

# Appendix D: State and territory youth justice systems, policies and programs 2023–24

Information in this document is provided by state and territory government departments responsible for youth justice supervision.

For the online version visit [Youth justice in Australia 2023–24, Appendix D: state and territory youth justice systems, policies and programs 2023–24](#)

## New South Wales

### Policy directions

Key policy directions in Youth Justice<sup>1</sup> New South Wales include:

- through the creation of the Department of Communities and Justice, working more collaboratively to support shared clients in child protection, out of home care and youth justice, to improve their individual circumstances and life trajectory
- diverting young people under the *Young Offenders Act 1997*, through the use of warnings, cautions (administered by the New South Wales Police Force) and the Youth Justice Conferencing scheme (administered by Youth Justice NSW)
- intervening early in a young person’s criminal trajectory with evidence-based programs such as the Youth on Track program and collaborating in whole-of-government initiatives including the Short-Term Remand Project
- providing bail support and accommodation through the Bail Accommodation Support Service, to reduce the number of young people on remand unnecessarily due to a lack of availability of suitable accommodation
- a deep commitment to delivering better outcomes for Aboriginal and Torres Strait Islander young people, their families and communities by embedding Culture into Practice through Aboriginal Practice Officers and the Aboriginal Practice Mandate. Aboriginal Practice Officers use their knowledge and lived experience around culture to intervene with Aboriginal Youth Justice clients around offending behaviour
- provision of culturally appropriate services for young people from culturally and linguistically diverse backgrounds, guided by a range of multicultural initiatives
- identifying and supporting young people experiencing and/or using violence in the home to ensure they receive the specialist support that they need by implementing the Youth Justice Domestic and Family Violence Strategy 2019–2022
- provision of multi-agency approaches to managing young people with complex needs
- working in a way that protects young people from abuse, keeping them safe when they are in the care of Youth Justice, and empowering them to realise their full potential in line with the Child Safe Standards produced by the Royal Commission into Institutional Responses to Child Sexual Abuse

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<sup>1</sup> On 1 July 2019 Juvenile Justice NSW became Youth Justice NSW under machinery of government changes following the March 2019 state election

- strengthening pre- and post-release supports with individualised exit-planning for all young people leaving custody, and partnerships with non-government service providers to deliver programs designed to connect young people with supports in the community
- improving the services and supports provided to young people with disability through the Youth Justice Disability Action Plan 2021–2024.

Youth Justice NSW is focused on targets to contribute to NSW Government implementation plan under the National Agreement for Closing the Gap, specifically to deliver reductions in the numbers of Aboriginal young people in custody.

## Agencies

### Youth Justice NSW

The Department of Communities and Justice<sup>2</sup> is responsible for providing youth justice services in New South Wales (NSW). These services are provided by the agency Youth Justice NSW.

Youth Justice NSW is responsible for:

- supervising young people sentenced to community-based or custodial orders
- supporting young people to meet the conditions of bail
- supervising young people who are on conditional bail or remanded in custody
- preparing reports for the courts to consider in determining sentences
- managing the Youth on Track early intervention program
- administering Youth Justice Conferencing
- supporting young people who may have fines to register under the Work and Development Order scheme
- delivering interventions designed to reduce reoffending
- Specialised practice-based assessments and interventions for youth offenders that are at risk of or engaged in extremism including terrorism offences
- funding non-government service partners to deliver complementary services to facilitate young people’s reintegration into community.

Youth Justice NSW operates 34 community offices and 6 youth justice centres.

Youth Justice NSW shares responsibility for addressing the offending behaviour of young people with a number of other NSW agencies including the Justice Health and Forensic Mental Health Network (JHFMHN) – the Department of Education – and other Department of Communities and Justice entities.

### Police

Youth Justice works closely with police. Police may choose to use alternatives to court proceedings, such as warnings, cautions or referral to Youth Justice Conferences, as set out in the *Young Offenders Act 1997*, or may commence court proceedings under the *Children (Criminal*

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<sup>2</sup> Under the same machinery of government changes, following the state election in March 2019, the Department of Justice and the Department of Family and Community Services were merged to form the Department of Communities and Justice

*Proceedings) Act 1987*. Police may also refer young people to the Youth on Track early intervention scheme.

Police also provide specialist support to young people through the Youth Crime Prevention Command, in collaboration with Police and Community Youth Clubs, and engage young people through a variety of recreational and social programs.

## **Courts**

Court proceedings against young people who are alleged to have committed an offence and are not eligible to be diverted under the *Young Offenders Act 1997* are governed principally by the *Children (Criminal Proceedings) Act 1987*.

Possible outcomes for young people appearing before the court include:

- diversion, dismissal or withdrawal of case: including under Section 32 of the *Mental-Health (Forensic Provisions) Act 1990* which gives the court the power to divert a defendant who is suffering from a mental health condition into the care and treatment of mental health professionals rather than dealing with them through the criminal justice system
- unsupervised options: cautions, fines, good behaviour bonds
- supervised community-based orders: good behaviour bond, probation, community service orders
- custodial orders
- youth justice conference.

Within 7 Children's Court locations, young people also have access to the Children's Court Assistance Scheme where trained youth workers provide support to young people and their families while in court including referrals to support services following court.

## **Elements, programs and services**

### **Diversion**

The *Young Offenders Act 1997* provides for warnings, cautions and Youth Justice Conferencing in New South Wales. Youth Justice Conferencing is a restorative justice process that facilitates a meeting between the young person, the victim and other support people. Not all young people are eligible for a Youth Justice Conference. Some categories of offence, such as sexual assault, serious drug offences, breaches of apprehended violence orders, traffic offences and offences causing death, can be dealt with only by a court.

### **Early intervention**

Youth Justice NSW contracts non-government service providers to deliver the Youth on Track early intervention scheme in 7 sites across New South Wales. The scheme is designed to coordinate services for 10–17-year-olds who are at risk of long-term involvement with the justice system, and their families, to address the underlying causes of their offending. Young people can be referred to the scheme by NSW Police, school staff, solicitors, and other community and health services without requiring a court order. Youth Justice NSW can also refer eligible young people to this scheme.

### **Supported accommodation and bail programs**

Youth Justice NSW provides bail support and remand interventions to help young people meet their bail conditions and avoid unnecessary placement in custodial remand.

Community-based staff work with young people, court officials and other service providers to ensure that, where appropriate, young people are able to remain in the community while being supervised for compliance with bail conditions.

The Bail Accommodation Support Service (BASS) provides an after-hours service for police who are considering granting conditional bail to a young person in their custody. The service also receives referrals from courts, Youth Justice centres and community offices. It aims to assist in the granting of conditional bail to divert young people from unnecessary short-term remand. The BASS also works to improve pathways into the broader Youth Specialist Homelessness Service system.

A multi-agency Short-Term Remand Project Steering Committee (with senior executive representatives from NSW Police, the Children’s Court of NSW, the Department of Communities and Justice, NSW Education, Legal Aid NSW, The Advocate for Children and Young people, and Aboriginal Legal Service NSW/ACT) aims to identify the drivers of short-term remand and then develop and implement a suite of reforms, to address this issue.

With a focus on young people on remand, A Place to Go aims to provide support to young people at risk of not meeting their bail by provide case coordination, court liaison staff, cross agency panels, and dedicated short-term transitional accommodation for these young people in the pilot site in Sydney.

### **Case management and Practice Framework**

Casework interventions aim to:

- assess a young person’s risks, needs, responsivity issues, strengths and protective factors – using the Youth Level of Service Case Management Inventory – Australian Adaptation (YLS/CMI-AA)
- plan a specific, comprehensive, individualised case plan to address a young person’s criminogenic needs, in collaboration with the young person
- deliver treatments, referral to necessary services and put support systems in place to assist young people to reduce re-offending and build their capacity to attain positive life outcomes
- review and monitor the young person’s progress and advocate on their behalf
- be evidence-based, using key theories and skills underpinned by ‘What Works’
- be trauma-informed and use a strengths-based approach
- be informed by Aboriginal 8 ways learning techniques and processes
- use core effective practice skills, including role clarification, pro-social modelling, collaborative problem solving, and balanced relationships
- use motivational interviewing
- use cognitive behaviour techniques to target underlying pro-criminal attitudes and beliefs.

The Practice Framework outlines the key theories and fundamental skills which underpin the practice and function of all Youth Justice NSW staff in reducing the reoffending behaviour of young people. The Framework provides evidence-based guidance across the spectrum of engagement, assessment, case planning and intervention programs.

### **Offence-specific and therapeutic interventions**

Youth Justice NSW delivers a range of programs and services within community and custodial environments in accordance with the individual needs of young people, their level of risk, and their ability to respond to program content. Offence-focused interventions incorporate a range

of techniques designed to change negative patterns of behaviour and reduce recidivism rates. Some examples of programs offered include:

- the Changing Habits and Reaching Targets (CHART) program, a structured intervention designed specifically for caseworkers to engage and work with young people who require moderate to high intervention to reduce their risk of re-offending
- counselling and therapeutic interventions with a Youth Justice psychologist, particularly when there is complex trauma, more entrenched or violent offending requiring specialised assessment and therapeutic intervention
- X-Roads (pronounced ‘crossroads’), an interactive cognitive-behavioural intervention designed for young people who have significant substance misuse issues.

### **Working with young people with a disability**

Youth Justice has a broad range of strategies to identify and support the vulnerabilities of young people with disability, particularly for those within the youth detention environment including:

- Youth Justice psychologists based within the custodial and community settings, who undertake comprehensive psychological assessment and reports, and deliver trauma-focussed and culturally responsive therapeutic services for young people who offend.
- Building workforce capacity through training and specific resources to guide staff in their work with young people with a disability, including supporting referrals to the NDIS
- Improved data collection methods that more accurately records disability information for young people in contact with Youth Justice NSW
- Disability Champions across all NSW community offices and Youth Justice centres who can promote information and resources to colleagues in their work to support young people with disabilities
- Improving interagency collaborative response by regular consultation, systems for information sharing and reviews for cross service system improvements

Guiding this area of work in Youth Justice, the Youth Justice Disability Action Plan 2021–2024 was developed following extensive consultation with staff, young people and stakeholders to improve the services and supports Youth Justice provides young people with a disability.

### **Support for high-risk and high-needs detainees**

In 2020, Youth Justice implemented a new Operating Model including the following key features:

- two High Risk Units, one located in Cobham and the other at Frank Baxter Youth Justice Centre, aimed to de-escalate high-risk behaviours of young people through focused intervention to reintegrate them back to the mainstream units
- an Enhanced Support Unit located in Frank Baxter Youth Justice Centre to provide therapeutic support, including a Speech Pathologist, Occupational Therapist and Clinical Manager, to young people with high risk and high needs
- a High-Risk Young Offender Review Panel (HRYORP) to provide oversight on the management of young people displaying high-risk behaviours across Youth Justice Centres. The panel governs entry and exit decision for the High-Risk Units and the Enhanced Support Unit.

### **Programs for Aboriginal and Torres Strait Islander young people**

Youth Justice is focused on strategies to address the significant over-representation of Aboriginal young people in our system. Aboriginal-led decision making is key in the design and

implementation of programs for Aboriginal young people. Specific programs have been developed and are delivered to Aboriginal young people in Youth Justice Centres and Community offices including:

- Dthina Yuwali, a group work program for Aboriginal young people with substance-related offending.
- My Journey My Life, developed in 2000 in partnership with Gilgai Aboriginal Centre, is an intergenerational violence prevention program aimed at reducing the incidence of violence against others. A specific version of this program for young women has been developed, Yinnar.
- Ngudjoong Billa Reintegration and Transition Program is an intensive reintegration and transition support program for Aboriginal young people who are leaving custody or community supervision to build resilience and wellbeing and reduce the risk of reoffending, with a key focus on building cultural identity by strengthening connections to country and family.
- Youth Justice implements the Small Grants Aboriginal Engagement and Innovative Activities Program (AEIA). The AEIA program was developed to provide new avenues for Aboriginal employees to embed Aboriginal cultural practices into their day-to-day work with Youth Justice clients. A key aim of the AEIA Small Grants Program is to drive innovation in practice and responding to Aboriginal young people's needs by creating opportunities for Aboriginal culturally appropriate engagement.

