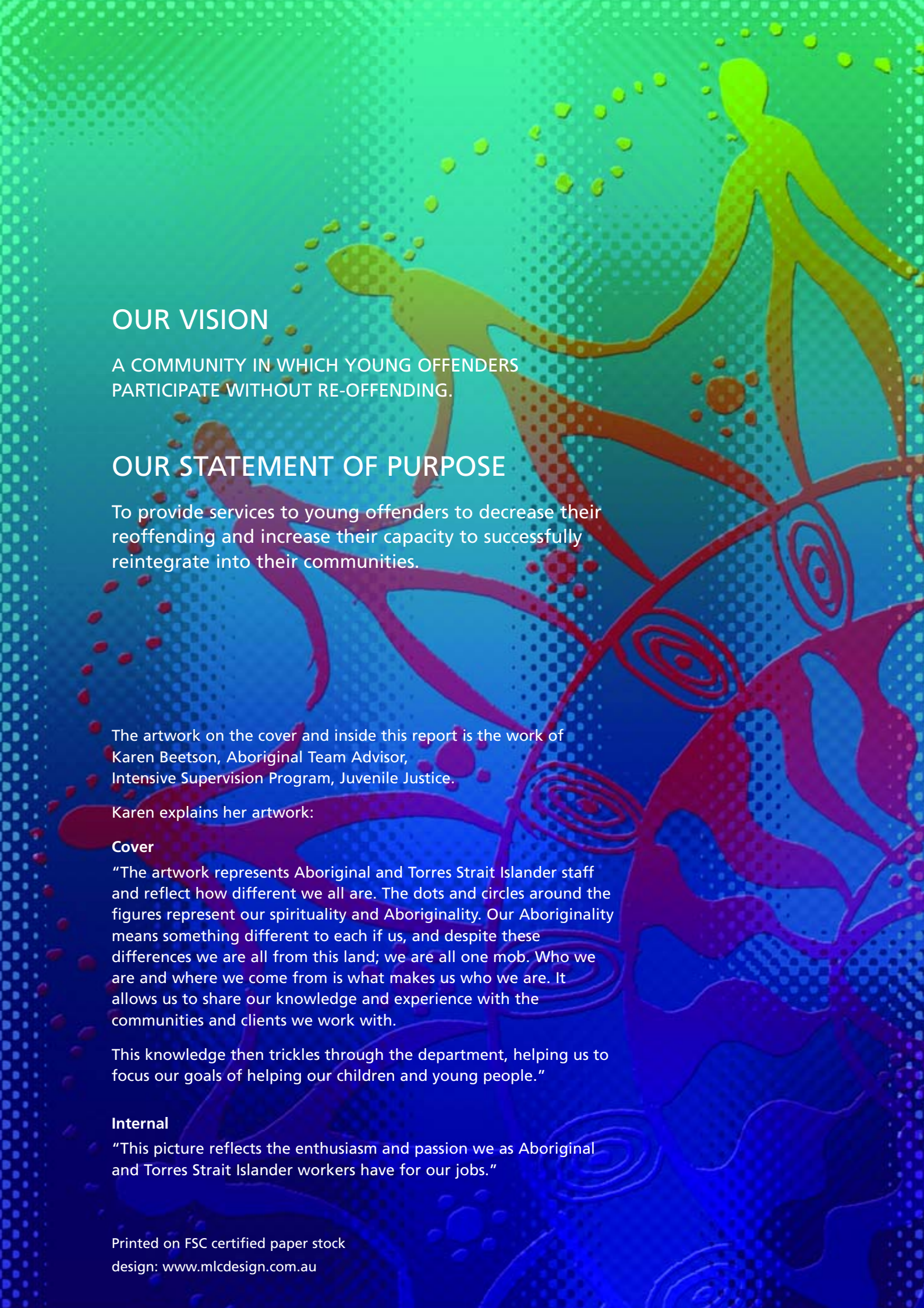
DEPARTMENT OF HUMAN SERVICES

juvenile justice

Annual Report 2008 – 2009



OUR VISION

A COMMUNITY IN WHICH YOUNG OFFENDERS PARTICIPATE WITHOUT RE-OFFENDING.

OUR STATEMENT OF PURPOSE

To provide services to young offenders to decrease their reoffending and increase their capacity to successfully reintegrate into their communities.

The artwork on the cover and inside this report is the work of Karen Beetson, Aboriginal Team Advisor, Intensive Supervision Program, Juvenile Justice.

Karen explains her artwork:

Cover

"The artwork represents Aboriginal and Torres Strait Islander staff and reflect how different we all are. The dots and circles around the figures represent our spirituality and Aboriginality. Our Aboriginality means something different to each if us, and despite these differences we are all from this land; we are all one mob. Who we are and where we come from is what makes us who we are. It allows us to share our knowledge and experience with the communities and clients we work with.

This knowledge then trickles through the department, helping us to focus our goals of helping our children and young people."

Internal

"This picture reflects the enthusiasm and passion we as Aboriginal and Torres Strait Islander workers have for our jobs."

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LETTER OF SUBMISSION TO THE MINISTER

The Honourable Graham West MP
Minister for Juvenile Justice
Minister for Volunteering
Minister for Youth
Minister Assisting the Premier on Veterans' Affairs

Level 13, 55 Hunter Street

SYDNEY NSW 2000

Dear Minister

In accordance with the Annual Reports (Departments) Act 1985, I have pleasure in submitting to you, for presentation to Parliament, a report on the activities and financial affairs of the Department of Juvenile Justice for the period from 1 July 2008 to 30 June 2009.

Yours sincerely

Peter Muir
Director General
Department of Juvenile Justice

NSW DEPARTMENT OF juvenile justice

CHAPTER 1

OVERVIEW: ABOUT THE DEPARTMENT

DIRECTOR GENERAL'S FOREWORD

The last year has seen a number of changes to juvenile justice which included changes to staffing in juvenile justice centres and central office.

The number of young people in custody on remand and control orders has steadied somewhat since the dramatic climb in 2007-08 but continues to increase.

Juvenile Justice is working with other agencies such as the Attorney General's Department and NSW Police to investigate the causes of the increases through the bail working group.

The opening of the Emu Plains Juvenile Justice Centre in October 2008 created capacity in the state's juvenile justice system and eased the demand for beds.

Work also began on the construction new 15 bed units at Orana Juvenile Justice Centre in Dubbo and Acmena Juvenile Justice Centre in Grafton, as well as upgrade works on Riverina Juvenile Justice Centre to accommodated 12 extra beds.

In the next year, a number of new custodial beds will come on line, which will help us to focus on improving rehabilitation programs for young people in custody.

This includes the establishment of a pre-release unit at Reiby Juvenile Justice Centre in Campbelltown. The aim of the unit is to connect detainees with services in the community prior to their release, so they have the support they need when they leave the centre.

In the community we have seen a 16 per cent increase in the number of community based orders and a 35 per cent increase in the number of orders completed during the year.

There was an 11 per cent increase in the number of referrals to Youth Justice Conferences and a 20 per cent increase in the numbers of conferences held during the year.

Over the past four years there has been increased funding into community based programs and this year saw the introduction of the Intensive Supervision Program into the Newcastle and Western Sydney regions. Early indications are encouraging, with 53 families signing up to the program in 2008-09, and an additional 13 families awaiting signup. Nearly half of the families who have successfully completed the program are from Aboriginal or Torres Strait Islander background.

Safety and security in centres has continued to improve, with assault figures remaining steady despite the increase in numbers. The rate of assaults on staff continues to fall, with a 70 per cent decrease since 2004-05.

The implementation of the *Keep them safe* report, the government's response to the Wood Special Commission of Inquiry into Child Protection System in NSW, has meant an increased responsibility for Juvenile Justice as a reporting agency. The establishment of a Child Wellbeing Unit, new training for staff and better information sharing between agencies in regards to "at risk" children will help provide better responses to children in need of assistance or at risk of significant harm.

Juvenile Justice is the lead agency and is working in partnership with NSW Police on the implementation of the Bail Assistance Line. The after hours Bail Assistance Line will assist in diverting young people from being remanded in custody while looking for safe and secure accommodation.

Overseas interest in the NSW Juvenile Justice system continues to be high with delegations from China, Sweden, Vietnam and the USA visiting during the year. The department was also invited to present papers at the Children's Rights Workshop in Beijing in May 2009 and at the International Seminar on Penal Mediation in Italy in November 2009.

The dedicated staff of the department have continued to meet the challenges of change and still provide an outstanding service to the young people in their care.

We look forward to continuing our partnerships with community organisations to deliver programs for young people in the community and in custody.

Peter Muir
Director General

THE DEPARTMENT OF JUVENILE JUSTICE

WHO WE ARE

The NSW Department of Juvenile Justice is responsible for the administration of youth justice conferences and for the supervision of young offenders who receive community-based orders or custodial sentences from the courts.

The department was established as an autonomous government body in 1991 and as a Schedule 1 Department in 1993. It is the largest juvenile justice agency in Australia, employing an average full-time equivalent staff of 1464.1 during 2008-09, including many people from Aboriginal and other culturally and linguistically diverse backgrounds.

On June 11 2009, the NSW Government announced the formation of 13 new super departments to bring government agencies together. The Department of Juvenile Justice was amalgamated, along with the Departments of Housing; Community Services; Aboriginal Affairs; Ageing, Disability and Home Care; Aboriginal Housing Office and Businesslink to form the Department of Human Services. The core business of Juvenile Justice has not changed.

WHAT WE DO

The department's work includes the supervision of young people sentenced to community-based or custodial orders, support for young offenders meeting the conditions of bail, supervision of young offenders who are on conditional bail, supervision of young people remanded in custody pending finalisation of their court matters, and the preparation of reports for the consideration of the courts in determining sentences. The department also administers the Youth Justice Conferencing program.

The department provides funding to a number of community agencies to give assistance to juvenile offenders and their families.

The department operates under the terms of the *Children (Detention Centres) Act 1987, the Children (Community Service Orders) Act 1987, the Young Offenders Act 1997 and the Children (Interstate Transfer of Offenders) Act 1988.*

While supervising young offenders, either in the community or in custody, Juvenile Justice assists these young people with programs that will provide them with the opportunity to choose positive alternatives to offending behaviour. These services are aimed at reducing the risk of a young person reoffending, and to assist them in addressing underlying issues and behaviours.

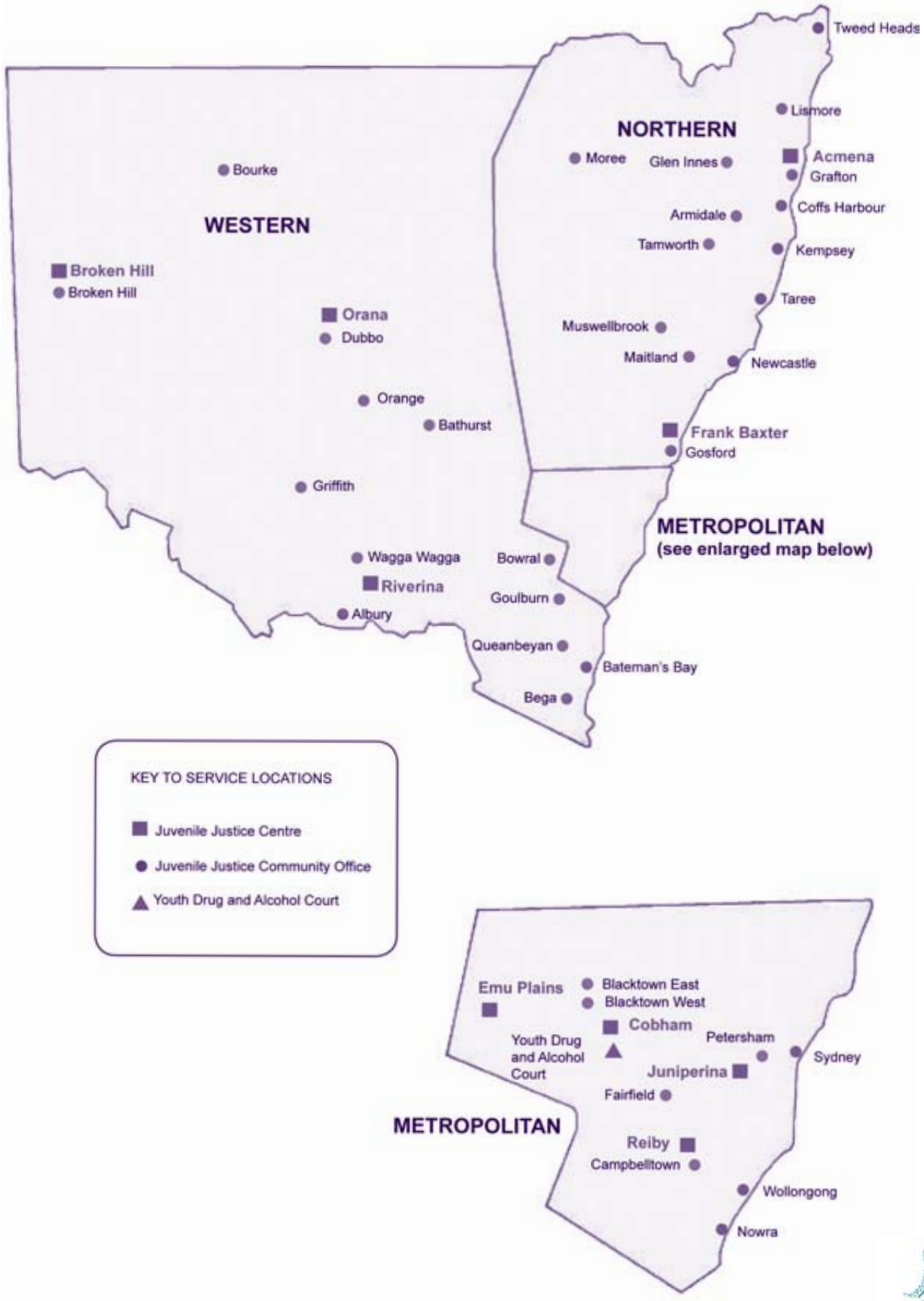
WHERE WE ARE

The department's head office is located on Pitt Street, Sydney, housing the Operations, Management Services, and Office of the Director General directorates.

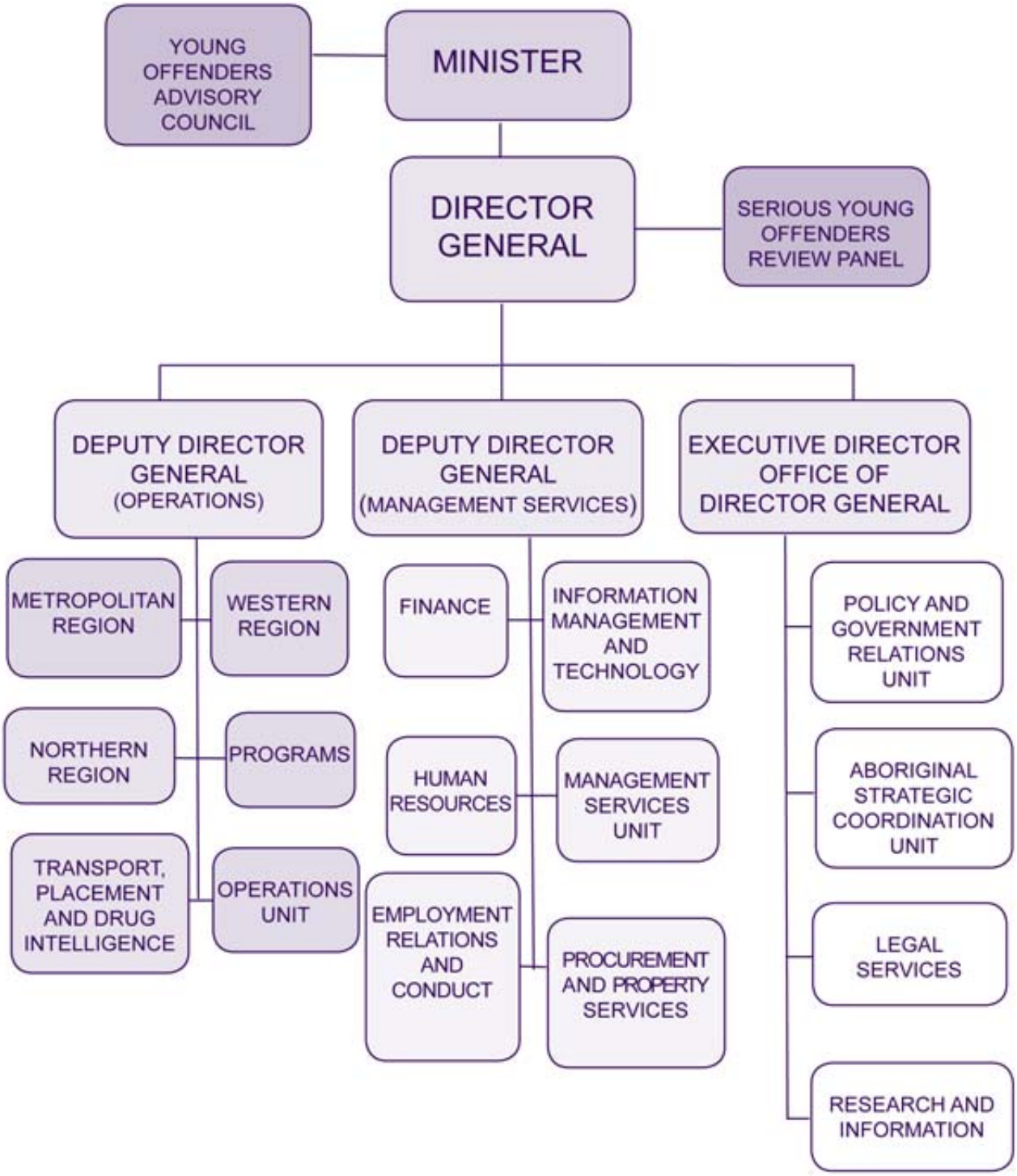
There are nine juvenile justice centres located around NSW. Female detainees are held at Juniperina Juvenile Justice Centre in Lidcombe.

Across the state, there are 34 Juvenile Justice Community Services offices incorporating Youth Justice Conferencing. A full list of these locations can be found on page 133.

LOCATION OF OUR SERVICES



DEPARTMENT OF JUVENILE JUSTICE



EXECUTIVE STRUCTURE AND MANAGEMENT

Since July 2007, the Department of Juvenile Justice has been organised across three directorates: Operations; Management Services; and the Office of the Director General.

The corporate governance of the department is the responsibility of the Executive Committee. In 2008-09, the department's Executive Committee met on a monthly basis. As at 30 June 2009, the committee consisted of the:

- Director General
- Deputy Director General (Operations)
- Deputy Director General (Management Services)
- Executive Director, Conduct, Policy and Government Relations
- Regional Director, Metropolitan Region
- Regional Director, Northern Region
- Regional Director, Western Region
- Chief Financial Officer
- Director, Human Resources

OPERATIONS DIRECTORATE

The department's direct services to juvenile offenders are managed and administered by the Operations directorate.

Services in the community include Youth Justice Conferencing; support for young people released on bail or remanded in custody; assessment reports to assist courts; court-ordered supervision of juvenile offenders placed on parole, good behaviour bonds, probation or community service orders; counselling and developmental programs as an alternative to detention and intensive family-based interventions.

Services within juvenile justice centres include individual case management to identify and address the needs of detainees and to plan their community re-integration; training in job skills and living skills; recreational and counselling programs for detainees; educational programs so detainees can continue their studies; and health services.

The directorate is comprised of three business units based at the department's Central Office and three regions.

The **Operations Unit** develops policies and procedures for all areas of direct service delivery. It is responsible for implementing a consistent and integrated approach to the delivery of services across the regions; ensuring continuous improvement of services and movement towards evidence-based best practices; and ensuring that community and custodial needs are met effectively.

The **Programs Unit** sets the standards for and guides the overall development, implementation, monitoring and evaluation of a range of specialist and general programs for juvenile offenders. These include evidence-based programs that have been proven to reduce the risk of reoffending.

The **Transport, Placements and Drug Intelligence Unit** coordinates the secure transportation and placement of young offenders, the use of video conferencing facilities, the state-wide implementation of the classification system and the gathering of intelligence to assist in the safe operations of the department. The Unit provides security advice and support.

Custodial and community-based services are divided into geographical regions administered by Regional Directors, who report to the Deputy Director General (Operations).

In December 2008, the four regions were restructured into three resulting in the closure of the Southern and Central Coast Region and the regional office in Wollongong. The new regional arrangements are outlined below.

The **Northern Region** is administered from the regional office in Lismore. The region covers the Central Coast, including Gosford, Newcastle, the Hunter Valley, New England, the Northern Rivers and the North Coast. The region is responsible for Frank Baxter and Acmena centres and 13 community offices.

The **Metropolitan Region** is administered from the regional office in St Marys. The region covers the greater Sydney metropolitan area, the Illawarra and the Shoalhaven. The region is responsible for Cobham, Emu Plains, Juniperina and Reiby centres, and was responsible for Keelong Juvenile Justice Centre until its closure in February 2009. Metropolitan Region is also responsible for eight community offices and the Youth Drug and Alcohol Court at Liverpool.

The **Western Region** is administered from the regional office in Dubbo. The region covers central NSW, the South Coast and the Murray, Riverina and Outback areas. The region is responsible for Riverina, Orana and Broken Hill centres and 13 community offices.

Restructure of the Department
During 2008, the department undertook a review of its custodial, corporate and transport services to initiate efficiencies.

Following extensive consultation a new staffing model for centres was developed with the new structure to come into effect in July 2009. Additional changes include rural transport services being located at local centres and the creation of a Security and Intelligence Unit to better a broader intelligence-gathering responsibility.

Some corporate services were restructured and plans are in place for a number of services to move to Businesslink in the new financial year.

MANAGEMENT SERVICES DIRECTORATE

The Management Services Directorate provides the corporate and management support functions of the department and is led by the Deputy Director General (Management Services). The directorate brings together the service functions of financial management and administration, human resource management, organisational development, information management and communications technology, procurement and asset management and corporate reporting.

This directorate is comprised of the following business units:

Finance is responsible for ensuring that the department fulfils its statutory reporting and other financial management responsibilities, providing strategic ongoing financial information to management, financial advice to the Executive Committee and the Finance Committee, and managing the working relationship between the department, the NSW Treasury and the NSW Audit Office.

Information Management and Technology (IM&T) ensures that computer systems and information repositories support the business needs of the department and reflect the government's strategic priorities. The function covers all information and communications technology activities, including voice and data services, information management, electronic publishing, libraries, archives and records management.

Employment Relations and Conduct deals with matters relating to professional conduct, investigations into alleged misconduct and other employment and industrial relations matters.

Human Resources ensures timely, effective and proactive strategic human resource management to enhance the capability of the department to implement government and corporate strategies.

Property and Procurement Services 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.

Administration Services (Business Improvement) has the responsibility of providing strategic analysis and operational advice regarding the implementation of government reforms.

OFFICE OF THE DIRECTOR GENERAL

The role of the Office of the Director General is to provide strategic advice and administrative support to the Director General as well as coordinating the department's relationships with key stakeholders, both internal and external, including the office of the Minister for Juvenile Justice. The office coordinates operations across the executive to enhance communication between business units.

The office also provides executive and administrative support to the Executive Committee and the Young Offenders Advisory Council.

This directorate is comprised of the following business units.

Policy and Government Relations oversees Corporate Communications, Planning, External Relations, Ministerial and Parliamentary Services, the Community Funding Program, special projects and coordination of the department's State Plan responsibilities. The unit provides strategic advice and services to the Director General, the Minister for Juvenile Justice and external stakeholders.

Legal provides advice regarding the interpretation of legislation impacting on the department's operations, preparation of legislative proposals on behalf of the department, and provides advocacy on behalf of the Director General in various Court and Tribunal proceedings, including parole review hearings before the Children's Court.

The Aboriginal Strategic Coordination Unit is responsible for developing, coordinating, monitoring, reviewing and supporting the implementation of the department's Aboriginal Strategic Plan and other initiatives. The unit provides strategic and policy advice on the impact and effectiveness of policies and practices relating to young Aboriginal and Torres Strait Islander peoples. The unit also supports the department's processes for consulting with Indigenous staff through consultative bodies such as the Aboriginal Staff Advisory Committee and the annual Aboriginal Staff Conference.

Research and Information provides a strategic overview and management of the department's organisational research and corporate data reporting.

RESEARCH

The department's Research Steering Committee reviews and approves all research conducted in the department. The Committee is composed of senior members of the department as well as external members from NSW Health including Justice Health, the NSW Bureau of Crime Statistics and Research and NSW Corrective Services. The department continues to be actively involved in research projects with external agencies.

The department has recently funded three large scale research programs that will see the evidence base in the area of juvenile offending in NSW increase significantly.

2009 NSW Young People in Custody Health Survey

The Department of Juvenile Justice, in partnership with Justice Health, is replicating the successful 2003 Young People in Custody Health Survey. Revision of the previous instruments used has been completed to improve the quality of the data collected. Ethics approvals have been received from the Justice Health Human Research Ethics Committee, Aboriginal Health and Medical Research Council, Department of Corrective Services Human Research Ethics Committee, along with approval for the project's implementation from the department's Research Steering Committee. The data collection commenced in late May 2009, and preliminary results will be available in early 2010.

A longitudinal study of the biological and social / cognitive factors that lead to anti-social behaviour in adolescence

The School of Psychology, University of Wollongong is undertaking a research partnership with the department to identify the social, cognitive and psychological factors related to antisocial behaviour. Researchers Dr Joseph Ciarrochi, Dr Peter Leeson and

Professor Patrick Heaven are undertaking a longitudinal project which will also examine the presence of protective, or resilience factors within the cohort.

Data collection will be completed over an eight-year period. Two points of data collection will occur in the first year, with two-year follow-up periods of the sample occurring after this time. The proposal is to access students in Year Seven from six schools (five state and one private), with the department's assistance. The first wave of results is expected to be available in December 2010.

Three-year research program with the NSW Bureau of Crime Statistics and Research (BOCSAR)

This research program is being funded by the NSW Department of Juvenile Justice in order to investigate some key research questions about causes and effects of juvenile offending. The department provided BOCSAR funding to employ a Research Officer to undertake research in the following project areas:

- Juveniles on remand: Causes and effects. This aims to understand the circumstances that lead to young people being apprehended by police for breach of bail and placed on remand by court, and the impact that remand has on young people both during and after leaving custody.
- Police and Youth Justice Conferencing. Aims to understand why only around half of youth justice conference referrals emanate from police.
- Desistance from offending. Will identify the family and social factors that are associated with desistence from offending behaviour.
- Cautions and re-offending. To determine whether juveniles making their first court appearance are more likely to re-offend if they have previously been cautioned by police; and whether they are less likely to re-offend at this point if they are only dealt with by the court system.
- Simulation model of the juvenile justice system. Aims to build a computer simulation model of the juvenile justice system that permits the user to examine the impact on the juvenile custodial population of changes in admissions, lengths of stay and rates of return.

There are a number of approved research projects being conducted in the department by a range of post graduate research students and university based academics.

An analysis of supervision skills used by juvenile justice workers

Dr Chris Trotter from Monash University is evaluating the use of pro-social modelling techniques by juvenile justice officers and counsellors during supervision sessions with young people serving community-based orders. The project entitled 'Analysis of the supervision skills of juvenile justice officers' will provide more information about the way in which juvenile justice workers confront young people in relation to their behaviour, how this relates to client outcomes and whether some styles of confrontation work better with some clients than others. An Aboriginal researcher is employed to assist in data collection with Indigenous clients. This research has attracted further grant funding and will continue in the department until 2011.

Mental Health Disorders and Cognitive Disabilities in the Criminal Justice System

Dr Eileen Baldry (Department of Social Work UNSW) is the Chief Investigator in an Australian Research Council Linkage Grant investigating the pathways of people with a mental health disorder and / or cognitive disability through the criminal justice system. The department is a collaborating organisation in this project which is retrospectively mapping the pathway of incarcerated adults with a cognitive disability and / or mental health issue through the criminal justice, health and welfare agencies. This research will provide groundbreaking information on cross-agency approaches to providing effective interventions for people with mental health disorders and cognitive disabilities. The outcomes of this research will assist all government agencies involved to improve identification of and service delivery to this client group.

The impact of penalty severity on juvenile recidivism

This is an ongoing statewide project by the NSW Bureau of Crime Statistics and Research investigating the impact of sentence severity on re-offending after controlling for factors

known to be associated with re-offending. Work has begun on linking two-year follow-up offence data to the participants in the survey, and the final report is expected to be available in late 2009.

Research into the Youth Level of Service/Case Management Inventory–Australian Adaptation (YLS/CMI-AA)

This study involves updating the norms for the YLS/CMI-AA, in order to assess the veracity of the current cut-off scores for the risk levels. Professor Tony Thompson (Charles Sturt University) and the department will also examine changes in risk scores over multiple administrations to determine contributing factors to this for a sub-sample of individuals. The updated norms and cut-off scores are expected to be available for implementation in the second half of 2009.

Sentencing young offenders – Policy and practice in three states

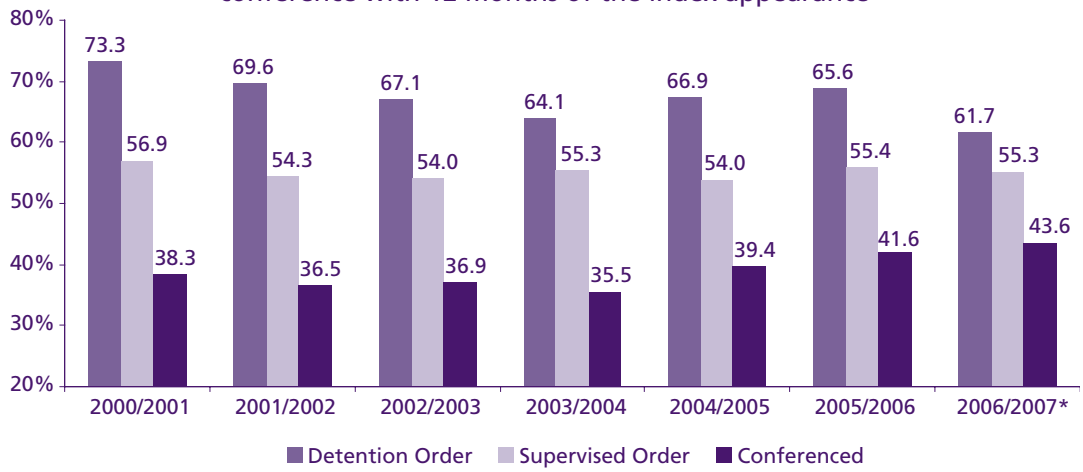
Dr Max Travers from the University of Tasmania has recently been approved to extend into NSW his Criminology Research Council grant-supported research regarding the work of professionals involved in the sentencing of young offenders. To date, this qualitative research has been completed in Tasmania and Victoria, and involves a combination of interviewing and observing practitioners involved in the completion of pre-sentence reports for the NSW Children's Court (two metropolitan and one rural location). Data collection and interviewing commenced in June 2009.

Upcoming research in the department will be exploring the following areas:

Exploring the relationship between cannabis use and criminal offending among adults and adolescents

Ms Melanie Simpson from the National Cannabis Prevention and Information Centre, (NCPIC), part of the National Drug and Alcohol Research Centre (NDARC) at the University of NSW has also recently been approved to undertake research entitled 'Exploring the relationship between cannabis use and criminal offending among adults and adolescents'. This PhD level research, supervised by Professor Jan Copeland (NCPIC) and Professor John Howard (NDARC) will have the potential to inform clinical approaches and policy development around cannabis interventions and associated criminal behaviours when completed.

Percentage of juvenile offenders receiving a subsequent conviction or conference with 12 months of the index appearance



Source: NSW Bureau of Crime Statistics and Research
Conferenced: Young people finalised at a Youth Justice Conference
Supervised Order: Young people finalised in the Children's Court who received a supervised order other than a control order (including suspended sentence with supervision, CSO, probation with supervision, bond with supervision)
Detention Order: Young people receiving a control order <= 365 days for their index offence (count re-offending from end of minimal term)
Note: (1) a person can appear in different groups in a given financial year, but can appear in a given group at most once in a given financial year. (2) for a person with non-custodial sentence, their follow-up period starts on the date of finalisation of their index appearance, while for a person with a custodial sentence, their follow-up period starts at the

YOUTH LEVEL OF SERVICE INVENTORY (YLSI)

Youth Level of Service Inventory (YLSI) is an assessment tool for determining risk of juvenile re-offending. Prior and current offences are static factors and are therefore excluded from reduction calculations.

Percentage of young people on exit from Juvenile Justice care who are:	2006-07	2007-08	2008-09
* Living in safe and appropriate accommodation	82%	89%	91%
* Participating in education and training or participating in employment	55%	59%	59%
* Participating in community activities	36%	38%	38%

	2006-07	2007-08	2008-09
Percentage of all clients showing a reduction in their YLSI score on exit from DJJ supervision	61%	66%	69%
Percentage of medium to high YLSI rankings that are reduced on exit from DJJ supervision**	47%	45%	51%

* *Youth Level of Service Inventory (YLSI) is an assessment tool for determining risk of juvenile re-offending. Prior and current offences are static factors and are therefore excluded from reduction calculations.*

** *YLSI assessment rankings for re-offending risks are Low, Medium and High.*

NSW STATE PLAN

In November 2006, the NSW Government released the State Plan: *A New Direction for NSW*, which is the foundation document for setting a series of priorities and targets for government services in NSW.

The Department of Juvenile Justice is a key partner on three of these priorities.

R1: Reduced rates of crime, particularly violent crime;
R2: Reduced re-offending; and
R3: Reduced levels of antisocial behaviour

The implementation of the Intensive Supervision Program (ISP) is a key Department of Juvenile Justice initiative under *R2: Reduced Re-offending.*

Launched in May 2008, ISP is a four year pilot program based on multisystemic therapy. This model has proven to be effective in reducing the risk of re-offending over a thirty-year evaluation period across a number of countries, supporting its effectiveness as a tool to address juvenile offending.

