



Dr John Paget
Inspector of Custodial Services
Swire House
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Dear Dr Paget

I refer to your final report *Making Connections: Family and Community Support to Young People in Custody* and make the following comments.

Recommendation 1: The Inspector recommends that JJNSW review the phone contact policy to ensure that contact with family is not apportioned according to behaviour. This should not result in a reduction in the current available number of calls for young people

Supported.

Recommendation 2: The Inspector recommends that JJNSW regularly reviews the maintenance of phone handsets and the quality of calls.

Supported.

Recommendation 3: The Inspector recommends that JJNSW install phone booths or phone bubbles for acoustic protection and to promote detainee privacy.

Supported in principle.

Juvenile Justice supports a review of the Arunta system. A review of the use of phone booths and phone bubbles will also be undertaken.

Recommendation 4: The Inspector recommends that Reiby and Juniperina trial an additional visits day on Sunday and ensure that this initiative is made widely known to visitors and detainees.

Partially supported.

Juvenile Justice will consider more flexible visits and ensure that any revised policy of flexible visits will be well publicised. Centres currently conduct special visits for regional detainees, mothers with babies and challenging or aggressive detainees/families, families with contraband issues and working families.

Additional visits on Sunday and other days can be arranged on demand.

Recommendation 5: The Inspector recommends that JJNSW ensure that the physical environment of visits should promote family interaction, including: improved use of colour and decoration, access to outdoor areas, a variety of age appropriate toys for visiting children, baby change facilities, games for young people to play with their family and consistent access to refreshments and snacks across centres.

Supported.

It is worth noting that toys and activities are available at Juniperina JJC and stored next to the visiting room and can be accessed by visitors. This may have been overlooked by the inspection team. Additional baby equipment is held in the visits family room that can be used as required. An additional baby change room is attached to the visits area.

Centre Managers will be consulted to ensure that this recommendation is implemented according to the centres physical capacity in terms of space and storage etc.

Recommendation 6: The Inspector recommends that JJNSW actively monitor visits through CCTV allowing for a reduced staff presence on the floor.

Not supported.

CCTV cannot detect subtle movements or actions that direct supervision does. Detainees and their families can be threatening to others and require direct intervention from staff. Lack of close, active staff supervision may result in an escalation of incidents that could have been otherwise tempered. Indirect supervision would also lengthen response times of staff, who would be required to move to the visits area from another location in response to an incident.

Staff protocols for supervising visits include instruction for staff to be considerate of privacy.

Recommendation 7: The Inspector recommends JJNSW replace the roof tiles at Reiby with a material that cannot be penetrated or used as a weapon. This would reduce the risks associated with roof ascents and which, in turn, would permit the removal of razor tape on building roofs.

Supported.

These works are currently included in the Department's Asset Strategy committee's list of priorities. This committee is yet to determine what programs are to be funded in the department over the next three financial years.

Recommendation 8: JJNSW should immediately prioritise the facilitation of family visits through AVL suites located in all JJ offices in NSW. These suites could also be used to facilitate better contact between a young person in detention and their JJO.

Supported.

Juvenile Justice will continue to install AVL facilities in all offices that require being refurbished, relocated or upgraded. However the funding for additional AVL equipment is subject to the priorities identified by the AVL Steering Committee chaired by the Courts and Tribunal division. Juvenile Justice will continue to lobby this committee for additional funds for AVL facilities.

Recommendation 9: JJNSW should explore scheduling family visits through AVL suites at courts for those young people from regional areas who do not have access to a JJNSW office.

Supported.

Juvenile Justice will investigate access to AVL facilities at courts and other venues.

Recommendation 10: The Inspector recommends that JJNSW should not carry out strip searching on a routine basis and should replace this practice with a rigorous risk-based assessment process to target the trafficking of contraband.

Partially supported.

Routine strip searches will continue for new admissions from community settings and following leave. A risk based approach to searches for after centre visits and outings is supported.

Recommendation 11: The Inspector recommends that JJNSW halt the practice of using overalls for non-contact visits

Supported.

This practice has been discontinued at Juniperina and Riverina JJC, the only centres that used overalls for non contact visits. A directive was given to all centres that overalls must not be used for non contact visits.

Recommendation 12: The Inspector recommends that JJNSW should have the latent capacity to facilitate a secure environment for young mothers to maintain custody of their child in detention. This would enable best interest determination processes to include options for young mothers to be accompanied by their children in detention.

Not supported.

There is a lack of evidence and demand to support this recommendation. Duty of care obligations combined with child protection concerns makes this recommendation untenable. If a young women has a baby or young child, other options such as discharge on leave or referral back to court are pursued. Juvenile Justice works closely with the Department of Family & Community Services to determine the best outcome for both mother and child.

Recommendation 13: The Inspector recommends that JJNSW develop temporary leave arrangements for young mothers who are separated from their children that promote the maintenance of mother-child relationships.

Partially supported.

Opportunities to increase family contact are supported. Changes to provide an option for temporary leave outside of current legislative and procedural requirements would be required. The Department of Family & Community Services would also need to be consulted in the development of policy in this area.

Recommendation 14: The Inspector recommends that JJNSW bring to the attention of the NSW Department to Education and Communities the adverse impact of the *Smart & Skilled* program on access to vocational training for young people. JJNSW should ensure continued equitable access for all young people to apprenticeships and traineeships.

Supported.

Juvenile Justice regularly liaises with the Department of Education and Communities and will raise the Inspectors concerns regarding the Smart & Skilled program.

Recommendation 15: The Inspector recommends that JJNSW integrate community and NGO engagement within the framework of service delivery for young people. This would support each centre in developing a strategic approach to relationships with NGOs and communities.

Supported in principle.

Juvenile Justice has partnerships with many community and NGO groups to improve the services to young people in custody. Currently centre engagement with the community and NGO's is based on new and longstanding connections. The use of these groups at the centre is based on the identification of detainee needs, interests and case planning. It is also based on the availability of NGOs and community members and their relevance given that many detainees are not from areas local to the centres. These programs and associations are also partially dependent on funding made available by both the Commonwealth and State governments.

In addition to the above comments on the recommendations, it is suggested that section 2.14 of your report be amended to provide a balanced description of both Reiby and Juniperina detainee populations and include reference to young girls and young women.

- 2.14 Both centres accommodate young people on remand and on control orders. Reiby accommodates boys and young men from 10 to 16 years old, including male detainees with extreme behavioural difficulties. Juniperina accommodates girls and young women from 10 to 21 years, including detainees with complex needs and extreme behavioural difficulties. As state-wide facilities for young girls and young women, young boys and boys with behavioural problems, these centres host a large proportion of young people who are from outside their home region.

Recommendation 16: The inspector recommends that JJNSW provide the same opportunities to engage with media and technology to girls as to boys.

Supported.

Recommendation 17: The inspector recommends that JJNSW ensure that young women who are eligible and appropriately risk assessed are provided with an equal opportunity to access a transitional program such as that provided at Waratah Unit.

Supported.

Thank you for giving Juvenile Justice the opportunity to comment on the report.

Yours sincerely


Valda Ruis
Executive Director