

INQUIRY INTO THE ADEQUACY OF YOUTH DIVERSIONARY PROGRAMS IN NSW

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Youth Off The Streets

Inquiry into State Government Youth Diversionary Programs (YDP)

Submission to Legislative Assembly Committee on Law and Safety January 2018

About Youth Off The Streets

Youth Off The Streets is a non-denominational organisation supporting young people (aged 12-25) facing homelessness, substance dependency, abuse and other issues. Every year, we help over 3,000 vulnerable youth turn around their lives, providing crisis accommodation, rehabilitation, outreach and alternative education, amongst a wide range of youth-specific services. Our goal is that these young people will leave our care drug free, with a high school education, living skills and a full- or part-time job in hand.

In seeking to achieve these long-term goals, Youth Off The Streets delivers programs across a broad range of services including Homelessness, Outreach, Education, Alcohol & Other Drugs Service and Aboriginal Services.

As a result of this expansive approach to addressing the issues affecting our young people, Youth Off The Streets has evolved to occupy a respected position in the community services sector. Furthermore, our commitment to managing all facets of a young person's development and our expertise in achieving positive results means we are well-positioned to submit input on the complexities of youth diversionary programs.

Overview

This submission is informed by input from all members of our executive team as well as staff across all service areas relevant to youth diversionary programs and the criminal justice system.

Our organisation's input is restricted to the terms of reference relevant to Youth Off The Streets activities and areas of concern as they relate to the terms of reference are primarily young people's interaction with

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OUR MISSION

Helping disconnected young people to discover greatness within by engaging, supporting and providing opportunities to encourage and facilitate positive life choices.

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OUR VALUES

- › Passion
- › Respect
- › Integrity
- › Dedication
- › Engagement

Juvenile Justice, Aboriginal over-representation and evaluating outcomes and areas for improvement.

These points of interest reflect our primary focus – young people facing multiple interrelated levels of disadvantage. Our clients represent underserved community groups including young single parents, homeless youth, victims of domestic violence and abuse, refugees and new migrants, young offenders and drug and alcohol addicts. The difficulties faced are regularly exacerbated by social, cultural and economic factors including poverty, mental health issues, social isolation, low educational attainment, unemployment, culturally and linguistically diverse background and Aboriginal and Torres Strait Islander background.

Youth Off The Streets deliver a wide range of services, many of which include young people at risk of taking a path toward criminality. These include Outreach, Mental Health, Aboriginal Services, Residential Programs and programs focussing on Alcohol & Other Drugs. We also operate six accredited High Schools and a range of initiatives offering mentoring opportunities and scholarships to deserving students.

This broad exposure to the challenges faced by young people makes Youth Off The Streets uniquely placed to offer insights into the issue of youth diversionary programs, youth contact with Juvenile Justice and recidivism.

Executive Summary:

This submission contains the following four subject areas:

1. Early intervention
2. Youth diversionary programs – a Youth Off The Streets approach
3. Recommendations/comments on Aboriginal over-representation in the Juvenile Justice system
4. Outcomes, media and political influence

In response to the above, we make the following recommendations:

- Increasing funding and resources to existing Positive Parenting courses and support given to the development of new ones. These courses provide opportunities for parents to acquire basic parenting skills, creating better family environments and, in turn, young people capable of social inclusion.
- Leveraging the existing Family and Community Services (FaCS) reporting system in place and upskilling individuals to act as “**early identifiers**” of young people at risk of entering criminal activity. We believe this role can be critical as it will add an additional layer of protection for those in need of support to counter negative family or other social environments.

