

CHAPTER 9
APPENDICES





APPENDIX 1: LEGISLATION AND LEGAL

PRINCIPAL LEGISLATION

The department is responsible for administering the following Acts:

- The *Young Offenders Act 1997* (Part 5 and Schedule 1), which sets out the responsibilities of the department in the administration of youth justice conferences;
- The *Children (Community Service Orders) Act 1987*, which details the responsibility of the department in supervising juvenile offenders placed on community service orders;
- The *Children (Detention Centres) Act 1987*, which governs the administration of juvenile justice centres and the care and supervision of juvenile detainees; and
- The *Children (Interstate Transfer of Offenders) Act 1988*, which specifies the requirements for the transfer of young offenders from or to NSW, and for the transfer of young offenders through NSW from one State to another

CHANGES IN LEGISLATION

The *Young Offenders Act 1997* was amended by the *Court and other Legislation Amendment Act 2007* in December 2007. Section 10 of the earlier Act was amended to the effect that an admission by a child of an offence is not an admission for the purposes of the *Young Offenders Act* unless it takes place in the presence of: if the child is 14 years or over, an adult chosen by the child. Prior to the Amendments only young persons 16 years or older could choose an adult to fulfil the role of the responsible person.

The Government introduced the *Children (Detention Centres) Amendment Act 2008* to Parliament in June 2008. It was passed by Parliament in June 2008 and came into effect on 1 July 2008. The Act amends the *Children (Detention Centres) Act 1987*. The *Children (Criminal Proceedings) Amendment Act 2008* was also passed by Parliament in June 2008.

The *Children (Detention Centres) Amendment Act 2008*:

- streamlines arrangements for the transfer of adult detainees out of the juvenile justice system in certain circumstances, as well as to extend and clarify the existing powers of the Director General to maintain the good order and secure management of detainees. It modifies a transfer process that has been in place for a number of years.
- allows for greater certainty in the transfer of detainees into adult facilities and the granting of additional powers that will allow the Director General to maintain good order in juvenile facilities across New South Wales with particular regard to segregation, and the separation of detainees in particular circumstances where the security of staff, visitors or other detainees might otherwise be placed at risk.
- amendments to section 16 of the Act empower the Director General of the Department of Juvenile Justice to direct that different detainees or groups of detainees be separately accommodated, and ensure that their separate accommodation is not prevented by any section of the *Anti-Discrimination Act 1977*.
- establishes a power to enable the segregation of a particular detainee, or group of detainees, from another detainee or group of detainees for the reasons of good order, discipline and/or security of the detention centre, and that the period of segregation be able to continue until the risk to good order, discipline and/or security has dissipated, in the opinion of the Director General. Previously, the department was only able to hold a detainee separate from the general centre population under its section 16 segregation powers, or if a form of victimisation or threat had already occurred.
- provides via section 32A for a regulation-making power with respect to the review of directions given by the Director General relating to the power to separate detainees. The regulations will be amended so that individuals held separately for a period of 24 hours are to be reported to the New South Wales Ombudsman.
- amends section 19 of the Act to clarify the circumstances under which the Director General may order that detainees be



secured in their rooms in the event of a significant risk to the safety of staff, visitors or other detainees. The Director General will be able to order that detainees be locked in their rooms to prevent or contain a riot, serious disturbance or other dangerous situation occurring in a detention centre, and that the general containment can continue until the safety of staff and detainees can be assured.

- amends section 28 (1A) to specify that if a young offender is sentenced after a section 28 order has been effected a further section 28 order may be made without the young offender returning to a juvenile detention centre, and that the new sentence be served in an adult correctional centre. The new provisions clarify that a transfer order under section 28 can be made regardless of whether or where the detainee is currently in custody.
- amends section 28 (2A) of the Act to provide a wider set of circumstances for making a transfer order with respect to a detainee who is between 18 and 21 years of age. One of those grounds is that the detainee has been at the detention centre for at least 6 months and the Director General is satisfied that it would be more appropriate for the detainee to be at a correctional centre. The other ground is that the detainee is, or has previously been, at a correctional centre other than a juvenile correctional centre, for more than four weeks.
- states that a person over 18 years can be transferred to an adult correctional centre where the detainee is, or has previously been, detained as an inmate in an adult correctional centre for a period of, or periods totalling, more than four weeks.
- amends section 9A of the Act to provide that persons who are 21 or over are not to be detained in a detention centre if they are subject to an arrest warrant of any kind, and that persons who are between 18 and 21 are not to be detained in a detention centre if they are subject to an arrest warrant issued in relation to an alleged breach of a good behaviour bond, probation or community service order, or an alleged escape from custody.

- amends section 9A (2) (e) to provide that an offender who has previously served a period of custody in an adult correctional facility cannot be returned directly to a juvenile detention centre to serve a further period of custody.
- pursuant to section 7 (1) of the Act each detention centre need be inspected only at least once every 12 months, rather than every 3 months. A quality assurance policy will allow a nominated inspector to undertake a comprehensive inspection of each centre on an annual basis, with follow-up inspections on a three-monthly basis.
- amends section 21 (1) (b) of the Act to enable detainees who are being punished for misbehaviour to be restricted from participation in sport or leisure activities for a period greater than four days, as is currently the case. Any such restriction cannot be for more than seven days at a time except with the prior approval of the Director General.

