

INQUIRY INTO JUVENILE OFFENDERS

Organisation: NSW Department of Juvenile Justice
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Date Received: 2/05/2005

Subject:

Summary

FR. RAMSAY NUTHALL

Serving God Through Serving the Whole Community Under the Auspices of the Anglican Diocese of Newcastle.

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2 May 2005

Ms. Laura Milkins
Contact Person
Parliamentary Select Committee on Juvenile Offenders
Parliament House
Macquarie St.
Sydney NSW 2000

Dear Ms. Milkins,

Please find enclosed a Supplementary Submission of the Juvenile Justice Sub-Committee of the Civil Chaplaincies Advisory Committee to the Parliamentary Select Committee on Juvenile Offenders.

Yours sincerely,



Ramsay Nuthall

Supplementary Submission to the Select Committee on Juvenile Offenders.

The Juvenile Justice Sub-Committee of the Civil Chaplaincies Advisory Committee.

We offer this supplementary Submission in order to clarify several issues arising out of the enquiry so far.

Initially, I would draw the select committees attention to comments that The Hon. JOHN HATZISTERGOS made before it on 14 March 2005. (Transcript p.20).

The Hon. JOHN HATZISTERGOS:

The Juvenile Justice Chaplains raised an issue. I should point out that that the chaplain who is at Kariong now answers to the Corrective Services Chaplain not to the Juvenile Justice Subcommittee. I do not know what consultation they had with him in relation to the comments. But they said in their submission that an offender could be in isolation for five days. Confinement to safe cells, as I indicated earlier, is limited to a period of 24 hours. We do not use solitary confinement, reduction of inmate diet or deny access to or contact with family. As I have indicated, we are going to trial stage 3 offenders being able to stay out till 7.30.

Firstly, the status of Pastor Martin Parish, Chaplain at Kariong Juvenile Correctional Centre, is still that of a Juvenile Justice Chaplain in that his ministry is still financed by the Department of Juvenile Justice. Happily (as we understand) the process of transferring him to Corrective Services is under way and will become effective as of 1 July 2005.

Secondly, The Hon. Mr. Hatzistergos is mistaken in his claim that our submission stated that "an offender could be in isolation for five days". Our submission makes no such claim. In this context, neither has Pastor Parish made any such claim nor are we aware of where any such claim may have been made.

By way of further clarification, the main thrust of our submission with regard to lock-down times is that young, still developing people need physically active and personally inter-active experiences in 'real' (rather than T.V. time) in order to establish the basic personal foundations upon which a mindset open to rehabilitation can be built.

Having early lock down times may well contain negative behavior during the time a young person is incarcerated, though will achieve little in the long term other than to produce criminally inclined (or, perhaps 'reclined') "couch potatoes" with few occupational, interpersonal or basic living skills, thus enhancing their prospects of further pursuing a life of crime. On the other hand, just having a later lock down time where young offenders merely 'free-range', also achieves little in that the young offenders find themselves constantly engaged in anti-social, criminally instructive conclaves that again do little by way of pro-social growth experiences and rehabilitation. Young offenders must be occupied as intensively and interactively as possible for as long as possible.

Neurologists suggest (We do not have specific references at this stage, though these have been cited on ABC T.V. Four Corners in the program dealing with drug induced psychosis, and on ABC Radio National) that the human brain is not fully developed until between the age of twenty three to twenty five years of age. This is a fact that is tacitly affirmed by the practice of the car insurance industry in charging higher insurance premiums for under twenty five year old drivers. It is also affirmed by our already extant three tiered custodial program structure across the two Government justice systems, Juvenile Justice and Corrective Services (i.e. younger juveniles with the Department of Juvenile Justice, Adults within Corrective Services and the servicing of 18 – 21 year olds within Juvenile Justice and 18-25 year olds in the young offenders program within Corrective Services).

We would suggest that this less than clear-cut arrangement in dealing with the 18 – 25 year age group is appropriate and has arisen out of the many complex social and developmental factors inherent in the whole issue. The present situation in this area could be improved substantially by facilitating a greater flexibility of movement between Juvenile Justice and Corrective Services programs, and a great flexibility in original placement in one of the two systems. For example, the community interest may be best served by placing a young person who offends at eighteen or nineteen, who may well be temperamentally and developmentally better suited to a Juvenile Justice program in such a program, whereas another young person offending at seventeen, being more developmentally advanced and of more intractable temperament, may best be transferred to a Corrective Services program sooner rather than later.

The import of all this is that correctional facilities dealing with young offenders, whether Juvenile Justice or Corrective Services, need to be responsive to developmental needs and must be resourced to appropriate levels in order that our delinquent young people may grow into their humanity as much as possible, this we believe being the greatest protection the wider community can have against further criminal behaviour on the part of offending individuals.

Recognition of the above must surely be a bi – partisan responsibility, as again we stress that our present Juvenile Justice system is the creation of governments of both political persuasion over many years, and both parties must ensure that their good work in the past is enhanced rather than destroyed.

The main threat to maintaining the reasonable policy direction of the past is the current journalistic practices of a mass media which seeks to tantalize, daze and amaze rather than accurately report and inform. This is clearly demonstrated by the sensationalist and highly distorted article in the Sunday Telegraph 10 April 2005 where the daily cost of a luxury hotel is juxtaposed against the daily cost of incarcerating a Juvenile.

The cost to the wider community will be far greater if this type of ignorant and histrionic tail continues to be allowed to waive the policy dog.