- NSW Government to adopt early intervention strategies to curtail the impact of negative factors leading to youth crime prior to entry into the Juvenile Justice system. These fundamental influences include inter-generational disadvantage, family and domestic violence, limited education and homelessness.
- Youth Off The Streets Outreach Services model to serve as a working blueprint for a successful early intervention program. This focusses on comprehensive and multi-layered approach, offering young people multiple points of contact, depending on their area of need.
- All NSW Government youth diversionary programs targeting Aboriginal and Torres Strait Islander youth to be formulated with significant guidance and input from Aboriginal and Torres Strait Islander communities. Cultural Competence to be a cornerstone of any program addressing youth crime in these communities.
- Restorative Justice to inform the thinking of the NSW Government when making decisions concerning young people in the Juvenile Justice system.
- NSW Government to take a medium to long-term view when developing youth diversionary programs and minimise the influence of media and election cycles. A similar philosophy is also recommended in relation to the measuring of outcomes.

Youth Off The Streets contends the impact of government youth diversionary programs is restricted by strategies which fail to address the root causes of young people's entry into the criminal justice system; that, in effect, patterns of behaviour and exposure to criminality are generally entrenched by the time a young person is apprehended or incarcerated for criminal offences. These fundamental influences leading to incarceration include inter-generational disadvantage, family and domestic violence, limited education and homelessness. Our experience consistently confirms the reality that children born into a family environment with these characteristics are more likely to undertake a path toward youth criminality and the Juvenile Justice system. To address these challenges we recommend government adopt early intervention strategies to curtail their impact prior to entry into the Juvenile Justice system.

This reality is illustrated by a 2013 Legal Aid NSW study of its most frequent clients under 19 which found the following:

- 94% had already spent time in a juvenile detention centre;
- 82% had been excluded, suspended or expelled from school;
- 75% regularly abused used drugs and/or alcohol;
- 72% had experienced abuse or neglect at home or had witnessed violence at home;

- 50% had received a mental health diagnosis;
- 50% had experienced homelessness and/or out-of-home care.

This data highlights the need for identifying young people at risk early and addressing their challenges, rather than seeking to re-direct them after entry into the criminal justice system.

Youth Off The Streets makes the following recommendations in response to the call for submissions:

Recommendations

1. Early intervention

Where possible a strategy of early intervention is the most effective approach underpinning youth diversionary programs. That is, identifying those young people most at risk of entering the criminal justice system and addressing the relevant causes such as family criminal history, drug and alcohol abuse and homelessness. These influences can take on a greater significance within Aboriginal communities, often leading to mental health and other social problems, specifically lack of self-esteem, community disengagement and a poor sense of belonging to family and environment.

Youth Off The Streets believes those programs engaging young people *prior* to their first exposure to the criminal justice system are the most effective youth diversionary programs.

Youth Off The Streets recommends two possible approaches:

a. Development of Positive Parenting programs

This would not be a case of seeking to make “good parents” out of “bad parents”, but rather identifying parents known to have challenges which could expose their children to negative influences and providing learning opportunities to address these. Through these opportunities, both the parents and young people can improve their ability to make better judgements.

Youth Off The Streets believes no child is “born bad”. Young people we work with seek our help as they most likely are in a family situation hindering their personal development that they don’t have the skills to cope with. This is often the result of parents not possessing basic child-rearing skills or having challenges of their own such as limited education, mental health issues or drug abuse.

We believe many young people could be diverted from the criminal justice system if government placed greater emphasis on educating parents of at-risk children and directed resources accordingly.

This process could provide opportunities for struggling mothers and fathers to be a positive influence in their child's life and arm them with essential skills related to their child's physical and mental health, education and basic life skills.

Vulnerable families which are at risk of abuse or neglect, or have experienced substantiated abuse or neglect, have complex issues and needs. A range of intensive, home-based family support programs exist (for example, the SafeCare program)¹ which aim to reduce notification or reporting of young people at risk, reduce the need for court involvement and facilitate family reunification.² Our organisation believes these programs can play a greater role in not only ensuring a young person's safety, but also diverting them from potential criminal pathways. Greater emphasis and funding should be directed to these programs as a strategy to achieve this.

