

INQUIRY INTO JUVENILE OFFENDERS

Organisation:

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Subject:

Summary

SUBMISSION

THE LEGISLATIVE COUNCIL SELECT COMMITTEE ON JUVENILE
OFFENDERS

SALLY PEYOU
5 APRIL, 2005

The Director
Select Committee on Juvenile Offenders
Parliament House
Macquarie Street
Sydney NSW 2000

Dear Sir/Madam

Thank you for providing me the opportunity to make a submission to the Select Committee On Juvenile Offenders regarding the *Juvenile Offenders Legislation Amendment Act 2004*.

BACKGROUND

The statements in this submission are opinions based on my 5 years experience as an Official Visitor at Juvenile Justice Detention centres and in my background as a counsellor, case manager, and educator of 'youth at risk' in a number of settings both here and in the United States. I am also a member of the NSW Juvenile Justice Advisory Council.

I have not visited Kariong Detention Centre but I have worked with young people who have been detained there. As an Official Visitor I visited Yasmar, Reiby, Keelong and Cobham Juvenile Justice Centres.

I would like to acknowledge that Juvenile Justice Detention Centres are stressful environments to work in. I have met numerous hardworking, skilled and dedicated staff in Juvenile Justice Centres. Their work often goes unrecognised, and they are under a great deal of scrutiny. However there are many youth work staff who are good-willed and well intentioned but underqualified and overwhelmed by the sometimes extreme behaviours of troubled young people in custodial environments.

It is also important that we acknowledge the very difficult backgrounds of most young offenders, as well as the pain, grief and suffering endured by victims of violent crimes. I do not wish to minimise the effects of the behaviours of troubled and sometimes violent young offenders. Having worked for many years with youth at risk, namely young offenders, homeless, and drug affected young people I understand the difficulties faced by youth work staff; the pervasive feelings of hopelessness, the lack of any one "formula" that works for all young offenders, the fact that the "outcomes" of the work are often intangible- especially in the short term, the tendency for complex issues of human behaviour, political processes and cultural and gender issues to be discussed in terms of "good people and bad people" dichotomies.

Having said that, I have several concerns regarding the transfer of Kariong to the Department of Corrective Services (DCS).

TRANSFER OF KARIONG

I am concerned that the placing of young offenders into an institution run by DCS will in the long run serve to breakdown the principles underlying Juvenile Justice, namely re-integration and rehabilitation. A punitive attitude to Juvenile Offenders is exemplified by the use of the term "inmates" when describing young people who are detained in the new juvenile corrections centres.

I cannot find any information regarding the ability of DCS to address the specific needs of young people in custody. While the Department of Juvenile Justice has its shortcomings, it is certainly in a better position to ascertain and address the needs of young offenders. This of course begs the question of why the issues at Kariong were not addressed within the department. I can only theorise that because of its role as a government agency, DJJ is

often in the unenviable position of trying to be both a “rehabilitation and reintegration” service and a “tough on crime” department.

Perhaps it would be helpful if some time was spent on educating the public and the media about the realities of the lives of most young offenders, and take the focus off the sensational and superficial headline grabbing analysis of the modern media.

In my opinion the decision to transfer Kariong to DCS was in great part a political one. The media presence at the filling in of the pool was clearly planned to show the public that the “new Kariong” will not be a “holiday camp”. Whenever I hear the term “holiday camp” bantered around, I would like to invite the speaker to spend a week locked up, unable to go for a walk when you like, being subject to strip searches, or being locked in “segregation” for minor misbehaviour.

I expect that DCS may indeed manage Kariong more efficiently than it has been managed in the past. However I do not think it was the best decision to address the problems at Kariong. If the department of Juvenile Justice had adopted some management practices similar to those reported to be in place at DCS such as consistent programming and a consistent incentive scheme, while maintaining a juvenile specific environment focusing on rehabilitation and reintegration into the community, as well as improving the qualifications and training of youth work staff, many of the issues at Kariong could have been resolved. Perhaps Kariong staff should have been provided with *intensive* specialist training in dealing with the needs and behaviours of NSW’s most difficult to manage young offenders. This type of training could include both traditional corrections style techniques such as riot control and containment as well as training in mental health issues, stress and burnout management, and conflict resolution and negotiation.

The idea to place all of the “worst” detainees in one facility was perhaps flawed to begin with. In my experience working with youth at risk, the act of separating young people into a group of those who present the most “management problems” only serves to stigmatise the young people who often react with bravado and anger. This equation of a restrictive social environment and the behaviour of emotionally troubled young people is one that produces conflicts and incidents in Juvenile Detention centres.

YOUNG WOMEN

I am concerned about how the legislation will affect young women in custody who are classified as A1. As the language of the legislation is gender neutral it could be argued that there is no legal reason why Young Women will not be affected by the legislation.

STAFF TURNOVER

As an Official visitor I was concerned that a high staff turnover in the departments that are involved in the care of young people in detention contributed to a lack of consistency in service delivery. The lack of a single point of information or referral for young people in custody and their families gives rise to a sense of frustration and hopelessness in dealing with government agencies.

In conclusion, I would like to thank the Select Committee and the legislative council for providing the opportunity to make this submission. Please do not hesitate to contact me on 0401 174 726 if you have any questions regarding my submission.

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