

COMMUNITY SAFETY IN REGIONAL AND RURAL COMMUNITIES

Organisation: Youth Off The Streets

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SUBMISSION TO THE COMMITTEE ON LAW AND SAFETY

NSW Parliament Legislative Assembly

Prepared by Youth Off The Streets

31 May 2024



Executive summary

For over 30 years, Youth Off The Streets has empowered and equipped children and young people in need to build positive futures.

Our full-support service model spans prevention, early intervention and longer-term responses, offering crisis accommodation, individualised casework, youth housing support, community outreach, alcohol and other drugs counselling and youth justice programs. We provide services that build cultural resilience and wellbeing for First Nations young people and offer alternative education pathways that engage young people with high school, vocational training, scholarships and community mentoring.

Our service model and approach to delivering support is unique in the youth sector, operating within trauma-informed, culturally responsive and young person-centred frameworks.

By prioritising the needs, interests and goals of at-risk children and young people aged 12–24, we ensure that our interventions are tailored to each individual's experiences and aspirations.

Youth crime in regional and rural NSW

Youth Off The Streets is deeply concerned about the elevated rates of youth crime in regional and rural NSW, particularly among Aboriginal communities. This submission aims to address the underlying causes of youth crime in these areas, advocate for effective interventions and promote community-based approaches that can enhance safety and justice for all.

Diversions and wraparound services

At Youth Off The Streets, we emphasise the importance of diversionary and wraparound services as proactive measures to guide young offenders away from formal judicial processes and towards more constructive life pathways. These services are crucial for holding young people accountable while fostering a reflective understanding of the impact of their actions on their victims and communities.

Our recommendations to the Committee on Law and Safety

1. Increase the age of criminal responsibility in NSW from 10 to 14 years to align with international human rights standards and prevent the unnecessary and harmful criminalisation of children.
2. Amend the Bail Act to ensure that homelessness is not a barrier to bail for children and young people. In addition, invest in the Bail Assistance Support Service to provide more crisis- and medium-term accommodation options for vulnerable youth.
3. Establish a state-wide working group comprising government departments and non-government organisations to address the challenges faced by disadvantaged children and young people, particularly those affected by poverty, homelessness and involvement with the youth justice system.
4. Allocate a minimum of \$52 million to expand youth service delivery, focusing on early intervention and youth development programs to increase young people's engagement, skills and participation in society.

5. Implement proactive measures to identify and support young people at risk of disengaging from school by offering tailored learning support, counselling and referrals to appropriate support services.
6. Invest in alternative education options to keep at-risk children and young people connected to learning and career pathways, ensuring they have access to opportunities for personal and academic growth.
7. Reform child protection policies and laws to address systemic discrimination and better serve the needs of Aboriginal families, prioritising culturally sensitive approaches and community-led solutions.
8. Allocate resources to culturally appropriate services aimed at preventing the removal of Aboriginal children into out-of-home care (OOHC) and provide support to those already in care, prioritising family preservation and cultural connection.
9. Expand the Koori Court program and develop culturally and linguistically diverse community court response programs, incorporating cultural responsiveness and recognising the unique protocols and protective factors of diverse cultures to reduce recidivism and promote rehabilitation.

Given the overrepresentation of Aboriginal young people in contact with the justice system in NSW, it is essential to prioritise investment in diversionary and wraparound services. This approach not only enhances community safety but supports the development of Aboriginal children and young people, promoting healthy and productive futures.

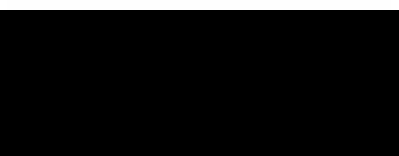
Youth Off The Streets is firmly committed to this approach, advocating for strategies that integrate diversionary and wraparound services that support at-risk children and young people, delivering positive long-term outcomes both for individuals and their communities.

Our recommendations align with those in the 'Fair Go for Young People' report prepared by NSW peak body, Youth Action.

Thank you for your consideration of our recommendations and comments. Each item in the committee's Terms of Reference is addressed in the following pages.

If you have any queries regarding the contents of this submission, please do not hesitate to contact me at [REDACTED]

Sincerely,

A large black rectangular box redacting the signature of Judy Barraclough.