The amendments Act do not affect the provisions of section 10 of the Children (Detention Centres) Act 1987 whereby any person deemed vulnerable in an adult correctional centre can be transferred to a juvenile facility with the consent of the Commissioner and the Director General.

New provisions under section 33 (1) (g) provide that an offender who is under 21 years of age will continue to be committed to the control of the Minister for Juvenile Justice, while an offender who is of or above that age will be committed to the control of the Minister for Justice, and therefore will be accommodated in a correctional centre rather than a children's detention centre.

These amendments are effective as of 1 July 2008.

The *Children (Criminal Proceedings) Amendment Act 2008*.

This Amending Act was also passed by Parliament in June 2008. The *Children (Criminal Proceedings) Act 1987* governs the jurisdiction of the Children's Court in criminal matters, and sets out the main provisions relating to criminal proceedings against children.





Section 6 of the Act, which sets out the guiding principles relating to the exercise of criminal jurisdiction in cases involving children, was amended to include the following new principles: that it is desirable that children who commit offences be assisted with their reintegration into the community so as to sustain family and community ties; that it is desirable that children who commit offences accept responsibility for their actions and, wherever possible, make reparation for their actions; and that consideration should be given to the effect of any crime on the victim. These amendments recognise that the effect of a juvenile offender's crime on his or her victim should be taken into account, and so should the child's capacity to make reparation. Section 6 was also amended so that all persons and bodies exercising functions under the Act, not just the courts, must apply the guiding principles.

Section 12 of the Act was amended so that if criminal proceedings are brought against a child the court hearing those proceedings must take such measures as are reasonably practicable to ensure that the child understands the proceedings. Section 13 of the Act was amended to allow children over the age of 14 to select a responsible adult to be present when being interviewed by police. Previously only young persons 16 years or older may choose an adult to fulfil the role of the responsible person. This amendment mirrors a similar provision in the *Young Offenders Act 1997*.

Courts can direct that young persons under the age of 21 serve their sentence in a juvenile detention centre for an offence committed as a child. At present, a court can direct that a young person under the age of 21 serve all or any part of a custodial sentence imposed in relation to an indictable offence in a juvenile detention centre rather than a correctional centre. The courts may also order that a young person under the age of 21 who is found guilty of a serious children's indictable offence serve all or any part of a custodial sentence imposed in relation to an indictable offence in a juvenile detention centre if the court makes a finding of "special circumstances" under section 19 of the Act. The amendments to section 19 provide that such a

direction may not be made in respect of a person who is of or above the age of 18 years if that person is serving, or has previously served, a term of imprisonment in a correctional centre, unless it is satisfied that there are "special circumstances" to justify such a direction.

Amendments also make it clear that "special circumstances" can be found on only one or more of three grounds that the offender is vulnerable on account of illness or disability; that the only available educational or vocational training or therapeutic programs that are suitable to the person's needs are those available in detention centres; or that there would be an unacceptable risk of the person suffering physical or psychological harm, whether due to the nature of the person's offence, any assistance given by the person in the prosecution of other persons or otherwise.

Changes to section 33 will provide the Children's Court with more flexibility in formulating appropriate penalties for individual young people. The amendments will mean that the penalties that can be imposed in relation to children are more consistent with the sentencing options for adult offenders under sections 9, 10 and 12 of the *Crimes (Sentencing Procedure) Act 1999*. This amendment provides greater scope for the courts and the Department of Juvenile Justice to monitor a child's behaviour after he or she has had a charge dismissed. Section 33 was also amended to allow the Children's Court to impose a fine on a child in addition to making an order releasing the child on probation — at present these are alternative penalties. In a further amendment to section 33 the courts will be able to release a young person on probation and impose a community service order as a condition of probation. This ensures that even after a child completes a period of community service work, he or she will continue to be supervised in the community.



A complementary amendment to the *Children (Community Service Orders) Act 1987* allows the courts to require a young person to participate in a vocational, educational or personal development program as a condition of a community service work order. Finally, the Children's Court will be given the same power as other courts to impose a licence disqualification on a person whom it has found guilty of an offence, even if a conviction has not been recorded.

An amendment to section 33 (1B) will remove the requirement that the Children's Court set a non-parole period at the time of imposing a control order if the control order is suspended on condition the person enter into a good behaviour bond. Instead, the Children's Court will be required to set a non-parole period if the person later contravenes the good behaviour bond and the court decides to revoke the good behaviour bond. This ensures that the court is able to fix a non-parole period which is commensurate with the young person's behaviour whilst they were released on a bond.

The amendments to section 6 are effective as of 1 July 2008. The other amendments are to commence on a date to be appointed by proclamation.