### **Work and Development Orders**

The Work and Development Order (WDO) scheme is jointly delivered by the Department of Communities and Justice, Revenue NSW and Legal Aid NSW. The voluntary scheme allowing young people to satisfy debt due to outstanding fines through unpaid work, approved courses or treatment. Youth Justice NSW is an approved sponsor for WDO and is one of the largest participating organisations in the scheme.

### **Pre- and post-release programs**

Youth Justice NSW provides pre- and post-release casework in collaboration with other agencies, particularly the Department of Education, NSW Health, and other partners within the Department of Communities and Justice.

The Waratah pre-release unit at the Reiby Youth Justice Centre prepares young people in detention for their release back into the community.

Youth Justice NSW also funds non-government organisations to provide a range of services to young people. These include the delivery of education and health services within Youth Justice Centres, rural residential adolescent alcohol and other drug rehabilitation, post-release support and accommodation programs, health and mental health support, mentoring programs, cultural support, spiritual and religious support and legal services.

### **Program evaluation**

Core programs and interventions are evaluated either internally by the Research and Information Unit, or by external organisations. Pre- and post-program assessments are used for offending-focused programs. Youth Justice NSW has also engaged the Bureau of Crime Statistics and Research to conduct a randomised controlled trial to measure Youth on Track's impact on reoffending compared to a brief intervention.

## Victoria

Within the Department of Justice and Community Safety, Youth Justice is responsible for the statutory supervision of children and young people who come into contact with the Victorian justice system. These children and young people are either supervised in the community, or within Youth Justice custodial facilities. Youth Justice also operates the Children’s Court Youth Diversion Service.

Youth Justice works with children, young people and their families to address the underlying causes of their offending behaviour and helps them to achieve positive change in their lives. Youth Justice also funds community service organisations to deliver supports with a strong focus on diversion, early intervention and an evidence-based rehabilitative approach to reduce the risk of further offending and enhance community safety.

Most young people sentenced to Youth Justice supervision are aged 10–17<sup>3</sup>. However, 18–20-year-old offenders can be sentenced to Youth Justice custodial supervision through Victoria’s dual track system if the court believes the young person has reasonable prospects for rehabilitation, or the young person is particularly impressionable, immature, or likely to be subjected to undesirable influences in an adult prison.

### Policy directions

Youth Justice’s approach is guided by a number of key frameworks and policies. These include the following documents.

#### Youth Justice Strategic Plan 2020–2030

The *Youth Justice Strategic Plan* reflects Victoria’s 10-year vision for how we will deliver a leading youth justice system in Victoria. It is the roadmap for our ongoing commitment to reforming the Youth Justice system, anchored by the landmark Armytage and Ogloff Youth Justice Review and Strategy.

The *Strategic Plan*’s vision is for Victoria to have a leading youth justice system that reduces offending by children and young people and improves community safety and works with others to provide genuine opportunities for children and young people to turn their lives around.

This vision is supported by 4 key reform directions for youth justice in Victoria:

1. Improving diversion and supporting early intervention and crime prevention.
2. Reducing reoffending and promoting community safety by supporting children and young people to turn their lives around.
3. Strengthening partnerships with children and young people, families and all services and professionals who support their rehabilitation and positive development.
4. Investing in a skilled, safe and stable Youth Justice.

#### Wirkara Kulpa (Aboriginal Youth Justice Strategy)

*Wirkara Kulpa* is Victoria’s Aboriginal Youth Justice Strategy.

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<sup>3</sup> The *Youth Justice Act 2024* raises the age of criminal responsibility in Victoria to 12 years old, starting from mid-2025.

*Wirkara Kulpa* is about making sure Aboriginal children and young people live culturally rich lives with family and community away from the justice system. Every single Aboriginal child and young person has an abundance of strength and knowledge that deserves to be heard and supported. Improving the youth justice system and services so they always build on children and young peoples' strengths and listens to their voices, lies at the heart of this document.

*Wirkara Kulpa* is accompanied by a set of guiding principles that has informed its development and will help to achieve its vision – that Aboriginal children and young people are not in the youth justice system.

These principles are underpinned by, and informed by, self-determination and guide all of *Wirkara Kulpa's* actions. These principles are centred around:

- amplifying children and young people's voice and participation
- Aboriginal cultural values and connection
- valuing the strengths of Aboriginal children and young people
- supporting child and family centred approaches
- embedding trauma informed healing approaches
- promoting and protecting children and young people's right.

## **Agencies**

### **Youth Justice, Department of Justice and Community Services**

Youth Justice is responsible for Victoria's youth justice system.

Youth Justice incorporates custodial and community services. Victoria's custodial precincts are the Parkville Youth Justice Precinct and the Cherry Creek Youth Justice Precinct. Community Youth Justice has teams based across metropolitan and regional Victoria.

All young people on a youth justice order are case-managed and supervised by a youth justice worker to address their offending, develop their motivation, and support them to lead pro-social lives.

Typically, this involves the youth justice worker:

- meeting regularly with the young person
- supervising compliance with court-ordered conditions
- assessing the young person's risk and needs
- planning and facilitating access to targeted interventions such as offending behaviour programs
- collaborating with key statutory and non-statutory agencies to coordinate access to services such as education and housing.

The Youth Justice Community Support Service (YJCSS) provides case work support to complement the statutory case management undertaken by community youth justice teams. The program is managed by Youth Justice and delivered by community sector organisations. The YJCSS model recognises that young people have a range of complex needs that require an individualised response. The program aims to enhance rehabilitation, increase economic participation and improve social connectedness. YJCSS also provides transitional housing support for young people residing in transitional properties across Victoria.

## **Police**

Victoria Police is responsible for investigating crime in Victoria. In Victoria, police may caution young people and may refer them to appropriate support services.

One such service is the Youth Support Service (YSS), which aims to intervene early and divert young people away from the youth justice system by addressing the underlying causes of their offending behaviour. It is managed by Youth Justice and delivered by community sector organisations. The YSS works with young people aged between 10 and 17, following contact with Victoria Police.

## **Courts/Youth Parole Board**

The Criminal Division of the Children’s Court of Victoria has jurisdiction to hear and determine most charges against young people aged between 10 and 17 at the time they allegedly committed an offence. If a young person has turned 19 by the time their court case commences in the Children’s Court, the case is transferred to the appropriate adult court.

The sentencing principles in the *Children, Youth and Families Act 2005* distinguish the developmental needs of children and adolescents as separate from the needs of adults. The Children’s Court has a hierarchy of sentencing options for young people convicted of criminal offences that recognise the distinct developmental needs of young people. These include unsupervised orders such as non-accountable undertakings, accountable undertakings, good behaviour bonds and fines as well as supervised orders including community-based supervision orders and custodial orders.

The *Youth Justice Act 2024* will update and expand the sentencing and general principles that apply to young people in the youth justice system.

Victoria’s unique dual track system allows adult courts (for example, the Magistrates’ Court and County Court) to sentence young offenders aged between 18 and 20 to serve custodial sentences in youth detention instead of adult prison. For a young offender to qualify for youth detention under the dual track system, the court must believe that he or she has reasonable prospects of rehabilitation, or that he or she is particularly impressionable, immature, or likely to be subjected to undesirable influences in an adult prison.

Each young person ordered by a court to be detained in a custodial centre is subject to the jurisdiction of the Youth Parole Board, which is empowered to grant parole to young people subject to its jurisdiction. The Board aims to balance the rehabilitative needs of the young person with the safety of the community through supervision and support provided by the community youth justice officers.

## **Elements, programs and services**

Youth Justice seeks to enhance community safety through diverting young people from entering or progressing further into the criminal justice system, providing rehabilitation services to young people at high risk of offending, and delivering pre-release, transition and post release support programs to reduce their risk of reoffending. To complement its legislated obligations and to realise its service objectives, Youth Justice engages with a range of stakeholders. These include other government departments and agencies, community sector organisations and Aboriginal Community Controlled Organisations.

## **Diversion**

The Children's Court Youth Diversion Service assists young people early in their contact with the Children's Court to address the underlying causes of their offending and prevent further progression into the criminal justice system. Legislation directs that successful completion of a diversion plan will see the court discharge the matter and the child avoid a disclosable criminal record for those offences.

In addition, YSS supports the diversion of young people away from the criminal justice system, as discussed above.

## **Youth Justice Bail Service**

The Youth Justice Bail Service operates in the Children's and Adult jurisdictions in Victoria with one of the core functions to provide bail assessments and advice to the court and monitor young people on YJ bail while they await a court outcome.

YJ bail assessments consider the unique circumstances of the young person, service referrals to address the young person's needs and assist with supporting bail compliance, the nature of the offending and community safety.

Young people can be placed on intensive bail, supervised bail or bail of their own undertaking with no YJ involvement, based on the level of supervision required to mitigate the risk. The YJ bail service includes supervision appointments and referrals to appropriate support services, as determined by a tailored bail plan. YJ provides regular progress reports to the Court for young people on supervised and intensive bail.

The Youth Justice Bail After-hours Service (YJBAS) commenced on 30 April 2023. YJBAS is a state-wide, after-hours bail assessment service for young people, delivered by Youth Justice. It provides advice after-hours to bail decision makers including both Bail Justices and the Weekend Online Remand Court. YJBAS is improving engagement with young people, working more closely with other after-hours services, and enhancing handover processes to the Youth Justice custodial and community teams to better support young people.

Bail justices are volunteers, some of whom are not legally trained, who can make decisions about bail and remand after, or sometimes during, business hours. Victoria is the only jurisdiction in Australia to feature bail justices as part of its bail system.

In May 2017, Victoria also established a Fast Track Remand Court to actively case manage the criminal proceedings of children who are held on remand. The aim of the Fast Track Remand Court is to resolve cases more quickly and to provide earlier access to education and rehabilitation programs.

The Weekend Online Remand Children's Court (WORC) commenced on 3 September 2022 and hears online bail and remand applications from across the State over the weekend and public holidays, increasing access to justice for young people. This initiative has expanded access to justice for young people being considered for remand, as matters can now be brought before the Court over the weekend.

## **Group conferencing**

A legislated pre-sentence Youth Justice Group Conferencing program exists across Victoria. The program is available to the Children's Court where a young person has been found guilty of an offence and the court is considering sentencing the young person to youth justice supervision. The conference, facilitated by a convener, must be attended by the young person, their legal representative and the police. Also in attendance may be the young person's family/carer and the

victim or their representative. The aim of the conference is to increase the young person's understanding of the impact of their offending and reduce the likelihood of their reoffending. The outcome of the conference must be taken into consideration by the court when sentencing the young person.

In 2022, Children's Court Youth Diversion conferences were introduced to increase access to restorative justice processes for young people at the diversion stage.

### **Offence-specific and therapeutic programs**

Youth Offending Programs consist of 4 different types of intervention, primarily delivered by clinicians. These include:

- offence-specific criminogenic programs to directly address criminogenic needs and reduce the risk of reoffending. Programs include the Adolescent Violence Intervention Program (AVIP-2), including the High Intensity Addendum and the Male Adolescent Program for Positive Sexuality (MAPPS). Other criminogenic programs offered include On Track, a motor vehicle-related offending program, Pathways to Change, an alcohol and other drugs offending program and Well Families, a family violence program
- offence-related programs which focus on challenging antisocial attitudes that support offending and manage the risk of reoffending, such as alcohol and other drug (AOD) harm reduction, relapse prevention and psychoeducational programs, risky behaviours programs, problem-solving programs and behavioural change programs
- psychosocial programs, which focus on improving personal skills and enhancing self-awareness, such as anger management, communication skills, understanding alcohol and other drugs, emotional regulation and healthy relationships
- by exception, structured individual criminogenic interventions, which provide criminogenic supports for children and young people to prepare them for group treatment or when group treatment is not clinically recommended.

### **Aboriginal Youth Justice Program**

Aboriginal-specific programs have been developed to address the overrepresentation of Aboriginal young people in youth justice and provide culturally safe and responsive services. They are delivered primarily by Aboriginal Community Controlled Organisations.

