPLE DETAINED IN BIMBERI BY GENDER, AGE AND ABORIGINAL AND TORRES STRAIT ISLANDER IDENTITY, SEX AND AGE GROUP

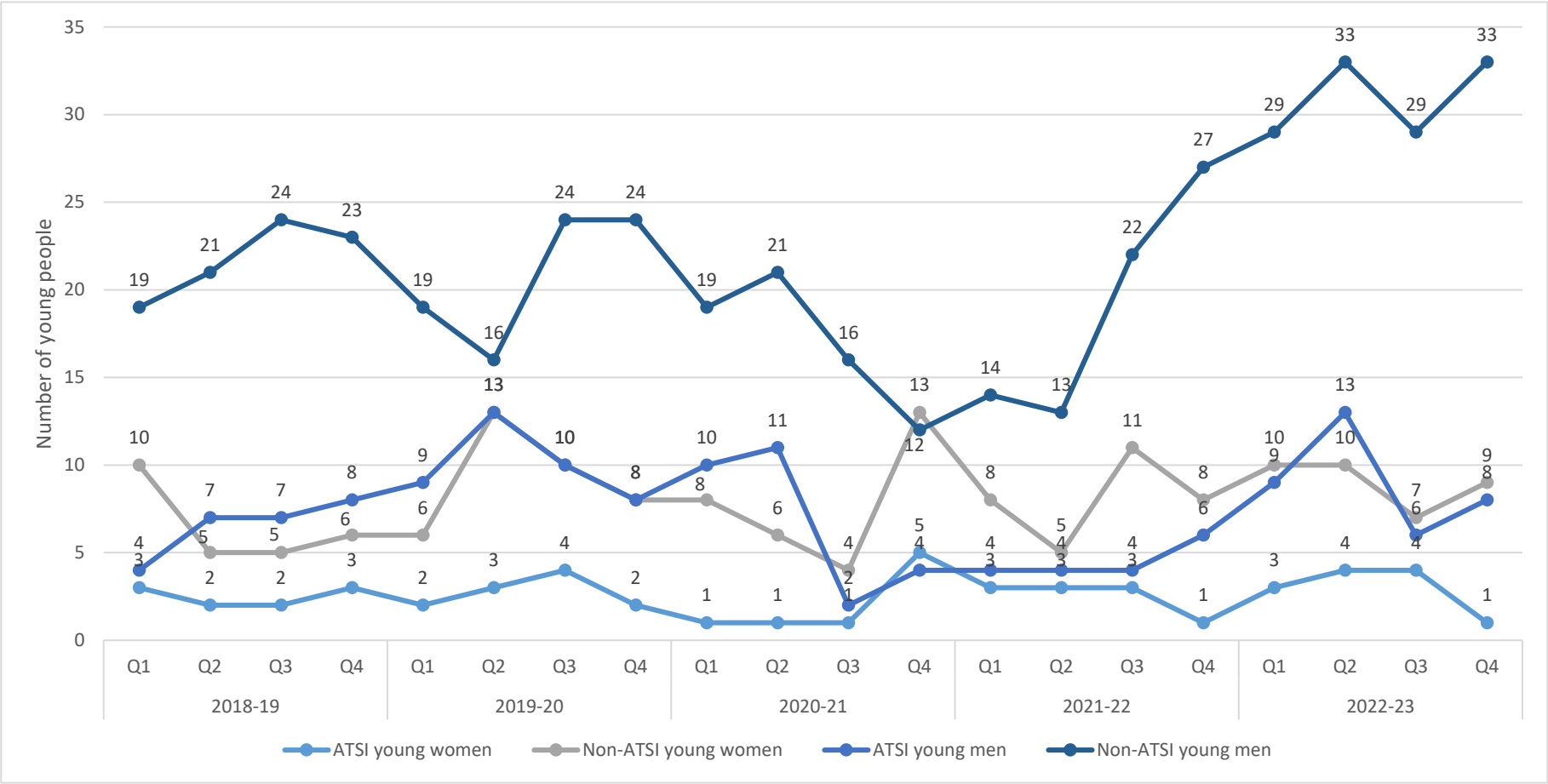
Cultural Identity ¹	Sex	Age ²	2018-19				2019-20				2020-21				2021-22				2022-23			
			Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Aboriginal and Torres Strait Islander young people	Male	10 – 13	1	0	0	1	0	1	2	0	1	3	0	0	0	1	0	0	1	2	2	1
		14 – 17	2	6	7	7	9	11	8	7	9	8	2	4	4	3	4	6	8	11	4	7
		18+	1	1	0	0	0	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0
	Female	10 – 13	0	0	0	1	0	0	0	0	0	0	0	2	1	1	1	0	0	0	1	0
		14 – 17	2	1	1	1	1	3	4	2	1	1	1	3	2	2	2	1	3	4	3	1
		18+	1	1	1	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Total		7	9	9	11	11	16	14	10	11	12	3	9	7	7	7	7	12	17	10	9
Non-Aboriginal and Torres Strait Islander young people	Male	10 – 13	3	3	1	1	1	0	1	0	2	2	2	2	2	2	1	3	3	1	2	2
		14 – 17	15	17	22	21	16	15	22	21	14	16	13	8	11	10	18	21	22	29	25	29
		18+	1	1	1	1	2	1	0	3	3	2	1	1	1	1	2	3	3	2	2	2
	Female	10 – 13	1	2	2	2	2	3	3	2	0	0	1	2	1	0	1	0	2	2	3	3
		14 – 17	8	3	3	4	4	10	7	6	8	6	3	11	7	5	10	8	8	6	4	6
		18+	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Total		29	26	29	29	25	29	33	32	27	26	20	24	22	18	32	35	38	40	36	42
Unknown Cultural Identity ²	Male	10 – 13	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0
		14 – 17	0	0	0	0	0	0	1	0	0	1	0	0	0	0	1	0	0	0	1	2
		18+	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1	1	0
	Female	14–17	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	1	2
All young people			36	35	38	40	36	45	48	42	38	39	23	34	29	25	40	42	51	60	49	55