SIGNIFICANT JUDICIAL DECISIONS

Director General Dept of Juvenile Justice & anor v NB & anor [2008] NSWSC 598

This decision of the Supreme Court of NSW concerns the jurisdiction of the Children's Court to deal with revocation of parole. The Supreme Court reviewed the decision of a Children's Court Magistrate and held that jurisdiction had expired when a detainee was transferred to a correctional centre and his status changed to that of inmate, pursuant to in section 28 (3) of the *Children (Detention Centres) Act 1987*. The purported revocation of parole and restoration on review by the Children's Court was invalid when such orders were made subsequent to a detainee being transferred to a correctional centre (adult correctional centre under the control of the Department of Corrective Services).

The structure of the jurisdiction of the Children's Court assumes that, relevantly insofar as the Children's Court is dealing with matters of parole, that court is dealing with a detainee. The young person in this case had ceased to be a detainee and had become an inmate. Once that happened there was no jurisdiction in the Children's Court to make the revocation order nor for that court to review it or make some other order subsequently.





APPENDIX 2: SIGNIFICANT COMMITTEES

CHIEF EXECUTIVE OFFICER FORUMS

Criminal Justice System Chief Executive Officers Forum
New South Wales CEOs Network
Human Services Chief Executive Officers' Forum
Chief Executive Officers Group on Aboriginal Affairs
Public Sector Chief Executive Officers Forum

INTERDEPARTMENTAL COMMITTEES

Australasian Juvenile Justice Administrators

Director General

Corrections Board of Management

Director General

Justice Health Board

Director General

Department of Juvenile Justice/Public Service Association Joint Consultative Committee

Director General

Assistant Director General (Operations)

Assistant Director General (Management Services)

Department of Juvenile Justice Equity Committee

Director General

Attorney General's Department Justice Disability Advisory Council

Director General

Department of Juvenile Justice/Department of Commerce Capital Works Steering Committee

Director General

Assistant Director General (Operations)

Assistant Director General (Management Services)

Department of Juvenile Justice Information Management and Communications Technology Steering Committee

Director General

Department of Juvenile Justice Audit Committee

Director General

Assistant Director General (Operations)

Assistant Director General (Management Services)



Department of Juvenile Justice/NSW Treasury Liaison Meeting

Director General

Assistant Director General (Operations)

Assistant Director General (Management Services)

Department of Juvenile Justice Finance Committee

Director General

Assistant Director General (Operations)

Assistant Director General (Management Services)

Manager, Finance

Fraud Control and Corruption Prevention Committee

Deputy Director General (Management Services)

Executive Director, Conduct, Policy and Government Relations

Director, Human Resources

Department of Juvenile Justice/NSW Ombudsman's Office Liaison Meeting

Director General

Assistant Director General (Operations)

Executive Director, Conduct, Policy and Government Relations

Human Services and Justice CEOs Group

Director General

Human Services CEOs Forum Senior Officers Group

Executive Director, Conduct, Policy and Government Relations

Criminal Justice Services Chief Executive Officers Senior Officers Group

Executive Director, Conduct, Policy and Government Relations

DJJ/Justice Health Working Party

Executive Director, Conduct, Policy and Government Relations

PALM Consultative Group

Executive Director, Conduct, Policy and Government Relations

Department of Housing Accord Senior Officers Group

Executive Director, Conduct, Policy and Government Relations

Children's Court Advisory Committee

Manager, Legal Branch

Court Users' Group, Bidura Children's Court

Manager, Legal Branch

Freedom of Information and Privacy Officers Network

Project Officer, Freedom of Information and External Relations

Two Ways Together Coordinating Committee

Manager, Aboriginal Strategic Coordination Unit

Joint Justice Capital Works Committee

Manager, Procurement and Property Services





Department of Juvenile Justice/Department of Commerce Capital Works Steering Committee

Manager, Procurement and Property Services

Justice Health/Department of Juvenile Justice Capital Works Steering Committee

Manager, Procurement and Property Services

Criminal Justice Program - External Reference Group

Coordinator, FOI, Projects and External Relations

Partnership Against Homelessness

Coordinator, FOI, Projects and External Relations

Cross Justice Agencies Videoconferencing System Steering Committee

Assistant Director General (Operations)

Director, Transport, Placements and Drug Intelligence

Anti-social Behaviour Order Steering Committee

Assistant Director General (Operations)

Mental Health Senior Officers Group

Chief Psychologist

Influenza Pandemic Management Committee

Assistant Director General (Operations)

Western Sydney DJJ/DoCS MOU Regional Coordination Group

Assistant Regional Director, Metropolitan

South Western Sydney DJJ/DoCS MOU Regional Coordination Group

Assistant Regional Director, Metropolitan

YDAC Clinical Governance Committee

Assistant Regional Director, Metropolitan

Chief Psychologist

Willmot Bus Safety Agency Response Group

Local Juvenile Justice Area Manager, Metropolitan

Mt Druitt Rock Throwing Response Group

Local Juvenile Justice Area Manager, Metropolitan

NSW Premier's Department Regional Coordination Management Group, New England

Regional Director, Northern

NSW Premier's Department Regional Coordination Management Group, North Coast

Regional Director, Northern

Ted Noffs Foundation/Department of Juvenile Justice PALM Consultative Group

Regional Director, Northern

**NSW Premier's Department Regional Coordination Management Group,
Illawarra/South East Region**

Regional Director, Southern and Central Coast



Human Services Sub Committee (North Coast)