The programs are funded by the department under the auspices of the Aboriginal Justice Agreement phase 4, Burra Loptja Dunduludja, and Wirkara Kulpa, in line with its guiding principles of self-determination.

The Aboriginal Youth Justice Program facilitates culturally safe supports for Aboriginal young people at risk of, or subject to, youth justice involvement. A range of interventions are utilised including connecting to culture through individual and group programs, cultural planning, advocacy, case work and cultural consultation for non-Aboriginal service providers.

### **Education**

Parkville College is a specialist Victorian Government school, operating in both youth justice custodial centres, which provides education to students under youth justice custodial supervision.

In addition to the Victorian Certificate of Education (VCE), Parkville College also offers alternatives such as:

- the Victorian Certificate of Applied Learning, for senior secondary students to obtain literacy and numeracy skills, practical work experience and a qualification recognised by TAFE institutes and employers
- Vocational Education and Training units for young people undertaking the VCE or those no longer of compulsory school age (17 years or over).

### **Health and mental health services**

Primary health and mental health services provided to young people in custodial centres include general practitioner services, general and mental health nursing, mental health assessment and treatment, pharmacy, pharmacotherapy treatment, AOD assessment and treatment, pathology, radiology, dental, audiology, optometry, podiatry, physiotherapy, and health promotion activities.

In addition to primary health services, the Custodial Forensic Youth Mental Health Service, a specialist mental health service, is available to young people in custodial centres. This service comprises a multidisciplinary team that provides specialist mental health services for young people in custody, delivering clinical mental health assessment, treatment and support services.

The Community Forensic Youth Mental Health Service provides mental health services to support community mental health services to respond to young people who are exhibiting problem behaviours associated with emerging mental illness and who are at risk of offending. The Community Forensic Youth Mental Health Service provides early intervention support for community mental health services in the North West and Southern Metropolitan areas of Victoria, and secondary consultations to mental health services in other areas of Victoria.

## **Queensland**

The youth justice system in Queensland applies to young people aged 10 to 17 years where there is:

- an ability to divert young people from the court system
- reduce exposure to adult criminals
- the provision of education and rehabilitation through access to mandated specialised programs
- more intensive staff support and supervision in custody.

Youth justice in Queensland is underpinned by the *Youth Justice Act 1992* (Qld) (YJ Act) charter of youth justice principles.

### **Policy directions**

#### **2024 State Election**

On 26 October a state election was held in Queensland. As a result there has been a change of government. The information contained in this update was prepared prior to the election and reflects the 2023–24 financial year. The new government has committed to making changes to the *Youth Justice Act 1992*. Any changes to the legislation and any other changes will be reported next year. From 1 November 2024 the Department of Youth Justice became the Department of Youth Justice and Victim Support.

## Strategic direction for youth justice

A Safer Queensland, Queensland Youth Justice Strategy 2024–2028 (the Strategy) was released on 28 June 2024. The Strategy:

- focuses on prevention, early intervention and detention
- supports community safety
- includes updated service delivery and targeted intervention
- delivers programs to tackle youth offending
- is underpinned by a multi-agency approach to deliver a comprehensive response to the factors that drive youth offending.

Supported by over \$446 million in the 2023–24 budget, plus a \$1.28 billion investment as part of the *Community Safety Plan for Queensland* and *Putting Queensland Kids First*, the Strategy is agile and adopts new evidence-based approaches in response to a rapidly changing environment. The Strategy built on the success of the previous youth justice strategy and action plan and was guided by inquiries into youth justice reforms undertaken by the Youth Justice Reform Select Committee and the Queensland Audit Office. The Strategy was co-designed through engagement with stakeholders across the non-government sector, First Nations communities and victim advocacy groups.

Youth justice work is also guided by the *Our Way – A generational strategy for Aboriginal and Torres Strait Islander children and families 2017–2037* (Our Way).

In August 2023, time-limited amendments were made to the YJ Act to manage youth detention centre capacity in Queensland until new infrastructure is operational late 2026. The amendments establish a framework for decision-making about the timing of transfers from watchhouses to youth detention centres, ensuring appropriate prioritisation.

## Agencies

### Youth justice agency

The Department of Youth Justice (Youth Justice) is responsible for providing youth justice services in Queensland.<sup>4</sup>

Youth Justice provides legislated, tertiary, offence focused interventions and case management for young people subject to a supervised community based or detention-based order by the court. The Department also has a key role in ensuring assessed needs of children and young people are responded to through the provision of related government, non-government and community interventions and supports. For the small cohort of young people who commit serious, repeat offences, the youth justice system delivers intensive responses and high levels of supervision to hold them to account while working intensively with them to turn their lives around through the provision of evidence-based programs and multi-agency supports to address factors that have contributed to their offending.

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<sup>4</sup> The Department of Youth Justice, Employment, Small Business and Training (DYJESBT) was responsible for providing youth justice services in Queensland. As a result of the Machinery of Government change that occurred in December 2023 the Department of Youth Justice was established.

## Police

The Queensland Police Service (QPS) is responsible for investigating crime and charging young people with offences. The QPS is the first point of contact for young people entering the criminal justice system. Under the YJ Act, police can divert young people from the courts by taking no action, administering a caution, referring to a restorative justice conference, or diverting to a diversionary graffiti removal program, or drug diversion program. QPS partners with government agencies, non-government organisations, and community groups to link young people with support services and provide pathways to reduce youth offending.

## Courts

Young people aged between 10 and 17 at the time they allegedly commit an offence and who are not diverted by police are dealt with by the Childrens Court (constituted by a magistrate or, for matters proceeding on indictment, a judge) or the Supreme Court (for the most serious offences), under the provisions of the YJ Act and the *Childrens Court Act 1992* (Qld).

The YJ Act includes a bail framework, sentencing principles, and a charter of youth justice principles which underpin the operation of the whole Act.

Depending on each case the possible outcomes for young people found guilty of an offence include:

- Dismissal and caution
- Dismissal and referral to a restorative justice process
- Referral to a drug assessment and education session
- Court diversion referral to a restorative justice process
- Reprimand
- Good behaviour order
- Fine
- Probation order
- Community service order
- Restorative justice order
- Graffiti removal order
- Intensive supervision order (for children under 13)
- Conditional release order (where a detention order is suspended on the condition that the young person participate in an intensive program)
- Detention order.

## Elements, programs and services

### Youth Justice Framework for Practice

The Department has developed a *Youth Justice Framework for Practice: Our Way of Working* (the Framework) to help guide its programs and services. The Framework outlines the required values, principles, knowledge and skills to support quality work with young people, families, partners and communities, and to achieve positive outcomes that drive reduced offending and reoffending. The Framework helps staff, stakeholders and those in contact with the youth

justice system understand how they contribute to achieving significant outcomes across the youth justice system through consistent and collaborative practice.

### **Diversion**

The YJ Act provides QPS with the ability to divert a child who commits an offence from the courts and criminal justice system by administering a caution to the child. If the offence committed is a minor drug offence, the QPS may offer the young person an opportunity to attend a drug diversion assessment program. This consists of an education program arranged by Queensland Health.

Where a young person admits to committing a graffiti offence, a QPS officer may refer them to a graffiti removal program instead of bringing the matter before a court. Graffiti removal programs, arranged by Youth Justice, hold young offenders accountable by requiring them to perform unpaid work to remove graffiti.

QPS also have access to protected admissions and police cautioning, which ensure young offenders who admit responsibility for certain offences can be provided with diversionary options such as a caution or referral to restorative justice conferencing.

### **Restorative justice**

A young person may be referred to a restorative justice process by QPS or the court. If victims consent to participate in the process, conferences are facilitated between affected parties (that is, victims, young person, families, community representatives, Aboriginal and Torres Strait Islander Elders and QPS) to discuss what happened, the effects of the crime and how the harm caused can be repaired. A facilitated conference allows participants to talk about what happened and the effects of the offence, with the aim to develop an agreement about how the young person can make reparation.

Alternative Diversion Process (ADPs) were introduced in 2016 as an alternative restorative justice process to allow young people to remain diverted in circumstances where it was not possible to progress a restorative justice conference (for example, when a victim is not willing to participate in a conference). ADPs address the causal factors of a young person's offending and provide an opportunity for young people to take responsibility for their actions.

Restorative justice conferencing has had a positive impact on reducing reoffending. Conferences have also resulted in positive outcomes for victims and communities, including enabling victims greater involvement and to receive an apology.

### **Early intervention**

Prevention and early intervention are shared community and government responsibilities. A range of government agencies and community stakeholders are working together to prevent youth crime in ways that suit their local communities:

- Project Booyah is a QPS youth mentoring program that uses adventure-based learning, leadership skills, decision-making/problem-solving exercises, resilience training and family-inclusive principles to help young people aged 14–17 years make better life choices. Framing the Future provides post-program mentoring and support to Project Booyah graduates.
- Queensland Youth Partnerships Initiative aims to reduce youth offending, anti-social and problematic behaviour by providing a structured and/or engagement activity response that

engages with young people who congregate in or near shopping centre precincts that are determined to be locations of high demand.

- Early Action Groups are a joint initiative with the QPS and other key government agencies to provide a co-located early intervention and intensive coordination of tailored services and support to young people aged 8–16 years, who are at risk of falling into a cycle of crime – and their families.
- Youth Co-responder Teams (YCRT) are highly visible, dedicated teams of police and Youth Justice professionals working together in specially marked cars, engaging with young people at risk of offending or on bail. The teams link young people and their families and carers to local supports and services to get the help they need with issues such as health, education and housing. The majority of YCRT operate 24 hours a day, 7 days a week.

### **Bail and support programs**

Conditional Bail Programs support at-risk young people assisting them to remain in the community while their matters are before the courts as a condition of their bail. Programs address educational and vocational needs, mental health issues, family intervention and accommodation. Programs give the court confidence that children will receive individualised and intensive supervision while they are on bail.

Queensland is currently trialling the use of electronic monitoring as a bail condition for young people aged 15 or older. Electronic monitoring devices (EMDs), which are GPS enabled, may be fitted to suitable young people as a component of bail conditions.

The provisions are designed to protect community safety and are only imposed on repeat youth offenders charged with ‘prescribed indictable offences’, who would benefit from more intensive bail conditions. Compliance support and supervision is provided to young people fitted with the devices by youth co-responder teams and intensive bail support services.

Non-government agencies are funded to deliver support services to young people to improve their compliance with bail, in high demand locations, including:

- Bail Support Services deliver practical, individualised support aimed at supporting compliance with bail conditions as well as addressing the risks that may lead to decisions to remand children in custody. This occurs through a mix of case management and outreach activities and flexible brokerage to assist young people to connect/reconnect to housing, education, health, family and culture.
- the Intensive Bail Initiative, provides intensive support to high-risk young people to meet their bail conditions. The program is a highly collaborative response involving family members of the young person and multiple service provider agencies, the courts and police.

### **Case management**

Young people under the statutory supervision of youth justice service centres and youth detention centres are actively case managed to ensure risk factors linked to a young person’s offending behaviour are addressed at an intensity that reflects the criminogenic needs and risk level of the young person. Case management service responses are informed by a comprehensive risk/needs assessment and a case planning process which engages the young person, their family, other government departments and community stakeholders. Young people are monitored, and case plans are reviewed on a regular basis to ensure that service responses remain relevant to their level of risk and needs.

A collaborative case coordination system, known as Multi-Agency Collaborative Panels, has been established across the state to deliver coordinated service responses, involving government and non-government agencies, to high-risk young people with complex needs, and their families. This includes young people engaged in serious repeat offending. Core member agencies including youth justice, police, child safety, health, education, housing and non-government stakeholders work together to address challenges and barriers to stop young people offending and keep the community safe.

Where a young person is offending, they may be referred to a Young Offender Support Service which provide culturally safe, client centred, evidence-based services, including intensive family support aligned with the young person's assessed needs. Young Offender Support Services are delivered by non-government organisations funded by Youth Justice. These services integrate with the local community service system and use traditional cultural methods such as connection to country and cultural activities. The program assists young people to develop skills and to obtain stable accommodation, strong relationships, health, decision-making, interpersonal skills, and goal setting.

