

What children and young people in juvenile justice centres have to say

2019



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About ACYP

The Advocate for Children and Young People (ACYP) is an independent statutory appointment overseen by the Parliamentary Joint Committee on Children and Young People. ACYP advocates for and promotes the safety, welfare, wellbeing and voice of all children and young people aged 0-24 years, with a focus on the needs of those who are vulnerable or disadvantaged.

Under the Advocate for Children and Young People Act 2014, the functions of ACYP include:

- making recommendations to Parliament, government and non-government agencies on legislation, policies, practices and services that affect children and young people;
- promoting children and young people's participation in activities and decision-making about issues that affect their lives;
- conducting research into children's issues and monitoring children's well-being;
- holding inquiries into important issues relating to children and young people;
- providing information to help children and young people; and
- preparing, in consultation with the Minister responsible for youth, a three-year, Strategic Plan for Children and Young People (Plan). The inaugural Plan was launched in July 2016.
- Further information about ACYP's work can be found at: www.acyp.nsw.gov.au.

Office Office of the Advocate for Children and Young People
Report What children and young people in juvenile justice centres have to say
Year 2019

The Advocate for Children and Young People is under the FACS (Family and Community Services) ABN 80 597 369 676

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We wish to pay our respects to Aboriginal elders – past, present and emerging – and acknowledge the important role of Aboriginal people and culture within the NSW community. ACYP advises Aboriginal and Torres Strait Islander readers this report may contain images of people who may have passed away.



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Introduction

All children and young people have the right to have their voices heard when decisions are made that affect their lives; including children and young people in detention.

This report details the findings from ACYP consultations with children and young people in Juvenile Justice Centres between 2015 and 2019. ACYP consulted with young people in

detention to inform the development of the State's first Strategic Plan for Children and Young People. Since then, the Advocate and ACYP staff have made at least two visits to every Juvenile Justice Centre (JJC) in NSW to hear from children and young people.

In total, between May 2015 and July 2019 ACYP listened to 260 children and young people in JJC's aged 11-21 years; 56 were female and 204 were male.

Methodology

ACYP conducted the first consultation with children and young people in detention in 2015 to inform the development of the first whole of government Strategic Plan for Children and Young People. This consultation was held in Orana JJC (Dubbo) and included open-ended questions about what was and was not working well for children and young people in NSW and what they thought the top priorities for NSW Government should be to improve the lives of all children and young people in NSW.

A more structured approach was adopted for all consultations conducted in subsequent JJC's. Specifically, between July 2017 and July 2019 the NSW Advocate for Children and Young People and ACYP staff made at least two visits to every JJC in NSW. Within NSW there are six JJC's. Three are based in regional NSW: Orana JJC (Dubbo), Riverina JJC (Wagga Wagga) and Acmena JJC (Grafton), which have a catchment area based on their location and surrounding regions. The other three centres are metropolitan based: Reiby JJC (Airds), Cobham JJC (Werrington) and Frank Baxter JJC (Kariang).

These consultations were focused specifically on the supports needed before and after detention, as well as while in custody:

1. What services and supports do you think are helpful to young people before coming into custody and after they are released?
2. What services and supports do you think are helpful to young people while they are in custody?

In addition ACYP conducted two rounds of Exit Interviews at Frank Baxter JJC with 15 young men one month prior to their release. These were individual interviews, with questions regarding their experiences prior to coming into custody, their time in custody, and plans for after their release.

In total, between May 2015 and July 2019 ACYP spoke with 260 children and young people in JJC's aged 11-21 years; 56 were female and 204 were male.

Themes

Issues raised by children and young people in relation to supports and services before and after custody

When asked what would help them stay out of trouble, children and young people agreed that the environment a young person is in has a significant impact on the path they take. They would like to see a greater focus on building strong communities with support networks and programs that provide alternatives to involvement in crime. They want connection to meaningful activities such as education and employment and to have their personal and emotional development supported. Children and young people's specific recommendations for supports before and after custody were:

Support services and workers in the community

- Young people said that a positive relationship with a consistent caseworker, support worker, or counsellor who understood their life experiences and could help them navigate complex support systems has a significant impact on their quality of life. This was especially true for young people in the Out of Home Care system who spoke about the negative consequences resulting from experiences of multiple caseworkers and placements throughout their lives.
- Young people value workers who display professionalism and competence in their work and who also played a role of a trusted adult by listening and responding to them with kindness, empathy and respect.
- Young people, particularly those in regional areas, said their Juvenile Justice Officers provided specialised support because they had a good understanding of the local community context and factors that lead to young people's offending behaviour as well as knowledge about the Juvenile Justice system.
- Young people said they wanted connection to trusted adults in the community such as mentoring by community members, Elders, and other respected people with similar lived experiences to themselves so they could share knowledge and life experience.
- Mainstream youth services play an important role in engaging young people through activities and interests and provide a soft entry point for young people to connect to support services such as mental health, counselling, or drug and alcohol services and can help reduce the stigma and shame associated with seeking help.
- Young people from regional communities identified mental health difficulties and substance use issues, in particular use of methamphetamines and cannabis, as key factors in contributing to their offending behaviour.
- Young people suggested that having a condition to connect to services, supports, and programs as a requirement for participation in diversionary programs, Work Development Orders, bail conditions or post release supervision conditions can

be helpful for young people struggling with self-discipline. They said a conditional requirement can encourage young people to address personal issues and reduce the temptation to become involved in negative activities.

Aboriginal connection to culture in the community

- Aboriginal young people spoke about the impact of systemic issues such as poverty, substance use, mental health difficulties, family violence, and intergenerational trauma on their communities.
- Aboriginal young people said connection to culture is central to their sense of identity and crucial to their emotional, social, and spiritual wellbeing. They spoke about how cultural programs engage young people in constructive activities, build their confidence, and connect them to strong Elders, mentors, and other cultural role models in their community who provide guidance and share knowledge.
- Aboriginal young people said that they prefer these programs to be presented by Aboriginal workers as they have content involving traditional wisdom and cultural practices.

Connection to culture and religion in the community

- Young people from diverse cultural and faith backgrounds also spoke about the positive impact on their emotional and spiritual wellbeing from being part of support services, programs, or groups that connect to and teach them about their culture or religion.

Education in community

- The vast majority of children and young people raised the issue of long and multiple suspensions and reported that it was during their long suspension that they became in conflict with the law.
- Young people described positive educational experiences in adult learning environments with smaller class sizes, individual teacher support, flexibility for different learning styles, and an emphasis on practical and vocational learning to equip them for future employment. Young people gave the examples of TAFE, alternate education sites, and mixed school-industry programs.
- Young people said school and teacher responses to children and young people tackling multiple, complex issues who display challenging behaviours, should be grounded in understandings of their life experiences and the impact of significant trauma experienced by this group.
- Aboriginal young people felt teachers in schools with high Aboriginal populations could benefit from cultural competence training.

Programs and activities in the community

- Young people spoke about the influence of peers on their offending behaviour, saying when they and their peers were not engaged in meaningful activities they were more likely to commit crime. They said engagement in activities and youth programs provide young people with an alternative to involvement in crime as well as a soft entry point to connect to support services.

- Areas they suggested as meaningful included: personal development and life skills, education and training, employment skills, creative arts, music, cultural, sport, and recreational.
- Young people said there should be resourcing for these programs to be able to offer after hours and weekend activities, especially in regional and remote areas, as children and young people are at greater risk of involvement in anti-social activities at these times.
- Young people said engagement in programs targeted at young people involved or at risk of involvement in the justice system are a useful starting point to assist socially excluded young people to feel more comfortable to be able to transition to mainstream youth programs.
- They asked for more targeted programs for young people in the juvenile justice system which understood the complex challenges they faced in their lives and were able to offer intensive worker support so young people could participate successfully, helped build structure and routine, and connected them to other support services and programs in their community.

Vocational training and employment in the community

- Young people thought there should be more programs to support young people with limited employment experiences to transition into the workforce through opportunities to obtain work experience, certifications and training in life skills including resume writing and interview preparation as

well as participating in work experience, apprenticeships, and traineeships.

- Young people said there needs to be more youth employment agencies willing to work with young people who have been through the juvenile justice system and with expertise in working with young people tackling complex issues such as mental health, substance use, homelessness, and limited education and employment experiences. Young people feel these type of employment providers have a realistic understanding of what their lives are like and are able to identify achievable job ready goals and employment pathways.
- Young people said the process of applying for income support should commence whilst they are in custody because it is complex and young people need support to ensure they have relevant identification as well as assistance completing application forms.
- They said access to income support whilst studying, training, or seeking employment was important in allowing them to financially support themselves.

Accommodation in the community

- Having safe, secure, and stable housing was identified by young people as crucial to quality of life. They spoke about needing more housing options along the full continuum from crisis refuges and supported accommodation through to affordable, independent housing.
- Young people, especially young women, described having to stay in custody because they were unable to meet the accommodation requirement of their bail conditions.

Issues raised by children and young people in relation to supports and services while in custody

The young people were consistently clear that they want time spent in custody to be constructive. They want to be able to access supports and rehabilitative programs that help them to address the underlying reasons for their offending behavior and to learn how to develop different strategies to make different decisions in the future.

