

Custody elevates troubles for kids

EXCLUSIVE

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CHILDREN aged under 13 who are placed in custody pending a court hearing will be remanded more than five times on average throughout their childhood, almost double the rate for kids who are older when they are first remanded.

The findings come from a groundbreaking report that argues for radical changes to stop children being incarcerated.

The report – titled “Thinking Outside: Alternatives to Remand for Children” and to be released today – presents the findings from 12 months’ research by Jesuit Social Services, which consulted senior government officials, members of the judiciary, police and community organisations, including peak bodies about the experiences of children with the justice system.

It finds that 10 to 12-year-olds who are remanded average 5.4 remand admissions throughout childhood, compared with 2.9 for those first remanded after the age of 12.

Of those who first experienced remand at age 10-12, all were known to child protection — 52 per cent from before the age of

three, and 30 per cent who were Aboriginal.

The report powerfully argues the first step to turn this situation around would be to raise the age of criminal responsibility to 12 years, arguing that primary school children have no place in our criminal courts.

“There is a need for services that children on remand or at risk of remand can access 24 hours a day, seven days a week.

These services must overcome the present service system’s fragmented response to such children.

These children have often experienced significant harm yet, by failing to intervene early and intensively to halt such troubled and troubling life trajectories, valuable time to act decisively is lost,” the report says.

The report also finds that remand is heavily weighted towards short stays, with the majority of admissions ending with bail or the order expiring.

And it says that services often do not operate when children most need them as 80 per cent of arrests take place outside of business hours.

Jesuit Social Services chief executive Julie Edwards said the number of children on remand in Victoria had increased by two-thirds between 2007 and 2010.

“There is a small but significant group of children who have repeated and extensive contact with the criminal justice system, including remand,” Ms Edwards said.

“We need to provide ongoing therapeutic support to these children.”

She called on the Victorian government to pilot an intensive community support service for vulnerable younger children at risk of ongoing involvement in the criminal justice system.

“This should be independent of the processes of the justice system and offer an appropriate level of care to the vulnerable children who end up in custody,” Ms Edwards said.

The report finds that Aboriginal children who had come into contact with the justice system younger were more likely to have repeated contacts and are over-represented throughout the entire youth justice system in Victoria.