

INQUIRY INTO THE ADEQUACY OF YOUTH DIVERSIONARY PROGRAMS IN NSW

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About Mission Australia

Mission Australia is a national non-denominational Christian organisation that delivers evidence-based, client-centred community services. We work with families and children, young people and people experiencing homelessness and also provide specialist services for mental health, disability and alcohol and drug issues. In the 2016-17 financial year we supported over 140,000 people through 470 programs and services. We deliver diversionary programs in most States and Territories and assisted close to 7,000 young people through our 28 youth services in 2016-17.

Introduction

Mission Australia welcomes the opportunity to provide input into the inquiry into the adequacy of youth diversionary programs in NSW. This submission is based on the combination of research and insights from direct service experience in a range of diversionary services in NSW and elsewhere.

Mission Australia provides diversionary programs, alternatives to incarceration and pre and post release support services, as well as addressing the underlying causes of crime. These services in NSW include Youth on Track, Joint Support Program, Extra Offender Management Service, housing and homelessness services such as Canterbury Bankstown Youth Service (CBYS), Sydney Homeless Early Intervention Service, drug rehabilitation services such as Triple Care Farm, Junaa Buwa! and Mac River, employment services such as Transition to Work and a range of other complementary services. We also work to prevent exits from detention into homelessness and have advocated for a policy of zero exits into homelessness from state care.

There is sufficient evidence to demonstrate that diversionary programs are effective in reducing recidivism and preventing long-term involvement with the criminal justice system.¹ There are numerous successful diversionary programs in NSW, however, these services are not available across the whole state, or do not have the capacity to support all young people in need due to resource limitations.

Diversionary efforts of diverse stakeholders

Although the roles of different stakeholders are discussed individually, they are all intrinsically intertwined and the NSW Government should adopt a holistic approach to ensure better coordination

¹ See further: P. Elrod and R. S. Ryder, *Juvenile Justice: a Social, Historical and Legal Perspective*, 2014, p. 179 and H. Wilson and R. Hoge, The Effect of Youth Diversion Programs on Recidivism in *Criminal Justice and Behaviour*, Vol. 40, No. 5, May 2013, p. 497-518.

and collaboration within, and between, these diverse stakeholders. Considering the diversity of the young people and their specific circumstances, it is imperative that early intervention programs, support services and aftercare or follow-up services identify and cater for their individual needs in order to deter long-term involvement with the criminal justice system.

The police

Negative perceptions and previous experiences and encounters with the police may deter young people from meaningfully engaging or interacting with them. A family history of, or intergenerational contact with the criminal justice system may also affect the relationships young people have with the police. However, the police have developed positive relationships with many communities and are engaged with young people through a range of successful activities and programs such as PCYC and through Youth Liaison Officer roles.

Youth on Track is an example of how the relationships between the community sector and the police can be used to improve positive outcomes for young people.

Youth on Track

Youth on Track is an early intervention scheme designed to provide services to 10-17 year olds who are at risk of long-term involvement with the criminal justice system and their families. Youth on Track provides the police and schools with an opportunity to refer young people they consider to be at risk of re-offending, to an offence-focused intervention without requiring a court order. Young people can opt into taking part in Youth on Track. Mission Australia delivers this program in Blacktown, Central West, Hunter and the Mid North Coast regions. The service is funded by NSW Justice.

Youth on Track provides case management and evidence-informed interventions to address a young person's criminogenic risk, ultimately reducing their risk of long-term involvement in the criminal justice system. The Youth on Track program uses the Changing Habits and Reaching Targets (CHART) behavioural intervention and Collaborative Family Practice for family intervention.

CIRCA, commissioned by the NSW Department of Justice, conducted an evaluation of Youth on Track and found that the program had positive attitudinal and behavioural impacts on the participants with improvements to their relationships with peers and community.²

Youth on Track is currently available in a limited number of areas in NSW. Considering the successful outcomes and the positive evaluations, we recommend that the program is expanded across NSW.

² CIRCA, *Youth on Track Social Outcomes Evaluation: Final Report*, 2017, accessible at: <http://www.youthontrack.justice.nsw.gov.au/Documents/Youth%20on%20Track%20Social%20Outcomes%20Evaluation%20-%20Final%20Report%2019%20April%202017.pdf>

The role of Youth Liaison Officers is an integral aspect of the Youth on Track program. However, there is only a limited number of Youth Liaison Officers to support young people in some areas. It is also concerning that changes to the Local Area Commands (LACs) including possible amalgamations may further reduce the number of Youth Liaison Officers.

Further, PCYC's offer variable levels of youth diversion activities with some offering effective criminogenic youth programs while others only provide basic facilities without specific diversionary programs.

"We have seen an increased interest among the police to work with young people and community organisations. We see the police volunteer to work with young people through various programs such as Waves of Wellness ...

The concern for us is that there's limited support in large geographical areas. For example, there are only 2 PCYCs for the whole of Manning and Mid North Coast which is a large area."

- Area Manager, Mission Australia -

The NSW Government should provide adequate financial and human resources to allow police to work with young people in collaboration with community services, particularly in regional, rural and remote areas. Measures should also be put in place to increase the diversity of the police force to reflect the communities that they work in, in turn improving relationships with the community.

Juvenile Justice

Better coordination and collaboration between Juvenile Justice and schools, Department of Family and Community Services (FACS) local communities, families, the police and the courts are imperative to ensure young people receive necessary supports. The Joint Support Program and Act Now Together Stronger are promising models for such collaboration that could be expanded.

Juvenile Justice Joint Support Program - NSW

The target group for the Joint Support Program is young people under the supervision of Juvenile Justice within the community who have been assessed as having a medium to high risk of offending. The Joint Support Program seeks to emphasise outcomes, flexibility and a continuum of service delivery between Juvenile Justice and funded service providers through strong collaboration and case management processes, client-focused strategies and regular review meetings to ensure target outcomes are being achieved.

Casework support complements Juvenile Justice's case management, which centres around addressing the criminogenic needs of young offenders. Case workers work with Juvenile Justice to support young people to achieve the goals outlined in their Juvenile Justice case plan. Relationship Intervention is funded by the NSW Department of Justice and provides a short-term intervention with young people and/or significant people in their lives where there are relationship difficulties and conflict related to their offending behaviour. The Relationship Intervention worker focuses on strategies to improve relationships, reduce conflict, mediate solutions and encourage collaborative problem solving between the young person and the significant people in their lives.

Mission Australia delivers the Joint Support Program in the following locations: Casework Support (Illawarra Shoalhaven, Grafton, Tweed, Lismore, Far West, Central West); Crisis Accommodation (Central West, Murrumbidgee); and Relationship Intervention (Illawarra Shoalhaven).

Case Study

Kane* was a 15 year old young person who was referred to youth counselling by his Youth Justice Conference convenor for anger management. Kane had run into trouble with the police when he assaulted his mother after she refused to give him money for drugs. Although it was his first serious offence, Kane had had a difficult childhood due to his parents' alcohol dependence. Kane had started consuming alcohol when he was 12 years old and was also dependent on other drugs.