¹ A young person may choose not to disclose their Cultural Identity.

² Age groups in this table are calculated from the age of each young person at the start of their period of detention, or if their period of detention commenced before the start of the quarter, on the first day of the quarter.

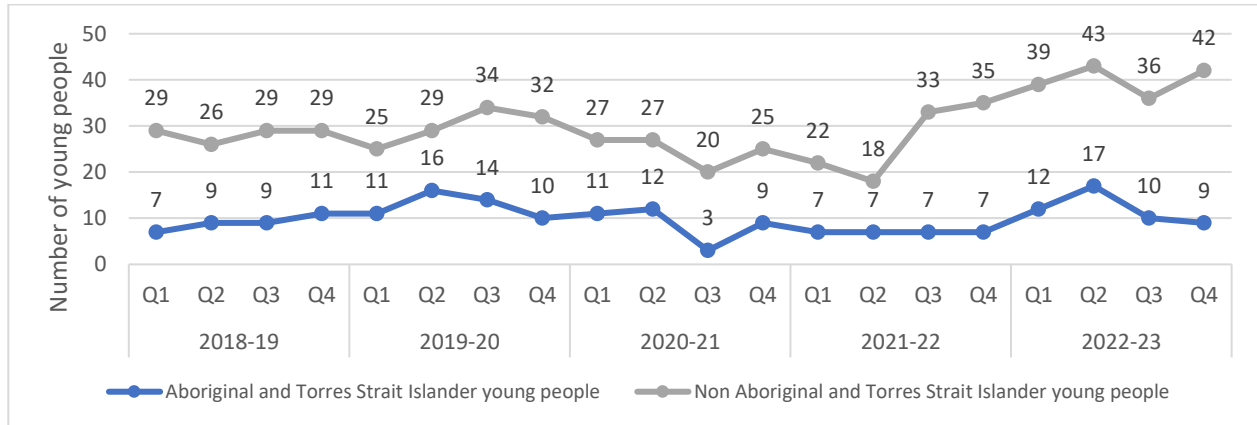
Data in this table are unpublished, operational data that can be updated or change between reporting periods. Caution should be exercised when using and interpreting data in this report, comparing between reporting periods or comparing to other published data.

