



Standing Committee on Health and Community Wellbeing

Inquiry into Annual and Financial Reports 2021-2022 **ANSWER TO QUESTION ON NOTICE**

Asked by **MRS ELIZABETH KIKKERT MLA:**

Reference: Hearing on 3 November 2022, Annual Report of CSD

In relation to: Page 99, 134, Bimberi Youth Justice Centre

1. The annual report states that, 'following the signing of an Enforceable Undertaking in 2021' (p. 99), therapeutic programs for young people at Bimberi were reviewed. What were the outcomes of this review, and how have these programs been improved?
2. Did young detainees have full access to Justice Health services (including mental health services) *during* Covid lockdowns, or were there any limitations or restrictions?
3. Regarding programs for young detainees in the evenings, it was said in the hearing that service providers are not always available in the evenings. Are there legislative or policy obstacles that prevent engaging community groups or volunteers to help provide programming at Bimberi, and if so, what are these obstacles?
4. If there are obstacles to engaging community groups or volunteers, has consideration been given to removing those obstacles? Will such consideration be included in the upcoming review of the youth justice system?
5. In the hearing, the minister linked a rise in youth offending with the end of Covid related health restrictions. Considering that the average number of detainees at Bimberi is higher now than pre-Covid (as also stated in the hearing), what is the government's explanation for this linkage?
6. In the hearing, it was stated that there are not enough safe places to remand young people. Does the government currently use any facility other than Bimberi for young people on remand, and if not, are there plans to begin remanding young people other than at Bimberi?

7. Does the minister not consider Bimberi a safe place to remand young people? (Please clarify this statement.)

MINISTER DAVIDSON: The answer to the Member's question is as follows:—

1. Following review of the programs, Bimberi has implemented the “Thrill, Chill, Upskill” framework in developing individualised and group programs across the Centre. This framework highlights the need for young people to be supported in a range of programs and activities that provide opportunities to be thrilled (fun and safe risk-taking experiences), chilled (relaxing and regulating experiences) and upskilled (learning and developing experiences). This framework is utilised in mapping and developing the programs across the centre for afternoon, weekends and school holidays.

Following the implementation of this framework there has been a broadening of the range of programs offered for young people, though this continues to be flexible based on the changing needs and interests of young people within the Centre. For example, Bimberi is currently facilitating fortnightly educational session with Legal Aid, hosting a regular religious program, has introduced a BMX program and, in conjunction with Murrumbidgee School and Gugan Gulwan, begun regular Yarning Circles for Aboriginal young people.

Bimberi continues to work in collaboration with Murrumbidgee School and our community partners to identify opportunities for joint delivery of programs that meet rehabilitative, transition and educational needs. Bimberi has also commenced having identified young people consultants for each school holiday program and continue to seek regular feedback from young people on the Centre's programming.

2. During COVID lockdown young people continued to receive regular access to Justice Health Services and Custodial Mental Health Services.

At Bimberi Youth Justice Centre, the following Justice Health services were continued without restrictions:

- induction assessments;
- crisis mental health services;
- acute health concerns;
- twice-daily medical reviews; and
- medication services.

As a result of restrictions on movements due to the risk of COVID transmission, young people could not always attend the client services building or external medical services except for acute issues. This meant that some regular or non-urgent appointments may have been postponed due to limited confidential space in the accommodation units and some external health appointments may have been postponed.

3. All community groups and volunteers wishing to engage with young people in custody must have a WWVP registration. This is the only legislative and policy requirement.
4. The Government will not consider removing the requirement for WWVP for any agencies or volunteers wishing to engage with young people in Bimberi.

5. During the hearing the Minister attributed the low numbers of young people in custody for the last two years to the COVID-19 Public Health Emergency and associated lockdowns. The number of young people in custody was slowly on the increase prior to the COVID-19 Public Health Emergency, with a decrease in young people in custody during 2020 and 2021. Numbers of young people in custody can be influenced by magistrate and policing practices.
6. Bimberi is the ACT's only youth justice centre and the only location for young people in the ACT to be remanded in custody. There are no plans to remand young people in any other locations.
7. Bimberi is a safe place to remand young people. In the hearing it was stated that one of the reasons why young people can be remanded in Bimberi is because there are not enough sufficient bail options in the community. It is the Government's position that custody for young people is used as a last resort and for the minimum period necessary.

What the Government is working on, as part of raising the minimum age of criminal responsibility and the end-to-end review of the youth justice system, is developing more bail options that will provide young people with safe accommodation and engage them in education, employment and/or community activities. The point made in hearings was that the police and magistrates need a range of bail options for young people in the community, to ensure that young people eligible for bail are not remanded in custody unless their alleged offending behaviour requires it.

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

Signature: 

Date: 12/12/22

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