In addition to acting as a key partner in the above priorities, the department is a contributing agency to a number of other areas of the State Plan.

CORPORATE PLAN 2007-2011

The corporate plan provides a framework for regional and organisational Strategic and Business Plans.

The Plan encompasses the department's Results and Services Plan, Total Asset Management and Information and Communications Technology Plans. It also includes equity-related initiatives such as the Disability Action Plan, the Ethnic Affairs Priority Statement and Equity Plan.

The Plan identifies Outcomes and Strategies in: corporate capacity, community-based services, and custodial services.

The department has implemented a Corporate Plan performance-reporting framework. This framework has identified performance

indicators that measure the department's progress in implementing the strategies outlined in the Corporate Plan.

The Corporate Information System (CIS) project has been initiated to deliver strategic performance information to the organisation and continues to be on budget and on schedule to meet the target completion date of 30 June 2010.

THE JUVENILE JUSTICE ENVIRONMENT

The term 'juvenile justice' is generally used to refer to the state's criminal justice responses to children who have allegedly committed, or have been found to have committed, a criminal offence.

In NSW, criminal responsibility legally commences at the age of 10. Under criminal law, a child is defined as a person under 18 years of age.

Various aspects of criminal justice are administered in NSW by different government agencies, including NSW Police and the courts. The Department of Juvenile Justice works closely with these agencies to deliver appropriate responses to reducing the likelihood of re-offending among young people.

In addition to administering juvenile justice services according to NSW legislative requirements, the department also adheres to national and global standards and guidelines as laid out by the Australasian Juvenile Justice Administrators and the United Nations.

The role of the NSW Police

The detection and investigation of crime is the responsibility of the NSW Police. For some young offenders, NSW Police may choose to use alternatives to the commencement of court proceedings including warnings, cautions or referral to youth justice conferences as set out in the *Young Offenders Act 1997*. NSW Police may also commence court proceedings against young offenders under the provisions of the *Children (Criminal Proceedings) Act 1987*.

The department works closely with NSW Police, particularly in relation to the transportation of young people and incident management within juvenile justice centres.

NSW Police also provide specialist support to young offenders through the operation of the *Young Offenders Act 1997*, Police and Community Youth Clubs. In some areas of the state, NSW Police engage young offenders through a variety of recreational and social programs.

The role of the Courts

The commencement, conduct and outcome of court proceedings against young people alleged to have committed an offence and who are not eligible to be dealt with under the Young Offenders Act are governed principally by the *Children (Criminal Proceedings) Act 1987*.

Section 6 of the *Children (Criminal Proceedings) Act* sets out the principles applicable to all courts exercising criminal jurisdiction with respect to children.

These principles are:

(a) that children have rights and freedoms before the law equal to those enjoyed by adults and, in particular, a right to be heard, and a right to participate, in the processes that lead to decisions that affect them;

(b) that children who commit offences bear responsibility for their actions but, because of their state of dependency and immaturity, require guidance and assistance;

(c) that it is desirable, wherever possible, to allow the education or employment of a child to proceed without interruption;

(d) that it is desirable, wherever possible, to allow a child to reside in his or her own home;

(e) that the penalty imposed on a child for an offence should be no greater than that imposed on an adult who commits an offence of the same kind;

(f) that it is desirable that children who commit offences be assisted with their re-integration into the community so as to sustain family and community ties;

(g) that it is desirable that children who commit offences accept responsibility for their actions and, wherever possible, make reparation for their actions; and

(h) that, subject to the other principles described above, consideration should be given to the effect of any crime on the victim.

Section 33 of the *Children (Criminal Proceedings) Act* permits the courts to make any of the following orders: a dismissal and / or caution, a good behaviour bond with or without supervision, a fine, referral to a youth justice conference, conditional or unconditional probation, a community service order, or an order that confines a young person for a specified period to detention, or a parole order.

Other agencies

The Department of Juvenile Justice does not have sole responsibility for addressing juvenile offending behaviour in NSW. Strong partnerships and joint projects with other human services and justice agencies are essential in providing effective interventions for juvenile offenders.

These agencies include Justice Health, the Department of Ageing, Disability and Home Care, the Department of Community Services, the Department of Education and Training, Centrelink, and the Commonwealth Department of Employment and Workplace Relations.

The department has also negotiated or is re-negotiating a number of protocols to address the needs of its young people with Justice Health, the Department of Community Services, the Department of Education and Training, Department of Ageing, Disability and Home Care, Department of Corrective Services and Centrelink.

Juvenile Offender Compact

The department is proposing to lead the government's commitment to reduce juvenile offending through the development of a Juvenile Offender Compact.

The Juvenile Offender Compact is being developed to draw commitment and involvement from other government agencies in the rehabilitation of juvenile offenders. The Compact will better coordinate and target service delivery across a range of services to young people at highest risk of re-offending.

Australasian and Juvenile Justice Administrators (AJJA)

The department works collaboratively with other State and Commonwealth agencies to further a whole-of-government approach in improving outcomes for young people and communities through participation in a range of inter-agency forums.

Perspectives on issues and solutions for addressing the needs of juvenile offenders across Australia and in New Zealand were discussed in biannual meetings of the Australasian and Juvenile Justice Administrators (AJJA) in November 2008 and May 2009. AJJA is a standing committee of the Community and Disability Services Ministers' Advisory Council. Aboriginal over-representation and the high levels of disability and homelessness are areas of major concern for juvenile justice administrators across Australia.

The *Keep them safe* report

The Department of Juvenile Justice is working with the Department of Premier and Cabinet and its agency partners – Community Services, NSW Police, Department of Education and Training, NSW Health, Department of Ageing, Disability and Home Care, and Housing – to implement the *Keep them safe* report, the government's response to the Wood *Special Commission of Inquiry into Child Protection System in NSW* (the Inquiry).

The central theme arising from the inquiry was the child protection is a shared agency responsibility. The *Keep them safe* report acknowledges the 'serious implications for the way government approaches juvenile

offending (that) must be addressed across government'. The report also states that juvenile offenders must be addressed across agencies 'in order to improve outcomes for the next generation of Aboriginal parents'. The department is addressing this issue with the development of the *Juvenile Offender Compact*.

A key recommendation of the Inquiry was the establishment of an after-hours Bail Assistance Line. The department is the lead agency and is working in partnership with NSW Police on the implementation of this assistance line. The service will commence in early 2010. The after hours Bail Assistance Line will assist in diverting young people from being remanded in custody while facilitating safe and secure accommodation. The service will include transporting young people to the accommodation.

Police in NSW will contact an 1800 number that will link them to the Bail Assistance Line for young people who need bail support. Initially, the service will be piloted for 12 months in three locations across the Sydney Metropolitan, Northern and Western Regions of the department.

The Bail Assistance Line aims to:

- improve adherence to bail conditions by a young person;
- increase attendance at court, as required;
- reduce the length of time that young person spends on remand;
- reduce length of stay outside the family home or other safe appropriate accommodation;
- divert a young person from custody, where appropriate; and
- increase community re-integration.

The department is a key partner agency in implementing the *Child Wellbeing Units* (CWUs). CWUs will be established in each mandatory reporting agency by October 2009, to drive better alignment and coordination of non-statutory services and timely, appropriate responses to children in need of assistance or at risk of harm.

Youth Conduct Orders

The Youth Conduct Order (YCO) Pilot Scheme, announced by the Attorney General's Department in late June, is aimed at reducing levels of antisocial behaviour by targeting children and young people charged with, pleading guilty or found guilty of antisocial behaviour offences.

The YCO scheme pilot will run for two years in three locations (Campbelltown, Mount Druitt and New England), starting 1 July 2009.

The department is working in partnership with key stakeholders including the Department of Premier and Cabinet, Attorney General's Department, NSW Police, the Departments of Housing, Education and Training, and Community Services to provide intensive case management, aimed at addressing the cause of the offenders' antisocial behaviour. This may include participation in education or employment, as well as involvement in a range of programs such as alcohol and drug counselling or anger management. Youth Conduct Orders will also have a component where the young person will be restricted from visiting specified places or being in the company of a particular person and/or engaging in behaviour that may cause harassment, alarm or distress.

Changes to legislation

The *Children (Detention Centres) Amendment Act 2008* was assented to on 1 July 2008. The amendment included provision for an increase in the time period for restrictions on participation in sports and leisure activities, providing additional powers for staff to respond to difficult behaviour.

The provisions of Division 1 (Admissions to Detention Centres) of the amendment were proclaimed on 13 February 2009 and have the effect that any detainee over the age of 18 years is not to be admitted into a juvenile justice centre if arrested pursuant to certain warrants specific to the act.

The amendments to the *Children (Detention Centres) Regulation 2009* regarding detainee critical dates commenced on 15 May 2009. There has been significant research into benefits of young people in custody

developing community networks, positive peer groups and community acceptance to assist them, their families and the community to break the juvenile crime cycle. The previous legislation limited the number of detainees who could participate in leave. The current time frames will allow a structured approach to detainees' progress through outings, day and overnight leave and section 24(1) c of the *Children (Detention Centres) Act 1987*, which allows sufficient time for assessment and suitability between each type of leave.

The *Bail Amendment (Authorised Justice) Regulation 2009* came to effect on 12 June 2009. This means that Centre Managers and Assistant Managers are now prescribed as authorised justices for the purpose of signing and exercising functions related to bail undertakings.

Overseas delegations

Overseas interest in the NSW Juvenile Justice system continues to be high with delegations from China, Sweden, Vietnam and the USA visiting during the year. These visits were organised in partnership with the Human Rights Commission and the Australian Political Exchange Council:

- lawyers from the Beijing Children's Legal Aid and Research Centre visited on a Children's Rights Study Tour in October 2008;
- a delegation from the Vietnamese Supreme People's Court visited November 2008;
- the Committee on Justice of the Swedish Parliament in Australia and New Zealand visited in January 2009;
- a delegation of lawyers and politicians from the Philippines visited March 2009;
- a delegation from the Chinese Ministry of Justice (MOJ) visited in April 2009; and
- a delegation from the USA visited in May 2009, and included a member of the US House of Representatives, prosecutors and county official.

Deputy Director General (Operations) Valda Rusis presented a paper at the Children's Rights Workshop in Beijing in May 2009. The trip was funded by the Australian Human Rights Commission as part of their China-Australia Human Rights Technical Cooperation Program.

The department has been invited to present a paper on Youth Justice Conferencing at the 'International Seminar on Penal Mediation' in November 2009. The Italian Juvenile Justice Department is funding the trip.

FINANCIAL SUMMARY

Total expenditure for the department in 2008-09 was $183.552 million. Expenditure for each service category (including both direct and indirect costs) is indicated in the chart below.

Youth Justice Conferencing	$6.608M
Community-based services	$55.616M
Custodial services	$121.328M

The department has successfully partnered with Newcastle City Council on a graffiti removal program which involves young offenders removing graffiti from various sites around Newcastle.

NSW DEPARTMENT OF juvenile justice

CHAPTER 2

YOUNG PEOPLE WITHIN THE JUVENILE JUSTICE SYSTEM

SOME CHARACTERISTICS OF THE YOUNG PEOPLE WITH WHOM WE WORK

Young people under the age of 18 who are involved in crime represent a relatively small proportion of the state's population.

Records of the Department of Juvenile Justice show that in 2008-09 for every 1000 people aged 10-17 resident in NSW:

- 13.5 had a criminal matter finalised in the Children's Court;
- 11 were convicted and / or sentenced in these finalised matters;
- 3.3 were given sentences requiring the department to supervise them in their community, and
- 1.0 was sentenced to detention.

The factors that lead to young people becoming involved in crime are complex and varied but are often the same as those that relate to the difficulties young people experience in other aspects of their lives. They can include, but are not limited to, alcohol and substance abuse, poor parental supervision, difficulties in school and employment, negative peer associations, poor personal and social skills, homelessness, neglect and abuse.

Disabilities and mental health issues

People with disabilities are over-represented in the justice system, with approximately 88 per cent of young people in custody and 40 per cent in the community reporting symptoms of mental illness consistent with a clinical disorder.

The department, in partnership with Justice Health, assesses and treats young people's mental health issues both in custody and in the community. The department employs at least one psychologist and an Alcohol and Other Drug (AOD) counsellor in every juvenile justice centre.

Justice Health provides a psychiatric service to each centre on a regular basis. On admission to a juvenile justice centre, mental health issues are identified through a screening process designed to cover a range of mental health, suicide, self-harm and drug-related problems. The young person may then be immediately referred to the centre's psychologist for further assessment, intervention and/or referral to Justice Health psychiatric services. An on-call telephone service is available after-hours for consultation and liaison.

AOD counsellors provide treatment services to young people in the community and in custody. When necessary, a psychologist from the department's Forensic Mental Health Program provides more detailed assessment assistance to young people in custody or in the community.

Juvenile Justice has also collaborated with Justice Health on the development of a Comprehensive Risk Assessment tool which is used when young people are admitted into a juvenile justice centre. This tool was developed also in consultation with the Department of Education and Training.

Juvenile Justice and Justice Health staff work as a multi disciplinary team with the Adolescent Health Community Integration Team (CIT) to improve health outcomes and advocate for young people with mental illness and/or problematic drug and alcohol use or dependence leaving custody.

Juvenile Justice and Justice Health have also worked in partnership in managing the H1N1 Influenza virus in juvenile justice centres, and implementing policies and procedures for the management of any future pandemics.

Justice Health has recently opened the Bronte Adolescent Unit which is part of the new Forensic Hospital. New processes have been implemented regarding the transfer of young people who have significant mental health issues between the Forensic Hospital and juvenile justice centres.

Effective interventions

The department's focus is on developing and delivering strategies that will help young people address their offending and antisocial behaviour and successfully re-integrate into their community.

To achieve this, the department provides a range of programs and interventions within the community and custodial environments that are designed to address the needs of young offenders. These include counselling and group-work programs which focus on young offenders' alcohol and other drug issues, programs for sex offenders and violent offenders, and programs specific to Indigenous and Torres Strait Islander youths. These programs are available across the state and are delivered to individuals and groups.

In addition to the programs and interventions delivered by departmental staff, the department has developed a range of partnerships to assist young offenders. These include the delivery of education within juvenile justice centres, post-release support and employment skilling programs, disability support, health and mental health support, and legal services.

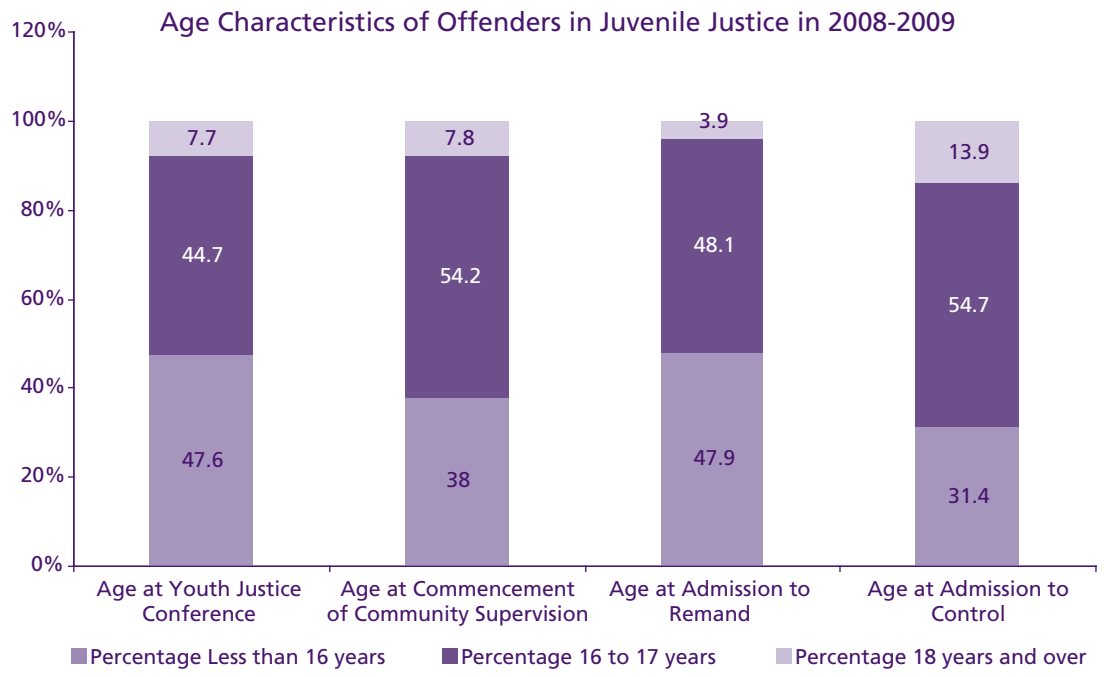
A priority for the department is the over-representation of young Aboriginal offenders and young offenders under fourteen years within the juvenile justice system. To address these groups, the department is enhancing current strategies and developing new programs to provide effective interventions. Initiatives such as the Intensive Supervision Program will have a clear focus on young Indigenous people between the ages of 10 and 14.

A performance by Indigenous music group from the Northern Territory, B2M, at Riverina Juvenile Justice Centre. The men performed rhythm and blues music, and spoke to the young offenders about their life experiences and how they had arrived at where they are today.

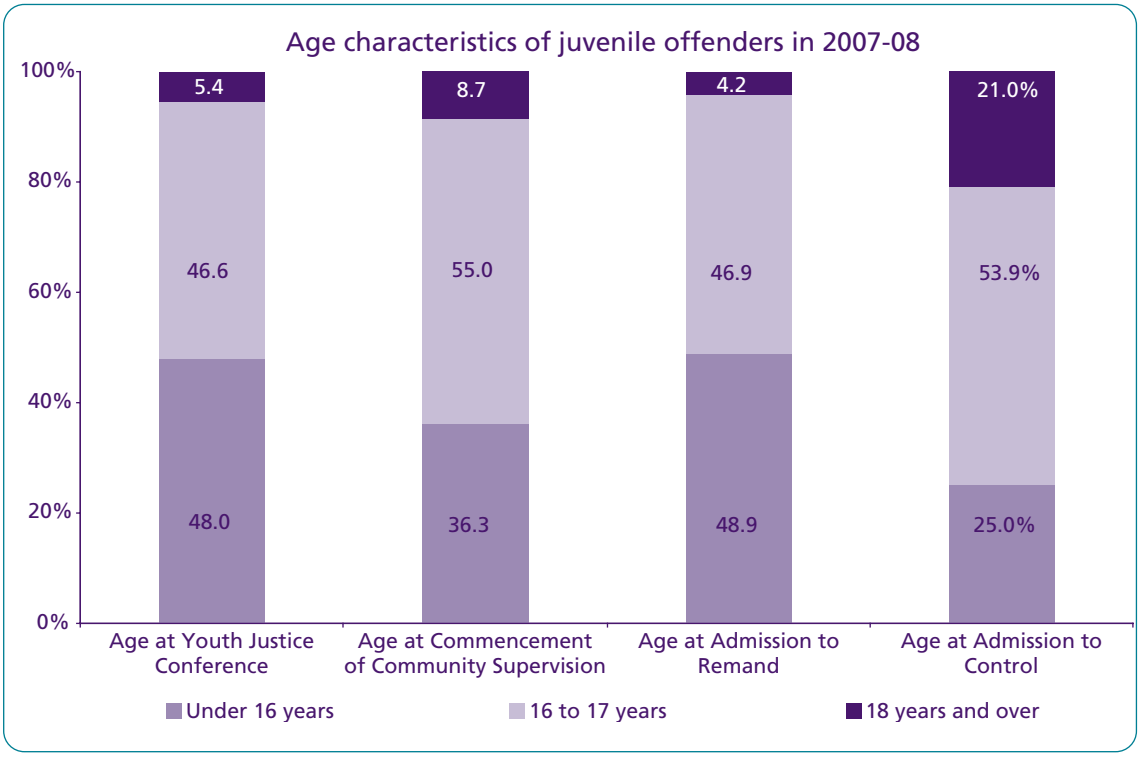
AGE CHARACTERISTICS OF OFFENDERS

The chart below gives an indication of the ages of young people who came into contact with the department during 2008-09. Young offenders, both under community-based supervision and in detention, are predominantly aged between 16 and 18.

Of the young offenders who attended a youth justice conference, a slightly higher proportion was less than 16 years of age. There is little variation in the 2008-09 figures from previous years.



Source: DJJ RPE Standard Statistical Reporting Database.



GENDER OF YOUNG OFFENDERS

Young people in custody and on community service orders in NSW are predominantly young males aged between 16 and 17 years of age. Young women make up a small percentage of juveniles in custody, rising slightly to just over seven per cent in 2008-09.

The chart below shows the gender of young offenders in contact with the department in 2008-09.

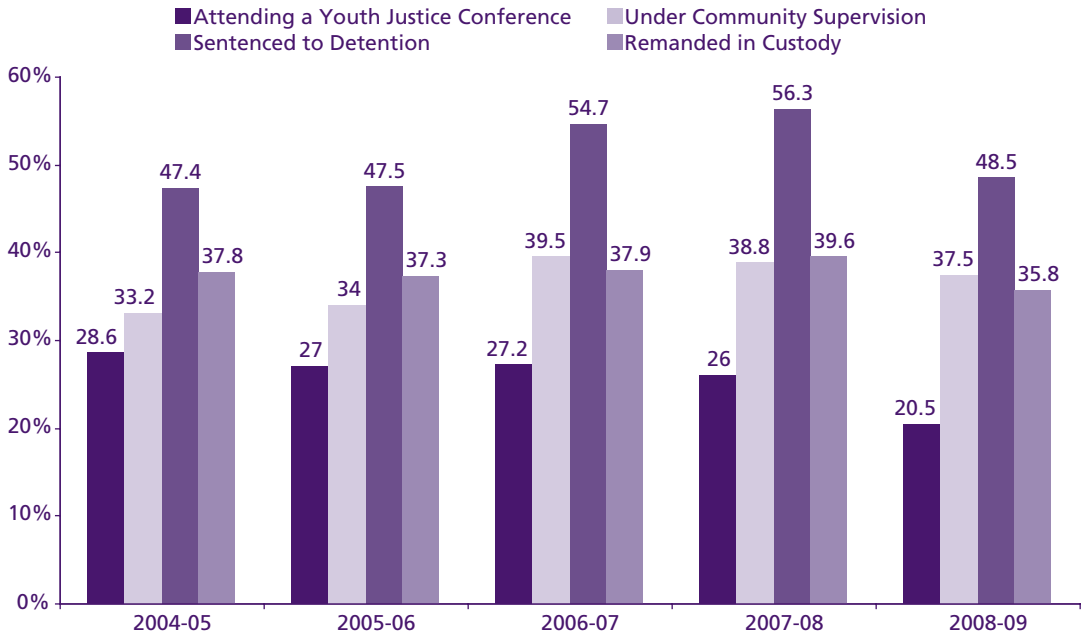
ABORIGINAL AND TORRES STRAIT ISLANDER YOUNG PEOPLE IN JUVENILE JUSTICE

NSW is home to the largest number of Indigenous people in Australia. Over 110,000 people in NSW identify themselves as Aboriginal, and a further 4,000 identify as Torres Strait Islander. The challenges Juvenile Justice faces in supporting our Aboriginal young offenders are diverse and complex.

The social, educational, health and law and justice outcomes for our Aboriginal population are significantly lower than the non-Aboriginal population. This disadvantage plays a significant role in Aboriginal young people coming into contact with the criminal justice system.

The following chart shows the proportion of those young people attending a youth justice conference or undertaking court-ordered supervision by the department during the years 2004-05 to 2008-09 who were Aboriginal and / or Torres Strait Islander.

Proportion of admissions of Aboriginal and Torres Strait Islander young people to Juvenile Justice



Number of admissions of Aboriginal and Torres Strait Islander young people to Juvenile Justice

To ensure a co-ordinated approach to addressing the over-representation of Aboriginal young people in the juvenile justice system, the Department of Juvenile Justice has developed the Aboriginal Strategic Plan 2007–2011.

Guided by the principles of governance, culture, community, success, service delivery, and the recognition of the needs of young people, the plan contains four key outcome areas: community capacity, staff, operations and diversion.

The plan establishes a strong platform for well coordinated and targeted interventions that aim to provide improved responses and better outcomes for Aboriginal and Torres Strait Islander young people in NSW who are involved with the department.

The initiatives implemented under the Aboriginal Strategic Plan include:

- active recruitment and retention of Aboriginal staff as well as providing non-Indigenous staff with appropriate cultural knowledge to work effectively with Aboriginal young people;
- Juvenile Justice continues to be a leading employer of Aboriginal people in NSW. Approximately 10 per cent of the total workforce is Aboriginal in positions ranging across administrative, managerial and front-line areas.
- supporting Aboriginal young people while they are on bail to help them re-integrate into the community and extending referral of Aboriginal young people to Youth Justice Conferencing where appropriate.

The department is reviewing the Aboriginal Strategic Plan to further strengthen its capacity to measure the quality and impact of services and programs for Aboriginal clients, staff and communities.

Juvenile Justice recognises that key justice and human services agency partnerships are fundamental to addressing the over-representation of Indigenous young people within the juvenile justice system and is committed to working closely with other agencies to assist in addressing the needs of young offenders and the community.

These agencies include Aboriginal Affairs, who produce the Two Ways Together policy, and the NSW Justice Department, which developed the Aboriginal Community Justice Groups.

Juvenile Justice places a high value on the identification, development and implementation of culturally appropriate, innovative and evidence-based programs that specifically targets areas of offending risk within the Indigenous youth population.

Continued improvements in employment rates for Indigenous staff are vital in building a responsive and effective juvenile justice system which supports young people and understands and respects Aboriginal and Torres Strait Islander culture, families and communities.

Some of the department's major activities in relation to Indigenous issues during 2008-09 included:

- state-wide roll out of Dthina Yuwali, an alcohol and other drugs group work program for Indigenous young people;
- completion of the first year of the Aboriginal Strategic Plan 2007-2011;
- commencement of the recruitment process to employ two Cadet Aboriginal Psychologists within the Metropolitan Region;
- commencement of revision of the Aboriginal Recruitment and Retention Strategy;
- development of the Aboriginal Strategic Advisory Committee's strategic management framework;
- completion of the 2008 and 2009 Aboriginal Staff Conference. The conference aims to provide an opportunity for Aboriginal and Torres Strait Islander staff to network with their colleagues and explore how the department can strengthen its service delivery and programs to support Aboriginal and Torres Strait Islander young people, staff and the communities with which it works;
- implementing the recommendations of the Aboriginal Child Sexual Assault Taskforce. Juvenile Justice leads three actions of the Inter-agency Plan to tackle child sexual abuse in Aboriginal communities. They include a review of the child sexual assault training package for Juvenile Justice staff and supervisors; introduction of mandatory personal safety / protective behaviours courses in juvenile justice centre programming that has an Aboriginal component; and review of the current Juvenile Sex Offender Programs provided in juvenile detention and adaptation of programs to the needs of Aboriginal young sex offenders aged 10-17;
- participating in the Two Ways Together Coordinating Committee; and
- a reworking of 'Our Journey to Respect,' the intergenerational anti-violence group work program for Indigenous males. The evaluation commenced following a literature review, and staff and community consultation.

Partnerships between the department and local councils enable young offenders on Community Service Orders to clean up graffiti in the community.

NSW DEPARTMENT OF juvenile justice

CHAPTER 3

YOUTH JUSTICE CONFERENCING

Youth justice conferences are a community based approach to dealing with young people who have committed a crime. Conferences are a formal legal process based on the principles of restorative justice. They bring young offenders, their families and supporters face to face with victims and their support people. Together, they agree on a suitable outcome that can include an apology, reasonable reparation to victims, and steps to reconnect the young person with their community in order to help them desist from further offending.

The department is responsible for the administration of youth justice conferences under Part 5 of the *Young Offenders Act 1997*. In supporting this function, the department:

- appoints Assistant Managers (YJC) who perform the function of a 'Conference Administrator' under section 61 the *Act* to undertake the functions specified in Part 5 of the *Act*;
- recruits, selects, trains and supports Conference Convenors to prepare and facilitate youth justice conferences;
- develops guidelines on the conduct of conferences; and
- works collaboratively with key partners in the implementation of the *Act*.

Conferences are available when young people have committed offences that the Police, Court or Director of Public Prosecutions (DPP) determine are too serious to receive a warning or caution, or they have exceeded their maximum number of cautions. Not all young offenders are eligible to be dealt with by way of youth justice conference; some categories of offences such as sexual assault, serious drug offences, breaches of apprehended violence orders, traffic offences, and offences causing death can only be dealt with by a Court.

The primary objectives of Youth Justice Conferencing are:

- assisting young offenders in taking responsibility for their own behaviour;
- enhancing the role of victims of crime in the decision-making process;
- ensuring that victims receive the information they are entitled to;
- meeting the needs of both victim and offender;
- ensuring that the young offender is linked to appropriate developmental and support services;
- recognising the place of a young offender's family and/or family group;
- affording young offenders the least restrictive sanction appropriate in the circumstances; and
- encouraging discussion between those affected by the offending behaviour and those who have committed it in order to produce an agreed outcome plan.

During a conference, the victim is able to respond to what happened, say how they felt about the crime and suggest ways in which the young offender may be able to repair the harm caused. The victim may also suggest actions that may be taken to ensure the young offender does not make the same mistakes in the future. All attending victims possess the right to veto proposed plans with which they are not satisfied.

Once the Police, Court or DPP determine a conference is the most appropriate sanction, a referral is made to the department under the *Young Offenders Act 1997*. The department considers the referral and, if deemed suitable, allocates the matter to a convenor to prepare and facilitate a conference.

The conference then determines an outcome that is legally binding and the department works with nominated community members to closely monitor the completion of the outcome plan.

KEY SERVICE MEASURES

In 2008-09, 1915 referrals for a youth justice conference were accepted, which resulted in 1441 youth justice conferences being facilitated.

There are a number of reasons why a referral may not eventuate in a youth justice conference. These reasons include:

- withdrawal of consent by the young person;
- withdrawal by the Specialist Youth Officer;
- withdrawal by the Court or by the Director of Public Prosecutions; or
- the young person fails to attend.

The difference in the number of referrals resulting in a conference and the number of conferences facilitated is a result of multiple referrals being dealt with in a single conference, or joint conferences being held for co-offenders.

In 2008-09 the percentage of victims or their representatives participating in youth justice conferences was 50 per cent.

Outcome Plans completed – 5 year chart

Approximately 95 per cent of all young offenders complete the required tasks of their outcome plans.

Where a young person is deemed to have failed to satisfactorily complete their outcome plan, a notice is given to the police or the court which referred the young person. This notice includes an explanation of the circumstances relating to non-completion. The referrer may then decide to continue or commence proceedings against a child.

Percent of Youth Justice Conferences Finalised and Outcome Plans Completed

Source: DJJ RPE Standard Statistical Reporting Database.
1. The Young Offenders Regulation 2004 allows six months for the completion of outcome plans, although the Director General does have discretion to allow additional time if circumstances are exceptional.

KEY SERVICE MEASURES

Referrals to a youth justice conference	2007-08	2008-09
Total	1,725	1,915
Referred by Police	760 (44%)	828 (43%)
Referred by the Courts	965 (56%)	1,087 (57%)
Percentage of referrals to a youth justice conference for 'victimless' offences*	13.4%	18.2%

* *Note: A 'victimless offence' is defined as one in which no person has suffered harm as a direct result of an act committed by a young person, such as possession of a prohibited drug, possession of a knife or the use of offensive language.*

Referrals resulting in a conference	2007-08	2008-09
Number of referrals accepted for conference	1,725	1,915
Number of referrals resulting in a youth justice conference	1,395	1,658
Conferences facilitated	1,199	1,441
Percentage of all referrals resulting in a youth justice conference	80.9%	86.6%

Participation in conferences	2007-08	2008-09
Number of young people participating in youth justice conferences	1,211	1,462
Total number of participants in youth justice conferences	4,599	5,152
Percentage participation of victims or representatives in conferences held with identifiable victims	53.8%	50%

Outcomes	2007-08	2008-09
Number of outcome plans agreed on and approved for referrals received between July 2008 and June 2009	1,315 from 1,321 referrals received (99.5%)	1,448 from 1,454 referrals received (99.6%)
Number of occasions where the referring court did not approve the outcome plan	2	1
Number of occasions where the young offender and victim were not able to agree to an outcome plan	4	7
Percentage of finalised outcome plans that were successfully completed by 30 June	91.2%	95%

Note: The Young Offenders Regulation 2004 allows six months for the completion of outcome plans, although the Director General does have discretion to allow additional time if circumstances are exceptional.

Indigenous Participation in Conferences

The proportion of eligible Aboriginal and Torres Strait Islander young people attending a Youth Justice Conference was 20.5 per cent in 2008-09.

ACHIEVEMENTS

Establishment of the YJC Effective Practice Committee

The YJC Effective Practice Committee held its first meeting in December 2008. The committee monitors state wide trends in Youth Justice Conferencing referrals and conferences. The committee also oversees processes for convenor management, and retention, convenor training process (in partnership with the Operational Development Unit) and provide advice and guidance to the Senior Project Officer (YJC). It will be the principal forum for the review of YJC Guidelines prior to submission to the Area Managers Forum and Operations Committee.

Review of current procedures and practice to enhance the effectiveness and efficiency of the scheme

The review of the Guidelines for the Management and Conduct of Conferences and the Recognition of Current Competency were completed during the year.

Convenor selection and training

Youth Justice Conference Convenors are statutory office holders appointed by the Director General, or delegate. They are recruited from the community and are provided with four days of training to be eligible for initial and continuing appointment. All trainees are assessed before being recommended for appointment. In 2008-09, the recruitment and training of convenors became centrally coordinated by the Human Resources Recruitment Team and the Operational Development Unit (ODU). Central co-ordination will ensure standardised training for convenors and streamline processes. Fifty new convenors were trained during the year.

