

POLICY AND TRENDS IN RELATION TO JUVENILE DETENTIONS*

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The report by the Task Force set up by the then Minister for Family and Community Services, Mrs Virginia Chadwick, resulted in significant operational and corporation changes to the Department of Family and Community Services. The overall policy of the Department, however, has remained unchanged. Incarceration continues to be seen as a last resort in the options exercised by the courts. For those who are in fact sentenced to periods of control in juvenile detention centres, significant changes have occurred in relation to the type and quality of detention provided.

As a result of the emphasis placed upon community-based options, the Department has been able to achieve and maintain a percentage of diversion ranging from 93 to 95 per cent. Expressed in other terms the percentage of convicted young offenders placed in detention centres varies from 5 to 7 per cent.

As a result of the *Sentencing Act* 1989, there was a small but significant increase in the number of committed detainees held in the eight detention centres of New South Wales. While the detention centres have a capacity for approximately 470 young offenders, the average population in detention centres is approximately 420 with approximately 120 of those young persons in custody being on remand.

Unfortunately, the number of Aboriginal young offenders in detention centres continues to be out of proportion to the percentage of Aboriginals in the community. To date it has not been possible to reduce the number of Aboriginals committed to below 20 to 25 per cent of the total population. However, with the introduction of community-based programs in the next few months at centres such as Taree, Walgett, Bourke and Dubbo, it is expected that some inroads will be made into this problem.

Following the report of the Task Force established by Mrs Chadwick, an overall program of improvement and development was commenced by the Department in May 1990. Due in part to the emphasis which had, up until then, been placed on community options with a consequent devaluing of the importance of the residential care provided in detention centres, it was found that many of the detention centres were poorly staffed, the standard of accommodation was most unsatisfactory and, more importantly, the level and quality of programming was not of the standard required to provide worthwhile opportunities for those young offenders who were receptive to rehabilitation.

In summary, the Task Force had found that there were major deficiencies in the stan-

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dard of accommodation, the level of staffing and staff training, levels of security and quality of programs.

Under the umbrella of a policy of improving the quality of care provided in detention centres, a number of specific strategies were introduced under an altered structure of juvenile justice within the Department. In an attempt to improve the quality of management of each detention centre, the management teams of each centre were reviewed and, in recognition of the importance of the work being carried out on behalf of the Department, all units, with the exception of one, were upgraded and given improved status. New administrative teams were asked to bring forward, as a matter of urgency, plans for the improvement of accommodation, and considerable funds were expended on improving both the accommodation and physical environs of their detention centres.

To enhance the capacity of detention centre direct-care staff to offer better quality programs, and to provide them with the skills and opportunities to more effectively assist detainees in their care, each unit was asked to nominate a suitable candidate to undergo specialist training in the development and delivery of staff training programs. This enabled each unit to provide quality on-site, unit-based training for all staff employed in each detention centre. As well, the Department's Training and Development Section has been asked to develop and implement, as a matter of urgency, unit-based training for all youth workers in staff supervisory positions. The logistics of this enterprise were quite demanding; however, each of the detention centres has now been provided with significant packages of on-site, unit-based training to equip staff to better provide for the detainees in their custody. An Associate Diploma in Youth Work will be offered to all residential care staff working within the Department of Family and Community Services. Funds and personnel are already in place for this to occur.

As a result of the number of escapes which had occurred from detention centres up to March/April 1990, it was determined that additional security was a necessity for most of the detention centres operated by the Department.

The majority of the detention centres in New South Wales were constructed during a period in which different philosophies of juvenile justice prevailed. This, coupled with the success of diversion programs which ensured that those detainees who could better cope in the community were no longer in detention centres, resulted in a situation in which the level of security provided within the Department for many years was no longer sufficient to effectively contain the streetwise and more serious offenders who were being committed to control by the courts.

While the fences constructed were expensive and necessary, staff training and support ensured an awareness that the level of security maintained in detention centres is much more dependent upon the quality of care than the physical constraints imposed by high fences. Although the fences remain, the level of training offered to direct care staff, together with improvements in the quality of programs was at least as significant in reducing the number of escapees to the level that is presently being maintained.

