



ACT
Government

Community Services



Blueprint for Youth Justice in the ACT 2012-22

Progress Report 2012-17

March 2018

Contents

Minister's message	3
Executive summary	4
Introduction	6
How do we know we made a difference?	7
Youth offending and re-offending is reduced	8
Re-offending by young people	11
Detention rates are reduced	12
Over-representation of Aboriginal and Torres Strait Islander young people is reduced	14
Children and young people are diverted from the youth justice system.....	16
Young people are helped early and provided with supports and services they need	18
Young people are successfully re-integrated into the community upon leaving detention.....	21
What did we do?	24
Strategy 1 - Focusing on early intervention and prevention of contact with the youth justice system	25
Strategy 2 - Diverting children and young people away from the formal justice system	26
Strategy 3 - Engaging and encouraging the participation of children, young people and their families	27
Strategy 4 - Providing intensive individualised support to children and young people.....	28
Strategy 5 - Connecting and reintegrating children and young people into a home and the community through effective throughcare	29
Strategy 6 - Creating an integrated whole of government and community services system to support children and young people.....	29
Strategy 7 - Building a strong and smart workforce.....	30
What are our emerging challenges?	31
Addressing the increase in young people in detention.....	32
Reducing the over-representation of Aboriginal and Torres Strait Islander young people in the youth justice system	36
Implementing stronger Throughcare practices in youth justice	36
Continuing to address and reduce the experience of childhood trauma	37
Taking a restorative practice approach to youth justice.....	38
Enhancing support for young people with disability or mental health concerns in detention.....	38
Collecting and linking more robust data measures to enable data analytics	39
Developing intervention options for supporting young people in early adolescence	40
Intervening early to prevent the intergenerational transmission of criminal offending	40
What is the focus for the next five years?	41

Minister's message



I am pleased to present this five year progress report on the *Blueprint for Youth Justice in the ACT 2012-22* (the Blueprint). The report demonstrates progress towards achieving the Blueprint's goals.

Midway through the Blueprint, the report shows that we are on the right track. Since 2011-12, the number of young people coming into contact or further involved with the youth justice system has significantly reduced, and for most of this period we have seen fewer young people in detention. These achievements affirm the Blueprint's focus on early intervention, prevention and diversion is sound policy and practice.

Over the first five years of the Blueprint, the number of Aboriginal and Torres Strait Islander young people in the youth justice system has also fallen, with those under youth justice supervision and in detention down by 31 per cent and 48 per cent, respectively.

Most young people in our community live positive and productive lives and do not come into contact with the youth justice system. Those young people who do offend, especially who begin offending as children, are often particularly vulnerable. It is important to address the vulnerability of these children to progressively reduce the risk of youth offending.

As we move into the next five years, I am conscious of the continuing and emerging challenges that need to be addressed to ensure we continue to achieve better outcomes for children, young people and their families. That's why last year I re-established the Blueprint Taskforce, to take stock of progress to date and provide advice on current challenges and how to address them. These challenges are identified in this report and include the need to better support young people with disability and mental health concerns who come into contact with the youth justice system; making sure we turn young lives around at the earliest opportunity; and continuing to address the over-representation of Aboriginal and Torres Strait Islander young people.

Over the next phase of the Blueprint, the Government is committed to ensuring that we learn from our efforts and continue to draw on evidence about what works, including from the experience of other states and territories. Crucial to this work will be responding to relevant recommendations made by the *Royal Commission into Institutional Responses to Child Sexual Abuse* and the *Royal Commission into the Protection and Detention of Children in the Northern Territory*. As these reports make clear, a focus on addressing and reducing the experience of childhood trauma will be pivotal in making the next transformational shift in youth justice.

This report highlights significant progress that has been made over the first five years of the Blueprint. Now it is time to consolidate our efforts as a community to ensure that all young people in the ACT are *safe, strong and connected* in line with the Blueprint's vision.

Rachel Stephen-Smith MLA

Minister for Disability, Children and Youth

Executive Summary

This report presents the progress in implementing the *Blueprint for Youth Justice in the ACT 2012-22* (the Blueprint) over a five year period and demonstrates how outcomes are being met through key indicators for youth justice.

Overall, the number of young people coming into contact with, or escalating through, the ACT youth justice system has declined. Since the Blueprint's implementation:

- the number of young people apprehended by ACT Policing has decreased by 39%
- the number of young people under youth justice supervision has decreased by 32%, and by 31% for Aboriginal and Torres Strait Islander young people
- the number of young people under community-based supervision has decreased by 31%
- the number of young people in detention has decreased by 42%, and by 48% for Aboriginal and Torres Strait Islander young people, and
- the number of nights young people spent in detention has reduced by 53%, and by 71% for Aboriginal and Torres Strait Islander young people.

Keeping young people out of the youth justice system means we are contributing to a safer and more inclusive community and are likely to be preventing a lifetime of crime. Reduced numbers of young people coming into contact with the youth justice system means that the impact of youth crime is reduced, youth crime is being prevented and community safety is improved. This achievement was recognised at the 2016 Australian Crime and Violence Prevention Awards where the Blueprint received a gold award in recognition for its innovative approach to achieving a community where fewer children and young people are engaged in offending.

While it is difficult to identify a single cause for the decline in young people coming into contact with the ACT youth justice system, it is likely that the strategies driving the direction of youth justice are producing positive outcomes for young people and their families. Initiatives working to contribute to the overall downward trend include the After Hours Crisis and Bail Service, evidence-based practice and single case management in youth services, restorative justice practices and support for young detainees to transition back into the community, such as Narrabundah House.

This early success creates an opportunity to work proactively rather than simply trying to keep up with demand. Responding to this opportunity, in 2015 the ACT was the first jurisdiction in Australia to integrate both child protection and youth justice services under a single case management system. This reform aims to intervene early in the lives of vulnerable children and young people, and over the long-term, reduce the likelihood of them offending as adults.

Although involvement by young people with the youth justice system has reduced over the period since the Blueprint, disparities in youth justice outcomes for Aboriginal and Torres Strait Islander young people remain. Over-representation rates for Aboriginal and Torres Strait

Islander children and young people in the ACT remain 13 times higher than for non-Indigenous children and young people. Nationally, this over-representation rate is 17 times.

The over-representation of Aboriginal and Torres Strait Islander young people presents challenges to everyone working in the youth justice sector. This situation must be addressed and requires more than a single strategy or initiative. Evidence supports early intervention and prevention initiatives to promote the wellbeing of children, young people and their families. This includes working with families in the early years of a child's life, as well as providing interventions to children and young people as they grow older.

Many of the objectives identified in the seven strategies of the Blueprint remain current five years later. Although the achievements that have been made through the Blueprint support its continuation, a number of challenges persist and new trends are emerging that will require renewed focus over the next five years.

A recent sharp increase in the number of young people in detention over the last six month period covered by this report (Dec 2016 – Jun 2017) requires close monitoring to determine causal factors and whether this change represents an episodic fluctuation or emerging trend.

Further challenges identified in the report include the need for better support for young people with disability and mental health concerns who come into contact with the youth justice system, making sure we turn young lives around at the earliest opportunity, and develop additional robust and reliable data to inform decision making and performance monitoring.

Improvements to the information used to inform decision-making and investment are still needed. This includes building on evidence about what works best to prevent and reduce involvement by Aboriginal and Torres Strait Islander young people with the justice system, such as diversionary conferencing, effective Throughcare practices and holistic support for families when a parent is incarcerated.

A key focus will be around strengthening linkages to work that is already occurring across the human services portfolios to support young people and families who face long-term predictors of risk. The aim will be to highlight common threads that align with the Blueprint's focus to intervene early in children and young people's lives, and prevent the need for intensive, high-cost service responses. This will include addressing a service gap in intervention options to reduce risk factors and provide support to young people in early adolescence (8-11 years).

In looking ahead, the Blueprint for Youth Justice Taskforce will continue to ensure that the Blueprint remains evidence-based, supportive of community-driven approaches and focused on achieving sustainable outcomes for children, young people and their families in the ACT. Coordinated efforts to bring significant and lasting change to the complexities around the involvement of Aboriginal and Torres Strait Islander young people in the justice system remain important. Achievements under the Blueprint so far have established a strong foundation for the next five years to build on its vision to ensure young people are *safe, strong and connected*.

Introduction

The *Blueprint for Youth Justice in the ACT 2012-22* (the Blueprint) establishes a framework for measuring outcomes against key indicators for youth justice. The Blueprint is part of a broad justice and human services reform program that has been undertaken across the ACT Government of which the Blueprint was the starting point. This program includes:

- Justice Reinvestment Strategy
- Aboriginal and Torres Strait Islander Justice Partnership
- Early Intervention by Design Project, and
- Disability Justice Strategy.

The Blueprint was developed during 2011-12 and released in August 2012. Its development was informed by specialists in child and adolescent psychology, trauma, Aboriginal and Torres Strait Islander engagement, youth justice, education and health. The Blueprint articulates a focus on addressing risk factors such as socio-economic disadvantage, family breakdown, intergenerational trauma, abuse and family violence, mental health problems, and family drug and alcohol abuse. This focus has created a shared responsibility for both government and its community partners involving services and supports across the human services system.

This report demonstrates progress over the first five years of the Blueprint by:

- measuring how we made a difference against the six Blueprint goals with trend data
- highlighting key initiatives implemented under the seven strategies of the Blueprint
- identifying our continuing and emerging challenges, and
- outlining the focus for action over the next five years.

In most cases, the performance of the youth justice system is assessed using data from 2011-12 to 2015-16 (and 2016-17 where possible), as this is the most recent data available at the time of completing the report. The data shows that the Blueprint has generally achieved positive outcomes for young people and the youth justice system in the ACT. These achievements are the result of significant investment and commitment to the strategies and initial actions. Early intervention, prevention and diversion have been a key focus of this work, involving collaboration between police, courts, community partners and youth justice services.

About the Blueprint

The Blueprint is a 10-year, whole of government and community plan to reduce youth crime by better supporting young people. The Blueprint provides an evidence-based approach to improving outcomes for young people who are involved or at risk of involvement in the ACT youth justice system. Strategies to support young people and their families focus on early intervention, prevention and diversion. The Blueprint recognises that by reducing risk factors and strengthening protective factors, our community will be better equipped to keep young people *safe, strong and connected*.

How do we know we made a difference?

Quantitative data from national publications and qualitative information on programs and services has been used to measure the performance of the youth justice system against all six goals of the Blueprint. New data measures have been included (e.g. diversions) since the previous progress report in 2016 to improve performance reporting.

The data on the following pages provides a picture of young people in contact with the youth justice system over the five years since the Blueprint was released - 2011-12 to 2015-16 (and 2016-17 where possible). The report also highlights what programs and services have been delivered under the Blueprint's seven strategies (see page 23), which has helped to achieve the Blueprint's six goals.

A key measure of the success of the Blueprint will be a reduction in the gap between Aboriginal and Torres Strait Islander young people and non-Indigenous young people. This includes reducing the gap at all stages of the youth justice system, including apprehensions, charges and court orders.

Blueprint goals

1. Youth offending and reoffending is reduced
2. Detention rates are reduced
3. The over-representation of Aboriginal and Torres Strait Islander children and young people in the youth justice system is reduced
4. Children and young people are diverted from the youth justice system
5. Children, young people and their families are helped early and provided with the supports and services they need
6. Children and young people are given every possible chance to be successfully reintegrated into the community upon leaving detention.

Acknowledgements

Data used is primarily sourced from the Australian Institute for Health and Welfare 2017. *Youth Justice in Australia 2015-16*. Bulletin 139. Cat. no. AUS 211. Canberra: AIHW.

The artwork incorporated in the design of the report was created by young people as part of their involvement in programs at the Bimberi Youth Justice Centre.

Disclaimer

This report contains reference to external documents outside the Territory's control. It is the responsibility of internet users to make their own decisions about the accuracy, currency, reliability and correctness of information found. While care is taken to provide links to suitable material, the nature of the internet prevents the Territory from guaranteeing the suitability, completeness or accuracy of any material to which this report may be linked.

Youth offending and re-offending is reduced

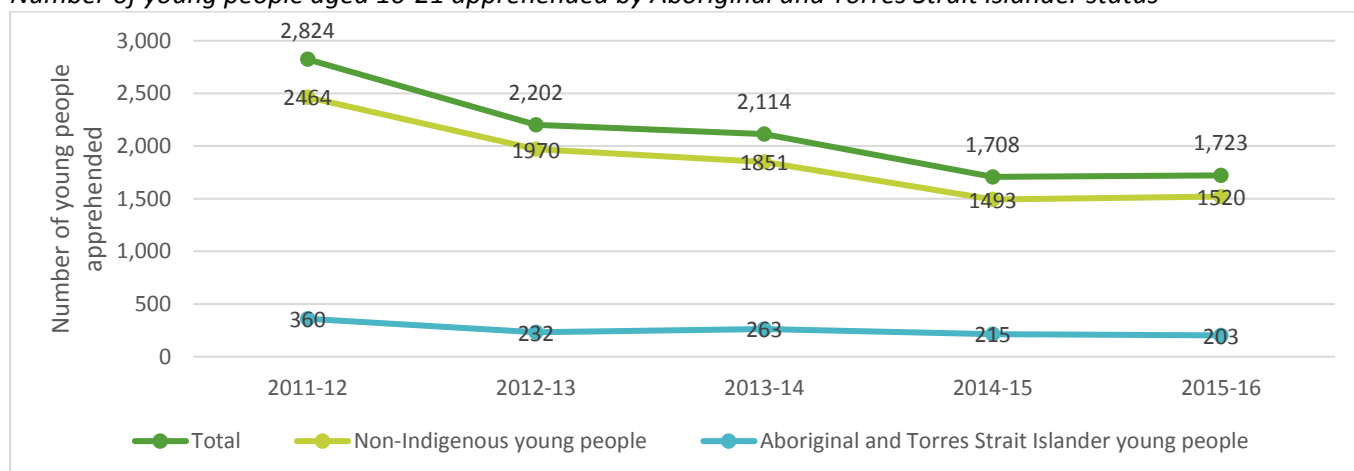
How are we tracking?	2011-12	2015-16*	Change
Young people apprehended by ACT Policing	2824	1723	↓ 39%
Rate of youth offending (per 100,000 young people)	2182.9	883.9 (2016-17)	↓ 60%
Young people under youth justice supervision	241	164	↓ 32%
Young people under community-based supervision	214	148	↓ 31%

Source: AIHW Youth Justice in Australia 2015-16, Table S11; ACT Criminal Justice Statistical Profile, March 2017 Quarter, ACT Policing Tables 5 and 6; ABS, 4519.0 Recorded Crime – Offenders, 2016-17, Table 20. *Note: Data includes 2016-17 results where available.

Young people apprehended

Since the development of the Blueprint, the number of young people apprehended by ACT Policing has decreased by 39 per cent (2011-12 to 2015-16). This long-term trend is due to decreases in the number of apprehensions of Aboriginal and Torres Strait Islander young people and non-Indigenous young people by 44 per cent and 38 per cent, respectively.

