



MINISTER FOR CORRECTIONAL SERVICES

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Ms Claire Mallinson
National Director
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Dear Ms Mallinson

Thank you for your letter dated 3 September 2014 regarding the Northern Territory's youth justice system. Please find below a response to each concern.

Independent Investigation

On 28 August 2014 the Department of Correctional Services (NTDCS) was advised that the Children's Commissioner had decided to conduct an Own Initiative Investigation as per the *Children's Commissioners Act 2013*. Contact details for the Office of the Children's Commissioner are:

Office of the Children's Commissioner
Northern Territory Government
Level 5, NT House
PO Box 40598, Casuarina, NT 0811
Telephone: 1800 259 256

Transfer of detainees to the Complex Behaviour Unit, Darwin Correctional Precinct

On 22 August 2014, I approved, under section 148 of the *Youth Justice Act*, the Complex Behavioural Unit of the Darwin Correctional Precinct to be a youth detention centre. The Complex Behavioural Unit is now known as the Holtze Youth Detention Centre (HYDC).

The construction of both the correctional centre and now detention centre completely separates youth detainees from adult prisoners. The HYDC is in a facility that was designed to be stand-alone and fully self-contained and it is being operated as such as a youth detention centre. Additionally, it has its own discrete pedestrian and vehicle entrances. There are no lines of sight in either direction and detainees are separated both physically and visually from prisoners, staff and operations at the correctional centre by a 3.5 metre solid concrete wall with 1 metre energised fence above. I have attached for your perusal a map of the facilities.

Future transfer of detainees to Berrimah

You may not be aware that the Don Dale Youth Detention Centre (DDYDC) was built in 1991 for 25 low security males. The construction was to domestic standards and over the years the facility has become increasingly unsuitable to accommodate the rising number of detainees. Additionally it does not provide an environment conducive to the delivery of programs and services to improve wellbeing and rehabilitation prospects. Ad-hoc renovations have attempted to turn the facility into one that provides the necessary infrastructure to meet accommodation and management needs. However, these renovations which have increased capacity from 25 beds to 62, have not resulted in NTDCS being able to appropriately separate and manage detainees by age, by offence type or by criminogenic need. Additionally the design of the facility completely limits the ability to accommodate females and further limits the delivery and scope of programs and services to females.

NTDCS identified four opportunities to improve youth detention facilities:

- Continue to operate within the existing facility (minimum \$2m in repairs and maintenance);
- Upgrade DDYDC (estimate \$4m);
- Build a new detention centre (estimate \$120m); or
- Move to a portion of the existing Darwin Correctional Centre (Berrimah site) once the Darwin Correctional Precinct is commissioned (allocation \$800k).

The ability to move relatively quickly to the Berrimah site is highly advantageous as the site will offer significant enhancement to detainee management and will provide for Government to meet its duty of care when detaining young people. The Berrimah site provides the following for youth detention for the first time in the Territory:

- The ability to provide a fully contained female section including:
 - single cells with toilets and showers (noting DDYDC rooms do not have toilets or showers); and
 - education; recreation; outdoor area; visits area.
- Significantly expanded areas for education, recreation, sport, training (vocational opportunities), program and service delivery;
- The Department of Education will be able to place detainees in classes suitable to their academic and learning abilities;
- The ability to separate detainees by age and offence type;
- The ability to separate remandees from sentenced detainees; and
- On-site medical facilities.

Additionally, the Berrimah site offers the opportunity to expand services to young people in and exiting detention including expanding the site to a Youth Justice Precinct that would:

- Allow non-government organisations to establish programs and services on-site;
- Provide for cross-agency co-location and cross-agency program and service delivery;

- Expand training opportunities;
- Expand educational and vocational opportunities; and
- Provide short-term accommodation for visiting families.

Long-term youth justice strategy

NTDCS is finalising the five-year Youth Justice Framework that has been developed through consultations with community, Elders, government (Northern Territory and Australian), non-government organisations and front-line staff.

The framework has been developed to guide a coordinated and comprehensive response to youth justice issues in the Northern Territory with the aim of reducing offending and re-offending by young people. Its purpose is to provide a framework for government agencies, and non-government organisations to work with families and communities to address offending behaviours of young people in, or at risk of entering, the youth justice system. The seven themes of the framework are:

- Family and community engagement;
- Early intervention and prevention;
- Community-based orders and youth detention;
- Reintegration;
- Legislation, legal practice and court reforms;
- Workforce development and integrated information; and
- Accountability and governance.

As per section 168 of the *Youth Justice Act* the Youth Justice Advisory Committee, an external committee comprising community members, Indigenous Territorians, non-government and government representatives, has the power to inspect youth detention centres and this is reflected in the framework.

I note your comments regarding the ratification of the Optional Protocol to the Convention Against Torture and the National Preventative Mechanism.

I trust I have satisfactorily responded to the issues you raised in your letter.

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~~JOHN E LFERINK~~



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