After the assault incident, instead of completely removing him from his familiar surroundings, Kane was sent to live with his uncle, where he was supported by a Juvenile Justice Officer who linked him with a range of services including counselling and emotional literacy supports. Meeting every week after school, Kane and the Juvenile Justice Officer completed five mandated sessions and satisfied the Juvenile Justice outcome plan.

His Mission Australia case worker also assisted him to engage with his family and rebuild the relationships. Kane has requested to continue receiving support from the counsellor and plans to move back to live with his family.

*Name has been changed for confidentiality

Act Now Together Strong (ANTS)

Mission Australia in Western NSW Region has collaborated with Juvenile Justice in NSW and Monash University in the Western NSW region for over four years in the delivery of the Act Now Together Strong (ANTS) program. Based on Professor Chris Trotter's Collaborative Family Work model. This is an evidence based 6-8 week program focussing on developing pro-social and communication skills within the family unit. The Western NSW Region is presently evaluating this model, however anecdotal evidence is showing that it is highly effective in reducing recidivism. The model has been evaluated in Dandenong, Victoria with a youth justice population. Approximately 95% of clients indicated the model was either 'totally successful' or 'mostly successful' in meeting their family goals; 74% of families indicated that the family was 'getting on much better' after the intervention, and 80% of families suggested the target problem was 'a lot better' after intervention.³ There is significant evidence to suggest that short term behavioural family intervention has significant impact on reducing recidivism.⁴

Community Corrections

The use of community correctional orders such as community good behaviour bonds, community service orders, extended supervision orders and home detention orders is becoming increasingly popular in a number of states and territories across Australia.⁵

It is generally accepted that imprisonment of young people incurs a significant human and financial cost. Although community corrections orders may not be suitable for certain serious crimes, these are an effective diversionary mechanism for young people to address the underlying causes of crime. Furthermore, young people serving shorter prison sentences often do not have access to effective support programs while they are incarcerated.⁶ The short sentences also disconnect young people from employment, education and family.

It has also been reported that people who are under community services orders perform more than \$10 million worth of unpaid community work for 1,600 non-profit organisations.⁷ These measures limit the possibility of young people getting entangled in the legal system resulting in protracted detention, and provide them with opportunities to make positive contributions to the community.

³ C. Trotter, Collaborative Family Work – a practical model for working with families in the human services, accessible at: http://www.aic.gov.au/media_library/conferences/2013-youthjustice/presentations/trotter.pdf

⁴ Ibid

⁵ See further: Victorian Auditor General's Office, *Managing Community Correction Orders*, PP No 225, Session 2014–17, February 2017 accessible at: <http://apo.org.au/system/files/73818/apo-nid73818-100436.pdf> and Auditor General Western Australia, *Implementing and Managing Community Based Sentences*, Report No. 3, May 2001, accessible at: https://audit.wa.gov.au/wp-content/uploads/2013/05/report2001_03.pdf

⁶ Just Reinvest NSW, *Policy Paper: Smarter Sentencing and Parole Law Reform*, p.2 accessible at: <http://justreinvest.org.au/wp-content/uploads/2017/08/Just-Reinvest-NSW-Policy-Paper-Key-Proposals-1.pdf>

⁷ Justice NSW, *Community Services Orders*, accessible at: <http://www.correctiveservices.justice.nsw.gov.au/Pages/CorrectiveServices/Community%20Corrections/offender-management-in-the-community/community-service-orders.aspx>

The courts

Recent statistics reveal young people in NSW serve longer sentences than young people in other states such as Victoria and Queensland.⁸ For example, in NSW young people who were detained for breaking into a property were given a median sentence of 12 months. The same offence in Victoria carried a - median sentence of 4.3 months.⁹ The median custodial sentences for young people in NSW for robbery, extortion and related offences was 12 months, the median in Victoria was 5 months for the same offences.¹⁰ The length of sentence imposed should reflect a primary focus on rehabilitation.

In line with Australia's international obligations, arrest, detention or imprisonment of young people should be seen as a last resort, only undertaken in conformity with the law and for the shortest appropriate time.¹¹ Remand in custody should also be used as a last resort with the presumption that bail be dispensed with or unconditional bail be granted for young people.

The courts and legal settings can be daunting for young people who may not have a clear understanding of the proceedings or an understanding of the implications of non-compliance.

“Wherever possible our case workers try to accompany young people to the courts, help them with transport to get to the courts, understand court proceedings or bail conditions and support them to maintain contact with legal aid or other legal assistance they receive.”

- Mission Australia, Program Manager -

Mission Australia staff members have also witnessed that certain Children's Court Magistrates and other legal professionals actively engage with the community sector to ensure young people exhaust other options such as drug and alcohol rehabilitation, therapeutic supports and other similar services prior to delivering sentences. Considering the evidence that highlights the negative implications of long-term imprisonment on young people,¹² it is important to identify and promote effective alternatives to detention such as community correction orders, home detention and other similar sentences, as well as the need for the courts to work closely with the community sector organisations.

Between 2000 and 2012, the NSW Youth Drug and Alcohol Court (YDAC) was established by the NSW government. YDAC combined intensive judicial supervision and case management of young offenders

⁸ AIHW, *2017 Youth detention population in Australia*, 2017, p.13, accessible at:

<https://www.aihw.gov.au/getmedia/0a735742-42c0-49af-a910-4a56a8211007/aihw-aus-220.pdf.aspx?inline=true>

⁹ The Australian, *Victorian youth court pushes softer sentences than across border*, accessible at:

<http://www.theaustralian.com.au/business/legal-affairs/victorian-youth-court-pushes-softer-sentences-than-across-border/news-story/317b192d98c7304c057818512ab2f130>

¹⁰ Ibid

¹¹ United Nations Convention on the Rights of the Child, 1989, Article 37(b)

¹² B Holman and J Ziedenberg, *The Dangers of Detention: The Impact of Incarcerating Youth in Detention and Other Secure Facilities*, Justice Policy Institute, 2013, accessible at: http://www.justicepolicy.org/images/upload/06-11_rep_dangersofdetention_jj.pdf

who were charged with criminal offences that resulted from drug misuse.¹³ Despite the positive evaluations and community support for YDAC, the government discontinued funding and redirected the young participants to other programs.¹⁴ Considering the need to support young people with drug and alcohol dependencies, we recommend reinstituting YDAC or establishing a similar court dedicated to young people.

Health, Housing and Children's Services

Health and disabilities

Physical and mental health problems can further disadvantage young people in the criminal justice system. Children and young people with disability, particularly those with mental illness and/or intellectual disability are significantly over-represented in the juvenile justice system.¹⁵ A report produced by the Australian Human Rights Commission identified that people with disabilities do not enjoy equality before the law when they come into contact with the criminal justice system in Australia.¹⁶

There are numerous approaches to assist young people with mental health issues in NSW,¹⁷ however, measures must be adopted to identify and divert young people with mental health issues or intellectual disabilities from entering the juvenile justice system through early intervention.