This need to address the underlying causes of youth crime echo the Youth on Track Guidelines, published by the NSW Department of Juvenile Justice in April 2016. This found programs should address the key criminogenic factors which included problematic family circumstances, challenges in school environments, substance abuse and anti-social attitudes among peers and family.³

This process of up-skilling parents should involve a collaborative approach to learning and development of competencies which address the parents' patterns of behaviour and seek to link this to improve parenting practices. Parents should be encouraged to contribute ideas and feedback to this learning process, ensuring they feel empowered as parents and, ultimately, responsible for their child's wellbeing.⁴

These courses provide opportunities for parents to acquire basic parenting skills, creating better family environments and, in turn, young people capable of social inclusion. Increasing the emphasis on these courses will widen the number of young people in positive family environments and, as a result, reduce the likelihood of entering the Juvenile Justice system.

¹ NSW Government pilots Australian first child-safety program, https://www.facs.nsw.gov.au/about_us/media_releases/media_release_archive/nsw-government-pilots-australian-first-child-safety-program, 7 September 2015

² G. Antcliff & M. Iannos, *Evidence Informed Practice In Intensive Family Support Programs: Are we there yet?*, Benevolent Society, University of South Australia Australian Centre for Child Protection, 2015

³ "What works" with Young Offenders, *Youth on Track Guidelines*, NSW Juvenile Justice, 6 April 2016

⁴ G. Antcliff & M. Iannos, *Parent-skills training in intensive home-based family support programs*, Child Family Community Australia Practitioner Resource, Australian Institute of Family Studies, <https://aifs.gov.au/cfca/publications/parent-skills-training-intensive-home-based-family-support-programs> May 2013

b. Training and upskilling of industry professionals as “early identifiers”

Currently, mandatory reporting guidelines require people employed in a range of services (as defined by the Children and Young Persons (Care and Protection) Act 1998) to report suspected child abuse and neglect to government authorities. This applies to children aged 0-15 years. While this process is imperfect, it has become an entrenched component of the child welfare system and enables Family and Community Services (FaCS) to respond to potential incidences of child neglect and/or abuse as quickly as possible.

Youth Off The Streets advocates for professionals currently recognised as mandatory reporters to also be trained as “early identifiers.” In effect, this would involve these professionals undertaking training to recognise and respond to the early warning signs of parents needing assistance to fulfil their responsibilities before they reach the point of abuse or neglect. Aside from the benefits of identifying children at risk before significant negative impacts, Youth Off The Streets believe training of this kind could also play a role in diverting them from the criminal justice system while adding an additional layer of protection for those in need of support to counter negative family or other social environments.

This approach would link parents needing assistance with appropriate support services to improve their child-rearing skills. We believe this process can play a role in minimising the negative impact of parents with limited skills or other challenges.

Increasing financial support and resources for organisations assisting children of people in the criminal justice system should also be addressed. SHINE for Kids is one such example of an organisation which could contribute to reducing youth crime if funded appropriately.⁵ Rather than focussing energies and funding on punitive measures for the offender, addressing the complex needs of those at risk of progressing to adult crime would be a more effective model in the medium to long term.

2. Youth diversionary programs – a Youth Off The Streets approach

Youth Off The Streets believes its Outreach Services model can serve as an example of youth diversionary programs effecting positive change for young people at risk of entering the criminal justice system.

Youth Off The Streets’ Outreach Services target young people aged between 12 and 24, but families are encouraged to attend and support the involvement of their children. Our Outreach Services have achieved great success in engaging disadvantaged and disengaged young people since our first intervention in 2005. Since this time, Outreach Services have been established in 26 services across New South Wales (covering 11 local government areas) and one in Logan, Queensland.

⁵ <https://shineforkids.org.au/>

Our organisation's Outreach practice has been developed in the context of Youth Off The Streets' mission, vision, values and the philosophy of the Circle of Courage™, and is embedded within a youth development continuum. The Circle of Courage™ is a model of positive youth development based on the universal principle that to be emotionally healthy, all youth need a sense of belonging, mastery, independence and generosity. This unique model integrates the cultural wisdom of Native American tribal peoples, the practice wisdom of professional pioneers with troubled youth, and findings of modern youth development research.⁶ The aim of the framework is to provide a conceptual and practical space within which we support young people in our care to make positive life choices.