A number of separate strategies were implemented in relation to improving the quality of care for detainees in detention centres. Firstly, drug and alcohol programs were introduced into each detention centre and drug and alcohol counsellors were appointed. This

was followed by the introduction of Technical and Further Education (TAFE) programs at all detention centres to provide complementary programs to those being provided by the Department of School Education. To ensure that a better quality of nursing and medical care was provided, the recommendations of the McLeod Report were implemented, under the direct supervision of the Departmental Medical Officer. The result is that each detention centre now has nursing staff on duty seven days per week providing both medical and nursing care for all detainees.

To provide worthwhile work experience opportunities within each detention centre, the Department set aside funds to establish suitable small workshops in each of the centres. While the necessary planning for the buildings, associated with the implementation of this program has taken longer than other improvements, it is expected that construction will be completed on multi-purpose workshops in detention centres by the end of September 1991.

Although the number of girls committed and remanded into detention centres remains relatively small (20 to 35), their special needs were addressed by a committee established to examine the whole problem faced by girls in detention and to offer recommendations in regard to the development of suitable female-specific programs. This committee has almost finalised its work and the Public Works Department has developed plans for the construction of a suitable facility to accommodate a separate girls' program. Additionally, three girls' refuges have already been established.

Because of the need to integrate each of the various programs within detention centres, an inter-Departmental committee representing the Departments of School Education, Technical and Further Education, and Family and Community Services was established and will bring down its report in August of 1991. Public submissions have been called for in relation to the work of this Committee and senior officers of these Departments have visited each detention centre to examine existing programs and facilities and to take submissions and suggestions from the various centres.

To date there have been significant results from the approaches adopted by the Department in addressing some of the deficiencies identified by the Task Force. However, as part of the ongoing evaluation of each detention centre the need to totally review the staffing of each centre has become obvious.

The Department adopts the position that incarceration in detention centres is a costly part of the continuum of juvenile justice. The need to have all staff accept that detention in some extreme cases is a part of the rehabilitation process rather than the end, necessitates a common approach involving all of the personnel involved in juvenile justice within the Department. To this end, monthly meetings of the Senior Officers of Juvenile Justice are held and it is expected in the near future to be able to appoint a District Officer, Young Offenders (formerly called YOS workers) to each detention centre to ensure that there is ongoing communication between juvenile justice personnel in detention centres and those employed in the community.

In dealing with those detainees who have caused the most difficulty over recent years within the juvenile justice system, considerable success has been achieved in separating those who need maximum security because of their anti-social, aggressive behaviour from

those detainees who simply cannot cope with the lower levels of security provided in most detention centres.

The development of a program at Minda Detention Centre to accommodate escapees separately from the more hardened delinquents has had a significant impact upon the level of escapes from detention centres. This has allowed the Department to provide suitable programs to young offenders whose major problem has been coping with completing their committals to control.

Although to date the Department has been able to accommodate all of the committed and remanded young persons following the implementation of the *Sentencing Act 1989*, it has been done with some considerable difficulty. It is not unusual for each detention centre to find that it has the absolute maximum number of detainees. The opening of the Karing Secure Unit in August 1991, and the future construction of a detention centre at Dubbo will allow each detention centre to more effectively accommodate projected numbers and at the same time allow each detention centre to hold a small number of crisis beds for new admissions.

The most significant increase in the population in detention centres, other than as a result of the *Sentencing Act 1989*, has occurred as a result of the numbers of young offenders sentenced by either local courts or the Supreme Court for very serious offences. While the improved quality of programs and accommodation offered within detention centres has prevented the transfer of any under 18-year-old to prison over recent months, the Department has been under pressure from the courts and the Department of Corrective Services to accept increasing numbers of under 21-year-olds. These young persons are usually on very long sentences and as a consequence will continue to place increasing demands on accommodation in detention centres.

While the Department to some extent takes some satisfaction from its achievements in improving the quality of care offered in detention centres, it is well aware of the fact that there are still a significant number of issues to be addressed. The most significant of these is to achieve some success in reducing the number of Aboriginal detainees in custody. As well, the Department has accepted and is already working towards:

- the commencement of a Sex Offender Program to operate in one of the detention centres and in the community in September 1991;
- the development of a separate girls' detention centre with appropriate gender specific programs;
- the ongoing development and integration of education and vocational programming;
- the provision of an accurate and comprehensive client information system together with the training of personnel to allow the Department, using an accurate database, to give regular and informed reports on trends and to make realistic projections for the future; and
- the development of a comprehensive Aftercare Program to attempt to ensure that the gains made by those who are of necessity committed to detention centres are followed up with the support necessary to successfully reintegrate them into the community.