Number of young people aged 10-21 apprehended by Aboriginal and Torres Strait Islander status

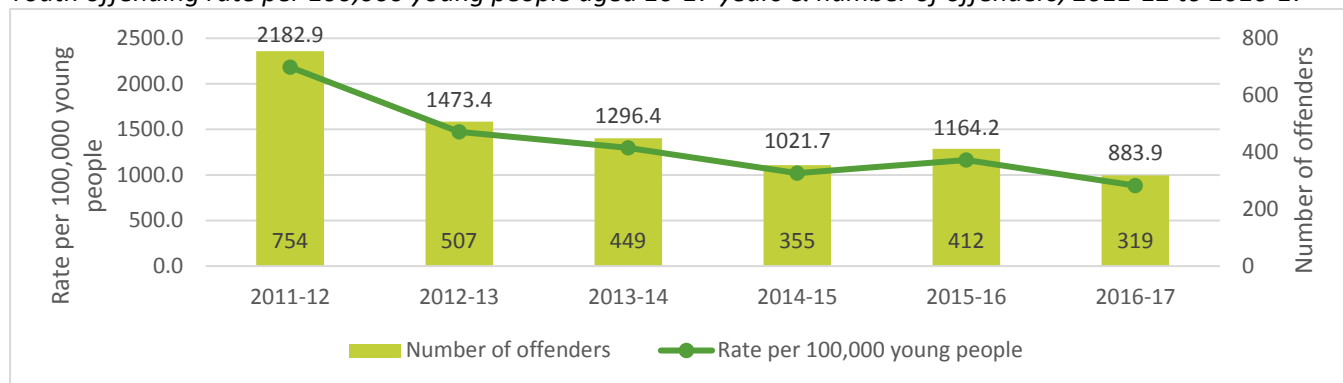


Source: ACT Criminal Justice Statistical Profile, March 2017 Quarter, ACT Policing Tables 5 and 6. * Trend data may differ from those previously published due to data revisions.

Rate of youth offending

The youth offending rate per 100,000 young people aged 10 to 17 years in the ACT decreased by 60 per cent from 2011-12 to 2016-17. The number of young people who offended also decreased over this period by 58 per cent from 754 to 319 young people. In 2016-17, the ACT youth offending rate was 883.9, the lowest rate of youth offending nationally and significantly less than the second lowest rate (Victoria: 1,391). This trend shows that youth offending has significantly reduced since the introduction of the Blueprint.

Youth offending rate per 100,000 young people aged 10-17 years & number of offenders, 2011-12 to 2016-17



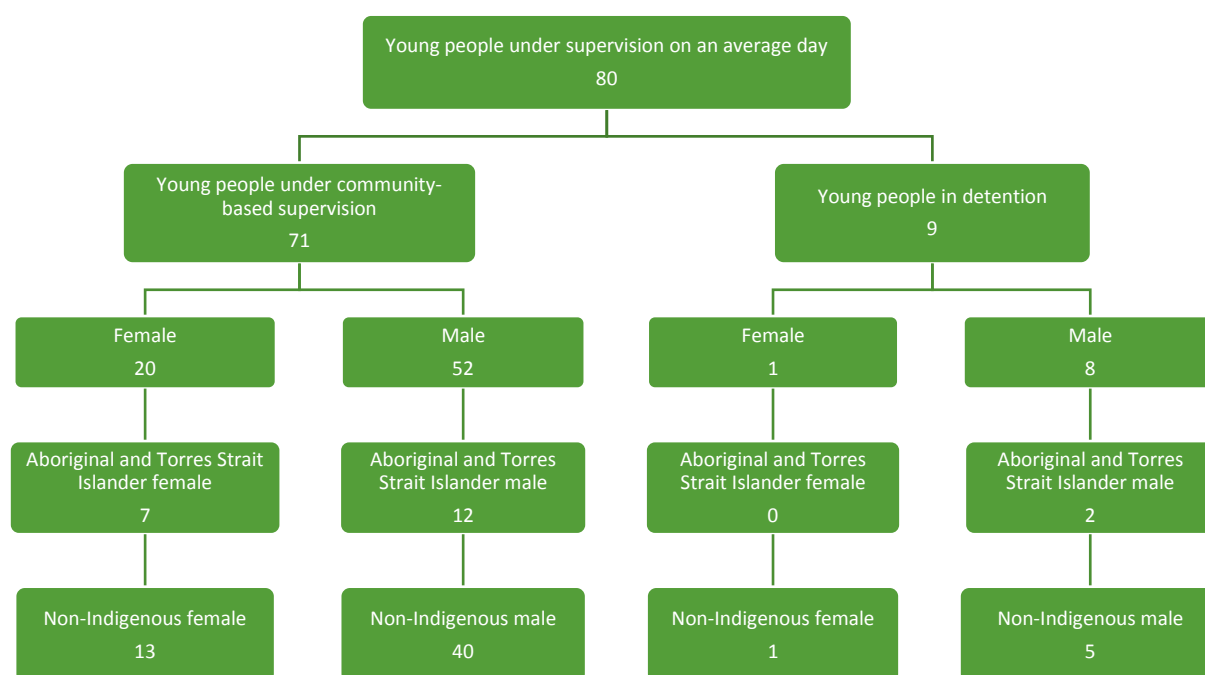
Source: Australian Bureau of Statistics, 4519.0 Recorded Crime – Offenders, 2016-17, Table 20. Note: ACT rates should be treated with caution given the large denominator used.

Young people under supervision

Young people who enter the youth justice system can be ordered by the court to undertake a period of supervision. Young people may be supervised in the community or in detention. On an average day in 2015-16, there were 80 young people under youth justice supervision in the ACT. Of these, approximately:

- Nine in ten (89 per cent) were under community-based supervision
- One in ten (11 per cent) were in detention
- One in four (25 per cent) were female
- Three in four (75 per cent) were male, and
- One in four (26 per cent) were Aboriginal and Torres Strait Islander.

Young people under supervision on an average day by supervision type, gender and Aboriginal and Torres Strait Islander status, ACT, 2015-16



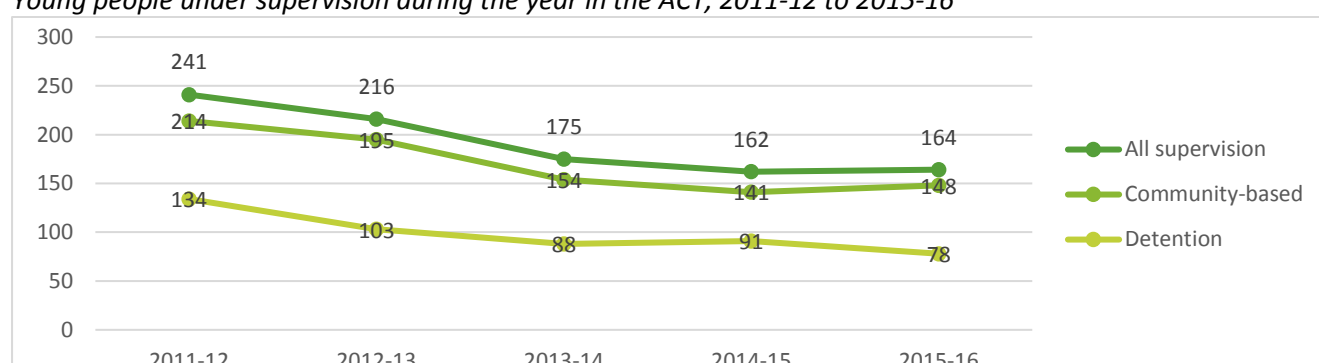
Source: AIHW Youth Justice in Australia 2015-16, Tables S1a, S37a and Table S75b. Note: Number of young people on an average day are rounded, and numbers may not add up to the total as some young people may have moved between community-based supervision and detention on the same day.

The fact that 26 per cent of young people under supervision on an average day were Aboriginal and Torres Strait Islander demonstrates continued over-representation of Aboriginal and Torres Strait Islander young people, who make up 2.9 per cent of the ACT population aged 0-24 years.¹

Trends in young people under supervision

Data over the previous five years shows the number of young people under youth justice supervision in the ACT has been steadily decreasing. Since 2011-12, the total number of young people under youth justice supervision has decreased by 32 per cent. There has been a decline in the number of young people under community-based supervision of 31 per cent and a significant decline in the number of young people in detention of 42 per cent. This trend shows that fewer young people are entering or coming into contact with the youth justice system.

Young people under supervision during the year in the ACT, 2011-12 to 2015-16

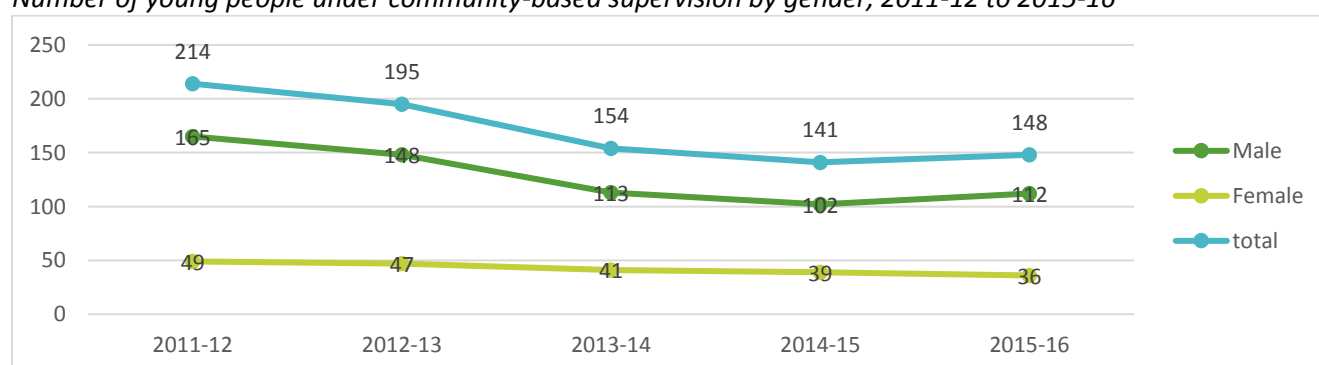


Source: AIHW Youth Justice in Australia 2015-16, Table 11b, Table S46b and Table S87b. Note: Trend data may differ from those previously published due to data revisions.

Young people under community-based supervision

Young people under community-based supervision may be supervised on un-sentenced (e.g. on bail) or sentenced orders (e.g. on good behaviour orders). Since the development of the Blueprint, the number of young people under community-based supervision decreased by 31 per cent. This long-term trend can largely be attributed to a decline in the number of males under community-based supervision of 32 per cent (165 to 112) from 2011-12 to 2015-16.

Number of young people under community-based supervision by gender, 2011-12 to 2015-16



Source: AIHW Youth Justice in Australia 2015-16, Table S52b. Note: Trend data may differ from those previously published due to data revisions.

¹ Community Services Directorate, *A Picture of ACT's Children and Young People 2016*, page 17.

Re-offending by young people

How are we tracking?	2011-12	2016-17	Change
Recidivism of sentenced young people in custody	29%	16.7%	↓ 12.3% points
Recidivism of young people on community-based orders	32%	15.8%	↓ 16.2% points

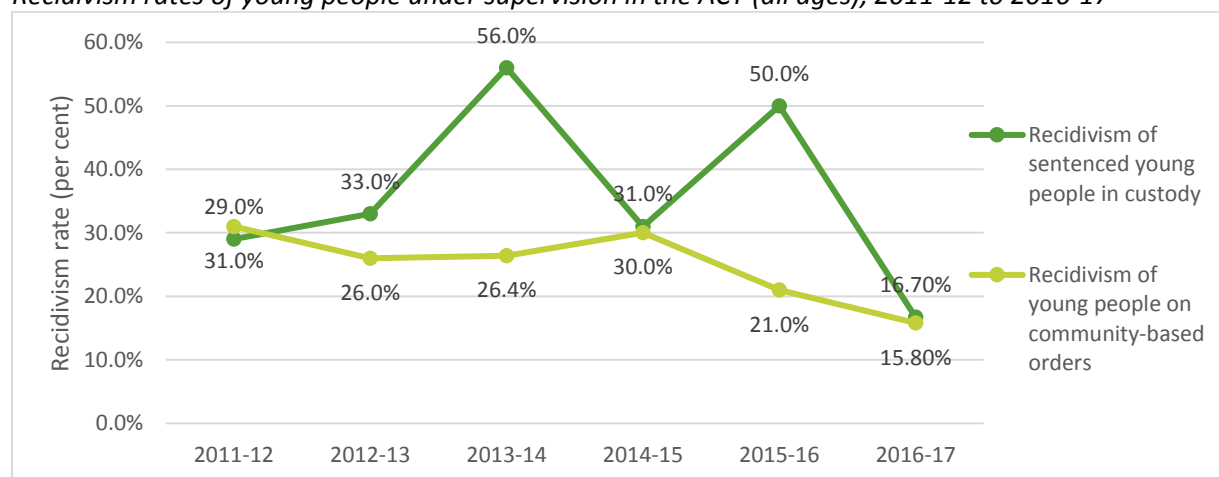
Source: Community Services Directorate Annual Report 2011-12 and 2016-17, Strategic Indicator 6: Recidivism of Young People

Re-offending - otherwise known as recidivism - by young people on community-based orders is measured by the number of young people who have been subject to more than one final supervised community-based order during the current and previous financial reporting year. Recidivism by young people in detention is measured by the number of young people who have been subject to more than one sentence of imprisonment in the current and previous financial reporting years.

Since the development of the Blueprint, the recidivism of young people on community-based orders (the largest group subject to youth justice orders) has decreased by 12 percentage points. The recidivism rate for sentenced young people in detention has also decreased, in this case, by 16 percentage points.

Over the past six years, the recidivism rate for young people on community-based orders has steadily decreased, while the recidivism rate for sentenced young people in custody has fluctuated, largely due to the small numbers of sentenced young people in detention. Higher levels of recidivism for young people in detention, combined with a decrease in the number of young people entering the youth justice system and a decrease in the number of first-time offenders, may also indicate that detention is targeting young people with a more serious offending history.

Recidivism rates of young people under supervision in the ACT (all ages), 2011-12 to 2016-17



Source: Community Services Directorate Annual Reports 2011-12, 2012-13, 2013-14, 2014-15, 2015-16 and 2016-17

Detention rates are reduced

How are we tracking?	2011-12	2015-16*	Change
Young people in detention	134	78	↓ 42%
Number of young people in detention on an average day	20	7	↓ 65%
Young people in un-sentenced detention	126	74	↓ 41%
Young people in sentenced detention	26	14	↓ 46%
Time young people spent in detention (nights)	8,347	3,936 (2016-17)	↓ 53%

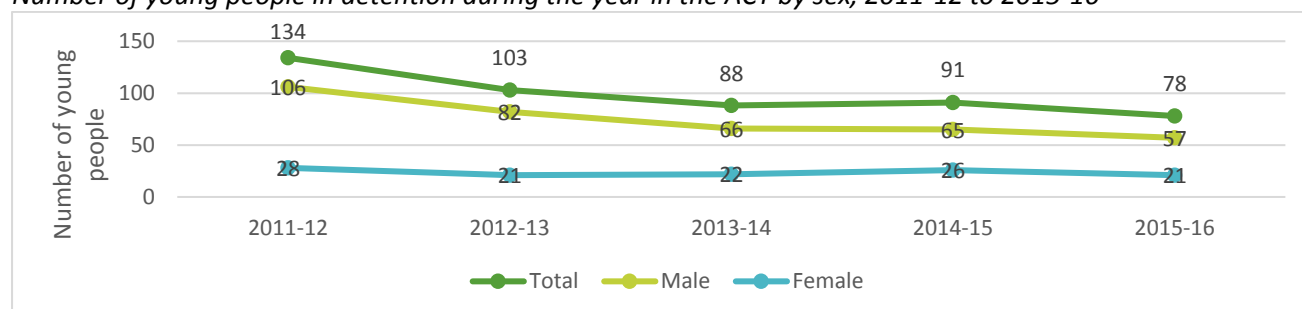
Source: AIHW Youth Justice in Australia 2015-16; Productivity Commission Report on Government Services 2018.