Of equal significance in supporting young people seeking our assistance is a belief in the benefits of Restorative Justice to re-build their lives.

Unlike the criminal justice system where a crime is treated as a violation of the law and state and effectively neglects to pursue solutions beyond punishment of the offender, Restorative Justice views a crime as a violation of people and relationships. This philosophy acknowledges the victim and the influences on the perpetrator/offender and focuses on repairing harm done to all parties. It aims to help young people become more productive and valued members of society by providing them with the tools to examine their behaviour, acknowledge the harm done by their actions and take personal responsibility for them.⁷

A 2004 NSW Bureau of Crime Statistics and Research (BOCSAR) study found these programs can produce reductions in re-offending of 15-20% regardless of gender, criminal history, age or Aboriginality.⁸ Youth Off The Streets believes a shift toward practices like these can play a role in addressing the causes of youth crime and recidivism.

Our Outreach Services provide a positive impact and flexible response to the needs of marginalised young people in disadvantaged communities by providing safe and supervised programs. These programs provide positive diversionary activities and soft entry approaches for young people to interact, socialise and connect with youth workers. These services provide free, recreational activities and support services and food in disadvantaged areas and create positive social connections which reduce risk of alcohol and other drug usage, anti-social behaviour and crime. After making contact with an Outreach service, our staff are able to also facilitate supported pathways to programs targeting improvements in education and opportunities for additional training, for example via our recently initiated registered training organisation.

⁶ A. Chamberlin, *The Circle of Courage Native American Model of Education*, 1991

⁷ *Restorative practice seeks to repair relationships*, Victoria State Government Education and Training, <http://www.education.vic.gov.au/about/programs/bullystoppers/Pages/methodrestorative.aspx>

⁸ *Restorative justice as a crime prevention measure* AICrime reduction matters no.20, Australian Institute of Criminology, February 2004

Other services we are able to offer include mentoring, counselling, specialist psychologists, assistance to young mothers and driving courses.

This suite of options can, in effect, fulfil some of the role normally played by parents who would facilitate these education and learning opportunities. Completion of these, when combined with regular attendance at our outreach events, can counter some of the disadvantage experienced by young people who contact Youth Off The Streets and lead to more productive outcomes such as re-engagement with education and better life choices.

Augmenting this approach is our organisation's emphasis on Service Learning as a method to develop young people to become more active community members. Service Learning aims to help young people develop a sense of community and a lasting moral framework for positive behaviour engaging young people in activities that serve the community. As they help others they develop skills, self-esteem and empathy.⁹

This Outreach model serves as an example of a youth diversionary program with flexibility to enable early intervention. By establishing a service in a community, responding to its specific needs and focussing on developing that community's strengths, we are able to build trust and provide a regular and consistent presence in young people's lives.

We have found that these services take some time to establish and gain traction within their relevant communities and thus require a longer term commitment. Youth Off The Streets ensures this by cementing organisational capacity and capability before an Outreach is initiated. This is achieved by building flexibility into our structure, making sure staff are available at irregular hours, establishing the service directly in the community we are seeking to engage and by gathering support from community partners such as local police, employers and other service organisations.

By making this longer-term commitment to a community, we are able to provide integrated services as part of Outreach. This can include cultural support services, mental health support, education programs and assistance for young people and families dealing with domestic violence. This layered approach ensures our youth workers' engagement is meaningful and comprehensive.

Youth Off The Streets Outreach Services work with other service providers and seeks to include the parents of clients and works to ensure open lines of communication with all relevant stakeholders and achieve outcomes outlined previously. This involves all relevant staff coordinating their communication and strategies in relation to the same young person. This ensures all decisions are aligned and duplication is avoided.

⁹ J. Claus & C. Ogden, *Service Learning for Youth Empowerment and Social Change*, Peter Lang Publishing, 1999

This model enables both early intervention and multiple contact points for support workers to address issues leading to future criminal activity.