Intensive Case Management (ICM) delivered by Youth Justice provides additional support for young people aged 10–17 years who are assessed as having a high or very high risk of reoffending, and their families, to help break the cycle of crime. It aims to reduce the frequency and severity of offending by addressing risk and encouraging pro-social decision making and behaviour by the young person and their family. This program provides intensive intervention to address multiple factors that impact chronic juvenile offending including substance abuse and aims to enhance family and kinship connections and promote engagement in education and training.

### **Offence-specific and therapeutic programs**

A number of core change-oriented programs and services designed to address young people's criminogenic needs and reduce reoffending are delivered by Youth Justice as part of a young person's case plan. Some examples of programs young people have access to through case management include:

- Aggression Replacement Training (ART®) is an evidence based, change-oriented group program designed to influence positive thinking and moral value development for young people with violent or aggressive behaviours. ART® aims to build prosocial skills, enhance positive communication, develop strategies to reduce aggression and regulate emotions and build capacity for young people to consider consequences of their behaviour.
- Changing Habits and Reaching Targets (CHART) is an evidence-based, change-orientated program designed to support young people to reflect on their offending behaviour and develop skills to reduce further offending.
- Emotional Regulation and Impulse Control (ERIC) is an evidence-informed change-oriented program designed to encourage healthy social and emotional development by teaching young people skills to better identify, describe, and manage impulsivity, and make better decisions leading to better behaviours. Emotional regulation and impulse control are associated with good mental health and well-being.
- Re-thinking Our Attitudes to Driving (ROAD) is an evidence-informed, change-oriented group program designed to reduce motor vehicle (MV) related offending. Young people are supported to explore thoughts, feelings and behaviours about their MV offending and the impact on victims themselves their families and the community. ROAD develops the young person's awareness of the consequences of unsafe MV behaviours and builds on concepts

of victim empathy, understanding emotions and the connections between thoughts and actions. ROAD is delivered together with CHART to address MV offending.

- Youth Justice also provides 2 specific responses, delivered by non-government organisations for young people who have committed sexual offences:
  - Bravehearts Foundation is a specialist counselling service which provides therapeutic intervention for adolescents who have committed sexual offences, their families, and persons harmed and their families and/or significant others where appropriate, who have been referred to restorative justice conferencing processes in the south-east corner of the state. The organisation also provides a telehealth service outside of the south-east corner.
  - Griffith Youth Forensic Service (GYFS) provides evidence-based specialist psychological assessments and treatment services to young people who have sexually offended, their families and communities, including young people held in youth detention centres.

### **Programs for Aboriginal and Torres Strait Islander young people**

- The First Nations Council (FNC) and the Cultural Capability Team provide cultural advice to the executive leadership of the Department to ensure policies, programs and services are culturally responsive and meet the needs of Aboriginal and Torres Strait Islander peoples. Members of the FNC represent Aboriginal and Torres Strait Islander perspectives from Youth Justice. In addition, a cultural practice manager has been appointed as part of each of the 6 regional leadership teams to support First Nations staff, assist ongoing cultural capability, and enable culturally responsive practice and service delivery for First Nations young people and their families.
- The Youth Justice First Nations Action Groups (FNAG) and First Nations Action Board (FNAB) have been embedded within the central office, regions and youth detention centres. They ensure all youth justice policies, programs and processes appropriately address the disproportionate representation of Aboriginal and Torres Strait Islander people in contact with the youth justice system. In recognition of individual communities requiring individual and localised responses, members from each region are represented on the Board.
- Youth Detention Cultural Units and cultural staff provide essential frontline support to ensure service delivery respects and promotes young people's cultural identity. These staff work directly with young people, detention and community-based staff and other stakeholders including families, communities and Elders to promote and provide:
  - regular opportunities for young people to participate in culturally specific programs
  - community-led cultural healing-based initiatives and services that support cultural wellbeing
  - holistic culturally specific therapeutic, intervention and cultural programs
  - localised cultural awareness training for all staff members and key stakeholders to ensure that professional conduct and services are culturally appropriate
  - culturally competent case management and transition processes (this can include kinship mapping, engaging Elders and community members, restorative practices etc)
  - regular opportunities for Aboriginal and Torres Strait Islander Elders and/or respected persons to participate in advisory groups to provide cultural leadership, mentoring and advice on policies, procedures and processes.
- Young Black & Proud (YBP) is an evidence-informed, change-oriented group cultural program delivered by Aboriginal and Torres Strait Islander staff in partnership with identified

community leaders such as Elders and traditional owners. YBP supports Aboriginal and/or Torres Strait Islander young people to develop and strengthen positive cultural knowledge, awareness and identity through structured activities and passing on cultural knowledge. YBP supports First Nations young men to build readiness to engage in other programs and services.

- Black Chicks Talking (BCT) is an evidence-informed, change-oriented cultural group program designed to reduce reoffending, delivered in partnership with First Nations community leaders such as Elders and traditional owners for First Nations young women. The program aims to support cultural connections to community and identify and explore identity, behaviour, experiences, and cultural histories through storytelling, yarning, and adventure activities.
- Murri Watch Aboriginal and Torres Strait Islander Corporation provides cultural support to Aboriginal and/or Torres Strait Islander young people detained in watchhouses across Queensland to help meet their welfare and emotional support needs and keep them connected with their family.
- Family-Led Decision Making encourages young people to avoid offending and reoffending through the facilitation of a process which involves the participation of family and community members. During the process, young people are dealt with in a culturally appropriate manner that acknowledges their needs and gives them the opportunity to accept responsibility for their actions and develop responsible, pro-social behaviours.
- On Country programs provide culture-based rehabilitation for young First Nations peoples under the supervision of senior First Nations leaders. This unique community-led program aims to reduce ongoing offending, using cultural immersion and experiences to address the motivation and pre-contemplative behaviour of young people who commit crime under the one-on-one mentorship of First Nations adult mentors, Elders and traditional owners. The program focuses on high-risk Aboriginal and/or Torres Strait Islander young people and is tailored to their individual needs, with a focus on healing and transferring cultural knowledge to prevent motivation to reoffend.
- Cultural mentoring, where Youth Justice works closely with members of Aboriginal and Torres Strait Islander communities to provide a cultural mentoring service model as an alternative intervention to QPS charging and/or remanding young people in custody.

#### **Services that address developmental and support needs**

- Transition to Success (T2S) is an evidence-based, vocational training and behaviour change program delivered by Youth Justice to prevent young people who are involved in the youth justice system from reoffending. The program is delivered in partnership with local community organisations to flexibly tailor the service to its community. The program is delivered in a community setting to young people aged 15 and above with a high or very high risk of reoffending. T2S helps young people address risk factors to re-engage with education, training, and employment and gives young people the opportunity to:
  - learn and achieve nationally recognised certificate qualifications
  - set goals for their future
  - participate in challenge-based activities
  - identify and access a number of alternative pathways that divert them from the justice system and keep them out of custody
  - build the social, cognitive, and behavioural skills they need to attain and maintain further education and employment.

- The Education Justice Initiative is delivered by Department of Education Court Liaison Officers who support young people who appear before the Childrens Court to re-engage in education and training. The initiative provides specialised referral and advocacy services to ensure young people receive support to connect with education or training pathways.
- Navigate Your Health (NYH) – Coordinates the provision of health and development assessments and connects young people with relevant health and support services. This initiative connects young people (subject to relevant youth justice supervision) with a Nurse Navigator to engage primary health care providers, coordinate their health care and meet identified health needs. Nurse Navigators engage community providers, public health, Aboriginal medical services, private and non-government organisation service providers.

### **Place-based initiatives**

Several place-based initiatives have been implemented across Queensland to assist young people in areas that experience higher rates of youth crime:

- The Townsville Street University is focused on the reconnection of young people within their community and the cultivation of social inclusion. The aim of the service is to provide a safe space for young people to engage in vocational and education workshops, drug and alcohol treatment services, life skills training and mentoring with pathways to further education.
- JTYouGotThis Program is a 10-week program for young people who are at risk of or have early involvement in the youth justice system.
- Community Youth Response and Diversion is a place-based, multi-faceted approach made up of some or all of the following components (depending on location) – diversion services with after-hours support, Aboriginal and Torres Strait Islander cultural mentoring, bridging to education programs, and intensive case management.
- Youth Transitional Hub in Mount Isa provides culturally appropriate and after-hours support to young people and their families that aims to keep young people out of custody. Young Offender Support Services within the Hub deliver intensive support and case management to young people and their families to reduce offending behaviour.
- Bringing together the Community Partnership Innovation Grants and the Community Based Crime Action Committee grants under one overarching program banner, the Youth Crime Prevention Grants support communities to deliver local programs to young people across the youth justice continuum, from prevention, early intervention and positive engagement activities to intensive change-oriented responses for higher risk young people and serious repeat offenders.
- The Big Bounce initiative provides a combination of diversionary programs to youths at risk of offending and rehabilitation programs to youths exiting detention. Programs are currently run in the West Moreton and Brisbane Youth Detention Centres as well as delivering basketball clinics in the community.
- The Youth Justice Alcohol and Drug Treatment Service is funded to help reduce the impact of drugs and alcohol as a factor contributing to offending. The service delivers a physically and psychologically safe place for young offenders whilst addressing criminogenic factors. The service delivers a 10-bed residential facility, in South-East Queensland, providing 3 months residential treatment followed by over 3 years follow up treatment.
- The Cairns Safer Streets initiative, is a whole-of-government approach to intervening early, diverting at risk young people from the justice system and connecting families and young people to social, recreational, training and employment opportunities.

## Youth detention centres

Youth detention centres (YDC) continue to focus on the safety, wellbeing, and rehabilitation of young people. In Queensland, Brisbane YDC, West Moreton YDC and Cleveland YDC provide secure accommodation for remanded and sentenced young people to protect the safety of the community and address offending behaviour. In 2023, the Queensland Government announced it would build 2 new therapeutic YDCs – one at Woodford in South-East Queensland and one in the Cairns region, plus a youth remand facility at Wacol as an interim option to manage capacity until the new detention centres become operational.

By partnering with agencies such as Health and Education, YDCs address the underlying drivers of offending behaviour through targeted, individualised and goal-orientated case management activities – provision of therapeutic and cultural support – and utilisation of innovative programs and services which assist young people with achieving rehabilitation goals and reintegrating into the community. YDC staff work collaboratively with a range of stakeholders to provide on-site services and support to young people.

Department of Education led Youth Education and Training Centres operate as educational units akin to mainstream schools and provide on-site education and training programs and services for young people 48 weeks per year (an additional 8 weeks to the community-based school year).

Queensland Health operates a 24/7 health centre, staffed by registered nurses. Mental health services are also available onsite during business hours, with on-call arrangements in place for any urgent or high-risk matters. Education and health staff work closely with their community-based counterparts and the onsite multi-disciplinary teams to achieve rehabilitation goals and support a young person's transition from detention to community.

All young people admitted to a YDC are assessed by a range of multi-disciplinary staff members to promote safety and wellbeing while in custody:

- primary and mental health assessments are completed by Queensland Health registered nurses and mental health professionals. These assessments identify any immediate health concerns and ongoing support needs
- case management, therapeutic, safety and risk assessments including identification of any suicide or non-suicidal self-injury (NSSI) risk are conducted by departmental multi-disciplinary teams that include caseworkers, psychologists and speech and language pathologists
- psychologists and speech and language pathologists use a range of evidence-based and culturally safe assessments to identify and diagnose neurodevelopmental disorders. Outcomes of these assessments are included in young people's service response plans to support consistent and responsivity-driven services that match their abilities
- educational assessments, including numeracy, literacy and comprehension testing and identification of learning difficulties are completed by Department of Education teaching staff.

These assessments inform tailored interventions, custodial management plans and integrated case planning with community youth justice stakeholders to promote service continuity upon a young person's release.

In accordance with their assessed needs, young people in detention are involved in a variety of programs including evidence-based offence-focussed, therapeutic, educational, vocational,

behavioural, life skills, cultural, and recreational programs. These programs are regularly reviewed to ensure that they continue to meet the needs of those presently in custody.