The department endeavours to recruit representatives from all aspects of the community, especially Aboriginal and Torres Strait Islanders and culturally and linguistically diverse people.

The convenor training manual and associated resources were further developed, and a revised package and facilitation model was piloted at the Yasmar Training Facility in April. Subsequent training courses were held at Dubbo and Newcastle.

Increase in the rate of pay for Conference Convenors

The Minister for Juvenile Justice approved a pay increase for Conference Convenors effective from 27 October 2008.

Collaboration with the Community Relations Commission

The aim of this project is to engage community representatives to assist in the preparation of conferences for young people from culturally and linguistically diverse backgrounds to ensure the department best meets the needs of this client group.

Training of 20 respected community members, working as volunteers, was held in September and October 2008. The project is being piloted in the Fairfield and Petersham areas encompassing Holroyd, Hurstville, Granville, Campsie, Fairfield, Auburn, Bankstown, Burwood and Cabramatta Police Local Area Commands.

Promotional material

All promotional material was upgraded to improve information for conference participants and educate the wider community of the aims and process of Youth Justice Conferencing.

Internal Audit Bureau (IAB) review

The IAB conducted a compliance audit of three Youth Justice Conferencing offices. Offices audited were Campbelltown, Dubbo and Newcastle. The IAB audit reviewed compliance with legislative time frames, adherence to departmental procedures and the cost of conferences in all three locations. A draft report is expected in August 2009.

PLANNED INITIATIVES FOR 2009–10

PARTNERS

NSW Police

The Department of Juvenile Justice and NSW Police will continue to collaborate in the delivery of specific training to key police officers. The successful completion of Specialist Youth Officer (SYO) Training is a prerequisite to their appointment, by the Commissioner of the Police, as an SYO with the power to make primary decisions about how young offenders are dealt with under the Act.

The department, in conjunction with the NSW Police, will be reviewing the existing protocols relating to the administration of Part 5 of the *Young Offenders Act* during 2009–10. The review will involve a collaborative process including key personnel from both agencies.

The *Young Offenders Regulation 2004* was amended in June 2009 to mandate outcomes for graffiti offenders. As a result, youth justice conference outcomes for graffiti-related offences will require young offenders to agree to either:

- clean up graffiti or perform other available community service work;
- pay compensation to their victim; or
- participate in training or education programs.

Juvenile Justice will continue working with NSW Police to ensure appropriate young offenders are referred to youth justice conferences, including for graffiti-related offences.

Juvenile Justice will continue to foster positive relationships with local councils, educational and vocational institutions to ensure young offenders have every opportunity to fulfil the requirements of the new regulation.

Attorney General's Department

The Attorney General's Department is responsible for the overall operations of the *Act.*

As the department with overall responsibility for the operation of the *Act*, the Attorney General's Department works closely with the department and NSW Police to achieve the objectives of the *Act.*

The department will continue to work with the Attorney General's Department in the remaking of the *Young Offenders Regulation 2004* which is due for repeal in September 2009.

NSW Fire Brigades

Wherever possible the NSW Fire Brigades provides a representative to attend each conference for fire-related offences. The representative provides input to assist in the production of a suitable, workable and consistent section of the outcome plan. During 2009–10 the department will negotiate with NSW Fire Brigades regarding the updating of the current Memorandum of Understanding and Guidelines.

Youth Justice Coalition

The Youth Justice Coalition is a network of youth workers, children's lawyers, policy workers and academics who work to promote the rights of children and young people in NSW and across Australia. The coalition gave permission for the department to reproduce the DVD 'Joe's Conference,' an educational tool about conferencing, for which the coalition holds the copyright.

Intellectually Disability Rights Service (IDRS)

The department is working with the IDRS to improve support provided to young people and victims of crime who have an intellectual disability and are participating in a conference. This work expands on the Additional Support Guidelines developed in 2007-08 and will focus on inter-agency promotion, education and training.

CASE STUDIES

- A young person was referred for a youth justice conference for an offence of Break and Enter.

  The outcome plan agreed to at the youth justice conference included voluntary work with a local charity. The young person completed voluntary work and received positive acknowledgement from volunteers at the charity. Since completing the outcome plan, the young person has continued voluntary work and is attending the charity every Saturday to assist in the pick-up and delivery of donated furniture. The young person continued to volunteer for three months following the youth justice conference.

- A young person was referred for malicious damage of school property. The young person had damaged a garden within the school grounds.

  The young person and victim agreed to an outcome plan which included planting a new garden at the school. The young person also agreed to purchase $50 worth of replacement plants.

  Upon completion of the garden, the school sent the young person a personal letter of thanks. Since the conference the young person has commenced a Horticultural course at TAFE and has obtained a part time job at a local nursery.

In partnership with TAFE Outreach, the department's Community Services office in Petersham created 'Youth Pathways to Education, Employment and Training', a hands-on education program for young people on supervision in the community who are not participating in mainstream education.

NSW DEPARTMENT OF juvenile justice

CHAPTER 4

YOUNG OFFENDERS IN THE COMMUNITY

YOUNG OFFENDERS IN THE COMMUNITY

Interventions delivered through the community-based services arm of the department aim to reduce re-offending by young offenders through intensive case management strategies provided by professional staff, consolidating partnerships with other agencies and offence-focussed programs.

The courts may require that the department supervise some young offenders who receive community-based penalties such as good behaviour bonds and probation orders. The department is required to supervise all community service work orders, parole orders and suspended sentences.

There are 34 Juvenile Justice Community Services offices across the state. These offices comprise of juvenile justice officers, Alcohol and Other Drug (AOD) counsellors, other specialist and generalist counsellors, Aboriginal program support officers and general administrative staff.

Services provided from Juvenile Justice Community Services offices include:

- assessment reports prepared to assist courts in determining sentences;
- court-directed supervision of young offenders placed on good behaviour bonds, probation, community service or parole orders and suspended sentences;
- support for young people with problems seeking bail or those remanded in custody;
- the provision of counselling with a focus on alcohol and other drug misuse, generalist counselling, group work, living skills and the provision of forensic and other psychological testing and assessment; and
- specialist programs including a AOD program, a sex offender program and a violent offender program.

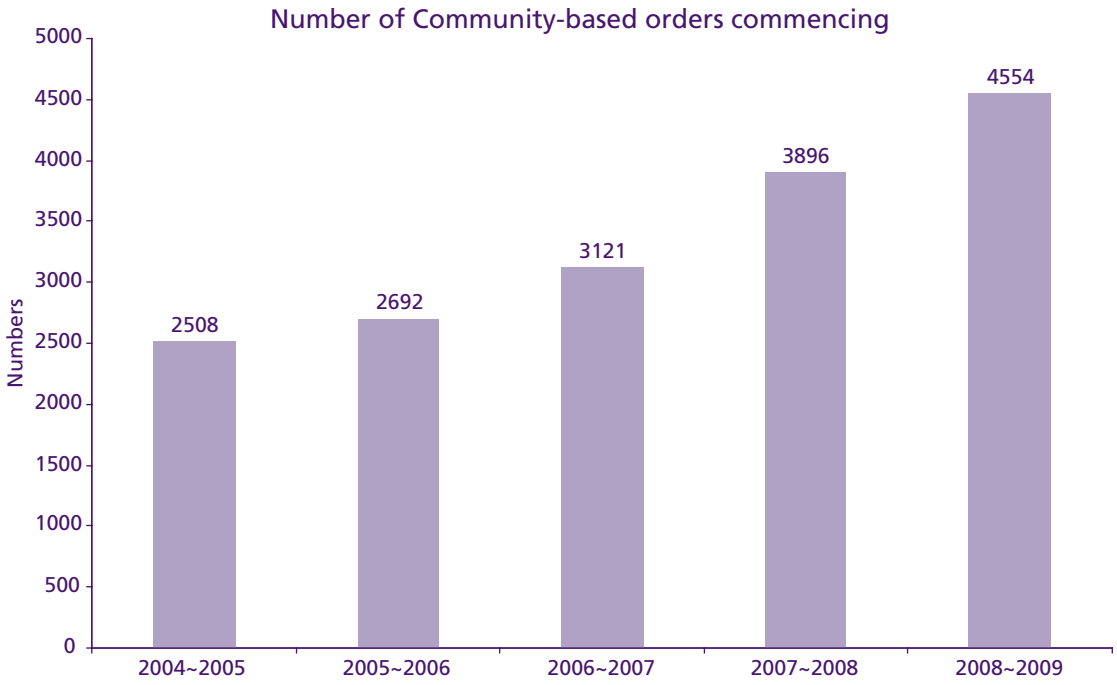
Casework management and extensive networking with other government and community-based services assist staff in supporting young offenders to address their offending behaviour and comply with court orders.

Through case management, staff assess and develop interventions to address the individual offending behaviour of these young people. This can include finding accommodation, dealing with relationship difficulties, finding employment, developing employment skills, and supporting the young person's return to school.

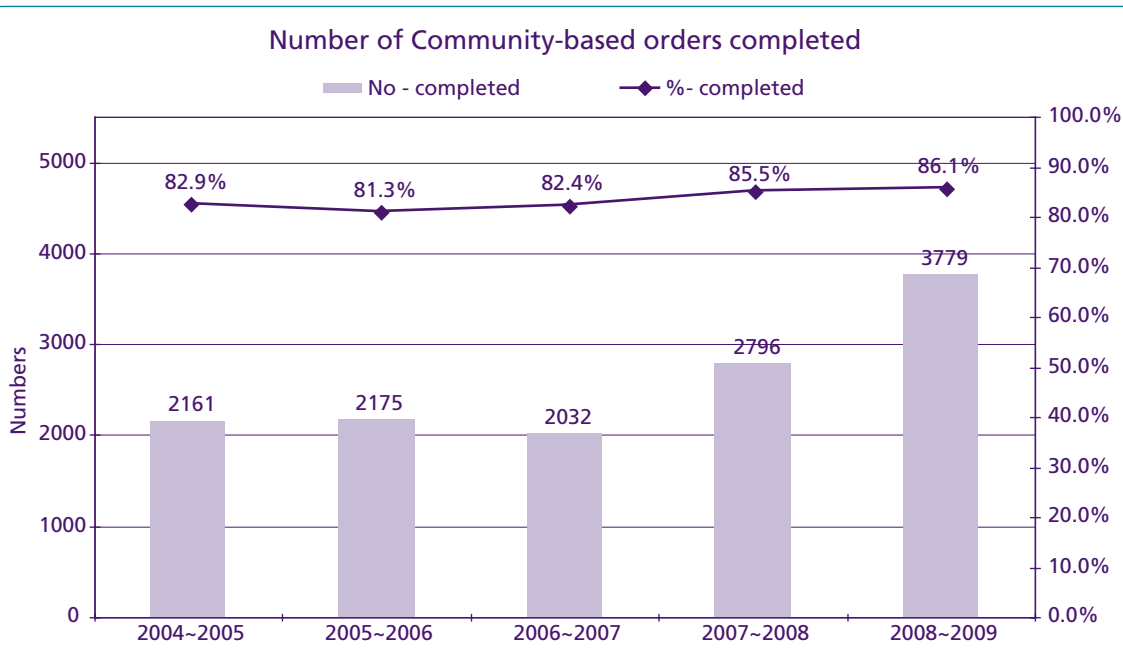
KEY SERVICE MEASURES

Community Supervision	2007-08 Number	2008-09 Number
Number of background reports and assessments completed for young offenders appearing at court	3,391	4,271
Number of individual young offenders supervised in the community	3,619	4,007
Number of hours of community service work allocated to young offenders	33,363	39,450

Source: DJJ RPE Standard Statistical Reporting Database.



Source: DJJ RPE Standard Statistical Reporting Database.



Source: DJJ RPE Standard Statistical Reporting Database

Successful completion = all community-based orders with an order end-date in the financial year without a termination reason.

Unsuccessful completion = all community-based orders with an order end-date in the financial year with a termination reason.

Termination reason = a young person was in breach of their order; or received a control order to a juvenile justice centre; or defaulted on a fine or community service order was revoked.

COMMUNITY-BASED PARTNERSHIPS

The department works closely with various government agencies including the Department of Education and Training, NSW Police, NSW Health, Justice Health, the Department of Ageing, Disability and Home Care (DADHC), the Department of Community Services (DoCS) and Centrelink in the delivery of services and programs for young offenders in the community.

The department continues to work jointly with DoCS to improve the delivery of services for children and young people under the parental responsibility of the Minister for Community Services and who are also clients of Juvenile Justice. A Memorandum of Understanding (MOU) that outlines the roles and responsibilities of both departments guides this inter-agency approach.

The department has worked closely with DADHC to develop a MOU regarding working with young people who are joint clients. This MOU outlines the responsibilities for each department in the management of shared clients.

The department works in partnership with a number of community agencies to provide services to young offenders. The Community Funding Program (CFP) of the department allocates funding primarily to community agencies, to deliver six different types of programs. Program types include the following:

- Post Release Support Programs
- Accommodation Support Programs
- Local Offender Programs
- Alcohol and Other Drug Programs
- The Employment Skilling Program
- The Children's Visiting Legal Service

At the local Juvenile Justice Community Services offices, department staff develop and maintain relationships with non-government organisations. This is a vital part of their role in order to facilitate referrals for young people to appropriate services and to address issues identified in a young person's case plan. Non-government organisations provide services such as accommodation, employment support, alternative educational placements, youth mentoring, cultural programs, adolescent counselling, and support to parents and families of young offenders.

Juvenile Justice staff in the community attend local non government inter-agency meetings in order to ensure that young offenders have access to services in their areas. In addition, staff participate on non-government committees in order to highlight the need to provide services for juvenile justice clients and their families.

YOUTH DRUG AND ALCOHOL COURT

The Youth Drug and Alcohol Court (YDAC) program combines assessments and interventions from several government departments and non government organisations.

The interventions are targeted towards entrenched, recidivist young offenders with significant drug and / or alcohol involvement whose offending is closely linked to this substance misuse and who would otherwise be facing the probability of a custodial sentence.

On 20 April 2009, a delegation from the Ministry of Justice China visited YDAC. The delegation discussed the roles and functions of YDAC and they visited the court. The Chinese delegation were highly impressed with the program as a unique mechanism for addressing the particular needs of offenders with drug and alcohol dependencies in order to reduce re-offending and promote rehabilitation. The delegation noted that regardless of the cultural and political difference existing between the two countries many of the issues faced were similar. The insight into the YDAC program was able to provide the delegation to assist with efforts to ensure that the reform of the justice system in China develops ways that are consistent with the protection and promotion of human rights.

COMMUNITY-BASED PROGRAMS IN 2008-09 INCLUDED:

Youth Pathways to Education, Employment and Training

The successful Youth Pathways to Education, Employment and Training (YPEET) program continued in the community, after its development in June 2007. The program is a local partnership between TAFE Outreach (Petersham) and the department's Juvenile Justice Community Services office in Petersham. YPEET was specifically developed as an educational-based program for young people who had disengaged from the mainstream educational system and are supervised within the community by the Department of Juvenile Justice.

YPEET supports young people reduce their risk of re-offending through positive engagement and participation in the educational, vocational and future employment pathways. Since its inception, eight pilot programs have been undertaken. As of June 2009, five programs have been undertaken through the originating Petersham JJCS partnership and a further three pilots are being undertaken through the partnership between TAFE Outreach (Meadowbank) and the Department of Juvenile Justice (Blacktown East Office).

Shoalhaven Safe Community Aboriginal Partnership

The Shoalhaven Safe Community Aboriginal Partnership (SSCAP) provides a single point of contact and consultation for Aboriginal people in the Shoalhaven area. Local working groups have been established to work with government agencies and other service providers to develop community-driven approaches that meet the community's needs. The partnership was established in 2008.

Targeted Youth Support Program

A range of relevant educational, vocational, recreational and cultural programs are provided to young people on a regular and ongoing basis. The goal is to increase opportunities for Juvenile Justice clients who experience difficulties in accessing a range of vocational and recreational programs.

Community Intervention Team (Northern Region)

The program consists of a Justice Health Nurse (Clinician) attached to the Juvenile Justice Community Services office, and covers young people from the Central Coast area, Newcastle and Maitland.

Referrals are accepted from Justice Health (Centres) and from departmental staff for young people who enter custody and have a mental illness and or problematic drug and alcohol use or dependence.

The young people must be referred whilst in custody or within seven days of release from custody.

The aim of the Community Intervention Team is to coordinate integrated, ongoing care for young people, to aid successful reintegration into the community. Care is coordinated prior to and during the critical post release period with links made to appropriate specialist and generalist community services.

Western Region Family Intervention Model

The Western Region has implemented the Collaborative Family Work Model developed in consultation with Dr Chris Trotter from Monash University. Dr Trotter facilitated Collaborative Family Work training for staff participating in the project. The 'Act Now Together Strong' is a model that works with parents/guardians to enhance parenting skills and develop solutions to problems within the family. The model is supported by a structure that was developed within the region to specifically work with Aboriginal young people and their families. The 'Act Now Together Strong' model will be piloted from May 2009 –November 2009 with an evaluation planned at the conclusion.

Dthina Yuwali

Dthina Yuwali is a group work program developed by Juvenile Justice Aboriginal staff for Aboriginal young people with substance related offending. The program focuses on the relationship between substance use and pathways to offending where young people track their behaviour like footprints and

develop skills over three distinct stages to assist them in managing their substance use and offending behaviour.

Dthina Yuwali was piloted on five occasions with the participation of young men and young women from Metropolitan, Rural and Regional locations in NSW. Following the success of the pilots, the program manual was completed in 2008 and the first phase of staff training completed during 2009. Forty-four Juvenile Justice staff members were trained between April and June 2009 to deliver Dthina Yuwali in both custodial and community-based settings. Further training is scheduled for November 2009 and May 2010 including the distribution of program resource kits which will allow delivery to be extended.

Sex Offender Program

The Sex Offender Program (SOP) has been comprehensively re-developed and is being piloted at a number of sites around NSW during 2009. The new program takes into consideration the recommendations from the review of the SOP undertaken in 2006, literature and best practice interventions that focus on the individual needs of a young person as well as the criminogenic factors relevant to a young person who has offended.

The Intensive Supervision Program

The Intensive Supervision Program (ISP) in NSW, which has been in operation since May 2008, is based on the multi-systemic therapy model that has delivered significant reductions in the long-term rates of re-offending in Western Australia, New Zealand, the United States, Canada and nine countries throughout Europe.

The program is specifically aimed at juveniles who commit serious and / or repeat offences. A range of issues are addressed including substance abuse, financial problems, housing needs, family conflict and negative peer pressure. The program deals not only with behavioural problems specific to the young offender, but assists in tackling underlying problems within their family as well as their relationships in the wider community.

The Newcastle and Western Sydney programs were established as the two ISP treatment sites. The ISP team consists of trained clinicians, a clinical supervisor and an Aboriginal team advisor, who work systemically with each young person on an individual, family and community level. The Aboriginal team advisors work with the clinicians and families to ensure cross-cultural sensitivity, and monitor to ensure the interventions are best matched to the needs of Aboriginal clients, families and communities.

The team meet with young offenders and their families to provide parents with the skills and resources to independently address antisocial behaviour and provide juveniles with the skills to successfully adjust to family, peer, school and neighbourhood demands. The team also work with the young person's school teachers, principals, and the NSW Police, and develop positive inter-agency links that help families and juveniles access appropriate services.

As at 30 June, 2009, 27 families out of 35 (77 per cent) had successfully completed the ISP. For those who did not complete the program, three families had moved out of the ISP service area; four families had suspended their participation in the ISP due to their child returning to custody but later returned to the program; and one family's child went into long term custody.

As at 30 June, 2009, 11 Aboriginal and Torres Strait Islander (ATSI) families out of 15 (73 per cent) had successfully completed the ISP. Of the four (ATSI) families that did not successfully complete the ISP, one family moved out of the service area; two had suspended their participation in the ISP due to their child returning to custody but later returned to the program; and one family's child went in for long term custody.

Community Service Orders

The department reviewed the policy and procedures for Community Services Orders ensuring clearer guidelines for staff and participating agencies that work with young offenders on community service sites. The changes included improved record keeping and a structured system for field visits to monitor community service work.

The department has recruited extra staff to provide additional support to young offenders, and sourced additional therapeutic programs to ensure that the young people are able to meet the programmatic conditions of their court orders. At times this also includes brokering services when required.

NSW Treasury allocated $1.556M for the 2008/09 financial year to meet the costs of implementing these amendments.

Approximately 91 per cent of community-based orders were successfully completed in 2008/09.

MAJOR ACHIEVEMENTS AND PLANNED INITIATIVES

The department has continued to consolidate the organisation's move towards evidence-based practice including the development of the effective practice model, a quality assurance framework and the review of training for community services staff.

Changing Habits and Reaching Targets

The department will be implementing Changing Habits and Reaching Targets (CHART), a new cognitive-behavioural approach for community-based officers in late 2009. The program was developed in Victoria, and helps young people change their thinking and decision-making processes and ultimately, their offending behaviour. Additional training to support the implementation of CHART was delivered to all community based staff in 2009.

Our Journey to Respect

Our Journey to Respect is a 12-session group work program for young, male, Aboriginal offenders that aims to reduce the incidence of inter-generational violence. The program is being comprehensively reviewed with the aim of broadening its applicability to address violent offending outside of a family context.

Alcohol and Other Drug Program (AOD) Treatment Pathway

Stage 1 of this program has been completed. Stage 2 and 3 of this program are currently being developed. The development and implementation of the program will be completed during 2009-10.

Stage 2 is also known as the PRO-FILE program (Personal Review of Offences File) and is being designed as a precursor to Stage 3, of the pathway that is being developed with the National Drug and Alcohol Research Centre (NDARC).

PRO-FILE is designed for clients with low literacy levels and offending behaviour that is directly related to substance misuse.

Stage 3 of the AOD Treatment Pathway which will focus on the acquisition of skills for the prevention of relapse to substance use and offending behaviour. Due to the low level of literacy in the young offender population, the intervention material has been designed using graphics.

Community Services Orders Probation Changes

A number of amendments to the *Children (Community Services Orders) Act 1987* were passed in the Upper House in 2008. These amendments permit the Court to impose a Community Service Order as a condition of a Probation Order for a single serious offence and the definition of community work now includes a range of options including reparation work, personal development, educational or other programs.

The department has reviewed the policy and procedures for Community Services Orders to ensure clearer guidelines for staff and participating agencies working with young offenders on community service sites. The changes include; improved record-keeping and a structured system for field visits to monitor community service work. The department has recruited extra staff to provide additional support to young offenders, and source additional therapeutic programs to ensure that the young people are able to meet the conditions of their court orders. This also includes brokering services when required.

Professional Development for Assistant Managers in the Community

The department has assessed the training requirements for Assistant Managers in Juvenile Justice Community Services (JJCS).

Major components of Assistant Manager's work have been examined and following analysis a number of priorities have been identified including training in CIMS, Quality assurance, Families, Practice staff Supervision, Legislation and JJCS Policies and Procedures.

Consequently, the department will be developing training specific to the needs of Assistant Managers. This training will improve the practice in the Juvenile Justice Community Services.

Comprehensive Assessment Format

The department's Comprehensive Assessment Format was piloted during 2008 and then evaluated by Dr Chris Trotter from Monash University in February 2009. The format will be revised to include the recommendations from the evaluation and be circulated for community-based staff for the purpose of assessment. There will be further consultation with staff regarding state-wide implementation.

The Program Development and Evaluation Frameworks

Frameworks have been developed based on current international literature to guide the development, monitoring and evaluation of best practice programs.

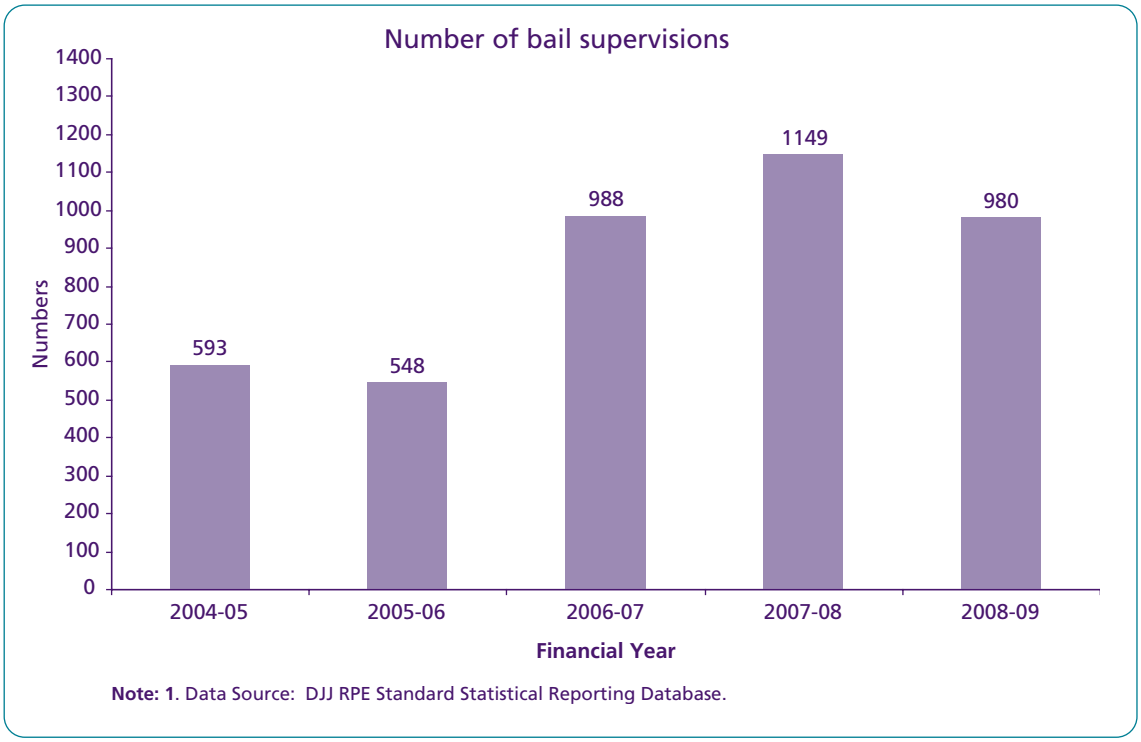
The Program Development Framework will be useful as a working document to those who intend to develop new programs or purchase off-the-shelf programs.

Programs Branch uses the framework to ensure its programs meet the international best practice standards.

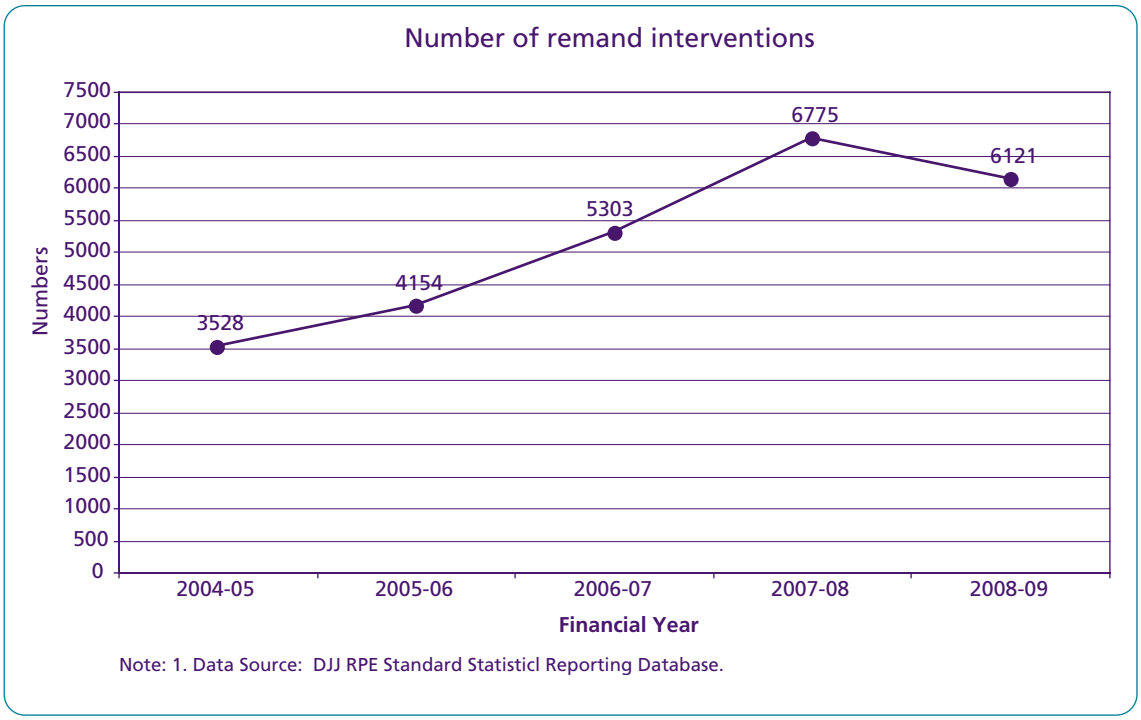
Bail Supervision and Support Service

Community-based staff work with young people, court officials and other service providers to ensure that where appropriate, young people are able to remain in the community whilst being supervised for compliance with bail conditions.

Year	2006-07	2007-08	2008-09
Remand interventions	5,303	6,775	6,121
Bail supervisions	988	1,149	980



Note: 1. Data Source: DJJ RPE Standard Statistical Reporting Database.



Note: 1. Data Source: DJJ RPE Standard Statisticl Reporting Database.

Bail Assistance Line

The Wood report on the *Inquiry into Child Protection Services in NSW 2008* recommended the establishment of an after-hours Bail Assistance Line similar to the Victorian model.

The department's proposal was based on the successful Victorian model where 24 per cent of young people referred to the service were assessed as eligible for bail. Victoria's success with the model is attributed to making it mandatory for NSW Police to use a bail assistance line after a young person has been apprehended.

The department recognises that the period between arrest and sentencing presents a unique window of opportunity for the department to intervene effectively with the co-operation of other agencies in order to divert young people from unnecessary incarceration.

The Bail Assistance Line will aim to reduce the numbers of young people held in custody pending a court outcome that could be released on bail and supervised more cost effectively and efficiently in the community.

Young offenders at juvenile justice centres across NSW commemorated ANZAC Day ensuring the sacrifices of servicemen and women were not forgotten.

NSW DEPARTMENT OF juvenile justice

CHAPTER 5

YOUNG PEOPLE IN CUSTODY

YOUNG PEOPLE IN CUSTODY

As at 30 June 2009 there are nine juvenile justice centres across NSW.

All custodial facilities provide:

- secure accommodation for young people remanded into custody or sentenced to a period of custody by the courts;
- counselling and programs to enable young people to address their offending behaviour and other related issues, such as drug and alcohol abuse;
- a full range of health services provided by Justice Health;
- educational and vocational programs (in partnership with the Department of Education and Training); and
- individual case management, to identify and address the needs of young people in custody and to plan their community reintegration.

The department opened the Emu Plains Juvenile Justice Centre, in October 2008, to accommodate short-term detainees and operate as an annexe of Cobham Juvenile Justice Centre at St Marys. These detainees are admitted to Cobham and assessed for their suitability for Emu Plains before being transferred to that facility.

After a staged increase in detainee numbers over three months, Emu Plains Juvenile Justice Centre became fully operational in January 2009. At 30 June 2009, the centre had a detainee capacity of 50 beds across four accommodation units.

Broken Hill Juvenile Justice Centre operates as an annexe of Orana Juvenile Justice Centre and is used for short-term accommodation with a maximum bed capacity for eight young people.

Juniperina Juvenile Justice Centre at Lidcombe was purpose-built for girls and young women and provides accommodation for girls and young women in detention on control orders or remand. It is the only such facility in Australia.

Reiby Juvenile Justice Centre at Campbelltown accommodates male detainees under the age of 16 years, with a particular focus on addressing the special needs of 10 to 16 year old detainees with behavioural difficulties.

Keelong Juvenile Justice Centre at Unanderra south of Wollongong closed on 27 February 2009. The centre, which had capacity for up to 23 detainees, was the oldest juvenile justice centre in the state, having been in operation since 1976.

The department's operational bed capacity at the end of the financial year was 449.

For 2008-09, staff at juvenile justice centres included clerical and administrative staff, youth officers, unit coordinators, unit managers, psychologists, counselors, vocational instructors and management staff. However, from 1 July 2009, staffing arrangements in juvenile justice centres will change as a result of the review of the department's custodial services.

SERVICES PROVIDED TO YOUNG PEOPLE

Juvenile justice centres have daily routines for the activities and programs undertaken by the detainee. The purpose of the routine is to ensure that juvenile justice centre life is structured and predictable and that time for both staff and detainees is constructive and meaningful.

The NSW Department of Education and Training (DET) delivers education and training programs through the education and training units within juvenile justice centres. DET provides vocational and literacy and numeracy programs at remedial and general levels as well as school certificate and higher school certificate courses. Detainees participate in accredited school and TAFE programs and some detainees are studying at university level.

Vocational and TAFE-accredited programs conducted in centres include: building and construction; automotive operations; commercial cleaning; horticulture; laundry operations; food handling and hygiene.

The department also provides a range of developmental and activity-based programs in juvenile justice centres. Developmental programs focus on personal development and include programs such as living skills (including budgeting and cooking); parenting; spiritual and cultural programs. Activity-based programs include craft, sport and relaxation programs.

Each juvenile justice centre continues to deliver a wide range of outdoor programs and activities including sporting and health-focused activities such as: swimming lessons; athletics coaching; football and other team sports; and gymnastics.