3. Recommendations/comments on Aboriginal over-representation in the Juvenile Justice system

Youth Off The Streets has a long-term commitment to addressing the needs of young people identifying as Aboriginal or Torres Strait Islander. Key to supporting this is employing staff of appropriate cultural backgrounds to directly inform the community engagement process and drive it from conception to implementation. With 7.5% per cent of our staff identifying as Aboriginal or Torres Strait Islander and all staff undertaking cultural competency training, we are committed to ensure these policies are culturally appropriate and relevant. This approach is essential when government seeks to develop youth diversionary programs specific to Aboriginal youth.

While our organisation advocates for early intervention programs to be implemented where possible, consultation with our Aboriginal Services team identified the following input as essential when specifically planning youth diversionary programs, which could play an important role in reducing rates of incarceration:

- a. Early intervention and identifying youth at risk is recognised as effective in Aboriginal communities.¹⁰ Programs such as those delivered by SHINE for Kids have had a conclusive impact in a number of communities.
- b. Direct input from the community in which a youth diversionary program is being developed is essential.

When targeting a specific region as a location for a government youth diversionary program, policy makers need to ensure engagement takes place across all parts of the relevant Aboriginal community. Throughout all stages of planning, all efforts should be made to incorporate input on how best to formulate a program which is culturally appropriate. Guidance from community representatives should be sought as much as possible to ensure programs are appropriate for that community's needs.

Engagement and implementation needs to be holistic to be effective, with the needs of the community as a whole comprehensively considered and assessed.¹¹ Specifically, engagement with Aboriginal and Torres Strait Islander people must include attention to physical, spiritual, cultural,

¹⁰ Pro J. Elliott, *Aboriginal and Torres Strait Islander experience of law enforcement and justice services*, Parliamentary Inquiry, 2016

¹¹ *National Aboriginal and Torres Strait Islander Health Plan 2013 – 2023*, Commonwealth of Australia, 2013

emotional and social well-being, community capacity and governance when programs are developed.¹²

Customs and familial relationships within Aboriginal communities are often extremely complex and influenced by factors foreign to non-Aboriginal people. These communities often have characteristics specific to geographic location, with significant variation evident across urban, rural, and remote communities.¹³ It is therefore vital for program planners that the correct community representative is identified. In particular, every effort should be made to incorporate the knowledge and experience of Elders in the community.

Furthermore, differences in customs and daily practices should be understood and incorporated where possible, particularly as they relate to key social, political and cultural factors specific to the community in question.¹⁴

Most importantly to stem intergenerational issues that continue to arise, consultation needs to be long-term and consistent. Program planners need to understand the different ways of working and alternative learning methods of Aboriginal communities, for example verbal rather than written training, if they are to develop a sustainable diversionary program. Dialogue needs to be maintained throughout the process to ensure the program's development accurately reflects the needs of the community and remains relevant.¹⁵

- c. When developing diversionary programs, government needs to ensure the process includes policy planners and support officers identifying as Aboriginal or Torres Strait Islander

Programs targeting Aboriginal or Torres Strait Islander youth require the kind of experience and insight garnered from a life lived with direct experience. Specific reference points, unspoken language and common history need to be understood and communicated with the nuance of someone speaking from a similar reference point.

¹² D. Dick & T Calma, *Social determinants and the health of Indigenous peoples in Australia – a human rights based approach, International Symposium on the Social Determinants of Indigenous Health, Adelaide, 29-30 April 2007, Australian Human Rights Commission*

¹³ R. Neckowaya, K Brownleea, B Castellana, *Is Attachment Theory Consistent with Aboriginal Parenting Realities?*, First Peoples Child & Family Review, Vol.3, Number 2, 2007

¹⁴ *National Aboriginal and Torres Strait Islander Health Plan 2013 – 2023*, Commonwealth of Australia, 2013

¹⁵ R. Price-Robertson & M. McDonald, *Working with Indigenous children, families, and communities: Lessons from practice*, Child Family Community Australia Practice Sheet, Australian Institute of Family Studies, March 2011

It is vital program delivery includes culturally competent service structures and strategies. This can include, but is not limited to, delivering services “in language” and/or having translation services available, using artefacts such as tools and artwork, and conducting sessions in informal settings.¹⁶

Non-Aboriginal program officers employed in the process should also have experience in managing programs for Aboriginal and Torres Strait Islander people.