Positive behaviour support models in youth detention centres are designed to incentivise well-adjusted social behaviour, are underpinned by trauma informed practice and aim to be culturally safe for all participants. Restorative practices assist young people to resolve conflict, repair harm and take accountability for their actions.

### **Pre-release and post-release support**

Continuity of service delivery for young people who have been held in custody is fundamental. YDCs and community-based service centres work together to ensure services and programs are ongoing for young people transitioning from detention back to the community

Transition planning is incorporated into a young person's existing service response plan and commences upon a young person's admission to youth detention. This process involves an integrated response between caseworkers, cultural supports, transition officers, education facilitators, mental health practitioners and the young person's family/care providers. YDCs keep young people connected with their community by ensuring access for all community services and supports and promoting routine engagement with young people while they are in custody.

Information sharing facilitated through memorandums of understanding across other government agencies such as Queensland Health, Education, Child Safety, Department of Justice and Attorney-General and Queensland Police Service, enable a coordinated multi-agency response to reduce a young person's offending behaviour. Non-government agencies are also involved in supporting a young person's transition to the community.

Young people identified as high-risk of reoffending are provided the Intensive Support Program on their release from detention that offers an additional period of intensive youth justice supervision on weekends and at night within the critical first 72 hours after release from youth detention. 72-hour release plans ensure better planning, information sharing and structured engagement for young people assessed as high-risk as they exit custody.

Young people who continue to be subject to a supervised youth justice order after their release from custody continue to be case managed by community-based youth justice services through their individualised service response plan and are re-connected with community-based education and/or training or suitable employment. Young people continue engagement in change orientated programs they had been undertaking in detention, as well as support to access necessary offence focused changed oriented interventions that match their assessed criminogenic needs to prevent reoffending.

## **Western Australia**

### **Policy directions**

Key policy directions in youth justice in Western Australia include:

- providing mandated services in accordance with the *Young Offenders Act 1994*
- the Strategic Framework 2022–2027 identifies 4 strategic priorities and outlines how the Department of Justice, Corrective Services (the Department) will work with the mission of a fair, just, and safe community for all Western Australians

- programs help to achieve a reduction in reoffending, with a particular focus on programs designed for Aboriginal young people
- reducing the over-representation of Aboriginal young people in the justice system, with a particular focus on collaborative partnerships and innovative service delivery in regional areas.

## Agencies

### Youth justice agencies

Department of Justice, Corrective Services, Young People (YP) Directorate is informed by the principles and functions outlined in the *Young Offenders Act 1994 (YOA)* and the Department's Strategic Framework 2022–2027.

The *YOA* and the *Young Offender Regulations 1995* provides for the administration of youth justice in Western Australia. The *YOA* sets out the provisions for dealing with young persons who have, or are alleged to have, committed offences and to ensure that the legal rights of young people involved with the criminal justice system are observed.

Youth Justice (YJ) is responsible for the safety, security and rehabilitation of young people both in community and in custody. The core objective is to reduce reoffending among young people through:

- programs and services to divert young people away from the criminal justice system
- programs and services for young people on orders in the community
- programs and services in custody.

YJ work holistically with young people and their families to improve outcomes for young people in contact with the justice system.

YJ will always:

- prioritise the safety of the young person and the community
- consider what is in the best interests of the young person and their family
- deliver services to young people that recognise vulnerability, developmental levels, gender, and cultural and religious beliefs and practices
- be informed by evidenced-based practice
- deliver a comprehensive model of practice that is informed by:
  - the needs of each young person and is age, gender, culturally and linguistically appropriate
  - recognition and understanding that many young people in the justice system have experienced multiple traumas and that rehabilitation and care will need to address the trauma's causes and symptoms
  - the identification of protective and risk factors
  - communicate clearly and in a timely manner with all key stakeholders
  - partner with other agencies and organisations to address complex issues contributing to youth offending in the planning and delivery of services
  - engage with Aboriginal people to seek, promote and support culturally competent and Aboriginal designed and led initiatives that reduce reoffending.

## **Police**

Young people who come into contact with the justice system do so through contact with the police. The police have the option of issuing a caution, referring the matter to the Juvenile Justice Team (JJT), or referring the matter to court.

## **Courts**

The Children's Court of Western Australia deals with offences alleged to have been committed by young people aged 10 to under the age of 18.

The court may impose one of the following penalties:

- no punishment and no conditions
- no punishment but with conditions
- fines, costs, restitution and compensation
- responsible adult bond
- good behaviour bond
- referral to a juvenile justice team
- Youth Community Based Order
- Intensive Youth Supervision Order (with or without detention)
- Adult Community Based Order or Adult Intensive Supervision Order
- custodial sentence (imprisonment or detention).

Young people in the Perth metropolitan area whose offending behaviour is linked to drug use can apply to participate in the Children's Drug Court.

## **Elements, programs and services**

### **Diversions**

#### **Juvenile Justice Teams**

Juvenile Justice Teams (JJT) provide alternative ways of dealing with minor offending behaviour by diverting young people away from the criminal justice system. Over the past 12–18 months WA has focussed on updating all policies and procedures relating to the JJT. The central focus has been to place a greater emphasis on restorative justice/working appropriately with victims of crime, whilst also ensuring that JJT's are completed in an efficient and effective manner.

JJT referrals are generated by police or the Children's Court. The JJT process offers the opportunity for victims and responsible adults to be involved in the development of an action plan that encourages the young person to take responsibility for their actions and address their offending behaviour. If the young person successfully completes the action plan, they do not receive a criminal record.

#### **Metropolitan Youth Bail Services**

Metropolitan Youth Bail Services (MYBS) aims to divert young people from and minimise their time spent in custody in instances where they have been granted bail but no responsible adult is willing or able to enter into a bail undertaking. The primary remit of the service is to ensure young people attend court appearances.

Metropolitan Youth Bail Services staff have a duty of care to ensure that young people being bailed have access to a safe and supportive living environment. MYBS Prevention and Diversion Officers provide case management support and monitor community and family placements to provide the Court with updates on compliance. They also assist young people to access supported and/or independent accommodation options in the event family placements are not available or suitable.

Bail accommodation services are also provided in the East and West Kimberley, Pilbara (South Hedland), Mid-West Gascoyne (Geraldton), and Goldfields (Kalgoorlie).

### **Case management**

The YJ in the community deliver pre-release, transition, and post-release interventions, programs support, and services to assist young people in developing skills to manage their lives without further offending.

YJ case management is the day-to-day management of young people subject to community-based orders. It provides the framework for the planning and coordination of activities and services directed towards the young person with the objective of meeting statutory and policy requirements. Case management provides the structure in which interventions are provided to the young person. YJ develops and maintains productive and collaborative relationships with stakeholders and works to support across-agency approaches to address the complex issues and needs of young people.

YJ use the risk/needs assessments tools:

- Youth Level of Service/Case Management Inventory 2.0
- Youth Level Services/Case Management Inventory: 5-Item Screener Tool
- Level of Services/Risk Needs and Responsivity.

Risk/needs assessment tools identify the young person's criminogenic needs and are used to inform the level and types of interventions to ensure that the court report plan and case planning activities are focused in the appropriate areas of need.

Changing Habits and Reaching Targets (CHART) is the principal casework intervention used by YJ.

CHART is a structured casework intervention program and provides a way of working with young people subject to Supervised Release Orders, community-based orders with supervision, detention sentences and long-term remand. CHART provides a consistent practical tool to address the young person's criminogenic needs.

### **Youth Justice Programs**

YJ provides a range of services to young people subject to statutory conditions in the community and in custody across Western Australia. These programs seek to address health, rehabilitative, recreational, cultural and educational needs and are delivered by either Departmental staff or externally contracted service providers.

The current externally contracted services include:

- mentoring and case management support services in each major region across the state for young people subject to community-based supervision orders or early release orders,
- vocational based engagement day program for young people in the metropolitan region subject to community-based supervision order or early release orders,

- Youth Bail Services (24/7 supervised accommodation in a facility) in each major region across the state (with the exception of the Great Southern Region),
- transitional accommodation services (24/7 supervised accommodation in a facility) in the metropolitan region for young people being released from custody with no suitable accommodation,
- specialist Alcohol and Other Drugs (AOD) counselling in the metropolitan region for young people in custody and/or subject to community-based supervision orders or early release orders,
- psycho-social programs and support services to young people in custody.

YJ also fund the Aboriginal Legal Service of Western Australia (ALSWA) to deliver a metropolitan-based Youth Engagement Program (YEP) to engage Aboriginal young people appearing in the Perth Children’s Court to support them through bail and court processes. YEP provides case management, court support and mentoring to young people, as well as referrals to a range of culturally appropriate external services and supports with a focus on diverting young people at the earliest opportunity.

### **Supported accommodation and bail programs**

The Youth Bail Services (YBS) provides temporary and short-term accommodation placements for young people remanded on bail where no responsible adult or appropriate placement can be located. Bail services require 24-hour, 7 days a week supervision and include the provision of day programs and transport to appointments for young people and opportunities to increase their pro-social behaviours prior to their next court appearance. YBS diverts regional and remote Aboriginal young people from custody and enables them to remain on country and in contact with their family and community.

The Youth Transitional Accommodation Program (YTAP) is an accommodation service for young people between 13 years and 17 years and 9 months providing 24-hour, 7 days a week supervision and includes the provision of day program and transport to appointments for young people. This service is designed to provide young people opportunities to gain independent or long term supported accommodation upon release from custody on an early release order or community-based supervision order.

### **Pre- and post-release support**

All educational and vocational programs that a young person engages in while in custody are aimed to be compatible with the young person’s abilities and areas of interest. A young person can be referred to a variety of personal development and treatment programs such as:

- drug and alcohol intervention
- emotional management programs
- personal development programs:
  - cultural
  - employability and life skills courses
  - recreational activities
- individual psychological counselling
- sex offender treatment (individual counselling with centre psychologist).

Youth Justice Officers provide support to young people exiting detention on Supervised Release Orders. As part of their release plan young people are referred to a range of services including the YJ programs service providers to assist with their rehabilitation in the community.

### **Psychological services**

Youth Justice Psychological Services is a team responsible for providing psychological services to young people managed by YJ in both community and custody.

Youth Justice Psychological Services are responsible for offence-specific counselling, risk assessments, and pre-sentence psychological reports to the courts. The business unit coordinates specialist assessments and interventions to young people and provides support in accordance with their identified needs and release plans.

Services are offered to custodial and community-based centres in the following areas:

- forensic and clinical psychology
- child development
- behavioural management
- counselling to address criminogenic needs
- risk issues and managing vulnerable young people.

### **Regional services for young people**

Youth Justice is located in 6 regional areas across the state and provide:

- the management of young people on bail, juvenile justice teams, community-based orders or supervised release orders
- emergency short-stay accommodation for young people who have been remanded on bail where no responsible adult or appropriate placement can be located.

# South Australia

## Policy directions

Key policy directions for the Department of Human Services (DHS) Youth Justice include:

- Enhancing and further embedding an individualised, therapeutic and trauma-informed approach to Youth Justice service delivery, underpinned by an evidence-based practice framework.
- Permanent consolidation of youth custodial services onto a single campus with updated facilities through finalisation of the capital works program at the Kurlana Tapa Youth Justice Centre (Kurlana Tapa). This has delivered:
  - a new 12-bed accommodation unit with counselling and sensory rooms to better support young people with complex needs such as autism and intellectual disability
  - a new 8-bed pre-court custody unit to ensure that young people who are not granted police bail are accommodated separately to those on remand or sentenced mandates
  - a new education building with 2 classrooms for music and STEM (science, technology, engineering, maths) which adds to already existing education buildings on site
  - an extended visiting space, which connects the existing community and medical centres, for family and professional visits.
- Strengthening programs, services and partnerships to improve outcomes for Aboriginal children and young people in line with commitments under the National Partnership Agreement on Closing the Gap.
- Partnership with researchers from the University of Adelaide to review and strengthen our community case management model, with a particular focus on the capacity to integrate a more culturally safe and trauma-informed approach to assessment and case planning to meet the individual needs of children and young people.
- Building the capacity and capability of the youth justice workforce, including by equipping staff with the skills to undertake complex service delivery to drive quality outcomes.
- Designing and delivering programs/services to ensure that children and young people with high-risk offending, complex and/or specialist needs receive a tailored response.
- Building partnerships with government and non-government services and community to connect children and young people with supports, programs and services to improve outcomes and contribute to community safety.
- Fostering sector and community partnerships to achieve effective and positive outcomes for children and young people.

