

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS  
ATTORNEY-GENERAL'S DEPARTMENT

**Group 2**

**Output 1.5**

**Question No. 119**

**Senator Scullion asked the following question at the hearing on 24 May 2012:**

Inability to meet certain bail criteria was evidenced in *Doing Time*, *Time for Doing* as greatly contributing to the high rates of indigenous youth incarceration and persons on remand, even cycling individuals back into the prison system.

A common reason for refusal of bail being lack of a functional family network or suitable return accommodation, leaving incarceration without charge as the only option.

How are these disadvantages for Indigenous youth being addressed?

**The answer to the honourable senator's question is as follows:**

The juvenile justice system and adult corrections systems are the responsibility of State and Territory Governments. The issue of the high rates of remand for Indigenous young people was raised at the 12-13 April 2012 meeting of the Standing Committee on Law and Justice. All jurisdictions noted the recommendations of the *Doing Time – Time for Doing* Report, including Recommendation 27, which proposed increased funding for accommodation options for young people who are granted bail.

The need for appropriate accommodation for young people on remand fits with the Australian Government's policy set out in the Homelessness Whitepaper *The Road Home – The Australian Government White Paper on Homelessness* (December 2008) to ensure 'no exits into homelessness' from statutory, custodial care, health, mental health and drug and alcohol services. This is also reflected in the National Partnership Agreement on Homelessness, which includes as an output providing assistance for people leaving child protection services, correctional and health facilities, to access and maintain stable, affordable housing.

The Australian Institute of Criminology (AIC), with the support of the Australasian Juvenile Justice Administrators, has commenced a national study of juvenile bail and remand. The AIC will conduct research on the main reasons for the increase in the use of remand for juveniles and the impact of these changes on young people.

The National Justice Chief Executive Officers are also currently collecting information from jurisdictions on programs aimed at reducing remand. This information will provide a useful basis to consider what further actions may need to be taken to reduce the remand population.