Regional Director, Northern

Tabulam Second Chance (Balund-a Program) Facility Working Group

Regional Director, Northern

Toomelah Boggabilla Strategy Sub Committee

Regional Director, Northern

Joint DET/DJJ MOU Committee

Regional Director, Northern

Toomelah Boggabilla Strategy Sub Committee

Regional Director, Northern

Human Services Management Group (Illawarra)

Regional Director, Southern and Central Coast

NSW Premier's Department Regional Coordination Management Group, Central Coast Region

Regional Director, Southern and Central Coast

Illawarra Crime Prevention Partnership

Regional Director, Southern and Central Coast

DJJ/Justice Health Joint Clinical Governance Committee

Regional Director, Southern and Central Coast

Chief Psychologist

NSW Premier's Department Regional Coordination Management Group, Western and Riverina

Regional Director, Western

Ted Noffs Foundation/Department of Juvenile Justice PALM Consultative Group

Regional Director, Western

Anti-Social Behaviour Pilot Project – Dubbo

Regional Director, Western

Anti-Social Behaviour Pilot Project – Orange

Regional Director, Western

Anti-Social Behaviour Pilot Project – Bourke

Regional Director, Western

Anti-Social Behaviour Pilot Project – Wagga Wagga

Regional Director, Western

Uniform Public Sector Incentives Working Group (Dept Premier & Cabinet)

Regional Director, Western

Redfern Waterloo Partnership Project

Assistant Regional Director, Metropolitan

Senior Officers Group - Human Services, North Sydney

Assistant Regional Director, Metropolitan





Senior Officers Group - Human Services, Central and Inner West Sydney

Assistant Regional Director, Metropolitan

NSW Premier's Department Regional Coordination Management Group - South West and Western Sydney Regions

Regional Director, Metropolitan

Anti-Social Behaviour Project Steering Committee - Eastern Beaches

Local Juvenile Justice Area Manager, Metropolitan

Senior Officers Group – Youth Drug and Alcohol Court Program

Assistant Regional Director, Metropolitan

Child Protection Senior Officers Group

Chief Psychologist

Senior Officers Coordinating Committee on Drugs and Alcohol

Director, Programs

Senior Officers Group on Mental Health

Chief Psychologist

Senior Officers Group – Youth Drug and Alcohol Court Program

Chief Psychologist

Children's Court Clinic Professional Advisory Group

Chief Psychologist

Children's Court Clinic Professional Advisory Group

Chief Psychologist

Child Protection Watch Team Implementation Committee

Chief Psychologist

Children and Young People Health Task Force

Chief Psychologist

State Reference Group on Diversion

Director, Programs

Integrated Services Project for Clients with Challenging Behaviours

Chief Psychologist

COMMITTEES CEASED DURING 2007-08

Juvenile Justice Advisory Council

Youth Justice Advisory Committee



APPENDIX 3: POLICIES AND PLANS

DISABILITY ACTION PLAN STATUS REPORT 2007-08

Internal and external stakeholders assisted the department in developing the new draft Disability Action Plan for 2007-2011 and in suggesting useful evaluation strategies for assessing progress annually. The draft *Disability Action Plan 2007-2011* is closely linked to appropriate disability strategies in the *NSW State Plan 2006-2016*, the *Corporate Plan 2007-2011* and the *Aboriginal Strategic Plan 2007-2011*.

Major external stakeholders are the Justice Disability Advisory Council, Department of Ageing, Disability and Home Care (DADHC), Justice Health and a number of advocacy groups such as the Intellectual Disability Rights Service, NSW Council for Intellectual Disability, the Deafness Forum and People with Disability.

The Director General chaired one session of the Justice Disability Advisory Council (JDAC), established by the Attorney General's Department to discuss justice disability issues and whole of government strategies for addressing them. The Director General will annually review and evaluate the *Disability Action Plan 2007-2011* with the JDAC and other interested advocacy groups. In November 2007, the first annual review meeting was held.

During 2007-08, the following planned initiatives were achieved in the year:

- Annual Disability Stocktake – the Director General established an annual disability stocktake to review disability strategies and progress across the department. The first Disability Stocktake was completed in November 2007 and informed the annual review of the draft Disability Action Plan 2007-2011 by the Director General, members of the Justice Disability Advisory Council and external advocacy groups.
- Western Region and the Regional Director have agreed to champion the Disability Action Plan and incorporate strategies into all regional business planning. Twenty-two staff were trained in Mental Health First Aid in the Western Region.

YOUTH JUSTICE CONFERENCING (YJC): YOUNG PEOPLE WITH INTELLECTUAL DISABILITIES AND MENTAL HEALTH ISSUES

The Final Report on the scoping exercise on disability and YJC participants was completed in August 2007. All participants in each of the fifty conferences, including the convenors, were given the opportunity to complete an evaluation. Analysis of the data provided details on how the conferencing process could be modified to maximise opportunities for those with disabilities to communicate effectively and participate fully in the process. The project was designed to explore the experiences of the conferencing process for young persons and victims with a disability.

