Australasian Juvenile Justice Administrators Meeting 6, 7 & 8 June 2012 Brisbane

ATTENDANCE:

NAME	JURISDICTION	DEPARTMENT
CHAIR: Mark Collis, Chief Executive	Australian	Office for Children, Youth and
	Central	Family Support Community
	Territory	Services
Andrew Salter, A/Assistant Commissioner Youth	Western	Department of Corrective
Justice	Australia	Services
Community and Youth Justice Division		
Kathryn Anderson, Director, Youth Services and	Victoria	Children, Youth and Families
Youth Justice Branch		Division Department of Human
		Services
Darren Hegarty, Assistant Director General,	Queensland	Department of Communities
Service Delivery Improvement and Support		
Mark Byrne, Chief Executive Officer,	Tasmania	Department of Health and
Disability, Children and Families		Human Services
Valda Rusis, A/Chief Executive	New South	Juvenile Justice, Department of
	Wales	Attorney General and Justice
Jackie Bray, Director Youth Justice	South Australia	Department of Families and
		Communities
Chris Polaschek	New Zealand	Child, Youth and Family
		Services
Pippa Rudd, Director, Youth Justice Unit	Northern	Director, Youth Justice Unit
	Territory	Department of Justice
Dr Eric Heller, Manager Research	New South	Juvenile Justice, Department of
	Wales	Attorney General and Justice
Elspeth Driscoll, AJJA Secretariat	New South	Department of Attorney General
	Wales	and Justice

APOLOGIES:

NAME	JURISDICTION	DEPARTMENT
Margaret Anderson	NT	

PART ATTENDANCE

NAME	JURISDICTION	DEPARTMENT
Steve Armitage	Queensland	Assistant Director-General,
		Youth Justice Services,
		Department of Justice and
		Attorney-General
Brent Diverty		Australian Institute of Health and
		Welfare
Dr Adam Tomison		Australian Institute of
		Criminology
Tracey Cussens		Australian Institute of
		Criminology

ACTIONS F	OR ALL JURISDICTIONS	
Item 1.3	 To report back via the secretariat on whether or not OPCAT has been signed 	
	by their jurisdiction.	
Item 2.2	 To review the amended MoU and expedite timely feedback via the secretariat. 	
	 Each jurisdiction to provide MoU signature page details to the secretariat. 	
Item 2.3	 To work towards signing the MoU by 1 July 2012. 	
	 Each jurisdiction broadly committed to collecting the data set for the next data 	
	cycle.	
Item 3.1	 To provide KPI data for the RoGS directly to the RoGS Secretariat by the end 	
(2)	of September for the 2013 RoGS.	
	 To have further discussions with the RIG and with the Productivity Commission 	
	Secretariat regarding absence of mechanisms for separating expenditure on	
	the group of 10-17 year olds from over 17 year olds and the subsequent	
	discrepancy between cost per offender and business activity data.	
Item 6.2	 To work with the AIC to organise a conference on juvenile justice planned for May 2012. 	
Items 6.3	 To consult internally to determine which agencies and representatives to invite 	
& 7.1	to participate in the NYJF consultation process.	
	 To invite NYJF stakeholders to participate in the consultation. 	
	To negotiate the time and venue for the consultation with their NYJF	
	stakeholders and with the AIC and consultations should be scheduled for one	
	hour.	
	 To work to the agreed deadline of 30 June 2012 for the completion of NYJF 	
	stakeholder consultations.	
	 To distribute the final agreed list of questions to their stakeholders. 	
	To provide feedback on the NYJF via the RTG or through Project Control	
	Group teleconferences.	
ACTIONS F	OR NEW SOUTH WALES ONLY	
	Refer to "Actions for All Jurisdictions"	
ACTIONS F	OR QUEENSLAND ONLY	
	Refer to "Actions for All Jurisdictions"	
	OR VICTORIA ONLY	
Item 1.4	 To seek approval to host the November 2012 meeting as a back up should 	
(2)	Tasmania not be in a position to host the meeting.	
	Refer to "Actions for All Jurisdictions"	
ACTIONS F	OR TASMANIA ONLY	
Item 1.4	 To seek approval for Tasmania to host the November 2012 meeting. 	
(2)		
	Refer to "Actions for All Jurisdictions"	
	OR AUSTRALIAN CAPITAL TERRITORY ONLY	
Item 1.4	 To host the May 2013 meeting to coincide with the AIC Juvenile Justice 	
(2)	Conference, also scheduled for May 2013.	
	Refer to "Actions for All Jurisdictions"	
ACTIONS F	OR SOUTH AUSTRALIA ONLY	
ACTIONO	Refer to "Actions for All Jurisdictions"	
ACTIONS	OR NORTHERN TERRITORY ONLY	
Refer to "Actions for All Jurisdictions"		
ACTIONS FOR WESTERN AUSTRALIA ONLY		
	Refer to "Actions for All Jurisdictions" OR NEW ZEALAND ONLY	
ACTIONS F	Refer to "Actions for All Jurisdictions" above	