Judy Barraclough

Chief Executive Officer

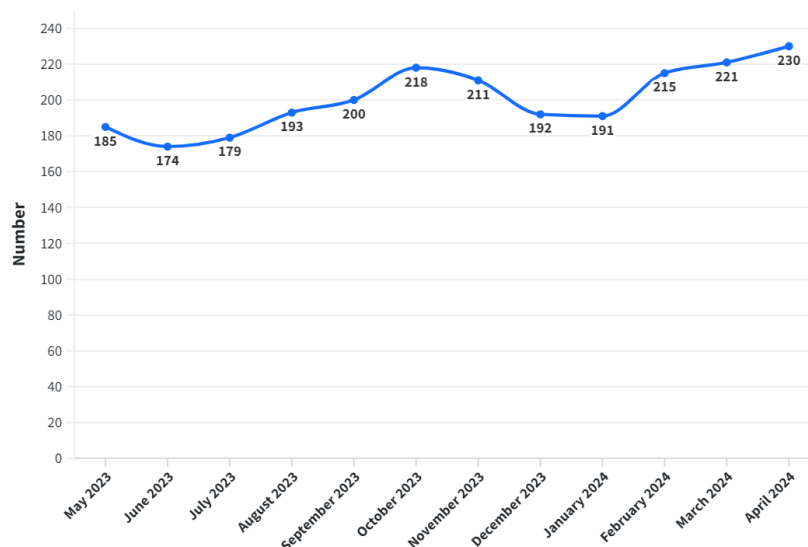
Community safety in regional and rural communities

a) The drivers and causes of youth crime, particularly since the COVID pandemic

In NSW, where the legal definition of a 'young person' encompasses individuals aged 10–17, the youth justice statistics are deeply concerning.

As shown in Figure 1, 230 young people are in custody as at 4 May 2024. It is crucial to note that Aboriginal young people, who constitute less than 5% of the youth population in NSW, account for 53% of those in custody.

Figure 1. Average daily number of young people in custody by month



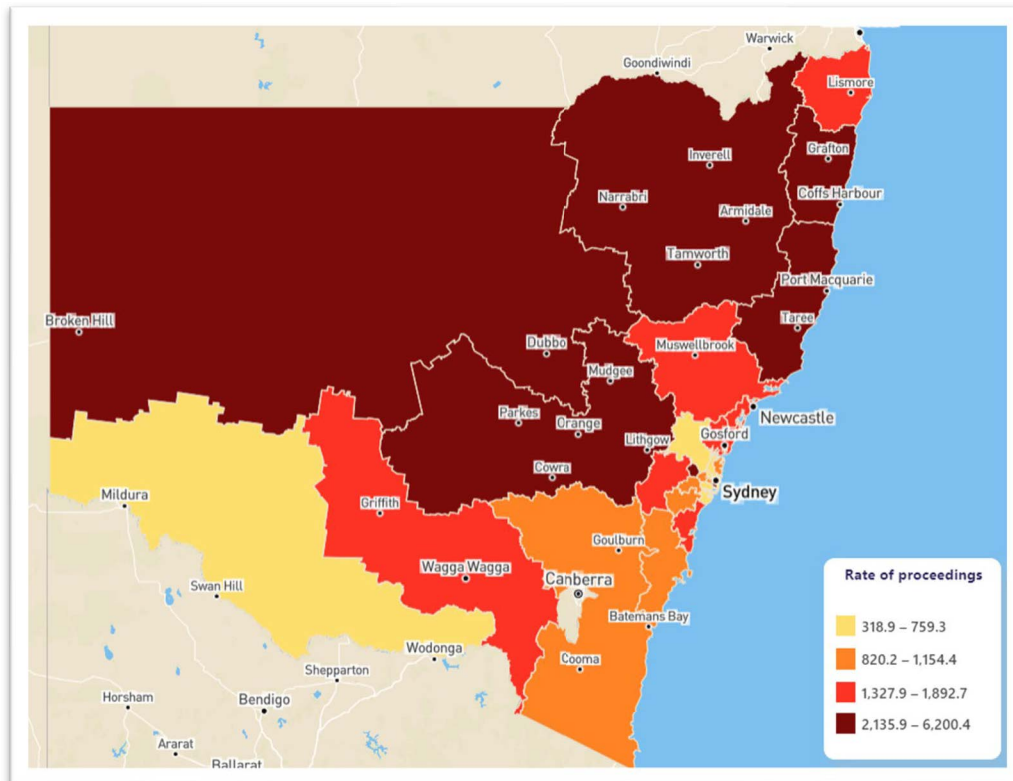
SOURCE: NSW DEPARTMENT OF COMMUNITIES AND JUSTICE, YOUTH JUSTICE BUSINESS ANALYTICS. EFFECTIVE DATE 4 MAY 2024.