The committee for the exercise included representatives from youth justice conferencing, the Criminal Justice Support Network, the Department of Ageing, Disability and Home Care's Behaviour Intervention Service (BIS), NSW Police, Justice Health's Adolescent Community Forensic Mental Health Service, People with a Disability (PWD) and NSW Council for Intellectual Disability (NCID). The Steering Committee developed a Checklist for People with Additional Support Needs in Youth Justice Conferences.

Implementation of the recommendations of the Report builds the capacity of convenors to facilitate conferences where participants have disabilities, and this will have longer-term benefits for participants and the whole conferencing process. Training for all YJC convenors across NSW was rolled out from May to June and implementation will start from July 2008.





EFFECTIVE PRACTICE FRAMEWORK

The Effective Practice Framework (EPF) sets out the blueprint for the department's community-based practice for the next five years. EPF was endorsed by the Executive in February 2008; including the recommendations arising and governance arrangements for the implementation strategy.

COMPREHENSIVE ASSESSMENT FORMAT

The Assessment Framework (CAF) provides the rationale and direction for the identification of needs and risk factors, as well as protective and responsivity issues for each young person. This framework acknowledges the strong evidence base that in order for practice to be effective at reducing reoffending, it must from the outset, contain a comprehensive assessment of these criminogenic factors for each young person, so that the interventions which are planned and implemented are appropriately targeted and delivered.

The principal goal of assessment therefore is to identify the specific areas of criminogenic need and risk presented by each young person. These criminogenic needs are thus the critical problem areas in a young person's life that should inform the development of an effective case plan/intervention plan designed to reduce reoffending.

The CAF will provide community-based practitioners with an evidence-based assessment approach which will inform the Youth Level Service Inventory YLS/CMI-AA. The evidence-based comprehensive assessment format has been tested and piloted in two areas in the state. This pilot concluded in November 2007 and was internally reviewed.

The review has shown that CAF is generally well received by the staff who recognize its benefits in a number of practice areas including a better informed YLS/CMI-AA, and background reports, and aid to intervention planning.

The expanded pilot will be conducted in eight locations across the state and will be evaluated by an external expert.

It is important to note that the CAF incorporates all the relevant criminogenic needs/risks areas including disability, mental health and substance abuse.

DRAFT ETHNIC AFFAIRS PRIORITY PLAN FOR 2007-2011

The department's ethnic affairs priorities for 2007-2011 include:

- ensuring that the department's Equity Committee drives the EAPS planning and reporting;
- enhancing the cultural appropriateness of services to all Culturally and Linguistically Diverse (CALD) groups in juvenile justice centres and community offices;
- developing and delivering cultural training for staff; and
- ensuring equitable access for CALD clients to funded services that are responsive to cultural and linguistic diversity.

Progress in Implementing the Plan

For 2007-08, the Director General indicated support for a stocktake of initiatives and practices being undertaken within the department to support clients from culturally and linguistically diverse backgrounds given the likelihood that much of the good work being undertaken at the local level was not being captured.

To enable this information to be collected, a survey was sent to the Regions requesting information on all current and proposed activities, practices and initiatives that target or are relevant to people from culturally and linguistically diverse backgrounds. The results of the survey have informed the development of priorities for the new EAPS Statement.

To inform the priorities of the draft 2007 – 2011 *Ethnic Affairs Priority Statement*, the department investigated the ethnic backgrounds of the department's clients for the 2005-2006 and 2006-07 reporting periods.



The investigation was based on the ethnic background of the number of admissions into custody, community orders, referrals to YJC and YJC conferences rather than individual young people.

Progress has been made in implementing the department's ethnic affairs priorities for 2007-08 in the following key framework areas:

Communication

Information was circulated to staff in the use of Community Languages Assistance Scheme (CLAS). In 2007-08 a greater update of applications to complete the CLAS examination was received. This was due to a priority placed upon this strategy by the department's Equity Committee and CLAS promotional material being made available to all staff. Nine staff were approved for CLAS.

The use of interpreters has been consistent from direct care staff.

Program/Service Delivery

Strategies to ensure that the department's community-based services are accessible and responsive to the needs of clients from culturally diverse backgrounds include:

- Effective Practice Framework- CALD Reference Group established;
- the employment of bilingual workers in identified juvenile justice officer and counsellor positions;
- recruitment and use of CALD mentors to provide additional support to young people on community based orders;
- running culturally appropriate group work programs for young people on community based orders;
- funding post release support services which specifically target CALD clients;
- providing cross cultural training for staff; and
- achieving adequate representation of CALD staff members on departmental committees, identified as a priority in the department's Equity Action Plan.

Staffing

Specific EAPS initiatives for staff under the department's Equity Plan include:

- facilitating CALD representation on departmental committees;
- a review of the CLAS with the aim of improving the uptake by departmental officers; and
- targeted recruitment initiatives to increase the number and representation of CALD staff employed by the department.