The Civil Chaplains Advisory Committee (CCAC) coordinates the full-time and part-time chaplains engaged by the department to provide religious and spiritual support and counsel to young people in juvenile justice custody. This includes non-Christian faiths including Islam and Buddhism. A Memorandum of Understanding (MOU) was developed in February 2008 to cover the service delivery arrangements with the CCAC. The MOU provides funding for Aboriginal Chaplaincy, which is a chaplaincy service specifically for Aboriginal young people detained in juvenile justice facilities.

Official Visitors are appointed by the Minister for Juvenile Justice to monitor the services of, and conditions in, juvenile justice centres, provide advocacy and support to detainees, and report bi-annually to the Minister.

Justice Health provides health care services to detainees, with a registered nurse based at each juvenile justice centre. Local medical practitioners regularly visit each centre for the medical assessment and treatment of clients. Consultant psychiatrists provide professional assessment and treatment of young people as necessary.

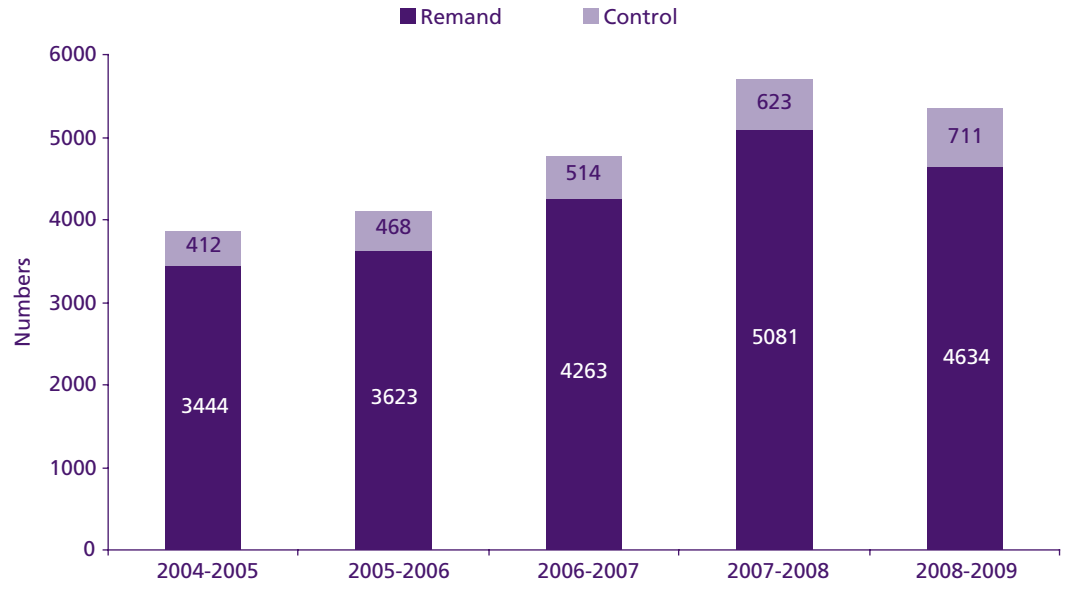
Justice Health also delivers health education programs in centres. Areas covered include: a range of adolescent health issues including: sexual development and sexually transmitted diseases; contraception; childbirth and parenting skills; food and nutrition; and dental health.

Each juvenile justice centre has at least one psychologist to provide a range of psychological services to clients, including assessment, counselling and group work. Alcohol and Other Drug counsellors assist young offenders to deal with drug and alcohol problems. The department also delivers programs designed to address offending behaviour, including programs that are specifically targeted to assist Aboriginal young people.

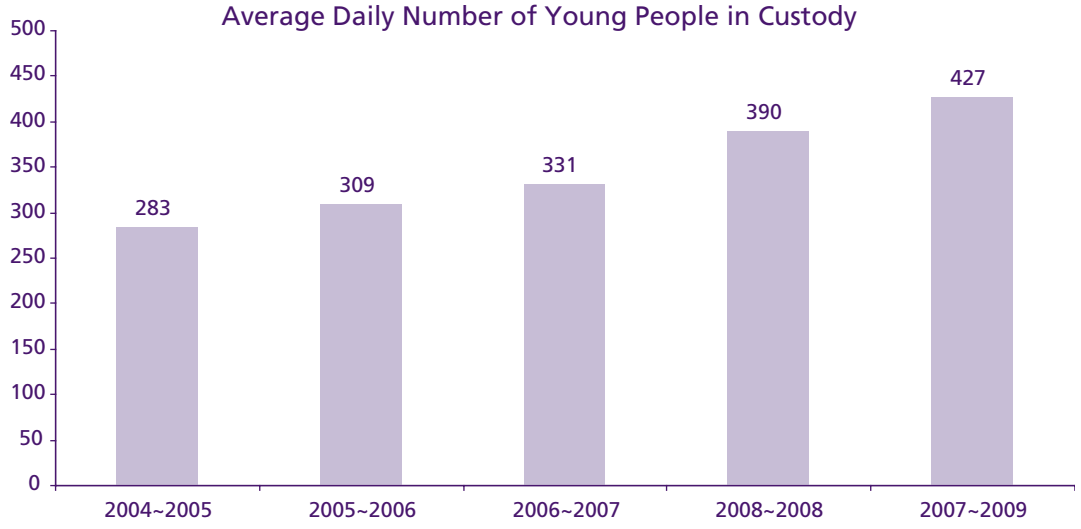
KEY SERVICE MEASURES

Custody	2007-08	2008-09
Average daily number of young people in custody	390	427
Average daily number of young women in custody	27	31
Average daily number of young people of Aboriginal and/or Torres Strait Islander background	200	205
Average daily number of young people serving custodial sentences	180	200
Average daily number of young people remanded in custody awaiting the finalisation of court proceedings	210	227

Source: DJJ RPE Standard Statistical Reporting Database.



Note:
1. Data Source: DJJ RPE Standard Statistical Reporting Database.
2. Kariong is excluded from ALL years.



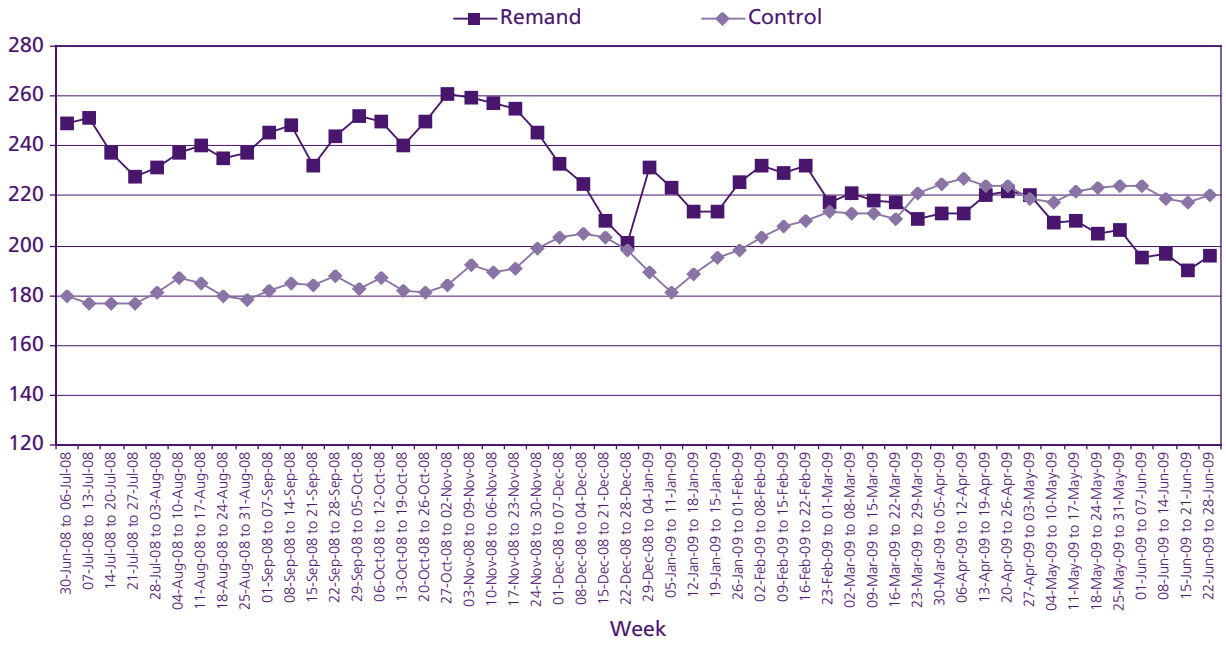
Source: DJJ RPE Standard Statistical Reporting Database.

RATE OF SAFETY AND SECURITY INCIDENTS

Rate of safety/security breaches per 1000 admissions	2006-07	2007-08	2008-09
* number of deaths in custody	0	0	0
* self-harm incidents	20	22	43
* assaults on staff	9	12	11
* detainee on detainee assaults	57	78	58
* escapes from secure perimeter	0	0	0.8
* security breaches	28	93	67

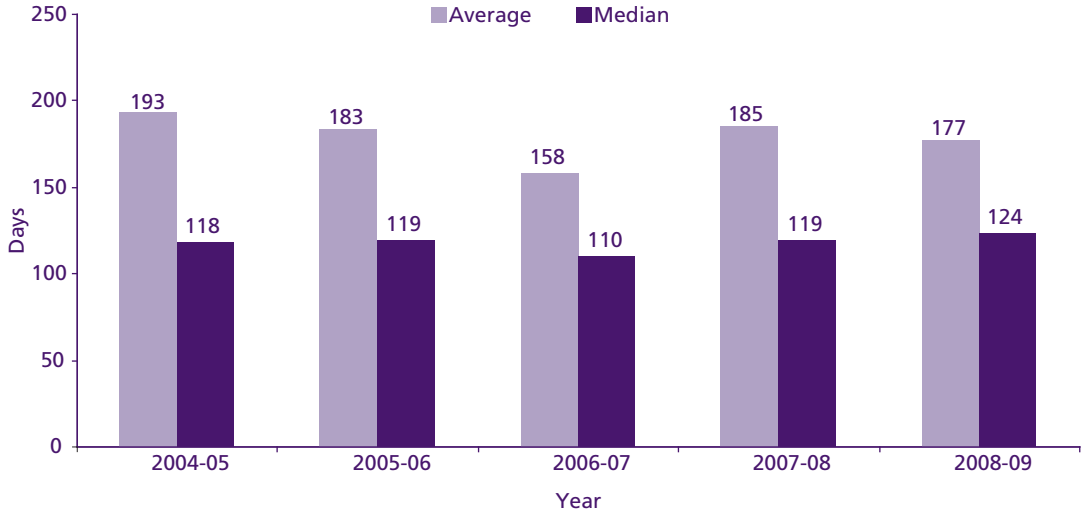
* *Note: Increases in security breaches between 06-09 reflects more rigorous reporting of breaches. Most involve contraband such as tobacco.*

Average Daily Number of Young People in Custody by Week and Legal Status



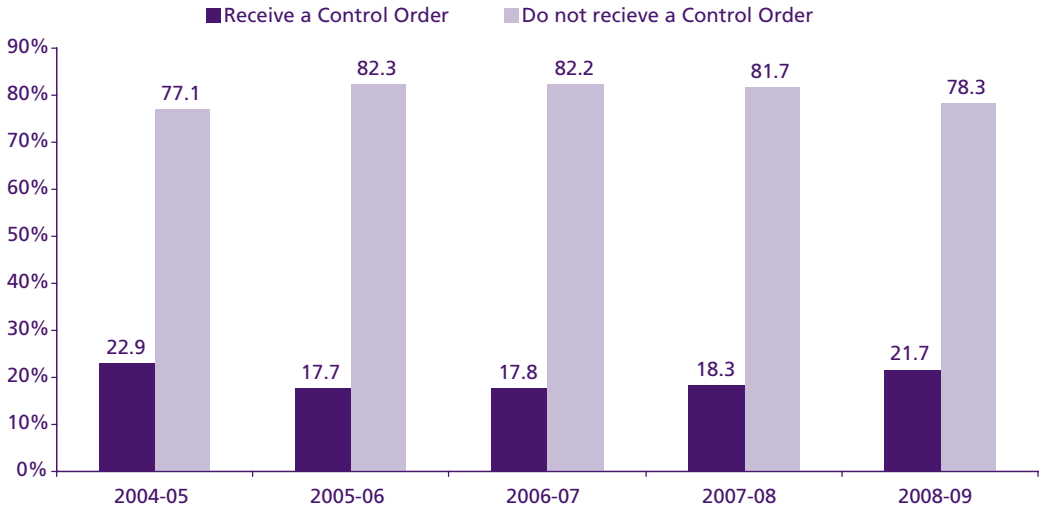
Note:
1. Data Source: DJJ RPE Live Database. Data is extracted weekly on the Tuesday following the end date for each week.
As this is taken from a live database figures are subject to change. Due to rounding and missing data, figures may not add up to total.
2. Kariong is excluded.

Length of Stay for Young People in Custody on Control

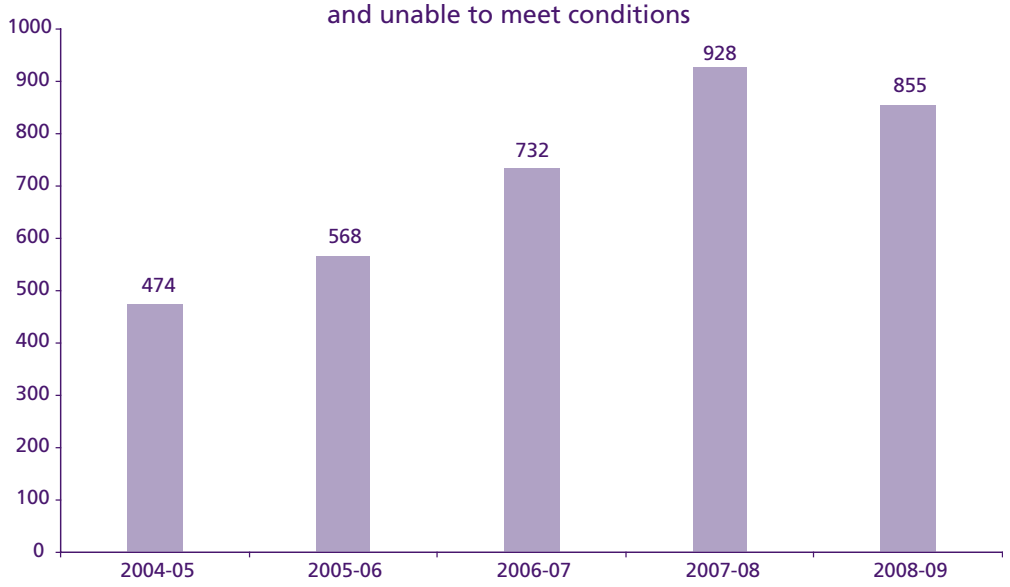


Note:
1. Data Source: DJJ RPE Standard Statistical Reporting Database.
2. Kariong is excluded from ALL years.

Proportion of young people with a Remand episode who receive, or do not recieve a Control order within 12 months

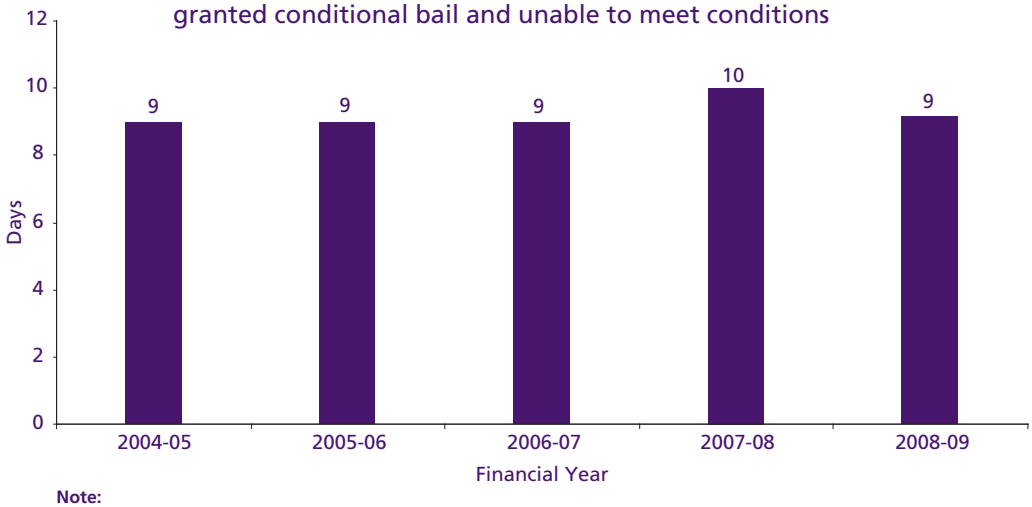


Number of Young People remaining in custody after granted conditional bail and unable to meet conditions



Note: 1. Data Source: DJJ RPE Standard Statistical Reporting Database.

Average number of days Young People are remaining in custody after granted conditional bail and unable to meet conditions



Note:
1. Data Source: DJJ RPE Standard Statistical Reporting Database.
2. Kariong is excluded from ALL years.

ACHIEVEMENTS AND PLANNED INITIATIVES

Behaviour Intervention Project

The Detainee Behaviour Intervention Framework provides juvenile justice centre staff with a context in which to operate in a custodial environment.

The framework focuses on:

- effective management of incidents;
- positive reinforcement of compliant detainee behaviour;
- guidelines to support reasonable outcomes;
- reduced risk of harm to detainees and staff;
- risk-based decision making; and
- provides strategies and guidelines for staff to reduce the risks associated with detainee behaviour in custody.

In 2007, a pilot of a new incentive scheme was trialled. A two-day training package, titled *Effective Behaviour Management Training*, outlining the incentive scheme and other behaviour-related procedures and practices, was developed to train staff in the effective management of detainees' behaviour.

As a result of the successful pilot the training and the incentive scheme have now been fully implemented at Orana, Riverina, Acmena, Reiby and Juniperina juvenile justice centres, with Frank Baxter Juvenile Justice Centre and Cobham Juvenile Justice Centre to complete the rollout by the end of October 2009. The scheme will be evaluated by mid-2010.

The Behaviour Intervention Framework Policy is in the final stages of development and will be implemented during the 2009-2010 financial year.

Another aspect of the Behaviour Intervention Project was a series of workshops facilitated by the Steering Committee with representatives from all juvenile justice centres to review and update the department's use of force and instruments of restraint procedure.

The new use of force procedures have been implemented in all juvenile justice centres. During the pilot period there was a significant reduction in physical assaults resulting in workers compensation claims in comparison to the same time the previous year.

Quality Assurance / Improvement Review Framework

In line with the department's aim to build a culture of continuous quality improvement within juvenile justice centres, annual Quality Assurance / Improvement reviews were successfully conducted at each juvenile justice centre during the 2008-09 financial year.

A review team, comprising of staff members from a cross-section of areas within the department, attends each centre over a two-day period and conducts a comprehensive evaluation of the evidence provided by the centres in response to the self-assessment indicators. The resulting report is forwarded to each Regional Director and the centre.

Centres are working to ensure continuous improvement by the development and implementation of Improvement Action Plans. Progress reviews were scheduled to commence from August 2009.

The review process has had an effect on improvement within the centres by: allowing department-wide sharing of outcomes from local quality improvement initiatives; recognising good practice, and concentrating only on areas requiring improvement; and by the integration of continuous improvement processes into existing centre structures.

Joint Assessment Framework

In consultation with Justice Health and the Department of Education and Training, and centre-based staff, the department undertook a comprehensive review of the assessment processes used upon a detainee's admission to custody, including the Massachusetts Youth Screening Instrument (MAYSI II).

As a result, the department introduced the Detainee Risk Assessment Framework in March 2009 to replace MAYSI II. The new framework allows the department to screen young people being admitted to a juvenile

justice centre, with a risk assessment screening for physical health, substance abuse, self harm/suicide risk, mental health and anger issues.

By identifying these issues at the outset, timely referral to the appropriate support such as the centre psychologist or AOD counsellor, nurse or psychiatrist or duty manager can be ensured and an appropriate case plan put in place to meet the young person's needs with appropriate treatment and placement.

PROGRAMS

All centres offer a range of education and vocational programs as well as programs designed to help young people address their offending behaviour and gain skills to help them successfully assimilate back into society on release.

An extensive range of vocational education and training programs continues to be at centres in partnership with the Department of Education and Training and TAFE, including:

- intensive numeracy and literacy tutoring
- horticulture
- commercial cleaning and laundry operations
- Responsible Service of Alcohol and
- Responsible Conduct of Gambling
- OH&S green card
- automotive studies
- building and construction studies
- forklift training and licensing
- fitness programs and
- TAFE accredited car detailing program.

A sample of programs at juvenile justice centres during 2008-09 are listed below:

- the *Transport and Logistics* program that has been successful at the Frank Baxter centre is being developed for State-wide delivery. This program is a joint partnership between the centre, a local training group, the Department of Education and Training, and the Transport Workers Union Training Group;
- the *Assistance Dog Program* commenced in Juvenile Centres November 2008. This program has been run in collaboration with a community-based organisation Assistance Dogs Australia;
- at Riverina, centre detainees completed their *Bronze Medallion* life saving course including theoretical and practical components;
- the centre at Frank Baxter, in collaboration with the Tuggerah Lakes Community College, has developed a *Certificate I in Conservation and Land Management (CaLM)* program for Indigenous detainees;
- the centre at Juniperina has engaged the services of Karitane to deliver the *Family Matters Program* that aims to assist young women who are expecting a child or are already mothers to build positive parenting relationships with their children;
- at Orana, the Aboriginal Cultural programs include Our Journey to Respect, Hey Dad, Aboriginal Dance, Making Didgeridoos, Emu Callers and Aboriginal Art;
- at Reiby, the *Aboriginal Aunties* group has been visiting the centre fortnightly for about five years. The group usually consists of three Koori women who visit the detainees to provide mentoring support and to engage detainees in activities such as folklore, culture, art and other programs of interest;
- at Acmena, centre detainees participate in the *Get that Job* program which is an employment information and education program designed for detainees who are close to discharge or those expressing an interest in improving job-seeking skills;
- the team from the Arrive Alive Wheelchair Sports Roadshow are regular visitors to Cobham, raising awareness of wheelchair sport, encouraging acceptance of people with disabilities and conveying their road safety message. Discussions range from the importance of wearing seatbelts to the dangers of speeding, fatigue and drink driving; and
- Emu Plains detainees have been participating in the OTEN education program; a TAFE outreach education program.

EDUCATION AND TRAINING

The Department of Education and Training (DET) administers schools, known as Education and Training Units, within seven juvenile justice centres so that young offenders can continue their studies while in custody. A more limited educational program is available at the Broken Hill and Emu Plains juvenile justice centres, both of which are annexes to a centre with full Education and Training units.

The Department of Juvenile Justice and DET are committed to a collaborative approach to the education and training of young people in custody. The two departments have agreed to deliver risk-assessed programs that:

- improve the standard of young offenders' level of education and training;
- build educational, vocational and training pathways for young offenders; and
- increase the young offenders confidence and skills to re-enter education, training or the workforce after he or she leaves custody.

The working relationship between the departments is maintained through regular meetings of senior staff from both departments and bi-annual meetings with all centre managers and principals.

A joint committee of representatives from each department is responsible for the overall development, implementation and monitoring of detainee and program risk assessment processes. At a juvenile justice centre level, representatives of both departments form a Local Education and Training Consultative Committee in each centre to plan and coordinate education and centre programs.

During the year representatives from both departments have been finalising a Memorandum of Understanding which provides a framework for the ongoing partnership.

	2008 School Year to 30 June	2009 School Year to 30 June
Enrolled in Education and Training Units	1,344	1,311
Enrolled in TAFE	709	633
Enrolled School Certificate Courses	242	140
Enrolled in HSC Courses	37	56
Completed School Certificate	96	94
Completed HSC	1	0

HEALTH SERVICES

Justice Health is responsible for detention centre health and medical services. All juvenile justice centres have a clinic under the direct supervision and management of Justice Health and staffed by registered nurses who provide a comprehensive range of health services to young people in custody except for Broken Hill. The clinics are open seven days a week.

As well as a full range of medical services, clinics in juvenile justice centres provide individual and group health education programs on adolescent health issues, food and nutrition, dental health, sexual development, sexually-transmitted diseases, contraception, childbirth and parenting skills. Registered nurses in juvenile justice centres also provide support to young offenders with alcohol and other drug issues.

As a result of the 2003 Young People in Custody Health Survey, the Clinical Services Plan was developed collaboratively with Justice Health. The plan focuses on pre-release planning for young offenders to ensure they are connected to community health and medical services well before their release date.

The Department of Juvenile Justice and Justice Health meet regularly to discuss issues of shared concern at the Joint Clinical Governance Committee.

TRANSPORT, PLACEMENTS AND DRUG INTELLIGENCE BRANCH

The department's Transport, Placements and Drug Intelligence Branch provides custodial services at five specialist Children's Courts, of which three are in the Sydney metropolitan area and the others at Newcastle and Woy Woy.

The Transport Unit transports young offenders to all court appearances for the Children's Court, District Courts and the Supreme Court across NSW and undertakes the secure transportation of young offenders between juvenile justice centres and from juvenile justice centres to correctional centres.

In 2008-09 there were 4,318 transport movements involving 10,009 young people.

Year	Movements	Detainees
2008-09	4,318	10,009
2007-08	3,785	8,918

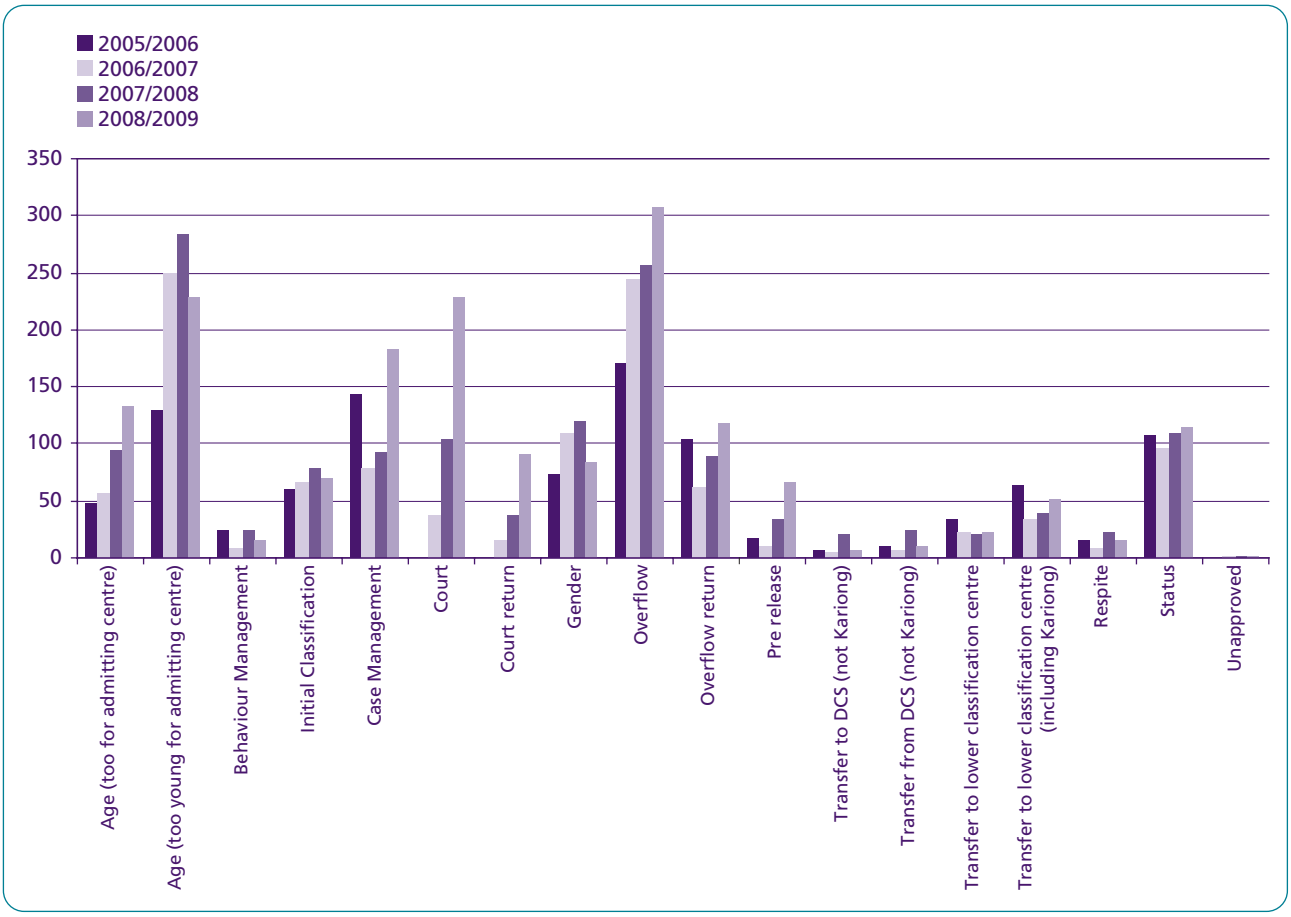
The branch manages the use of video conferencing technology for some court matters, the use of which has increased significantly.

Year	Number of AVLs
2008-09	3,558
2007-08	2,968
2006-07	925
2005-06	568
2004-05	252

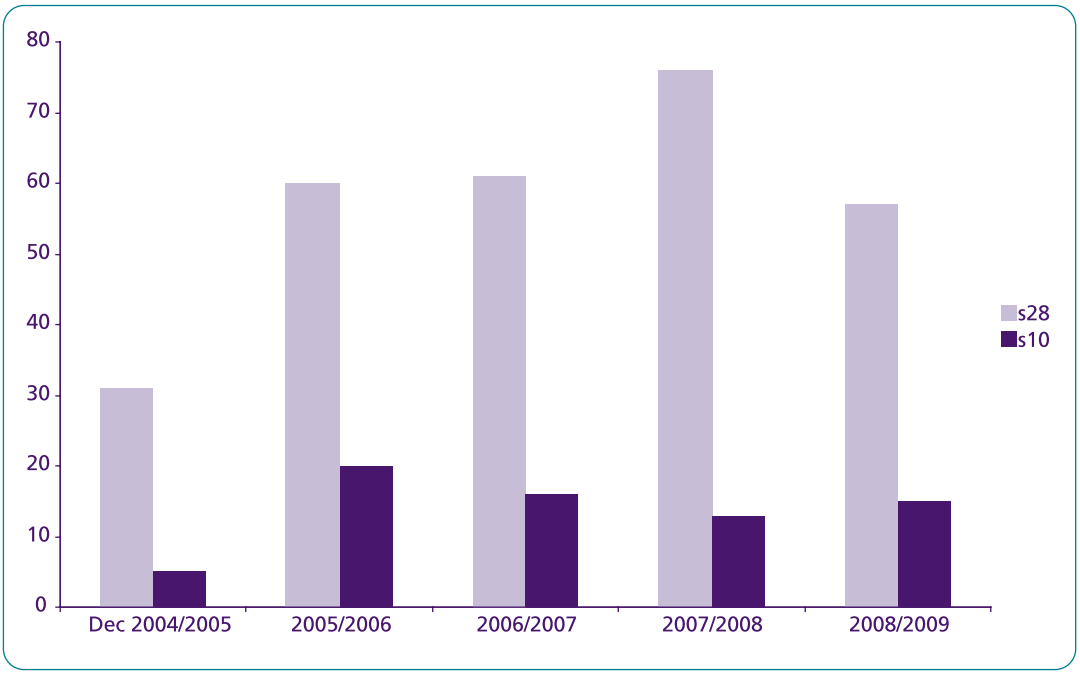
The Classification and Placements Unit is responsible for the security classification of young offenders in custody using the Objective Classification System, which assigns a security rating to the detainee's assessed level of risk.

The Classification and Placements Unit also coordinates the placement of all young offenders within juvenile justice centres as well as detainee transfers between the Department of Juvenile Justice and the Department of Corrective Services including Kariong Juvenile Correctional Centre.

The chart below represents the reason and total number of transfers of young offenders within juvenile justice centres and transfers between the Department of Juvenile Justice and the Department of Corrective Services including Kariong Juvenile Correctional Centre for four financial years, 2005-06 to 2008-09.



In the chart below, the transfers to and from Kariong Juvenile Correctional Centre are from December 2004 when Department of Corrective Services began managing the centre. Section 28 (s28) is a transfer to Kariong Juvenile Correctional Centre and Section 10 (s10) is a transfer *from* Kariong Juvenile Correctional Centre.



The Drug Intelligence Unit (DIU) uses a number of methods to collect, analyse and share intelligence about detainee drug activity, potential drug trafficking into juvenile justice centres and associated safety and security issues. For example, juvenile justice centres operate a controlled telephone system that allows DIU to gather intelligence from detainee telephone calls. This information guides operational activities, helps centres to develop and maintain contraband prevention strategies and aids the development of preventative techniques for potential critical incidents.

The DIU coordinates the use of drug detection dogs from the Department of Corrective Services K9 Unit to search juvenile justice facilities and visitors for contraband items which may pose a security risk. During 2008-09, 184 searches were conducted resulting in 12 finds. A total of 1,132 visitors were screened, with 14 people refused entry due to an indication to an illicit substance. The DIU coordinates periodic joint contraband detection and prevention operations at juvenile justice centres involving staff from Juvenile Justice, Department of Corrective Services' K9 Unit and NSW Police.

Random and targeted urinalysis testing is used to screen detainees for drug use. During the 2008-09 financial year, 654 random tests were conducted returning three positive results, while 85 target tests were conducted returning nine positive results.

The branch also coordinates the taking of DNA samples from young offenders for the NSW Police.

Review of Emergency Response Capability in Juvenile Justice Centres and Children's Court Locations

During 2008-09 a review was conducted of the Emergency Response capability of all juvenile justice centres. This review covered the level of training delivered to staff, equipment currently issued to centres, and the way in which the department coordinates a response with other agencies, such as NSW Police and Corrective Services. When the restructure of the Court Logistics, Classification and Intelligence Branch is fully implemented, the children's courts controlled by the department will also be reviewed and the recommendations finalised.