Concerns also need to be addressed in relation to the situation of people who are unfit to stand for trial who may be held in detention for unnecessarily longer periods of time.¹⁸ The Commonwealth Parliamentary Inquiry report *Indefinite detention of people with cognitive and psychiatric impairment in Australia* makes a series of recommendations including implementation of a Disability Justice Plan, specific measures in relation to people held under forensic orders and, a range of options for the

¹³ S. Turner, The New South Wales Youth Drug & Alcohol Court Program: A Decade of Development, Monash University Law Review (Vol 37, No 1), 2010, pp 280 – 297.

¹⁴ T. Eardley, J. McNab, et al, *Evaluation of the New South Wales Youth Drug Court Pilot Program: Final Report* for the NSW Attorney-General's Department, Social Policy Research Centre, UNSW, 2004, accessible at: https://www.sprc.unsw.edu.au/media/SPRCFile/Report8_04_YDC_Pilot_Program_Evaluation.pdf and R. Dive, et al, NSW Youth Drug Court Trail, 2003 accessible at: http://www.aic.gov.au/media_library/conferences/2003-juvenile/dive.pdf

¹⁵ R. McCausland, S. Johnson, E. Baldry and A Cohen, *People with mental health disorders and cognitive impairment in the criminal justice system Cost-benefit analysis of early support and diversion*, UNSW and PWC, p.3 accessible at: <https://www.humanrights.gov.au/sites/default/files/document/publication/Cost%20benefit%20analysis.pdf>

¹⁶ Australian Human Rights Commission, *Equal before the Law: Towards Disability Justice Strategies*, 2014, p. 8

¹⁷ M. Lerace, *Fitness to be tried*, The Public Defenders, accessible at: http://www.publicdefenders.nsw.gov.au/Pages/public_defenders_research/Papers%20by%20Public%20Defenders/public_defenders_fitness_lerace.aspx

¹⁸ See further: The Senate Community Affairs Reference Committee, *Indefinite detention of people with cognitive and psychiatric impairment in Australia* and First Peoples Disability Justice Consortium, Aboriginal and Torres Strait Islander Perspectives on the Recurrent and Indefinite Detention of People with Cognitive and Psychiatric Impairment, accessible at: http://fpdn.org.au/wp-content/uploads/2016/10/FPDN-Senate-Inquiry-Indefinite-Detention-Submission_Final.pdf

placement of forensic patients beyond unconditional release and prison.¹⁹ Mission Australia supports the implementation of these recommendations.

Substance use related issues, particularly those that are comorbid with mental health disorders, can increase the risk of crime, and especially violent crimes.²⁰ A considerable proportion of young people engaged in the juvenile justice system, or supported by diversionary programs, have a history of drug and alcohol dependencies.²¹

“Young people may get into fights, rob people or get caught with petty theft because they want money to buy some drugs.... This is a vicious cycle of young people who will be caught up in the justice system because of drug problems, go and get detoxed and then rehab but fall off the rails without the right support or because of the drug or alcohol use in their family or their community ...

There should be more investment in communities and families, so when young people go back to the community, they don't have to struggle to stay clean or out of trouble.”

- Mission Australia, Program Manager -

Mission Australia manages a number of successful detoxification and rehabilitation services in regional NSW including Triple Care Farm and David Martin Place (a youth specific detox facility) in the Southern Highlands and Juna Buwa! and Mac River rehabilitation programs. These include services for those aged 13-18 who are in contact with the juvenile justice system and those up to the age of 25 who are in need of a youth friendly environment and a holistic approach to their care. A core part of these successful services is effective after care when the young person exits residential rehabilitation. Without these follow up services the risk of relapse would be substantial.

¹⁹ The Senate Community Affairs Reference Committee, *Indefinite detention of people with cognitive and psychiatric impairment in Australia*, p. 173

²⁰ G. Ritchie, S. Weldon, L. Freeman, G. MacPherson, K. & Davies, *Outcomes of a drug and alcohol relapse prevention programme in a population of mentally disordered offenders*, *The British Journal of Forensic Practice*, 13 (1), 2011, pp.32 – 43.

²¹ See further: J. Wundersitz, *Criminal justice responses to drug and drug-related offending: are they working?*, Australian Institute of Criminology, Technical and Background Paper No. 25, 2007.

Junaa Buwa! Centre for Youth Wellbeing and Mac River

Junaa Buwa! and Mac River are residential rehabilitation centres for young people who have entered, or are at risk of entering, the juvenile justice system and have a history of alcohol and other drug use. Funded by the NSW Department of Justice, these services offer residential and outreach services as well as educational and living skills training and aftercare support. The services cater for young people aged 13-18 years in NSW with Junaa Buwa! located in Coffs Harbour and Mac River in Dubbo. Young people undertake residential rehabilitation for 12 weeks which is followed by 12 weeks after care support. The services take a holistic approach including case management addressing mental, physical, social and inter and intra personal challenges. At Junaa Buwa! more than 80% of clients are Aboriginal and Torres Strait Islander young people with a similar profile at Mac River. The Junaa Buwa! AOD Outreach Program was established in 2012 and targets 13 to 18 year olds at more than eight local high schools.

The NSW Ministry of Health conducted an evidence check on the effectiveness of alcohol and other drug interventions in at-risk Aboriginal youth.²² In their analysis of relevant studies, they found the common thread of effective interventions was those which had 'strong community interest, engagement, leadership and sustainable funding'.²³ Through our operational experience, we have learnt the importance of working within a trauma informed approach to increase engagement and positive outcomes for young people. Some studies have recognised cultural and recreational activities, and regular, rather than one-off, initiatives were also helpful. Mission Australia stresses the importance of making available a diverse range of evidence-based drug and alcohol related supports for young people across the state, including culturally appropriate supports for Aboriginal and Torres Strait Islander young people.

Upon the release from detention or other justice related settings, people with physical or mental health conditions should have access to a range of supports to find appropriate accommodation, access to health and mental health related services, supports to continue education or employment and other multi-disciplinary wrap around supports.

Housing and homelessness

Unstable housing and homelessness can result in young people having increased contact with the police and the justice system as well as problems accessing bail and diversionary options. A holistic, community based approach is needed to address these underlying issues to divert young people away from the justice system.

²² C. Doran, I. Kinchin, et al, *Evidence Check: Effectiveness of alcohol and other drug interventions in at-risk Aboriginal youth*, Sax Institute for the NSW Ministry of Health, 2017, accessible at: <https://www.saxinstitute.org.au/wp-content/uploads/Effectiveness-of-AOD-interventions-in-at-risk-Aboriginal-youth.pdf>

²³ Ibid

There are numerous innovative correction and rehabilitation options such as ‘home detention orders’²⁴ or ‘intensive correction orders’ (ICOs)²⁵, which require the young person to have appropriate housing. Homelessness should not limit their opportunity for home detention or ICOs. Therefore, young people who are eligible for these programs should be supported to find safe, secure and long-term accommodation. Appropriate housing options, support services and resources to regional areas are required for people during the justice process.