Funded Services

Funded Services are required to plan for cultural and linguistic diversity in service delivery through their Funding Agreements with the department, which require the development of an Equity Action Plan by the Funded Agency.

Planning and Evaluation

EAPS planning and reporting is undertaken as part of the corporate planning process.

The department utilises ethnicity data when making decisions about the allocation of funding and positions within the state. For example, ethnicity data has influenced the location of identified Juvenile Justice Officer and counsellor positions.





NSW GOVERNMENT ACTION PLAN FOR WOMEN

The NSW Government Action Plan for Women outlines the Government's commitments, priorities and initiatives for women. In 2007-08 the Department of Juvenile Justice continued to review and progress its initiatives and commitment to women clients and staff.

Government Philosophy in Relation to Women and the Whole-of-Government Approach to Addressing Women's Issues and Concerns

Australian Government policies on women are influenced by the nation's commitments under the Convention of Elimination of All Forms of Discrimination against Women and reinforced in the Platform for Action adopted at the Fourth United Nations World Conference on Women in Beijing in 1995.

The principles of equity, access, rights and participation underpin the NSW Government's philosophy in relation to women. In particular, the Government focuses on initiatives and services for women with the least access to social and economic resources.

Government Policy Orientations in Relation to Women's Interests in the Specific Areas in which the Department Operates

The department addresses the concerns and needs of women employees through the implementation of the Equity Action Plan. The principles of equity, access, rights and participation are employed to provide the foundation for policy development, ensuring that:

- women clients receive a full range of appropriate services;
- women are given a fair opportunity to gain employment in the department; and
- female staff members are able to fully participate in the workforce.

Specific Departmental Initiatives

Initiatives for Female Clients

A Young Women's Advisory Committee was established in September 2005 to provide advice to the department on young women's issues, this has continued to develop strength in 2007-08.

Initiatives for Female Staff

The department provides targeted Equity Scholarships to boost career development and retain female staff. In 2007-08, sixteen equity scholarships were awarded to female staff.

The department has an active Spokeswomen's program. All newly elected Spokeswomen attend training by the Central Coordinating Committee of Spokeswomen. There were four Spokeswomen Central Coordinating Committee meetings in 2007-08.

The department also regularly convenes focus groups for female staff in juvenile justice centres to meet with both the Director General and Deputy Director General (Management Services) who was the most senior women in the organisation in 2007-08.



APPENDIX 4: WASTE REDUCTION AND ENERGY MANAGEMENT

The department's waste management, purchasing, property management and energy management is managed by the Property and Procurement Services branch.

The branch has the responsibility of leading and directing the department's asset management framework, policy, systems, procedures and strategy, including physical security requirements, to ensure the efficient and cost effective management of the department's property and procurement portfolio.

Waste Reduction and Purchasing

The department continues to be proactive in purchasing products and materials with recycled content and maintains adherence to the principles of Ecological Sustainable Development in accordance with the department's *Waste Management Policy*.

The department adheres to existing procedures to ensure all white photocopy paper is procured with recycled content and has an agreement with a Government contracted supplier of toner cartridges to recycle all used cartridges for re-purchase. The department continues to investigate procurement opportunities with suppliers for products with recycled content.

Energy Management

The department continues to achieve energy efficiency and will continue to procure six percent of green power across all juvenile justice centres and ten percent for all office accommodation.

The department's energy consumption for 2006-07 was 56,658 gigajoules (GJ), up from 48,805 GJ in the previous year, an increase of 7853 GJ (16%) for the year.

The increase in usage occurred across the department's custodial facilities with kilowatt hours (kWh) increasing from 7,348,716 in 2006-07 to 9,674,730 or 31.6% in 2007-08.

The increase in consumption is a direct result of the increase in detainees during 2007-08 with inmate days (determined as the average number of detainees in custody multiplied by 365 days) increasing from 112,785 to 120,815 for 2007-08.

Smaller vehicles still comprise the majority of the metropolitan fleet. In regional areas, where high annual kilometres can be expected, the fleet has seen an increase in diesel and LPG fuelled vehicles in an effort to reduce fuel costs and consumption.

Proportion of vehicles by fuel type			
	05-06	06-07	07-08
Unleaded	76%	69%	67%
LPG	7%	11%	11.5%
Diesel	16%	18%	20.5%
Hybrid	1%	1%	1%

The department's fuel consumption decrease, when compared to distances travelled, highlights an improvement in driver habits and vehicle efficiency. Ethanol (E10) fuel continues to be used in fleet vehicles in an effort to lower fuel costs.

While fuel costs and consumption are a large focus for the fleet, safety still continues to be a prime factor in fleet choice, ensuring that all new vehicles and replacement vehicles have the maximum active and passive safety features such as ABS, air bags and stability control.

The department continues to balance the requirement for high green scores, safety, usage requirements and reduction in fuel consumption.