This overrepresentation has been exacerbated since the COVID pandemic, with offences committed by Aboriginal young people rising by over 13% between 2019 and 2022. According to the Bureau of Crime Statistics and Research (BOCSAR), the most common offences committed by children and young people include graffiti, vandalism, theft and break-ins, with severe crimes such as homicide being relatively rare.

The situation is even more alarming in regional NSW, where the rates of youth offending are nearly double those in major cities. This disparity underscores the need to delve deeply into the unique and complex challenges faced by young people in these areas, particularly Aboriginal young people.

Figure 2 highlights the location of young offenders by method of legal proceeding, revealing a significant skew towards increased youth offending in regional areas.

Figure 2. Location of young people on legal proceedings



SOURCE: BOSCAR; REGIONAL BREAKDOWN

Current research within the context of Aboriginal young offenders and the Closing the Gap initiatives highlights numerous drivers of the increase in youth crime.

The systemic drivers are directly related to:

- Socioeconomic disparity
- Educational barriers
- Occupational barriers
- Access to services
- Poor housing
- Intergenerational trauma
- Substance abuse
- Mental health issues

Relational drivers faced by children and young people include:

- Family dynamics

- Peer influence

These factors create a complex landscape that strongly influences trajectories into offence-related behaviour and age-associated crime. Addressing these drivers is crucial for effective intervention and support.

Additionally, the role of social media in youth crime is becoming apparent, with young people increasingly posting about offences and victims online. This phenomenon requires further exploration to understand its impact on youth behaviour and peer dynamics.

Youth Off The Streets advocates for a comprehensive approach to address these issues, emphasising clinical interventions and wraparound services to support and empower children and young people.

To effectively address Target 11 of the Closing the Gap framework, which focuses on enhancing community safety and promoting justice, we urge the implementation of culturally appropriate policies that reduce contact with the criminal justice system and promote social justice and equity.

This requires investment in community-led prevention programs, ensuring access to culturally sensitive health and social services and reforming the legal system to be more equitable and culturally competent.

b) How a whole of government approach can reduce the drivers and root causes of youth crime in regional and rural NSW

Youth Off The Streets firmly believes in the power of a whole of government approach to addressing and mitigating the underlying causes and drivers of youth crime, particularly in regional and rural NSW.

The safety and security of communities is paramount; equally important is recognising and valuing children and young people, who are the future of our communities and our nation.

However, at-risk children and young people frequently fall through system and service response gaps. Critical failures that can lead to increased risks of involvement with the youth justice system include the following:

- Siloed government departments delivering fragmented services to at-risk children and young people.*

Government departments responding to child protection issues, domestic, family and sexual violence, homelessness and housing, education and health often operate in isolation. This lack of coordination leads to fragmented service delivery, which results in the complex needs of at-risk children and young people being only partially addressed or neglected.

ii. Legislative procedures and social policies that overlook cultural and socio-economic contexts, particularly for First Nations children and young people.

Legislative procedures and policies across government departments, but particularly in relation to child protection, have a significant negative impact on Aboriginal children and young people. These policies often overlook cultural and socio-economic contexts, leading to disproportionate removals and placements in out-of-home care (OOHC).

To address systemic inequalities, it is imperative that a whole of government approach is taken to reforming discriminatory policies and laws to better serve the needs of Aboriginal families.

By implementing culturally sensitive and community-led approaches, this will ensure that Aboriginal families receive the support and resources they need to thrive. This includes the provision of culturally appropriate assessments, interventions and support services that respect the rights and traditions of Aboriginal communities.

Additionally, engaging Aboriginal Elders and community leaders in decision-making processes can help build trust and collaboration between government agencies and Aboriginal families.