*Note: Data includes 2016-17 results where available.

Young people in detention

Data shows that the number of young people in detention and the time spent in detention has decreased in the five years since the introduction of the Blueprint. Since 2011-12, the number of young people in detention has decreased by 42 per cent (2011-12 to 2015-16). This long-term trend is predominantly due to significant declines in the number of males (46 per cent) and females (25 per cent) who were in detention during the year.

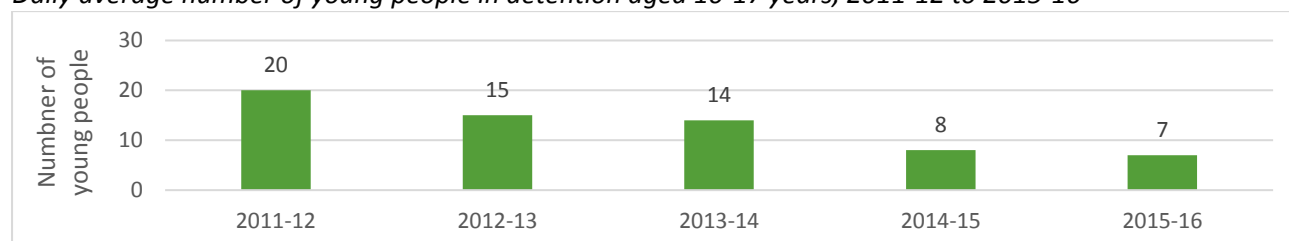
Number of young people in detention during the year in the ACT by sex, 2011-12 to 2015-16



Source: AIHW Youth Justice in Australia 2015-16, Table S87b

Due to the decrease in young people in detention since 2011-12, the daily average number of young people in detention has also decreased by 65 per cent over the previous five years.

Daily average number of young people in detention aged 10-17 years, 2011-12 to 2015-16

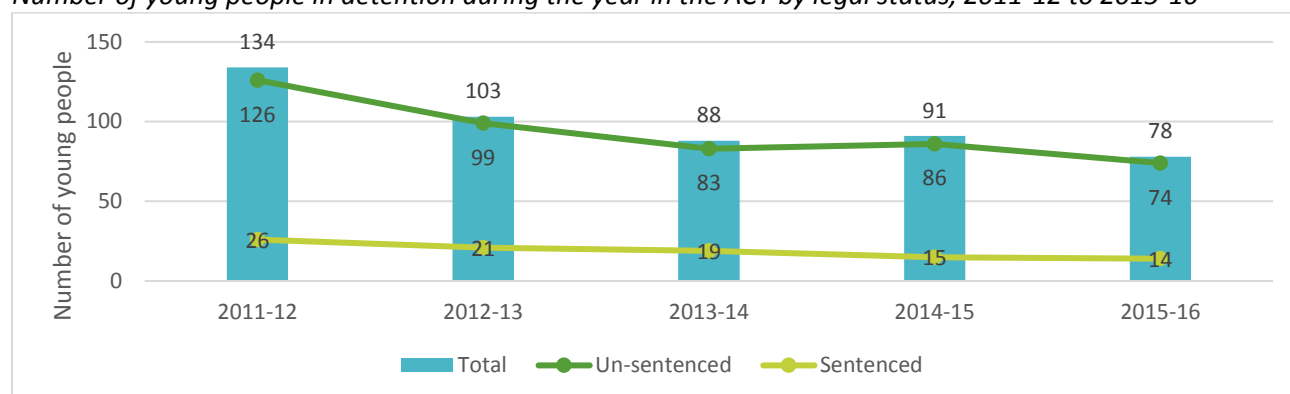


Source: Productivity Commission, Report on Government Services 2018, Table 17A.1

Types of detention served

Young people in detention may be supervised on sentenced or un-sentenced orders. When a young person is held in un-sentenced detention (i.e. remand), they have been charged with an offence and are awaiting the outcome of their court matter. When a young person is held in sentenced detention, they have been found guilty of an offence in court and are serving a set period in detention. From 2011-12, the number of young people in un-sentenced detention has declined steadily by 41 per cent from 126 to 74. The number of young people in sentenced detention has also declined, with a 46 per cent decrease from 26 to 14.

Number of young people in detention during the year in the ACT by legal status, 2011-12 to 2015-16

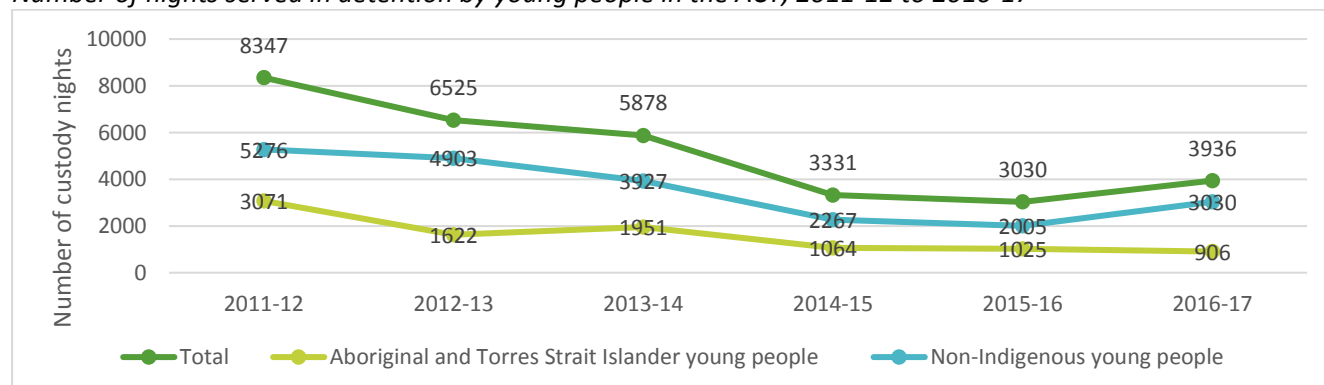


Source: AIHW Youth Justice in Australia 2015-16, Table S87b, Table S115b and Table S122b. Note: The total is the total number of young people who were in detention during the year in the ACT. Young people may serve multiple types of detention during a single year.

Time young people spent in detention

Over the past six years of the Blueprint, the average length of time young people spent in detention has decreased by 53 per cent, from 8,347 nights to 3,936 nights. The increase in the total number of nights in 2016-17 (shown in the graph below) is likely due to the increase in young people in detention in the last six months of 2016-17 (see page 31). The number of nights that Aboriginal and Torres Strait Islander young people spent in detention, however, has steadily decreased by 71 per cent over the past six years, from 3,071 nights to 906 nights. This may be attributed to fewer young people in detention, who may have committed less serious offences, as well as diversionary services and programs implemented through the Blueprint.

Number of nights served in detention by young people in the ACT, 2011-12 to 2016-17



Source: Productivity Commission, Report on Government Services 2018, Table 17A.18

Over-representation of Aboriginal and Torres Strait Islander young people is reduced

How are we tracking?	2011-12	2015-16*	Change
Aboriginal and Torres Strait Islander young people under youth justice supervision	64	44	↓ 31%
Aboriginal and Torres Strait Islander young people under community-based supervision	59	39	↓ 34%
Aboriginal and Torres Strait Islander young people in detention	44	23	↓ 48%
Average time Aboriginal and Torres Strait Islander young people spent in custody (nights)	3,071	906* (2016-17)	↓ 71%
Rate of Aboriginal and Torres Strait Islander young people under supervision on an average day	347.7	199.4	↓ 43%
Likelihood of Aboriginal and Torres Strait Islander young people being under youth justice supervision**	15x as likely	13x as likely	↓ 2x

Source: AIHW Youth Justice in Australia 2015-16 Tables 11b, S12a, S90b/75b and S46b and Report on Government Services 2018, Table 17A.18. *Note: Data includes 2016-17 results where available. **Compared to non-Indigenous young people, rounded to the nearest whole number.

Aboriginal and Torres Strait Islander young people have a long history of over-representation in both the youth and adult detention systems in Australia. While some gains have been made over the past five years in reducing the number and over-representation of Aboriginal and Torres Strait Islander young people in the youth justice system, it continues to be a critical issue in the ACT.

Rate and ratio of Aboriginal and Torres Strait Islander young people under supervision

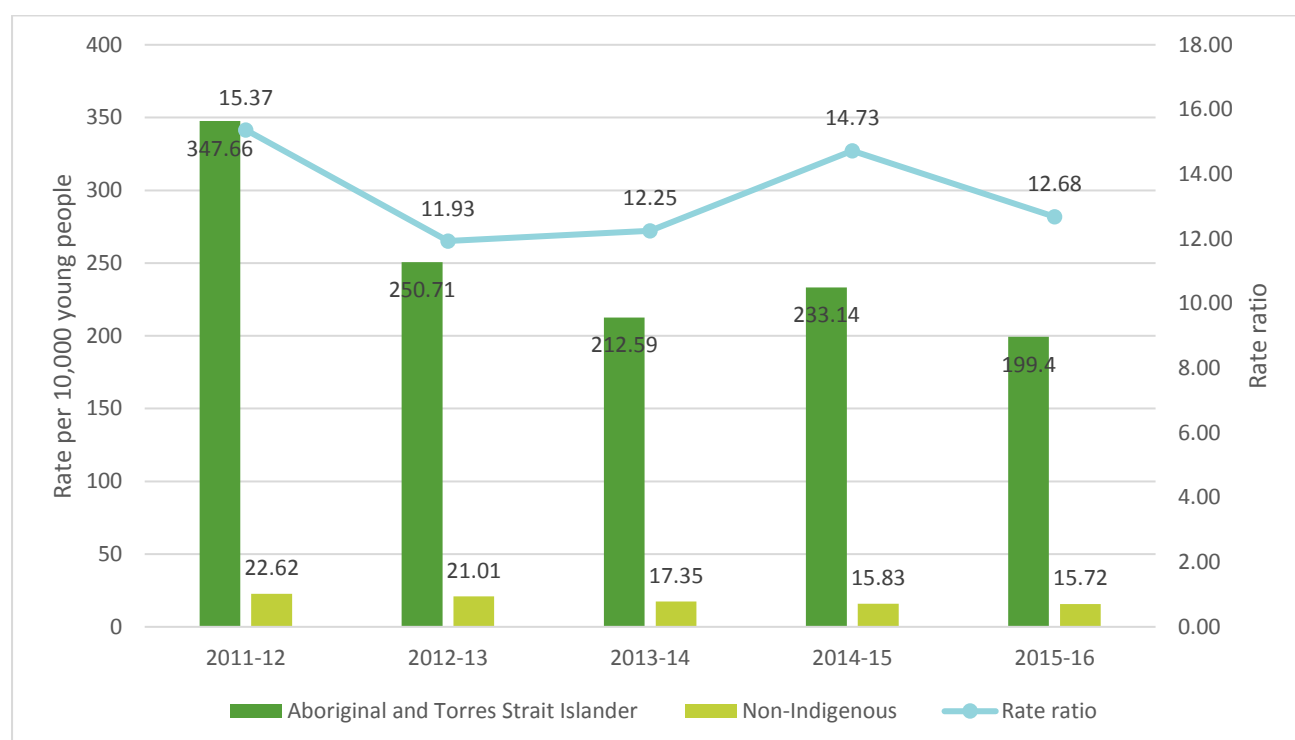
In 2015-16, the ACT had the third highest rate of Aboriginal and Torres Strait Islander young people (10-17) in youth justice supervision on an average day at 199.4 per 10,000, after Queensland and Western Australia, although this rate has decreased by 43 per cent since 2011-12.

Importantly, however, the ACT is the only state or territory where the level of Aboriginal and Torres Strait Islander over-representation in youth justice supervision on an average day (the rate ratio) has decreased between 2011-12 and 2015-16.² Aboriginal and Torres Strait Islander young people in the ACT were 15 times as likely as non-Indigenous young people to be under youth justice supervision on an average day in 2011-12, which decreased to 13 times in 2015-16.

The sharpest reduction in the over-representation of Aboriginal and Torres Strait Islander young people was between 2011-12 and 2012-13, although the rate ratio has continued to fluctuate over the previous five years, increasing to 15 times as likely in 2014-15 before decreasing again in 2015-16 (see graph below).

² AIHW, Youth Justice in Australia 2015-16, page 18.

Rate and rate ratio of Aboriginal and Torres Strait Islander young people under supervision on an average day in the ACT, 2011-12 to 2015-16



Source: AIHW Youth Justice in Australia 2016-17, Table S12a. *Note: Graph shows the number of young people under supervision per 10,000 relevant population. The rate ratio is calculated by dividing the Aboriginal and Torres Strait Islander rate by the non-Indigenous rate, using rates to two decimal places. The ACT rate should be treated with caution due to an Aboriginal and Torres Strait Islander population denominator that is less than 10,000.

In contrast, Aboriginal and Torres Strait Islander young people nationally were 13 times as likely as non-Indigenous young people to be under supervision on an average day in 2011-12, rising to 17 times as likely in 2015-16.³

This is because decreases in numbers and rates of non-Indigenous young people under supervision over the five-year period were proportionally greater than the decreases for Aboriginal and Torres Strait Islander young people, resulting in an increase in the level of over-representation of Aboriginal and Torres Strait Islander young people nationally.

One reason for the decline in over-representation in the ACT may be a 31 per cent decrease in the number of Aboriginal and Torres Strait Islander young people under youth justice supervision, which is proportionally similar to the 32 per cent decrease in non-Indigenous young people under supervision, from 177 young people in 2011-12 to 120 young people in 2015-16.

In the ACT, 32 per cent of Aboriginal and Torres Strait Islander young people under youth justice supervision were aged 10–15 years, on an average day in 2015-16. Nationally, half of all Aboriginal and Torres Strait Islander young people under youth justice supervision were aged 10–15 years. This indicates that nationally Aboriginal and Torres Strait Islander young people are more likely to enter youth justice at a younger age than in the ACT.

³ AIHW, *Youth Justice in Australia 2015-16*, page 17 and 18.

Children and young people are diverted from the youth justice system

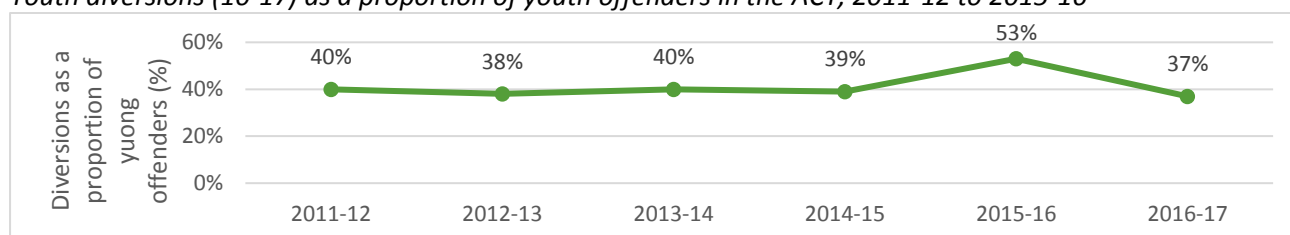
How are we tracking?	2011-12	2015-16*	Change
Young people diverted as a proportion of offenders (%)	40%	37%* (2016-17)	↓ 3%
Young people referred to restorative justice	190	123	↓ 35%

Sources: Report on Government Services 2018; ACT Criminal Justice Statistical Profile, March 2017. *Note: Data includes 2016-17 results where available.