Mission Australia supports all efforts to provide clear and targeted planning for those exiting all forms of detention so that they are not exited into homelessness. There is a significant gap in supported accommodation options available to young people on release from incarceration.

Supervised Community Accommodation Townsville (SCAT) - QLD

The Supervised Community Accommodation (SCA) model was previously funded for 16-17 year old males in Townsville who were leaving detention and were homeless or at risk of homelessness, many of whom identify as Aboriginal or Torres Strait Islander. Townsville’s SCA had a very low proportion of young people re-offending post placement.

Young people lived in the SCAT house for up to six months and received tailored case management support to assist them in achieving their personal, developmental and welfare goals, and developing the skills they needed to transition to semi-independent and independent housing. They are also supported to reconnect with their family. Aboriginal and Torres Strait Islander mentors were available and the team held cultural camps every three months.

Models of supported accommodation coupled with intensive case management are highly likely to prevent recidivism and increase community participation and help young people to gain independence and flourish. Successful models such as the Supported Community Accommodation Townsville (SCAT) in regional QLD could be replicated in areas of high need to reduce recidivism and decrease the risk of homelessness.

Children’s services

Preventing initial and repeated contacts with the criminal justice system provides an opportunity to help divert vulnerable young people from crime. This is particularly important given the number of young people in the youth justice system who report high rates of homelessness, unemployment, child abuse

²⁴ NSW Justice, Fact Sheet - *Home Detention Sentencing Information Sheet*, accessible at: <http://www.correctiveservices.justice.nsw.gov.au/Documents/community-corrections/home-detention-factsheet.pdf>

²⁵ NSW Justice, Intensive Correction Orders, accessible at: <http://www.correctiveservices.justice.nsw.gov.au/Pages/CorrectiveServices/Community%20Corrections/offender-management-in-the-community/intensive-correction-order.aspx>

and trauma, family breakdown, mental illness and cognitive impairment; all of which contribute towards the involvement in the justice system.²⁶

There is a strong nexus between young people in care settings and the juvenile justice system.²⁷ Numerous studies have found that children from out-of-home care are over-represented in the juvenile justice system. Young people receiving child protection services at some time between 1 July 2014 and 30 June 2016 were 12 times more likely as the general population to be under youth justice supervision at some time during the same period.²⁸ In NSW in 2010, 28% of male and 39% of female youth detainees had a history of out-of-home care.²⁹ The links between experiences of childhood trauma and the likelihood of youth offending have been established by research and evidence.³⁰

A study by Monash University with 70 former care workers and young people also found that the level of support available to young people during, and in transition from, state care was an important factor contributing to the risk of offending.³¹ Access to specialised trauma informed support services while in state care, and adequate transitioning support upon exiting state care is necessary to support young people and reduce the risk of offending. Aboriginal and Torres Strait Islander young people are over represented in these out of home care systems.³²

Early intervention supports should be meaningful and early enough to prevent young people from getting in contact with the juvenile justice system. This requires early detection of anti-social behaviours, prevention of social isolation and addressing other underlying issues at the earliest possible opportunity. These services must target not only the young person, but also their family members, schools, peers and their community as a whole.

The Young Offenders Act (1997) allows for a range of interventions to divert young people from the criminal justice system including through Youth Justice Conferencing (YJC), and these have produced positive outcomes.³³ The Act has been shown to be effective in diverting young people from custody

²⁶ See further: D. Indig, C. Vechiatto, L. Haysom, et al, *2009 NSW Young People in Custody Health Survey: Full Report*. Justice Health and Juvenile Justice, Sydney, 2011.

²⁷ AIHW, *Young people in child protection and under youth justice supervision 2015–16*, (2017), p. 7-8, accessible at: <https://www.aihw.gov.au/getmedia/06341e00-a08f-4a0b-9d33-d6c4cf1e3379/aihw-csi-025.pdf.aspx?inline=true>

²⁸ AIHW, *Young people in child protection and under youth justice supervision 2015–16*, Cat. no. CSI 25, 2017, p.11, accessible at: <https://www.aihw.gov.au/getmedia/06341e00-a08f-4a0b-9d33-d6c4cf1e3379/aihw-csi-025.pdf.aspx?inline=true>

²⁹ See further: P. Murphy, A. McGinness, A. Balmaks, T. McDermott, T. & M. Corriea, *A Strategic Review of the New South Wales Juvenile Justice System*, Noetic Solutions, 2010.

³⁰ See further: P. Kerig, *Psychological Trauma and Juvenile Delinquency: New Directions in Research and Intervention*, Routledge, 2013.

³¹ P. Mendes, P. Snow, & S. Baidawi, *Good Practice in Reducing the Over-Representation of Care Leavers in the Youth Justice System*, Monash University, 2014, pp. 24-25.

³² Aboriginal and Torres Strait Islander Peak Organisations Unite (2016) *The Redfern Statement*, Australia, Aboriginal and Torres Strait Islander Peak Organisations Unite, 2016.

³³ W.Wan, E. Moore and S. Moffatt, *The impact of the NSW Young Offenders Act (1997) on likelihood of custodial order*, NSW Bureau of Crime Statistics and Research, bulletin 166, 2013, accessible at: <http://www.bocsar.nsw.gov.au/Documents/CJB/cjb166v1.pdf>

(including Aboriginal and Torres Strait Islander young people) and therefore reducing the likelihood of them ever ending up in custody. The research also demonstrated that the time taken to receive a custodial order after the first proven court appearance lengthened for both indigenous and non-indigenous young people after the introduction of the Young Offenders Act.³⁴

However, there are still opportunities to improve the YJC process. For instance, the Outcome Plan established with young people and their victims enables the young person to make reparation towards the victim and community, but should also allow the young person to also address criminogenic needs. Conference Convenors have underlined that there are limited referral options for programs or further interventions. Certain programs such as Youth Crime Prevention Program are helpful in providing meaningful interventions for young people. These programs should be replicated across NSW to ensure young people are supported to address criminogenic needs.

Youth Crime Prevention Program (YCPP), Campbelltown

YCPP provides Intensive case management, developmental programs, and re-engagement with education/employment and early intervention strategies for young people aged 10-18 years who are considered to be at serious risk of disengaging from school and entering detention.

Case study

Peter* is a young person living in South-West NSW with his mother and siblings. He was referred to YCPP through the local high school. His mother indicated that Peter had become difficult to live with because of his disruptive behaviour and she believed that it was due to lack of a male role model in his life after his father left at the age of 9.

During the initial engagements, staff members witnessed signs of violence and aggression towards other students in the school. Peter was also truanting school weekly and spending more time with other kids who were known to the local police.

