



## Responding to Children in Juvenile Justice Centres in South Australia

### Briefing for the Commissioner for Children and Young People

South Australian children who are detained in juvenile justice centres are falling through the gaps when they move back to their families. In 2016, Shelter SA wrote a [briefing paper](#) about children and juvenile justice centres and worked with relevant stakeholders to discuss the systemic issues that negatively affect children leaving institutions. The paper was prompted by the findings of the Royal Commission into Child Protection's report titled '[The Life They Deserve](#)'. Children in juvenile justice centres are a relatively small, but extremely vulnerable cohort of children, who are easily identifiable and who should be given greater care. Our research identified that policies across State Government departments and within the community services are adequate, but their implementation is not consistently keeping children safe. Bail accommodation must place children back into safe environments and this issue is more than just a question of bricks and mortar. It is crucial that children leaving youth detention have an affordable, secure, safe and appropriate home and family environment to return to when they leave youth detention; the cost of doing nothing is high and may increase the rates of recidivism. When we know that children have a family situation that is unsafe or unsuitable due to their physical accommodation or family problems, it is not acceptable to send them back to the same situation.

One of the major barriers identified by stakeholders to effectively support transition from detention back to the community was poor information sharing between service providers. Some service providers struggle to balance the competing interests of sharing information and maintaining the young person's right to privacy. Stakeholders said that there was poor discharge planning or an absence of discharge planning and an inadequate handover of responsibility for the safety of the children between institutional settings and community settings. Often community-based services, schools and local authorities were not aware children were returning and anecdotal evidence was provided that children are sent back to regional settings unaccompanied on buses.

The cost of detaining children in juvenile justice centres is high and considerably more expensive than other forms of community detention. In the 2019 Report on Government Services, the average national cost per day per young person was \$1482; for community-based supervision, it was \$140 per day per young person and this should be a motivating factor to keep children out of detention.<sup>1</sup>

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<sup>1</sup> <https://www.pc.gov.au/research/ongoing/report-on-government-services/2018/community-services/youth-justice/rogs-2018-partf-chapter17.pdf>

The Office of the Guardian for Children and Young People reported that Aboriginal children and young people are vastly over-represented in the youth justice system.<sup>2</sup> In 2017-18, Aboriginal children and young people made up 66% of the daily average of 10 to 17 year-olds in detention; this statistic is much higher than the national average of 57%. Between 2007-08 and 2016-17, the rate of young people in detention on an average day decreased significantly for South Australia.<sup>3</sup> According to the latest Report on Government Services, data is not yet available for reporting “secure housing on exit” for young people previously in juvenile justice centres.<sup>4</sup> This performance indicator should be introduced for future reports to hold services accountable for exiting children into safe and secure accommodation.

Since the publication of the ‘The Life They Deserve’ report in August 2016, in which 260 recommendations were made about improvements to the child protection system, only a few changes have been made in terms of responding to the needs to children exiting juvenile justice centres in our State. The recommendation to “require senior leaders from government and non-government agencies that have responsibilities for the health, safety and wellbeing of children to meet at least quarterly to identify strategic measures to promote interagency collaboration and information sharing” has been fully implemented and this change is a step forward. The Chief Executive at the Department for Child Protection chairs quarterly discussions to promote inter-agency collaboration and information sharing across all major government agencies. Shelter SA would like to see the number of children being detained decrease as well as the overrepresentation of Aboriginal children. We would also like to see a lead agency and a coordinator from that agency, appointed to manage the detention of every child, to take oversight of their discharge planning and transition out of detention.

While there have clearly been some steps taken to fully implement the findings of the Royal Commission, children exiting juvenile justice centres across South Australia are a widely forgotten cohort and need urgent attention.

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<sup>2</sup> <http://www.gcyp.sa.gov.au/publication/statistics/>

<sup>3</sup> <https://www.aihw.gov.au/getmedia/19707990-1719-4600-8fce-f0af9d61331c/aihw-juv-116.pdf.aspx?inline=true>

<sup>4</sup> <https://www.pc.gov.au/research/ongoing/report-on-government-services/2018/community-services/youth-justice/rogs-2018-partf-chapter17.pdf>