YOUNG PEOPLE DETAINED IN THE BIMBERI YOUTH JUSTICE CENTRE, BY SEX AND ABORIGINAL AND TORRES STRAIT ISLANDER IDENTITY³

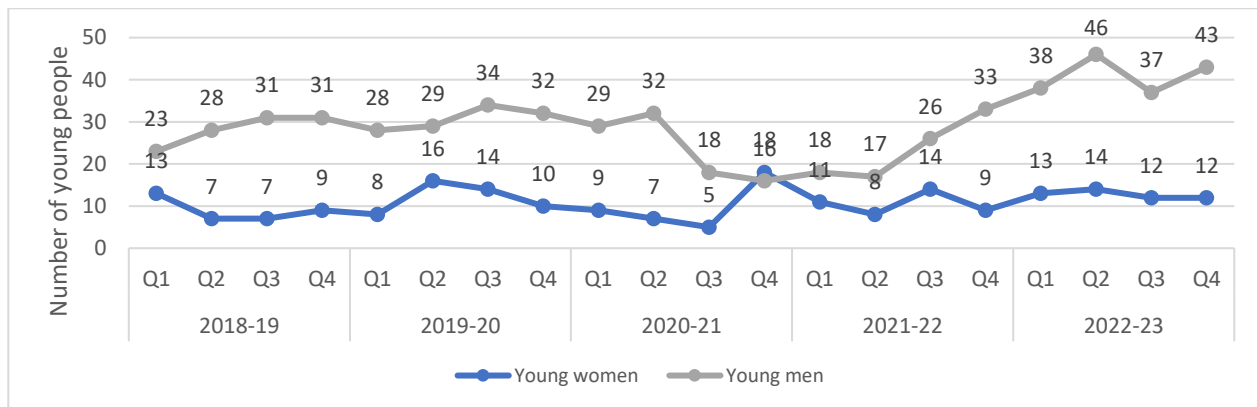


³ Where there is an unknown Aboriginal and Torres Strait islander status, these young people have been included in the non-Aboriginal and Torres Strait Islander disaggregation.

YOUNG PEOPLE DETAINED BY ABORIGINAL AND TORRES STRAIT ISLANDER IDENTITY⁴



YOUNG PEOPLE DETAINED IN THE BIMBERI YOUTH JUSTICE CENTRE, BY SEX



NUMBER OF YOUNG PEOPLE ON AN AVERAGE DAY

The table below provides the number of young people held in detention on an average day. This is calculated by taking the total number of custody days and dividing it by the number of days in the month. This is not an indication of how many young people were in Bimberi across the period due to the variance in custody days served by young people.

	2018-19	2019-20	2020-21	2021-22	2022-23
Number of Young People in Bimberi Youth Justice Centre on an Average Day	10	16	10	12	19
<i>Source: CSD Operational Reporting</i>					
Number of Custody Days served by Young People in Bimberi Youth Justice Centre¹	3,654	5,848	3,737	4,515	6,814
<i>Source: CSD Annual Report Data Sets</i>					

⁴ Where there was an unknown Aboriginal and Torres Strait Islander status, these young people have been included in the non-Indigenous data lines.

SAFETY AND SECURITY

Bimberi is a highly regulated environment with strict protocols and procedures in place to ensure the safety and wellbeing of young people. This includes internal review of every incident within the Centre to inform the ongoing management of young people in custody and ongoing improvements to the operations of the Centre. Young people in Bimberi often have multiple and complex needs, these can include drug and alcohol, mental health concerns and/or a trauma background that has resulted in difficulty regulating their behaviour when they get stressed or angry. Bimberi operates within a legislative and policy framework that prioritises the best interests of the young person.

INCIDENTS

All incidents are recorded in a register which is overseen by the ACT Public Advocate. Incidents are recorded under two categories:

- Category one incidents are defined as all serious incidents where the Executive Branch Manager is to be notified immediately. This includes but is not limited to attempted suicide, serious injury, serious health complaint, escape and serious assault.
- Category two incidents are defined as all other incidents such as contagious disease, minor breach of security, assault, fights, significant disturbance to the Centre, and incidents involving visitors to Bimberi, among other things.

	2018-19	2019-20	2020-21	2021-22	2022-23
Category One Incidents	7	2	0	0	1
Category Two Incidents	145	148	92	92	103

ASSAULTS AND USE OF FORCE

Assault is defined in the ACT as an intentional act of direct infliction of force or violence. Use of Force is a physical effort applied by one person to another person to reduce an immediate risk to safety and/or security of the person to which force is being applied. Use of Force includes body contact and the use of instruments of physical restraint. The amount of physical effort applied (or 'force') must be the minimum necessary and reasonable to reduce the immediate risk to safety and/or security and achieve the purpose of which the force is being used.