Psycho-social and worker support in Juvenile Justice Centres

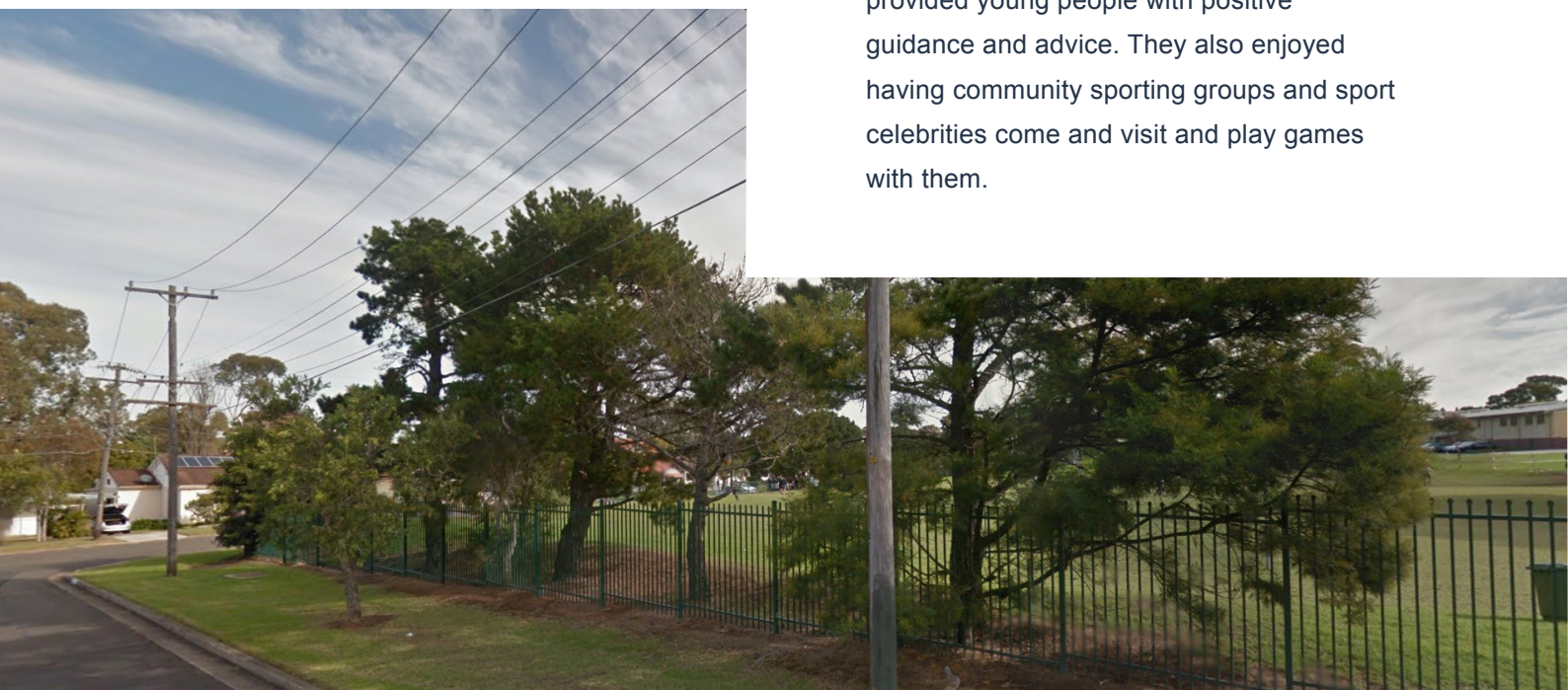
- Young people valued being able to see psychologists, nurses, and drug and alcohol counsellors whilst in custody. They spoke about how these interventions had helped them develop insight into their life circumstances and address their offending behaviour.
- Young people said it would be helpful to have access to psycho-social support in the evenings and on weekends as they said many young people experienced stress during these times.
- Young people, especially those who participated in Exit Interviews, said work with caseworkers should commence as soon as a young person entered custody. They said discussions with a caseworker helps them build insight and develop a plan to address issues which led to their incarceration as well as to learn to behave differently and make better choices. They felt the more time they had to undertake this rehabilitative work, the better prepared they would be to transition successfully back into the community when they were released.
- Young people said planning for discharge should begin between 3-6 months prior to their release date to allow enough time to have a comprehensive plan in place.
- Young people valued Centre staff who displayed professionalism, fairness, and consistency in their approach to young people and who they felt understood how a young person's life experiences impacted their behaviour; who did not judge them because of their offending history; who responded with kindness and understanding if they were upset and experiencing difficulties; and who connected with them through conversations and engaging in activities with them.
- Young people felt training for staff in strategies to engage meaningfully with young people could be helpful. They said Centre staff have an important role as trusted adults who could provide young people with advice and guidance to learn to make more positive decisions and act differently.
- Aboriginal young people and young people from different cultural backgrounds said they appreciate having staff from the same backgrounds as them within the Centres.
- Young people felt training for staff, especially younger or less experienced staff could be helpful to better understand how to respond and support young people displaying challenging behaviours as a result of their experiences of trauma, mental health issues, and substance use and withdrawal.

Education in Juvenile Justice Centres

- Young people said they benefitted from being able to attend school whilst in custody. They said schools in Centres offered positive learning environments because of the level of teacher support, flexible individualised learning plans, smaller class sizes, and treated them as adults.
- Young people valued the opportunity to complete school qualifications through Centre schools and distance education such as ROSA and HSC whilst in custody.
- A number of schools offered TAFE accredited vocational education which young people said taught them important life and employment skills. Examples included white card, RSA and RCG, first aid, agricultural skills, barista and hospitality, retail, horticulture, landscaping, woodwork, hairdressing, bakery, driving and motorbike licences, forklift courses, budgeting and job readiness preparation.

Programs in Juvenile Justice Centres

- Young people said the aims of both structured programs run by schools, program staff, or external groups and informal recreation program activities run by staff on the unit should be firstly to rehabilitate young people through educational, personal, and living skills development and secondly to keep young people occupied and reduce stress and frustration caused by lack of activity.
- All young people said they would like to see more programs run consistently and on a daily basis both during school time and after hours and on weekends.
- Young people said they would like more health education programs available in Centres to help young people learn more about mental health, physical health, and drug and alcohol issues.
- Young people in all Centres said they enjoyed having external groups run programs within the Centres. They said mentoring programs provided young people with positive guidance and advice. They also enjoyed having community sporting groups and sport celebrities come and visit and play games with them.



- They asked for more access to programs that help them learn positive communication, goal setting, decision-making, and problem solving as well as practical life skills like budgeting, financial management, and skills for independent living. Young people spoke about how time in custody is an opportunity to develop insight and consider how to make different choices.
- Young people suggested the following life skills programs My Life My Journey which helps young people explore reasons behind their offending and the Rent It Keep It which teaches young people how to maintain a housing tenancy be made available in all Centres.
- Young people said there should be more unit activities where they have the chance to engage with workers because they valued building connection with trusted adults. They said they would like to be able to do more of these kind of activities included things such as sport, art, games, competitions and prize-based activities.
- Young people expressed interest in the development of peer-led programs in Centres. Young people who had spent long amounts of time in custody felt they had experience and knowledge which they could share with other young people in custody to help them develop insight.

Aboriginal connection to culture in Juvenile Justice Centres

- Aboriginal young people said connection to culture and supportive adults was crucial to their wellbeing and sense of identity as well as sharing knowledge and life experience

with them and to help them learn to make more positive decisions and act differently. They wanted to see more cultural programs and opportunities to connect to culture including visits by Elders and community members who could talk with them and teach them different cultural practices such as Aboriginal dance, art, and traditions like boomerang and didgeridoo making.

Connection to culture and religion in Juvenile Justice Centres

- Young people from diverse cultural and faith backgrounds said access to cultural programs and maintaining connection to their cultural and faith whilst in custody was important to their sense of wellbeing. They said they particularly appreciated programs which invited community members to come into Centres to speak with them and run cultural activities.
- Young Muslim people said they would like to have access to a consistent and regular prayer group where they can receive spiritual guidance from leaders within the Muslim community.

Internal Juvenile Justice Centre processes

- Young people expressed a desire for greater consistency across all Centres in relation to the rules, incentive programs, staff expertise, and breadth of programs available. Some young men spoke about choosing to stay in a particular Centre because they felt it offered better programs or workers even though the Centre was further from their home community.

- Young women said it was important to ensure that their particular needs as young women are not compromised in regard to programming, access to support services, schooling, or other Centre processes due to their being accommodated in Centres with larger numbers of young men.
- Young people felt Centre processes and procedures could be improved by creating mechanisms that give young people the chance to be involved in decision making.
- Young people felt areas such as choice of food, buy-up, and suggestions for programs could have greater input by young people. The young people identified that being asked their opinion and having their feedback acted upon increases their emotional wellbeing.
- Young people said a fair and consistent incentives system worked well to help young people engage with support services, programs, and activities. They talked about the positive progress they had seen young people make whilst earning points and moving through stages, stating that some young people had never learnt how to control their behaviour so an incentive system was a helpful life skill for these young people.
- Young people said visiting processes should allow the maximum amount of time practicable for the visit and flexibility for families unable attend scheduled visit times. Young people said family visits are important in keeping them connected to support networks and helping them settle in custody. They appreciated support provided by Juvenile Justice to assist families to travel and stay near the Centre so they could have time together.
- Young people in all Centres said the number of daily lockdowns was problematic. Young people said that even though they have access to televisions and limited activities in their room, many found being alone in a room triggered feelings of anxiety or depression because it gave them too much time to think. They said this frustration was sometimes the reason young people acted out.
- Young people particularly disliked when lockdowns were used in response to misbehaviour by an individual on the Unit and everyone was locked down while the situation was resolved. They felt there should be an alternative response which did not punish everyone for the actions of one individual.
- Young people serving long remand periods described the limitations on their capacity to engage with programs to help with reintegration into the community. They felt young people on a long remand period with a good record of behaviour should be able to access programs that contribute to their rehabilitation. They said a long remand period was often followed by a short control order or release from court which left them feeling much less prepared for transition into the community.

Complaints mechanisms

- Young people spoke about their frustration regarding the length of response time and the lack of action in relation to complaints made to the Ombudsman. Similar issues were raised about Official Visitors in Centres, however Aboriginal young people gave positive feedback about speaking with the Aboriginal Official Visitor.

Issues raised by children and young people in relation to supporting their transition back to the community

Young people stressed the importance of feeling prepared to reintegrate successfully back into the community when they are released.

- Young people spoke very positively about the value of pre-release units. They felt these should be available in all Centres.
- Young women said they should have access to an independent female pre-release Unit.
- Young people said discharge planning should commence 3-6 months prior to their discharge date to allow them to work on strategies across all areas of their lives and have everything in place by the time they are ready to leave. Young people said that thorough discharge planning with their caseworkers increased their feelings of preparedness about returning to the community.
- Young people who were connected to mentor programs or community workers whilst in custody said that knowing there is a trusted adult, who is familiar with them and can continue to support them when they returned to the community, significantly reduces their anxiety about being released.
- Young people said being able to use day leave options to connect to services and commence education, training, or employment prior to release is helpful.
- Young people said Juvenile Justice Centres or local employment providers could develop partnerships with businesses who are willing to offer work experience opportunities to young people who have been involved in the justice system and support them to build work ready skills.
- Young people said having support to submit Centrelink applications prior to discharge to enable access to income support immediately upon release is important, some young people spoke about having to resort to crime to support themselves soon after leaving custody as they had difficulty getting to Centrelink.
- Young people said where possible applications to housing providers should happen whilst they are in custody. Waiting lists for social housing are long so they thought applying early reduces the time they have to wait after they are released.



Key recommendations

In the community

Community services, programs, and supports in the community

Increased resourcing for whole-of-community programs, particularly in regional and Aboriginal communities, to help strengthen capacity to tackle systemic conditions such as poverty, substance use, mental health difficulties, family violence, and intergenerational trauma to support children and young people and prevent them from entering the justice system.