In March 2009, Minister for Juvenile Justice, Graham West, launched the Justice Pups program at the Frank Baxter Juvenile Justice Centre. The program is a partnership between the department and Assistance Dogs Australia. Young offenders train puppies to become assistance dogs for people with disabilities.

NSW DEPARTMENT OF juvenile justice

CHAPTER 6

GOVERNANCE, PRIVACY AND OVERSIGHT

FREEDOM OF INFORMATION

The department releases documents under the *Freedom of Information Act 1989 NSW* upon receiving a completed Freedom Of Information (FOI) application form which can be obtained from the department's website at www.djj.nsw.gov.au. This application form along with a photocopy of photographic identification (e.g., a driver's licence) should be sent to:

The Freedom Of Information Officer
Department of Juvenile Justice
PO Box K399
HAYMARKET NSW 1240

The department charges $30 for each FOI application but allows for concessions as described on the application form. The department does not charge staff members or former clients of the department for the release of their personal papers.

FOI inquiries should be directed to the FOI Officer by telephone on (02) 9219 9525, by facsimile on (02) 9219 9555, or in writing at the address above.

This address and phone number should be used also for applications to amend or notate documents held by the department that relate to a person's own personal affairs.

Statement of Affairs

Under the *Freedom of Information Act 1989 NSW* (s.14), the department is required to publish an annual Statement of Affairs that describes the structure and functions of the department, how these functions affect the public, and how the public can participate in the department's policy development. These matters are detailed throughout this Annual Report including the following specific FOI matters.

TYPES OF DOCUMENTS HELD BY THE DEPARTMENT

The Department of Juvenile Justice holds records dating from 1991 when the department was formed. Records of juvenile offenders prior to that time may be accessed through the FOI Officer at the Department of Community Services. Additionally, FOI applications for the medical, psychological and psychiatric records of juvenile offenders must now be accessed through the FOI Officer at Justice Health.

The Department of Juvenile Justice maintains the following categories of files:

Client files

Two types of client files are maintained:

Detainee Files (D files) records all matters relating to clients who are serving sentences in juvenile justice centres or who have been placed in a juvenile justice centre pending an appearance at court.

Community Files (C files) contain records of the department's community supervision of juvenile offenders referred by the courts.

Administrative files

These files contain records relating to the day-to-day administration of the department including financial and accounting records, property records, agendas and minutes of meetings, correspondence, etc.

Policy and procedural documents

The department maintains policy and procedure documents, including operational manuals for both custodial and community services.

Computerised records

The department maintains computerised client records of clients, personnel, purchasing and financial management. Additionally, the department maintains computerised records of finalised juvenile court matters. This information is used on a daily basis by the courts and law enforcement agencies as well as for statistical analysis and planning purposes.

Public Relations and information documents

The Communications Unit has a selection of information pamphlets and brochures publicising the department's services. A detailed list of publications is located elsewhere in this annual report. The Section also works closely with the FOI Officer in placing on the department's internet website those substantive documents which have been provided to FOI applications.

Statistical summary of FOI applications

This statistical summary of the year's FOI activities in the department is set out in accordance with the provisions of the *Freedom of Information Act 1989 NSW*, the *Freedom of Information Regulation 2000*, and the *NSW FOI Manual,* August 2007.

New FOI applications		Personal		Other		Total	
		07/08	08/09	07/08	08/09	07/08	08/09
A1	New	33	32	6	12	39	44
A2	Brought forward	0	4	0	0	0	4
A3	**Total to be processed**	**33**	**36**	**6**	**12**	**39**	**48**
A4	Completed	30	34	5	12	35	46
A5	Discontinued	2	0	1	0	2	0
A6	**Total processed**	**30**	**34**	**5**	**12**	**35**	**46**
A7	Unfinished (carried forward)	1	2	0	0	2	2

Discontinued applications		Personal		Other		Total	
		07/08	08/09	07/08	08/09	07/08	08/09
B1	Request transferred out to another agency (s.20)	0	0	0	0	0	0
B2	Applicant withdrew request	1	0	0	0	1	0
B3	Applicant failed to pay advance deposit (s.22)	0	0	1	0	1	0
B4	Applicant failed to amend a request that would have been an unreasonable diversion of resources to complete [s.25(1)(a1)]	1	0	0	0	1	0
B5	**Total discontinued**	**2**	**0**	**1**	**0**	**3**	**0**

If an application is discontinued for more than one reason, the reason first occurring in the above table is selected.

Completed applications		Personal		Other		Total	
		07/08	08/09	07/08	08/09	07/08	08/09
C1	Granted in full	8	6	3	10	11	16
C2	Granted in part	16	16	0	0	16	16
C3	Refused	1	0	1	1	2	1
C4	No documents held	5	13	1	0	6	13
C5	**Total completed**	**30**	**35**	**5**	**11**	**35**	**46**

A request is granted in full if all documents requested are either provided to the applicant (or the applicant's medical practitioner) or are otherwise publicly available.

Applications granted in full		Personal		Other		Total	
		07/08	08/09	07/08	08/09	07/08	08/09
D1	Provided to the applicant	8	6	3	10	11	16
D2	Provided to the applicant's medical practitioner	0	0	0	0	0	0
D3	Available for inspection	0	0	0	0	0	0
D4	Available for purchase	0	0	0	0	0	0
D5	Library material	0	0	0	0	0	0
D6	Subject to deferred access	0	0	0	0	0	0
D7	Available by a combination of the reasons in D1-D6	0	0	0	0	0	0
D8	**Total granted in full**	**8**	**6**	**3**	**10**	**11**	**16**

Applications granted in part		Personal		Other		Total	
		07/08	08/09	07/08	08/09	07/08	08/09
E1	Provided to the applicant	16	16	0	0	16	16
E2	Provided to the applicant's medical practitioner	0	0	0	0	0	0
E3	Available for inspection	0	0	0	0	0	0
E4	Available for purchase	0	0	0	0	0	0
E5	Library material	0	0	0	0	0	0
E6	Subject to deferred access	0	0	0	0	0	0
E7	Available by a combination of the reasons in D1-D6	0	0	0	0	0	0
E8	**Total granted in full**	**16**	**16**	**0**	**0**	**16**	**16**

Refused FOI applications		Personal		Other		Total	
		07/08	08/09	07/08	08/09	07/08	08/09
F1	Exempt	0	0	0	0	0	0
F2	Deemed refused	0	0	0	0	0	0
F3	**Total refused**	**0**	**0**	**0**	**0**	**0**	**0**

Applications capturing exempt documents		Personal		Other		Total	
		07/08	08/09	07/08	08/09	07/08	08/09
G6	Affecting personal affairs (Clause 6)	0	0	0	0	0	0
G7	Affecting business affairs (Clause 7)	0	0	0	0	0	0
G27	**Total applications capturing exempt documents**	**0**	**0**	**0**	**0**	**0**	**0**

Ministerial Certificates (s.59)		2007-08	2008-09
H1	Ministerial Certificates issued	0	0

Formal consultations		2007-08	2008-09
I1	Number of applications requiring formal consultation	2	1
I2	Number of persons / agencies consulted	2	1

Amendment of personal records		2007-08	2008-09
J1	Agreed in full	0	0
J2	Agreed in part	0	0
J3	Refused	0	0
J4	**Total**	**0**	**0**

Applications for notation		2007-08	2008-09
K1	Agreed in full	0	0

Fees received		2007-08	2008-09
L1	All completed applications	$210	$150

The department does not charge staff or clients for access to their personal documents. The fees received are for non-personal documents.

Fee discounts		Personal		Other		Total	
		07/08	08/09	07/08	08/09	07/08	08/09
M1	Processing fees waived in full	10	36	4	5	14	41
M2	Public interest discount	2	0	1	0	3	0
M3	Financial hardship discount -- pensioner or child	3	0	0	0	3	0
M4	Financial hardship discount -- non profit organisation	7	0	0	0	7	0
M5	**Total**	**22**	**36**	**5**	**5**	**27**	**41**

Fee refunds		2007-08	2008-09
N1	Number of fee refunds granted as a result of significant correction of personal records	0	0

Days taken to complete application		Personal		Other		Total	
		07/08	08/09	07/08	08/09	07/08	08/09
O1	0-21 days -- statutory determination period	27	18	5	12	32	30
O2	22-35 days -- extended statutory determination period for consultation or retrieval of archived records (s.59B)	3	13	0	0	3	13
O3	Over 21 days -- deemed refusal where no extended determination period applies	0	0	0	0	0	0
O4	Over 35 days -- deemed refusal where extended determination period applies	2	3	0	0	2	3
O5	**Total**	**32**	**34**	**5**	**12**	**37**	**46**

Processing hours		Personal		Other		Total	
		07/08	08/09	07/08	08/09	07/08	08/09
P1	0–10 hours	27	13	4	10	31	23
P2	11–20 hours	3	7	2	1	5	8
P3	21–40 hours	1	14	0	0	1	14
P4	Over 40 hours	1	1	0	0	1	1
P5	**Total**	**32**	**35**	**6**	**11**	**38**	**46**

Reviews and appeals		2007-08	2008-09
Q1	Internal reviews finalised	2	0
Q2	Ombudsman reviews finalised	0	0
Q3	Administrative Decisions Tribunal reviews finalised	2	0

Results of internal reviews 2007/08		Personal		Other		Total	
		Upheld	Varied	Upheld	Varied	Upheld	Varied
R1	Access refused	0	0	0	0	0	0
R2	Access deferred	0	0	0	0	0	0
R3	Exempt matter deleted from documents	0	0	0	0	0	0
R4	Unreasonable charges	0	0	0	0	0	0
R5	Failure to consult with third parties	0	0	0	0	0	0
R6	Third parties views disregarded	0	0	0	0	0	0
R7	Amendment of personal records refused	0	0	0	0	0	0
R8	**Total**	**0**	**0**	**0**	**0**	**0**	**0**

PRIVACY MANAGEMENT

In accordance with the provisions of the *Privacy & Personal Information Protection Act (PPIP)1998*, the department maintains an on-going Privacy Management Plan. This Plan is currently being reviewed in the light of changes to privacy and freedom-of-information legislation.

The department maintains personal information on:

- **Young Offenders/Detainees** and their carers, next-of-kin and friends;
- **Staff** – personnel, training, health information and professional conduct information;
- **Victims of Crime** in accordance with the requirements of the *Crimes (Administration of Sentences) Act 1999;*
- **Registrable Offenders** in accordance with the requirements of the *Child Protection (Offenders Registration) Act 2000.*

Accessing and amending records

Applications for access to, or amendment of, personal information held by the department under the PPIP Act (s.14 and s.15) should be on the application forms which can be obtained from the department's internet website at www.djj.nsw.gov.au or from the address below. The application form along with a photocopy of photographic identification (e.g., a driver's licence) should be sent to:

The Privacy Officer
Department of Juvenile Justice
PO Box K399
HAYMARKET NSW 1240

The department charges $30 for each privacy application but allows for concessions as described on the application form. The department does not charge staff members or former clients of the department for access to, or the amendment of, their personal papers. The inspection or release of any documents under privacy provisions is in accordance with the *Freedom of Information Act 1989 NSW.*

Privacy inquiries should be directed to the Privacy Officer by telephone on (02) 9219 9525, by facsimile on (02) 9219 9555, or in writing at the address above.

There were no applications for access or amendment under privacy provisions during 2008/09.

Privacy reviews

The department received one complaint under the *PPIP Act* late in 2008/09 for a breach of privacy from a detainee. This matter was reviewed, restitution of lost or mislaid articles was made, and a report is being prepared for the Privacy Commissioner.

Other

The department's Office of the Director General provides:

- privacy information and advice to departmental staff;
- privacy law input into departmental policy development;
- maintenance of the department's intranet and internet privacy pages and resources; and
- monitoring of both NSW and Commonwealth reviews of privacy legislation.

LEGAL REPRESENTATION

All young people in NSW against whom criminal proceedings are commenced are entitled to be provided with free legal representation.

Under the *Young Offenders Act*, a young person must be informed of their right to speak with a lawyer before making any admission or statement to the NSW Police, and be advised as to how they can exercise this right. Legal Aid NSW provides free telephone legal advice for all young people in police custody in NSW through the Children's Legal Service. Aboriginal youths who are taken into police custody are legally entitled to speak immediately to a solicitor from the Aboriginal Legal Service.

Lawyers from the Children's Legal Service represent young people in criminal matters in the specialist Children's Courts, including the Youth Drug and Alcohol Court, in metropolitan Sydney. Legal Aid pays private solicitors to represent young people at Local Courts sitting as Children's Courts outside Sydney.

The Department of Juvenile Justice provides funding for the Legal Aid Commission's Children's Visiting Legal Service to provide free legal advice and assistance to young offenders in the department's nine juvenile justice centres. In 2008-09, the department provided $174,936 in funding.

OFFICIAL VISITORS

The Official Visitors Scheme provides independent monitoring and evaluation of juvenile justice centres operated by the Department of Juvenile Justice. Established under the *Children (Detention Centres) Act 1987*, the scheme ensures the protection of rights, improves advocacy and enhances other forms of assistance related to the oversight, welfare and treatment of young people in custody.

Official Visitors have the power to enter and inspect juvenile justice centres and confer privately with any person who is an employee or detainee at the centre.

Official Visitors are appointed by the Minister for Juvenile Justice, and report regularly to the Minister, independent of the department. This includes formal written reports every six months on standards of care relating to detainees' security, welfare and rehabilitation. These reports detail the Official Visitor's concerns and views about the performance of the centre in accordance with the standards set out by the Australasian Juvenile Justice Administrators' Standards for Juvenile Custodial Facilities.

YOUNG OFFENDERS ADVISORY COUNCIL

The Young Offenders Advisory Council (YOAC) provides independent advice to the Attorney General and the Minister for Juvenile Justice on issues, policies and legislation likely to impact on the operations of the juvenile justice system and young offenders.

The Advisory Council's work is consistent with the State Plan Priorities:

R2: Reduced re-offending; and

R3: Reduced levels of antisocial behaviour

The Advisory Council meets three times per year or as required.

Membership

Membership of YOAC comprises both government and non government representatives:

Chair, Michael Mahony

Director General, Department of Juvenile Justice, Peter Muir

Director General, Attorney General's Department, or nominee, Kathrina Lo, Director, Legalisation, Policy and Criminal Law Review Division

Commissioner of NSW Police (or nominee), Superintendent Adam Whyte, Commander, Policy and Programs

Director General, Department of Community Services, Jennifer Mason

Director, BOCSAR, Don Weatherburn

CEO, Police Community Youth Clubs, Chris Gardiner

Victims of Crime representative, Ken Marslew

Community representatives, the Rev Dr Arthur Bridge, Glenn Sargeant, Garner Clancey

SERIOUS YOUNG OFFENDERS REVIEW PANEL

The Serious Young Offenders Review Panel (SYORP) was established in 1998 as an independent body to advise the Director General.

The functions of the panel are to provide recommendations to the Director General on:

- the reclassification of specific classification detainees on serious children's indictable offences;
- the granting of initial supervised community activities, day and overnight leave and serious children's indictable offenders. Also detainees being dealt with for the offences of dangerous driving causing deaths and aggravated dangerous driving causing death under the *Crimes Act 1900*; and
- other detainees specified by the Director General. The panel must also consider such other matters as are referred to it by the Director General or the Minister.

The panel members seek to balance the expectations of the community with needs and expectations of the young persons and their families in accordance with the relevant legislation and departmental guidelines.

In the 2008-09 financial year, the panel met on 11 occasions.

Membership

Members of the panel are appointed by the Minister and approved by Cabinet. The composition of the panel is:

- an acting Magistrate (Chairperson)
- an independent person with qualifications in psychology
- an independent community person with expertise in dealing with youth generally
- a member of the Indigenous community
- a victim of crime
- a delegate of the Deputy Director General (Operations), Department of Juvenile Justice, as an ex-officio member.

Actions and Outcomes

In the financial year to the end of June 2009 the panel dealt with 77 cases. The established performance indicators to the end of June 2009 showed:

Reclassification Data

- 38 were considered for reclassification;
- 50 per cent (19 of 38) of juvenile offenders reviewed were reclassified.

Leave Data

- 39 cases were considered for leave;
- 74 per cent (29 of 39) of cases for leave were supported.

Of the cases considered by SYORP in the 2008/09 financial year, 58 per cent were from the juvenile justice centres covered by the Northern Region, one per cent from the Western Region and 14 per cent from the Metropolitan Region.

Twenty seven per cent of applications considered were received from Kariong Juvenile (Department of Corrective Services).

The Secretariat

SYORP's Secretariat is located at:

Department of Juvenile Justice,
Level 24, 477 Pitt St,
Sydney NSW 2000

PO Box K399
HAYMARKET NSW 1240

Telephone: (02) 9219 9426

Fax: (02) 9219 9555

COMMUNITY CONSULTATION AND CLIENT FEEDBACK

The Department of Juvenile Justice places strong emphasis on community consultation in developing its policies and programs. The department consults with relevant community groups and other stakeholders in the planning of new community-based and centre-based services.

Feedback about the department's services is encouraged from clients, their families, advocates and community groups. This feedback helps identify and address any service delivery issues that may arise and ensures the department provides the best possible service to its clients and stakeholders.

There are various ways for young people, stakeholders and staff to provide feedback.

The department has produced reader-friendly brochures on making complaints in English, Vietnamese and Arabic for participants in youth justice conferences (including young offenders, victims, police and other participants).

All participants in youth justice conferences (YJCs) are given the opportunity to provide anonymous written feedback to YJC managers about their experiences in pre-conference preparation and in the conference itself. These responses are used to monitor convenor performance in meeting the needs and respecting the rights of all youth justice conference participants.

All community offices and juvenile justice centres display posters and leaflets to inform young people of their right to contact the Ombudsman if they have any concerns or complaints about the department. All correspondence and communication with young people informs the young person and their families that, if they have any concerns, they are able to raise these with the manager of the relevant Juvenile Justice Community Services office.

In juvenile justice centres, elected detainee representative committees provide feedback to the manager and initiate suggestions for the improvement of client services and the custodial environment.

Client induction booklets for each centre, written in reader-friendly format and recorded onto audiotape, are distributed to young people on admission to centres. These booklets outline how clients may make complaints and provide service feedback.

An induction video is shown to newly admitted young people. This video outlines complaint and feedback procedures as well as the rights and responsibilities of clients.

Official Visitors prepare six-monthly reports to the Minister following their liaison with young people in custody, and the department is required to resolve operational or client problems identified in these reports.

The Juvenile Justice Visiting Legal Service is funded to advise and represent young people held in the department's juvenile justice centres. Solicitors from this service may also act as support persons through whom clients can provide feedback to the department.

NSW OMBUDSMAN

Representatives of the NSW Ombudsman undertake regular visits to each juvenile justice centre. The aim of these visits is to bring to the attention of the department any client complaints or issues which require urgent attention and remedial action to be taken.

Section 25 of the *Ombudsman Act 1974* requires the Department of Juvenile Justice to notify and report to the Ombudsman all allegations of assault, ill-treatment or neglect of a child.

The Arunta telephone system in juvenile justice centres allows detainees to directly contact the Office of the Ombudsman.

The Ombudsman also provides reports to the department on the complaints received from clients.

COMMISSIONER FOR CHILDREN AND YOUNG PEOPLE

The NSW Commission for Children and Young People is an independent organisation that advocates for the children and young people of NSW.

The Commission influences and initiates positive change for children and young people.

The Commission promotes the safety, welfare and wellbeing of children and young people in NSW.

COMPLAINTS

In 2008-09, there were a total of 109 complaints received by the department.

Seventy six per cent of these complaints were made directly by a Department of Juvenile Justice client. Eighteen per cent were made by a client's family member or carer. The remainder consisted of complaints made by staff members, other agencies on behalf of a client, victims of crime or were made and/or investigated by the NSW Ombudsman.

Forty four per cent of these complaints were resolved within 48 hours. Eighty five per cent were resolved within three weeks.

Nature of complaints	Number of complaints	Percentage
Complaint against staff	52	48%
Complaint about food / diet in centres	5	5%
Complaint against rules / point system in centres	11	10%
Complaint relating to welfare of client	2	2%
Complaint about medical care	6	6%
Complaint about appointments and interviews	4	4%
Complaint about background report	1	1%
Complaint about physical surroundings	3	3%
Complaint alleging bias/discrimination	2	2%
Complaint about confidentiality / privacy	2	2%
Complaint about other client behaviour	1	1%
Other (including property, police, financial assistance or legal issues)	20	18%
	109	100.00%

NSW DEPARTMENT OF juvenile justice

CHAPTER 7
WORKFORCE CAPACITY

WORKFORCE CAPACITY

Faced with unique workforce challenges the department is committed to developing and retaining the right people, with the right capabilities, skills and attitudes in the right jobs, to enable the department to respond to emerging service delivery and operational issues.

Managing workforce capacity is an important factor in achieving government priorities, service reforms and targets of the State Plan. The department needs a skilled, motivated and flexible workforce and must also adapt to challenges such as an ageing workforce and other public sector reforms aimed at:

- streamlining service delivery to communities of NSW;
- improved workforce planning and management across the sector; and
- more effective ways to recruit and retain staff.

The department aims to:

- create a workforce and workplace that attracts and retains talented employees and draws on the diversity of the people of NSW;
- build a supported, motivated and high performing workforce; and
- improve workforce planning and management across the department.

During 2008-09, the average full-time equivalent staff employed by the department was 1464.1, including casual staff, mentors, community-based sessional supervisors and Youth Justice Conference Convenors. The department employs many people from Aboriginal and other culturally and linguistically diverse backgrounds to assist better service delivery to communities and to identify and meet the needs of both young offenders and communities.

The department's human resource policies and practices are consistent with the *Public Sector Employment and Management Act 2002, Occupational Health and Safety Act 2000*, other relevant legislation and the NSW Personnel Handbook.

The NSW mini budget in November 2008 resulted in the following changes occurred during 2008-2009:

- a reduction of 20 per cent of the Senior Executive Service;
- a freeze on filling or advertising non front line public sector jobs;
- changes to travel for staff who need to attend meetings interstate; and
- efficiency savings for agencies and consideration of the merging of some functions.

To support the mini budget commitments the department undertook a review of its structure and service deliver resulting in the following changes across the organisation:

- closure of Keelong Juvenile Justice Centre;
- restructure of regions to move to three regions;
- outsourcing of some corporate services;
- changes to transport; and
- a restructuring in juvenile justice centres.

The impact of these changes resulted in changes to staff numbers, with staff accepting Voluntary Redundancy, internal and external transfers, commencing in December 2008. Ninety five staff accepted offers of voluntary redundancy during the financial year.

Number of officers and employees by Category

Salary Scale	30 June 2007			30 June 2008			30 June 2009		
	Total Staff	Women	CALD	Total Staff	Women	CALD **	Total Staff	Women	CALD **
Salaries below clerical officer grade 1, 21-year-old rate or equivalent	0	0	0	0	0	0	0	0	0
Salaries from clerical officer grade 1, 21-year-old rate to below minimum clerk grade 1 rate or equivalent	189	85	19	264	89	22	77	29	8
Grade 1-2 or equivalent	500	202	35	527	217	35	649	239	45
Grade 3-5 or equivalent	204	102	19	206	99	19	166	79	12
Grade 6-9 or equivalent	302	157	29	312	161	30	333	181	38
Grade 10-12 or equivalent	55	30	4	67	32	8	68	33	8
Above grade 12 or equivalent	14	8	0	15	8	0	15	8	0
Total staff in established positions *	1264	584	106	1392	606	114	1308	569	111

*Notes: *Not including ATSI staff*

CODE OF CONDUCT AND GUARANTEE OF SERVICE

Code of Conduct

The department's Code of Conduct establishes an ethical framework to which all staff are expected to adhere in undertaking their work responsibilities. The department's Code is based on the Model Code of Conduct for NSW Public Agencies. The Code is designed to set out the standards of personal and professional behaviour which staff are expected to apply when undertaking their work. Departmental policies such as the Harassment Free Workplace Policy and the Internal Reporting Policy reinforce principles outlined in the Code.

In addition, the department's Internal Reporting Policy establishes an internal procedure for the reporting of corrupt conduct, maladministration and serious and substantial waste in the department, and outlines the procedures that are to be followed so that staff are afforded the protection of the *Protected Disclosures Act 1994 NSW* when reporting corrupt conduct.

As part of their induction, all staff must complete self-paced learning kits on the Code of Conduct and Internal Reporting Policy. In addition, these policies are covered in Values, Attitudes and Ethics, one of the modules of the Certificate IV in the Juvenile Justice course. This module is compulsory for direct care custodial staff and other staff are strongly encouraged to attend this training.

Guarantee of Service

A new Quality Assurance Framework has been implemented. This process examines each juvenile justice centre for compliance with the Australasian Standards for Juvenile Custodial Facilities and institutes actions for improvement. It is the result of a pilot of an enhanced quality assurance process for its juvenile justice centres and replaces the previous Quality Review and Section 7 processes.

Each centre creates a Continuous Improvement Team (CIT) tasked with both the self-assessment of centre practices as well as the development and monitoring of Improvement Action Plans. Improvement Action Plans are developed for areas of concern and have a time frame of 12 months to reach a 'Good Practice' level. Acknowledgement of 'Good Practice' areas allows for a two-year time frame between reviews in the specific area. Indicator evidence requirements are noted for every indicator on the self-assessment tool to ensure the integrity of the self-assessment process.

EXCEPTIONAL MOVEMENTS IN WAGES, SALARIES OR ALLOWANCES

The *Crown Employees Wages Staff (Rates of Pay) Award 2008* provided for a four per cent increase in salaries, effective from 1 July 2008.

In response to the Premier's request for a special determination capping remuneration increases for Chief Executive and Senior Executive Services (CES and SES) to 2.5 per cent, the Statutory and Other Offices Remuneration Tribunal (SOORT) determined a general increase of 2.5 per cent effective on and from 1 October 2008, based on satisfactory performance.

SAFETY IN THE DEPARTMENT

The department is committed to promoting an environment of continual improvement across all facets of occupational health and safety. This is, at times, challenging due to the nature of the work environment and service delivery requirements.

The department is systematically reviewing and updating the Safety Management System with a view to reducing the frequency and severity of staff injury and the management of workers compensation claims.

The department will continue to improve the safety management system through its ongoing practice of reviewing, monitoring and updating in a consultative framework.

A number of Safety Management System audits have been undertaken throughout the year to monitor adherence to departmental policies and procedures. This is seen as an opportunity for locations to address highlighted areas, thereby continuing the department's commitment to improving safety.

The department engaged an external auditor in 2008 to review its safety management system. The department is proactively working towards addressing each of the issues raised.

There were no Occupational Health and Safety prosecutions throughout the year. However there remains one outstanding prosecution (Putland Department of Education and Training Facility) from a prior year in which the department was found negligent.

WORKERS COMPENSATION

Injury management is an integral part of the department's Safety Management System. Effective injury management is a critical component in returning injured workers to work in a timely manner, thereby reducing claims costs.

During 2008-09, the department identified issues that compromised its ability to effectively manage an injured worker's return to work, as well as the associated claims costs. Strategies have been employed to minimise the negative effect on performance that these issues are causing.

The department maintains an effective relationship with its workers compensation insurer, Employers Mutual Limited (EML), through strategic monthly meetings and quarterly claim reviews. There has been an improvement during 2008-09 of EML reimbursing the department for monies paid for lost wages.

Data as at	Fund year	Claims Reported	Incurred Cost	Average Incurred Cost
30 June 2006	2005/06	207	$1,720,706	$8,313
30 June 2007	2006/07	206	$1,204,318	$5,846
30 June 2008	2007/08	201	$1,597,617	$7,948
30 June 2009	2008/09	212	$1,658,414	$7,822

As reflected in the above table in 2008/09, the number of reported claims increased by 5.47 per cent. The incurred cost increased by 3.8 per cent compared to 2007-08 cost however the average costs of claims decreased by 1.58 per cent during the same period.

In 2008-09, the most common work related injuries were 'being hit by object' (30 per cent), 'body stressing' (21 per cent), 'slip or fall' (17 per cent) and 'hitting an object' (eight per cent).

EMPLOYEE ASSISTANCE PROVIDER

Converge International is engaged by the department to deliver confidential, flexible and free counselling services to all employees and their immediate families. The counselling service is available on a 24 hour, seven-day basis.

ORGANISATIONAL DEVELOPMENT

The department delivers a range of development programs to staff and as a Registered Training Organisation, provides both nationally accredited and non-accredited training.

The department's Training Facility at Yasmar in Haberfield provides a central location and practical learning environment for hands-on training. This includes:

- Youth Officer Induction Training and Assessment Program;
- Community Professional Development Program;
- Management Development Program;
- Motivational Interactions Program; and
- Youth Justice Conference Convenor Program.

The department's training facility is also made available to other NSW agencies as a training venue. During 2008-09, the Department of Corrective Services, NSW Police and the NSW Fire Brigade used the facility.

There were 13,796 staff attendances at training programs across the state during 2008-09.

The department delivers a nationally recognised course, Certificate IV in Youth Work (Juvenile Justice) and 338 staff achieved at least six units of this qualification in 2008-09. A further 56 staff gained the complete Certificate IV and 6 were exempted from the qualification due to higher qualifications.

	2007-08	2008-09
Number of frontline staff who hold a Certificate IV (Juvenile Justice)	305	361
Number of frontline staff with an exemption as they hold an equivalent or higher qualification	63	69

An increased focus on building the technical skills of community staff during 2008-09 has resulted in a rollout of a two-day program on using the Youth Level of Service Inventory (YLS-CMI-AA) and a three-day motivational interactions training program to all community based staff.

In 2008-09, 30 community based staff participated in the thirty-day community Professional Development Program. Modules include working with clients with disabilities, mental health issues, indigenous issues, intervention planning, staff supervision, OHS and bail intervention.

The department's Management Development Program resulted in 71 managers and supervisors gaining their Certificate IV in Frontline Management. A series of short management skills workshops for new managers and supervisors were also delivered, with a total of 40 staff completing workshops. Modules include time management, supervision, decision making, analytical skills, critical thinking and project management.

Staff completion rates for major programs in 2008–09 are:

- 264 staff completed the 29-day Youth Officer induction training program;
- 321 staff completed the new effective behaviour management training module;
- 840 staff completed Respectful Workplace training sessions;
- 217 community staff completed Motivational Interactions;
- 222 staff completed YLS-CMI-AA training;
- 46 staff complete Dthina Yuwali (alcohol and other drugs program);
- 30 staff completed Youth Justice Conference – CIMS;
- 50 staff completed Youth Justice Conference Convenor training.

In addition to core training programs, 12 staff participated in a Power of Resilience course, and the department sponsored 50 staff to complete scholarships relevant to their positions though attending TAFE or other educational facilities.

EQUAL EMPLOYMENT OPPORTUNITY

Trends in the Representation of EEO Groups

EEO Group	Benchmark or target	2005	2006	2007	2008	2009
Women	50%	46%	46%	46%	44%	44%
Aboriginal people and Torres Strait Islanders	2%	10%	9.8%	10.5%	10.1%	9.6%
People whose first language was not English	20%	11%	10%	11%	11%	11%
People with a disability	12%	4%	4%	4%	4%	3%
People with a disability requiring work-related adjustment	7%	0.6%	0.6%	0.4%	0.5%	0.4%

Trends in the Distribution of EEO Groups

EEO Group	Benchmark or target	2005	2006	2007	2008	2009
Women	100	105	105	106	108	109
Aboriginal people and Torres Strait Islanders	100	98	95	98	98	99
People whose first language was not English	100	100	100	99	104	104
People with a disability	100	99	109	107	110	110
People with a disability requiring work-related adjustment	100	N/A	N/A	N/A	N/A	N/A

NB:
1. *Staff numbers as at 22 June 2009*
2. *Excludes casual staff*
3. *A distribution index of 100 indicates that the centre of the distribution of the EEO group across salary levels is equivalent to that of other staff. Values less than 100 mean that the EEO group tends to be concentrated at lower salary levels than is the case for other staff. The more pronounced this tendency is, the lower the index will be. In some cases the index may be more than 100, indicating that the EEO group is less concentrated at lower salary levels.*

EQUITY

During 2008-2009, the department drafted its Equal Employment Opportunity (EEO) Management Plan, Dignity and Respect Policy and Guidelines, Aboriginal and Torres Strait Islander Recruitment and Retention Strategy and Supervision Policy and Guidelines. These documents will be implemented in 2009-10.

In addition to the above, the following initiatives were undertaken:

- the Induction Training Assessment Program (ITAP);
- implementation of the Disability Action Plan;
- the Community Language Allowance Scheme (CLAS);
- the recruitment and retention of indigenous staff;
- the Psychologist Reclassification Committee.

ITAP has been successfully implemented across the department, bringing a structured induction for new Youth Officers. The Program simplifies the application and induction process for Youth Officers and aims to employ the best people for the job. It also includes continued assessment of staff. The department's continuous on-line recruitment process for Youth Officers has been implemented, increasing the pool of applicants for Youth Officer positions.

The department continued strategies contained in the Disability Action Plan to identify and respond appropriately to the needs of young offenders with disabilities to reduce the likelihood of their re-offending and their further entrenchment in the criminal justice system.

The department's draft EEO Management Plan contains strategies and imperatives for the equal employment of women; Aboriginal and/or Torres Strait Islander people; people whose first language was not English, people from racial, ethnic and ethno-religious minority groups; and people with a disability.

Staff from Culturally and Linguistically Diverse Communities (CALD) had an opportunity to have their second language skills recognised through the Community Language Allowance Scheme (CLAS). In 2008-09, 10 staff received the CLAS allowance, with Greek, Italian, Macedonian, Serbian, Spanish, Samoan, Tongan and Vietnamese being the languages spoken. As at 30 June 2009, there were seven CLAS applicants for the next financial year.