	2018-19	2019-20	2020-21	2021-22	2022-23
Number of Assaults	14	11	16	11	17
Use of Force	152	269	157	108	169*

**99 of the 169 were mechanical restraints used during compliant Use of Force (i.e. escorted leave).*

DRUG SCREENS

Young detainees and young people on long-term remand orders can be subject to periodic drug screening. Young people who have only recently been admitted to the centre may present with symptoms of recent drug use which may be evident within drug tests.

	2018-19	2019-20	2020-21	2021-22	2022-23
Conducted	8	13	0	0	0
Result	1*	2*	0	0	0

**These positive results were low level and indicative of use whilst in the community.*

SEARCHES ON INDUCTION

Searches on induction are undertaken to prevent prohibited items from entering Bimberi. These items may pose a risk to a young person, other young people, other people or staff at Bimberi. Searches contribute to the objective of keeping young people and all people who work at or visit Bimberi safe. Strip searching is undertaken based on an assessment of risk being present following an ordinary frisk or scanning search.

	2018-19	2019-20	2020-21	2021-22	2022-23
Inductions	169	221	164	165	181
Strip Searched	0%	>1%	2%	1%	1%

OPERATIONAL LOCKDOWNS

Operational lockdowns occur for the minimum amount of time possible to ensure the safe operation of the centre, and they occur on a rotational basis. This means an individual young person will be in their room for half of the total lockdown period, generally in one or two-hour blocks of time.

Operational lockdowns occur when a decision has been made to secure all or some young people in their rooms for a period to manage resources and the safety and security of Bimberi. An operational lockdown does not include where a young person is secured in their room to enable staff to respond to the enactment of an emergency procedure. While in their rooms, young people have access to television including movies, reading and educational material.

	2018-19	2019-20	2020-21	2021-22	2022-23
Operational Lockdowns	22	277*	10	22**	12

**For several months during the 2019-20 financial year, Bimberi experienced extensive staffing shortages which is reflected in the increase in lockdowns during this period. These shortages were exacerbated by unpredictable staff availability due to unplanned personal leave, the unprecedented bushfire season, and COVID-19 restrictions*

***The increase in lockdowns in 2021-22 was a result of COVID-19 impacts on the operations of the centre and staffing capacity.*

SEGREGATION DIRECTIONS

The separation of young people from other young people in the ACT is known as 'segregation'. The decision to issue a segregation direction is not taken lightly and can only be authorised by a member of the Senior Management team.

Segregation involves restricting a young person's contact with other detainees, or access to particular parts of Bimberi and participation in Bimberi's everyday routines. Segregation is only used to ensure the safety of a young person, the safety of other young people and the safety of staff from injury and harm.

Segregation is not used as a behaviour management response, or for administrative reasons (e.g. staff shortages). Segregation is not solitary confinement. The ACT does not use what other jurisdictions might define as 'isolation' or 'confinement'.

There has been a significant increase in segregation directions in 2021-22, due to the COVID-19 health pandemic and a change to Bimberi's induction processes to ensure the health of young people in the Centre.

	2018-19	2019-20	2020-21	2021-22	2022-23
Segregation Directions*	2	36	17	84	149

**This figure is a count of Segregation Directions made, not young people. 136 of the 149 Segregation Directions made were Health Segregations. The significant increase reflects the number of young people inducted into Bimberi and the COVID-19 policy at the time.*

TRANSFERS TO ALEXANDER MACONOCHIE CENTRE

Young people detained at Bimberi can be transferred to an adult correctional facility, such as Alexander Maconochie Centre (AMC) under the following circumstances; a young person detained at Bimberi on an order taking them past their 21st birthday must be transferred prior to their 21st birthday; and a young person aged 18 years to 20 years may be transferred if the transfer is deemed in their best interests or in the best interests of other young people in custody at Bimberi.

A determination to transfer a young person is undertaken in consultation with the young person, all services currently involved with the young person, the Alexander Maconochie Centre, and the young person's nominated person-guardian or carer.