Young people diverted by ACT Policing

In the ACT, young people who come into contact with ACT Policing may be diverted away from the courts, where it is considered safe and appropriate to do so (e.g. when it is in the interests of the young person and the public). Diversion includes formal cautioning, protective custody, referral to group conferences (i.e. restorative justice) and other diversionary programs, such as drug assessment and treatment programs. In 2016-17, ACT Policing diverted 37 per cent of young people who had formal contact with police away from court. Youth diversions as a proportion of offenders has remained stable over the first five years of the Blueprint, with a spike in 2015-16.

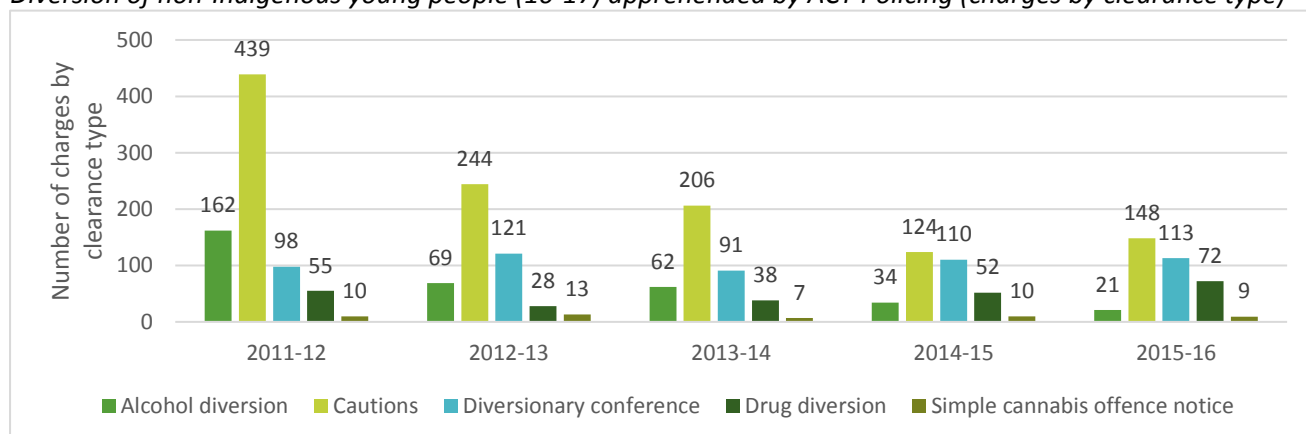
Youth diversions (10-17) as a proportion of youth offenders in the ACT, 2011-12 to 2015-16



Source: Productivity Commission, Report on Government Services 2018, Police Services Table 6A.21

The breakdown of types of diversions by number of cleared charges shows an overall decrease in diversions for both Aboriginal and Torres Strait Islander young people and non-Indigenous young people over the previous five years (see two graphs below).

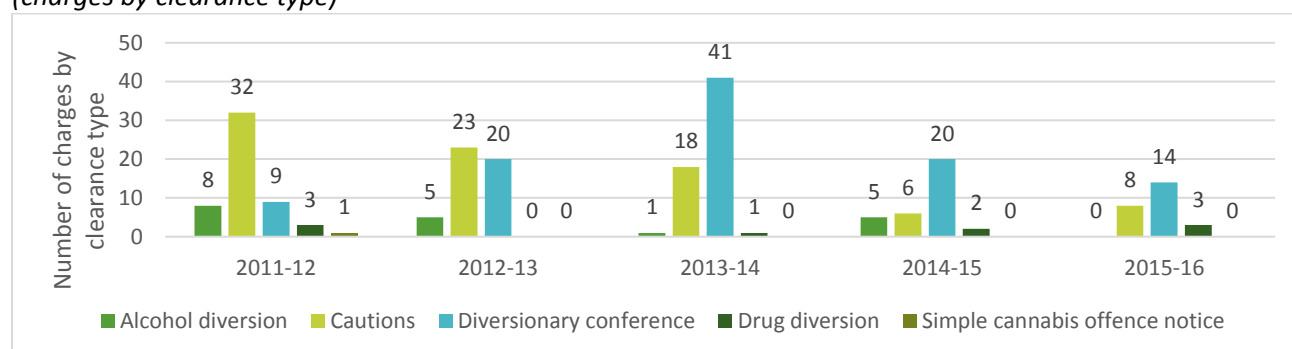
Diversion of non-Indigenous young people (10-17) apprehended by ACT Policing (charges by clearance type)



Source: Justice and Community Safety Directorate, ACT Criminal Justice Statistical Profile, ACT Policing Table 18, March 2017, September 2016 and March 2016. Note: The table does not represent numbers of young people, as young people may have multiple charges. Annual numbers have been totalled over four quarters.

This decrease may be a result of the 39 per cent decrease in young people apprehended by ACT Policing over the previous five years, as fewer young people are coming into contact with police. It may also signify potential issues with how diversions are understood and reported, an emerging challenge given a recent increase in young people in detention (see page 32).

Diversion of Aboriginal and Torres Strait Islander young people (10-17) apprehended by ACT Policing (charges by clearance type)



Source: Justice and Community Safety Directorate, ACT Criminal Justice Statistical Profile, ACT Policing Table 19, March 2017, September 2016 and March 2016. Note: The table does not represent numbers of young people, as young people may have multiple charges. Annual numbers have been totalled over four quarters.

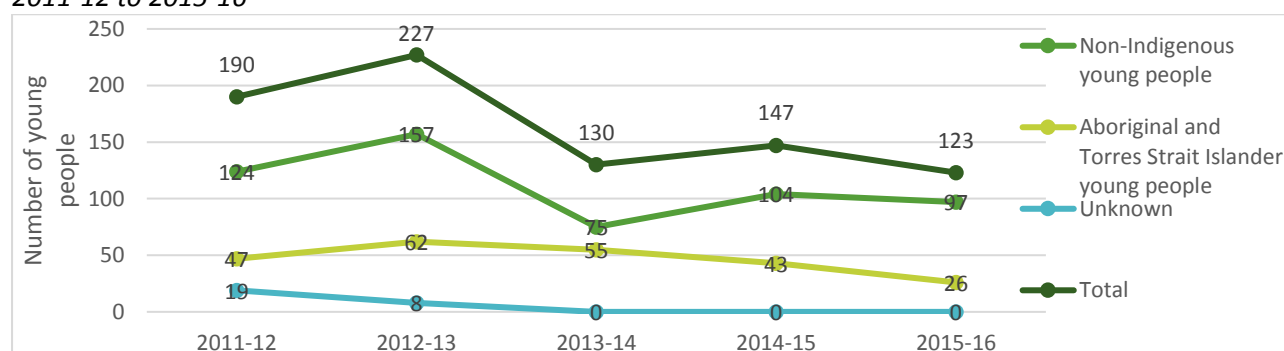
Young people in restorative justice

ACT Policing and the Childrens Court are the primary referral sources for young people referred to restorative justice (group conferences). The total number of young people referred to restorative justice declined by 35 per cent (190 to 123) from 2011-12 to 2015-16. The decline was most substantial from 2012-13 to 2013-14, when the total number of young people referred to restorative justice decreased by 43 per cent (227 to 130). The number of Aboriginal and Torres Strait Islander young people referred to restorative justice also declined by 45 per cent.

The decline in the number of young people referred to restorative justice may be due to:

- a 39 per cent decline in the number of young people apprehended by police since 2011-12
- progression (in 2013-14) from a trial initiative to an established program for all eligible first time offenders and Aboriginal and Torres Strait Islander young people, and
- an improved awareness of referral criteria following the trial.

Total number of young people referred to restorative justice by Aboriginal and Torres Strait Islander status, 2011-12 to 2015-16



Source: Justice and Community Safety Directorate, ACT Criminal Justice Statistical Profile, Restorative Justice Table 4, March 2017

Young people are helped early and provided with supports and services they need

How are we tracking?	2011-12	2015-16	2016-17*	Change
Young people who received justice health services (within 24 hours of detention)	91%	100%	98%	↑ 7%
Young people who received domestic and family violence crisis services (average proportion of total clients)	14.03%	17.33%	n/a	↑ 3.3%
Young people on sentenced community-based orders who had completed case plans within six weeks	95%	63%	58%	↓ 37%
Young people on sentenced detention orders who had completed case plans within six weeks	72%	81%	69%	↓ 3%

Sources: ACT Health Annual Report 2016-17; ACT Criminal Justice Statistical Profile, September 2016; Report on Government Services 2018 *Note: Data includes 2016-17 results where available.

Young people who received justice health services

Young people who are in contact with the youth justice system are supported by Mental Health, Justice Health and Alcohol and Drug Services. This support includes primary health services, assessments, hospital-based specialist services, therapeutic rehabilitation, counselling and care for young people with mental ill-health.

In 2016-17, 98 per cent of all young people admitted to Bimberi received a health assessment within 24 hours of detention, which includes a primary health assessment and mental health check. Two health assessments did not occur within the 24 hour period. These two health assessments, however, were completed at the same time, within 48 hours (ACT Health Annual Report 2016-17).

Young people who received domestic and family violence crisis services

Children and young people can receive crisis support services through crisis visits when experiencing family or domestic violence. Crisis visits are face-to-face interventions provided by the Domestic Violence Crisis Service (DVCS) in immediate response to an incident of domestic or family violence to support those who are affected. DVCS crisis visits involving children occur when children are involved or present at a domestic violence incident.

Over the five years since the Blueprint was introduced, the proportion of children and young people (0-24 years) who received services from the DVCS increased slightly. A peak increase of approximately six per cent occurred in 2013-14 and 2014-15, when the average proportion of children and young people who were clients was approximately 20 per cent. This may indicate that children and young people are an increasing proportion of all DVCS's clients.

Average proportion (%) of children and young people as Domestic Violence Crisis Service clients, 2011-12 to 2015-16



Source: Justice and Community Safety Directorate, ACT Criminal Justice Statistical Profile, Domestic Violence Crisis Service Table 1, September 2016. Note: Annual numbers are averages over four quarters.

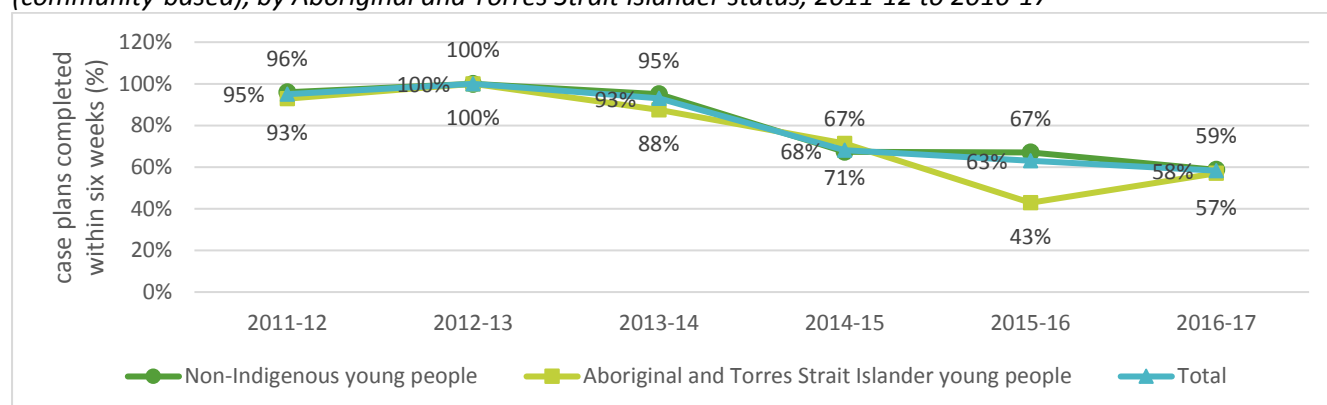
Young people on sentenced orders who had completed case plans within six weeks

Case management for all young people engaged with Child and Youth Protection Services (CYPS) is delivered through an integrated case management process informed by the Youth Level of Service/Case Management Inventory (YLS/CMI) tool and Cultural Care Plans. The case planning process is always commenced at the point of sentencing, although sentencing practices and sentence lengths for young people often result in young people being sentenced and released on the same day, which can also affect results.

The CYPS Cultural Services Team support Aboriginal and Torres Strait Islander children and young people involved with the statutory child protection and youth justice system, providing cultural input into all aspects of case management and engagement, including through preparing Cultural Care plans. In 2016–17, 137 new Cultural Care plans were prepared by CYPS.⁴

The number of young people who had case plans completed within six weeks of commencing community-based sentenced orders has decreased by 37 per cent over the last six years (from 95 per cent to 58 per cent case plans completed within six weeks).

Proportion of young people with case plans prepared within 6 weeks of commencing sentenced orders (community-based), by Aboriginal and Torres Strait Islander status, 2011-12 to 2016-17

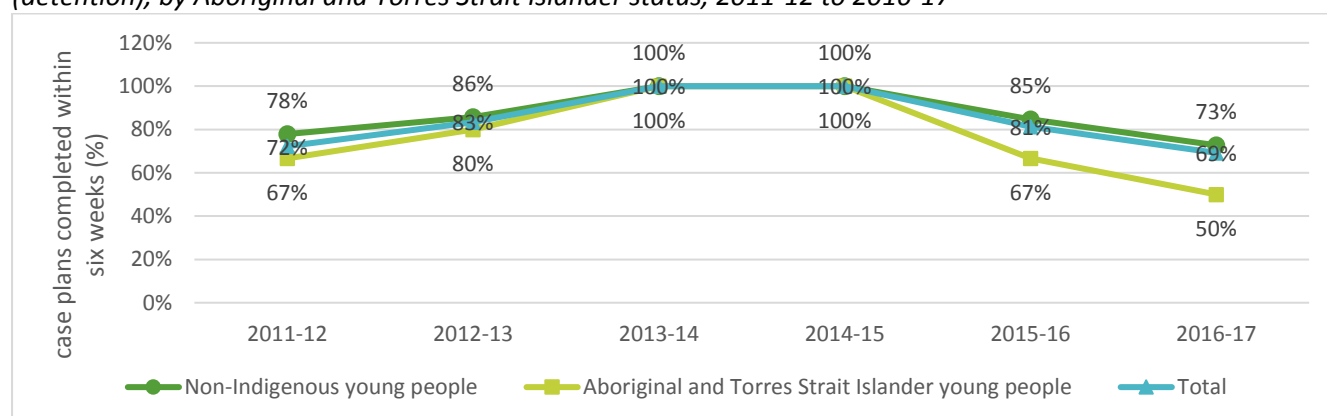


Source: Productivity Commission, Report on Government Services 2018, Youth Justice Services Table 17A.12

⁴ Community Services Directorate, Annual Report 2016-17, page 70.

The total number of young people who had case plans prepared within six weeks of commencing sentenced detention orders has decreased by three per cent (from 72 per cent to 69 per cent). This is also a decrease from results achieved in 2013-14 and 2014-15, when 100 per cent of young people had case plans completed within six weeks.

Proportion of young people with case plans prepared within 6 weeks of commencing sentenced orders (detention), by Aboriginal and Torres Strait Islander status, 2011-12 to 2016-17



Source: Productivity Commission, Report on Government Services 2018, Youth Justice Services Table 17A.12

With the establishment of Child and Youth Protection Services (CYPS) in 2015, the case planning process has been reviewed and strengthened. Since this time, case planning in youth justice and child protection has been fully integrated, and informed by Cultural Care plans and the YLS/CMI tool. As the case planning process has become more comprehensive in its approach to supporting children and young people, this process subsequently requires more time for staff to complete, which can, in part, explain the case plan completion results.