Youth Off The Streets is committed to advocating for policy reforms that prioritise the wellbeing and self-determination of Aboriginal families. By working collaboratively with First Nations communities and government agencies, we can create more equitable and inclusive systems that uphold the rights and dignity of all children and young people.

iii. Lack of culturally appropriate support for Aboriginal children in OOHC, which significantly increases risks to socio-emotional wellbeing.

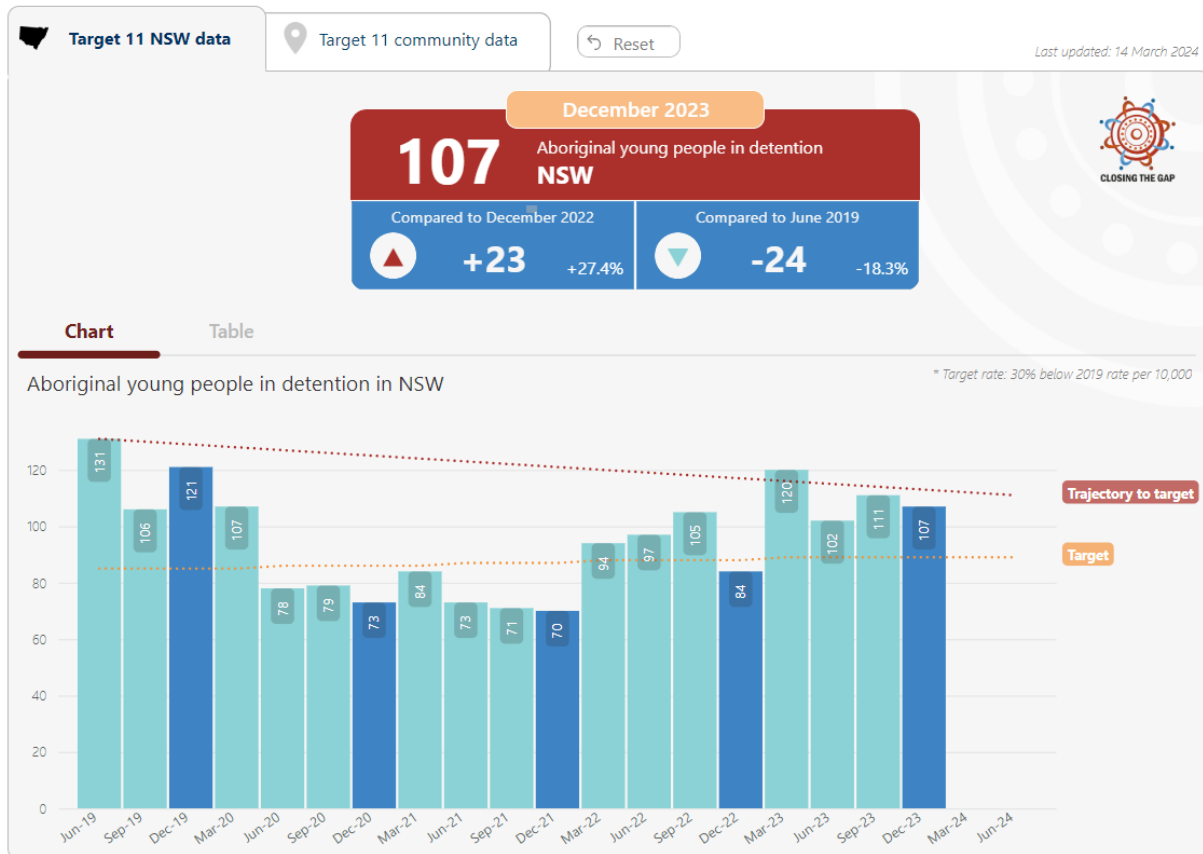
Aboriginal children in OOHC face increased risks of education disengagement, mental health issues and social instability, all of which are predictors of justice system involvement. The lack of culturally appropriate support in OOHC further alienates these children, increasing their vulnerability to criminalisation.

To address these challenges, it is essential to invest in alternative education options that keep young people connected to community, learning, employment pathways and wraparound support. By providing tailored education programs that are culturally sensitive and responsive to the needs of Aboriginal children in OOHC, we can mitigate the risk factors associated with justice system involvement.