Together Peter and the Mission Australia staff members have set realistic goals and worked consistently to achieving them each week. Some of these goals were to attend his weekly counselling sessions to address his anger issues, participate in the weekly garden project, attend weekly meetings at school or at home and attend school every day which was very important.

Peter recently received a certificate from NSW Police for attending 10 weeks of the garden project, for attending school regularly and on time but more importantly for the significant change in his behaviour and attitude towards school staff, students and his family.

³⁴ Ibid p.2

Peter has been supported by his mother and siblings as well as from the school liaison team. Peter's attitude towards school has changed dramatically and he has expressed that he enjoys waking up in the mornings to go to school.

Most of Peter's outcome plans and goals have been accomplished within the 3 months' time-frame and his counselling obligations were completed by the end of this school term.

*Name has been changed for confidentiality

Schools and Educational authorities

Schools are an important platform for early identification of young people at risk and early intervention to provide integrated supports. Holistic services are required to address underlying social issues, build resilience, assist young people to take responsibility for their actions and enhance their prospects for their future. Our general approach to working with individuals who have come to the attention of the criminal justice system is to work with the young person, their families and on some occasions their peers. Mission Australia works with young people across all the life domains (education, health, daily living personal and social skills) and supports them to build new skills and stronger connections with their schools and communities.

Outreach is an important element of the majority of our services which includes going to schools and other youth institutions to raise awareness about the issues young people face and provide information about available services and supports.

"We attend a variety of events at schools to build positive relationships ... we also follow up with young people within the school environment, mainly targeting young people who are at risk of disengaging from schools or who have demonstrated concerning behaviours ...

Trust and ongoing relationships are important for the young people we work with."

- Mission Australia, Program Manager –

Sydney South West Youth Services, NSW

South West Youth Services (SWYS) provide education, employment, life skills and counselling support to young people from 10-25 years in the Macarthur and Liverpool regions who are experiencing disadvantage. SWYS provides prevention and early intervention services that aim to discourage young people from disengaging from education and falling into unemployment or crime. The service staff work with young people to develop solutions based on the strengths of the individual.

In addition to building relationships with community, schools, community sector organisations and government bodies, more training is also required for school teachers and other staff members to

identify young people at risk. This should be coupled with raising awareness in local communities about the services available in the local area to link young people to appropriate services.

Other models of supported accommodation coupled with intensive case management and coordinated supports including educational supports, such as the Foyer or Community of Schools and youth Services (COSS) models, will contribute towards preventing recidivism and increase community participation of young people. Based on the successful COSS model, Mission Australia's Ryde Project aims to reduce youth homelessness and educational disengagement by building capacity and resilience, ensuring safe and supportive environments, maintaining positive engagement with education, and connecting young people and families to their community. These coordinated models should be integral to the future NSW Government strategies and solutions for young people.

Case Study

Adam* was a 16 year old Aboriginal young man who was referred to Youth on Track by the police through an automatic referral process after he was found committing a number of offences including driving unlicensed. At the time of the referral, Adam was attending school only sporadically. He was also diagnosed with an intellectual disability and was not receiving the required support that he needed to maintain his education.

During his initial discussions with the case worker, Adam indicated his numeracy and literacy skills were not strong, but he had mechanical engineering skills and was interested in undertaking a work placement.

Adam's case worker negotiated with the school to arrange for Adam to attend school 3 days per week and undertake a work placement 1 day a week. The case worker worked with a local mechanical business to have Adam complete his work placement.

Adam also attended TIDE (the local Aboriginal organisation) to complete his learner driving course 1 day per week, in order to obtain his licence. He is very happy with the current arrangement and is now regularly attending school, the work placement and TIDE.

*Name has been changed for confidentiality

Non-government organisations and the local community

The non-government sector plays an integral role in delivering youth diversionary programs across NSW in collaboration with the local community, schools, youth organisations and other relevant stakeholders.

Community reintegration is also essential for both young people released from detention. Preparation needs to happen prior to release and accommodation is a key support to prevent exits into homelessness. Employment supports and working with the family are also critical to addressing the intersecting and compounding issues leading to detention as discussed below. Effective post-release

supports can substantially reduce the risk of reoffending as well as improve the outcomes for the person themselves.

Pasifika Support Program (NSW)

The Pasifika project operated in NSW from June 2005 until June 2009. During this period the project supported more than 250 Pacific Islander young people who voluntarily participated in the program. An external evaluation found that the program achieved impressive reductions in re-offending with some 65% of participants not re-offending within 12 months of the program. Other important outcomes achieved included family reconnection, re-engagement with school, and other training and employment outcomes.³⁵ A measure of the program's success was its 'community access' component, which saw the peers and siblings of young people referred to the service actively seek to participate, without formal referrals from police. A critical success factor of the project was the initial connection with an experienced case worker who engaged with the client about their goals and objectives. This case worker also assisted participants to 'reframe' their approach to and their participation in programs and services if this was considered necessary.

The program proved to be cost effective at approximately \$2500 per individual for the duration of their three to six month involvement with the project (representing a cost of \$13.75 to \$27.50 per day³⁶). This compares very favourably to the average real operating expenditure per prisoner per day around that time (2007-08) where the national cost was \$220 per day.³⁷

Examples such as the Pasifika Support Program demonstrate that services that provide culturally appropriate and sensitive supports to communities are effective diversionary measures and as such should be funded by the government.

There should also be recognition by government that anti-social and offending behaviour in any community group is a broader community problem, rather than just a problem of a particular young person and community level investment is required. Addressing social exclusion and disadvantage should also be a priority to prevent the over-representation of particular groups of young people in the youth justice system.

³⁵ ARTD Consultants, *Evaluation of the NSW youth partnership with Pacific communities 2005–2007*, Report to the Implementation Committee, Community Division, NSW Department of Community Services. Sydney, NSW, Australia: ARTD Consultants, 2007, 72.

³⁶ Calculation based upon an average daily cost over either 26 or 13 weeks duration with the cheaper rate associated with the longer duration.

³⁷ Productivity Commission, *Report on Government Services*, Chapter 8 – Corrective Services. Table 8A.9, Real net operating expenditure, per prisoner per day (2009-10 dollars).

Justice Reinvestment Program³⁸

Justice reinvestment is a data-driven approach to improve public safety managed by not-for profit organisations to reduce corrections and related criminal justice spending, and reinvest savings in strategies that can reduce crime and strengthen communities.