RESEARCH	AND INFORMATION GROUP: Chair – South Australia
Item 1.5	To circulate draft protocol of work plans including dates, times and
	 development of publications. Mr Salter to attend the PSSWG meeting is in Perth and 20 July 2012 in his
	 capacity as local the AJJA member. Ms Bray to participate in the PSSWG meeting is in Perth and 20 July 2012 via teleconference.
Item 2.1	To circulate AIHW draft report on data linkage to the RIG for feedback to the
Item 2.3	AIHW.To analyse the focus of current data sets.
Item 3.1	 To advise the AIHW that the nominated thematic bulletin topic included under
(1)	 the MoU is 'young people 10-14 years old' To circulate the AIHW draft report on the current status of the pilot CDSMAC-funded SAAP, child protection and juvenile justice linkage project. To have further discussions in relation to development of juvenile justice expenditure (cost per offender) data for the 2013 RoGS.
Item 3.1 (2)	 To report back to AJJA members in relation to the history of developing the definitions of assaults and serious assaults in the RoGS KPI. To have further discussions with the Productivity Commission Secretariat regarding the intent and appropriateness of the KPIs for pre-sentence reports. To have further discussions with the Secretariat of the Productivity Commission in relation to development of juvenile justice expenditure (cost per offender) data for the 2013 RoGS. To circulate draft production protocol for the juvenile justice sections of the
	RoGS.
	H TASK GROUP – CHAIR – Western Australia
Item 5.1	 To allocate \$10,000 from the Research Budget to hire a contractor to rework the cost benefit project brief. To include the Cost Benefit Project on the Agenda for the 2012 November AJJA meeting. To sponsor a research project on Behaviour Management in Custody from the 2012/13 AJJA Research Budget. Agreed the project should identify: promising practise / best practise models therapeutic models
	 models of service delivery for young people with disabilities / mental health issues in detention. To allocate \$20,000 seed funding to the AIC 2013 Juvenile Justice Conference from the 2012-13 AJJA Research Budget.
ACTIONS F	OR SECRETARIAT ONLY
Item 1.3	 To load Programs Papers from Items 1.5, 6 & 7 (Nov 2011) on to the new AJJA site for viewing by AJJA members only.
Item 1.4 (1)	 To circulate the formula for jurisdictional contributions.
Item 1.4 (2)	 To confirm dates for the November 2012 meeting.
Item 2.2	 To circulate amended draft 2012-15 MoU which stipulates: the timeframe for reviewing the MoU; and the terms of terminating the MoU Secretariat to prepare signature pages for the MoU.
Item 3.1	 To circulate NYJF questions for stakeholder consultations drafted by the AIC to
(1)	 the RTG for comment. To circulate findings from the NYJF stakeholder consultations to the RTG for comment.
	• To liaise with the AIC regarding a draft MoU to cover all aspects of the

JUNE 2012 MEETING MINUTES

SESSION 1.1: WELCOME TO COUNTRY AND INTRODUCTION

Dr Collis, AJJA Chair for the June 2012 meeting, welcomed members to the June 2012 AJJA meeting.

Dr Collis invited Darren Hegarty to introduce Ms Maroochy Barrambah of the Turrbul/ Dippil ancestry who performed Welcome to Country. Darren Hegarty acknowledged the Turrbal People as traditional owners of the land.

Dr Collis thanked Ms Maroochy Barrambah for welcoming AJJA members to the meeting and commented on her outstanding performance.