Additionally, offering mentorship and vocational training opportunities can empower young people to pursue positive pathways and break the cycle of criminalisation and incarceration.

Youth Off The Streets advocates for comprehensive support systems that address the unique needs of Aboriginal children in OOHC, promoting their educational attainment, mental wellbeing and social inclusion. Through strategic government investment in alternative education and wraparound youth services, we can create a more equitable and just society for all children and young people.

Figure 3. Aboriginal young people in detention in NSW



SOURCE: BOSCAR: TARGET 11: ABORIGINAL YOUNG PEOPLE IN DETENTION IN NSW.

c) An integrated and coordinated approach to wraparound and diversionary services for youth and families in regional and rural areas

Wraparound and diversionary services are vital alternatives to conventional youth justice processes and responses.

The wraparound model of care, as seen in Figure 4, is an evidence-based model that adopts both a strengths- and needs-based approach. Australian research by Smith et al. on youth wraparound care demonstrates how effective this model can be with its “potential to offer improved clinical outcomes, significant cost savings over time, improved coordination between care providers and an alternative to detention or incarceration”.¹

Given the overrepresentation of Aboriginal young people in contact with the justice system, it is essential to prioritise and utilise diversionary and wraparound services that are developed in partnership with First Nations peoples and communities. This approach

¹ [Intensive community treatment and support "Youth Wraparound" service in Western Australia: A case and feasibility study - PubMed \(nih.gov\)](#)

will not only improve community safety but support the nurturing and development of Aboriginal children and young people, promoting healthy and productive futures.

Figure 4. Wraparound model of care



At Youth Off The Streets, we emphasise the importance of diversionary and wraparound services as proactive measures to guide young offenders away from formal judicial processes and towards more constructive pathways. These services are crucial for holding young people accountable while fostering a reflective understanding of the impact of their actions on their victims and wider communities.

Our Youth Support Services offer a range of diversionary programs that also function as early intervention strategies. These include outreach programs that engage with at-risk youth in their communities to provide support and resources; and drop-in centres that offer a safe space for young people to seek help, guidance and engage in positive activities.

Additionally, we deliver a six-week youth justice court support program that can be ordered by the magistrate as a diversionary pathway to custody, as well as Work and Development Orders and justice conferencing support.

To enhance the effectiveness of diversionary services, the youth sector is calling for an additional \$52 million to expand service delivery in early intervention and youth development programs.

Furthermore, we advocate for the early identification of young people at risk of disengaging from school. These individuals require tailored learning support, opportunities to receive counselling and referrals to appropriate support services to ensure they receive the assistance they need to thrive. Factors known to support and empower First Nations children and young people in education settings include relationships, community and a sense of belonging; schools that nurture cultural identity;

the employment of First Nations educators and support staff; and cultural competence among non-First Nations educators.²

d) Addressing staffing levels and workforce challenges to reduce youth crime

Addressing youth crime in regional and rural NSW presents a complex challenge that demands a collaborative and well-resourced approach. The NSW Government, recognising the urgency of the situation, recently committed nearly \$13 million to enhance partnerships and collaborative efforts aimed at reducing youth crime rates in regional areas.

Other initiatives such as Youth Action Meetings (YAMs), Police and Community Youth Clubs (PCYC) and the deployment of Police Liaison Officers have already demonstrated significant positive impacts on community safety and youth development, particularly within Aboriginal communities in regional NSW.

YAMs initiatives focus on proactive outreach, offering recreational and educational activities that build skills and self-esteem among young people. PCYCs create safe spaces where children and young people can engage in sports, cultural activities and mentorship programs, promoting positive cultural and social interactions and personal growth. These initiatives are particularly beneficial in regional Aboriginal communities where access to such resources may be limited.

Police Liaison Officers play a crucial role in building trust between the police force and the community. By working closely with community members, especially in culturally diverse and regional areas, they help to address concerns, mediate conflicts and provide guidance. This enhances community cohesion and cooperation, fostering a sense of security and mutual respect.

For Aboriginal communities in regional and rural NSW, these initiatives provide culturally sensitive support and opportunities that are critical for addressing unique social challenges. They help to reduce rates of youth offending and reoffending by addressing the underlying social factors, such as marginalisation and lack of access to positive activities, while supporting the holistic development of young people and preparing them for a positive future.