	2018-19	2019-20	2020-21	2021-22	2022-23
Transfers	0	1	0	0	1

PROGRAMS, EDUCATION AND COMMUNITY ENGAGEMENT

All young people at Bimberi are encouraged to participate in an educational program. These programs include units such as the Year 10 and 12 certificates, horticulture, hospitality, business Certificate II, asbestos awareness, and introduction to Information Technology.

A range of programs and services are delivered to address the diverse needs and interests of young people in Bimberi. These programs and services help young people to develop strong links to their family and community whilst assisting with their transition from custody.

OCCASIONS OF LEAVE

Young people in custody can undertake approved leave from Bimberi for various purposes. It can be escorted-supervised, semi-supervised or unsupervised. All leave is risk assessed prior to approval.

Approved leave can be undertaken for a variety of reasons such as health appointments, work experience, family outings, meetings with supporting services such as ACT Housing, and compassionate leave (e.g. to attend a funeral).

	2018-19	2019-20	2020-21	2021-22	2022-23
Number occasions of leave	43	46	43	27*	81

**occasions of leave were impacted by COVID-19 restriction placed on the ACT community during the reporting period and health and safety measures recommended for high-risk settings during the reporting period.*

AGENCIES PROVIDING A SERVICE WITHIN BIMBERI

Agencies provide services within Bimberi such as Ted Noffs, Canberra PCYC, Relationships Australia, Winnunga Nimmityjah Aboriginal Health and Community Services, Gugan Gulwan Youth Aboriginal Corporation, Canberra Health Services, and the Canberra Raiders.

	2018-19	2019-20	2020-21	2021-22	2022-23
Number of agencies	35	22*	39	36	42

**The number of agencies providing a service within Bimberi were impacted by COVID-19 restriction placed on the ACT community and health and safety measures recommended for high-risk settings during the reporting period.*

PROPORTION OF DETAINED YOUNG PEOPLE ENGAGED IN EDUCATION PROGRAM

Young people in Bimberi are encouraged to participate in education programs.

	2018-19	2019-20	2020-21	2021-22	2022-23
Percentage engaged in an education program	100%	100%	100%	100%	100%

COMPLETED OR ATTAINED EDUCATION QUALIFICATIONS

The following table indicates the number of young people who completed or attained the respective education qualification.

	2018-19		2019-20		2020-21		2021-22		2022-23	
	Complete	Units - Modules Attained	Complete	Units - Modules Attained	Complete	Units - Modules Attained	Complete	Units - Modules Attained	Complete	Units - working towards
Year 10	1	11	0	0	0	11	0	7	1	0
Year 12	1	5	0	2	0	9	1	3	0	1
First Aid	8	-	0	-	0	-	NP	NP	8	-
White Card	2	0	6	-	NO	-	NP	NP	10	-
Asbestos Awareness	2	-	7	-	NO	-	NP	NP	6	-
Road Ready	10	-	5	-	8	-	4	6	8	2
Horticulture Cert II	0	0	NP	NP	0	1	0	1	1	0
General Education for Adults (Yr 10 Alternative) Cert II	-	-	-	-	-	-	0	3	1	4
Skills for work and vocational Pathways Cert II	-	-	-	-	-	-	NO	NO	0	1
Responsible Service of Alcohol (RSA)	-	-	-	-	-	-	-	-	8	-
Responsible Conduct of Gambling (RCG)	-	-	-	-	-	-	-	-	4	-

NP – no participants - – Not applicable NO – Not Offered

VISITS

Visitation provides the opportunity to build and maintain family ties and develop the living skills young people need to reintegrate successfully in the community.

The ACT Public Advocate and Official Visitors maintain oversight of Bimberi which includes regular visits to Bimberi and young people at Bimberi can call them at any time. The ACT Public Advocate is required to inspect Bimberi registers including searches, use of force, and segregation at Bimberi.

	2018-19	2019-20	2020-21	2021-22*	2022-23*
Visits by family and friends	1508	1188	801	809	1453
Official Visitors	59	44	37	22	22
ACT Public Advocate and Children and Young People Commissioner (PACYPC)	62	60	43	34	42

*2021-22 and 2022-23 figures include face-to-face and Audio-Visual Link (AVL) visits.

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