Dr Collis welcomed Mr Polaschek from New Zealand. Membership changes were noted.

Mr Hegarty offered an apology on behalf of Mr Armitage.

Dr Collis thanked Queensland for hosting the June 2012 meeting and arranging the visit to the Brisbane Youth Detention Centre.

SESSION 1.2: CONFIRM MINUTES FROM MAY 2011 MEETING

Decisions and Actions

AJJA members confirmed the November 2011 Minutes are an accurate record.

SESSION 1.3: Actions Arising from the November 2011 Meeting Minutes

Decisions/Actions

AJJA members:

- Noted a number of actions arising from the November 2011 meeting were either finalised or underway.
- Noted Programs Papers from Items 1.5, 6 & 7 would be loaded on to the new AJJA site by the secretariat for viewing by AJJA members only.
- Noted NZ has signed OPCAT.
- Agreed to report back on whether or not OPCAT has been signed by their jurisdiction.

SESSION 1.4 General Business

1. Update on AJJA budget – expenditure

Ms Bray asked for an explanation of the formula for calculating contributions to the AJJA Secretariat and Research budgets. Dr Collis advised the CDSMAC funding formulae is applied when calculating jurisdictional contributions and the percentage breakdown of these contributions is based on the resident population for each State and Territory. Dr Collis asked the secretariat to circulate the formula for jurisdictional contributions.

Dr Collis advised the ACT would need to top up the Secretariat budget substantially. Dr Collis also commented that it is important that this information be passed on to SA when the AJJA member assumes the Chair in July 2014.

Decisions/Actions

• Secretariat to circulate the CDSAMC formula for jurisdictional contributions.

2. Hosting Jurisdictions

Members decided it would be prudent for the ACT to host the May 2013 meeting to coincide with the AIC Juvenile Justice Conference, also scheduled for May 2013.

Mr Byrne agreed to seek approval for Tasmania to host the November 2012 meeting. Ms Anderson advised that she would also seek approval to host the November 2012 meeting as a back up should Tasmania not be in a position to host the meeting.

The possibility of New Zealand hosting a future meeting was put on hold as some jurisdictions expressed concern that International travel usually requires Ministerial approval which may not be forthcoming in the current climate of budget constraints for travel in some jurisdictions.

Decisions/Actions

- Mr Byrne agreed to seek approval for Tasmania to host the November 2012 meeting.
- Ms Anderson to seek approval to host the November 2012 meeting as a back up should Tasmania not be in a position to host the meeting.
- ACT to host the May 2013 meeting to coincide with the AIC Juvenile Justice Conference, also scheduled for May 2013.
- Secretariat to confirm dates for the November 2012 meeting.

Session 1.5 Update on Protective and Support Services Working Group

Ms Bray provided the following update:

- At the November 2011 meeting, AJJA members were advised that the PSSWG has been asked to remove expenditure data from the Report of Government Services;
- Subsequently, AJJA received correspondence from the Productivity Commission advising publication of expenditure data will go ahead in 2013;
- At January 2012 meeting with the Productivity Commission, representatives agreed to convene an additional meeting with all jurisdictions to address concerns.
- Representatives also agreed to produce a protocol of work plans including dates, times and development of publications.
- The next PSSWG meeting is in Perth and 20 July and the local AJJA member has been asked to attend and Ms Bray to participate via teleconference.

Decisions/Actions

- The secretariat to circulate draft protocol of work plans including dates, times and development of publications.
- Mr Salter to attend the PSSWG meeting is in Perth and 20 July 2012 in his capacity as local the AJJA member.
- Ms Bray to participate in the PSSWG meeting is in Perth and 20 July 2012 via teleconference.

SESSION 2.1 Brent Diverty - :

Mr Diverty said during meetings with the previous Chair, Mr Hubby and his predecessor Dr Collis, there has been discussion about the Australian Institute of Health and Welfare's (AIHW) 2012-15 Memorandum of Understanding (MoU) and also approaches to further develop operational and transactional relationships between the AIHW and AJJA. Mr Diverty also stated the AIHW is interested in developing a more strategic relationship with AJJA. Mr Diverty stressed the high level of interest in AJJA by AIHW Board members despite the small population of juvenile offenders. He said the Juvenile Justice in Australia Report features in AIHW Board member meetings.