In addition, small increases or decreases of numbers of young people on orders, particularly of Aboriginal and Torres Strait Islander young people, can impact percentage results. For example, two Aboriginal and Torres Strait Islander young people commenced sentenced detention orders in 2016-17 and one case plan was completed within six weeks (50 per cent).

A new process, however, has been implemented to address the downward trend of case plan completions and results as at November 2017 show an improvement in the rate of case plan completions within six weeks, at 79 per cent for community-based orders and 80 per cent for detention.

Young people who accessed youth engagement services

Young people who are disengaged or at risk of disengaging from family and other services, including education, are provided youth engagement services by various community organisations in the ACT. Youth engagement services are delivered through a range of strategies including drop-in, assertive engagement and street outreach. In 2016-17, 22,450 young people came into contact with youth engagement services through a range of activities. Of these, 2,236 young people engaged to receive individual support and 330 young people engaged in short-term case work.

Young people are successfully re-integrated into the community upon leaving detention

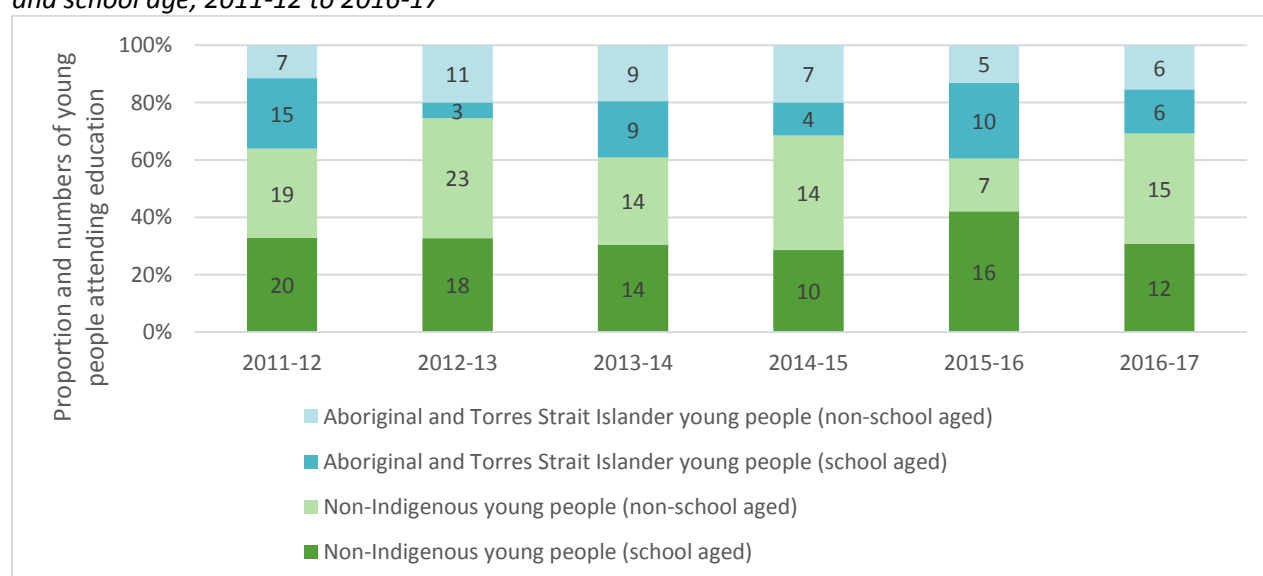
How are we tracking?	2011-12	2015-16	2016-17*	Change
Percentage of young people who attended education and training	100%	100%	100%	↔ n/a
Young people who attained nationally recognised qualifications	36 (2011)	33 (2015)	9 (2016)	↓ 75%
Young people who participated in the transition unit at Bimberi	7	29 (total since 2011-12)	n/a	↔ n/a
Young people supported by the Youth Housing Program	147	167	n/a	↑ 14%

Source: Community Services Directorate Annual Reports, Education and Training Directorate unpublished data, and Report on Government Services 2018. *Note: Data includes 2016-17 results where available.

Young people participating in education and training while in detention

Young people in detention at Bimberi are supported to maintain engagement in education, build and maintain family ties and develop the living skills they need to reintegrate successfully in the community. The Murrumbidgee Education and Training Centre (METC) at Bimberi provides a range of education and vocational programs, including recognised certificate programs, tutoring and transitional support back into the community, through an individualised and tailored approach. Over the six years from 2011-12 to 2016-17, 100 per cent of young people in Bimberi, both school aged and non-school aged, attended education and training while in detention.

Young people in detention attending education and training, by Aboriginal and Torres Strait Islander status and school age, 2011-12 to 2016-17



Source: Productivity Commission, Report on Government Services 2018, Youth Justice Services Table 17A.13

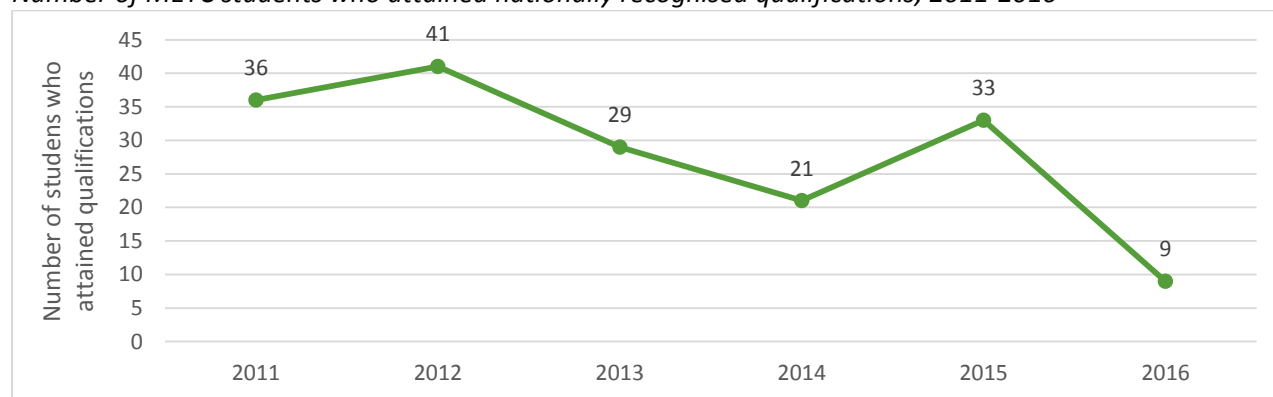
Young people are also supported to complete Year 10 and Year 12 certificates (or equivalent), as well as a variety of nationally recognised qualifications in areas like construction, hospitality, business, horticulture and fitness. Five nationally recognised qualifications were attained by nine young people during the 2016 calendar year. Qualifications attained included:

- Year 12 certificate (offered through the CIT)
- Certificate II in Business
- Statement of Attainment in Business
- Statement of Attainment in Horticulture
- Road Ready Certificate.

Since 2011, 169 young people have received nationally recognised qualifications through METC. The number of METC students who attained nationally recognised qualifications has reduced by 75 per cent since 2011, due to a significant reduction in attainments in the 2016 calendar year (data for 2017 is not yet available). This decrease may be due to a 42 per cent reduction of the number of young people in detention and a 64 per cent reduction in the time young people spent in detention. It is likely that the decrease in attainments is due to this decrease in young people in detention, as there were only seven young people in detention on an average day in 2015-16.

Young people may commence studying for qualifications but not complete their study while in detention, and their progress is difficult to reliably track after leaving detention. This will be closely monitored over the next five years of the Blueprint to determine if results from 2016 are an emerging trend.

Number of METC students who attained nationally recognised qualifications, 2011-2016



Source: Unpublished, Education Directorate data, ACT Government

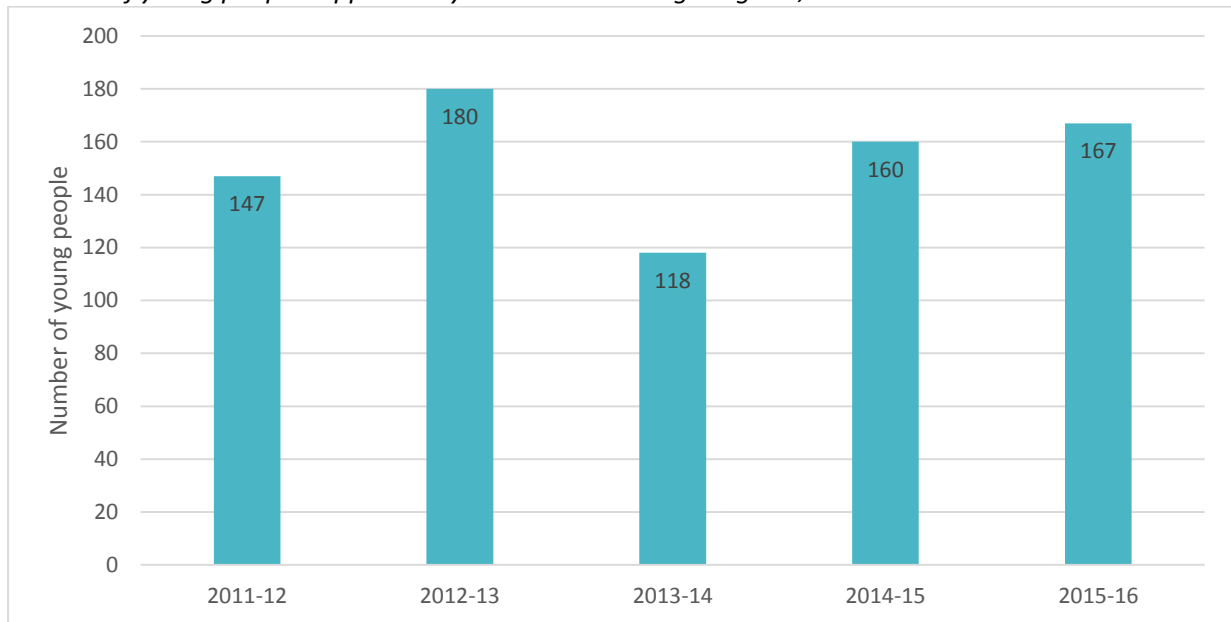
Young people who participated in the transition unit at Bimberi

In August 2011, Bimberi launched a fourth residential unit that focused on preparing sentenced young people to transition back into the community. The transition unit provided young people with living skills training and planned leave from Bimberi in order to prepare for a successful community transition. A total of 29 young people successfully transitioned through the unit from 2011-12 to 2015-16. Following a reduction in numbers in detention, funding for the fourth unit ceased at the end of 2015-16. Transition practices have since been embedded across Bimberi to support all young people as they transition from detention.

Young people supported by housing services

Young people were assisted by a range of housing and homelessness services over the previous five years of the Blueprint, including Housing ACT's Youth Housing Program. This program assisted young people to sustain a long term tenancy and engage with education, employment and the community. The program supported young people aged 16 to 25 years who transitioned from the youth justice system, care and protection, or homelessness services. The total number of young people supported over the five years has fluctuated but increased by 14 per cent since 2011-12.

Number of young people supported by the Youth Housing Program, 2011-12 to 2015-16



Source: Community Services Directorate Annual Reports: 2011-12, 2012-13, 2013-14, 2014-15 and 2015-16.

What did we do?

Work to achieve outcomes against the six goals of the Blueprint was guided by seven strategies, underpinned by a sustained focus on early intervention, prevention and diversion.

The information in this section identifies key initiatives and achievements under each of these seven strategies for the five years since implementation of the Blueprint. It highlights how collaboration between services and supports provided across health, education, justice and the community worked to achieve better outcomes for young people.

The Blueprint has provided a strong platform and achieved significant outcomes through these initiatives, but there is more work to do. Some of the initiatives outlined in this section are recent, whereas others have been underway from the beginning of the Blueprint. A key focus of future work will be to identify where potential improvements could be made to services and programs over the next five years of the Blueprint.



Blueprint strategies

1. Focusing on early intervention and prevention of contact with the youth justice system
2. Diverting children and young people away from the formal justice system
3. Engaging and encouraging the participation of children, young people and their families
4. Providing intensive individualised support to children and young people
5. Connecting and reintegrating children and young people into a home and the community through effective throughcare
6. Creating an integrated whole-of-government and whole-of-community services system to support children and young people
7. Building a strong and smart workforce.

Strategy 1 - Focusing on early intervention and prevention of contact with the youth justice system

Early intervention through the establishment of Child and Youth Protection Service (CYPS)

The ACT was the first jurisdiction to integrate child protection and youth justice services commencing 1 July 2015. The integration of these services is supported by the *Children and Young People Act 2008*, particularly through the 'best interest of the child' principle and single case management system. This significant change provides a trauma informed response for all children, young people and families in need of a care, protection or youth justice response, and in the long term, will allow for early identification and support to be offered to children and young people who are at risk of entering the youth justice system.

Ongoing reform under *A Step Up for Our Kids* (Out of Home Care Strategy 2015-2020)

A Step Up for Our Kids seeks to improve outcomes for children and young people in care by providing more flexible, child-focused services and to reduce demand for out of home care places. The Strategy places a strong emphasis on providing children with safe permanent care options when it is no longer safe for them to live with their birth family. This includes creating a system of care that recognises and addresses trauma experienced by children and young people. *A Step Up for Our Kids* involves a fundamental shift in service provision, including the commissioning of family preservation and out of home care services.

Review of Aboriginal and Torres Strait Islander children and young people involved with the ACT child protection system

In June 2017, the ACT Government announced an independent review of the involvement of Aboriginal and Torres Strait Islander children and young people in the ACT child protection system. The review will provide a deeper understanding of the disproportionate representation of Aboriginal and Torres Strait Islander children and young people in the out of home care system. It will inform systemic improvements that enhance and preserve children's connection to family and community, and their sense of identity and culture.

Youth Engagement Services

Youth Engagement Services are provided by various community partner organisations under the Child, Youth and Family Services Program (CYFSP). These services support young people who are disengaged, or at risk of disengaging, from family and other services. Youth engagement services include a range of approaches including drop-in support, assertive engagement and street outreach.

Justice Reinvestment

Justice reinvestment provides a smarter, more cost-effective approach to improving criminal justice outcomes by reducing crime, improving public safety and strengthening communities. The ACT commitment to justice reinvestment is demonstrated through the

Justice Reinvestment and Reform Strategy. A range of projects are being pursued under the Strategy, including:

- Creating an evidence base for the programs and services supporting adults and young people who have contact, or are at risk of having contact, with the ACT criminal justice system
- Justice reinvestment trials, with a focus on Aboriginal and Torres Strait Islander families at risk, reducing the number of Aboriginal and Torres Strait Islander people on remand and the amount of time spent on remand
- Snapshots illustrating the life journeys of people experiencing disadvantage and their contact with the ACT justice system
- Modelling to understand the costs of the current ACT adult and youth justice system, and
- An evaluation framework of programs containing justice reinvestment measures.

Early Intervention by Design

The ACT Government's Early Intervention by Design project aims to establish a more sustainable, flexible and responsive human service system that identifies vulnerabilities, responds early and effectively targets resources based on need. As part of a comprehensive program of policy and service system design work, this project will focus on the human services areas of health, justice, community services and education and how to improve outcome for vulnerable children and families, Aboriginal and Torres Strait Islander families, and families who have experienced domestic violence. This work is being progressed by the human services cluster directorates (Community Services Directorate, Justice and Community Safety Directorate, Education Directorate and ACT Health). The project will involve a staged approach that promotes innovation and engages community and industry in the development of new strategic procurement agreements for ACT human services.