- d. Historical factors need to be considered when seeking to implement a diversionary program.

Many Aboriginal families and communities in Australia face ongoing and substantial challenges. Addressing these problems is often compromised by a range of issues including historical and ongoing dispossession, marginalisation, racism as well as the legacy of past policies of forced removal and cultural assimilation¹⁷

When seeking to engage some Aboriginal communities, those with negative histories engaging police or authority figures may be reluctant to participate in a diversionary program. These negative histories could include traumatic experiences involving harassment, incarceration, and contact friends and family may have had with police, Juvenile Justice or community organisations.

For older Aboriginal people their experiences as part of the Stolen Generation or their family members’ experiences can often inform their attitude to programs offering support. This, in turn, can influence the likelihood of young people engaging with a diversionary program.¹⁸ Services need to be aware of this and focus on engagement in a culturally appropriate manner with the young person and their family. The experiences of the Stolen Generation are, for many older Aboriginal and Torres Strait Islander people, very recent and prominent in the conversations among and across families. It is therefore to be expected that young people absorbing this direct experience will be influenced by the understandable suspicion or hostility toward government-approved programs claiming to assist them.

- e. Incarceration and entry into the criminal justice system has become something akin to a rite of passage in some Aboriginal communities.

Attitudes towards the criminal justice system need to be understood in depth and from the perspective of young offenders if diversionary programs of any design are to be successful across

¹⁶ ibid

¹⁷ *Bringing them home, National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from Their Families*, Commonwealth of Australia, 1997

¹⁸ D.Higgins & K. Davis, *Law and justice: prevention and early intervention programs for Indigenous youth*, Resource sheet no. 34 produced by the Closing the Gap Clearinghouse, Australian Institute of Family Studies, July 2014

Aboriginal communities. A good example of this is the growing trend among young men in Aboriginal communities to view entry into the criminal justice system as a step towards manhood.

In many communities, teenagers being incarcerated in Juvenile Justice facilities leads to a high degree of respect among peers.¹⁹ This often flows on to young men and boys committing crimes in the hope they will be apprehended and handed a custodial sentence. Aboriginal communities should be consulted on how to address and change these perceptions.

One approach could be to adopt philosophies and practices similar to Koori Courts and placing cultural competence at the centre of all youth engagement processes. In these instances, Aboriginal and Torres Strait Islander people provide direct guidance in the design and decision making of the court, legal officers with relevant experience engaging Aboriginal youth are employed, and the culture of the community in question is incorporated where possible.

Evaluations have shown that Aboriginal and Torres Strait Islander specialist courts provide a sense of ownership to participants over court processes and outcomes, increase court appearances, and improve compliance with court orders.²⁰

The experiences of Koori Courts across Australia should be assessed and evaluated when formulating diversionary programs targeting Aboriginal and Torres Strait Islander youth. While the fact the young person is already part of the criminal justice system is evidence they are at risk of re-offending, the way these courts have been adopted by many communities can point the way forward for future diversionary program development.

4. Outcomes, media and political influence

Youth Off The Streets strongly believes governments need to adopt a longer-term view when assessing early intervention programs. Outcomes of early intervention programs cannot be holistically and accurately measured in the space of a single year or two. These issues have, in some cases, spanned generations and require a longer term outlook. This reality challenges the current shift toward exhaustive data collection and outcome reporting by the NSW Government in which funding recipients are required to provide evidence of the effectiveness and usefulness of funding received on a year-to-year basis. While our organisation fully supports this transition towards increased accountability and transparency of recipients, we believe some degree of flexibility and longevity of funding needs to exist when implementing early intervention programs and measurement of outcomes aligned to this time frame.