These initiatives underscore the NSW Government's commitment to fostering safe, resilient and inclusive communities, particularly in regions that have historically faced socio-economic disadvantages.

However, a significant barrier to effective service delivery in these areas is the issue of staffing. Many services across NSW, particularly in less urbanised regions, struggle with inadequate staffing levels, hindering our ability to provide consistent and effective support to young people at risk. Investment must focus on increasing staffing numbers while enhancing the quality of engagement and services provided.

In our efforts to strengthen the youth sector workforce, particular emphasis must be placed on integrating Aboriginal community leaders into initiatives, including consultation

² [Alternative Education Engaging Indigenous Young People: Flexi Schooling in Queensland | The Australian Journal of Indigenous Education \(uq.edu.au\)](https://www.uq.edu.au/indigenous-education/journal/alternative-education-engaging-indigenous-young-people-flexi-schooling-in-queensland)

with Elders. Their involvement is crucial, not only to provide a culturally sensitive and informed approach, but also for their ability to foster trust and communication within Aboriginal communities.

Furthermore, the strategy for improving youth services must include collaboration with NGOs and the creation of specialised positions within NSW Police that focus on youth engagement and crime prevention. Recruitment incentives should be clearly targeted and promoted to boost staffing in regional and rural areas, while also ensuring that these roles are held by individuals committed to holistic and community-centred approaches to youth justice.

By strengthening the workforce in these critical areas and ensuring that our approaches are culturally informed and collaboratively designed, we can make significant strides towards reducing youth crime and building safer, more supportive communities for all.

e) Recidivism in regional and rural areas and the related impacts on community, services and law enforcement

Youth Off The Streets is acutely aware of the challenges of recidivism, especially in regional and rural areas where the community, social services and law enforcement are profoundly impacted.

The uptick in criminal activity among young people since the COVID pandemic, as noted above, is particularly troubling in light of reoffending rates. Data from the Australian Institute of Health and Welfare reveals that a significant number of young offenders engage in criminal behaviour again shortly after their release from custody. Between 58–60% of these individuals reoffend within 12 months.³

Given the disproportionate number of First Nations young people involved with the justice system, this data highlights the urgent need for targeted interventions and support systems that address the unique challenges they face. Notably, rates of recidivism are particularly high following theft offences such as break and enter, with young Aboriginal males the most likely to reoffend. The statistics not only point to individual socio-economic challenges but also underscore the urgent need to address the systemic drivers of youth offending.

Diversification programs and wraparound services have historically been Youth Off The Streets' most effective strategies in preventing reoffending. Our programs are designed to address the underlying causes of criminal behaviour, including disconnection from education and limited access to mental health services.

However, the effectiveness of these interventions has been increasingly challenged since the pandemic. This is mainly due to resource limitations and disruptions to essential in-person engagements, which have not yet returned to pre-pandemic levels. Furthermore, the pandemic had a significant negative impact on young people's mental health, leading to poor decision-making in some individuals, resulting in contact with the justice system.

³ [Young people returning to sentenced youth justice supervision 2021–22, Summary - Australian Institute of Health and Welfare \(aihw.gov.au\)](https://www.aihw.gov.au/reports/youth-justice/youth-justice-supervision-2021-22)

Meanwhile, economic hardship, educational disruptions, staffing shortages and the digital divide have further hindered the provision of support to at-risk children and young people.

These barriers highlight the need for innovation and investment in our approaches to addressing youth crime and community safety in regional and rural areas.

Within Aboriginal communities in particular, it is essential to focus on the critical 72-hour period following a young person's release from custody. Our approach involves collaborating closely with families to develop tailored action plans aimed at supporting successful reintegration into the community and reducing the risk of recidivism.

We recognise the multifaceted challenges faced by children and young people during this transition. Youth Off The Streets focuses on providing immediate, comprehensive support to address their diverse needs, including access to essential services such as safe accommodation, healthcare and education or employment pathways.

The impact of recidivism extends beyond the individuals involved, as it places significant strain on our community resources, overburdens our service providers and places considerable pressure on law enforcement.