Strategy 2 - Diverting children and young people away from the formal justice system

After Hours Crisis and Bail Service

The After Hours Crisis and Bail Service (AHCBS) is part of the Intake team in Child and Youth Protection Services (CYPS), incorporating the functions of the former After Hours Bail Support Service. The AHCBS provides an initial response to after-hours CYPS matters, including those relating to youth justice with a range of diversionary responses to prevent young people from remaining in police custody overnight. For example, CYPS works with ACT Policing to support decision-making regarding bail, by arranging suitable community-based alternatives to custody or providing additional supervision if required.

Alcohol and Other Drugs Diversion Program

The Alcohol and Other Drugs Diversion Program is a partnership with ACT Policing and ACT Health. The purpose of the program is to divert young people away from the youth justice system. The program refers young people to assessment and education programs, including:

- Youth Alcohol Diversion for under-age drinkers who are intoxicated, in possession of, or consuming alcohol in a public place
- Illicit Drug Diversion for people who are found in possession of illicit drugs for personal use alone
- ACT Policing Crime Reduction Education and Diversion (CRED), a team providing education and awareness presentations on drugs and alcohol in secondary schools.

Court Alcohol and Drug Assessment Service

The Court Alcohol and Drug Assessment Service (CADAS) is a scheme in use in the Magistrates, Childrens and Supreme Courts, to engage clients in treatment plans during Court proceedings and as part of their orders on sentence. Young people are referred from the Childrens and Supreme Courts. Clients are case managed and supported with referral to appropriate treatment services. CADAS also completes Alcohol and Other Drug (AOD) assessments as requested by the Courts. The service assists clients to negotiate and develop appropriate and achievable treatment plans with AOD sector services.

Restorative Justice Scheme

The ACT's Restorative Justice Scheme provides the opportunity for eligible and suitable victims, offenders and their supporters to communicate, either face-to-face or by indirect means with the help of a trained restorative justice convenor. ACT Policing and the ACT Childrens Court are the key referral sources for young people referred to the Restorative Justice Unit. The purpose of this communication is to address the harms caused by an offence by discussing what happened, who has been impacted and in what ways, as well as what the responsible person/s can do to help 'put things right' for victims of crime.

Strategy 3 - Engaging and encouraging the participation of children, young people and their families

Family Group Conferencing

Family Group Conferencing is being piloted by independent Aboriginal and Torres Strait Islander workers for Aboriginal and Torres Strait Islander families. It aims to strengthen the focus on restoration established by *A Step Up for Our Kids*, by empowering families and extended family to identify solutions to the challenges they face and ways of keeping their children safe within the family prior to court. The pilot is being conducted over a 12 month period in consultation with families to ensure it is meeting the needs of Aboriginal and Torres Strait Islander children, young people and their families.

Participation of young people and families at Bimberi Youth Justice Centre

The participation of young people and their families at Bimberi is supported by the Family Engagement Officer, Official Visitors and the Public Advocate. The Family Engagement Officer assists young people and their families by promoting Aboriginal and Torres Strait

Islander perspectives in the day-to-day functions at Bimberi and provides a point of contact for engaging and supporting young people in custody. The two Official Visitors for Bimberi and the Public Advocate support young people to express their views and contribute to identifying areas for service improvement. For example, the Official Visitors visit and inspect Bimberi, receive and manage complaints from young people and others about the centre and report to the Minister for Disability, Children and Youth, providing information on individual matters raised by young people and any service or system issues of concern.

Strategy 4 - Providing intensive individualised support to children and young people

Charter of Rights for Young People in Bimberi Youth Justice Centre

The Community Services Directorate worked with the ACT Human Rights Commission to develop the Charter of Rights for Young People in Bimberi (the Charter), launched in August 2017. It provides an accessible guide for young people in Bimberi, setting out how they should expect to be treated, and how they should treat others during their time in detention. The Charter aims to strengthen the protection of young people in Bimberi by developing awareness of their rights and responsibilities. It also provides young people and staff at Bimberi with a shared language with which to discuss their rights and responsibilities.

Mental Health, Justice Health and Alcohol and Drug Services

Young people who are in contact with the youth justice system can receive support from Mental Health, Justice Health and Alcohol and Drug Services. This can include primary health services, assessments and care for young people with mental health issues who have offended or are at risk of offending; hospital-based specialist services; therapeutic rehabilitation; counselling; supported accommodation; and other community-based services. Services include the Child and Adolescent Mental Health Services (CAMHS) up to the age of 18 and Adult Community Mental Health Services 18 to 25, both providing mental health care to young people experiencing moderate to severe mental health presentation.

Supports for young people with disability

Work was undertaken in 2015 to respond to the ACT Human Rights Commission's 2011 recommendation 'to *articulate an approach to working with young people with disability in the youth justice system*'. A suite of 18 Practice Guidelines on disability was introduced to assist staff to respond appropriately and effectively to young people with disability in the youth justice system. The guidelines cover a range of topics including understanding disability, trauma, cognitive disability, mental ill-health, dual disability, and the interface between the youth justice system and the NDIS.

In addition, an induction video for all young people entering Bimberi was developed to assist young people to understand their rights and responsibilities at Bimberi and clearly explain how they can expect to be treated. This video is shown to all young people at

induction and helps to improve communication with young people who may have difficulty engaging with written material.

Strategy 5 - Connecting and reintegrating children and young people into a home and the community through effective throughcare

Throughcare for young people in Bimberi

Planning for a young person's exit from Bimberi and transition back to the community commences from the time of sentencing. Young people have access to the Murrumbidgee Education and Training Centre (METC), which provides opportunities for young people to build their academic and vocational skills, as well as transitional supports back into schooling, employment or training. Culturally appropriate mental health services and access to a Family Engagement Officer also support young people's reintegration into community.

Amalgamation of child protection and youth justice services under CYPS

Child and Youth Protection Services (CYPS) commenced on 1 July 2015, integrating the statutory functions of youth justice and child protection. Integrating statutory services has enabled the Directorate to provide a better service response to children, young people and families requiring a protection, care or justice response. The creation of CYPS supports improved information sharing and continuity of case management across child protection and youth justice. This allows earlier identification and support to be offered to families for children and young people who are at risk of entering the ACT youth justice system.

Youth Housing Program (Housing ACT)

The Youth Housing Program employs three staff who support young people in sustaining a long-term public housing tenancy. The program is targeted to young people who are transitioning from youth justice, out of home care and homelessness services, as well as other young people who are vulnerable or at risk. A Youth Housing Manager will work with the young person from the time of their initial contact with Housing ACT, to ensure that young people are supported in sustaining their tenancy.

Strategy 6 - Creating an integrated whole of government and community services system to support children and young people

Trauma-Informed Practice

Bimberi Youth Justice Centre continues to operate services and programs that are trauma-informed. A trauma-informed approach ensures organisations, service providers, carers and families are aware of the impact that trauma has on a child or young person's behaviour, health and development. The service system focuses its resources on helping children heal from trauma by building safe, stable, secure and nurturing relationships.

Single case management

CYPs has focused on delivering a more effective and evidence-based approach to the supervision of young people on justice orders. A key practice improvement to achieve this is embedding single case management across youth services in the assessment, supervision and support of young people on justice orders. Single case management encourages staff to work differently and empowers them to be a 'single point of contact', not only for young people but also for other key service providers and stakeholders.

External oversight mechanisms

In addition to quality assurance mechanisms embedded in the Bimberi Integrated Management System, a number of external oversight mechanisms operate across Bimberi. The Human Rights Commission, Public Advocate and Official Visitors play a vital role in this oversight. The ACT Government recently committed to the establishment of a dedicated Inspectorate of Correctional Services that will have oversight powers with regard to Bimberi within two years of its establishment.

Integration of community services in the youth justice system

A broad range of services are engaged in all areas of the youth justice system with 45 agencies, including community organisations, working alongside Bimberi Youth Justice Centre staff to provide services and support to young people. These services are also involved in case plan development and transition planning, and continue to support young people on their release. Services include:

- specialist health and mental health staff services delivered by ACT Health
- health, wellbeing and cultural programs delivered by Gudan Gulwan and Winnunga Nimmityjah Aboriginal Health Service
- sport, recreation and mentoring programs delivered by the Canberra Raiders and staff from Canberra Police Citizens Youth Club (PCYC)
- specialist drug and alcohol programs delivered by the Ted Noffs Foundation
- Aboriginal and Torres Strait Islander counselling and young men's groups delivered by Relationships Australia, and
- the Dream, Believe, Achieve program delivered by Australian of the Year Finalist, Alan Tongue.

Strategy 7 - Building a strong and smart workforce

Bimberi Integrated Management System / Governance

A key outcome of the ACT Human Rights Commission Report into Youth Justice in 2011 was the development of new governance structures for Bimberi, articulated in the Bimberi Integrated Management System. This has resulted in a clear articulation of how policies and procedures are to be reviewed regularly, and how staff are included in this ongoing review process. Formal governance mechanisms are built into the structure of Bimberi and include

the Bimberi Workplace Consultative Committee and the Bimberi Integrated Management System Governance Group. These mechanisms support staff engagement in ongoing quality practice improvements. Staff also participate in the daily briefing to capture any concerns or ideas for appropriate management of young people. All staff are provided with certificate level training through the Canberra Institute of Technology.

Youth focused training delivered by CYPS

CYPS delivers specific youth focused training, including training on the Youth Level of Service/Case Management Inventory (YLS/CMI) tool to further develop the skills of staff working with youth justice matters. This is a quantitative screening tool that surveys attributes of youth offending and assists case managers to make decisions regarding the level of service, supervision and programming. CYPS also delivers the Changing Habits and Reaching Targets (CHART) training. CHART is an offending behaviour program designed specifically for young people. CYPS continues to offer the Introduction to Youth Justice e-learning training, with an additional 44 staff completing this in 2016-17.

What are our emerging challenges?

While this report demonstrates there has been success in reducing the number of young people coming into contact with the youth justice system, there are also a number of continuing and emerging challenges that will require renewed focus over the next five years.

This section is intended to support informed community consultation on key issues facing youth justice in the ACT, before the Taskforce finalises a report in mid-2018 on key priorities for the next five years. Community consultation may confirm or add to the challenges discussed below. These challenges include:

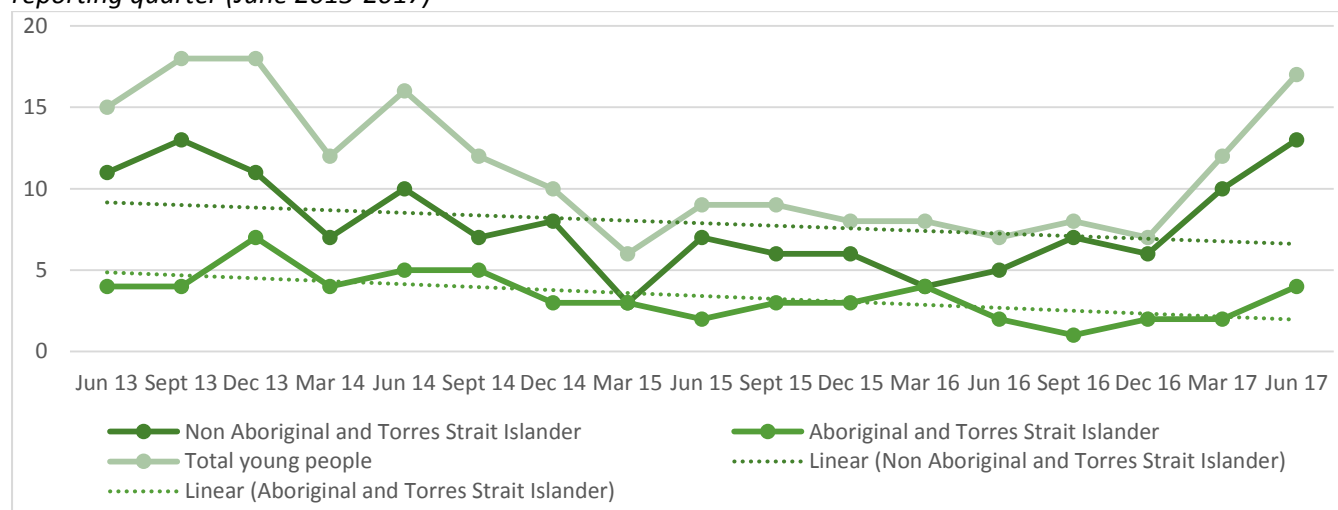
- Understanding and addressing the recent increase of young people in detention (since December 2016), including prevention programs to support diversion
- Reducing the over-representation of Aboriginal and Torres Strait Islander children and young people in the youth justice system, including the use of diversionary conferencing
- Implementing stronger Throughcare practices in youth justice
- Continuing to address and reduce the experience of childhood trauma
- Taking a restorative practice approach to youth justice
- Enhancing support for young people with disability or mental health concerns in detention
- Collecting and linking more robust data measures to enable data analytics
- Developing intervention options for supporting young people in early adolescence, and
- Intervening early to prevent the intergenerational transmission of criminal offending.

Addressing the increase in young people in detention

Over the last six months of 2016-17 (since December 2016), the ACT experienced a sharp increase in the number of young people in detention.

The total number of young people in detention on an average night more than doubled, from seven young people to 17 between December 2016 and June 2017. This represents an increase of 143 per cent. Furthermore, the number of Aboriginal and Torres Strait Islander young people in detention during this period doubled. The numbers fluctuate in the ACT due to its small population, yet the data shows the largest increase in total detention population since June 2013.

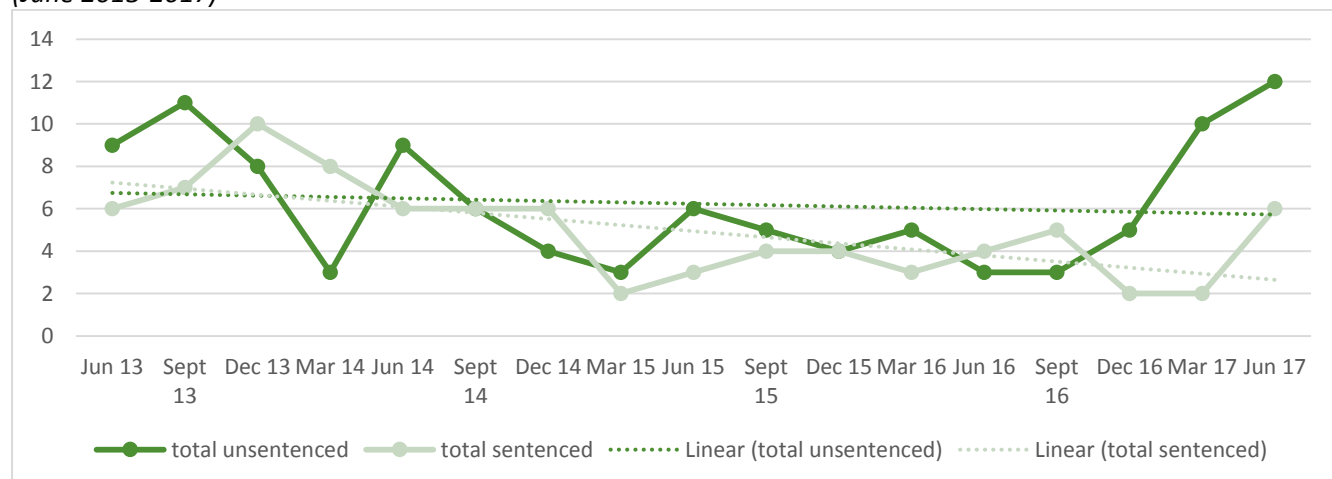
Number of young people in detention by Aboriginal and Torres Strait Islander status on an average night by reporting quarter (June 2013-2017)



Source: Unpublished, Community Services Directorate data, quarterly reports

While the sharp increase in the most recent reporting period is clear, the long-term trend broken down by types of detention demonstrates continued fluctuation.