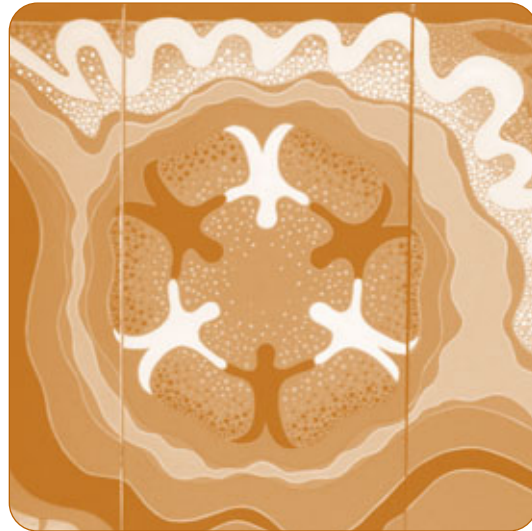
Environmental Management

In 2006-07, the Department formed an Environmental Management Committee to improve its environmental performance and to better manage environmental issues.

The committee is responsible for examining ways for the department to minimise waste and promote, develop and implement environmentally positive and ecologically sustainable practices.

To help focus the work of the committee, a management plan has been developed with the following objectives:

- To reduce the consumption of energy, water and other resources;
- To reduce waste and pollution;
- To develop and promote a culture of environmental leadership and responsibility across the department; and
- To develop and implement ecologically sustainable development.



APPENDIX 5: OVERSEAS VISITS

The table below outlines details of official overseas visits conducted by departmental staff in 2007-08.

Officer	Dates	Destination	Purpose	Funding Source
Michaela Wengert, Senior Project Director, Youth Justice Conferencing (Integration) Review	14-20 May 2008	China	China-Australia Human Rights Technical Cooperation Program: Victims of Crime Seminar	Human Rights and Equal Opportunity Commission



APPENDIX 6: PUBLICATIONS

- Annual Report 2006-07
- Policy for the Management of Difficult Behaviour
- Client Protection Policy
- Brochure, About the Department of Juvenile Justice
- Brochure, DNA Testing, What does it mean for young people?
- Brochure, Youth Justice Conferencing: a guide
- Brochure, Graffiti Solutions
- Code of Conduct Pocket Guide
- Detainee Urinalysis Information Form
- Family Information Kit

Juvenile Justice Centre Induction Booklets

- What goes on in Cobham?
- What goes on in Reiby?
- What goes on in Keelong?
- What goes on in Riverina?
- What goes on in Acmena?
- What goes on in Baxter?
- What goes on in Orana?

Psychological and Specialist Services Pamphlets

- Forensic Program
- Violent Offender Program
- Sex Offender Program
- Alcohol and Other Drugs Program

APPENDIX 7: ABOUT THIS ANNUAL REPORT

Cost of Producing the Annual Report

The total external cost for producing 2007-08 Annual Report was \$12,622.48. The report is available from the department's website, www.djj.nsw.gov.au.





APPENDIX 8: ACCESS AND ADDRESSES

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OUTCOMES AND STRATEGIES

CORPORATE CAPACITY

Staff participate in decision-making and are acknowledged for their contributions

- Develop and implement a corporate communication and consultation strategy that articulates opportunities for participation in decision-making and mechanisms for communicating outcomes to staff

Staff are trained, resourced and supported in the performance of their work

- Undertake skills analysis and definitions for all jobs in the department
- Develop training and development programs based on identified skills
- Implement the Aboriginal Recruitment and Retention Strategy
- Articulate career pathways for staff
- Develop and mentor supervisory and management skills across the organisation

Staff work in a safe and healthy environment

- Implement, monitor and review the OH&S and Injury Management Strategic Plan 2005-2008

Increased use of technology to improve efficiency

- Develop opportunities to increase use of audiovisual links for court appearances
- Identify opportunities to work in partnership with other agencies to leverage investments in technology
- Identify and implement organisational technological improvements, e.g. webcams, Voice Over Internet Protocol

Corporate efficiency targets are achieved

- Develop and implement an organisational sustainability strategy
- Implement corporate efficiency plans identified in the Treasury plan and departmental savings workshops
- Develop a corporate communication strategy to enable managers to consult and engage with staff in delivering efficiencies

The effectiveness of the department's performance is accurately measured and reported

- Implement the Corporate Information System and develop a data warehouse to standardise and automate corporate reporting
- Implement the Corporate Information Framework to improve consistency in business definitions, classifications and performance measurement
- Develop standard performance measures to report performance on corporate outcomes
- Implement an automatic review process for departmental policies and procedures

Research and evaluation functions are enhanced

- Develop and implement an integrated research, service development and evaluation function that contributes to the body of knowledge about juvenile justice interventions

Collaborative and responsive relationships with other agencies

- Enhance our engagement with NSW Government Agency Cluster Groups so that juvenile justice interests are reflected in cluster decisions
- Develop collaborative work projects with agencies in the Human Services and Justice Clusters
- Work with the Departments of Ageing, Disability and Home Care and Community Services to improve accommodation and support services for young people involved in the juvenile justice system
- Build relationships with non-government organisations to improve service access and responsiveness for young offenders, in particular Aboriginal young offenders
- Develop a comprehensive strategic framework and models for service delivery for the Community Funding Program