Dr Collis agreed there is benefit for the AIHW and AJJA to interact both on a strategic and operational level.

Ms Bray said she welcomed more strategic level discussions with the AIHW that may include international and national discussions about issues such as Justice Reinvestment.

Mr Diverty talked about a high-level data integration/linkage initiative that is underway with the Department of Health and Attorney General and the steps that AIHW is taking to ensure the compliance, technical expertise and infrastructure are in place. He said the AIHW is aiming to make reporting more robust and to add value.

Ms Bray asked about the AIHW delivery as in meeting deadlines. Mr Diverty agreed that this has been an issue in the past but the recent approach by the AIHW to a more structured approach to project management would improve delivery in the future. Mr Diverty said there will still be instances where the AIHW will miss deadlines due circumstances such as late data from jurisdictions.

Mr Hegarty commented that provision of the JJ National Minimum Data Set (JJNMDS) is an expensive process for contributing jurisdictions and asked that mistakes that he has picked up annually be remedied in future publications. Mr Hegarty added data from various data sets would add value. He questioned the need to interrogate JJNMDS data year after year.

Mr Byrne said Tasmania would welcome the use of different data bases. He said the use of Child Protection and Health Data would provide a different picture.

Ms Rudd said that the Northern Territory had commissioned a review into its data systems which are currently split between Human Services, Child Protection and Youth Justice and as a result of the report the Northern Territory is working towards integrating Youth Justice data and contributing to JJNMDS.

Dr Collis said that research into the indicators of a young person's trajectory could guide differentiated responses to offending behaviour. Dr Collis said there is a need for data to inform this research.

Mr Diverty said the AIHW is currently wrapping up a draft report on data linkage which will be circulated to the RIG for feedback.

Decisions/Actions

 The AIHW to circulate the draft report on data linkage to the RIG for feedback to the AIHW.

SESSION 2.2 AIHW MoU Discussion with Brent Diverty

2012-15 MoU Discussion

Mr Diverty advised that the version of the 2012-15 MoU circulated to members a week before the June meeting differs from the one previously circulated for comment and offered his apologies for only providing the new version a week ago. Mr Diverty said the AIHW are using MoUs as a way of doing business around the country and the current version is their new standard template. He said that the AIHW does not want to change its current relationship with AJJA. Mr Diverty said the Schedule defines interactions with the RIG regarding JJNMDS.

Mr Diverty said it is very important for every jurisdiction to be a signatory to the MoU and provided assurance that AJJA members would not be paying for bulletins that they did not receive.

Mr Diverty advised that AIHW payment schedule is standard. The rates are AIHW rates and are not unique to AJJA. Mr Diverty also advised that the Copyright clause is a standard AIHW Copyright clause.

Members agreed to the AIHW proposal for an open-ended MoU with periodic review. They asked for the timeframe for the review to be stipulated in the MoU and also for the terms of terminating the MoU to be clearly stipulated.

Members did not support the AIHW proposal for the AJJA Chair to sign on behalf of all jurisdictions. They agreed each jurisdiction must be a signatory to the MoU.

The AIHW undertook to provide Members with an updated document with track-changes within a week from this discussion.

Dr Collis thanked Mr Diverty for his contribution to these discussions and acknowledged the good work undertaken by the AIHW for AJJA.

Decisions/Actions

 AJJA members agreed to the AIHW proposal for an open-ended MoU with periodic review.

- The AIHW to amend the draft MoU to stipulate the timeframe for its review and the terms for terminating the MoU.
- Agreed each jurisdiction would review the amended MoU and expedite timely feedback via the secretariat.
- Agreed each jurisdiction would provide MoU signature page details to the secretariat.

SESSION 2.3 AIHW MoU Discussion – AJJA Members

Dr Collis asked members to note that the AJJA Chair has a particular interest in expediting signatures and if possible the 2012-15 MoU should be signed off by 1 July 2012.

Dr Collis asked Members if any jurisdiction would be prepared to share details of their legal review of the 2012-15 MoU with the other States and Territories. Mr Hegarty said Queensland would be prepared to share its legal advice. Ms Anderson said Victoria would make its own assessment of the legal implications of the new MoU and Ms Rudd advised the Northern Territory would also undertake an independent legal review of the MoU. Mr Salter asked for legal advice to be shared with Western Australia.