Number of young people in detention by legal status on an average night by reporting quarter (June 2013-2017)

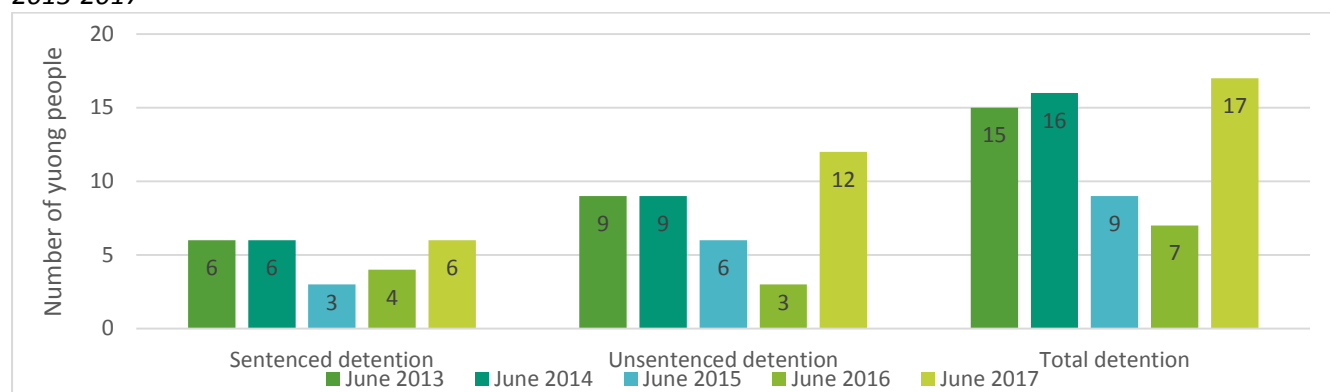


Source: Unpublished, Community Services Directorate data, quarterly reports

Types of detention

Between June 2016 and June 2017, the number and rates of young people in un-sentenced detention in the ACT increased and the number of sentenced young people fluctuated. This shows the need for continued efforts to reduce the number of young people in detention.

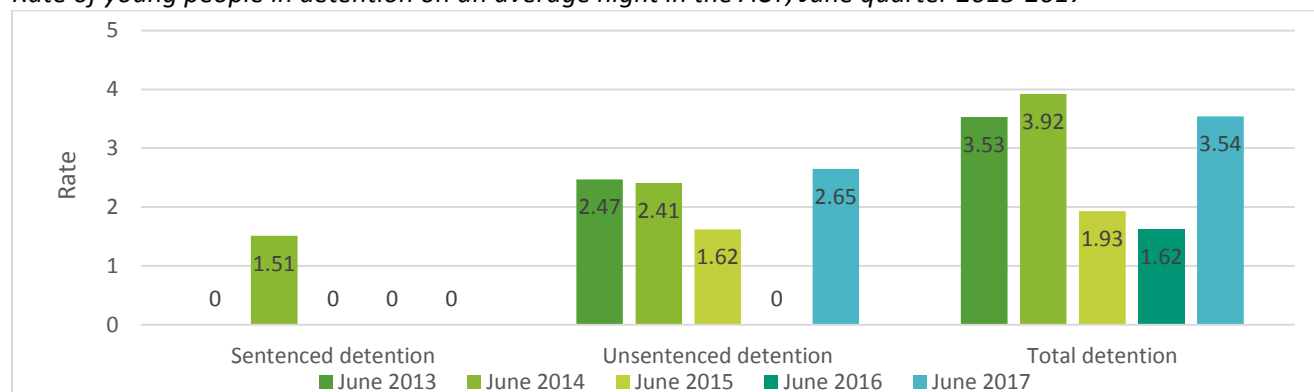
Number of young people in detention on an average night in the ACT by detention type, June quarter 2013-2017



Source: AIHW2017, *Youth Detention Population in Australia 2017*, Tables S7, S17 and S27. Note: Graph shows numbers of young people aged 10-17.

The recent publication of the AIHW's *Youth Detention Population in Australia 2017* provides further insight into the recent increase in numbers of young people in detention in the ACT. As indicated below, while the total detention rate in the ACT has increased, the rate of un-sentenced detention (the larger detention population in Bimberi) has remained stable, with an increase in the June 2017 quarter. The sentenced population has remained below a rate that can be published since 2014, so there is no trend data for this measure.

Rate of young people in detention on an average night in the ACT, June quarter 2013-2017



Source: AIHW, *Youth Detention Population in Australia 2017*, Tables S10, S20 and S30. Note: Rates are per 10,000 young people aged 10-17, and are not published when there are fewer than five young people in detention (displayed as zero).

Types of offences

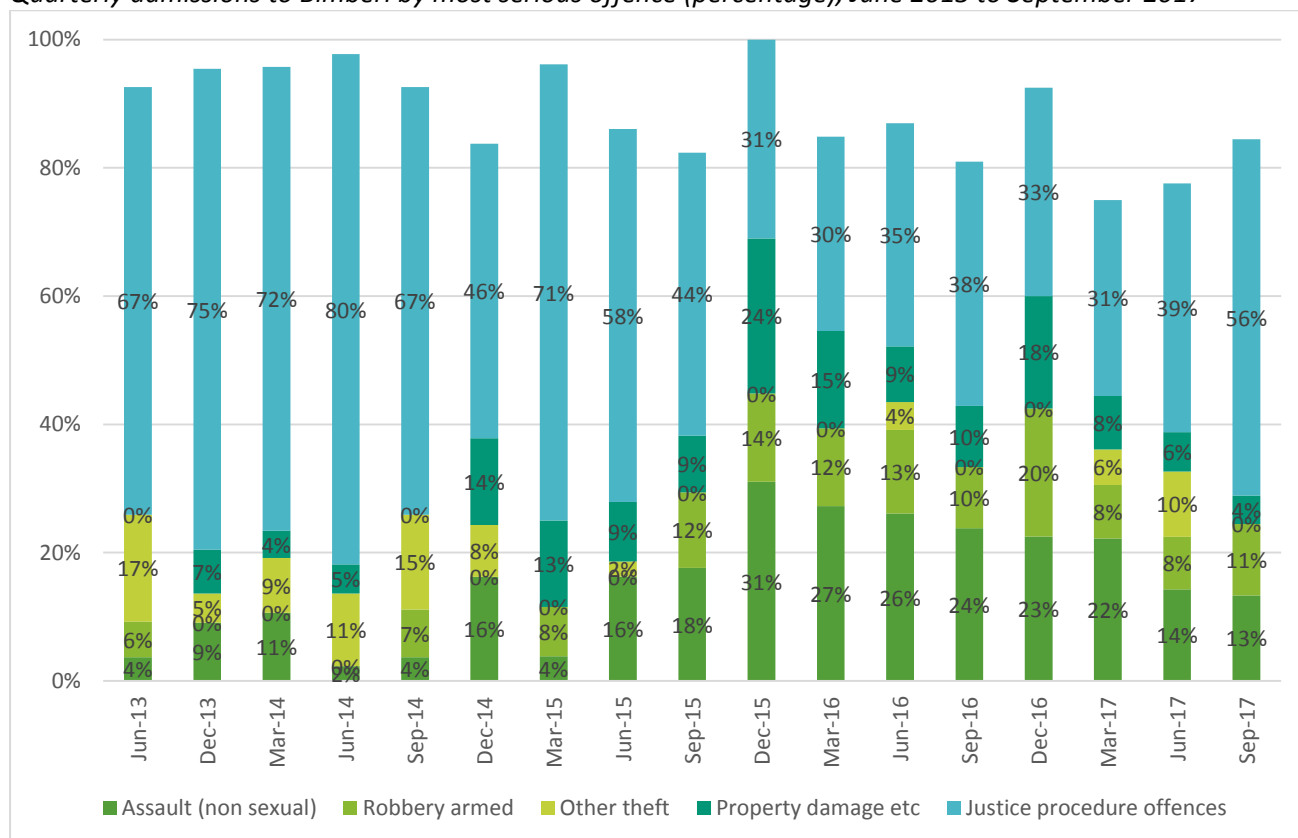
In the December 2016 quarter, there was a spike in the percentage of admissions to Bimberi where a young person's most serious offence was armed robbery or assault (43 per cent of total admissions). This is consistent with recent data on youth offending released by the ABS, which

shows that acts intended to cause injury were the most common serious offence for young people (the two most common offences were theft and public order offences).

The ABS data also showed a recent increase in the number of young offenders facing robbery and extortion charges, from 8 offenders in 2015-16 to 23 in 2016-17.⁵ The majority of admissions to Bimberi, however, continue to be alleged breaches of bail conditions which is an offence not included in the ABS data.

The increase in more serious offences may indicate that young people entering detention are committing more serious offences at a young age. While this means young people who have committed less serious offences are being diverted from custody, it provides challenges to rehabilitation for young people and reinforces the importance of embedding strong Throughcare practices in youth justice (see page 36).

Quarterly admissions to Bimberi by most serious offence (percentage), June 2013 to September 2017



Source: Justice and Community Safety Directorate, ACT Criminal Justice Statistical Profile March 2017, Youth Justice Table 2

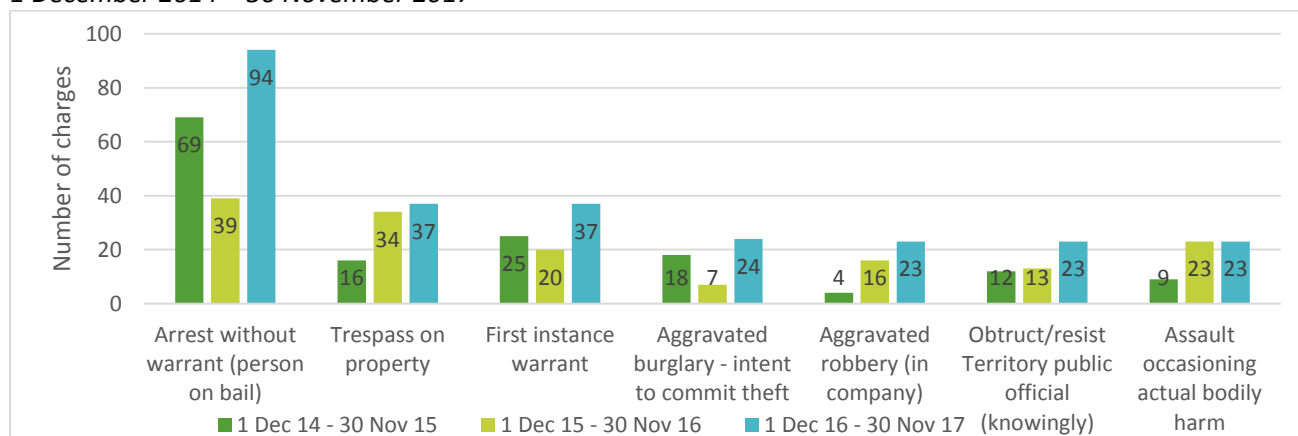
Trends in charges by ACT Policing

The increase in number of young people in detention may also be related to a recent increase in charges that directly lead to a young person being taken into custody. For example, the number of charges of arrest without warrant (person on bail), otherwise known as a 'breach of bail', increased by 36 per cent over the last three years. Similarly, the

⁵ Australian Bureau of Statistics, *Recorded Crime – Offenders*, Australia, 2016-17, Cat. No. 4519.0, Table 20.

number of charges of first instance warrant (a court-ordered warrant) increased by 48 per cent. Common assault charges (the most common charge), however, have remained steady.

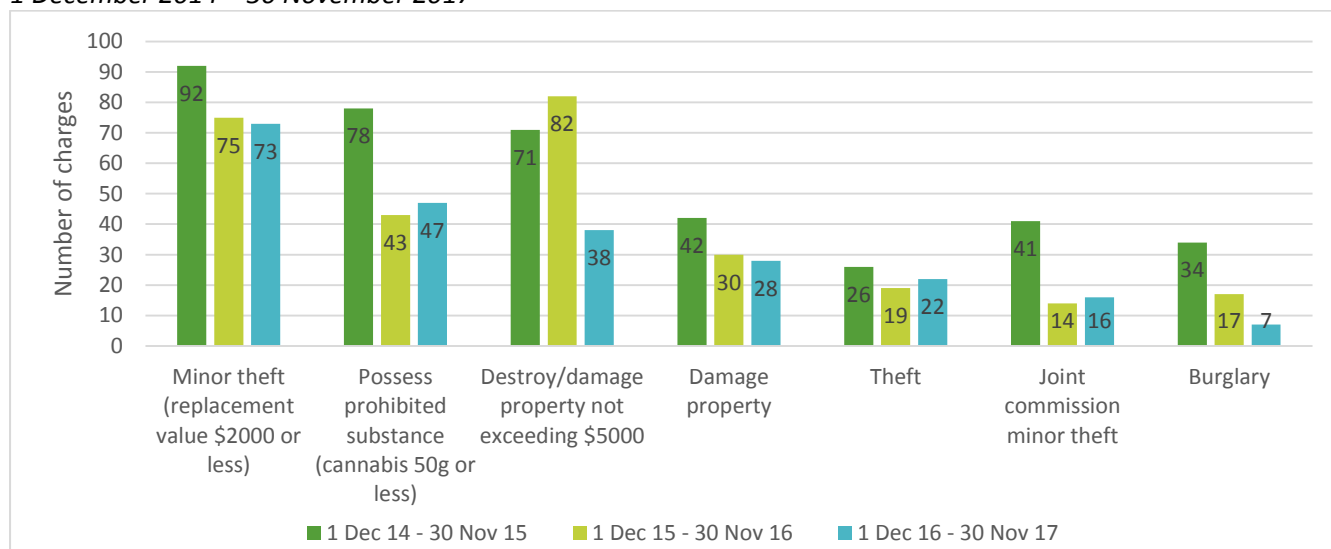
Number of most common charges from young people apprehended by ACT Policing, top seven increases, 1 December 2014 – 30 November 2017



Source: ACT Policing unpublished data, PROMIS as at 01 December 2017, Performance Statistics

Conversely, there has been a decrease in some categories of charges over the previous three years, including a 20 per cent reduction in charges of minor theft, a 40 per cent reduction in charges of possessing 50 grams of cannabis or less, and a 46 per cent reduction in the charges of destroying or damaging property.

Number of most common charges from young people apprehended by ACT Policing, top seven decreases, 1 December 2014 – 30 November 2017



Source: ACT Policing unpublished data, PROMIS as at 01 December 2017, Performance Statistics

These trends will be carefully monitored to better understand the reasons behind the recent increase and work undertaken to determine what measures are needed (such as better support for young people to understand and comply with their bail conditions) to reduce the number of young people coming into contact with the youth justice system.

Reducing the over-representation of Aboriginal and Torres Strait Islander young people in the youth justice system

Over the past five years, the number of Aboriginal and Torres Strait Islander young people under youth justice supervision and in detention has decreased by 31 and 48 per cent, respectively, but Aboriginal and Torres Strait Islander young people are still 13 times more likely to be involved in the ACT youth justice system than non-Indigenous young people.

Reducing the numbers of Aboriginal and Torres Strait Islander young people in contact with the youth justice system through an integrated human services system response is critical to closing this gap and improving outcomes for Aboriginal and Torres Strait Islander children, young people and their families. Research shows that increasing the representation of Aboriginal and Torres Strait Islander families in both universal and targeted early intervention services is key to reducing later involvement in intensive, statutory services.⁶

In February 2018, the Legislative Assembly passed legislation to expand the jurisdiction of the Childrens Court so that circle sentencing can occur for Aboriginal and Torres Strait Islander children and young people in the criminal justice system. The Warrumbul Court (named for the Ngunnawal word for “youth”) will be established from 1 September 2018, enabling the ACT Aboriginal and Torres Strait Islander community to work collaboratively with the youth justice system to address over-representation and offending behaviour.