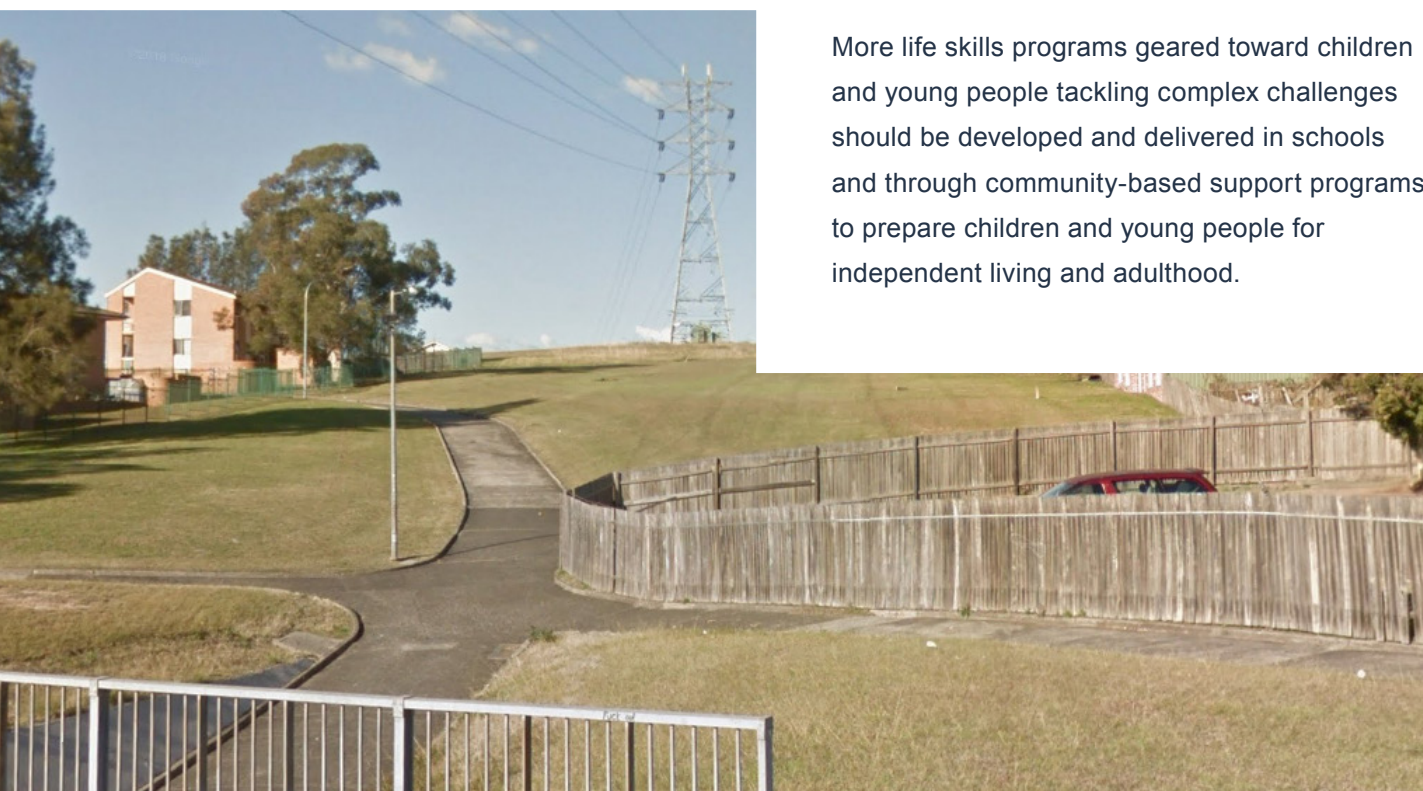
All children and young people should be screened for disability and health issues from early childhood and routinely thereafter in health, educational and justice settings and connected with appropriate support to address their needs and potential risk factors for coming into conflict with the law.

Community awareness should be raised about the services available to support children and young people facing issues such as violence, homelessness, mental health difficulties and substance abuse.

Greater investment in mental health and drug and alcohol support options for young people, particularly in regional areas, including intensive residential rehabilitation and inpatient programs, counselling, therapeutic groups, and health education and information provision.

Increased provision of after-hours and weekend programs to engage children and young people in meaningful activities. Activities should be free of cost, conveniently located, accessible to all children and young people and linked with opportunities to learn about and access support services.

More life skills programs geared toward children and young people tackling complex challenges should be developed and delivered in schools and through community-based support programs to prepare children and young people for independent living and adulthood.



Taking into account capacity for workforce retention, the guiding principal in relation to provision of support to children and young people should be to ensure continuity and consistency of workers as much as practicable.

Increase availability of intensive one on one casework support targeted towards children and young people identified as being at risk of involvement in the juvenile justice system to assist them to successfully navigate the service system.

Explore opportunities for mentoring programs for children and young people tackling complex challenges to be delivered by community members, Elders, and other respected people with similar lived experiences to share knowledge and life experience.

Services for children and young people should be centrally located and where possible be co-located, have extended opening hours at times when young people are able to attend, and be linked with transport support.

Frontline staff in youth and community services be provided with training in child rights approaches, meaningful engagement, cultural competence, and trauma informed practice to enhance the quality of their work with children and young people tackling multiple, complex challenges.

Education in the community

School disciplinary procedures should be reviewed and alternatives to long suspension should be introduced, including the expansion of suspension centres which link behaviour management strategies with the provision of learning support.

Children and young people at risk of disengaging from school should be identified earlier and provided with tailored learning support, opportunities to receive counselling, referrals to appropriate support services, information about career pathways and assistance identifying and enrolling in courses and programs relevant to their goals.

Enhance teacher training in meaningful engagement, cultural competence, and trauma informed practice to improve capacity of teachers to response to children and young people displaying challenging behaviours in school environments.

Employment and training in the community

Development of targeted employment support programs with expertise in working with young people tackling complex issues to assist them to transition into the workforce through opportunities to obtain work experience, apprentice and traineeships, certifications and training in life skills.

Increase the availability of vocational and industry training courses for children and young people who are at risk or have disengaged from education to assist in development of pre-employment skills.

Accommodation

Refuges should be resourced to provide comprehensive support to young people with complex needs who may be in conflict with the law.

Increase the number of refuge beds, supported accommodation options, and residential

rehabilitation services for children and young people to reduce the likelihood of becoming homeless or being incarcerated as a result of their homelessness.

Connection to Aboriginal culture in the community

As first principle, services targeted to Aboriginal children and young people should be designed and delivered by Aboriginal Community Owned and Controlled Organisations.

Consideration should be given to the introduction of an Aboriginal Owned and Controlled rehabilitation healing centre.

Provide a range of cultural support initiatives and programs that improve positive connections to culture for Aboriginal children and young people.

Connection to culture and religion in the community

Provide a range of cultural support initiatives and programs that improve positive connections to culture for children and young people from diverse cultural and faith backgrounds.

Diversionsary programs in the community

Further work should be done to examine the factors contributing to the early contact and lower rates of diversion of Aboriginal children and young people in the justice system.

Expand opportunities for use of diversionsary programs with conditional requirements for children and young people to engage with support services and programs as an alternative to custody or to reduce fines.

Police and particularly Transit officers should be further encouraged to use warnings and cautions as an alternative to transport fines and criminal charges.

Children and young people who are involved in the justice system, Out of Home Care or Specialist Homelessness Services should be identified in the Revenue fines system for the purposes of having their transport and other fines waived.

The Police's Suspect Target Management Plan (STMP) tool should no longer be applied to children and young people under the age of 18, as increased monitoring by Police may compromise or disrupt ongoing efforts to achieve rehabilitation and reintegration after release from detention.

The Youth Koori Court should be fully funded and expanded across the state to provide a culturally appropriate and holistic response to Aboriginal children and young people charged with a crime.

In Juvenile Justice Centres

Services, programs, and supports in Juvenile Justice Centres

Ensure all young people in Juvenile Justice Centres have regular access to psycho-social, drug and alcohol, and health support and ensuring these services can be available in the evening and on weekends.

Further opportunities for Juvenile Justice Centre staff to be trained in responding to children and young people displaying challenging behaviours be enhanced to include respectful engagement, cross cultural competence, and understanding of trauma, mental health issues, and substance use and withdrawal.

That all children and young people should begin their engagement with caseworkers as soon as practicable after they enter custody. This would allow them to develop a comprehensive, individualised plan with children and young people to address issues underlying their offending which can be implemented throughout their time in custody.

Education in Juvenile Justice Centres

All schools within Juvenile Justice Centres be further supported and resourced to offer accredited vocational industry programs on an ongoing basis consistently across all Centres.

Programs and activities in Juvenile Justice Centres

Greater co-ordination and overall strategy to further enhance and support Juvenile Justice Centre program staff to develop a suite of

programs whose aim is to rehabilitate young people through educational, psycho-social, personal, and living skills development.

That a program of activities is developed in consultation with young people for weekdays and weekends as an alternative to lockdown.

Further resource and train Juvenile Justice frontline staff to strengthen their capacity to run informal programs with young people on the Unit to keep young people occupied and reduce stress and frustration caused by lack of activity.

Connection to Aboriginal culture in Juvenile Justice Centres

Provide a further and more consistent range of cultural support initiatives and programs that improve positive connections to culture for Aboriginal children and young people.

Where ever possible, services targeted to Aboriginal children and young people in Juvenile Justice Centres should be designed and delivered by Aboriginal Community Owned and Controlled Organisations.



Ensure the cultural background of Juvenile Justice Centre workforce is reflective of the cultural background of young people in custody at the Centre.

Connection to culture and religion in Juvenile Justice Centres

Provide a further and more consistent range of cultural support initiatives and programs that improve positive connections to culture for children and young people from diverse cultural and faith backgrounds.

Young Muslim people requested access to a consistent and regular prayer group where they can receive spiritual guidance from leaders within the Muslim community.

Internal Juvenile Justice Centre processes

There should be greater consistency across all Centres in relation to the rules, application of incentive programs, support services, staff expertise, and breadth of programs available.

Create mechanisms to give children and young people in Juvenile Justice Centres the chance



to be involved in decision making processes and procedures. This could include involvement in decisions about types of programs offered at the Centre, products for buy-up, and menus and food choice.

Ensure that the needs of young women are not compromised in regard to programming, access to support services, schooling, or other Centre processes due to their being accommodating in Centres with larger numbers of young men.

Reduce the number of daily lockdowns through development of alternate management strategies and a roll out of formal and informal programs.

Transition to the community

Establish and resource a pre-release unit at each Juvenile Justice Centre including a unit specifically catering for young women.

That all children and young people on remand have access to school or alternative programming.

For those children and young people serving a long period on remand there should be a particular focus on access to rehabilitative and reintegration supports and programs.

Engagement with community-based support services and networks that children and young people could access post release should begin while children and young people are still in custody.

Transition planning should include claiming the Active Kids and Creative Kids rebates to support children and young people leaving detention to engage in community activities.

Transition planning should include further assistance including applying to the National Disability Insurance Scheme and/or Centrelink where relevant.

Exit interviews should be expanded to all Centres to gather feedback from children and young people leaving detention about what is needed to support their transition.

Law Reform

The minimum age of criminal responsibility should be raised from 10 to 14 years to ensure that this younger cohort is not detained, and additional supports should be provided to children and young people in this age range to address their underlying needs and risk factors for offending.

To avoid unnecessary detention as a result of housing instability, bail conditions relating to accommodation should be implemented flexibly and in a manner that is consistent with the best interests of the child or young person, with detention remaining an option of last resort for bail breaches.

The coverage of specialist Children's Courts should be expanded to ensure that all children and young people charged with a crime are dealt with by Magistrates with youth expertise and are connected with appropriate supports regardless of their location.

Detailed findings

What services and supports do children and young people need before coming into custody and after they are released?

Children and young people raised a wide range of services and supports that would assist them before coming into custody as well as after their release. These encompassed supportive workers and services; education supports and life skills; employment supports; accommodation assistance; access to activities and programs; drug and alcohol and mental health services and connection to culture and religion.

Supportive workers and services in the community

Across all Centres, young people identified support workers as key to helping them stay out of trouble. Many spoke about the benefits of having a positive connection to a worker in a local support program or service. They identified that often it was the positive nature of the connection, rather than the service provided, that was the most important factor in helping them. They thought it was particularly beneficial when young people could have the same worker over a long period of time. They said this allowed the worker to really get to know the young person and understand their personal circumstances. They specifically spoke about caseworkers and counsellors from local Youth Centres, mental health services such as CAMHS and Headspace, PCYCs, educational and training programs, and cultural groups who they felt provided valuable individual assistance and programs to help young people in their local areas stay out of trouble.