Decisions and Actions

AJJA members:

- Agreed that a collective national approach is the best way forward for Youth Justice.
- Agreed that while current data contributions are acceptable, the RIG to further analyse the focus of current data sets.
- Agreed the strategic purpose of the national minimum data set is to raise the national profile of Youth Justice.
- Broadly committed to collecting the data set for the next data cycle.
- Agreed to the costs in Table 4.

SESSION 3.1 Research Information Group Report

1. AIHW

Decisions and Actions

AJJA members:

- Noted the release of Juvenile detention population in Australia 2011.
- Endorsed the streamlined annual reporting proposal under the new MoU between the AJJA and the AIHW.
- Discussed strategies to address the non-participation of WA and NT in the JJ NMDS. Members agreed that it is important for all jurisdictions to contribute to the JJ NMDS and for WA and NT to commit to working towards participation. Ms Rudd advised the NT is committed to participate in JJNMDS and is in the process of reviewing a report on NT data collection process. Mr Salter advised WA data collection processes are not yet in place and the upgrade required to participate in JJNMDS is not a priority.
- Noted the progress of bulletins on girls and young women under supervision and Indigenous young people under supervision.
- Noted that there is provision for one thematic bulletin under the new MoU between the AJJA and the AIHW.
- Discussed future bulletin topics included under the MoU and nominated 'young people 10-14 years old'.
- Discussed whether or not funding for future data development work will be provided under the new MoU and agreed to have further discussions with the RIG.

- Noted the progress of JJ NMDS data development, including the results of the pre-sentence reports and group conferencing field tests and lack of available data.
- Agreed no additional funding for 2012-13 data development would be provided under the new MoU.
- Noted the endorsement of the recidivism data development project by CDSMAC.
- Noted that WA will not participate in the recidivism data development project, due to their non-participation in the JJ NMDS.
- Noted NT would like to participate in recidivism data development project, and is currently working towards data collection processes that will enable participation in the JJ NMDS.
- Noted the progress of the CDSMAC-funded SAAP, child protection and juvenile justice linkage project and agreed to ask the AIHW to circulate a report on the current status of the pilot.

2. Report on Government Services

Decisions and Actions

AJJA members:

- Noted the data provided by each state and territory for juvenile justice KPIs published in RoGS 2012.
- Discussed issues with the definitions of assaults and serious assaults in the RoGS KPI and asked for the RIG to report back in relation to the history of developing these definitions.
- Discussed issues with the self-harm and attempted suicide KPI.
- Agreed to refer the intent and appropriateness of the pre-sentence reports KPI to the RIG and to have further discussions with the Productivity Commission Secretariat.
- Agreed to have further discussions with the RIG in relation to development of juvenile justice expenditure (cost per offender) data for the 2013 RoGS.
- Noted the development of a production protocol for the juvenile justice sections of the RoGS and asked for the draft to be circulated to Members.
- Discussed the use of the term 'youth justice' rather than 'juvenile justice' in RoGS and the implications for national reporting (such as reports on the JJ NMDS).
- Members discussed the absence of mechanisms for separating expenditure on the group of 10-17 year olds from over 17 year olds and the subsequent discrepancy between cost per offender and business activity data. They agreed to have further discussions with the RIG and with the Productivity Commission Secretariat.
- Agreed that all KPI data for the RoGS be provided by jurisdictions directly to the RoGS Secretariat by the end of September for the 2013 RoGS.

SESSIONS 3.2 & 4.1 Jurisdiction Reports

Taken as read.

Members noted issues raised by jurisdictions.

<u>SESSION 4.2</u> Speaker 1 – Doing Time – Time for Doing Carmel Ybarlucea| Acting Executive Director, Indigenous Policy and Performance, Aboriginal and Torres Strait Islander Affairs, Department of Aboriginal and Torres Strait Islander and Multicultural Affairs

Presentation did not proceed.

SESSION 4.3 Presentation by Chris Polaschek, New Zealand / Discussion – Outcome measures which look at the effectiveness of orders/programmes in reducing reoffending.