Over-representation of Aboriginal and Torres Strait Islander young people in the youth justice system is a continuing challenge to be addressed over the next five years of the Blueprint. ACT Policing recently held two forums with the Aboriginal community on justice issues, with the second forum, held on 27 February 2018, focused solely on youth justice. Feedback from the forums will provide guidance on ways to address this challenge.

Implementing stronger Throughcare practices in youth justice

Initiatives such as the Bendora Throughcare Unit and the integration of child protection and youth justice services under Child and Youth Protection Services (CYPS) have been the first steps in implementing effective Throughcare in youth justice. These initiatives assisted young people to successfully re-integrate into the community after detention, with the recidivism rate for young people in community-based supervision decreasing steadily since 2011-12.

The recidivism rate for young people on sentenced orders, however, while decreasing from 2011-12, showed significant fluctuations over the previous five years. This highlights the importance of embedding stronger Throughcare practices for young people leaving Bimberi.

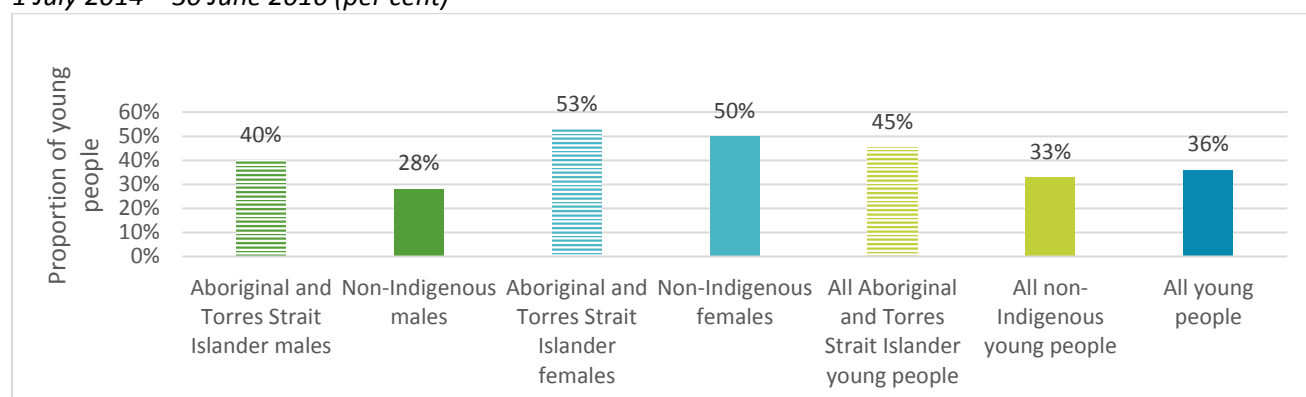
⁶ SNAICC, *The Family Matters Report 2017*, pages 9 and 43.

To assist in improving Throughcare in youth justice, the ACT Human Rights Commission hosted a Youth Justice Roundtable in October 2017 with a range of community and government stakeholders, raising ideas under seven domains: housing, family relationships, living skills, pro social relationships, mental and physical health, education, vocational training and employment, drug and alcohol use, and leisure and recreation. A key theme of discussion was the need to enhance the Throughcare focus (centred on young people on sentenced orders) with a complementary focus on the continuum of support for young people on remand. This feedback will inform work on designing effective Throughcare that supports young people to reintegrate and connect back into their communities.

Continuing to address and reduce the experience of childhood trauma

Research shows that children and young people who have been abused or neglected are at greater risk of offending and entering the youth justice system.⁷ The Australian Institute of Health and Welfare (AIHW) found that nationally, young people in the child protection system were 12 times as likely as the general population to also be under youth justice supervision.⁸ In the ACT, 36 per cent of young people aged 10 to 16 under youth justice supervision between 1 July 2014 and 30 June 2016 were also in the child protection system. For Aboriginal and Torres Strait Islander young people, involvement in both systems was even more likely, with 40 per cent of males and 53 per cent of females in youth justice also in the child protection system. This indicates that it is likely that a significant proportion of young people under youth justice supervision have experienced childhood trauma.

Young people aged 10-16 under youth justice who were also in the child protection system in the ACT, 1 July 2014 – 30 June 2016 (per cent)



Source: AIHW, *Young people in child protection and under youth justice supervision 2015-16*, Table S3a

Substantial work is underway to address and reduce the effect of childhood trauma through *A Step Up for Our Kids*, which has established a system of care based on addressing the

⁷ Malvaso C, Delfabbro P and Day A. (2017) "The child protection and juvenile justice nexus in Australia: A longitudinal examination of the relationship between maltreatment and offending". *Child Abuse and Neglect*, v. 64 February: 32-46; AIHW (2016) *Young people in child protection and under youth justice supervision 2015-16*, pg 1.

⁸ AIHW (2016) *Young people in child protection and under youth justice supervision 2015-16*, pg 1.

experience of childhood trauma. Further work, however, is needed to explore what specific supports and services are needed for young people in the youth justice system who have also experienced trauma as a result of factors leading to involvement with child protection.

Taking a restorative practice approach to youth justice

Restorative practice is an emerging social science that seeks to positively influence human behaviour and strengthen civil society through integrating developments from a range of fields including education, psychology, social work, criminology, sociology, organisational development and leadership.⁹ The aim of restorative practice is building healthy communities, increasing social capital, reducing the impact of crime, decreasing antisocial behaviour, repairing harm and restoring relationships.

The most common example of restorative practice is restorative justice, a clearly structured process that brings together people affected by crime in order to repair the harm. This continues to be an integral part of the response of the ACT youth justice system to young people who have offended.

Embedding a restorative practice approach in the youth justice system will be a key focus of work over the next five years. For example, Child and Youth Protection Services has developed a 12 month pilot program of Family Group Conferencing specifically for Aboriginal and Torres Strait Islander families at risk of ongoing involvement with the child protection service system. The Blueprint Taskforce will explore how this approach may continue to inform actions over the next five years.

Enhancing support for young people with disability or mental health concerns in detention

Research shows that young people with disability are over-represented in custody. For example, the NSW Young People in Custody Health Survey in 2009 showed that 22 per cent of young people in custody reported having a disability or illness that had been troublesome for six months or more, a higher percentage than the general population of young people who have disability (8.9 per cent).¹⁰

Mental health and behavioural disorders are the leading cause of disability among young Australians aged 15-24 years and are among the most prominent needs of young people in contact with the youth justice system, particularly those entering detention.¹¹ Screening and assessment to identify and support the treatment of mental health disorders for young

⁹ International Institute for Restorative Practices, *What is Restorative Practices*, <https://www.iirp.edu/what-we-do/what-is-restorative-practices/defining-restorative>.

¹⁰ NSW Government (2009) *NSW Young People in Custody Health Survey 2009*, page 69.

¹¹ NSW Government (2015) *NSW Young People in Custody Health Survey 2015*, page 38 & Bower C, Watkins RE, Mutch RC, et al. Foetal alcohol spectrum disorder and youth justice: a prevalence study among young people sentenced to detention in Western Australia. *BMJ Open* 2018; 8:e019605.doi:10.1136/bmjopen-2017-019605.

people in detention are therefore important factors in rehabilitation. Currently, young people in Bimberi receive mental and physical health assessment and treatment from Mental Health, Justice Health and Alcohol and Drug Services.

While there were no specific actions in the Blueprint's previous action plan relating to young people with disability or mental health concerns, developing a suite of Disability Practice Guidelines and induction video for Bimberi assisted to improve the response of the youth justice system to young people with disability (see page 28). Related work underway includes the ACT Disability Justice Strategy to ensure that people with disability are treated equally before the law, jointly led by the Justice and Community Safety Directorate and the Community Services Directorate. A gap analysis will be considered through targeted consultations with key stakeholders to inform next steps, with further public updates on consultation and preliminary projects announced in the first half of 2018.

Better support for young people with disability or mental health concerns will be an important area of focus for the next five years, building on work already undertaken to strengthen the response of the youth justice system to young people with complex needs.

Collecting and linking more robust data measures to enable data analytics

Collecting robust data measures is crucial to being able to use data analytics for linkages across various data sets, establish a clear picture of where needs exist and investments can be targeted, and gain a broader understanding of the long-term impact of the Blueprint.

Currently capability to link data sets across the Community Services Directorate (CSD) is limited. This challenge will be addressed through work currently underway to inform the next five years of the Blueprint. A key component of this work will be exploring whether recidivism data can be collated for young offenders who are subsequently incarcerated at the Alexander Maconochie Centre. Options to explore linkages between youth justice and adult corrections data will be considered, without breaching privacy and human rights legislation. This will include exploring the capacity of ACT Courts to provide linked data on individual young people who transition from youth justice into the adult correctional system.

CSD will also progress work to develop a Data Linkage Policy that will apply to datasets across the Directorate, including youth justice. The policy will enable CSD to link datasets across the Directorate to improve statistical understanding and inform service improvements. The Data Linkage Policy will also enable CSD to link data with other ACT Government Directorates, informed by the *Information Privacy Act 2014*, to ensure that data linkage will take place in a secure, ethical, transparent and accountable way. It is expected that the Data Linkage Policy will be ready for implementation in the first half of 2018.

In addition, a national crime and justice data linkage project by the Australian Bureau of Statistics (ABS) and the Australian Institute of Health and Welfare (AIHW) will explore links between adult corrections data and youth justice data. This will include exploring possible linkages between adult corrections data and other data sets, such as care and protection, health, welfare and employment systems. It is anticipated that the scope of the project will also include ABS-held national police and court data and enable national reporting on imprisonment outcomes for former youth justice clients.

Developing intervention options for supporting young people in early adolescence

Supporting young people in early adolescence or the ‘middle years’ (8 to 11 years) has been identified by a number of community organisations and members of the Blueprint Taskforce as a service delivery gap in the ACT. The Blueprint acknowledges that intervening early is the most effective way of preventing youth offending, and better supporting young children aged 8 to 11 years and their families is an area that requires renewed focus over the next five years. Programs initiated early in life to reduce later risk are generally more effective than later attempts at intervention and remediation.¹²

Work will be undertaken across the human services system to improve early intervention capacity within the health and broader human services system. This work will establish an integrated and cohesive service system that re-positions health and human services to better focus on early intervention, improve the client experience and ensure the ACT Government is achieving outcomes for the people who have the greatest need.

Families ACT has been progressing research and held two Middle Years Forums in 2017 to discuss how to respond to this service gap. CSD will continue to work closely with services, including Families ACT, to develop an appropriate response to this issue including over the next five years of the Blueprint.

Intervening early to prevent the intergenerational transmission of criminal offending

Intergenerational transmission of offending refers to the transfer of criminal offending behaviour from one generation to the next.¹³ Research shows that children whose parents are convicted of offending are at higher risk of offending themselves.¹⁴ The reasons for this are complex and intertwined. Parenting practices are thought to be important, although

¹² Gluckman (2011) *Improving the Transition: Reducing social and psychological morbidity during adolescence*. Wellington. Office of the Prime Minister's Science Advisory Committee.

¹³ Auty K, Farrington D & Coid J. (2017) “The intergenerational transmissions of criminal offending: exploring gender-specific mechanisms”, *British Journal of Criminology* v. 57 no, 1, pages 215-237.

¹⁴ Farrington D, Coid J and Murray J (2009). “Family factors in the intergenerational transmission of offending.” *Criminal Behaviour and Mental Health* v. 10, pages 109-124.

environmental factors are also crucial as parents who offend often live in socio-economically disadvantaged circumstances with fewer opportunities to access education and employment.¹⁵ Families may have also faced intergenerational exposure to risk factors and experienced bias from the justice system due to offending history.

The provision of targeted support to children of detained parents is one possible area for early intervention. ACT Health has undertaken recent work in this area with the release of a study in 2013 by ANU researchers, *Children of Prisoners: Exploring the needs of children and young people who have a parent incarcerated in the Australian Capital Territory*, and an ACT Health response to the recommendations, *Slipping through the cracks: Examining the realities of a child-friendly prison system*.

ACT Corrective Services has addressed some of the key findings in the report with 'family days' co-facilitated by SHINE for Kids at the Alexander Machonochie Centre, parenting programs and work on the visitation schedule and bus routes to improve accessibility.

The Justice and Community Safety Directorate is also undertaking a justice reinvestment trial in partnership with Winnunga Nimmityjah for Aboriginal and Torres Strait Islander families where a parent is engaged with, or at risk of engagement with, the justice system. Yarrabi Bamirr, Ngunnawal words for Walk Tall, recognises the need for a whole of government and community service system response in addressing the over-representation of Aboriginal and Torres Strait Islander people in the criminal justice system. The Yarrabi Bamirr trial supports families at risk to become self-managing, healthy and safe. Under the program, social health team workers from Winnunga Nimmityjah work with families to co-design unique family plans to address their goals related to matters such as housing, health, justice, education and employment. Cross-government support is then provided to families to address their identified needs.

Further recognising the opportunities to take a collaborative, cross-Directorate approach to intervening early with families to prevent the transmission of criminal offending, CSD and the Blueprint Taskforce have engaged consultants to review the literature and facilitate consultation with key stakeholders in early 2018 to identify how best to prevent intergenerational offending within the context of the ACT youth justice system.

What is the focus for the next five years?

The focus for the next five years of the Blueprint will be on key touch points within the continuum of the life journey of children and young people who may come into contact with or have come into contact with the youth justice system. Supports along this continuum include prevention and early intervention programs that aim to divert young people away from contact with the system, support for young people currently engaged with the system,

¹⁵ Auty K et al., page 218.

and effective Throughcare to promote successful rehabilitation and reintegration with the community and prevent recidivism.

This section complements the discussion on emerging challenges outlined earlier in the report, but is not intended to commit to a future course of action as consultation with the community is still underway. To guide consultation, the Blueprint for Youth Justice Taskforce has identified a number of key priority areas for the next five years. Many of these areas overlap with the emerging challenges identified above and include:

- Aboriginal and Torres Strait Islander children and young people in youth justice
- Continuing to address and reduce the experience of childhood trauma
- Throughcare from youth justice
- Restorative practice and its benefits for youth justice
- Young people with disability and/or mental health concerns
- Improving data analytics to better measure long-term outcomes under the Blueprint
- Intervention options for young people in early adolescence (8-11 years)
- Intervening early to prevent the intergenerational transmission of criminal offending
- Responding to relevant recommendations from the:
 - *Royal Commission into Institutional Responses to Child Sexual Abuse*
 - *Royal Commission into the Protection and Detention of Children in the Northern Territory* (for example, considering the age of criminal responsibility in the ACT), and
- Supporting young people at risk of or who have disengaged from education.

Consultation on each focus area has begun with a Throughcare roundtable facilitated by the ACT Human Rights Commission. A series of consultations will be undertaken over the next few months, focusing on:

- Disproportionate representation of Aboriginal and Torres Strait Islander children and young people in youth justice
- Restorative practice and its benefits for youth justice
- Young people with a disability and/or mental health concerns
- Early adolescence (8-11 years) and intervention options
- Intergenerational transmission of offending
- Engaging with children and young people, including as victims of crime.

The Blueprint Taskforce will provide a report to the Minister for Disability, Children and Youth in mid-2018 incorporating outcomes from this work including priority areas and a work program for the next five years of the Blueprint.

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