One young person raised that supportive workers can teach young people limits and boundaries; assisting them to stay out of trouble:

“Most boys in here ..., they need a role model, someone to look up to.”

A number of young people reported that their Juvenile Justice Officer (JJO) was the support worker with whom they had the closest connection. They said that supervision requirements meant they had to stay in touch with their JJO and this regular contact had helped them to form a bond with their worker. Young people gave many positive examples about support they had received from their JJOs which included: helping them set goals to keep out of trouble, picking them up and taking them to activities, school, or employment; listening to them; and making referrals to support services. Young people spoke positively about the assistance they were receiving from their JJOs to prepare them after release.

Young people from regional areas reported having fewer services in their communities. One young person spoke about how his local PCYC helped a lot of young people in the area stay out of trouble, however, when numbers dropped the program stopped running. Some young people in small regional areas spoke about how their JJO was the main support worker for young people in their community. They spoke about JJOs taking groups of young people to sport activities and on outings to keep them busy.

In addition to supportive workers, young people said that it was important for them to be

connected to other trusted adults and mentors who could provide guidance to help them learn from their mistakes and to keep their lives on track. They described mentors as people who could share knowledge and life experience with young people to help them learn to make different choices. Aboriginal young people spoke about having Elders and respected community members connect them to culture and to be role models for them:

“People who have been in the same shoes as you.”

When asked what would help young people to stay out of trouble, several young people reinforced how they thought it would have been beneficial to have a connection to a single support worker or service who could assist them to navigate multiple issues related to their offending behaviour:

“If people had their own workers who were dedicated to them, they wouldn’t come in here.”

The young people spoke about workers who they described as going out of their way to support them. They gave examples such as workers texting to check how they were doing, picking them up and taking them to school and programs

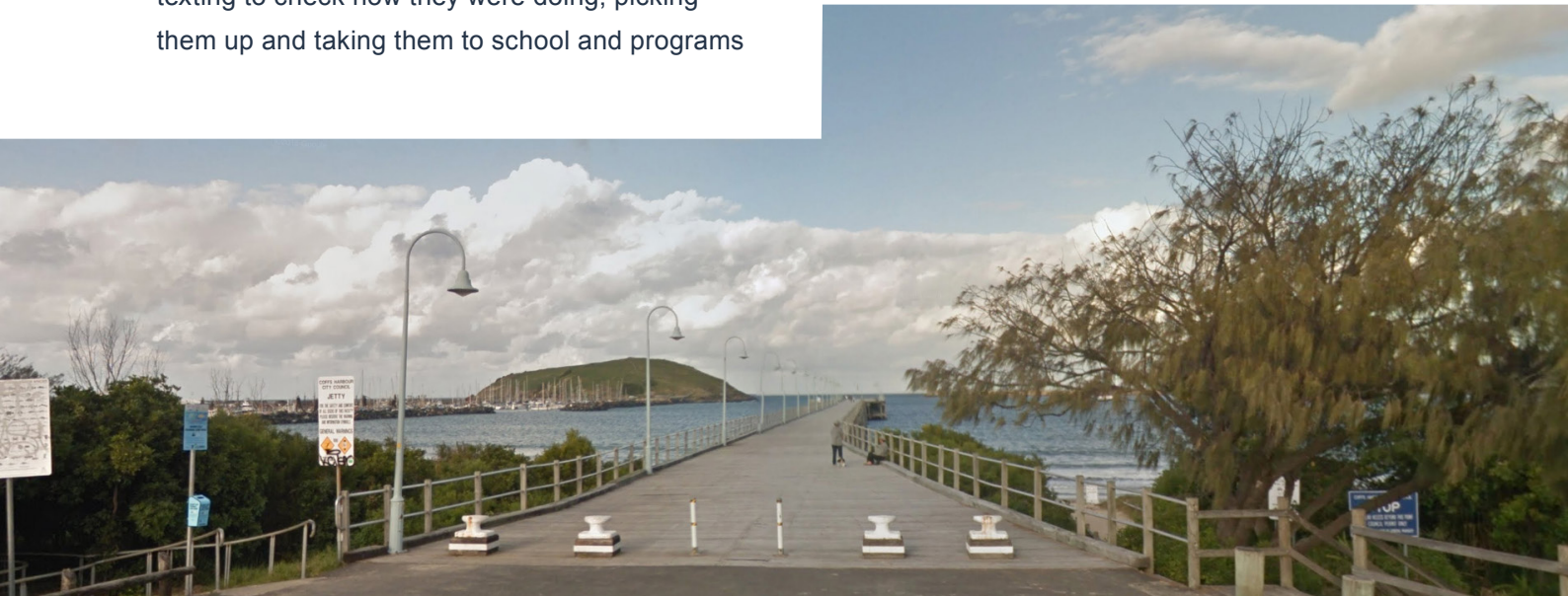
and making time to catch up with them when they needed it. Several young people reported that the reason they liked a particular worker was that even when they had resisted the worker’s attempts to engage them, the worker had stuck by them and not withdrawn their support:

“My JJO does a lot of me, he doesn’t give up, he was there for me.”

Young people also discussed that at times some service workers were not accommodating or inviting for young people coming from difficult backgrounds. They felt that workers representing these services were sometimes disrespectful and lacking optimism in regards to the capacity of young people to make changes in their lives:

“Well, I just take one of the caseworkers I previously had that I haven’t quite thought did their job properly and I compare it to one that has and I can automatically see the difference. So [my current caseworker is] perfect, she helps me out in every way. She was at court yesterday for me and we were discussing what would happen when I got out, what sports I wanted to do.”

Young people found it easier to access a service



if workers expressed positivity about the young people with whom they worked and if they had empathy and understanding in relation to young people tackling complex challenges and who may have had significant experiences of trauma.

Finally, young people also talked about how convoluted the process can be when seeking support from multiple services, suggesting that if there was a one stop shop approach for young people accessing support, it would be more advantageous for young people who were already disadvantaged in multiple ways:

“We need like, I reckon, a one stop shop where all of it is. Cos like to get paid you gotta go to Centrelink and then, from Centrelink you gotta go to another place to get housing, from there you gotta go to another place to get a reference or referral to a refuge and then you gotta go to a refuge. But if they were one person all in the one spot that could do it all for you, that would be better.”

They spoke about the difficulty of travelling to multiple appointments in different locations to access services, and the emotional burden of being asked to repeat their circumstances at each appointment:

“When I was out, I had to go to Juvenile Justice twice a week, go to TAFE and go to counselling for drug and alcohol and then had to go to behavioural counselling as well, so like, all that in one week, you have no time for anything else. And then I would get breached for not going to my appointments because all of them would be set as Juvenile Justice from the court and stuff so like, you just get breached for not attending like 6 appointments a week.”

Young people in the Out of Home Care System

Young people with experiences of the child protection and Out of Home Care systems spoke about the importance of placing children and young people in safe, stable homes with connection to consistent, caring caseworkers. Aboriginal children and young people described how being connected to family and culture was a protective factor for them. Several of these young people spoke about the negative impact on their lives resulting from experiences of multiple caseworkers and placements.

One young Aboriginal woman spoke about being placed in care at a very early age. She described having various failed placements throughout her life, including a series of recent placements where she was placed in motels with a youth worker. She said she had a child protection caseworker however did not speak positively about her relationship with them. Her story highlighted how her experiences in the child protection system had left her disconnected from the adults who had responsibility for caring for her.

Other young people described more positive experiences, particularly of being connected to non-government programs providing support to young people in the child protection system. One young woman talked about the support she and her family received from the Family Investment Model (FIM) program in Dubbo. She described the service as playing a role similar to Department of Community Services in regard to helping families that are struggling with complex challenges. She felt a strong connection to this service saying they had supported her on numerous occasions including re-engaging her with her mother.

“[worker] comes to our house, gets us up for school, takes us to our appointments.”

Another young man who had been in the Out of Home Care system, spoke about his ongoing connection with Premier Youthworks, an aftercare service for young people leaving Out of Home Care. He spoke about how the service helped get him into independent housing, supported him during his time in custody, and would continue to work with him after his release.

Education supports and life skills in the community

All young people discussed the importance of educational, vocational and life skills programs in assisting them to make changes in their lives.

While education was of high importance and value to young people in custody, most spoke about having been disengaged from school for long periods of time:

“I don’t do well at school but I want to finish my Year 10, my Year 11 and 12. I’ve got goals set out for what I want to do; it’s just getting to them goals.”

Almost all young people reported leaving school early and an increase in involvement in criminal behaviour after leaving. They described poor experiences at school as the reason for leaving, explaining that they struggled to learn in a mainstream environment due to issues such as large class sizes, not being supported in relation to learning difficulties, and problems with teachers and other students including experiences of bullying and racism. Several spoke about the difficulties in gaining one to one teacher support to assist young people with basic skills like reading in mainstream schools:

“Teachers can’t just deal with you, they have to help other kids as well.”

They also expressed frustration at the limited supports available to help young people with behaviour and learning needs. Young people reported that schools should be more aware of the different learning abilities and needs within the classroom and subsequent feelings of shame for students who have fallen behind their peers:

“You know this person’s not good at this, this person’s not good at that, why do you give us all the same test? Everyone has their own way at being smart.”

“Cos like, you get the kids that are really good at [school]. And then you get the kids like us, who lack the concentration and then we get in trouble for that or, we get suspended for that, you know what I mean? So it’s like, what’s the point of going if I’m not going to get help at school.”

Some young people further suggested that schools should provide greater support to students who are experiencing serious issues at home:

“Instead of focusing on education they should also focus on what’s happening outside of school. Like what the kids are getting up to, if they have drug problems, ... family problems, domestic violence and stuff like that. They should try to solve it within school cos that’s where boys spend most their time.”

One group of young people talked about how they thought schools should be more understanding of why students display challenging behaviours:

“More understanding of people’s journey, where they came from, what they have been through ... if they say you are doing the wrong thing but say it in a nice way.”

One young man spoke about the impact of commonly being excluded from activities at school as a punishment:

“That can make you even more depressed and sad ... teachers need to understand why you behaved that way.”

Young people reported that some of the behaviour management measures taken by schools caused them to disengage from the system. For example, they reported that it was not uncommon to be subjected to long suspensions of up to 20 days:

“Well I got heaps of suspensions all that. And I went and tried other high schools and all that but they just wouldn’t let me cos of my temper.”

“[I would get] 20 days, I would go back and stuff up and get another 20 days, it was like a repeat occurrence.”

“And when you get suspended from school you’ve got nothing else to do, walk the streets.”

Young people in nearly every Juvenile Justice Centre raised the issue of long suspensions, and reported that it is often during a long suspension that they get into trouble with police, as they typically lack supervision and constructive activities during this time. Discussions with these young people demonstrated that removing students from school as a form of discipline may have the unintended consequence of further

entrenching problematic behaviour and causing them to become disconnected from their main source of prosocial support:

“I wasn’t in school and I started doing crime.”

“Most of these young fellas need an education; they’re only 14, 15. There’s not even that much education there for them, you know they getting suspended from school nearly every day of the week. They get suspended when they come back from a suspension, they getting suspended again. It’s terrible and it should stop.”