Justice reinvestment diverts a portion of the funds spent on incarceration to communities where there is a high concentration of young offenders. The money that would have been spent on custodial services is diverted into early intervention, crime prevention and diversionary programs that address the causes of crime in these communities, creating savings in the criminal justice system which can be tracked and reinvested in communities.³⁹

KPMG conducted a preliminary evaluation of the Justice Reinvestment program in 2016 and indicated that when compared to other crime prevention programs, this had a number of promising criteria for success and that the data driven and community led approach had the potential to address underlying causes of crime.⁴⁰

Aboriginal over-representation in the Juvenile Justice system

Aboriginal and Torres Strait Islander young people are significantly over-represented in youth detention. Young people who get caught up in the juvenile justice system often come from disadvantaged backgrounds and have a range of issues which compound their situation. According to a report produced by AIHW in 2017, nearly 1 in 5 (18%) young Indigenous Australians had contact with either child protection or youth justice supervision, compared with 1 in 30 young non-Indigenous Australians.⁴¹

Mission Australia conducts an annual national youth survey and produces a range of reports based on the findings. In the *National Aboriginal and Torres Strait Islander Youth Report 2016*, Aboriginal and Torres Strait Islander young people reported higher levels of concern about bullying and emotional abuse, depression, drugs, alcohol, gambling and suicide when responding to the Youth Survey. Alarming, they were more likely to indicate very low levels of happiness with one in ten Aboriginal and Torres Strait Islander males (10.1%) indicating their happiness was '0', compared with 4.8% of Aboriginal

³⁸ See further: Just Reinvest NSW, accessible at: <http://justreinvest.org.au/what-is-justice-reinvestment/>

³⁹ Ibid

⁴⁰ See further: KPMG, *Unlocking the Future: Maranguka Justice Reinvestment Project in Bourke – Preliminary assessment*, 2016, p. 8, accessible at: <http://www.justreinvest.org.au/wp-content/uploads/2016/11/KPMG-Preliminary-Assessment-Maranguka-Justice-Reinvestment-Project.pdf>

⁴¹ AIHW, *Young people in child protection and under youth justice supervision 2015–16*, Cat. no. CSI 25, 2017, p.8, accessible at: <https://www.aihw.gov.au/getmedia/06341e00-a08f-4a0b-9d33-d6c4cf1e3379/aihw-csi-025.pdf.aspx?inline=true>

and Torres Strait Islander females and only 1.2% of non-Aboriginal and Torres Strait Islander respondents.⁴²

“Diversionary and rehabilitative approaches are essential to make sure Aboriginal and Torres Strait Islander young people are not punished for their disadvantage and to break the cycle of poverty, substance abuse, mental health concerns and crime.”

- Mission Australia, State Director -

Alarming, some young people, particularly young Aboriginal men, view going into detention as a rite of passage, see detention as a safe place due to having high numbers of family and extended family in custody, or appreciate the structure and routine offered in custody.⁴³ This highlights the need for community based programs to support young people to form their personal and cultural identity in a positive and supportive environment.

Traditional Camps – Townsville QLD

Mission Australia in collaboration with the Aboriginal and Torres Strait Islander Legal Service (ATSILS), provides Indigenous camps on local, traditional country to support local Aboriginal and Torres Strait Islander young people who are involved in the criminal justice system and are at high risk of reoffending. Up to 10 camping trips per year are planned to a local national park to do culturally appropriate activities to strengthen young people’s connection to culture and country.

These camps are based on the premise that connection to mob and to country is an essential part of health as a first nation person. The cultural camps aim to enhance the self-esteem and cultural pride of Indigenous young people, particularly those who may feel disconnected from their cultural identity. After the camp, the elders, who act as mentors for young people, maintain regular contact with the participants.

Though the majority of young offenders cease offending by the age of 24-25 Aboriginal young people remain engaged in the justice system for a much longer period, even though, generally their offences are of a less serious nature.⁴⁴ In fact, exposure to youth detention substantially increases the likelihood of involvement in crime as an adult.⁴⁵ Therefore, culturally appropriate diversion options should be

⁴² Mission Australia, *National Aboriginal and Torres Strait Islander Youth report 2016*, p. 3, accessible at: <https://www.missionaustralia.com.au/publications/research/young-people/587-aboriginal-and-torres-strait-islander-youth-report/file>

⁴³ See further: E. Ogilvie, and A. VanZyl, *Young Indigenous in custody and the rites of passage*. Australian institute of Criminology, 2001.

⁴⁴ Department of prime Minister and Cabinet, *Aboriginal and Torres Strait Islander Health Performance Framework 2014 Report* <https://pmc.gov.au/sites/default/files/publications/indigenous/Health-Performance-Framework-2014/tier-2-determinants-health/211-contact-criminal-justice-system.html>

⁴⁵ ANTaR– ‘How do we change the record?’, accessible at https://antar.org.au/sites/default/files/final_change_the_record_campaign_policy_solutions.pdf

prioritised in areas of high need. Solutions should also be led and owned by local Aboriginal communities.⁴⁶

Adequate and sustainable resourcing for targeted programs are needed to address youth offending among Aboriginal and Torres Strait Islander young people.

Case Study

Austin* was a 16 year old Aboriginal male who lived in Urunga on the Mid North Coast of NSW. He had experienced homelessness due to family conflict and had been couch surfing and relying on the financial support of friends. He experienced mental health concerns and drug dependencies.

He was referred by the police to Mission Australia's Youth on Track program, where he received support to repair relationships at home, address drug related concerns, was referred to receive psychological therapy, was set up to receive social security support as well provided with assistance to enrol at TAFE with an aspiration to complete a traineeship as a tiler.

"I had nothing until my Youth on Track case worker linked me up with social security support and helped me with a few other things. My case worker has driven me to TAFE. Without his support, I wouldn't be where I am. Now I live by myself, I've been able to go to TAFE and I'm working towards becoming a tiler."

Austin hopes to get in touch with his uncle to learn his cultural language and connect with his culture.

*Name has been changed for confidentiality

⁴⁶ First Peoples Disability Justice Consortium, *Aboriginal and Torres Strait Islander Perspectives on the Recurrent and Indefinite Detention of People with Cognitive and Psychiatric Impairment*, p. 38 accessible at: http://fpdn.org.au/wp-content/uploads/2016/10/FPDN-Senate-Inquiry-Indefinite-Detention-Submission_Final.pdf

Clean Slate without Prejudice – Redfern⁴⁷

The Clean Slate without Prejudice Program commenced in Redfern, NSW, in June 2009. The program was initiated by the Superintendent of the Redfern Police Force in collaboration with local Aboriginal leaders and organisations, such as the Babana Aboriginal and Centrelink, and targets Aboriginal and Torres Strait Islander youth at risk of offending. This includes those who have committed a crime but have not yet been sentenced, those incarcerated in Juvenile Justice Centres, and young offenders who have been released back into the community.

The program encompasses a range of strategies including early intervention, developmental crime prevention, positive relationships, support networking and behavioural workshops. An Aboriginal mentor brings the participants to boxing training three days a week and helps them find accommodation, employment, and education or training, as appropriate. Participation in the program is voluntary and youth can stay on the program as long as they want.