The department continued to recruit Indigenous staff, advertising in the Koori Mail, National Indigenous Times and on-line. Advertising for the Indigenous Cadetship Program will be undertaken in 2009-10 to promote a positive career path for indigenous students within the department.

The Psychologist Reclassification Committee met and considered applications to reclassify psychologists to either Specialist, Senior or Senior Specialist Psychologist. This committee provides career development and recognition of valuable psychological staff and enhances the continued quality service to young people.

PLANNED INITIATIVES FOR 2009-10

The department will be launching the Dignity and Respect Policy and Guidelines, which outline how all staff in the department will fulfil their responsibility to model ethical behaviour and maintain a professional and safe work environment. The Dignity and Respect Policy and Guidelines aim to support a workplace free of bullying and harassment, in which grievances are dealt with effectively, confidentially and in a timely manner.

The department's Equal Employment Opportunity (EEO) management plan will also be launched. The EEO Management Plan aims to promote equity for all staff, and demonstrates the department's ongoing commitment to the principles of EEO.

The Supervision Policy and Guidelines will be launched, providing guidelines for the effective supervision of staff in order for them to maintain appropriate standards of conduct and work-related performance.

The Psychologists Reclassification Committee will meet to consider reclassification applications to promote the retention of experienced Psychologists and improve the quality of service to departmental clients.

The Community Language Allowance Scheme (CLAS) will be advertised and successful applicants will receive the allowance. Better service will be provided to young persons from culturally and linguistically diverse communities.

The department plans to finalise the draft Aboriginal and Torres Strait Islander Recruitment and Retention Strategy, ensuring practices are in place to recruit and retain Aboriginal and Torres Strait Islander staff.

PRINCIPAL AND SENIOR EXECUTIVE POSITIONS

As at 30 June 2009, the department's senior executive team comprised:

- Mr Peter Muir, Director General
- Ms Valda Rusis, Deputy Director General (Operations)
- Mr Kevin Hogan, Acting Deputy Director General (Management Services)
- Ms Megan Wilson, Executive Director, Office of the Director General
- Mr Steve Miller, Regional Director, Metropolitan Region
- Ms Leonie Bender, Regional Director, Western Region
- Ms Anne Meagher, Regional Director, Northern Region

The number of executive positions at the end of the reporting year were:

Level	Number
SES Level 5	1
SES Level 4	2
SES Level 2	4

The number of Senior Executive Officers decreased from eight to seven during 2008/2009 financial year.

Executive Position Holders on or above Level 5

As at 30 June 2009, the Director General, Mr Peter Muir was the only executive officer employed at SES Level 5 or above. A statement on the performance of Mr Muir appears on page 82.

The value of the total remuneration package for Level 5 Senior Executive Officers as at 30 June 2009 was $259,850. Mr Muir commenced the position on 23 June 2008.

RISK MANANGEMENT

Responsibility for effective risk management within the department rests with the Executive Committee, with oversight provided through the independent Audit and Risk Management Committee. A separate Fraud and Corruption Prevention Committee provides regular reports to the Audit and Risk Management Committee.

The Department of Juvenile Justice is in the process of upgrading its risk management framework in accordance with the *Australian/New Zealand Standard AS/NZ 4360:2004* Risk Management and relevant legislative requirements. Developing effective performance management benchmarks will be a key supporting focus of the risk management process.

Safety

An Executive Safety Committee has been established to oversee the identification and controls necessary to manage systemic safety hazards. A comprehensive Safety Risk Register is being compiled to formalise the monitoring, treating and reporting responsibilities between the regional safety committees and the Executive Safety Committee.

Strategic Risks

A preliminary review of the department's strategic risks was undertaken in the latter half of 2008-09. The development of an effective risk management/corporate governance framework for managing key strategic risks will be developed during 2009-10. This will also involve a strengthening of the risk management responsibilities of the various Steering Committees supporting the Executive Committee and a closer integration between the Strategic Planning, Business Planning, Financial Planning cycles and the State Performance and Budget cycle.

Financial Risk

Financial risk is managed through the Executive Finance Committee.

Operational Risk

The role of the Operations Committee is being reviewed to ensure a stronger control in the identification and management of operational risks. This will also involve the development of an Operational Risk Register.

Insurance

The department has a comprehensive Insurance program covering Workers Compensation, Public Liability, Motor Vehicle, Property and Miscellaneous Liability.

PERFORMANCE STATEMENT FOR DIRECTOR GENERAL DEPARTMENT OF JUVENILE JUSTICE

NAME: Peter Muir

POSITION: Director General

PERIOD: 1 July 2008 – 30 June 2009

Mr Muir has successfully led the department during 2008-09 in accordance with his performance agreement.

Mr Muir has overseen the following initiatives:

- Achievement of the department's capital works program including the commissioning and opening of Emu Plains Juvenile Justice Centre;
- Achievement of productivity savings and the restructuring of centres;
- Implementation of approved Cabinet recommendations to address capacity issues in the department's custodial system;
- Implementation of the department's Aboriginal AOD Program *Dthinya Yuwali*.;
- Implementation of the recommendations of the Aboriginal Child Sexual Assault Task Force;
- Implementation of amendments to the Detention Centres Act;
- Implementation of the Corporate Information System to enable better reporting ;
- Implementation of the Transition to Shared Corporate services (Business Link);
- Introduction of the Comprehensive Assessment Framework;
- Implementation of evaluation framework for the Intensive Supervision Program; and
- Implementation of reviews of the Sex Offender Programs, Violent Offender Programs and Alcohol and Other Drug (AOD) Programs.

Mr Muir discharged his responsibilities diligently, exercising sound judgement and providing a high level of leadership to the department.

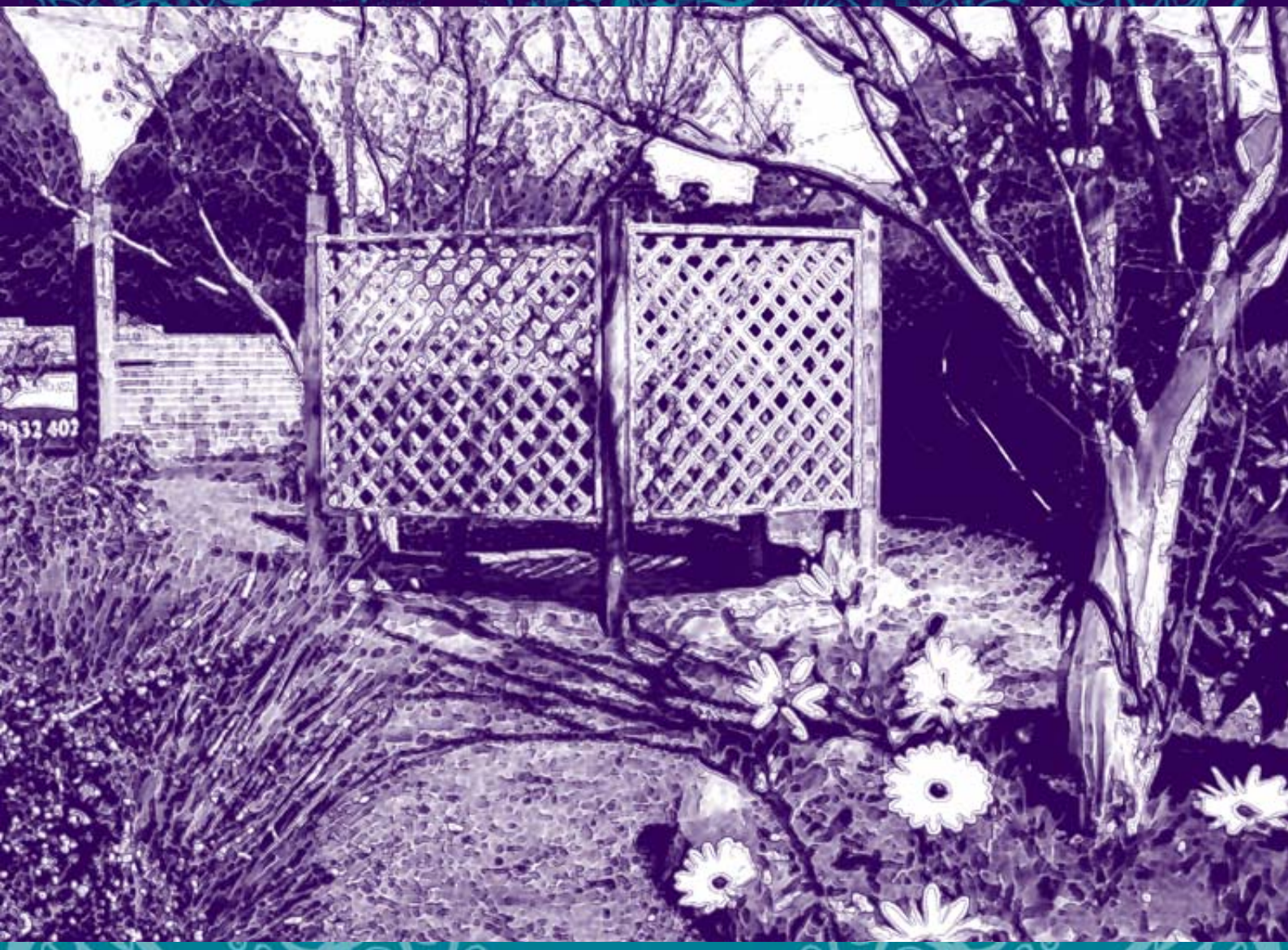
Graham West
Minister for Juvenile Justice
Minister for Volunteering
Minister for Youth
Minister Assisting the Premier on Veterans' Affairs

A partnership between Richmond TAFE, Salvation Army and the Department of Juvenile Justice enabled eight young offenders to take part in a landscaping course and create a new serenity garden at the Blacktown Salvation Army office.

NSW DEPARTMENT OF juvenile justice

CHAPTER 8

FINANCIAL STATEMENTS



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Juvenile Justice
JUVENILE JUSTICE – NSW DEPARTMENT OF HUMAN SERVICES

STATEMENT BY DEPARTMENT HEAD

FOR THE YEAR ENDED 30 JUNE 2009

Pursuant to Section 45F of the *Public Finance and Audit Act 1983*, I state that:

a) the accompanying financial statements have been prepared in accordance with applicable Australian Accounting Standards, the requirements of the *Public Finance and Audit Act 1983* and regulation and the Financial reporting Directions published in the Financial reporting Code for Budget Dependent General Government Sector Agencies or issued by the Treasurer.

b) the statements exhibit a true and fair view of the financial position and transactions of the agency.

c) there are no circumstances that would render any particulars included in the financial statements to be misleading or inaccurate.

JENNIFER MASON	PETER MUIR	TERRY STRATFORD
Director General	Chief Executive	Chief Financial Officer

GPO BOX 12
Sydney NSW 2001

INDEPENDENT AUDITOR'S REPORT

Department of Juvenile Justice

To Members of the New South Wales Parliament

I have audited the accompanying financial report of the Department of Juvenile Justice (the Department), which comprises the balance sheet as at 30 June 2009, the operating statement, statement of recognised income and expense, cash flow statement, service group statements and a summary of compliance with financial directives for the year then ended, a summary of significant accounting policies and other explanatory notes.

Auditor's Opinion

In my opinion, the financial report:

- presents fairly, in all material respects, the financial position of the Department as at 30 June 2009, and its financial performance for the year then ended in accordance with Australian Accounting Standards (including the Australian Accounting Interpretations)
- is in accordance with section 45E of the *Public Finance and Audit Act 1983* (the PF&A Act) and the Public Finance and Audit Regulation 2005.

My opinion should be read in conjunction with the rest of this report.

The Director-General's Responsibility for the Financial Report

The Director-General is responsible for the preparation and fair presentation of the financial report in accordance with Australian Accounting Standards (including the Australian Accounting Interpretations) and the PF&A Act. This responsibility includes establishing and maintaining internal controls relevant to the preparation and fair presentation of the financial report that is free from material misstatement, whether due to fraud or error; selecting and applying appropriate accounting policies; and making accounting estimates that are reasonable in the circumstances.

Auditor's Responsibility

My responsibility is to express an opinion on the financial report based on my audit. I conducted my audit in accordance with Australian Auditing Standards. These Auditing Standards require that I comply with relevant ethical requirements relating to audit engagements and plan and perform the audit to obtain reasonable assurance whether the financial report is free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial report. The procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement of the financial report, whether due to fraud or error. In making those risk assessments, the auditor considers internal controls relevant to the Department's preparation and fair presentation of the financial report in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Department's internal controls. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by the Director-General, as well as evaluating the overall presentation of the financial report.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my audit opinion.

My opinion does *not* provide assurance:

- about the future viability of the Department,
- that it has carried out its activities effectively, efficiently and economically,
- about the effectiveness of its internal controls, or
- on the assumptions used in formulating the budget figures disclosed in the financial report.

Independence

In conducting this audit, the Audit Office of New South Wales has complied with the independence requirements of the Australian Auditing Standards and other relevant ethical requirements. The PF&A Act further promotes independence by:

- providing that only Parliament, and not the executive government, can remove an Auditor-General, and
- mandating the Auditor-General as auditor of public sector agencies but precluding the provision of non-audit services, thus ensuring the Auditor-General and the Audit Office of New South Wales are not compromised in their role by the possibility of losing clients or income.

SBond.

Sally Bond
Director, Financial Audit Services

20 October 2009
SYDNEY

OPERATING STATEMENT FOR THE YEAR ENDED 30 JUNE 2009

	Notes	Actual 2009 $'000	Budget 2009 $'000	Actual 2008 $'000
Expenses excluding losses				
Operating expenses				
Employee related	2(a)	133,456	125,360	118,131
Other operating expenses	2(b)	31,771	26,855	25,677
Depreciation and amortisation	2(c), 13, 14	10,294	9,820	9,556
Grants and subsidies	2(d)	7,954	7,186	6,099
Finance costs	2(e)	77	-	35
Total Expenses excluding losses		183,552	169,221	159,498
Revenue				
Investment revenue	3(a)	664	630	845
Grants and contributions	3(b)	2,350	2,288	2,386
Other revenue	3(c)	1,713	459	831
Total Revenue		4,727	3,377	4,062
Gain/(loss) on disposal	4	(353)	-	(130)
Other Gains/ (losses)	5, 21, 22	(5,308)	-	-
Net Cost of Services	22	184,486	165,844	155,566
Government Contributions				
Recurrent appropriation	6	163,199	150,954	140,641
Capital appropriation	6	16,772	16,394	8,354
(Asset sale proceeds transferred to the Crown Entity)		-	-	(163)
Acceptance by the Crown Entity of employee benefits and other liabilities	7	4,835	3,890	4,149
Total Government Contributions		184,806	171,238	152,981
SURPLUS / (DEFICIT) FOR THE YEAR		320	5,394	(2,585)

The accompanying notes form part of these statements

STATEMENT OF RECOGNISED INCOME AND EXPENSE FOR THE YEAR ENDED 30 JUNE 2009

	Notes	Actual 2009 $'000	Budget 2009 $'000	Actual 2008 $'000
Net increase in property, plant and equipment asset revaluation reserve		6,398	-	5,677
Net change in asset revaluation reserve arising from a change in restoration liability		(183)	-	53
Equity transfer		(4,680)	-	-
Increment/decrement on revaluation of assets held for sale		(1,824)	-	-
Other net decreases in equity		(243)	-	-
TOTAL INCOME AND EXPENSE RECOGNISED DIRECTLY IN EQUITY		(532)	-	5,730
Surplus/ (Deficit) for the Year		320	5,394	(2,585)
TOTAL INCOME AND EXPENSE RECOGNISED FOR THE YEAR	18	(212)	5,394	3,145

The accompanying notes form part of these statements

BALANCE SHEET AS AT 30 JUNE 2009

	Notes	Actual 2009 $'000	Budget 2009 $'000	Actual 2008 $'000
ASSETS				
Current Assets				
Cash and cash equivalents	9	13,446	11,683	12,508
Receivables	11	2,726	2,395	2,128
Non-current assets held for sale	12	2,543	-	-
Total Current Assets		18,715	14,078	14,636
Non-Current Assets				
Receivables	11	39	-	67
Property, Plant and Equipment	13			
- Land and buildings		181,507	186,041	182,171
- Plant and equipment		8,349	8,326	9,944
- Infrastructure systems		39,634	37,211	38,542
Total Property, plant and equipment		229,490	231,578	230,657
Intangible assets	14	5,323	7,952	5,989
Total Non-Current Assets		234,852	239,530	236,713
Total Assets		253,567	253,608	251,349
LIABILITIES				
Current Liabilities				
Payables	15	7,643	6,432	6,162
Provisions	16	11,384	10,739	10,455
Other	17	418	579	579
Total Current Liabilities		19,445	17,750	17,196
Non-Current Liabilities				
Provisions	16	784	604	603
Total Non-Current Liabilities		784	604	603
Total Liabilities		20,229	18,354	17,799
Net Assets		233,338	235,254	233,550
EQUITY				
Reserves	18	70,090	70,043	70,043
Accumulated funds	18	161,298	165,211	163,507
Amounts recognised in equity relating to assets held for sale	12	1,950	-	-
Total Equity		233,338	235,254	233,550

The accompanying notes form part of these statements

CASH FLOWS STATEMENT FOR THE YEAR ENDED 30 JUNE 2009

	Notes	Actual 2009 $'000	Budget 2009 $'000	Actual 2008 $'000
CASH FLOWS FROM OPERATING ACTIVITIES				
Payments				
Employee related		(127,389)	(120,915)	(112,472)
Grants and subsidies		(7,954)	(7,186)	(6,099)
Other		(36,860)	(30,709)	(29,294)
Total Payments		(172,203)	(158,810)	(147,865)
Receipts				
Sale of goods and services		-	(431)	-
Interest received		895	630	734
Other		9,650	6,832	7,421
Total Receipts		10,545	7,031	8,155
Cash Flows from Government				
Recurrent appropriation	6	163,286	150,954	141,220
Capital appropriation (excluding equity appropriations)	6	16,772	16,394	8,354
Asset sale proceeds transferred to the Crown Entity		-	-	(163)
Cash transfers to the Consolidated Fund		(579)	-	(19)
Net Cash Flows from Government		179,479	167,348	149,392
NET CASH FLOWS FROM OPERATING ACTIVITIES	22	17,821	15,569	9,682
CASH FLOWS FROM INVESTING ACTIVITIES				
Proceeds from sale of land and buildings, plant and equipment and infrastructure systems		-	-	352
Purchases of land and buildings, plant and equipment and infrastructure systems		(16,883)	(16,394)	(8,600)
NET CASH FLOWS FROM INVESTING ACTIVITIES		(16,883)	(16,394)	(8,248)
NET INCREASE/(DECREASE) IN CASH		938	(825)	1,434
Opening cash and cash equivalents		12,508	12,508	11,074
CLOSING CASH AND CASH EQUIVALENTS	9	13,446	11,683	12,508

The accompanying notes form part of these statements

SUPPLEMENTARY FINANCIAL STATEMENTS
SERVICE GROUP STATEMENTS* FOR THE YEAR ENDED 30 JUNE 2009

AGENCY'S EXPENSES & INCOME	Service Group 1**		Service Group 2**		Service Group 3**		Not Attributable		Total	
	2009 $'000	2008*** $'000	2009 $'000	2008*** $'000	2009 $'000	2008*** $'000	2009 $'000	2008*** $'000	2009 $'000	2008*** $'000
Expenses excluding losses										
Operating expenses										
- Employee related	4,871	4,607	40,437	33,904	88,148	79,620	-	-	133,456	118,131
- Other operating	1,160	1,001	9,627	7,369	20,984	17,307	-	-	31,771	25,677
Depreciation and amortisation	173	167	1,083	947	9,038	8,442	-	-	10,294	9,556
Grants and subsidies	-	-	7,556	5,794	398	305	-	-	7,954	6,099
Finance costs	-	-	-	-	-	-	77	35	77	35
Total expenses excluding losses	**6,204**	**5,775**	**58,703**	**48,014**	**118,568**	**105,674**	**77**	**35**	**183,552**	**159,498**
Revenue										
Investment revenue							664	845	664	845
Grants and contributions	-	-	2,115	2,147	235	239	-	-	2,350	2,386
Other revenue	-	-	-	-	540	450	1,173	381	1,713	831
Total revenue	**-**	**-**	**2,115**	**2,147**	**775**	**689**	**1,837**	**1,226**	**4,727**	**4,062**
Gain / (loss) on disposal	-	-	-	-	(353)	(130)	-	-	(353)	(130)
Other gains / (losses)	(54)	-	(447)	-	(4,807)	-	-	-	(5,308)	-
Net Cost of Services	**6,258**	**5,775**	**57,035**	**45,867**	**122,953**	**105,115**	**(1,760)**	**(1,191)**	**184,486**	**155,566**
Government contributions****	-	-	-	-	-	-	184,806	152,981	184,806	152,981
NET EXPENDITURE / (INCOME) FOR THE YEAR	**6,258**	**5,775**	**57,035**	**45,867**	**122,953**	**105,115**	**(186,566)**	**(154,172)**	**(320)**	**2,585**
AGENCY'S ASSETS & LIABILITIES										
Current Assets										
Cash and cash equivalents	-	-	-	-	-	-	13,446	12,508	13,446	12,508
Receivables	-	-	-	-	597	2	2,129	2,126	2,726	2,128
Non-current assets held for sale	-	-	-	-	2,543	-	-	-	2,543	-
Total currents assets	**-**	**-**	**-**	**-**	**3,140**	**2**	**15,575**	**14,634**	**18,715**	**14,636**
Non-current Assets										
Receivables	-	-		-	-	-	39	67	39	67
Property, plant and equipment	305	941	2,530	7,693	226,655	222,023	-	-	229,490	230,657
Intangibles	323	383	1,647	1,936	3,353	3,670	-	-	5,323	5,989
Total non-current assets	**628**	**1,324**	**4,177**	**9,629**	**230,008**	**225,693**	**39**	**67**	**234,852**	**236,713**
TOTAL ASSETS	**628**	**1,324**	**4,177**	**9,629**	**233,148**	**225,695**	**15,614**	**14,701**	**253,567**	**251,349**

SUPPLEMENTARY FINANCIAL STATEMENTS
SERVICE GROUP STATEMENTS* FOR THE YEAR ENDED 30 JUNE 2009 (continued)

AGENCY'S EXPENSES & INCOME	Service Group 1**		Service Group 2**		Service Group 3**		Not Attributable		Total	
	2009 $'000	2008*** $'000	2009 $'000	2008*** $'000	2009 $'000	2008*** $'000	2009 $'000	2008*** $'000	2009 $'000	2008*** $'000
Current liabilities										
Payables	279	240	2,316	1,768	5,048	4,154	-	-	7,643	6,162
Provisions	404	403	3,350	2,968	7,302	6,972	328	112	11,384	10,455
Other	-	-	-	-	331	-	87	579	418	579
Total current liabilities	**683**	**643**	**5,666**	**4,736**	**12,681**	**11,126**	**415**	**691**	**19,445**	**17,196**
Non-current liabilities										
Provisions	3	2	24	18	53	43	704	540	784	603
Total non-current liabilities	**3**	**2**	**24**	**18**	**53**	**43**	**704**	**540**	**784**	**603**
TOTAL LIABILITIES	**686**	**645**	**5,690**	**4,754**	**12,734**	**11,169**	**1,119**	**1,231**	**20,229**	**17,799**
NET ASSETS	**(58)**	**679**	**(1,513)**	**4,875**	**220,414**	**214,526**	**14,495**	**13,470**	**233,338**	**233,550**

* NSW Budget Paper No. 3 has replaced program statements with service group statements. Service group statements focus on the key measures of service delivery performance. The department reviewed the financial data according to programs shown in the chart of accounts (i.e. Core Business, Drug related activities and Youth Justice Initiatives). A cost dissection was then undertaken allocating costs, assets and liabilities on the front line service delivery basis (i.e. Custodial, Community and Youth Justice Conferencing). The dissection has an element of subjectivity but was consistent with each cost centre's contribution to achieving service delivery levels in 2007/08 and 2008/09.

** The names and purposes of each service group are summarised in Note 8.

*** Comparative amounts have been reclassified to align with the change in focus from programs to service groups.

**** Appropriations are made on an agency basis and not to individual service groups. Consequently, government contributions must be included in the 'Not Attributable' column.

SUMMARY OF COMPLIANCE WITH FINANCIAL DIRECTIVES

	2009				2008			
	Recurrent Appropriation	Expenditure / Net Claim on Consolidated Fund	Capital Appropriation	Expenditure / Net Claim on Consolidated Fund	Recurrent Appropriation	Expenditure / Net Claim on Consolidated Fund	Capital Appropriation	Expenditure / Net Claim on Consolidated Fund
	$'000	$'000	$'000	$'000	$'000	$'000	$'000	$'000
Original Budget Appropriation / Expenditure								
Appropriation Act	150,954	149,878	16,394	16,394	140,308	139,278	8,936	8,354
Additional Appropriations	-	-	-	-	1,363	1,363	-	-
	150,954	149,878	16,394	16,394	141,671	140,641	8,936	8,354
Other Appropriations / Expenditure								
Treasurer's Advance	13,321	13,321	4,350	480	-	-	-	-
s 31 PF&AA - transfers to another department	(989)	-	-	-	-	-	-	-
	12,332	13,321	4,350	480	-	-	-	-
Total Appropriations / Expenditure/ Net Claim on Consolidated Fund (includes transfer payments)	163,286	163,199	20,744	16,874	141,671	140,641	8,936	8,354
Amount drawn down against Appropriation		163,286		16,772		141,220		8,354
Liability to Consolidated Fund *		87		-		579		-

The Summary of Compliance is based on the assumption that Consolidated Fund moneys are spent first (except where otherwise identified or prescribed).

* The "Liability to Consolidated Fund" represents the difference between the "Amount Drawn down against Appropriation" and the "Total Expenditure / Net Claim on Consolidated Fund".

NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2009

1 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

(a) Reporting Entity

The Department of Juvenile Justice is a reporting entity with no other entities under its control.

The Department of Juvenile Justice is a NSW Government department. The department is a not-for-profit entity (as profit is not its principal objective) and it has no cash generating units. The reporting entity is consolidated as part of the NSW Total State Sector Accounts.

The financial report for the year ended 30 June 2009 has been authorised for issue by the Director-General on 20th October 2009.

(b) Basis of Preparation

The agency's financial report is a general purpose financial report which has been prepared in accordance with:

- applicable Australian Accounting Standards (which include Australian Accounting Interpretations);
- the requirements of the *Public Finance and Audit Act 1983* and Regulation; and
- the Financial Reporting Directions published in the Financial Reporting Code for Budget Dependent General Government Sector Agencies or issued by the Treasurer.

Property, plant and equipment and assets held for sale are measured at fair value. Other financial report items are prepared in accordance with the historical cost convention.

Judgements, key assumptions and estimations management has made are disclosed in the relevant notes to the financial report.

All amounts are rounded to the nearest one thousand dollars and are expressed in Australian currency.

(c) Statement of Compliance

The financial statements and notes comply with Australian Accounting Standards, which include Australian Accounting Interpretations.

(d) Insurance

The agency's insurance activities are conducted through the NSW Treasury Managed Fund Scheme of self insurance for Government agencies. The expense (premium) is determined by the Fund Manager based on past claim experience.

(e) Accounting for the Goods and Services Tax (GST)

Revenues, expenses and assets are recognised net of the amount of GST, except that:

- the amount of GST incurred by the agency as a purchaser that is not recoverable from the Australian Taxation Office is recognised as part of the cost of acquisition of an asset or as part of an item of expense and
- receivables and payables are stated with the amount of GST included.

Cash flows are included in the cash flow statement on a gross basis. The GST component of the cash flow arising from investing and financing activities which is recoverable from or payable to the Australian Taxation Office is classified as operating cash flow.

(f) Income Recognition

Income is measured at the fair value of the consideration or contribution received or receivable. Additional comments regarding the accounting policies for the recognition of income are discussed below.

(i) Parliamentary Appropriations & Contributions

Parliamentary appropriations and contributions from other bodies (including grants and donations) are generally recognised as revenue when the agency obtains control over the assets comprising the appropriations / contributions. Control over appropriations and contributions is normally obtained upon the receipt of cash.

An exception to the above is when appropriations are unspent at year end. In this case, the authority to spend the money lapses and generally

the unspent amount must be repaid to the Consolidated Fund in the following financial year. As a result, unspent appropriations are accounted for as liabilities rather than revenue.

The liability is disclosed in Note 17 as part of "Current Liabilities - Other". The amount will be repaid and the liability will be extinguished next financial year.

(ii) Sale of Goods

Revenue from the sale of goods is recognised as revenue when the agency transfers the significant risks and rewards of ownership of the assets.

(iii) Rendering of Services

Revenue is recognised when the service is provided or by reference to the stage of completion (based on labour hours incurred to date).

(iv) Investment revenue

Interest revenue is recognised using the effective interest method as set out in AASB 139 *Financial Instruments: Recognition and Measurement*. Rental revenue is recognised in accordance with AASB 117 Leases on a straight-line basis over the lease term.

(g) Assets

(i) Acquisition of Assets

The cost method of accounting is used for the initial recording of all acquisitions of assets controlled by the agency. Cost is the amount of cash or cash equivalents paid or the fair value of the other consideration given to acquire the asset at the time of its acquisition or construction or, where applicable, the amount attributed to that asset when initially recognised in accordance with the requirements of other Australian Accounting Standards.

Assets acquired at no cost, or for nominal consideration, are initially recognised at their fair value at the date of acquisition (see also assets transferred as a result of an equity transfer – Note 1(i)).

Fair value is the amount for which an asset could be exchanged between knowledgeable, willing parties in an arm's length transaction.

Where payment for an asset is deferred beyond normal credit terms, its cost is the cash price equivalent, i.e. deferred payment amount is effectively discounted at an asset-specific rate.

(ii) Capitalisation Thresholds

Property, plant and equipment and intangible assets costing $5,000 and above individually (or forming part of a network costing more than $5,000) are capitalised.

(iii) Revaluation of Property, Plant and Equipment

Physical non-current assets are valued in accordance with the "Valuation of Physical Non-Current Assets at Fair Value" Policy and Guidelines Paper (TPP 07-1). This policy adopts fair value in accordance with AASB 116 *Property, Plant and Equipment.*

Property, plant and equipment is measured on an existing use basis, where there are no feasible alternative uses in the existing natural, legal, financial and socio-political environment. However, in the limited circumstances where there are feasible alternative uses, assets are valued at their highest and best use.

Fair value of property, plant and equipment is determined based on the best available market evidence, including current market selling prices for the same or similar assets. Where there is no available market evidence, the asset's fair value is measured at its market buying price, the best indicator of which is depreciated replacement cost.

Land and buildings and infrastructure assets are revalued at least every five years or with sufficient regularity to ensure that the carrying amount of each asset in the class does not differ materially from its fair value at reporting date. In 2009, land and building and infrastructure were revalued using the desktop method and was based on an independent assessment. The valuations were performed by CB Richard Ellis. The last detailed revaluation was completed on 30 June 2007 and was based on an independent assessment. The valuations were performed by the Australian Valuation Office.

Non-specialised assets with short useful

lives are measured at depreciated historical cost, as a surrogate for fair value.

When revaluing non-current assets by reference to current prices for assets newer than those being revalued (adjusted to reflect the present condition of the assets), the gross amount and the related accumulated depreciation are separately restated.

For other assets, any balances of accumulated depreciation at the revaluation date in respect of those assets are credited to the asset accounts to which they relate. The net asset accounts are then increased or decreased by the revaluation increments or decrements.

Revaluation increments are credited directly to the asset revaluation reserve, except that, to the extent that an increment reverses a revaluation decrement in respect of that class of asset previously recognised as an expense in the surplus/deficit, the increment is recognised immediately as revenue in the surplus/deficit.

Revaluation decrements are recognised immediately as expenses in the surplus/deficit, except that, to the extent that a credit balance exists in the asset revaluation reserve in respect of the same class of assets, they are debited directly to the asset revaluation reserve.

As a not-for-profit entity, revaluation increments and decrements are offset against one another within a class of non-current assets, but not otherwise.

Where an asset that has previously been revalued is disposed of, any balance remaining in the asset revaluation reserve in respect of that asset is transferred to accumulated funds.

(iv) Impairment of Property, Plant and Equipment

As a not-for-profit entity with no cash generating units, the Agency is effectively exempted from AASB 136 *Impairment of Assets* and impairment testing. This is because AASB 136 modifies the recoverable amount test to the higher of fair value less costs to sell and depreciated replacement cost. This means that, for an asset already measured at fair value, impairment can only arise if selling costs are material. Selling costs are regarded as immaterial.

(v) Depreciation of Property, Plant and Equipment

Depreciation is provided for on a straight-line basis for all depreciable assets so as to write off the depreciable amount of each asset as it is consumed over its useful life to the agency.

All material separately identifiable components of assets are depreciated over their shorter useful lives.

Land is not a depreciable asset.

Depreciation of the agency's assets for accounting purposes is provided for as follows:

- Buildings (including furniture and fittings) and Infrastructure

  Buildings and infrastructure are depreciated over 40 years. Furniture and fittings in leasehold premises are amortised over the unexpired period of the lease or the useful life of the asset, whichever is the shorter.

- Plant and Equipment

  Computer equipment that forms part of a network is aggregated as a single asset and depreciated over 4 years. Major plant is depreciated over 10 years. All other plant and equipment is depreciated over 5 years.

The useful lives of assets are reviewed on an annual basis.

(vi) Major Inspection Costs

When each major inspection is performed, the labour cost of performing major inspections for faults is recognised in the carrying amount of an asset as a replacement of a part, if the recognition criteria are satisfied.

(vii) Restoration Costs

The estimated cost of dismantling and removing an asset and restoring the site is included in the cost of an asset, to the extent it is recognised as a liability.