Large periods of time away from school also caused young people to fall further behind, so that when they returned to school, they were not able to follow along and ended up misbehaving and being disciplined again. Young people reported that the cycle of back-to-back suspensions often repeats until a student is expelled or drops out. They called for in-school alternatives to suspension to maintain their connection to education, as well as greater one-on-one support to address their learning needs:

“I missed most of Year 10. When I came back they told me to go into Year 11 but I couldn’t do the work.”

“If we get suspended, we shouldn’t be staying home, instead of keeping us out of school they should be in a single class with a single teacher.”

“Yeah they should have like a room like in the school, for boys that muck up in school, go in there and learn, you know what I mean ... Yeah we’re not at the school you know, that’s when we getting bored, we

sitting around with nothing to do, we may as well do this or ... next thing you know we're in here."

Young people reported wanting the chance to gain an education, but would find it hard to re-engage in an institution that catered to their needs. Young people in regional areas faced additional difficulties as there was only often one school in the area that they could attend. If they had previously been expelled from that school, they were extremely limited in the educational opportunities available to them:

"I just got kicked out of every school in my town."

"But I was thinking, they should have more opportunities to get back into schools. Cos I haven't been going to school for nearly two years."

When asked what kind of education would be more helpful young people said they would like smaller schools and classes sizes, and more individual teacher support. They also saw value in providing a mix of both educational and practical vocational industry training programs to increase their employability. They reported wanting mainstream schools to offer more skills based opportunities such as completing work experience or TAFE courses like White Card and 1st Aid certificate.

Some of the young people had attended Department of Education behavioural schools or alternative education centres such as Youth Off The Streets, Blacktown Youth College, and St Marys Flexible Learning Centre. They reported that these were better learning models, with smaller class sizes, more hands on learning and offering activities that better engage students in

learning; including sport, fitness, music, cooking and excursions. They further raised that there is less pressure in these schools for students to achieve high standards:

"Mainstream schools have a lot of pressure to do well and its hard, some people don't know how to do it."

Above all, young people reporting needing more life skills education to assist them to become independent adults. They acknowledged they tend to come from difficult circumstances and saw part of the solution to that problem was gaining independence and becoming better equipped to be prepared for life growing up.

Young people spoke about needing support in certain areas that they believed would be critical in supporting them to transition to adulthood: outdoor maintenance, household chores (including washing clothes and cleaning), how to access basic services such as Centrelink and other supports, financial assistance such



as banking and getting a tax file number, how to apply for a house and find stable accommodation, learning how to write a resume and preparedness for employment along with the practicalities surrounding engaging in education such as TAFE, university and apprenticeships:

“Like life skills, like how to work a washing machine, I don’t even know how to work a washing machine.”

“By the time I get out I want to go to Uni but I don’t know. I wouldn’t know how to even apply.”

“Education that’s the key, I reckon that’s number 1. Social skills be able to talk to people.”

Some young people brought up positive experiences with the education system. One young man spoke very positively about the regional high school he attended and the strong connection he had to one of his teachers.

This teacher had helped him to begin an apprenticeship at school to keep him engaged. He had eventually obtained paid work through this apprenticeship. He said the teacher has stayed in contact with him whilst he has been in custody and was encouraging him to return to school after his release. He spoke about how much he valued this ongoing support and was considering returning to complete his Year 12 at that school as a result of this encouragement.

Another young man spoke about completing Year 10 at a regional TAFE and had enjoyed the experience. He liked the adult learning environment which he described as having smaller class sizes, more teacher support, being treated as an adult, and being taught practical life skills through this course such as financial management.



Employment supports in the community

Employment was identified as a significant factor likely to reduce a young person's involvement in crime. Young people discussed that employment provides income, routine and assists them to engage in a meaningful activity; all of which reduce the temptation to reoffend:

“Work stabilises you, gives you income.”

“We want help to try and get jobs and that on the outside, cos if we haven't got it, the environment we just go back to ... we just gonna end up back in crime cos we got no jobs offered and we don't know where to start to get one.”

“Yeah 100% that's number one. That's what I reckon will make us all stable. Make us earn our own money to live, you know, we'll be able to go and buy our own things what we need.”

Young people spoke about the need for more programs to support them to transition into the workforce through opportunities like work experience, apprenticeships, and traineeships:

“We need more things to help us, so we can get qualifications and get a proper job.”

Access to income support while job seeking was also raised as important as many young people spoke about having committed crime to support themselves financially when they had not had any other sources of income.

Some expressed concern about the impact that their criminal record could have in securing

employment and did not believe that employers would have any incentive to hire them:

“I've got a son to look after when I get out. I want to be able to provide for him, you know, but if no one's going to accept me, like in a job or something, then how am I going to do that?”

They suggested it would help to have an employment agency or other support service to connect with employers who are happy to consider young people from Juvenile Justice Centres. These agencies could assist in arranging job interviews for young people after their release.

Other young people reported that undertaking work experience whilst in custody could provide an opportunity for them to demonstrate to employers that they can be trusted:

“They should start teaching us how to work here, they should get us to do some work with maintenance or stuff.”

Young people detailed a number of barriers in seeking and gaining employment. Some struggled to engage with job service providers, while others had no knowledge of these services. Many were confused about being required to have a connection with Centrelink to be able to engage with job service providers. Young people reported that employment services were not available in all communities, and where services were available, they were not necessarily youth friendly.

Some young people who had engaged with these types of services spoke about onerous requirements placed upon them in relation to

payment arrangements, including being required to attend multiple appointments. Young people, both in regional and metropolitan communities, spoke about lack of transport being a barrier to maintaining employment:

“If you don’t have transport you can’t get there.”

Many young people wanted to engage in trades and apprenticeships, but said they needed help identifying and enrolling into courses related to those trades and apprenticeships. They suggested this could happen both in and outside custody.

“[We need to] like learn more, get more qualifications, earn more certificates.”

The types of career paths young people expressed wanting to pursue were being a chef, brick laying, carpentry, glazing, auto motives and mechanics, social work as well as hair and beauty.

Accommodation assistance

Young people all agreed that living in secure, stable accommodation was critical for them to build a positive life. However, all reported that it could be difficult finding stable accommodation, such as getting a place in a youth refuge. They saw a clear link between being homeless and involvement in crime. Some young people shared experiences of having been forced to leave home which had led them to commit to crime:

“If my dad didn’t kick me out, I wouldn’t have been in here I reckon.”

“I was homeless for a couple of years.”

Young people also reported that there needs to be more accommodation options for homeless young people who are before the courts. They spoke about at times, not having an address to be bailed too which meant they remained in custody longer. While some felt that more refuges and supported accommodation would prevent this from happening, others described being placed in refuges as causing greater disruption in their lives. Refuge availability was often in a different area to their support networks and programs with which they were already connected.

Two young people discussed contacting Link2Home when they were 16 years old and being placed in a hotel due to no refuge beds being available. Both reported the need for more supported housing options:

“You should get a worker to support you, you need to be in a refuge, you need some guidance.”

It was also mentioned that there should be the possibility of being able to apply for housing whilst in custody, as currently young people have to apply upon release. If it was done whilst they were in custody things would be more organised upon release:

“And if the boys have a problem with their family they should advocate, or they should get different housing for them.”

Even those young people returning to live with family after their release spoke about wanting eventually to live independently. They thought there needs to be more services to help young people move to supported accommodation or social housing. Some knew the names of housing providers; others said they would ask their JJO.

Access to activities and programs in the community

Across all Centres, young people spoke about the influence of peers on their involvement in crime, in particular peers who are not engaged in school or employment, programs, or other positive activities. They reported that having greater access to free or low-cost recreational activities and programs within the community, especially after hours and on weekends, could provide young people with an alternative to getting into trouble and act as a soft entry point to connect to support services:

“That’s the thing that makes us reoffend is when we get out there and there’s nothing for us to do.”

“... on the weekends and after school, that’s all they do, all the kids there, just go thieving. That’s why we’re in and out. That’s what I tried to tell the caseworker at PCYC and that, I tried to tell them, like, this is why we’re in trouble all the time—cos there’s nothing to do.”

Young people in regional areas especially reported the need for more recreational activities. Some young people had attended sport and recreation camps when they were younger but said there was nothing similar available for teenagers. They reported that boredom increased the likelihood of young people getting into trouble. Suggestions included free or low cost activities to keep young people busy at night and on weekends such as sport (football, boxing, basketball), BBQs and excursions. One suggestion was a youth centre with a gaming room to reduce isolation among young people who liked gaming, as they could come together at the centre as well as access other support.

A group of Aboriginal young men in one centre who had been part of the Clontarf Program in high school, spoke positively about how programs such as that rewarded good behaviour and attendance at school over a period of time with a trip to special events such as State of Origin. They thought a Clontarf-type program for Aboriginal young people who were not at school would be helpful. They thought these initiatives helped young people develop a routine as well as having a goal to work towards:

“You need something to look forward to ... something that we want to get up out of bed and do.”

Some young people reported the need for more funding for Youth Centres and PCYCs. They reported that these had good programs but not enough to keep young people busy at night and on weekends:

“Something you can do, outside of school, cos you just have hours to waste.”

“Sport was keeping me out of trouble to be honest, it was keeping me occupied.”

“Good cops work at PCYC, they help us, they do boxing training with us. PCYC helps a lot, it helps us stay off the streets, get fit and that.”

Several young people had been involved in programs designed specifically for young offenders. They spoke positively about these because they said everyone understood what each other was going through. Several young men describe how they enjoyed programs such as PCYC breakfast programs or the Breaking Barriers program with Mt Druitt Police and Clean Slate Without Prejudice with Redfern

Police. They said these programs helped young people create a routine by linking them to caring, consistent workers and police officers who picked them up early for a fitness group, shared breakfast with them, and then took them to school or work. This experience of structure and working towards goals was often new for these young people and they were proud of what they had achieved in these programs:

“Workers help us do things that we thought we would never be able to do.”

Lack of access to transport was raised as a barrier for young people, especially in regional areas, being able to engage in activities and programs. Some spoke about how their local Land Council or other services would drive to outlying communities to pick them up and take them to activities.

Drug, alcohol and mental health services in the community

Young people reported that complex mental health problems and drug and alcohol addiction played a significant part in their criminal activity. They discussed having friends that stayed at home and used drugs rather than attending school or working. Several described periods of homelessness and couch surfing which they attributed to their substance use. Many reported that a lack of available services to tackle drug and alcohol use and mental health problems meant that they did not receive any professional assistance until coming into custody.

Drug and alcohol use was identified as particularly problematic in regional communities. Young people described the way drugs and alcohol negatively impacted many areas of a person’s life such as their mental health, relationships and attending school or work. They

said methamphetamine, cannabis and alcohol were significant problems in regional areas not just for young people but whole communities. They spoke about adults struggling with addiction and family breakdown due to drug and alcohol use. They felt there were not enough programs in the community, especially smaller towns, to help people deal with substance abuse:

“Kids grow up with their mum and dad drinking and fighting, and they see their older brothers and sister using so they think it’s okay and they do it.”

“Sometimes getting locked up is the only way to get off drugs.”

Many said that the first time they had accessed support was when they came into custody. They described having been released from custody on previous occasions and the vulnerability they felt as there were no services or programs available in their communities to help them continue the progress they had made whilst in custody.