YOUTH JUSTICE CONFERENCING

Reduction in the proportion of youth justice conferencing participants who re-offend in accordance with the priorities of the NSW State Plan

- Enhance the capacity of youth justice conferences to identify and respond to the known correlates of offending by young people
- Strengthen existing and develop new pathways to services that address the factors related to offending for serious and repeat young offenders

Increase in the proportion of eligible young offenders who participate in youth justice conferences

- Continue work with Police in refining and co-delivering training for Police Specialist Youth Officers
- Analyse referral patterns in youth justice conference areas to identify barriers to referrals
- Devise specific responses with Police Local Area Commands to issues identified in referral patterns analysis
- Continue work with local magistrates, court staff, lawyers and internally to ensure eligible young people are referred to conferences by the courts
- Continue an education and promotion strategy with judicial officers and senior police

Increase in the proportion of eligible Aboriginal young offenders who participate in youth justice conferences

- Work with Aboriginal Community Justice Groups to increase the participation of Aboriginal community members in conferences
- Work with NSW Police to train Aboriginal Community Justice Group members in delivering cautions to Aboriginal young people
- Analyse referral patterns in youth justice conferencing areas with high Aboriginal populations to identify barriers to referrals
- Devise specific responses with the Aboriginal Legal Service and Police Local Area Commands to issues identified in referral patterns analysis
- Work with NSW Police, the Aboriginal Legal Service and courts to ensure eligible Aboriginal young people are referred to conferences
- Implement an education and promotion strategy with the Aboriginal Legal Service, judicial officers and senior police

Increase in the proportion of conferences that involve victims and relevant individuals and organisations

- Maintain a systematic program of promotion of youth justice conferences with the Victims Advisory Board, peak agencies and the community
- Identify willing participants who will talk publicly regarding their conferencing experience
- Identify and analyse reasons why victims choose not to participate in conferences and use this information to inform practice

COMMUNITY-BASED SERVICES

Reduction in the proportion of young people on community-based orders who re-offend in accordance with the priorities of the NSW State Plan

- Establish a central Programs Unit
- Develop standard program interventions and evaluation of outcome mechanisms
- Implement and evaluate the Effective Practice Framework (EPF)
- Implement evidence-based interventions and programs responsive to individual characteristics and needs with a specific focus on programming for Aboriginal young people
- Pilot the Intensive Supervision Program
- Develop and implement consistent client supervision guidelines

Increase in the proportion of young offenders who complete their legal obligations

- Implement a comprehensive and integrated assessment process

- Implement case plans that are linked to our assessment processes and which are appropriately supported and monitored
- Develop alternative supervision arrangements in partnership with the Attorney General's Department for clients in Aboriginal communities

Young offenders with mental health and/or disability issues are identified and diverted or managed appropriately

- Train staff to accurately identify mental health/disability issues
- Improve the effective management of clients with mental health/disability issues with specific attention to Aboriginal young people
- Establish and maintain strategic partnerships with Justice Health and the Department of Ageing, Disability and Home Care
- Implement the strategies of the department's Disability Action Plan

Increase in the proportion of young people assessed as suitable for bail who are released from remand custody

at the earliest appropriate opportunity

- Implement and evaluate the Intensive Bail Intervention Program
- Pilot Bail Supervision projects in partnership with the Two Ways Together Bail Working Group

CUSTODIAL SERVICES

Reduction in the proportion of young people sentenced to custody who re-offend in accordance with the priorities of the NSW State Plan

- Implement programs and interventions that address the risks of re-offending
- Develop and implement stronger custody-to-community transition strategies
- Support Juvenile Justice Centres to involve Aboriginal elders and community members in centre programs
- Work in partnership with Justice Health to implement the Pilot Juvenile Justice Centre Release Treatment Scheme

Increased safety and security for custodial staff and detainees

- Implement and evaluate the recommendations of the Behaviour Management Steering Committee
- Implement strategies in each centre that address identified safety and security risks
- Implement a structured daily program plan in each centre
- Implement further measures for the identification and detection of drugs and other contraband and other security risks
- Implement the recommendations of the review into mental health services in Juvenile Justice Centres, with specific attention to the needs of Aboriginal young people

New and refurbished Juvenile Justice Centres are fit-for-purpose and completed on schedule

- Develop building/infrastructure standards for juvenile justice custodial facilities
- Complete post-occupancy evaluation of new centres and incorporate into standards and buildings
- Develop and implement change management and commissioning plans for all new centres

Improved environmental management practices in Juvenile Justice Centres

- Implement environmental impact reduction strategies in all Juvenile Justice Centres
- Incorporate environment-friendly and energy-efficient principles into the design and construction of new Juvenile Justice Centre facilities

Reduced cost of transport services

- Advocate with the courts for the increased use of audiovisual links for young offenders
- Place detainees in centres closest to their court locations
- Negotiate with the Attorney General's Department to co-ordinate court appearances of detainees in regional courts

THE OUTCOMES AND STRATEGIES OF THE DEPARTMENT OF JUVENILE JUSTICE CORPORATE PLAN SUPPORT THE NSW STATE PLAN

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ISSN 1321-3598