(viii) Maintenance

Day-to-day servicing costs or maintenance are charged as expenses as incurred, except where they relate to the replacement of a part or component of an asset, in which case the costs are capitalised and depreciated.

(ix) Leased Assets

A distinction is made between finance leases which effectively transfer from the lessor to the lessee substantially all the risks and benefits incidental to ownership of the leased assets, and operating leases under which the lessor effectively retains all such risks and benefits.

The agency has not entered into any finance leases.

Operating lease payments are charged to the Operating Statement in the periods in which they are incurred.

(x) Intangible Assets

The agency recognises intangible assets only if it is probable that future economic benefits will flow to the agency and the cost of the asset can be measured reliably. Intangible assets are measured initially at cost. Where an asset is acquired at no or nominal cost, the cost is its fair value as at the date of acquisition.

All research costs are expensed. Development costs are only capitalised when certain criteria are met.

The useful lives of intangible assets are assessed to be finite.

Intangible assets are subsequently measured at fair value only if there is an active market. As there is no active market for the agency's intangible assets, the assets are carried at cost less any accumulated amortisation.

The agency's softwares are amortised using the straight line method over a period of 5 years.

Intangible assets are tested for impairment where an indicator of impairment exists. If the recoverable amount is less than its carrying amount the carrying amount is reduced to recoverable amount and the reduction is recognised as an impairment loss.

(xi) Receivables

Receivables are non-derivative financial assets with fixed or determinable payment that are not quoted in an active market. These financial assets are recognised initially at fair value, usually based on the transaction cost or face value. Subsequent measurement is at amortised cost using the effective interest method, less an allowance for any impairment of receivables. Any changes are accounted for in the Operating Statement when impaired, derecognised or through the amortisation process.

Short-term receivables with no stated interest rate are measured at the original invoice amount where the effect of discounting is immaterial.

(xii) Impairment of financial assets

All financial assets, except those measured at fair value through profit and loss, are subject to an annual review for impairment. An allowance for impairment is established when there is objective evidence that the entity will not be able to collect all amounts due.

For financial assets carried at amortised cost, the amount of the allowance is the difference between the asset's carrying amount and the present value of estimated future cash flows, discounted at the effective interest rate. The amount of the impairment loss is recognised in the Operating Statement.

When an available for sale financial asset is impaired, the amount of the cumulative loss is removed from equity and recognised in the Operating Statement, based on the difference between the acquisition cost (net of any principal repayment and amortisation) and current fair value, less any impairment loss previously recognised in the Operating Statement.

Any reversals of impairment losses are reversed through the Operating Statement, where there is objective evidence, except reversals of impairment losses on an investment in an equity instrument classified as "available for sale" must be made through the reserve. Reversals of impairment losses of financial assets carried at amortised cost cannot result in a carrying amount that exceeds what the carrying amount would have been had there not been an impairment loss.

(xiii) Non-current assets held for sale

The agency has certain non-current assets classified as held for sale, where their carrying amount will be recovered

principally through a sale transaction, not through continuing use. Non-current assets held for sale are recognised at the lower of carrying amount and fair value less costs to sell. These assets are not depreciated while they are classified as held for sale.

(xiv) Trust Funds

The agency receives monies in a trustee capacity as set out in Note 23. As the agency performs only a custodial role in respect of these monies, and because the monies cannot be used for the achievement of the agency's own objectives, these funds are not recognised in the financial statements.

(xv) Other Assets

Other assets are recognised on a cost basis.

(h) Liabilities

(i) Payables

These amounts represent liabilities for goods and services provided to the agency and other amounts. Payables are recognised initially at fair value, usually based on the transaction cost or face value. Subsequent measurement is at amortised cost using the effective interest method. Short-term payables with no stated interest rate are measured at the original invoice amount where the effect of discounting is immaterial.

(ii) Employee Benefits and other provisions

(a) Salaries and Wages, Annual Leave, Sick Leave and On-Costs

Liabilities for salaries and wages (including non-monetary benefits), annual leave and paid sick leave that fall due wholly within 12 months of the reporting date are recognised and measured in respect of employees' services up to the reporting date at undiscounted amounts based on the amounts expected to be paid when the liabilities are settled.

Long-term annual leave that is not expected to be taken within twelve months is measured at present value in accordance with AASB 119 *Employee Benefits*. Market yields on Commonwealth government bonds of 3.45% as published by the Reserve Bank of Australia are used to discount long-term annual leave. Rates used are as at reporting date and relate to a term similar to that of the liability being measured.

Unused non-vesting sick leave does not give rise to a liability as it is not considered probable that sick leave taken in the future will be greater than the benefits accrued in the future.

The outstanding amounts of payroll tax, workers' compensation insurance premiums and fringe benefits tax, which are consequential to employment, are recognised as liabilities and expenses where the employee benefits to which they relate have been recognised.

(b) Long Service Leave and Superannuation

The agency's liabilities for long service leave and defined benefit superannuation are assumed by the Crown Entity. The agency accounts for the liability as having been extinguished, resulting in the amount assumed being shown as part of the non-monetary revenue item described as "Acceptance by the Crown Entity of employee benefits and other liabilities".

Long service leave is measured at present value in accordance with AASB 119 *Employee Benefits*. This is based on the application of certain factors (specified in NSWTC 09/04) to employees with five or more years of service, using current rates of pay. These factors were determined based on an actuarial review to approximate present value.

The superannuation expense for the financial year is determined by using the formulae specified in the Treasurer's Directions. The expense for certain superannuation schemes (i.e. Basic Benefit and First State Super) is calculated as a percentage of the employees' salary. For other superannuation schemes (i.e. State Superannuation Scheme and State Authorities Superannuation Scheme), the expense is calculated as a multiple of the employees' superannuation contributions.

(iii) Other Provisions

Other provisions exist when: the agency has a present legal or constructive obligation as a result of a past event; it is probable that an outflow of resources will be required to settle the obligation; and a reliable estimate can be made of the amount of the obligation.

Any provisions for restructuring are recognised only when an agency has a detailed formal plan and the agency has raised a valid expectation in those affected by the restructuring that it will carry out the restructuring by starting to implement the plan or announcing its main features to those affected.

If the effect of the time value of money is material, provisions are discounted at 3.45% using the market yield on Commonwealth government bonds as published by the Reserve Bank of Australia which is a pre-tax rate that reflects the current market assessments of the time value of money and the risks specific to the liability. Rates used are as at reporting date and relate to a term similar to that of the liability being measured.

(i) Equity Transfers

The transfer of net assets between agencies as a result of an administrative restructure, transfers of programs / functions and parts thereof between NSW public sector agencies and 'equity appropriations' are designated as a contribution by owners and recognised as an adjustment to "Accumulated Funds". This treatment is consistent with Interpretation 1038 *Contributions by Owners Made to Wholly Owned Public Sector Entities*.

Transfers arising from an administrative restructure between government departments are recognised at the amount at which the asset was recognised by the transferor government department immediately prior to the restructure. In most instances this will approximate fair value. All other equity transfers are recognised at fair value.

(j) Budgeted Amounts

The budgeted amounts are drawn from the budgets as formulated at the beginning of the financial year and with any adjustments for the effects of additional appropriations, s21A, s24 and/or s26 of the *Public Finance and Audit Act 1983.*

The budgeted amounts in the Operating Statement and the Cash Flow Statement are generally based on the amounts disclosed in the NSW Budget Papers (as adjusted above). However, in the Balance Sheet, the amounts vary from the Budget Papers, as the opening balances of the budgeted amounts are based on carried forward actual amounts i.e. per the audited financial report (rather than carried forward estimates).

(k) Comparative Information

Where necessary, comparative information has been re-classified to enhance comparability in respect of changes in presentation adopted in the current year.

(l) New Australian Accounting Standards issued but not effective

Certain new accounting standards and interpretations have been published that are not mandatory for 30 June 2009 reporting periods. The following new Accounting Standards and Interpretations have not yet been adopted and are not yet effective:

- AASB 101 (Sept 2007) and AASB 2007-8 regarding presentation of financial statements (1 January 2009);
- AASB 1049 (Oct 2007) regarding the whole of government and general government sector financial reporting (1 July 2008);
- AASB 2008-09 regarding amendment to AASB 1049 for Consistency with AASB 101.

It is considered that the impact of these new Standards and Interpretations in future periods will have no material impact on the financial report of the Department of Juvenile Justice.

2 EXPENSES EXCLUDING LOSSES

	2009 $'000	2008 $'000
(a) Employee related expenses		
Salaries and wages (including recreation leave)	105,145	93,443
Workers' compensation insurance	3,716	6,098
Payroll tax and fringe benefits tax	6,738	6,155
Superannuation - defined benefits plans	1,736	1,635
Superannuation - defined contributions plans	8,029	6,900
Long service leave	3,302	2,451
Redundancy payments	4,790	1,449
	133,456	118,131

Employee related costs totalling $1.072 million were capitalised to non-current assets and therefore excluded from the above (2007-08: $1.129 million). There was no workers compensation hindsight adjustment deficit payment in 2008-09. In 2007-08, workers compensation costs included an interim hindsight adjustment deficit payment for 2003/04 of $1.578 million.

(b) Other operating expenses include the following:		
General administration	3,703	3,087
Computer network costs	3,147	2,596
Operating lease rental expense - minimum lease payments	3,825	3,074
Maintenance	6,774	4,029
Motor vehicles	2,882	2,598
Cleaning and utilities	2,245	2,045
Travel	1,764	1,734
Telecommunications	820	1,091
Insurance	668	609
Printing and stationery	611	509
Acquisition of minor plant and equipment	610	309
Auditor's remuneration		
- audit of financial reports	152	158
Consultancy	139	104
Bad and doubtful debts	-	23
Catering - Juveniles	2,710	2,303
Other expenses - Juveniles	1,721	1,408
	31,771	25,677
(c) Depreciation and amortisation expense		
Depreciation		
Buildings	5,466	5,222
Plant and equipment	2,019	1,609
Infrastructure	1,371	1,410
	8,856	8,241
Amortisation - intangibles	1,438	1,315
	10,294	9,556
(d) Grants and subsidies		
General grants and contributions	7,049	5,470
Religious attendance on juveniles	412	319
Aboriginal programs	493	310
	7,954	6,099
(e) Finance costs		
Unwinding of discount rate	77	35

	2009 $'000	2008 $'000

3 REVENUE

(a) Investment revenue		
Interest	644	828
Rents	20	17
	664	845
(b) Grants and contributions		
NSW Health Dept - National Illicit Drug Strategy	2,334	2,288
Attorney General's - Capital grant	-	98
Other	16	-
	2,350	2,386
(c) Other revenue		
Family allowance recovery	540	450
TMF hindsight adjustment 2001/02	-	192
TMF hindsight adjustment 2002/03	48	-
TMF hindsight adjustment 2004/05	934	-
TMF Motor vehicle hindsight adjustment	48	63
GST refund for salary packaging	112	66
External income	13	7
Other - Other revenue	18	53
	1,713	831

4 GAIN/(LOSS) ON DISPOSAL

Gain/(loss) on disposal of land and buildings		
Proceeds from disposal	-	350
Written down value of assets disposed	-	(452)
Net gain/(loss) on disposal of land and buildings	-	(102)

The gain/(loss) on disposal of land and buildings in 2007/08 included assets held for sale of the Kariong property. The proceeds from sale was $350,000 and the written down value was $376,000.

Gain/(loss) on disposal of plant and equipment		
Proceeds from disposal	-	2
Written down value of assets disposed	(353)	(30)
Net gain/(loss) on disposal of plant and equipment	(353)	(28)
Gain/ (Loss) on disposal of non-current assets	(353)	(130)

5 OTHER GAINS/(LOSSES)

Impairment losses on write down of Keelong building and infrastructure	(3,833)	-
Impairment losses due to write off of the Ellipse Upgrade Project	(1,475)	-
	(5,308)	-

The Keelong detention centre was decommissioned in February 2009. The department reflected the asset value for Keelong to non-current assets held for sale account as at 30 June 2009. The buildings and infrastructure are purpose built and therefore have no material value to the sale price. For this reason the building and infrastructure was written down to nil value and reflected as impairment losses in the accounts.

On 21 September 2009, the Treasurer approved the transition to the SAP platform operated by Businesslink. This resulted in the write-off of accumulated costs associated with the former Ellipse Upgrade System.

	2009 $'000	2008 $'000

6 APPROPRIATIONS

Recurrent appropriations

Total recurrent draw-downs from NSW Treasury (per Summary of Compliance)	163,286	141,220
Less: Liability to Consolidated Fund (per Summary of Compliance)	(87)	(579)
	163,199	140,641
Comprising:		
Recurrent appropriations (per Operating Statement)	163,199	140,641

Capital appropriations

Total capital draw-downs from NSW Treasury (per Summary of Compliance)	16,772	8,354
Less: Liability to Consolidated Fund (per Summary of Compliance)	-	-
	16,772	8,354
Comprising:		
Capital appropriations (per Operating Statement)	16,772	8,354

7 ACCEPTANCE BY THE CROWN ENTITY OF EMPLOYEE BENEFITS AND OTHER LIABILITIES

The following liabilities and/or expenses have been assumed by the Crown Entity:

Superannuation	1,737	1,636
Long service leave	2,970	2,415
Payroll tax	128	98
	4,835	4,149

8 SERVICE GROUPS OF THE AGENCY

(a) Service Group 1 - Youth Justice Conferencing

Objectives:

This service group contributes to a reduction in juvenile re-offending and provides an effective community-based alternative to formal court orders by working towards a range of intermediate results that include the following:

- eligible young offenders are referred to conferences and
- young offenders complete their conference outcome plans.

(b) Service Group 2 - Community Based Services

Objectives:

This service group contributes to a reduction in juvenile re-offending and effective management of young offenders to complete their sentences by working towards a range of intermediate results that include the following:

- young offenders in the community and those sentenced to custody have a reduced risk of re-offending
- young offenders in the community are effectively supervised and complete their orders and
- detainees and community-based young offenders are assessed and receive the most appropriate interventions and programs.

(c) Service Group 3 - Custodial Services

Objectives:

This service group contributes to a reduction in juvenile re-offending and effective management of young offenders to complete their sentences by working towards a range of intermediate results that include the following:

- detainees are supervised in a safe, humane and secure environment and
- detainees and community-based young offenders are assessed and receive the most appropriate interventions and programs.

9 CURRENT ASSETS - CASH AND CASH EQUIVALENTS

	2009 $'000	2008 $'000
Cash at bank and on hand	13,446	12,508

For the purposes of the Cash Flow Statement, cash and cash equivalents includes cash on hand and cash at bank.

Cash and cash equivalent assets recognised in the Balance Sheet are reconciled at the end of the financial year to the Cash Flow Statement as follows:

Cash and cash equivalents (per Balance Sheet)	13,446	12,508
Closing cash and cash equivalents (per Cash Flow Statement)	13,446	12,508

Department of Juvenile Justice has the following banking facilities as at 30 June 2009:

Cheque cashing authority of $28,500 (2007-08: $28,500), which is the total amount of encashment facility provided to regions to enable recoupment of urgent and minor expenses.

MasterCard facility of $60,000 (2007-08: $60,000), which is the total of the credit limit for all issued credit cards.

Tape negotiation authority of $8.0 million (2007-08: $8.0 million). This facility authorises the Bank to debit Department of Juvenile Justice's operating bank account up to the above limit when processing the electronic payroll and accounts payables.

10 RESTRICTED ASSETS

Restricted cash - liability to consolidated funds (Note 17)	87	579

11 CURRENT ASSETS - RECEIVABLES

Goods & Services Tax	1,242	878
Employee related	273	354
General Insurance	4	39
Interest	228	459
Sundry debtors	37	51
Less: Allowance for impairment	-	-
Prepayments	281	300
Income from other government agency	402	32
Other	259	15
	2,726	2,128
NON CURRENT ASSETS - RECEIVABLES		
Prepayments	39	67
	39	67

12 NON CURRENT ASSETS HELD FOR SALE

Assets held for sale		
Land and buildings	2,543	-
	2,543	-
Amounts recognised in equity relating to assets held for sale		
Land and buildings asset revaluation increments	1,950	-
	1,950	-

13 NON-CURRENT ASSETS - PROPERTY, PLANT AND EQUIPMENT

	Land and Buildings $'000	Plant and Equipment $'000	Infrastructure Systems $'000	Total $'000
At 1 July 2008 - fair value				
Gross Carrying Amount	226,934	17,581	56,469	300,984
Accumulated depreciation and impairment	(44,763)	(7,637)	(17,927)	(70,327)
Net Carrying Amount	182,171	9,944	38,542	230,657
At 30 June 2009 - fair value				
Gross Carrying Amount	230,817	16,704	57,127	304,648
Accumulated depreciation and impairment	(49,310)	(8,355)	(17,493)	(75,158)
Net Carrying Amount	181,507	8,349	39,634	229,490

Reconciliation

A reconciliation of the carrying amount of each class of property, plant and equipment at the beginning and end of the current reporting period is set out below.

	Land and Buildings $'000	Plant and Equipment $'000	Infrastructure Systems $'000	Total $'000
Year ended 30 June 2009				
Net carrying amount at start of the year	182,171	9,944	38,542	230,657
Net revaluation increment less revaluation decrements	2,908	-	3,440	6,348
Additions	13,689	774	167	14,630
Disposals	(3)	(350)	-	(353)
Assets held for sale	(2,493)	-	-	(2,493)
Impairment losses (recognised in "other gains/losses")	(4,513)	-	(1,144)	(5,657)
Disposals through administrative restructures	(4,925)	-	-	(4,925)
Depreciation expense	(5,466)	(2,019)	(1,371)	(8,856)
Other movements (restoration)	139	-	-	139
Net carrying amount at end of the year	181,507	8,349	39,634	229,490

	Land and Buildings $'000	Plant and Equipment $'000	Infrastructure Systems $'000	Total $'000
At 1 July 2007 - fair value				
Gross Carrying Amount	218,877	15,720	56,382	290,979
Accumulated depreciation and impairment	(39,573)	(8,145)	(16,647)	(64,365)
Net Carrying Amount	179,304	7,575	39,735	226,614
At 30 June 2008 - fair value				
Gross Carrying Amount	226,934	17,581	56,469	300,984
Accumulated depreciation and impairment	(44,763)	(7,637)	(17,927)	(70,327)
Net Carrying Amount	182,171	9,944	38,542	230,657

Reconciliation

A reconciliation of the carrying amount of each class of property, plant and equipment at the beginning and end of the previous reporting period is set out below.

	Land and Buildings $'000	Plant and Equipment $'000	Infrastructure Systems $'000	Total $'000
Year ended 30 June 2008				
Net carrying amount at start of the year	179,304	7,575	39,735	226,614
Reclassification adjustment	(129)	-	129	-
Net revaluation increment less revaluation decrements	5,677	-	-	5,677
Additions	2,587	4,012	88	6,687
Disposals	(77)	(34)	-	(111)
Depreciation expense	(5,222)	(1,609)	(1,410)	(8,241)
Other movements (restoration)	31	-	-	31
Net carrying amount at end of the year	182,171	9,944	38,542	230,657

14 INTANGIBLE ASSETS

	Software $'000	Total $'000
At 1 July 2008		
Cost (gross carrying amount)	9,291	9,291
Accumulated amortisation and impairment	(3,302)	(3,302)
Net carrying amount	5,989	5,989
At 30 June 2009		
Cost (gross carrying amount)	10,063	10,063
Accumulated amortisation and impairment	(4,740)	(4,740)
Net carrying amount	5,323	5,323
Year ended 30 June 2009		
Net carrying amount at start of the year	5,989	5,989
Additions (from internal development)	2,247	2,247
Disposals	-	-
Impairment losses (recognised in "other gains/losses")	(1,475)	-
Amortisation (recognised in "depreciation and amortisation")	(1,438)	(1,438)
Net carrying amount at end of the year	5,323	6,798
At 1 July 2007		
Cost (gross carrying amount)	7,374	7,374
Accumulated amortisation and impairment	(1,987)	(1,987)
Net carrying amount	5,387	5,387
At 30 June 2008		
Cost (gross carrying amount)	9,291	9,291
Accumulated amortisation and impairment	(3,302)	(3,302)
Net carrying amount	5,989	5,989
Year ended 30 June 2008		
Net carrying amount at start of the year	5,387	5,387
Additions (from internal development)	1,917	1,917
Disposals	-	-
Amortisation (recognised in "depreciation and amortisation")	(1,315)	(1,315)
Net carrying amount at end of the year	5,989	5,989

	2009 $'000	2008 $'000

15 CURRENT LIABILITIES - PAYABLES

Accrued salaries and wages and on-costs	2,727	2,295
Creditors	4,916	3,867
	7,643	6,162

16 CURRENT / NON-CURRENT LIABILITIES - PROVISIONS

Current		
Employee benefits and related on-costs		
Recreation leave*	9,536	9,138
Long service leave oncosts	1,520	1,205
	11,056	10,343
Other Provisions		
Restoration Costs	328	112
Total Current Provisions	11,384	10,455
Non-Current		
Employee benefits and related on-costs		
Long service leave oncosts	80	63
Other Provisions		
Restoration Costs	704	540
Total Non-Current Provisions	784	603
Total Provisions	12,168	11,058

* Recreation leave expected to be settled after more than twelve months is Nil (2007-08: $0.753 million).

Aggregate employee benefits and related on-costs		
Provisions - current	11,056	10,343
Provisions - non-current	80	63
Accrued salaries, wages and on-costs (Note 15)	2,727	2,295
	13,863	12,701

Other provisions represents the present value of the department's obligation to make-good leased premises, at reporting date. The assumed settlement date is based on contractual lease terms. The amount and timing of each estimate is reassessed annually.

Movements in provisions (other than employee benefits)
Movements in each class of provision during the financial year, other than employee benefits, are set out below:

	Restoration Costs $'000
2009	
Carrying amount at the beginning of financial year	672
Additional/ (reduction) in provisions recognised	293
Amounts used	(8)
Unused amounts reversed	(2)
Unwinding of the discount rate	77
Carrying amount at the end of financial year	1,032

17 CURRENT LIABILITIES - OTHER

Liability to Consolidated Fund	87	579
Unearned Revenue	331	-
	418	579

18 CHANGES IN EQUITY

	Notes	Accumulated Funds		Asset Revaluation Reserve		Total Equity	
		2009	2008	2009	2008	2009	2008
		$'000	$'000	$'000	$'000	$'000	$'000
Balance at the beginning of the financial year		163,507	165,859	70,043	64,546	233,550	230,405
Changes in equity - transactions with owners as owners							
Decrease in net assets from equity transfers		(4,680)	-	-	-	(4,680)	-
Total	19	(4,680)	-	-	-	(4,680)	-
Changes in equity - other than transactions with owners as owners							
Surplus/ (deficit) for the year		320	(2,585)	-	-	320	(2,585)
Increment on revaluation of Land, Buildings and Infrastructure		-	-	6,398	5,677	6,398	5,677
Increment/ (decrement) arising from change in restoration liability		-	-	(183)	53	(183)	53
Increment/decrement on revaluation of assets held for sale		-	-	(1,824)	-	(1,824)	-
Other increases / (decreases)		(243)	-	-	-	(243)	-
Total		77	(2,585)	4,391	5,730	4,468	3,145
Transfers within equity							
Asset revaluation reserve balance transferred to accumulated funds on disposal of asset		2,394	233	(2,394)	(233)	-	-
Total		2,394	233	(2,394)	(233)	-	-
Balance at the end of the financial year		161,298	163,507	72,040	70,043	233,338	233,550

Asset revaluation reserve

The asset revaluation reserve is used to record increments and decrements on the revaluation of non-current assets. This accords with the agency's policy on the "Revaluation of Physical Non-Current Assets" as discussed in Note 1.

The asset revaluation reserve includes $1.95 million recognised in equity relating to assets held for sale (refer to Note 12).

19 DECREASE IN NET ASSETS FROM EQUITY TRANSFERS

	2009 $'000	2008 $'000
Land and Buildings	4,680	-
Decrease in net assets from administrative restructuring	4,680	-

From 1 July 2008, all government owned office accommodation were vested in the State Property Authority. The department has six office accommodations that were transferred to State Property Authority. These buildings are leased back by the department via an operating lease.

	2009 $'000	2008 $'000

20 COMMITMENTS FOR EXPENDITURE

(a) Capital Commitments

Aggregate capital expenditure for the acquisition of plant and equipment contracted for at balance date and not provided for:		
Not later than one year	27,277	11,024
Later than one year and not later than five years	-	3,471
Total (including GST)	27,277	14,495

(b) Operating Lease Commitments

Future non-cancellable operating lease rentals not provided for and payable:		
Not later than one year	5,119	4,232
Later than one year and not later than five years	6,027	2,956
Total (including GST)	11,146	7,188

These commitments are not recognised in the financial statements as liabilities. They comprise rental leases on offices, and leases on motor vehicles.

The total commitments include input tax credits of $3.487 million (2007-08: $1.964 million), which represents the GST that is estimated to be recoverable from the Australian Taxation Office.

(c) Other Expenditure Commitments

There were no material other expenditure commitments at balance date.

21 BUDGET REVIEW

Net cost of services

Actual net cost of services (NCS) were higher than budget by $18.642 million. This was mainly due to additional funding provided for the opening of the Emu Plains Juvenile Justice centre ($6.3 million) and additional bunk accommodation at Cobham Juvenile Justice centre ($2.5 million), voluntary redundancies from internal restructure activities ($4.5 million), adjustments to the Keelong JJC building write down, Elipse write off, disposal of plant and equipment ($5.308 million) and adjustments to depreciation ($500K). The department subsequently received an approved increase of $15.215 million to take the approved 2008/09 NCS to $181.059 million. Further, Treasury have approved $4.5 million be provided to meet voluntary redundancy costs incurred in 2008/09 as a result of organisational restructure. This is in addition to the NCS budget limit which effectively allows the department to overspend total expenses by $4.5 million.

Assets and liabilities

While the total assets were essentially equal to budget, there were internal movement related to a $6.348 million valuation based incremental increase in land and buildings and an increase in cash balances of $1.7 million. This was offset by a write down of $3.833 million in the written down value of the Keelong Juvenile Justice centre and the write-off of the Ellipse Upgrade Project of $1.475 million and deferring of the Riverina Re-development capital project of $2.1 million.

Total liabilities were higher than budget by $1.9 million due to higher anticipated accruals at 30 June 2009 and additional leave provisions.

Cash flows

The actual net cash flows from operating activities was higher than budget by $2.3 million. This was mainly due to refund of workers compensation hindsight adjustments of $1.0 million and an increase in GST receipts of $1.4 million related to approved increases in goods and services expenditure.

	2009 $'000	2008 $'000

22 RECONCILIATION OF CASH FLOWS FROM OPERATING ACTIVITIES TO NET COST OF SERVICES

Net cash used on operating activities	17,821	9,682
Cash Flows from Government - Recurrent Appropriation	(163,199)	(140,641)
Cash Flows from Government - Capital Appropriation	(16,772)	(8,354)
Acceptance by the Crown Entity of employee benefits and other liabilities	(4,835)	(4,149)
Asset sale proceeds transferred to the Crown Entity	-	163
Depreciation and amortisation	(10,294)	(9,556)
Net Gain/(Loss) on sale of land & buildings, plant & equipment	(353)	(130)
Other Gains / (losses)	(5,308)	-
(Increase) / decrease in payables	(1,480)	(1,448)
(Increase) / decrease in provisions	(720)	(629)
(Increase) / decrease in other current liabilities	161	(560)
Increase / (decrease) in receivables	570	56
Finance Costs	(77)	-
Net cost of services	(184,486)	(155,566)

23 TRUST FUNDS

Cash held on behalf of Juveniles:		
Balance at the beginning of the financial year	2	2
Add: Receipts	9	8
Less: Payments	(9)	(8)
Balance at the end of the financial year	2	2

24 FINANCIAL INSTRUMENTS

The department's principal financial instruments are outlined below. These financial instruments arise directly from the department's operations. The department does not enter into or trade financial instruments for speculative purposes.

The department's main risks arising from financial instruments are outlined below, together with the department's objectives, policies and processes for measuring and managing risk. Further quantitative and qualitative disclosures are included throughout this financial report.

The Audit and Risk Management Committee has overall responsibility for the establishment and oversight of risk management and reviews and agrees policies for managing each of these risks. Risk management policies are established to identify and analyse the risks faced by the department, to set risk limits and controls and to monitor risks. Compliance with policies is reviewed by the Audit and Risk Management Committee / Internal auditors on a continuous basis.

(a) Financial instrument categories

Financial Assets	Note	Category	Carrying Amount 2009	Carrying Amount 2008
Class:				
Cash and cash equivalents	9	N/A	13,446	12,508
Receivables~	11	Loans and receivables (at amortised cost)	1,267	920

Financial Liabilitiess	Note	Category	Carrying Amount	Carrying Amount
Class:				
Payables^	15	Financial liabilities measured at amortised cost	7,447	6,007

Notes

~ Excludes statutory receivables and prepayments (i.e. not within scope of AASB 7).

^ Excludes statutory payables and unearned revenue (i.e. not within scope of AASB 7).

(b) Credit Risk

Credit risk arises when there is the possibility of the department's debtors defaulting on their contractual obligations, resulting in a financial loss to the department. The maximum exposure to credit risk is generally represented by the carrying amount of the financial assets (net of any allowance for impairment).

Credit risk arises from the financial assets of the department, including cash and receivables. No collateral is held by the department. The department has not granted any financial guarantees.

Credit risk associated with the department's financial assets, other than receivables, is managed through the selection of counterparties and establishment of minimum credit rating standards.

Cash
Cash comprises cash on hand and bank balances within the NSW Treasury Banking System. Interest is earned on daily bank balances at the monthly average NSW Treasury Corporation (TCorp) 11am unofficial cash rate adjusted for a management fee to Treasury.

Receivables - trade debtors
All trade debtors are recognised as amounts receivable at balance date. Collectibility of trade debtors is reviewed on an ongoing basis. Procedures as established in the Treasurer's Directions are followed to recover outstanding amounts, including letters of demand. Debts which are known to be uncollectible are written off. An allowance for impairment is raised when there is objective evidence that the entity will not be able to collect all amounts due. This evidence includes past experience, and current and expected changes in economic conditions and debtor credit ratings. No interest is earned on trade debtors.

(c) Liquidity Risk

Liquidity risk is the risk that the department will be unable to meet its payment obligations when they fall due. The department continuously manages risk through monitoring future cash flows to ensure adequate holding of high quality liquid assets.

The department's exposure to liquidity risk is deemed insignificant based on prior periods' data and current assessment of risk.

The liabilities are recognised for amounts due to be paid in the future for goods or services received, whether or not invoiced. Amounts owing to suppliers (which are unsecured) are settled in accordance with the policy set out in Treasurer's Direction 219.01. If trade terms are not specified, payment is made no later than the end of the month following the month in which an invoice or a statement is received. Treasurer's Direction 219.01 allows the Minister to award interest for late payment.

Maturity analysis and interest rate exposure of financial liabilities

			$'000 Interest Rate Exposure			Maturity Dates		
	Weighted Average Effective Int. Rate	Nominal Amount[1]	Fixed Interest Rate	Variable Interest Rate	Non-interest bearing	< 1 yr	1-5yrs	> 5yrs
2009								
Payables		7,447			7,447	7,447		
		7,447			7,447	7,447		
2008								
Payables		6,007			6,007	6,007		
		6,007			6,007	6,007		

Notes:
1. The amounts disclosed are the contractual undiscounted cash flows of each class of financial liabilities and therefore will not reconcile to the balance sheet.

(d) Market Risk

Market risk is the risk that the fair value or future cash flows of a financial instrument will fluctuate because of changes in market prices. The department's exposures to market risk are primarily through interest rate risk on the department's cash balance.

The effect on profit and equity due to a reasonably possible change in interest rate risk variable is outlined in the information below. A reasonably possible change in interest rate risk variable has been determined after taking into account the economic environment in which the department operates and the time frame for the assessment (i.e. until the end of the next annual reporting period). The sensitivity analysis is based on risk exposures in existence at the balance sheet date. The analysis is performed on the same basis for 2008. The analysis assumes that all other variables remain constant.

Interest rate risk

Exposure to interest rate risk arises primarily through the department's interest earnings on cash balances. The department earns interest through the Treasury Banking System Performance Interest Scheme. A reasonably possible change of +/- 1% is used, consistent with current trends in interest rates. The basis will be reviewed annually and amended where there is a structural change in the level of interest rate volatility. The department's exposure to interest rate risk is set out below.

	$'000				
	Carry Amount	-1%		1%	
		Profit	Equity	Profit	Equity
2009					
Financial assets					
Cash and cash equivalents	13,446	(138)	(138)	138	138
2008					
Financial assets					
Cash and cash equivalents	12,508	(142)	(142)	142	142

(e) Fair Value

Financial instruments are generally recognised at cost. The amortised cost of financial instruments recognised in the balance sheet approximates the fair value, because of the short-term nature of many of the financial instruments.

25 CONTINGENT LIABILITIES

As at balance date there were no contingent liabilities for legal matters (2007-08: $100,000). There were contingent liabilities for redundancies associated with the department's internal restructure estimated to be $3.5M in 2008/09 (2007-08 Nil).

26 AFTER BALANCE DATE EVENTS

The Keelong detention centre was decommissioned in February 2009. The department reflected the Keelong detention centre to a non-current assets held for sale account as at 30 June 2009. The public auction of the site was scheduled on the 7th July 2009 and was sold for $2.75M. A 10% deposit was received with final settlement expected in January 2010.

On 1st July 2009 the department was combined with several other NSW government departments to create a new not-for-profit entity which will be known as the Department of Human Services. The newly formed department is a reporting entity which will be consolidated as part of the NSW Total State Sector Accounts.