Members noted information from Mr Polaschek's presentation and expressed appreciation.

SESSION 5.1 Research Task Group Update

Decisions and Actions

AJJA members:

- Noted the progress of the Remand & Bail Project and the extended timeframe.
- Noted the proposed next steps to progress the Cost Benefit project and agreed to allocate \$10,000 from the Research Budget to hire a contractor to rework the cost benefit project brief.
- Agreed to include the Cost Benefit Project on the Agenda for the 2012 November AJJA meeting.
- Noted the progress of the National Youth Justice Framework Project, the extended timeframe.
- Noted the pilot juvenile recidivism data collection will begin in late 2012.
- Agreed to sponsor a research project on Behaviour Management in Custody from the 2012/13 AJJA Research Budget. Agreed the project should identify:
 - promising practise / best practise models
 - therapeutic models
 - models of service delivery for young people with disabilities / mental health issues in detention.
- Agreed to allocate \$20,000 seed funding to the AIC 2013 Juvenile Justice Conference from the 2012-13 AJJA Research Budget.

SESSION 5.2 Speaker 2 – Stephen Smallbone PhD, Professor, School of Criminology and Criminal Justice, Australian Research Council Future Fellow Director, Griffith Youth Forensic Service

Members noted information from Professor Smallbone's presentation and expressed appreciation.

SESSION 6.1 Strategies for engaging the Commonwealth

Decisions and Actions

AJJA members agreed:

- It would be beneficial to for AJJA to continue to be a Community Disability Services Ministers Advisory Council (CDSMAC) sub-committee.
- To monitor decisions and actions arising from the CDSMAC meeting scheduled for 28th June 2012 regarding AJJA's status as a sub-committee of CDSMAC.

SESSIONS 6.2 Discussion with the AIC about holding a National Juvenile Justice Conference

Dr Tomison and Ms Cussen from the AIC joined the meeting.

Decisions and Actions

AJJA members agreed:

- the AIC and AJJA will organise a conference on juvenile justice planned for May 2012;
- the conference will be held in Canberra, ACT;

- AJJA will provide \$20,000 in seed funding to be used in up-front costs to be allocated from the Research budget line;
- seeding funds would be reimbursed in full by the AIC at the completion of the conference, prior to the distribution of any profits, provided that the conference has achieved a surplus funding position;
- the conference would be conducted on a cost recovery basis;
- The AIC would draft an MoU to cover all aspects of the conference for signature by the AJJA Chair.

6.3 & 7.1 National Youth Justice Framework

Decisions and Actions

AJJA members agreed:

- The aim of the National Youth Justice Framework (NYJF) is to develop a high-level principle base document which is sufficiently robust that it will pick up the local context for each jurisdiction.
- The descriptor Youth Justice should be used instead of the descriptor Juvenile Justice.
- The NYJF will need to be responsive to the local context.
- The preamble should address the reasons and need for a NYJF and list 7 8 principles.
- The NYJF should be approximately 16 18 pages long and that it should be underpinned by a detailed document.
- The AIC should work to the agreed deadline of 30 June 2012 for the completion of stakeholder consultations.
- Each jurisdiction would consult internally to determine which agencies and representatives to invite to participate in the consultation process.
- Each jurisdiction would be responsible for inviting these persons to participate in the consultation.
- Most consultations would be conducted via teleconference due to the timeframe.
- Each jurisdiction would negotiate the time and venue for the consultation with their stakeholders and with the AIC and consultations should be scheduled for one hour.
- The purpose of this round of consultations is to check for understanding and agreement on the basic principles and practices underpinning and supporting youth justice service delivery from a range of stakeholders.
- The AIC will develop a list of questions by 18 June 2012 and these questions will be circulated to AJJA members through the AJJA Secretariat for comment.
- Each jurisdiction will be responsible for distributing the final agreed list of questions to their stakeholders.
- The AIC will complete the findings from consultations and circulate them to jurisdictions through the secretariat.
- Each jurisdiction will provide feedback on the NYJF via the RTG or through Project Control Group teleconferences.

Dr Collis thanked Dr Tomison and Ms Cussen for their contribution to the NYJF discussion and acknowledged the good work undertaken by the AIC for AJJA.