Young people said that there needs to be more programs and services to help young people and communities tackle these issues. Responses were mixed in relation to service provision. Some young people reported that even in areas where drug and alcohol and mental health services were available, it could still be hard to access them due to long wait times. They felt it would be much more helpful to have services you could walk into without an appointment and see someone immediately.

Even those young people who reported having benefited from being able to connect with a mental health or drug and alcohol service said the management of their problems was still difficult:



“My depression and anxiety led me to make mistakes even though I had support around me.”

Other young people spoke about how the stigma associated with seeking help prevented them from getting professional support:

“People think you are a junkie.”

They further reported that mainstream youth services that engage young people through activities and interests work well at providing a soft entry point for them to build trust with an organisation before asking for a referral to a mental health or drug and alcohol service.

One young man spoke positively about the support he had received from the local CAMHS service in his area. He said that it was especially important for young men to receive mental health support, as the stigma young men have about seeking help is a barrier to improving their mental health.

Another spoke about the anxiety he had felt the last time he was released from custody. This anxiety combined with drug use and reoffending, escalated to a point where he made a suicide

attempt. He said it was not until this suicide attempt and returning to custody shortly after that he felt he began to receive the psychological and drug and alcohol support he needed. As a result he described feeling much more optimistic about leaving custody this time.

Connection to Aboriginal culture in the community

Young people discussed that connection to culture and religion is central to their sense of identity and supporting them to make positive changes in their lives:

“Culture keeps us out of trouble.”

“I see how cultural programs make people change.”

Aboriginal young people said this connection should include mentoring by Elders to guide them; participation in programs teaching cultural knowledge and practices; and bringing them together with strong, cultural role models within the communities where they live.

Aboriginal young people acknowledged the effects of past government policies and practices on their ancestors, and ultimately themselves. Young people suggested that quality, tangible experiences of culture would help them to overcome the disadvantages they faced:

“That’s one thing I want to get across to the government, taking young Aboriginal kids out of their homes, it affects us, you know

what I mean, and probably half the reasons why we are in here, you know, I know that's one of the reasons why I'm in here."

When talking about culture, young people spoke about how it comes in many forms. Aboriginal young people spoke frequently about the need to connect with Aboriginal specific services and Aboriginal identified workers, and shared how the nuances of cultures determined whether or not they were entering into a safe space. This would often dictate whether or not a young person chose to engage with a service:

"[I like the Aboriginal Medical Service] cos like I know the workers very well like they're my Aunties and all that. I can understand them more than I can understand the other people. I can open up to them and like if I go to that other doctor I won't open up to him, I won't tell him what's wrong with me or nothing."

"Cos he's an Aboriginal worker so he would actually understand where we're coming from and like, yeah he would understand what we're talking about. And like why we're in the situation we're in. And stuff like that."

"Yeah I'd like an Aboriginal worker—who can help us get a job, you know, and who knows what we've been through and how it is for us."

Aboriginal young people wished they had greater opportunities to engage in ongoing teachings of culture upon release within their community. They spoke of the need to reconnect with Elders, learn their traditional language and dance, and overall ways of life and being, such as creating artefacts and learning how to live off the land:

"Our culture's sleeping at the moment. We need to wake it back up, we need to learn more about our culture. We need someone there to help us do that cos we can't just do it on our own."

Many young people noted that having a connection to culture is integral to the identity of Aboriginal young people. Culture, it was said, makes young Aboriginal people feel safe, a sense of belonging, connected and proud. Aboriginal young people shared that when they have genuine access to culture, they gain recognition of their responsibilities to themselves, to others and to their culture to live healthier and more respectful lives.

"More cultural stuff. Like camping you know. The JJ used to do that, used to go get us all and just and go camping for the weekend. Teach us about our culture, teach us how to make and do everything properly, you know. That's what I want to see happen more. I reckon that's what the Elders want to see happen more."

"Yeah and more language and that. Teaching us more language, teach us how to speak the language and that."

"Learning traditional ways I reckon, I don't know not one bit of mine, like . . . I don't know my language, like it would be good to have some of my language that I know how to speak."

"I reckon they should teach us more about dancing and that too, how to play instruments and that too, you know. Learn our mob and that like where we come from."

What services and supports do children and young people need while they are in custody?

It was clear young people wanted to use time in custody constructively to help them rehabilitate, to address issues which contributed to their involvement in crime, and to prepare to reintegrate successfully back into the community.

Children and young people discussed a range of services and supports that either had been or would be helpful to receive while in custody. These were around: education and life skills; opportunities to gain skills for employment; psycho-social, health and caseworker support; access to programs; qualities of Juvenile Justice Centre staff; internal Centre practices and preparation for their transition back to community.

Psycho-social, health and caseworker support in Juvenile Justice Centres

Young people agreed that they valued having access to psychological, drug and alcohol, and casework support in custody. They said this support helped them develop strategies to manage in the Centre, to address issues which had led to them coming into custody, and prepare for when they are released:

“To help you better yourself.”

“I like having yarns with the psychs.”

They thought it would be good to have more psycho-social support staff, especially drug and alcohol counsellors, as often it is necessary to book an appointment a few days ahead to see someone. Some suggested it would be good to have access to psychological support during the evenings and on weekends when a lot of the young people became stressed or upset.

Some said they felt they had matured as a result of support they had received in custody and had developed insight about the path their lives had taken. As a result they learnt the benefit of

seeking advice from supportive adults about how to make different decisions in the future.

Young people said having access to caseworkers was important in helping them both in custody and while preparing for release. They said connection to a caseworker should begin as soon as a young person comes into custody.

Young people repeatedly spoke about how support they were receiving in custody helped them to develop insight about the path their lives had taken. They spoke about how caseworkers can help them to develop strategies and set plans in place to make different decisions in the future.

“Being in here you have time to think, to build your future ... you know what you want in life.”

A group of young women reported that caseworkers were often too busy helping young people to meet bail conditions and not always able to give as much time to working with others as they would like:

“Caseworkers spend a lot of time consumed by trying to find accommodation for people on Section 28.”

Several young people also spoke about how much they appreciated contact they had with their JJOs while they were in custody and that they were also a source of support to make plans for after their release:

“When we are in here we have people to ask for help but when we are on the outside we don’t know who to go to to help us ... we have different organisations that try to do different things for different reasons but they aren’t linking up so we don’t know what to do.”

Young men interviewed in the first round of Exit Interviews at Baxter in December 2018 gave mixed responses to their engagement with caseworkers. Those young men who had more insight and capacity to articulate what they needed reported being happy with the support they received from their caseworker. However several young men had only limited plans for after their release despite only having a month left to serve on their sentence.

Young men in the second round of Exit Interviews in May 2019 gave much more positive responses when asked about their discharge plans. They all described being very happy with the level of support they had received from their caseworker to develop this plan. The length of time they had been working on these plans varied from between 1-5 months.

Education and life skills in Juvenile Justice Centres

Young people all agreed that having a school program in a Juvenile Justice Centre is important for young people to complete their ROSA, distance education or TAFE courses. They reported that the learning environment was very

different to those they had experienced in the community, saying they liked the smaller class sizes, more individual teacher support, the atmosphere was more relaxed, there was less pressure and they appreciated being treated as adults:

“A lot of kids have not been to school much, some kids have never achieved something ... kids don’t have good education experiences.”

They said that in some Centres school was the main activity available to them. Art, music, and sport programs were ones many said was what they enjoyed most about being at school. Others reported having learnt a great deal from personal development programs they had completed through the school, such as Love Bites and Rock and Water. They thought these programs taught young people strategies to make different choices in their lives. They especially liked programs where they heard stories from people who shared similar life experiences describing how they changed from the negative path they were on:

“I like learning about how others grew up and how they made changes and can learn from that.”

A couple of young people with long remand periods said they would like it if the school could be more lenient with them about what they could have access to once their behaviour had been assessed.

Young people repeatedly raised wanting structured programs to teach them life skills to prepare them for leaving custody:

“We can’t show people how we are going

to change, we want to be able to prove that we can do this not just talking about it, we want to practice living skills here.”

Some young people also spoke about wanting to learn more stress management skills that they could undertake in their rooms. Others wanted more practical living skills training such as financial and budget management, how to secure and maintain a rental tenancy, goal setting and positive decision making. They also wanted programs to expose them to new interests and activities they could continue after their release to support their wellbeing:

“I reckon programs in here should be for people to work out what they like, to have 1,000 programs to do, just to know what they love and what they really want.”

Young people that had received life skills education while in custody spoke extremely favourably about these programs. One new program that was raised in a few Centres as very popular was the “Rent it Keep it” program that

teaches skills to secure rental accommodation. The certificate they receive after completing the course can be used when applying for housing. One young person also spoke positively about a program offered by his Centre school called “Moving Forward”, which assists with job ready skills such as resume writing.

Employment skills in Juvenile Justice Centres

In some Centres young people reported feeling satisfied with the employment and life skills they had learnt while in custody including farm and agriculture skills, fitness and coaching certificates, toastmasters, barista, music, white card, tractor and learner motorbike and driver licenses, hospitality and café courses in Centres’ commercial kitchens and working with dogs in the Unit.

In other Centres, young people repeatedly raised wanting greater access to employment preparation opportunities such as traineeships, apprenticeships or work experience while in



custody that could continue post discharge. They felt strongly that time in custody should provide access to rehabilitative opportunities.

Some young people were doing TAFE and industry courses such as retail and white card through the Centre schools but they thought there was an opportunity to do more. Suggestions included White Card Forklift, and trade skills like electrician and carpentry. Others suggested allowing young people to mow lawns and learn basic maintenance skills like gardening and horticulture, which they believed as already occurring at other Centres.

Access to programs in Juvenile Justice Centres

Young people spoke about experiences with structured, rehabilitative programs run by school or program staff, as well as informal activities run by staff on the unit. They were clear both kinds of programs were important for educational, personal and living skills development as well as to keep young people occupied and reduce

stress and frustration caused by lack of activity.

Young people spoke about a number of different programs they enjoyed while in custody, as well as giving suggestions for new programs.

They particularly enjoyed programs which brought in external facilitators such as youth programs or sport competitions where community teams or sporting celebrities came into the Centre to visit.

Some young people spoke about the insight they had gained into their offending behaviour from doing the My Life Journey program with their caseworker.

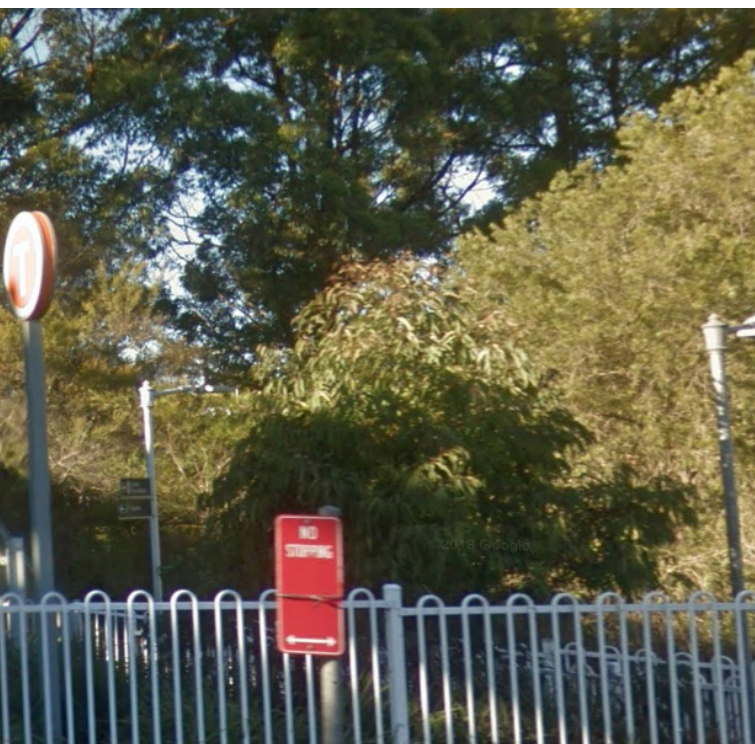
The positive impact of cultural and religious programs in relation to sense of identity, pride, and connection to trusted Elders and mentors who could provide support was stressed by young people from Aboriginal, African, and Islamic backgrounds.