## Agencies

### Youth Justice agency

In South Australia, Youth Justice within the Department of Human Services (DHS) has oversight of supervised orders determined by courts under the *Bail Act 1995* and *Young Offenders Act 1993*. DHS Youth Justice is responsible for providing statutory youth justice services, both custodial and community-based, in accordance with the *Youth Justice Administration Act 2016*.

Within the legislative framework, DHS Youth Justice strives for contemporary practice standards in youth justice administration, to improve rehabilitation outcomes for young people and reduce re-offending, while contributing to community safety and upholding victims' rights.

DHS also works with key partner agencies and community partners to connect children, young people and their families with supports, programs and services to achieve positive outcomes.

### **Police**

In South Australia, the police are the first point of contact for young people entering the youth justice system. The police may issue cautions (either informal or formal) to a child or young person who has admitted to an offence. They may also divert young people who admit an offence to a Family Conference, which is provided by the Courts Administration Authority.

### **Courts**

In South Australia, children and young people who are alleged to have committed an offence and who are not diverted to a Family Conference are primarily dealt with by the Youth Court under the provisions of the *Young Offenders Act 1993*. The Youth Court is established under the *Youth Court Act 1993* and presided over by a District Court judge who is designated by proclamation as the Judge of the Youth Court. The Court sits in metropolitan and suburban Adelaide as well as regional locations.

A young person may also have their matters referred to a higher court subject to the seriousness of the offence (for trial as an adult) or if there is a pattern of serious repeat offending.

### **Elements, programs and services**

#### **Diversion**

In South Australia, 2 tiers of pre-court diversion apply where it is the first offence or relatively low-level offending, and the young person admits to the alleged offending.

Informal and formal cautions by police constitute the first tier of diversion. Young people who commit offences that are considered too serious for an informal or formal caution may be directed to attend a Family Conference. To be eligible for a Family Conference, the young person must admit to carrying out the offence. If the charge is denied, the matter is referred to the Youth Court.

The Youth Court has discretion to refer matters back to be dealt with by formal police caution or family conference where appropriate.

#### **Bail**

The *Bail Act 1985* provides for a presumption of bail. A child or young person who has been arrested can apply for and be granted bail on the condition that they will appear in court at a specified date, place and time. Bail can be granted by the South Australia Police on arrest or, if police bail is refused, an application can be made to the Youth Court. Children and young people who are denied police bail are entitled to a telephone review by a Magistrate where the Youth Court is not readily available (for example, on weekends or in remote areas).

DHS Youth Justice is responsible for supporting children and young people on supervised bail to comply with their bail conditions.

## **Community Service Orders**

DHS Youth Justice has a role in overseeing the performance of community service stemming from a Family Conference outcome, an agreement with the Fines Enforcement and Recovery Unit or imposed as part of sentencing.

In the metropolitan Adelaide and inner regional areas, SYC delivers the Community Service Order Program, in partnership with DHS. The Program supports young people to meet their community service requirements while developing important skills for studying, working and living independently. DHS Youth Justice delivers the Community Service Order Program outside the metropolitan and inner regional areas.

## **Case management**

Case management is provided to all children and young people under DHS Youth Justice supervision, including for those on both sentenced and unsentenced mandates. DHS Youth Justice takes a flexible and individualised approach to case management, focusing on engagement, dynamic worker–young person relationships, goal setting and goal achievement. Case management promotes desistance from offending and places emphasis on a rehabilitative approach.

South Australia uses a continuum of care approach in the application of case management for those exiting custody into the community, with a particular focus on re-integration and reconnecting to the community. Case conferencing with relevant stakeholders, including young people and their families, is an integral component of our case management approach and supports effective collaboration between DHS Youth Justice and partner agencies.

DHS Youth Justice utilises an evidence-based effective practice model as part of case management, which prioritises a set of practice skills and approaches in all interactions with children, young people and their families. This includes a focus on the client–young person relationship, role clarification and balancing competing priorities of supervision and support, pro-social modelling and other techniques such as cognitive behavioural strategies and working with families.

## **Offence-focused and related programs**

DHS Youth Justice, together with its sector partners, delivers or facilitates delivery of a range of offence-focused and other related programs to support rehabilitation and drive positive outcomes for children and young people. These include therapeutic interventions, life skill development and social integration that builds engagement back to community.

For example, CHART (Changing Habits and Reaching Targets), is a structured, individualised intervention program used as part of case management. It adopts a skills-oriented, cognitive behavioural focus to challenge offending behaviour for young people who require a moderate to high level of intervention to reduce their risk of reoffending. The focus for delivery is to use participatory learning methods and to be responsive to client needs, motivations and learning styles.

A range of programs are offered to children and young people at Kurlana Tapa covering different life domains and areas of need, including to:

- support engagement by children and young people in culture and community
- practically engage young people about alcohol and other drug misuse
- build self esteem

- support young people to build independent living skills and other post-release life skills
- support sexual health and wellbeing
- build understanding of sexual orientation, gender identity and expression
- support the development of emotion management tools such as self-regulation, mediation and resilience
- develop young people's peer relationship skills including teamwork
- support engagement in physical and recreational activity.

DHS Youth Justice works collaboratively with partner agencies to provide culturally appropriate programs to Aboriginal children and young people in Kurlana Tapa, including:

- Respect Sista Girls 2 (RSG2), delivered by Child and Adolescent Mental Health Services, which supports young women to reclaim their identity, recognise cultural values and build relationships based on their Aboriginal belief systems.
- Yarning Circles, which create a safe space for Aboriginal young people to speak about culture, and men's and women's business with significant Aboriginal role models.
- Cultural Catch-Ups, facilitated by Child and Adolescent Mental Health Services, which is an informal program designed to meet the cultural needs of the young people attending. Session content includes activities such as the design and creation of boomerangs, learning to play the didgeridoo, exploring the environment, food, traditions and storylines of the young people.

All programs at Kurlana Tapa are reviewed to ensure they are informed by evidence or assessed as suitable for the population.

## **Education**

The Department for Education operates the Youth Education Centre (YEC) on-site at Kurlana Tapa. YEC is a fully accredited secondary school and SACE institution, engaging children and young people in individualised education and training opportunities. Each student at the YEC has an education and training plan, tailored to meet their assessed education and training goals.

## **Youth Justice Therapeutic Services**

DHS Youth Justice Therapeutic Services (YJTS) brings together a range of specialist multi-disciplinary teams that provide individualised and responsive therapeutic support to children and young people across both custodial and community settings. YJTS comprises:

- Youth Justice Assessment and Intervention Service (YJAIS), a multi-disciplinary team consisting of psychologists, speech pathologists and occupational therapists. The team provides consultation, assessment and individual intervention services for young people and staff. This includes:
  - Criminogenic psychological assessments to assist case planning and case management - assessments cover background history, patterns of offending, and include analysis of risk and recommendations for interventions to reduce the likelihood of further offending by a young person
  - Communication and social skills
  - Functional life skills
  - Addressing interpersonal violence

- Reports for the Youth Court
- Provision of training to other areas of Youth Justice
- KIND (Kinship, Improving Relationships, No violence, Developing skills) Program, a 9-module tailored intervention for young people who engage in adolescent family violence or dating violence. Delivered by specialist family violence therapists and involving the young person's families/partner where appropriate, the program focuses on improving relationships, safety and interpersonal skills.
- Enhanced Support Team (EST), which aims to support the therapeutic needs of children and young people at Kurlana Tapa. EST operates within a positive behaviour support framework, developing individualised behaviour support plans for children and young people to enable operational staff to better understand and respond to their needs in a manner which reduces the severity and frequency of behaviours of concern. In addition, EST also provide training to operational staff in trauma-informed and disability-aware therapeutic approaches. Staff within EST also work directly with children and young people to assist them in developing strategies, such as emotion regulation, distress tolerance and prosocial communication.

### **Programs for Aboriginal children and young people**

DHS acknowledges the important role culture plays in the positive growth and development of Aboriginal children and young people within their family and wider cultural community. Aboriginal children and young people and their families are provided with access to a range of cultural support services, including specialist Aboriginal programs delivered at Kurlana Tapa that focus on problem solving and the positive aspects of their cultural identity.

Aboriginal children and young people at Kurlana Tapa are supported by a Senior Aboriginal Cultural Advisor and 2 Aboriginal Cultural Support Workers who work with children, young people and their families and communities to meet their individual cultural needs. A Senior Aboriginal Cultural Advisor also supports Community Youth Justice Case Managers in providing culturally informed services and support, as well as direct engagement with Aboriginal children and young people in the community.

The Circles of Trust engagement tool assists Case Managers to gather information about Aboriginal clients, their family, cultural group and community supports. The information gathered through this tool promotes an understanding of the young person's kinship and family structure. It can assist to identify strengths and issues within this structure, the young person's connection to culture and community, and the impact of any grief and loss.

#### Child Diversion Program

The Child Diversion Program (CDP) provides short-term, culturally safe supported accommodation, and community-based support for Aboriginal children between the ages of 10–14 years as an alternative to custody. The CDP model uses an evidence-informed approach, focusing on Aboriginal methodologies and culturally centred approaches to engagement. These include Aboriginal Family-Led Decision Making, Relationship Based Practice, Kinship and Family Mapping.

#### Metropolitan Aboriginal Youth and Family Services (MAYFS)

Metropolitan Aboriginal Youth and Family Services (MAYFS) is a dedicated Aboriginal service within DHS with a focus on diverting young people away from the justice system and towards improved life outcomes. MAYFS' restorative and family inclusive service has a strong focus on strengthening Aboriginal young people's connection to family, community and culture. As part of

this, MAYFS works closely with other agencies, including DHS Youth Justice, South Australia Police, Courts, schools and non-government and community service organisations to facilitate access to a range of services and programs. MAYFS offers a range of supports including family-inclusive case management, social participation and cultural connection through a suite of cultural programs, connections to education, training, skills development and employment, support with legal matters and referral to other services.

# Tasmania

## Policy directions

The key policy directions in youth justice in Tasmania include:

- On 9 September 2021 the Premier announced the closure of the Ashley Youth Detention Centre (AYDC) to be replaced by smaller purpose-built facility in the south as part of the broader youth justice reform.
- In December 2021 the *Reforming Tasmania's Youth Justice System: Discussion Paper* was released, providing the foundation for the consultation process to inform the development of the 10-year Blueprint outlining the strategic direction for Youth Justice in Tasmania.
- In November 2022 the final version of the Youth Justice Blueprint 2022–32 was released. The Blueprint outlines the strategic direction for Tasmania's youth justice system for the next 10 years with the aim of improving and supporting the safety and wellbeing of children, young people and their families whilst addressing the underlying drivers of offending behaviours, reducing offending and improving community safety.
- The Blueprint was developed based on analysis of current data about youth offending, research on contemporary and evidence-based practice nationally and internationally, discussions with children and young people in the youth justice system and extensive consultation and collaboration with the Tasmanian community and government agencies.
- To deliver a contemporary, evidence informed and connected youth justice system for Tasmania, 5 key strategies have been identified for focus over the next 10 years. The 5 strategies are:
  - Prioritise prevention and early intervention to reduce engagement with the youth justice system.
  - Ensure diversion from the justice system is early and lasting.
  - Establish a therapeutically based criminal justice response for children and young people.
  - Integrate and connect whole-of-government and community service systems.
  - Provide an appropriately trained and supported therapeutic workforce.
- The Blueprint recognises that Aboriginal communities are best placed to ensure there are appropriate responses to address the overrepresentation of Aboriginal young people in the youth justice system in Tasmania. This will be achieved by partnering with these communities to provide culturally appropriate supports and services for their children and young people at risk of offending or reoffending.
- Implementing the Blueprint over a 10-year timeframe will be a dynamic process that continues to evolve as we make progress and evaluate our responses. It will therefore be supported by a series of Action Plans implemented through a whole of government, whole of community approach. Focus areas and priority actions may change over time to reflect the views of children and young people, new priorities, and reflections on existing work.
- The Youth Justice Facilities Model was released alongside the Blueprint in November 2022 and an updated Youth Justice Reform Taskforce Action Plan 2024–2025 released in October 2024. The Action Plan outlines the priorities to allow the Tasmanian Government's commitment to closing Ashley Youth Detention Centre and replacing it with a fit for purpose detention facility in the South of the state to occur.