The Redfern Police Force are also involved, training alongside the young people and working with the judiciary to have the program form part of a suspended sentence. Crime rates relating to robbery offences have dropped in Redfern since the inception of the program in 2009.⁴⁸

Measures such as Youth Koori Courts in NSW⁴⁹ should also be expanded to address the over representation of Aboriginal and Torres Strait Islander young people in the juvenile justice system. This model engages the young person, the justice system, youth services, families and the community. However there is only one Koori Court in NSW which limits its accessibility.

Evaluating outcomes and identifying areas for improvement

Evaluation of outcomes and identifying areas for improvement are essential components of effective programs. We are in the process of rolling out impact measurement to all services. This focuses on measuring wellbeing for clients. In our experience the model of holistic and intensive supports offered by Mission Australia services generally results in an increase in wellbeing for clients 3-6 months from commencement of service provision. Mission Australia is currently undertaking an evaluation of our Junaa Buwa! aftercare service in conjunction with Southern Cross University. The purpose of the proposed evaluation is threefold:

- to identify the real-world challenges experienced by young Australians as they prepare for, and re-integrate into, life beyond Junaa Buwa!’s residential rehabilitation program;

⁴⁷ See further: Clean Slate without Prejudice Program, accessible at: <http://tribalwarrior.org/clean-slate-without-prejudice/>

⁴⁸ Ibid

⁴⁹ Justice NSW, NSW trials Youth Koori Courts, accessible at: <http://www.justice.nsw.gov.au/Pages/media-news/news/2014/NSW-Trials-Youth-Koori-Court-.aspx>

- to identify the key residential program elements (e.g. exit planning) that will allow for greater linkage and engagement with aftercare services. In addition, we will identify the triggers and critical tipping points post-residential treatment, as defined by both clients and stakeholders, and
- to examine the effect of the aftercare program on clients' success in achieving individual harm minimisation and other post-treatment goals.

This evaluation addresses important gaps in the literature by examining a youth Alcohol and Other Drugs (AOD) residential program based in regional Australia and has potential implications for adolescent AOD service delivery in general.

Staff capacity and training requirements

As with many community services, the staff providing vital supports to young people through diversionary programs are overwhelmed by high demand and work with limited resources. Staff shortage, especially in rural, regional and remote areas, is a significant issue. Incentives may be required for current employees in justice and community sectors to transfer to or remain in rural, regional and remote areas.

“Currently we have staff members who are willing to travel between different service areas if there is a staffing issue. It may not be possible in other remote areas where travel times are excessive.”

- Mission Australia, Area Manager -

Upskilling and reskilling those who are, or have been, clients in youth justice related services may also assist to address the staff shortage issue through the creation of a peer workforce. Providing subsidised courses to train people who have successfully turned their life away from the justice system will result in the creation of a workforce that understands, and is empathetic towards, young people who are currently in need of assistance.

On the flip side, there are some juvenile diversionary programs that require extensive mandatory training requirements for staff members that can be burdensome and inflexible.

“For some services, you have to complete 14 modules within 12 months ... For those in rural areas, having to travel for training means they are unable to work for several days. It would be easier if there were better alternatives. For example, some modules can be delivered online through webinars ... We have also seen that past training or experience is not given enough consideration and some people have to re-do some modules. The training system needs to recognise these and be more efficient.”

- Mission Australia, Program Manager –

Training and capacity building supports are imperative to ensure that staff members are able to receive the most up to date information and to maintain the quality of service delivery. However, these training programs need to be flexible to suit the circumstances of the staff members and delivered in a manner that has minimal disruption to their capacity to provide services.

Case management

A service model that includes pre- and post-release case management, referral to local and specialist service providers, material support (by way of brokerage), aftercare support and options for the inclusion of peer mentoring and alcohol and drug counselling and other support services is necessary to provide an effective diversionary program. Many effective models of case management are outlined throughout this submission and diversionary programs should have at their centre a case management model that is flexible, youth friendly and provides wrap-around supports to the young person and their family, as needed.

Bail issues

Bail support programs assist accused persons who would otherwise be remanded in custody to access bail and to meet and maintain their bail conditions. A lack of appropriate services to support young people to obtain bail and meet bail conditions has been identified as potentially contributing towards the high number of young people on custodial remand, particularly for Aboriginal and Torres Strait Islander young people and young people from regional or remote areas. Bail support services and programs are an important component of any strategy that aims to reduce the use of custodial remand for young people.

Alarming, some young people who were granted bail in NSW still remain in custody due to lack of appropriate community accommodation.⁵⁰ It is imperative for the courts and the police to examine whether young people have access to safe, secure and long-term appropriate accommodation when released on bail. However, protracting detention due to homelessness should not be a solution to this problem.

Although there are support programs such as the Bail Assistance Line⁵¹ to divert young people away from remand in cases of family crisis or chronic homelessness, these services are not available across the state.⁵² These supports and services highlight the need for the justice system to work in collaboration with youth services including community housing providers who are equipped to support

⁵⁰ See further: K. McFarlane, *NSW bail laws mean well but are landing homeless kids in prison*, The Conversation, 16 December 2016, accessible at: <https://theconversation.com/nsw-bail-laws-mean-well-but-are-landing-homeless-kids-in-prison-68490> and K. Boyle, 'The More Things Change ...': Bail and the Incarceration of Homeless Young People, *Current Issues In Criminal Justice*, Vol 21, 2009, pp 59-78,

⁵¹ NSW Government, Keep them Safe: A shared approach to child protection, Bail Assistance Program, accessible at: http://www.keepthemsafe.nsw.gov.au/initiatives/acute_services/bail_assistance_line

⁵² Ibid

young people with access to transitional or long-term accommodation, as well as other requisite supports.

Reform of bail laws is also necessary to ensure there are separate bail laws for young people, that bail conditions are used sparingly to reduce the number of young people incarcerated for trivial breaches, and that any conditions imposed are for the purpose of ensuring that a young person attends court.

Where bail conditions are necessary, young people should be supported at the earliest point of contact with the criminal justice system to ensure they are fully aware of the conditions of their bail and the implications of any breach of those conditions.

“Some young people breach bail conditions because they don’t understand them. We usually sit with them and sometimes their family members to explain what they need to do and what they should avoid. But support staff are not available everywhere to help them understand.”

- Mission Australia, Program Manager -

Bail support programs should address the main barriers faced by young people in regards to meeting the conditions of bail, including lack of access to appropriate accommodation, the absence of a responsible adult/guardian, and lack of access to after-hours support services.

As referenced above, Mission Australia conducted a pilot Bail Support Program in the Supported Community Accommodation Townsville (SCAT) that provided support to 27 young people and their families from November 2015 to June 2017. Of these 27 young people, 22 were Aboriginal and Torres Strait Islander young people. The service produced significantly positive outcomes and 18 young people have not reoffended.

One coordinator was assigned to the program to provide suitable and appropriate referrals to services in the community. The families identified they required assistance to help deal with issues such as family breakdown, poor school attendance, drugs and alcohol, mental health, financial budgeting and recidivism. While this program has been replaced by different service models, the importance of bail support cannot be underestimated.