Aboriginal young people said not everyone knew about their family or background. They wanted to see more programs bringing in Elders to teach traditional skills and knowledge:

“A lot of us boys who come in doesn’t even know things about our culture, we just know the name but we don’t know what we stand for... how to become a man.”

Young men from Muslim backgrounds said they wanted to have more programs to teach them about their religion:

“To have the talks we need to have with a person we can look up to seek better, positive things in our religion.”



At the same time young people said they also enjoyed multicultural programs where everyone learnt about each other's cultures.

The concept of mentors was mentioned by many young people. Both Shine and Rap 4 Change mentoring programs were spoken about as positive examples of programs young people in custody are engaged with close to release. Several long term remandees said they thought it would be good to be linked to mentors regardless of their release date to help them learn strategies to copy while in custody.

Less formal programs that young people also reported enjoying included sport such as basketball and football, and physical activities like the gym, as they said these helped a lot of young men burn off stress in constructive ways. They thought more equipment in the gym could help increase the range of activities they could get involved in and a number spoke about how much they had enjoyed participating in boxing programs in the community because of the fitness and discipline it taught them. They spoke about how it helped to be able to train for goals in custody.

One young woman described learning about exercise while in custody. She had never been interested in fitness previously, however since starting an exercise regime in the Centre, she was now convinced of the health and psychological benefits. She looked forward to getting up and training every morning. Other young women spoke about what they had learnt through attending self-development programs run by external groups in the Centre:

“Good for young girls to be surrounded by positive women.”

Unit programs with prizes such as toiletries, chocolates, and biscuits were also popular. When asked why they liked prizes, several young people said they liked being rewarded for doing something well, acknowledging that this experience was something uncommon to them. They enjoyed activities where they had the chance to engage with workers, as they valued building connection with trusted adults. They reported that they would like to be able to do more of these kind of activities on a daily basis.

Young people said programs were offered through the Centre schools such as woodwork, hair and beauty, barista and bakery. They said they would like to see more programs like this run on the Units outside school hours as well. One frustration they spoke about related to program availability and regularity. They said they were told at times that programs could not happen due to lack of funding and at other times that reduced staff levels meant programs could not go ahead. They found this difficult as they looked forward to programs and were upset when they were cancelled at short notice.

Young people also reported that they enjoyed programs that gave them the chance to socialise with different people, either young people from different units or having outside groups come in. Seeing different faces helped reduce frustrations of living with the same young people on the unit each day. They thought that having team sport competitions, including having teams from outside come into their Centres, was a great way for this to happen.

One issue raised by some young people who had been in Centres for a long time or who had several admissions was that program content was often repeated. They said the programs were good and they had learnt a lot, but they

would like to have been able to build on the learning they had already developed. They said in cases such as this there could be an opportunity for them to take on a peer mentor role:

“We could teach the program ... I sometimes step in because I remember what I learnt and I tell the girls about things like resilience.”

Young people also raised wanting to have more programs offered outside school hours, such as in the evening and on weekends.

Juvenile Justice Centre staff

When asked what are the qualities of a “good” Juvenile Justice Centre worker, young people described workers who were professional, genuine, fair, treated everyone the same, respectful, humble not arrogant, caring, are reliable and do what they say they will do, and speak kindly. They appreciated workers that were honest with them, rather than committing to something they could not do. Young people further reported that good workers were those who were understanding about their life experiences, helped them with their issues and would take part in activities with them:

“Having a good conversation with you about what’s going on.”

Young people said the majority of workers showed consideration for them and said many tried to talk to them about what to do and help them plan ways to do things differently. Several young people reported that because it was hard to get appointments with the counsellors, Centre staff played an important supportive role when young people became upset. Connection and

quality of the relationship were the most common themes:

“If we ever have a problem he is always there to make us feel happy, make sure we’re not down, always helps to look for more support for us.”

“Someone you can trust to talk to about the things that are going on and who can try and help you.”

Young people who had spent long periods of time in custody said that workers got to know them and that they valued this understanding and connection:

“Some workers will sit down and play card games with us that can be the difference between being depressed and then the littlest thing makes your day.”

“Workers who can understand we are only human, who say hey you look like you are having a bad day, is there anything we can do to help you so the day goes good.”

When asked if there was anything that could be improved in relation to the Centre staff some young people said that at times they felt conflicts between young people could be de-escalated if staff intervened earlier. They also thought there were times when individual staff unnecessarily provoked young people when they were frustrated with them. They thought that training about managing challenging behaviour and de-escalating situations could improve the confidence of workers to handle these difficult circumstances.

In particular, young people said they thought at times newer, younger staff struggled because they did not have enough experience in a custodial setting to be able to respond in the same way as staff who had worked in juvenile justice for a long time. They thought it would be helpful for newer staff to receive more training about the kind of life experiences of young people in custody such as trauma histories, mental health, and substance use issues so they could have a better understanding of why their behaviours might at times be challenging.

Some young people spoke about witnessing workers being assaulted and thought this could have been avoided possibly through staff training to address conflict situations before they escalate. One group gave an example of how a staff member had de-escalated a volatile situation by speaking calmly and respectfully to the young person, they thought this was an example of how to teach workers.

Young people also spoke about the broad range of cultural backgrounds in some JJsCs. They thought it would be beneficial for staff to have more cultural training to work respectfully with this diversity. In particular, they recommended that non-Aboriginal staff receive more cultural awareness training. Several young people spoke about having witnessed situations where racist comments were made by individual workers towards young Aboriginal young people.

They also said they appreciated having staff who came from the same backgrounds as them. They thought it would be good to have more staff from diverse backgrounds, especially in management roles.

Internal Centre practices

Differences in procedures, programs, or support services across Juvenile Justice Centres was repeatedly raised. Some young people spoke about choosing to stay in a particular Centre because they felt it offered better programs even though the Centre was further from their home community. They acknowledged that there would always be differences resulting from the size of a Centre, the nature and ages of young people, and the number of young people on remand or control orders, however they thought it would be better if there was more consistency across all Centres in regard to the way they implemented procedures and the kinds programs and support services they offered. Young people also spoke about Centres being either stricter or more flexible in relation to applying rules and behavioural incentive systems.

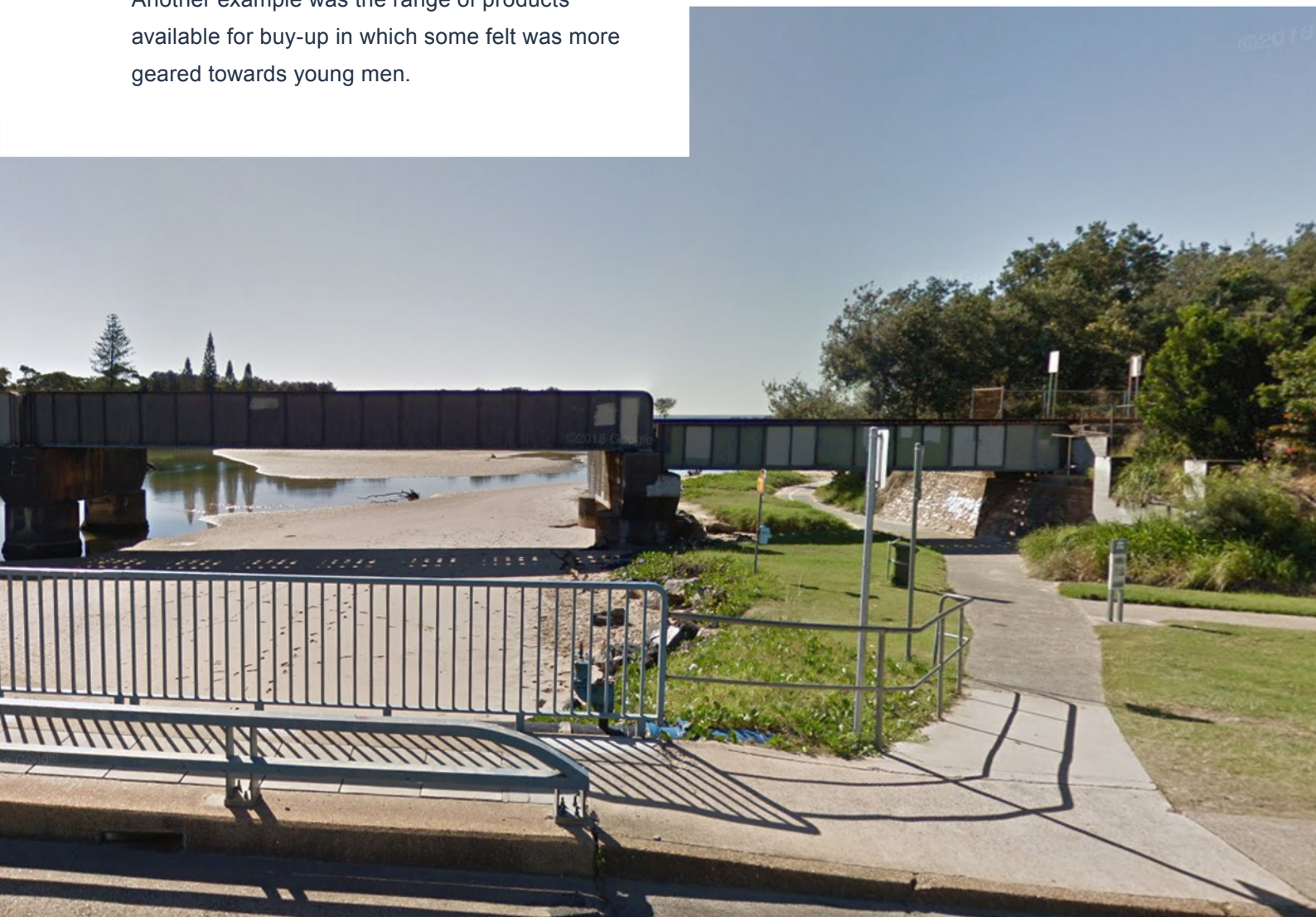


Young women raised particular issues due to their being such a small population group within the total number of young people in custody. Young women in consultations in mixed-gender Centres said because they were in a predominantly male Centre, at times programs and processes did not meet their needs appropriately because they had been developed to meet the needs of young men.

One example they gave was that the meal menus at the Centre were geared towards a teenage male diet. They said meals contained a lot of carbohydrate dense food which was problematic for many young women as they put on weight. They thought it would be better to develop a menu with young women that helped them learn to eat healthily and feel good about themselves. Another example was the range of products available for buy-up in which some felt was more geared towards young men.

