

*A Safer Northern Territory through Correctional Interventions: Report of the review of the Northern Territory Department of Correctional Services, 31 July 2016*

## **Statement of Response**

The Hamburger Report resulted from a 'root and branch' review of the former NT Department of Correctional Services commissioned in November 2015 by the former Minister for Correctional Services.

The review followed a number of incidents at the Don Dale Youth Detention Centre, and public controversy about the security ratings of adult prisoners on work camps. It contains recommendations for youth justice, youth detention and adult imprisonment.

The review team, led by former Queensland Corrective Services Director-General, Keith Hamburger AM, was asked to examine the effectiveness and efficiency of the NT Department of Correctional Services. The review included structures and systems, overarching governance and resources for services and staffing, and whether more effective alternative services should be considered.

The review team met with more than 60 stakeholders and the final report produced 99 findings and 172 recommendations covering all aspects of the NT Department of Correctional Services.

The Hamburger Report provides government with a broad picture of the complex and challenging issues affecting the administration of justice in the Northern Territory. The Report has a number of strong themes, including the need for a culturally-informed justice system; the long term benefits of a rehabilitative focus for the community, as well as prisoners and their families; and an emphasis on correctional and detention centre staff training and skills. This will inform the priorities of government in implementing improvements to the justice system.

The Northern Territory Government understands that issues affecting youth justice and detention are intricately linked with the child protection system, so both spheres should be considered together.

The Hamburger Report provides important information to government as we consider youth justice and child protection reforms, with the Royal Commission into the Detention of Children in the Northern Territory jointly conducted by the Northern Territory and Commonwealth Governments. The Northern Territory Government is committed to a

transparent approach in providing the necessary information to assist the Royal Commission in its task.

The needs of children, young people and their families will be at the centre of comprehensive reforms to child protection and youth justice. The reforms will be informed by the recommendations of the Royal Commission into the Protection and Detention of Children in the Northern Territory, and those of existing reviews and reports, including the Hamburger Report.

A number of the Hamburger Report's recommendations have already been addressed through changes implemented by government since the report, and through recent machinery of government changes.

Youth justice is now the responsibility of the newly formed Territory Families. This will ensure a child-centred approach to the design and implementation of strategies and services, and facilitate the coordination of social services provided to vulnerable children, young people and families.

A comprehensive review of the *Youth Justice Act* will commence in January 2017. A new contemporary Act will set out appropriate measures to ensure that young people take responsibility for their actions within a system with strengthened respect for human rights, and which is geared to meet their needs as children and young people. The primary aim of a reformed youth justice system will be to divert young people from contact with the system wherever possible.

As part of the review of the *Youth Justice Act* the government will also look to establish an independent oversight mechanism with powers to inspect and report to the Legislative Assembly on prisons and youth detention centres.

In the interim, an urgent amendment to the *Youth Justice Act* will be introduced to the Legislative Assembly in October 2016 which will reverse the provisions legalising the use of mechanical restraints on young people in detention.

Responsibility for adult correctional services has moved to the Department of the Attorney-General and Justice which will lead a comprehensive reform of the adult justice system. The focus of reform will be the reduction of incarceration and recidivism, and in particular will address the over-representation of Indigenous Territorians in the justice system.

The government will work with Indigenous Territorians to increase the involvement and leadership of Indigenous people in the legal and justice system.

A focus on rehabilitation and the provision of appropriate educational, employment and family support programs and services for prisoners will complement new measures to

address the underlying causes of crime, including an integrated response to family violence, and additional community-led services for remote health and housing.

These measures will also address the broader social issues that affect children and families. Children and young people should be given every opportunity to achieve their potential. To achieve this, the government will put children and young people at the centre of service provision and support.

New universal and targeted strategies for child protection and youth justice will focus on prevention and early intervention, with increased investment in health and welfare from early childhood. Evidence-based prevention strategies aim to reduce the number of children and young people coming into contact with the child protection and youth justice systems, over time.

For example, Territory Families will implement the *dual pathways* approach to increase support for children and families, and provide earlier intervention for vulnerable families. And the government's expansion of targeted programs, such as the Nurse Family Partnership, will provide nurse home visits for more vulnerable families across the Territory. The evidence shows that this program helps parents care for their children and improves child health and development.

A concurrent emphasis will be placed on increased support for vulnerable young people and their families who need assistance. Increased educational, health and therapeutic support will be provided for young people in contact or at risk of contact with the youth justice system. This will include; development of more alternative pathways to engage students; increased after-hours youth activities in Alice Springs and Tennant Creek; increased youth specific drug and alcohol services; funding support for remote communities tackling youth substance abuse; health and mental health services prioritised for children in out-of-home-care; and further development of youth mental health services.

Engagement with the non-government sector will be key to reforms across justice and child protection, and to ensuring that universal systems work better for everyone. This includes increased community-based service provision in family support services and out-of-home-care services.

Involvement of the non-government sector in governance will be enhanced. A non-government advisory group on child protection and youth justice, once established in November 2016, will provide specialist advice to government in implementing the reforms.

Many of the recommendations of the Hamburger Report are reflected in the government's plans for reform. Some of the recommendations have significant budget

implications and the government will consider those, and others, in light of the recommendations of the Royal Commission, to be handed down in 2017.