Case Study

Paul* was a sixteen year old Aboriginal young person who was referred to SCAT for his first offence – a domestic violence matter involving his mother and sister. The needs assessment with Paul and his family identified that he was at risk of homelessness due to his long-term threatening behaviour towards female family members. As part of the case plan process, the family and the young person identified that SCAT was the most appropriate housing service, and a referral proposal was sent to the Townsville Youth Justice Service.

The SCAT program worked with him to identify his individual goals and strategies by which they could be achieved. These included training in life-skills, appropriate, non-violent, respectful, culturally appropriate relationships between male and females, anger-management techniques, and communication skills. Some of these referrals resulted in the young person developing a strong relationship with the local PCYC boxing program, being connected with Aboriginal mentors, and being involved in billycart building and other local community initiatives. Paul's day included boxing training, visiting his mother, and returning to the SCAT at night before curfew. Over the course of the 6 months program, Paul's confidence developed rapidly, he began speaking to female staff and then the females in his family respectfully. During his stay at SCAT, Paul also took part in the first Cultural Camp run by Mission Australia and ATSILS.

Following this process, Paul has not re-offended; his relationships with his family members continue to improve; and he continues to have a strong relationship with 3 of the camp volunteers. He has highlighted his cultural and spiritual needs with these volunteer mentors, and has re-established connections with elders from his family.

*Name has been changed for confidentiality

The experiences of other jurisdictions

Many factors contribute to different experiences of young people and varying rates of detention in other jurisdictions including legislation, use of police discretion, court sentencing practices and availability of diversion programs and other community services. Below are some examples of effective programs with a diversionary focus that Mission Australia runs in other jurisdictions that could be adapted and replicated in NSW:

Spin 180 Youth Program - Northern Territory

Spin 180 Youth Program is an initiative between Mission Australia's Spin180 Youth Homelessness Program and the Darwin Sailing Club to provide an opportunity for young people to participate in a Nationally Accredited Beginners' Sailing course. The program aims to provide an opportunity for young people who are partially or completely disengaged from education and/or family, who are at risk of homelessness or are homeless, who are looking for pathways to volunteer work, training and/or employment and/or who are engaged in the criminal justice system in Darwin. Eligibility criteria include

that the young person is aged 12 to 21 and at risk of homelessness or at risk of disengagement from education, family or the community. This includes young people who are rough sleeping, staying temporarily with friends or family members or in crisis accommodation.

Young people are referred to the program by youth courts, schools, their family and other providers or they can self-refer where they meet the criteria.

The program equips young people in areas of critical thinking, problem solving and conflict resolution; builds resilience, self-confidence, self-esteem and courage; builds and strengthens leadership skills, communication skills and team-work capabilities; and engages young people in a positive, interactive and practical environment to learn new things.

The SPIN 180 program is currently funded by the NT Department of Housing and Community Development. The funding received has been limited and while there has been strong interest from the youth courts to utilise these programs as an alternative to detention, there has been no additional funding available to date.

As part of our expansion, we aim to also provide wrap around services where the whole family is included which is critical when addressing intergenerational impact. The service also works collaboratively with other providers and community groups including police.

Synergy Auto Repairs - Victoria

Mission Australia's Synergy Auto Repairs is a social enterprise based in North Melbourne that offers customers a full suite of smash repair services, while providing a flexible accredited training program and support for young people aged 16-20 with a history of motor vehicle related offences. The program harnesses participants' interest in cars and aims to help them build a career in a field that matches their interests. This social enterprise equips participants with the skills to commence a smash repairs apprenticeship. The initiative is an Australian-first partnership between Mission Australia, the National Motor Vehicle Theft Reduction Council (NMVTRC), Kangan TAFE, and Suncorp Group.

Youth Crime Prevention - Victoria

The Youth Crime Prevention program is part of the Victorian Government's response to youth offending, particularly recidivist offending, tackling the issue through the proven strategy of strengthening the ability of local communities intervening early and diverting young people from criminal behaviour. The program works with a targeted group of young people aged 15-22 years, identified by statutory bodies, addressing risk/protective factors through tailored support; delivered by a Guide and a Community of Support using individual and group modalities. Mission Australia is a consortium partner, delivering services in greater Dandenong and Casey.

Recommendations

1. Effective diversionary programs with positive evaluations that are currently available only in certain parts of the state should be expanded to ensure young people have access to appropriate services irrespective of their place of residence.
2. Detention should be viewed as a last resort with alternatives to detention focussed on rehabilitation, such as community corrections orders more readily available. Young people should be provided with the necessary supports to address underlying issues such as homelessness, mental health and alcohol and drug dependencies, whilst under correction orders.
3. Case management and support services should engage and incorporate family and community to effect sustainable changes and promote wellbeing.
4. Whole of government efforts are required to break the cycle between out of home care, homelessness and juvenile detention including a commitment to zero exits into homelessness from state care.
5. Increase housing related supports by implementing housing models that have produced positive outcomes (ie. foyer and COSS models) for young people to ensure they have access to safe and secure housing to prevent youth homelessness. These supports should be targeted particularly towards young people on bail to provide them with equitable access to community correction orders.
6. Develop and deliver more service models that provide a continuum of supports including pre- and post-release case management, referral to local and specialist service providers, material support (by way of brokerage), aftercare support, options for the inclusion of peer mentoring and alcohol and drug counselling and other support services.
7. Implement meaningful early intervention programs that target young people at risk as well as their families, carers and communities. This should include working with the community sector to develop strategies to identify young people at risk and ensure that they are provided with necessary support to resolve issues and prevent them from escalating.
8. The police, the courts and all other juvenile justice system related stakeholders should adopt proactive measures in building positive relationships with young people and their communities, including increasing the diversity of their workforce to reflect the communities that they operate in, and ensuring their services are culturally sensitive and appropriate.
9. Services should be prioritised that target the intersectional disadvantage experienced by Aboriginal and Torres Strait Islander people, including risk factors such as violent victimisation experiences, cultural dislocation, and high levels of out of home care, all within a trauma informed framework.

10. Aboriginal community-controlled organisations should be funded to address juvenile justice, youth education and community engagement as part of a holistic whole-of-government plan.
11. There needs to be an emphasis on early intervention programs that target young people at risk as well as their families, carers and communities. This should include working with the community sector to develop strategies to identify young people at risk and ensure that they are provided with the necessary support to resolve issues and prevent them from escalating.
12. A whole-of-sector approach should be adopted when designing, developing and delivering youth services in consultation with young people from diverse backgrounds, community sector organisations as well as Federal, State and local governments.
13. In addition to the measures to increase youth diversionary programs, immediate strategies must be adopted at a community level to address systemic barriers such as entrenched poverty, substance abuse, mental health concerns, rural disadvantage, inequitable access to services, normalisation of violence and offending behaviours in some communities, and other similar issues among communities experiencing disadvantage.