They also said they thought there should be a Unit for younger aged girls, similar to the way younger boys had separate Units and Centres. They said at times it was difficult for older, more mature, young women to be in programs and activities with young girls as they were at such different developmental stages.

Young women spoke of the difficulty of being in Centres that only accommodate girls on short stays while waiting for transfer to Reiby JJC. They said there was very little in their rooms and they could not attend school or programs. They thought that it would be good for Centres to be able to accommodate more young women for longer timeframes to allow them the option to remain closer to family and community.



One of the main ways the young people felt that Centre processes and procedures could be improved is by creating mechanisms that give young people the chance to be involved in decision making. They understood that while many decisions need to be made by Centre Management, they felt there were areas such as choice of food, buy-up, and suggestions for activities where there was room for greater consultation with young people. One young person thought it would be good if they could pick the music that was played on the Centre “radio” in their rooms. Young people said that being asked their opinion and having their input acted upon, increased their emotional wellbeing:

“In this type of place we can’t say what we want or what we need because this is a place where we have to come ... if I could choose, I would like for it to feel like home, that’s what we need so we can feel right in here.”

Young people reported that the incentives system worked well to help them engage with support services, programs, and activities that help with personal development and to encourage good behaviour. They talked about the positive progress they had seen young people make whilst earning points and moving through stages, stating that some young people had never learnt how to control their behaviour so an incentive system was a helpful life skill for these young people. They said, however, that there needed to be flexibility in the system as they acknowledged it could be hard for many young people to stay well-behaved all the time:

“Allow people to make a mistake and then not continue to punish them like not allowing them to return a program again.”

They thought using buy-up as part of the incentive system worked well although they thought many young people spoke about wanting to have input into the range of products available for buy-up. They said it would be good to change the products around if people did not like them and so it was not the same things all the time:

“It can remind you that you did something good.”

In some Centres young people reported liking the food provided, although also wanted to have healthier options such as multigrain bread and wanted to be able to eat seconds more often. In other Centres young people reported wanting a greater variety of foods. They said in a living environment where much of what happens is outside their control, having variety in food made a difference to them and gave them something to look forward to. Alternating hot food, sandwiches, and something special on a weekend was a suggestion made by young people, and is something that already happens at some Centres. Chicken schnitzel, chips, and gravy was a favourite meal. Some young people thought it would be good if they could help with food preparation and learn to cook.

One consultation group spoke about how some Centre rooms were showing signs of wear with floor surfaces lifting and stains on walls and floors. They thought it would be good to get these rooms fixed as they said young people felt better about themselves when they were in rooms in good condition.

Clothing was another area young people spoke about at length. They wanted to be asked about the kind of clothes they had to wear. Most said they would like to be able to wear longer socks rather than ankle socks. Several said they had

been given second hand clothes to wear rather than new ones when they arrived. They also thought that being able to wear their own shoes, hats and shirts was a good reward and incentive for good behaviour and achieving high stages.

Reducing the number of daily lockdowns was identified as something young people would like to see change. Many thought having too much time in their rooms without anything to do was stressful and they said this frustration often resulted in young people acting out. They said there were lockdowns at shift changeover, but also when young people caused a problem, during staff training and also lately due to staff strikes. They also said they did not think it worked well to stop a program and put everyone in lockdown if a single person did something wrong. They felt this resulted in everyone being upset. Young people did say they liked being able to watch TV in their room during lockdowns.

Young people spoke about the importance of visits to them and maintaining family contact. In some Centres they said they would like to have longer visits. In the large Centres, visits were only one hour, while at other Centres visits were two hours:

“Family helps to calm you down, you get to see something different, especially important for people doing a long sentence.”

Sharing food with family during visits was also something many of the young people said they would like to be able to do more often. This was allowed in some Centres but not others. Some suggested having a vending machine where family could purchase something to share with them.

A number of young people spoke about being far away from their families. They found it particularly hard if they had long remand periods and could not move to a closer Centre. In these cases, they could only have family contact by video link. Juvenile Justice helped families with travel costs but sometimes they said it was too hard for family to be able to travel to the Centre:

“Some boys’ Mums and Dads don’t even come and visit them.”

Some young people also reported feeling that workers had to treat those on remand more cautiously. As a result, they said workers did not get the chance to know young people as well as in some of the smaller regional Centres.

Lastly, young people in one focus group reported that they would like complaint making processes to be better promoted and more confidential. They said they were not always aware when the Official Visitor was coming to the Centre and it appeared that discussions with him happened in public areas, often in small groups. They thought this could deter young people from speaking with him.

Transition to community

Young people talked about the value of commencing a discharge plan in custody so things were set up for before they are released, with many speaking about how they valued the process of goalsetting with their caseworkers and JJOs:

“Instead of wasting time, in here talk to caseworkers try to get jobs interviews lined up outside, or seeing counselling ... whatever you need to for yourself, setting it up from the inside, having those steps already there, instead of having to start from scratch.”

However they acknowledged even with a case plan it can be tough for young people to turn their lives around. They described watching young people coming back to custody because they had either not taken advantage of the support offered to them in custody or that the level of support they had in custody was not available to them in the communities to which they returned:

“A support team before you get out, so you aren't back in here a week later.”

They said that many came back into custody because drug use forced them to return to criminal behaviour and thought more targeted drug and alcohol programs focused on teaching young people skills to use when they are released would be beneficial:

“To help you get ready for the community just because everyone else is doing drugs and alcohol doesn't mean you have to.”

Pre-release programs were spoken about very positively by young people. They said a pre-

release Unit was important for young people to be able to learn living skills such as washing clothes, hygiene, cooking and cleaning as many had not been taught these skills before. They said it was helpful having six months prior to discharge to set up education, training and employment to develop a routine and connections before leaving custody. Young people said this, along with having more freedom and not being supervised with the same level of scrutiny, helped them reduce anxiety and feel much more prepared to successfully reintegrate back in the community.

Young women talked about being able to access the pre-release Unit on a day basis but could not live in the Unit. They felt that there should be a similar pre-release unit for young women so they could fully utilise these opportunities as well. Young women serving long remands also said there needed to be more pre-release options for them. They felt more uncertainty because they did not know when they would be released but wanted to be able use their time in custody



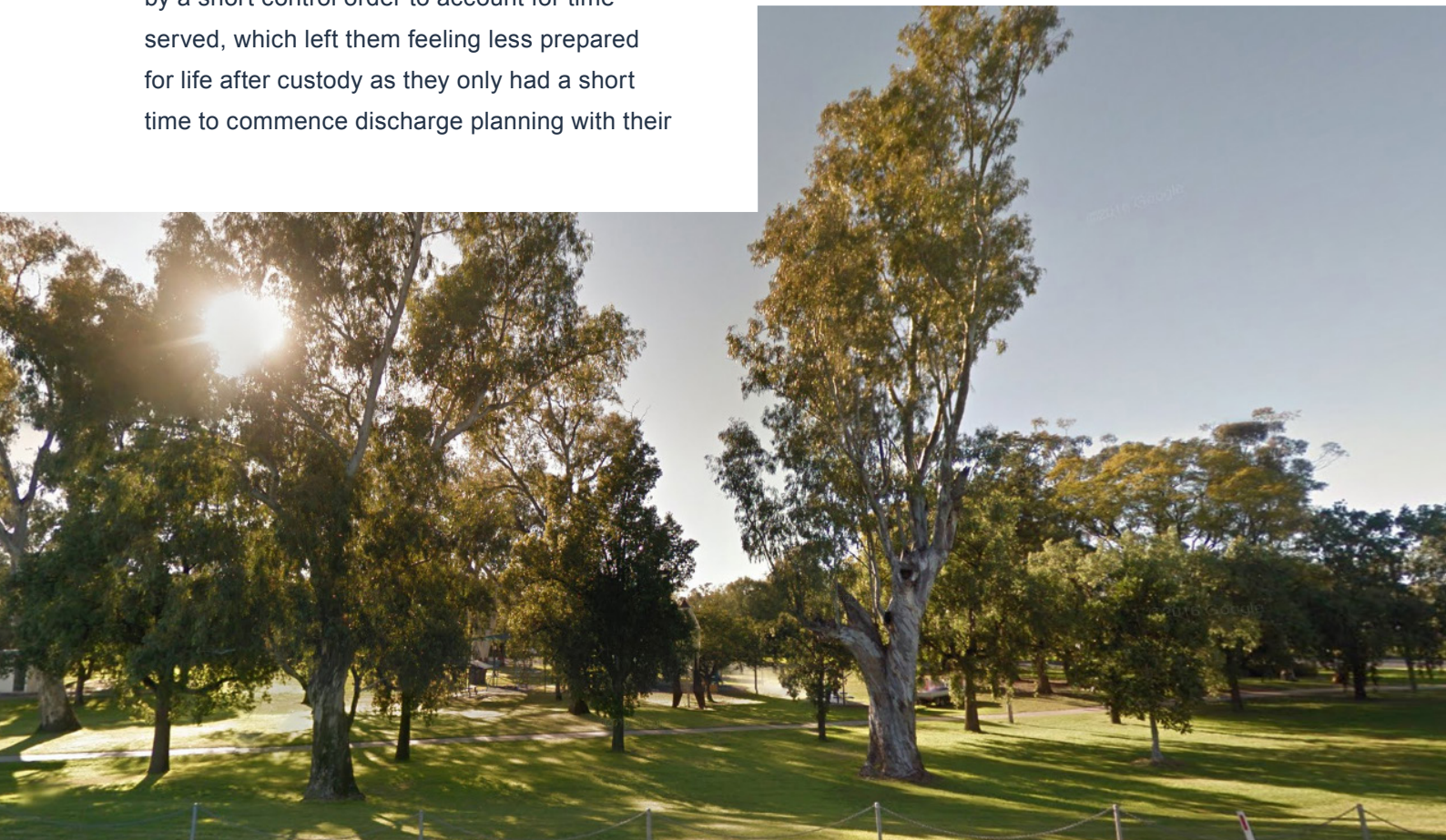
to develop plans to prevent them returning to situations that had led to their offending:

“I could be let out from court and not have any preparation.”

One issue raised by young people was the impact of long remand periods on the capacity of a young person to engage with programs, in particular being able to engage with programs they thought could help them reintegrate into the community. This included medium and high risk programs such as those teaching independent living skills and trade or vocational programs. They explained that they understood the security reasons why young people on remand have less access to programs while the Centre assesses their behaviour, although they felt it would be helpful to have rehabilitative programs that can be accessed by long term remandees with good behaviour levels. Some commented that they experienced a long remand period followed by a short control order to account for time served, which left them feeling less prepared for life after custody as they only had a short time to commence discharge planning with their

caseworker and to undertake programs to help them after release.

Several young people across JJsCs suggested that having a requirement to undertake conditions to connect to services, supports, and programs as either diversion from custody or part of a supervision order after release would be helpful. Some said they struggled with self-discipline, while others said young people made wrong decisions but should be given an opportunity to show they have learnt. Making attendance at services and programs conditional would force them to address issues that led them into trouble and help reduce the temptation become involved in negative activities post release. They specifically spoke about the Koori Court model as offering young Aboriginal people this opportunity. Non Aboriginal young people thought a similar option for all young people could be beneficial.





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