- The Commission of Inquiry into the *Tasmanian Government's responses to Child Sexual Abuse in Institutional Settings* recommendations report was publicly released in September 2023. The Tasmanian Government has accepted all the recommendations of the Commission of Inquiry and are guiding and informing youth justice reform. Current actions also includes ensuring the safety and wellbeing of the children and young people at Ashley Youth Detention Centre until its intended closure.
- As part of this reform, the Government has also announced the intention to raise the minimum age of detention from 10 to 14 years.

## **Agencies**

### **Services for Youth Justice -**

The Department for Education, Children and Young People (DECYP) is responsible for providing the following youth justice services:

- Coordinating diversionary community conferencing.
- Providing statutory community-based supervision of young people on court orders.
- Providing support for court processes.
- Providing safe and secure custodial services and pre- and post-release support.
- Providing integrated case management of young people on legal orders.
- Managing the community service order program.

### **Police**

Tasmania Police (within the Department of Police, Fire and Emergency Management) are the first point of contact for young people entering the criminal justice system, and are responsible for:

- Dealing with reported youth crime and deciding whether to divert or to prosecute matters in the courts.
- Providing diversionary pre-court and informal and formal cautioning services.
- Referring a young person to Community Youth Justice for a non-court-based community conference.

### **Courts**

In Tasmania, young people alleged to have committed an offence who are not diverted are dealt with by the Magistrates Court (Youth Justice Division) through a magistrate, under the provisions of the *Youth Justice Act 1997*. The Supreme Court may hear offences prescribed under the Act.

The Magistrates Court uses specialist lists to improve timeliness to finalisation, consistency in court decisions, coordination of youth justice services to the court and collaboration between relevant agencies. These lists have a nominated magistrate which provides continuity.

## **Elements, programs and services**

### **Early Intervention**

The Strong Families Safe Kids Advice and Referral Line provides the single front door for young people experiencing vulnerabilities and can assist with targeted and coordinated support.

## **Diversion**

The *Youth Justice Act 1997* provides a comprehensive framework for restorative justice, including the restoration or reparation of harm done in the community. Under the Act, diversion from the criminal justice system is the principal outcome sought for all young people. Detention is considered a sentencing option of last resort.

There are 2 primary levels of non-court-based diversion in Tasmania:

- Police have the power to informally or formally caution young people who have admitted to committing an offence.
- If the matter is considered more serious, police may request Community Youth Justice to conduct a community conference, which is convened by an independent facilitator.

A formal caution or a community conference can bring young people face to face with their victims to decide how best to rectify the harm caused by their offending.

## **Case management**

Case management in Community Youth Justice identifies:

- The requirements of the court order and strategies to fulfil these.
- The services and strategies required to address needs as determined by the Youth Level of Service/Case Management Inventory risk assessment tools and general assessment process, including other professional assessments as required.
- The relevant people and services to help identify strategies and goals.
- The level of agreement among those involved, including the young person and Community and/or Custodial Youth Justice, on the goals and strategies to achieve these goals, and the associated level of commitment.
- The process of assessing and monitoring progress, and the point at which involvement with the young person will diminish.

The case management approach in place at the Ashley Youth Detention Centre (AYDC) takes account of the needs of the individual young person and any court-ordered obligations, as well as community expectations. A comprehensive assessment process undertaken upon admission informs this approach and continues throughout the period of detention.

## **Offence-specific and therapeutic programs**

### **Targeted Youth Support Service**

The Targeted Youth Support Service is a state-wide community-based program funded by the Department for Education, Children and Young People (DECYP) to provide intensive case management and therapeutic interventions for young people aged 10–17. The target group are young people with substantial or multiple-risk issues who, without intensive support, would be at risk of notification to the Child Safety Service or entry into, or escalation within, the youth justice system.

### **Changing Habits and Reaching Targets**

Changing Habits and Reaching Targets (CHART) is an offending behaviour program that addresses the offending needs of high-risk young people on supervised orders. The program uses active, participatory learning methods and employs a skills-oriented, cognitive-behavioural approach to casework with young offenders.

## **Multisystemic Therapy**

In partnership with the Child and Adolescent Mental Health Services, Life without Barriers provides Multisystemic Therapy (MST) to support children and young people whose severe antisocial behaviour puts them at risk of disengagement from school and entry into the youth justice system. MST provides this support by helping children and young people to build skills to function responsibly and successfully in their natural environments long term. Some of the ways MST supports young people by:

- Addressing the core causes of the young person's behaviour.
- Viewing the young person as a network of systems, including family, peers, school, and neighbourhood.
- Building the strength of the systems surrounding the young person.
- Empowering caregivers to be long-term change agents.

## **Fetal Alcohol Spectrum Disorder – Assessments for Youth at Risk**

Patches provides a multi-disciplinary assessment for Fetal Alcohol Spectrum Disorder (FASD) in a non-judgemental manner, with a focus on building on people's strengths and working toward their goals. For those requiring therapy and support, Patches provides ongoing allied health and psychology services for common issues experienced by individuals with FASD, such as anxiety, attention and sleep difficulties, social communication difficulties and behavioural dysregulation. Patches provides FASD assessment services for youth at risk of involvement in the youth justice system so that they can receive the supports they need to achieve better life outcomes.

## **National Disability Insurance Scheme – Justice Liaison Officers**

Justice Liaison Officers (JLOs) support people with disabilities while they are in custody and when transitioning back into the community. JLOs can:

- Work with mainstream justice services to help a person to access the National Disability Insurance Scheme (NDIS).
- Proactively respond to enquiries and resolve any barriers between the NDIS and mainstream services.
- Provide support and help a young person during the NDIS access process and help others understand the process.
- Provide education and promote a best practice approach.

Further, JLOs can also provide support across the NDIS pathway, including access, developing a NDIS plan, using your funded supports and making any changes.

## **Youth Justice Education Liaison Officers**

Through Community Youth Justice, Education Liaison Officers provide support from an education perspective for young people engaging with Tasmania Police and/or with the Youth Justice system. They support young people through leading, establishing, and maintaining effective communication between students, families, courts, magistrates, schools, Learning Services and other agencies (for example, NDIS, Centrelink) as required to effectively reengage young people in a suitably appropriate education provision. Through case management, Education Liaison Officers provide advice, support, recommendations, and options and assist in the development and implementation of programs that support the engagement and re-engagement of at-risk students in education.

## **Step Up**

Step up is a statewide program provided by Colony 47. Colony 47 works with adolescents aged 11 to 17 who are using violent behaviour in the home, towards family members or intimate partners. The program is a one-on-one case management, outreach model that works with both the young person and their family or intimate partner. Young people learn and practice nonviolent, respectful ways of communicating and resolving conflict with those they have been abusive towards, while parents learn a model of respectful parenting that balances leadership and positive support, promoting non-violence in the family.

## **Police and Community Youth Club**

Police and Community Youth Club (PCYC) is a not-for-profit, community organisation that provides a range of sporting and recreational activities for young people after school and during the school holidays. PCYC staff aim to create positive connections with young people and the community with the aim to reduce crime and antisocial behaviour. PCYC is statewide and runs several mobile activity centre trailers travelling to all parts of Tasmania providing recreational activities to regional and remote areas.

## **Juvenile Fire Lighting Intervention Program**

The Juvenile Fire Lighting Intervention Program (JFLIP) is a state-wide behaviour change program designed for children aged 4–14 who engage in unsafe fire-setting. It is a family-based program delivered in the home by trained JFLIP fire-fighters. JFLIP practitioners also participate in community conferences and formal cautions for young people who have committed fire-related offences.

## **Health services at Ashley Youth Detention Centre**

Ashley Youth Detention Centre (AYDC) offers an onsite health centre in conjunction with Correctional Primary Health Services and Forensic Mental Health Services. It functions 7 days a week, 12 hours a day with an on-call service extending this to 24-hour coverage. Health services provided include general practitioner, general and mental health nursing, mental health assessment and treatment, pharmacy, pharmacotherapy treatment, alcohol or other drug use and dental. The centre also facilitates access to community-based health and assessment services.

## **Rehabilitative programs at the Ashley Youth Detention Centre**

Ashley Youth Detention Centre (AYDC) has a comprehensive Practice Framework based on evidence and best practice therapeutic strategies. All young people at the AYDC participate in a range of rehabilitative programs aligned with this framework. The programs offered and techniques applied take place within a case management context, are evidence-based and focus on offender rehabilitation. The program framework is designed to provide cognitive-based therapeutic programs for persistent and serious offenders and address specific criminogenic and social needs. Basic interventions that address issues that may affect community integration, such as employment, education, accommodation and leisure, are also included.

## **Transition from Ashley Youth Detention Centre**

This program, delivered by 54 reasons (Save the Children), works with young people aged 12–18 who are in detention and/or remand in AYDC, assisting them to reintegrate into the community. Youth workers support young people both in AYDC and when they transition back into the community to support young people by increasing support networks and providing one-on-one sustainable skill building. 54 reasons will also work with the young person to identify and meet their recreational, educational and vocational and/or employment goals and aspirations.

## **Supporting Young People on Bail**

54 reasons work in partnership with Community Youth Justice, the Magistrates Court, Early Intervention Units, Tasmania Police and other community agencies to support children and young people aged 12–18 who have been placed on bail. Youth workers work with young people to identify their recreational, educational and vocational/employment goals and aspirations. These goals form the young person’s Bail Support Plan. Support is provided to the young person during their bail period to help them meet their goals.

## **Education**

DECYP operates a school on site at the AYDC for young people of compulsory and non-compulsory school age. The educational focus for detainees reflects the curriculum used in schools and training facilities in the community.

## **Programs for Aboriginal and Torres Strait Islander young people**

Youth Justice has a number of partnerships with Indigenous organisations, including:

- Tasmanian Aboriginal Corporation (TAC), which has supervised a number of young people on community service orders and involved them in health and wellbeing programs, as well as tasks such as land care.
- The Circular Head Aboriginal Corporation delivers the Youth Prevention and Diversion Program which provides case management, mentoring and referrals to other service providers for Indigenous Youth (aged 12 to 24) at risk of offending or entering the criminal justice system. The program also offers reintegration services for young people returning to the community from AYDC and support services to bridge the gap to education and employment services.

Representation from an Aboriginal organisation is often involved in the Care Team process and Community Conferencing for a young person who identifies as Aboriginal and/or Torres Strait Islander.

## **Other programs and services**

Tasmania’s Commissioner for Children and Young People (CCYP) acts as an advocate for all young people detained at AYDC. As advocate for young people at AYDC, the commissioner is concerned with the overall physical and emotional wellbeing of each young person. In fulfilling this role, the commissioner listens to and gives voice to concerns and grievances, educates young people on their rights, and facilitates resolution of issues and access to support services as appropriate. From March 2022, the CCYP has had a dedicated full time Advocate for Young People in Detention working 2 days onsite at AYDC.

AYDC is also subject to the oversight of the Custodial Inspector. The purpose of the Custodial Inspector is to provide independent, proactive, preventative and systemic oversight of custodial centres. In particular, the Custodial Inspector provides external scrutiny through an independent statutory office and the publication of reports and recommendations. The focus of the Inspector is on systemic issues relating to the management, control and security of the state’s prisons and youth detention centre and the care and welfare of prisoners and detainees.

# Australian Capital Territory

## Policy directions

The ACT's youth justice system operates within a trauma-informed and therapeutic practice approach, based on an understanding of the neurological, biological, psychological and social effects of trauma on a young person. This approach seeks to prevent escalation of anti-social or offending behaviour and is respectful of young people's histories, experience, needs, culture and aspirations.