Crucially, Youth Off The Streets highlights ongoing family engagement as central to long-term success in reducing youth crime and improving community safety. By engaging with families and supporting their capacity to provide support and guidance, we aim to create a safer, more inclusive environment where Aboriginal children and young people can realise their full potential and thrive as members of their communities.

f) The range of functions being performed by NSW police officers, including mental health assistance and youth welfare, on behalf of other services and the supports required to assist police

Youth Off The Streets recognises the broad and complex roles that NSW police officers undertake in the community, which often extend beyond traditional law enforcement. The police are integral to engaging with communities to foster trust-based, collaborative solutions, as seen in initiatives such as Neighbourhood Watch, Eye Watch and community precincts. These programs are vital as they facilitate direct interaction between police and the community, creating mutual understanding and greater safety.

However, the role of NSW police officers frequently intersects with social services, particularly in the areas of mental health and youth welfare. Officers routinely conduct welfare checks on vulnerable community members, addressing mental health crises, potential suicide risks and child safety concerns. These duties highlight the urgent need for specialised support systems to assist police in these critical roles.

Additionally, NSW police officers are often called upon to serve on community panels and to liaise with Aboriginal community leaders and Elders.

This broad spectrum of responsibilities demonstrates the necessity for continuous training and resources to enable police to effectively manage these diverse and demanding roles.

Youth Off The Streets advocates for more structured supports and resources for NSW police officers, ensuring they are better equipped to handle the multifaceted aspects of their roles. This includes forming partnerships with social service professionals in mental health and youth services, who can provide the specialised knowledge and skills needed in many situations that police encounter.

This type of 'co-responder model' has proven successful in domestic, family and sexual violence (DFSV) and mental health service responses, effectively addressing complex needs. The success of the model lies in the collaborative efforts of both law enforcement and social services professionals, offering timely and tailored interventions. Partnerships with NGOs further enhance the model's effectiveness, leveraging their expertise to provide specialised support and resources. The model exemplifies the power of interagency collaboration in delivering holistic care and support to vulnerable populations.

To further alleviate additional pressures on police officers, there are also numerous opportunities for community involvement. These include community volunteer roles in victim support, customer service and witness support. Such opportunities not only assist police but also engage the community in public safety and welfare tasks, building a stronger and more cooperative relationship between police and the communities they serve.

It is also essential to draw upon programs such as Koori Court, which has successfully demonstrated the benefits of culturally responsive community court responses. By expanding the remit of such programs and incorporating culturally sensitive practices, we can harness the protective factors that connection to culture provides, ensuring better outcomes for Aboriginal children, young people and communities.

g) Other related matters

Advancing community safety in regional and rural areas by empowering Aboriginal communities.

Youth Off The Streets believes that the recent Bail and Crime Amendment Bill 2024 will create a wider gap in justice accessibility, as these reforms make it harder for young people, especially those from Aboriginal communities, to obtain bail. This could potentially lead to increased rates of incarceration among young people – a setback to the progress we aim to make in youth justice reform.

In response, Youth Off The Streets will be collaborating with Aboriginal legal services and other groups to develop recommendations for more inclusive, fair and effective legislation that balances crime prevention with opportunities for young people to succeed.

By promoting a proactive approach to youth justice that emphasises community involvement and culturally informed support systems, the sector can make a significant contribution to fostering environments in which young people are less likely to engage in criminal activities and more likely to pursue constructive and rewarding life paths.

Conclusion

The challenges faced by young people in regional and rural NSW, particularly those from Aboriginal communities, require immediate and concerted efforts. Youth Off The Streets believes that by addressing the socio-economic drivers of crime, investing in community-driven solutions and enhancing the justice system's responsiveness and accessibility, we can significantly improve community safety and empower young people to achieve their potential.

Youth Off The Streets endorses and actively supports Youth Action's 'Fair Go for Young People' campaign, acknowledging the significance of their advocacy for youth rights and welfare. Their recommendations resonate deeply with our organisational ethos, emphasising the imperative of equitable opportunities, comprehensive support services and systemic reforms to empower and amplify the voices of young people. Through our collaborative efforts, we are dedicated to enacting tangible changes that foster inclusivity, resilience and thriving prospects for all children and young people.

We urge the Committee on Law and Safety to consider the recommendations on pages 2–3 of our submission and support our commitment to making a lasting positive impact on the lives of children and young people in NSW.

- ENDS -