END OF AUDITED FINANCIAL STATEMENTS

CAPITAL WORKS EXPENDITURE

Project	Expenditure 2008-09
Redevelopment of Riverina	$0.558 million
Orana Additional Accommodation Unit	$6.129 million
Acmena Additional Accommodation Unit	$0.785 million
Fit out of Emu Plains	$4.361 million
Total Centre Works	**$11.833 million**
Corporate Information System (CIS)	$1.271 million
Total Major Works	**$13.104 million**

FUNDS GRANTED TO NON-GOVERNMENT ORGANISATIONS

Grants of more than $5,000 were made to the following non-government organisations during the year ending 30 June 2009:

Organisation	Amount ($)
ACCESS COMMUNITY TRAINING	86,049
ACPT DIOCESE OF CANBERRA	18,725
ALBURY WODONGA YOUTH EMERGENCY	289,335
ANGLICAN DIOCESE OF BATHURST	19,475
ANGLICAN DIOCESE OF NEWCASTLE	77,816
ANGLICAN PARISH OF GOSFORD	32,343
ANGLICARE NSW	170,750
ANGLICARE YOUTH & FAMILY SERVICE	83,134
ARMIDALE & DISTRICT YOUTH SUPPORT	165,780
ASSISTANCE DOGS AUSTRALIA LTD	26,541
AUST INSTITUTE OF HEALTH AND WELLBEING	12,308
BAPTIST COMMUNITY SERVICES	73,006
BARNARDOS AUSTRALIA	174,434
BONDI COMMUNITY STREET PROJECT	19,996
BRIDGE HOUSING LIMITED	5,720
CAFE HORIZON	82,673
CATHOLIC CARE SYDNEY	387,125

CATHOLIC CARE WOLLONGONG	70,558
CENTACARE	138,381
CENTACARE CATHOLIC FAMILY	25,237
COASTAL ACCOMMODATION SERVICES	124,147
COMMUNITY BUSINESS DEVELOPMENT	50,944
GREAT LAKES COMMUNITY RESOURCES	50,944
GRIFFITH BASE HOSPITAL	74,000
KARITANE	27,036
MARIST YOUTH CARE	147,587
MISSION AUSTRALIA FINANCE	780,817
NARRABRI & DISTRICT COMMUNITY	23,000
NORTHERN INLAND INC.	9,999
PCYC ADVANCEMENT FUND	200,000
PCYC COFFS HARBOUR	57,801
PCYC GOONDIWINDI	9,999
PCYC KEMPSEY	69,485
PCYC LAKE ILLAWARRA	25,000
PCYC SHOALHAVEN	25,000
RELATIONSHIPS AUSTRALIA (NSW)	53,653
SAMARITANS FOUNDATION	16,172
SHIRE WIDE YOUTH SERVICES INC	85,598
SMART RECOVERY AUSTRALIA LTD	20,000
SOUTH SYDNEY YOUTH SERVICES	90,961
SOUTHERN YOUTH & FAMILY SERVICES	160,474
STREETWORK INC.	20,000
THE AUSTRALIAN CHILDREN'S MUSIC	40,000
THE TED NOFFS FOUNDATION INC	2,341,346
TRUSTEES OF THE CHRIST BROTHER	108,455
UNITINGCARE NSW ACT	8,210
WAVERLEY ACTION FOR YOUTH SVCE	72,339
WESTERN COLLEGE	69,485

STATISTICS REGARDING FINANCIAL MATTERS AND CREDIT CARD CERTIFICATION

As at 30 June 2009, $9.536 million was provided for employee recreation leave entitlements. Long service leave entitlements accepted by The Crown Transactions Entity were $14.754 million. Long service leave oncosts were $1.600 million.

USE OF CONSULTANTS

Consultancies equal to or more than $30,000

Consultant	Cost	Nature of project	Title of project
Optyma	$45,000	Organisational Review	Review of cost drivers for custodial services
Optyma	$30,000	Organisational Review	Review of costs and benefits of Juvenile Justice programs
Icemedia	$44,324	Organisational Review	Juvenile Justice Centre Procedures

Consultancies less than $30,000

During 2008-09, two consultancies were engaged in the following areas:

Nature of projects	Number of projects	Total cost
Organisational Review	2	$19,850
Total	2	$19,850

Total consultancies $139,174

CREDIT CARD CERTIFICATION

In accordance with Treasurer's Direction 205.01, it is certified that credit card usage by officers of the Department of Juvenile Justice has been in accordance with the appropriate government policy, Premier's Memoranda and Treasurer's Directions.

PAYMENT OF ACCOUNTS

Payment Performance

The information below shows that by the last quarter of 2008-09, approximately 97 per cent of total payments were paid on time. Payment performance reflects the statewide coverage of the department's activities.

No penalty interest was paid during the year for late payments.

Accounts paid on time within each quarter				
Quarter	Total Accounts Paid on Time			Total Amount Paid
	Target %	Actual %	$Million	$Million
September	95	97	25.44	26.21
December	95	97	24.59	25.30
March	95	94	19.97	21.32
June	95	97	35.97	37.14

Aged analysis at end of each quarter 2008-09												
	Current (ie within due date)		Less than 30 days overdue		Between 30 and 60 days overdue		Between 60 and 90 days overdue		More than 90 days overdue		Total	
Quarter	$Million	%	$Million	%	$Million	%	$Million	%	$Million	%	$Million	%
September	25.44	97	0.63	2	0.08	0	0.02	0	0.04	1	26.21	100
December	24.59	97	0.36	2	0.24	1	0.09	0	0.02	0	25.30	100
March	19.97	94	1.02	5	0.10	0	0.04	0	0.19	1	21.32	100
June	35.97	97	0.63	2	0.06	0	0.09	0	0.39	1	37.14	100

MAJOR ASSETS

Acmena Juvenile Justice Centre
Lot 57 Swallow Road
South Grafton NSW 2460

Broken Hill Juvenile Justice Centre
146 Chloride Street
Broken Hill NSW 2880

Cobham Juvenile Justice Centre
Water Street
St Marys NSW 2760

Frank Baxter Juvenile Justice Centre
Pacific Highway
Kariong NSW 2250

Juniperina Juvenile Justice Centre
169 Joseph Street
Lidcombe NSW 2141

Keelong Juvenile Justice Centre
Staff Road
Unanderra NSW 2526

Orana Juvenile Justice Centre
Westview Street
Dubbo NSW 2830

Reiby Juvenile Justice Centre
Briar Road
Airds NSW 2560

Riverina Juvenile Justice Centre
Fernleigh Road
Mount Austin NSW 2650

Windorah Park
14L Furneys Road
Dubbo NSW 2830

DISPOSALS AND VESTMENTS

In accordance with Premiers Memorandum 2008-02, the department participated in initiatives that assisted State Property Authority (SPA) to achieve its legislative objectives.

On 1 July 2008 the following properties were vested to SPA:

- Liverpool Youth Drug and Alcohol Court - 7 Speed Street, Liverpool NSW 2170
- Moree Juvenile Justice Community Service - 46 Auburn Street, Moree NSW 2400
- Newcastle Juvenile Justice Community Service - 24 Maitland Road, Islington NSW 2296
- Kempsey Juvenile Justice Community Service - Cnr Forth and Regent Streets, Kempsey NSW 2440
- Blacktown East Juvenile Justice Community Service - 211 Stephen Street, Blacktown NSW 2148

On 1 November 2008 the following property was vested to SPA:

- Petersham Juvenile Justice Community Service - 22 Middleton Street, Petersham NSW 2049

No disposals were undertaken during 2008-2009, however works were undertaken in preparing Keelong Juvenile Justice Centre for disposal early in 2009-2010.

CAPITAL WORKS

Orana JJC New 15-bed Accommodation (construction phase)

The design, documentation, tendering and letting of the contract for the new 15-bed accommodation unit at Orana JJC was completed in May 2008.

The construction phase commenced in June 2008 with a total project allocation of $7.368M and expenditure of $6.130M in 2008-2009. The Project is on schedule for completion in August 2009

Acmena JJC New 15-bed Accommodation (design phase)

2008-09 saw the design, documentation, tendering and letting of the contract for the new 15-bed accommodation unit at Acmena Juvenile Justice Centre with early works commencing in April 2009 and the main construction phase to commence in 2009-2010. The project has a total allocation of $8.225M and an anticipated completion date of June 2010.

Emu Plains JJC (construction)

In 2008-09 the department commenced operations at the Emu Plains Periodic Detention Centre under agreement from the Department of Corrective Services. Enhancements to the facility were undertaken in two stages to enable the centre to commence operation as a juvenile justice centre.

Stage 1 was complete in July 2008 and Stage 2 in June 2009 at a total cost of $4.361M. Works included general condition enhancements as well as provision of improved security and building services.

Riverina Redevelopment to 60 bed centre

Major capital works planning was initiated for the alterations and additions to the centre to costing approximately $558K. The project is to bring the centre to an operational capacity of 60 detainees with appropriate support services. Works included site investigations, preliminary replanning options and essential services upgrade works.

Corporate Information System (CIS) Project

In 2006-07 the government approved funding of $4.977 million over four years for Juvenile Justice to implement a corporate information system.

The scope of the project is to:

- design an information framework for reporting on the agency's corporate and operational performance;
- make modifications to any existing computerised information systems to enable required data to be captured at the source;
- develop a data warehouse as a repository of all corporate information for performance measurement and reporting.

The information management systems are a key component in managing Juvenile Justice operations on a daily basis, and for developing strategies to improve strategic and tactical decision-making to support operational core business. Continual improvement in accessing data is a high priority to support Juvenile Justice's corporate objectives.

The project is progressing satisfactorily.

Corporate Services Management Information System (Ellipse) Upgrade

In 2007-08 the government approved funding of $3.55 million over three years for Juvenile Justice to implement an upgrade to its Ellipse Corporate Services Management Information System.

As a result of the plan to transition to a shared services arrangement for corporate services transaction processing requirements the Ellipse Upgrade project was terminated in the 2008-09 financial year.

Note that there was no IT Infrastructure Renewal project in 2008-09.

NSW DEPARTMENT OF juvenile justice

CHAPTER 9
APPENDICES

APPENDICES

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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

Section 29 of the *Children Detention Centres Act 1987* relating to parole orders made by the Children's Court, but where the young people have been transferred to the Department of Corrective Services, was amended in December 2008. This amendment provides that any parole order made by the Children's Court remains the jurisdiction of the Children's Court. Therefore a young person's parole order and any associated reviews will continue to be the function of the Children's Court regardless of whether they are being supervised by the Department of Juvenile Justice or the Department of Corrective Services.

This now means that any young person who is being held as a result of a revocation or suspension of a parole order which was made by the Children's Court, are not subject to review by NSW Parole Authority even if they are being held in a correctional facility.

Section 9A of the *Children (Detention Centres) Act* was also amended to provide that a person who is of or above the age of 18 years who is arrested on a warrant listed under this section, including in relation to a breach of a suspended sentence, breach of a good behaviour bond, breach of parole and other matters is not to be detained in a detention centre. Such persons may to be detained in a correctional centre.

The *Children (Detention Centres) Regulation 2009* was amended in May 2009, with minor changes made to eligibility for leave and outings for detainees. Under the *Children (Detention Centres) Act 1987*, the Director-General may, subject to the regulations, grant day leave and overnight leave to detainees for certain purposes, such as education, training or employment. The Regulation prescribes the circumstances in which a detainee is eligible for leave. The new scheme will effectively make detainees who are being held for less serious offences eligible for leave earlier than was previously the case. The Regulation also provides that the Director-General may grant leave to a detainee at any time if satisfied that exceptional circumstances justify the grant of leave.

The *Children (Criminal Proceedings) Amendment (Youth Conduct Orders) Act 2008* commenced on 1 July 2009. The Act amends the *Children (Criminal Proceedings) Act 1987* and the *Children (Criminal Proceedings) Regulation 2005* to provide for the establishment of a youth conduct order scheme. The new scheme provides for dealing with children who have been charged with (or pleaded guilty to or been found guilty of) offences covered by the *Young Offenders Act 1997*, but for whom the diversionary scheme created by that Act is not appropriate. It addresses the underlying causes of antisocial behaviour by such children by means of youth conduct orders that operate to prohibit or restrict negative behaviours and to promote socially acceptable behaviours through participation in antisocial behaviour programs. It also provides for a coordinated multi-agency approach to the administration of the scheme.

SIGNIFICANT JUDICIAL DECISIONS

ID, PF and FV v Director General, Department of Juvenile Justice & anor – [2008] NSWSC 966

This decision of the Supreme Court of NSW set aside orders made under s.28 of the *Children (Detention Centres) Act 1987* relating to the transfers of young adult detainees from juvenile justice centres to adult correctional centres. Section 28 provides legislative power for the Department of Juvenile Justice to transfer older detainees from detention centres to correctional centres subject to a number of factors and conditions.

The Plaintiffs were over 18 years of age, serving custodial sentences for very serious crimes and had lengthy sentences. Their sentences were subject to orders under section 19 of the *Children (Criminal Proceedings) Act 1987*. This section provides that a young person who commits an offence prior to reaching 18 years of age but sentenced by a Court after they reach 18 years may, subject to a Court finding special circumstances justifying detention of the person as a juvenile offender, serve the whole or part of a their custodial sentence in the juvenile justice system. Juvenile Justice subsequently made orders with the consent of the Department of Corrective Services and transferred the Plaintiffs under s.28 of the *Children (Detention Centres) Act 1987* from a juvenile detention centre to an adult correctional centre. The Plaintiffs challenged the decisions to transfer made by Juvenile Justice and sought judicial review in the Supreme Court.

On 19 September 2008 the Supreme Court held that the Plaintiffs were entitled to procedural fairness before transfer and they were denied such. There was a failure to have regard to relevant factors and an inflexible application of policy. The Court set aside the s.28 orders directing transfer to an adult correctional centre. Orders were made for each of the Plaintiffs, ID, PF and DV, to be returned to the Juvenile Justice system.

Following the Supreme Court judgment the Department of Juvenile Justice arranged for the three detainees to be transferred to juvenile centres in accordance with the Court's direction.

The department has considered the Court's findings and has reviewed its procedures for future transfers under section 28. The power to transfer detainees is now broader following amendments to the *Children's (Detention Centres) Act* which commenced on 1 July 2008. Proposed transfers remain subject to the requirement to provide detainees with procedural fairness.

DA by her next friend O'Grady v State of NSW [2008] NSWSC 1257

DA, 16 years old, stabbed her mother with a knife causing serious injury. She was taken into custody and detained at Yasmar Juvenile Justice Centre. In 1999, while attending a cooking class at a school located in the Yasmar centre, DA attacked and killed a teacher's assistant, with a knife.

In 2005, civil proceedings were commenced in the Supreme Court of NSW by DA ('the plaintiff') against the State of NSW, claiming damages due to negligence of the department in failing to adequately supervise her, resulting in her criminal conviction and sentence for the homicide. It was alleged that the department owed her 'a duty not to expose her to a risk of criminal prosecution'.

The department defended the claim. The matter was heard before the Supreme Court in June 2008 and judgment was delivered by Justice Rothman on 28 November 2008 in favour of the defendant, the State of NSW. The Court held that the State owed no duty of care to take reasonable steps to prevent the plaintiff from suffering the lawful effect of her own criminal conduct, at least where the damage was not physical injury. Further, the 'damage' suffered was not caused by the failure to prevent her having access to a knife, but rather was caused by the lawful imposition of a limiting term (detention in a psychiatric institution). The loss of liberty was required by law and could not be damage that is compensable. The proceedings were dismissed.

APPENDIX 2: SIGNIFICANT COMMITTEES

SIGNIFICANT INTERNAL COMMITTEES

Executive Committee

The Executive Committee provides corporate direction and leadership to the Department of Juvenile Justice. The Executive Committee determines organisational priorities, reviews organisational performance and sets the strategic framework for service delivery.

All matters considered by the Executive Committee are sponsored by the Committee member within whose responsibility the matter falls. Members include:

- Director General (Chair)
- Deputy Director General (Operations)
- Deputy Director General (Management Services)
- Executive Director, Office of Director General
- Regional Director, Northern Region
- Regional Director, Western Region
- Regional Director, Metropolitan Region
- Director, Human Resources
- Chief Financial Officer
- Secretarial Support – Executive Officer to the Director General

Key governance committees

The two key governance committees of the department are the Finance Committee and the Audit and Risk Management Committee. The department also has a number of policies and procedures in place providing mechanisms for ensuring that good governance protocols are in place for staff covering Equity and Diversity, Code of Conduct and Ethical Behaviour.

Department of Juvenile Justice Finance Committee

The objective of the Finance Committee is to oversee the department's budgetary performance and ensure compliance with associated statutory and regulatory compliance requirements. The Committee meets monthly and comprises the Director General, Deputy Director General (Operations), Deputy Director General (Management Services), Chief Financial Officer and Corporate Management Accountant.

Department of Juvenile Justice Audit and Risk Management Committee

The role of the Audit and Risk Management Committee is to provide advice and support the Director General in reviewing, assessing and fulfilling all compliance requirements in regard to:

- all aspects of the internal audit and control function within the department, including assessing the effectiveness of the function;
- the adequacy and quality of the internal control structure;
- the legal requirements of Section 11 of the *Public Finance and Audit Act 1983;*
- the department's financial statements and financial reporting generally;
- the performance of the department's financial and operational management;
- the timeliness and appropriateness of management responses to audit reports;
- all aspects of the department's internal audit function, from the approval of the charter through to the review of audit results; and
- the effectiveness of risk management strategies and internal controls.

The Committee meets four times per year and comprises an Independent Chair and Independent Member, Director General, Deputy Director's General (Operations and Management Services), Executive Director (Office of the Director General) and a Regional Director.

Observers at the Committee meetings include representatives from the NSW Audit Office, Internal Audit Bureau and the Chief Financial Officer.

The Committee operates under a formal Charter which sets out its authority, role and responsibilities as delegated by the Director General. The Charter is subject to regular review and was most recently updated in April 2008.

The NSW Audit Office is the department's statutorily appointed external auditor. The Risk Management Committee, together with the external auditor, reviews the scope of the external audit before formalising the terms of engagement for each financial year.

The Committee also reviews the Internal Audit Plan prior to formalising engagement each financial year and monitors and assesses the effectiveness of the internal audit function.

Fraud Control and Corruption Prevention Committee

The committee oversees the development and implementation of the department's fraud and corruption control system. It undertakes risk identification and assessment, with a view to establishing or strengthening existing fraud measures.

Equity Committee

The committee promotes equity in the organisation, provides a framework for equity initiatives to be supported within the department's mainstream business and identifies short and longer term equity related priorities to be formalised through the department's Equal Employment Opportunity Management Plan. The committee evaluates and revises the department's progress towards the targets set down in the Equal Employment Opportunity Management Plan to ensure action continues to be relevant and effective

OPERATIONS MANAGEMENT

Operations Committee

The Operations Committee which includes regional directors and other senior managers, meets regularly to address issues pertaining to the statewide operation of the department relating to young people on community and custodial orders.

Programs Subcommittee

This committee oversees and develops the department's approach to the overall coordination, implementation, monitoring and evaluation of programs in the Operations Directorate of the department. The Programs Sub-Committee reports to the Operations Committee.

Drug and Alcohol Summit Steering Committee

This committee was established to oversee the implementation of a number of major initiatives, which were developed as a result of the NSW Drug Summit in 1999. These initiatives included involvement in the establishment and operation of the NSW Youth Drug and Alcohol Court, expansion of the department's Alcohol and Other Drug counselling program, and the establishment of two rural drug rehabilitation services.

Assessment Review Taskforce

This group is reviewing and developing client assessment procedures and instruments to be used with DJJ Clients.

Executive Safety Committee

The Executive Safety Committee is the principle forum that governs the operation and maintenance of the agency's Safety Management System. The Committee meets quarterly to review the performance of the system and take action to address identified areas for improvement.

The Committee operates in conjunction with a range of other committees including the Executive Committee and workplace safety committees. This arrangement is designed to provide a framework in which front line staff can escalate safety issues, through the various tiers of committees, to Executive level for action. It also gives the Executive an additional avenue to communicate safety priorities to the agency staff.

Research Steering Committee

This committee has been established to develop a research agenda and oversee the approval and implementation of research in the Department of Juvenile Justice.

Information Management and Communications Technology (IM&CT) Steering Committee

This group is responsible for overseeing all major Information Management and/or Technology initiatives, including significant projects around information standards, data collection, data quality issues and major enhancements or modifications to corporate computer applications and systems.

Business Improvement Committee

This committee oversees all changes and enhancements to corporate services-related computer systems.

Client Information Management System (CIMS) Steering Committee

This committee oversees all changes and enhancements to client services-related computer systems.

ADVISORY COMMITTEES

Aboriginal Staff Advisory Committee

The Aboriginal Staff Advisory Committee (ASAC) provides Aboriginal and Torres Strait Islander staff with the opportunity to provide advice and guidance to the Chief Executive and Executive Committee on policy, programs and Aboriginal issues across the department.

ASAC representatives are elected for a term of two years by Aboriginal and Torres Strait Islander staff within their region. ASAC is sponsored by the Director General, and meet up to four times a year to discuss major issues impacting on the department, our clients and staff. Objectives include:

- provide expert advice and guidance to the executive on all Aboriginal and Torres Strait Islander business;
- promote innovative approaches to work practices, policies and programs, to strengthen our capacity to work more effectively with our clients and staff;
- utilise the cultural knowledge and expertise of the committee to inform the development and implementation of policy, programs and procedures for clients and staff;
- support the Aboriginal Strategic Coordination Unit (ASCU) to monitor the Aboriginal Strategic Plan;
- provide a voice for Aboriginal and Torres Strait Islander staff on issues that impact on their roles in both the custody and community settings in the department;
- work in partnership with the ASCU on the development of the annual Aboriginal Staff Conference; and
- participate in agency processes that ensure the quality of department services.

SIGNIFICANT INTERDEPARTMENTAL, INTER-AGENCY COMMITTEES CONVENED BY THE DEPARTMENT OF JUVENILE JUSTICE

Public Service Association/Department of Juvenile Justice Joint Consultative Committee

This committee has been established in accordance with industrial protocols as a forum for employee representatives and senior management of the department to raise and address a range of employment-related and workplace issues.

COMMITTEES

CHIEF EXECUTIVE OFFICER FORUMS

- Criminal Justice System Chief Executive Officers Forum
- NSW CEOs Network
- Justice and Human Services Chief Executive Officers' Forum
- Public Sector Chief Executive Officers Forum

INTERDEPARTMENTAL COMMITTEES

Australasian Juvenile Justice Administrators
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)

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)

Audit and Risk Management 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)
Chief Financial Officer

Department of Juvenile Justice/NSW Ombudsman's Office Liaison Meeting
Director General
Assistant Director General (Operations)
Executive Director, Office of the Director General

Justice and Human Services CEOs Group
Director General

Justice and Human Services CEOs Forum Senior Officers Group
Executive Director, Office of the Director General

Criminal Justice System and Intellectual Disability Senior Officers Group
Executive Director, Office of the Director General

Keep Them Safe Senior Officers Group
Executive Director, Office of the Director General
Director, Programs

Criminal Justice System Chief Executive Officers Senior Officers Group
Executive Director, Office of the Director General

Department of Housing Accord Senior Officers Group
Executive Director, Office of the Director General

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
Executive Director, Office of the Director General

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

Antisocial 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
Regional Director, Western

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

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

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 and 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

Young Offenders Advisory Council
Director General

SENIOR OFFICERS COMMITTEES

Department of Education and Training/Department of Juvenile Justice Senior Officers Group
Assistant Director General (Operations)

Senior Officers Coordinating Committee on Drugs (Diversion)
Director, Youth Justice Conferencing

Senior Officers Coordination Committee for Drugs and Alcohol
Assistant Director General (Operations)

Senior Officers Group on Intellectual Disability and the Criminal Justice System
Executive Director, Office of the Director General

Senior Officers Group – Aboriginal Child Sexual Assault Taskforce
Director, Programs
Manager, Aboriginal Strategic Coordination Unit

Western Sydney Human Services Senior Officers Group
Assistant Regional Director, Metropolitan

Senior Officers Group Justice Disability Action Plan
Coordinator, FOI, Projects and External Relations

APPENDIX 3: POLICIES AND PLANS

DRAFT ETHNIC AFFAIRS PRIORITY PLAN FOR 2007-2011

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

- 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.

In accordance with the provisions of the *Community Relations Commission & Principles of Multiculturalism Act 2000*, the department maintains an on-going Ethnic Affairs Priorities Statement (EAPS) program. The departmental Action Plan for this program is currently being reviewed in accordance with preliminary findings from the Community Relations Commission's review of EAPS operational issues. During the year, the department participated in the Commission's deliberations led by consultants from the University of NSW.

The department is one of the designated 'EAPS key agencies' because of the role it plays in the delivery of public sector services to the NSW multicultural community.

The department respects social and cultural diversity amongst its staff and clients, and implements its EAPS obligations with the following objectives:

- delivery of core services in a culturally appropriate manner;
- departmental planning is an inclusive process;
- staff training includes cultural diversity issues; and
- language services and information are designed for a culturally diverse client group.

Amongst initiatives taken in 2008-09, was participation with the Community Relations Commission and the NSW Police in a process of involving community members in dealing with young offenders from diverse cultural backgrounds. A Community Resource List was prepared and maintained by the Commission of people who can be called upon from various communities by the NSW Police when giving cautions and by this department to provide convenors for Youth Justices Conferences.

The roles and responsibilities of the people on the Community Resource List vary but overall their purpose is to provide advice about relevant cultural issues and to play a role in reducing the risk of re-offending by young people from diverse cultural backgrounds.

This initiative is currently being piloted in the Fairfield area. So far, 20 respected community members have been trained for participation in Youth Justice Conferences.

DISABILITY ACTION PLAN

The department has a legislative responsibility under the *Disability Services Act 1993 NSW* to maintain a Disability Action Plan. This Plan was revised in November 2008 in accordance with new *Guidelines for disability action planning for NSW Government* agencies issued in September 2008. The main change in the Guidelines and, therefore in the departmental Disability Action Plan, is to introduce an increased responsibility for outcomes relating to staff and clients with a disability.

The Disability Action Plan is closely linked to complementary disability strategies in the *NSW State Plan 2006-2016*, the *Corporate Plan 2007-2011* and the *Aboriginal Strategic Plan 2007-2011*. It further develops the disability competence and confidence of staff in working with young people with complex needs.

The department recognises that disabilities cover physical and intellectual as well as mental health issues. According to the Young People in Custody (2003) and Young People in Community (2006) Health Surveys, mental health issues are present in over 80 per cent of young offenders in juvenile justice custody and about 40 per cent of those on community-

based orders. The surveys also revealed intellectual disabilities are found in about 10 per cent of both groups.

The department continues its participation in a number of forums developing strategies relevant to the needs of people with a disability:

- the Director General attends and 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. He shared particular areas of concern about Aboriginal young people with complex needs in the juvenile justice system.
- the department is participating in the Senior Officers Group (SOG) on People with an Intellectual Disability in the Criminal Justice System (ID & CJS) which is focused on developing evidence-based responses to the risks and challenges that face people with an intellectual disability within that system. Juvenile Justice has implemented the principles of service delivery developed by the ID& CJS SOG and reports on progress in the Annual Report.
- the department's Youth Justice Conferencing (YJC) group participated with the Criminal Justice Support Network; the Department of Ageing, Disability and Homecare's Behaviour Intervention Service (BIS); NSW Police; Justice Health's Adolescent Community Forensic Mental Health Service; People with a Disability (PWD); and, the NSW Council for Intellectual Disability (NCID), in developing a *Checklist for People with Additional Support Needs in Youth Justice Conferences*, particularly where participants have disabilities. Training for all YJC convenors across NSW was completed by July 2008 and the *Checklist* has been implemented. The *Checklist* has been commended as a simple and useful non diagnostic tool to help practitioners by both the *Enabling Justice Report* in May 2008 and the *Preventing Crime and Promoting Rights for Indigenous Young People with Cognitive Disabilities and Mental Health Issues* in November 2008.

The Annual Stocktake for the *Disability Action Plan* has again been conducted to ensure that implementation of relevant policies and procedures is on track. It was found that:

- disability screening continues using an approved assessment tool for all new detainees, and this is backed up by screening by Justice Health and the Department of Education and Training.
- all juvenile justice centres and community staff continue to receive disability awareness training. This includes completion of stage 2 of an intensive six-week core skill development program for Community staff who regularly engage with young people with disabilities. This Program provides practical information and skills for improving interactions with young people with disabilities including youth mental health first aid.
- all departmental facilities meet accessibility standards.
- all staff are trained in emergency procedures; including those procedures for staff, young offenders and visitors with disabilities.

NSW GOVERNMENT ACTION PLAN FOR WOMEN

The NSW Government Action Plan for Women outlines the government's commitments, priorities and initiatives for women. In 2008-09, 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.

APPENDIX 4: SUSTAINABILITY MANAGEMENT

The department's sustainability management, purchasing, property management and environmental management are 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.

Sustainability 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 in the process of reformation to become the Sustainability Management Committee, which aims to manage the department's social and economic as well as environmental impacts. The committee will be tasked with overseeing the implementation of a strategic Sustainability Management Plan (SMP) integrating sustainability across the department and ensuring compliance with government reporting and targets governed by the NSW Government Sustainability Policy.

The revised SMP and committee aim to help focus the work and management of the department's key resources to meet the following objectives:

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

Waste Reduction and Purchasing

The department continues to be proactive in purchasing products and materials with recycled content in accordance with the NSW Waste Reduction and Purchasing Policy (WRAPP) and the department Waste Management Policy.

The department adheres to existing procedures to ensure all white photocopy paper is procured with a high level of 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 sustainable procurement and operational opportunities in centres and offices to reduce resource consumption and increase reuse and recycling of unavoidable materials. This process includes conducting waste assessments across centres and offices to identify opportunities to reduce waste sent to landfill and increase recycling.

Energy Management

The department is exploring energy efficiency opportunities and practical applications to reduce its overall energy consumption in centres and offices. The department aims to deliver year-on-year savings by meeting energy reduction targets reflected in the Corporate Plan and developing site specific action plans to reduce energy consumption.

Throughout the financial year 2008-09, energy audits of centres and corporate offices were commissioned to identify where efficiencies can be achieved and technologies utilised to deliver tangible savings. The recommendations of the report are under review pending implementation in financial year 2009-10.

The department continues to procure six percent of green power across all juvenile justice centres and ten percent for community and regional office accommodation.

Annual Energy Consumption in kWh (excluding fuel oil)			
	05-06	06-07	07-08
Custodial Facilities	8,695,276	9,747,683	9,639,946
Office Accommodation	1,380,824	1,299,697	1,435,144
Total Energy Consumption	10,076,100	11,047,380	11,075,090
Consumption per detainee/ per day*	77	80	67

* Consumption per detainee/per day = Custodial facilities annual energy consumption in kWh divided by total no. of custodial bed nights

The department's total energy consumption for 2007-08 was 11,075,090 kWhs which was less than a 1per cent increase on the total energy consumption for 2006-07 which was 11,047,380 kWhs.

The number of custodial bed nights increased in 2007-08 from 2006-07 however the overall consumption per detainee per day has reduced by 16 per cent in 2007-08 from 2006-07.

Energy consumption has increased across office accommodation by 10 per cent in 2007-08 from 2006-07. The SMP, NABERS ratings and site specific action plans will aim to mitigate further increases.

Official figures for energy consumption during 2008-09 will be lodged and published in accordance with DECC requirements in October 2009 for reporting in 2009-10.

Water Management

The department is taking steps to reduce its potable water consumption in centres and offices. This process includes reporting annual water consumption as part of the NSW Government Sustainability Policy and developing targets for water reduction across the department.

The department commissioned water audits during 2008-09 at the majority of centres to identify inefficiencies in water usage. The findings are currently being used to develop a strategic water management plan and site specific action plans which will include revising operational procedures and installing water saving devices aimed at reducing the department's water consumption

Transport Management

The department continues to balance the requirement for high Cleaner Government Fleet scores, safety, usage requirements and reduction in fuel consumption for its transport fleet.

Proportion of vehicles by fuel type				
	05-06	06-07	07-08	08-09
Unleaded	76%	69%	67%	70%
LPG	7%	11%	11.5%	4%
Diesel	16%	18%	20.5%	25%
Hybrid	1%	1%	1%	1%

The department has a fleet of 229 vehicles as at June 2009. This includes passenger, light commercial and commercial vehicles which is an increase of four vehicles over the reporting period. Motor vehicles are selected to ensure the department can reduce total fuel consumption, improve energy efficiency, and reduce greenhouse gas emissions and life cycle costs. Smaller passenger vehicles comprise the majority of the metropolitan fleet. In regional areas, where high annual kilometres can be expected, the fleet has increased its use of diesel fuelled vehicles in an effort to reduce fuel costs and consumption. The reduction in LPG fuelled vehicles is a result of replacing 6 cylinder LPG vehicles with more efficient 4 cylinder vehicles.

The department has continued to decrease fuel consumption, when compared to distances travelled, through improvements in driver awareness 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.

APPENDIX 5: OVERSEAS VISITS

OVERSEAS VISITS

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

Officer	Dates	Destination	Purpose	Funding Source
Valda Rusis	21-26 May 2009	China	To present paper at Children's Rights Workshop in Beijing	Human Rights and Equal Opportunity Commission

APPENDIX 6: PUBLICATIONS

List of publications

- Annual Reports
- 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
- Tagata Moana – Pacific Island Resource Guide
- Family Information Kit

Juvenile Justice Centre Induction Booklets

- What goes on in Cobham?
- What goes on in Reiby?
- 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 the 2008-09 Annual Report was $11,973. The report is available from the department's website, www.djj.nsw.gov.au.

APPENDIX 8: ACCESS AND ADDRESSES

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The Honourable Graham West MP
Minister for Juvenile Justice
Minister for Volunteering
Minister for Youth

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