ADDITIONAL STATEMENT TO PARLIAMENTARY INQUIRY

I refer to your email of 12 April 2017 and apologise for my late reply. As I explained in my recent telephone conversation, I did not locate your email for some time.

I enclose pages of the Transcript of 17 March 2017 with a small number of revisions, bearing in mind your advice on that. (Attachment "A")

You have requested, as did the Standing Committee on 17 March, brief further submissions as to:

(1) Additional details around what a bail program might look like (page 55).

(2) Additional details around what a record keeping approach for following children through the system might look like/include (page 56).

(1) Bail Programs

Without claiming special expertise, I would put that the following aspects are necessary to achieve properly supervised and supportive bail to young persons charged in the Children's Court:

(i) Early and stringent examination of the young person's circumstances; for example details of prior offending, accommodation, relevant past supports such as child protection history, particular need for present controls and also support.

(ii) Specifically appointed "bail program workers/managers" to not only supervise but also engage with the young person.

(iii) The ratio of such a "worker" to young persons is important. It should be low. The aim should be what can be termed "concentrated engagement". The worker should be able to quickly identify developing risks or problems.

(iv) The engagement should be, to the extent possible given no finding of guilt, rehabilitative as well as supervisory. It should include outreach. A model

such as the Youth Justice Community Support Service (YJCSS) is relevant; perhaps such a support service could be made available.

(v) There should be a strong focus upon appropriate accommodation.

(vi) There should be a requirement but also assistance to return to education or (where more feasible) day programs, attempting to productively engage and move young persons away from antisocial peers and situations.

(vii) There should be ready access to the court; that is, a mechanism for quick return to court (preferably the magistrate who granted bail) if there is an urgent need to address developing risk or other problem.

(viii) There should be co-ordination between and involvement of relevant services; for example lawyer, bail program worker, youth justice, child protection, disability client services. This can also be court or magistrate driven. There should not be a culture of "adjourn and forget".

(ix) The system should have within it a culture of balanced judgment. Not every breach of bail should lead to cancellation. Alternative responses to problem or risk should be considered and, where necessary, developed.

(2) Data/record keeping

This was a matter raised by Dr Geary. I understand that he will and has a further submission. (See attached copy email, Attachment "B"). I endorse the need for readily available, transparent provision of records and data related to such things as child protection history, demographic of the youth offender populations, relevant characteristics (for example cultural background, mental health, intellectual disability, other cognitive factors).

(3) Multiple sites

Toward the end of the 17 March 2017 hearing, the matter of separation of different categories of young offenders in custody was raised, perhaps to the extent of multiple sites. Appropriate placement and thereby separation is critical to well managed detention, as the first part of my written statement of 17 March

2017 sought to make clear. However, in my view, flexibility is also important. For example the aim should be to progress detainees towards a less restrictive situation. Where possible and safe, those who develop towards rehabilitation and maturity should be given the privilege and responsibility of a more open site environment. This may be more difficult in a system of strictly defined multiple sites.