¹⁹ Chief Justice W. Martin, Western Australia Finance and Public Administration Reference Committee into Aboriginal and Torres Strait Islander Justice Services, 2015

²⁰ *Incarceration Rates of Aboriginal and Torres Strait Islander Peoples*, July 2017, Australian Government, Australian Law Reform Commission

Outcomes indicating a successful early intervention program can include improvements in family decision-making, community engagement and other results favoured by a strength-based approach. In terms of a child's development, improvements to a child's social-emotional wellbeing and a greater understanding of appropriate behaviours are recognised as success indicators. While this approach is proven to lead to positive changes in families, these developments can be difficult to measure in the short term.²¹ This challenge needs to be considered when determining the future of early intervention programs.

Youth Off The Streets contends governments need to adopt a longer-term approach beyond four-year election cycles when reviewing the success of early intervention programs. Focus needs to be on the ongoing impacts of the child as well as the benefits, both financial and social, to the state as a whole when the long-term view is assumed. This view is being adopted in Victoria and South Australia as the most effective and has already led to positive results.²²

In effect, a two-pronged approach is needed:

- a. Those young people at risk are identified and their specific challenges addressed in ways that seek long-term solutions through early intervention programs. This would enable them to acquire the tools needed to avoid a criminal path and lead a productive life. The key outcome of this process would be the creation of a generation of parents better equipped to provide the stable, stimulating environment needed to become a valuable member of a community. Essentially, the issues affecting the current generation are addressed with a view to the next generation being educated and guided appropriately.
- b. Young people already part of the Juvenile Justice system would be given opportunities to work towards better lives upon entry back into the community. This process would include the provision of services facilitating the transition to the community and would involve opportunities to undertake training and job-specific courses combined with counselling and psychological services tackling those issues which led to entry into the Juvenile Justice system.

As stated previously, the concept of Restorative Justice needs to be at the forefront of all practices seeking to address youth criminality. Youth Off The Streets strongly supports this philosophy and practice as the most effective and tolerant approach to both reducing entry into youth criminal pathways and creating a more humane society. The processes around Restorative Justice enable both the victim and perpetrator of a crime to address the harm caused by the act and work towards a resolution. These strategies have proven

²¹ *National Guidelines, Best Practice Early Childhood Intervention Australia*, 2014

²² *Team Around the Child Strategy: Principles and Practice - Resource for Practitioners*, Department for Education and Child Development (DECD), Government of South Australia, 2014

successful in countries such as Norway, Germany and the United Kingdom and should be incorporated in NSW.²³

Our organisation also hopes to see future state governments take a more principled position on all issues related to youth crime and aim to lessen the influence of media in this area. Some news organisations have a history of reporting youth crime solely from a victim-based perspective and fail to include the experiences of the young person or people being reported. The perception among some staff in our organisation is of successive governments seeking to win favourable coverage and implementing policies to achieve these ends.

Governments being seen as “tough on crime” can be popular in some media outlets and certain sections of the electorate, but rarely does this philosophy work to improve the lives of the young people in question or achieve tangible outcomes in terms of reducing crime, as is evidenced by rising incarceration and recidivism rates.

Australia has a detention rate of 34 per 100,000 people aged 10-17. That rate is 26 times higher for young Aboriginal and Torres Strait Islander people, who are massively overrepresented across the justice system. This statistic alone is alarming enough to warrant rigorous review of current strategies addressing youth crime and recidivism.²⁴

Youth Off The Streets recommends future governments adopt a measured approach to the complex issues underpinning youth crime and recidivism and cease supporting those actions perceived as most punitive while not offering solutions to issues such as employment, education and inter-generational disadvantage.

²³ T. Varfi, S. Parmentier, I. Aertsen, *Developing judicial training for restorative justice: Towards an European approach. Final research report*, 2014

²⁴ G. Georgatos, *Australia's Indigenous children are incarcerated at the world's highest rate*, *Independent Australia*, 9 September 2016, www.independentaustralia.net/australia/australia-display/australias-indigenous-children-are-incarcerated-at-the-worlds-highest-rate