A number of ACT Government strategies support the policy direction of the youth justice system, including:

- Raising the minimum age of criminal responsibility. On 22 November 2023, the *Justice (Minimum Age of Criminal Responsibility) Legislation Amendment Act 2023* (the Act) was passed in a historic reform. This Act reflects the Territory's dedication to enhancing the lives of children, young people, and families by raising the minimum age of criminal responsibility (MACR) to 14 years in 2 stages, from 10 to 12 years in 2023 and from 12 to 14 years on 1 July 2025. This reform creates an imperative to improve the therapeutic service system for those involved in, or at risk of, harmful behaviour and their families, as an alternative to involvement in the youth justice system.
- The Act established the Therapeutic Support Panel for Children and Young People (Panel), a multi-disciplinary team of experts chaired by an independent statutory office holder to facilitate individualised services that address the therapeutic needs of children and young people who engage in harmful behaviour. A key role of the Chair and Panel is to identify areas for systemic reform and development of the broader service system so it is better able to support children and young people and their families. The Chair of the Panel reports systemic issues directly to the Minister for Children, Youth and Family Services.
- The Territory is continuing to monitor the impact of raising the MACR on the service system to identify supports needed to further enhance the therapeutic service system for children, young people and families.
- *Next Steps for our Kids 2022–2030: ACT Strategy to Strengthen Families and Keep Children and Young People Safe* (Next Steps) was launched in June 2022. Next Steps sets out an ambitious 8-year reform strategy that builds on the positive outcomes of *A Step Up for Our Kids: One step can make a lifetime of difference (Out of Home Care strategy 2015–2020)* and addresses the ongoing challenges of the child and youth protection system. Next Steps includes an integration of earlier family support, prevention services, child protection, out of home care and youth justice and seeks to strengthen families who interact with these systems.
- The *ACT Aboriginal and Torres Strait Islander Agreement 2019–2028*, including an Action Plan to achieve the outcome of Aboriginal and Torres Strait Islander peoples, families and communities thriving in a safe environment and having equitable access to justice and culturally safe restorative justice, prevention and diversion programs.
- The *Disability Justice Strategy 2019–2029*, which aims to achieve equity and inclusion for people with disability in the justice system.
- The response to the *Healthy Centre Review of Bimberi Youth Justice Centre 2020*, which provides recommendations to ensure custodial services are safe, ensure young people are respected and have dignity, facilitate purposeful activity and lead rehabilitation and preparation for release. A second Healthy Centre Review of Bimberi Youth Justice Centre commenced in late 2023.

Building on these strategies, the ACT has commenced planning for a new youth justice strategy, which will have a focus on through care and embedding therapeutic approaches across the system.

## **Agencies**

### **Youth justice agency**

The Community Services Directorate is responsible for providing youth justice services in the ACT. These services include:

- the Bimberi Youth Justice Centre (Bimberi)
- youth justice case management
- the After-Hours Crisis Service.

During the reporting year, Services related to youth justice and child protection are integrated and are collectively known as Child and Youth Protection Services (CYPS). CYPS is responsible for the assessment, supervision and support of children and young people subject to bail or justice orders, either in the community or in custody. CYPS also provides pre-sentence reports on young people to the courts and is the lead service supporting young people accessing the After-Hours Crisis Service.

In response to raising the minimum age of criminal responsibility and legislative reform in the ACT child protection system, a major reform of youth justice and child protection services commenced in 2023. This reform will include the separation of youth justice and child protection services and the formation of a new Youth Justice and Adolescent Services branch from July 2024.

### **Police**

ACT Policing is the first point of contact for young people entering the criminal justice system in the ACT. Police officers have discretionary powers to divert young people who have committed minor offences using a warning and diversionary system. If a decision is made to prosecute, ACT Policing may issue a summons for the young person, over the age of 12 years to attend court or detain them until the next sitting of the Childrens Court.

ACT Policing, along with the ACT Childrens Court, is a primary referral source linking young people to a restorative justice response. The Restorative Justice Unit within the Justice and Community Safety Directorate is responsible for managing all restorative justice conferences.

### **Courts**

The ACT Childrens Court deals with young people who are alleged to have committed an offence while aged 12 to 17 years, and who are not diverted from the criminal justice system. Young people convicted of indictable offences in the Childrens Court may be committed to the Supreme Court for sentencing. Young people who are convicted by the Supreme Court may be remitted to the Childrens Court for sentencing.

The Warrumbul Children's Circle Sentencing Court is an alternative model of sentencing for Aboriginal and Torres Strait Islander young people attending the ACT Children's Court. It is a type of restorative practice that aims to provide culturally relevant and effective sentencing options for young Aboriginal and Torres Strait Islander people

ACT legislation enables a young person's criminal matters to be dismissed if a Court considers the young person is in need of care and protection. The Court may take this action on its own accord or following receipt of a report prepared by CYPs.

## **Elements, programs and services**

### **Diversion**

Diversionary programs provide a targeted response for young offenders, many of whom are first-time offenders and may be at risk of becoming persistent offenders. These programs divert young people from entering or continuing in the youth justice system in the ACT:

- The After-Hours Crisis Service aims to keep young people out of custody by providing community-based options as an alternative to being remanded in Bimberi and assists young people on justice orders to comply with the conditions of their orders.
- The Restorative Justice Unit (RJU) provides a safe process for people harmed by crime and those responsible to discuss what happened, who has been impacted and how, as well as what can be done to try to address the harm caused. The RJU is committed to providing a culturally safe and trauma-informed space to support and guide that communication. An Indigenous Guidance Partner and Indigenous Convenor are available to support Aboriginal and Torres Strait Islander clients through the restorative justice process.
- Youth Alcohol and Drug Diversion Programs aim to divert young people away from the youth justice system, referring them to assessment and education programs:
  - The Youth Alcohol Diversion Program provides intervention and education to young people who engage in underage drinking.
  - The Illicit Drug Diversion Program provides intervention and education to people who engage in drug taking.
  - These programs, delivered through a partnership between ACT Policing and Canberra Health Services, also collect data on young people and their use of alcohol and other drugs, with a view to reducing harm, binge drinking and associated social and health problems in the community.

### **Functional Family Therapy-Youth Justice**

In early 2021, a pilot program was established to strengthen family supports and community connections to decrease young people's involvement in criminal activity and reduce their risk of engagement with the youth justice system. The pilot ended in July 2022 and an independent evaluation of the pilot was undertaken to understand the impacts, outcomes and processes of the program. ACT Government committed \$3.076 million over 4 years from 2023–24 to deliver a FFT-YJ program as part of a suite of reforms to raise the minimum age of criminal responsibility.

### **Yarrabi Bamirr**

Yarrabi Bamirr (meaning 'walk tall' in the Ngunnawal language) was officially launched as a trial in mid-2017 at Winnunga Nimmityjah Aboriginal Health and Community Services under the name 'Justice Reinvestment Program'. This approach targets families with children and uses a family-centric model of service support with Aboriginal and Torres Strait Islander families, to improve life outcomes and reduce or prevent contact with the criminal justice system. In 2020, the program ceased being a trial, was expanded, and continues to be delivered by program is delivered by Winnunga Nimmityjah and other Aboriginal and Torres Strait Islander community organisations in the ACT.

Yarrabi Bamirr is designed to address complex needs using a comprehensive approach that is co-designed with the client and their family. A range of agencies work collaboratively to support the issues clients are experiencing. This involves intensive support that gradually builds the clients' own capacity to navigate issues and self-manage their affairs.

### **Offence-specific and therapeutic programs**

A range of programs and interventions are delivered within the community and custodial environments to address the needs of young people. These include programs that focus on alcohol and other drug issues, relationship issues and educational needs. The Changing Habits and Reaching Targets (CHART) program, a cognitively based intervention designed to help young people to change their thinking and decision-making processes, is delivered in the community and Bimberi.

Young people at Bimberi are provided with tailored case plans that recognise the importance of recovery from trauma, consider a disability assessment and strengthen life skills. A full-time Principal Practitioner is employed at Bimberi to strengthen trauma-informed therapeutic treatment and case management support for young people with complex and challenging presentations. A range of partnerships also operate to assist young people through:

- a focus on education
- employment skills programs
- post-release support
- disability support
- health and mental health support.

### **Programs for Aboriginal and Torres Strait Islander young people**

CYPS has a dedicated cultural services team, which assists case managers to provide culturally appropriate support and supervision to Aboriginal and Torres Strait Islander young people.

Bimberi employs a designated Family Engagement Officer, who supports engagement between young people and families, and works with case managers and Aboriginal and Torres Strait Islander community service providers to ensure young people transitioning from custody are supported within their community.

The Murrumbidgee School at Bimberi also has 2 Aboriginal and Torres Strait Islander Transition Officers, who facilitates the transition of Aboriginal and Torres Strait Islander young people into appropriate training, education or employment options.

Canberra Health Services' Aboriginal Liaison Officers attend Bimberi each week to provide wellbeing support and Aboriginal Health Assessments to Aboriginal and Torres Strait Islander young people in detention.

Aboriginal and Torres Strait Islander community service providers run various programs at Bimberi, including counselling, family support and Aboriginal and Torres Strait Islander art.

### **Supported accommodation and bail programs**

The After-Hours Crisis Service aims to keep young people out of custody by providing community-based options as an alternative to being remanded in Bimberi and assisting young people on justice orders to comply with the conditions of their orders. Staff work with young people, court officials and other service providers to ensure that, where appropriate, young

people are able to remain in the community while being supervised for compliance with bail conditions.

The Narrabundah House Indigenous Supported Residential Facility provides crisis, short- to medium-term accommodation options and intensive case management, primarily for Aboriginal and Torres Strait Islander young men aged 14–18 who are on community-based justice orders. The facility provides supported accommodation and culturally based residential programs focused on community participation and integration.

### **Safer Youth Response Service Pilot**

Starting in December 2023, the ACT Government has funded the Safer Youth Response Service (SYRS) pilot program, a new front-line initiative designed to support the recently enacted MACR legislation and government priorities of improved therapeutic supports and services to children, young people and families. The pilot works with children and young people through a direct referral pathway from ACT Policing to on-call youth workers and overnight crisis accommodation for young people unable to return home if required.

### **Oversight mechanisms**

The ACT youth justice system operates within a human rights framework, governed by the *Human Rights Act 2004* (ACT), and is committed to delivering transparent and accountable services. Existing oversight mechanisms and agencies include:

- an Official Visitor for Children and Young People and an Official Visitor who identifies as an Aboriginal and Torres Strait Islander person supports young people in detention or in out of home care to raise concerns and complaints.
- the ACT Human Rights Commission and Public Advocate provides external oversight of Bimberi and the broader youth justice system. CYPSS works with these agencies to promote continuous practice improvement.
- a Charter of Rights for Young People in Bimberi Youth Justice Centre to strengthen the protection of young people in Bimberi.
- the Inspector of Correctional Services, established under the *Inspector of Correctional Services Act 2017* to oversee and examine the operations of the adult and youth detention systems in the ACT.
- the Commissioner for Aboriginal and Torres Strait Islander young people established under the *Aboriginal and Torres Strait Islander Children and Young People Commissioner Act 2022*, to advocate for the rights of Aboriginal and Torres Strait Islander children and young people, to identify and examine issues that affect the human rights and wellbeing of Aboriginal and Torres Strait Islander children and young people – and make recommendations to government and non-government agencies on legislation, policies, practices and services that affect Aboriginal and Torres Strait Islander children and young people.
- the ACT’s National Preventative Mechanism (NPM), consisting of the ACT Ombudsman, the ACT Human Rights Commission and the Office of the Inspector of Correctional Services has been appointed as part of the ACT’s human rights obligations under the *Optional Protocol to the Convention Against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment* (OPCAT).

# Northern Territory

## Policy directions

The Department of Corrections (DoC) is responsible with leading youth justice policy and strategic direction in the Northern Territory. Following recent Machinery of Government (MoG) changes, formal youth justice policy governance framework within DoC is still under development but will be focussed on the Government's 3 pillars of reducing crime, rebuilding economy and restoring lifestyle.

DoC is now in the process of redesigning a comprehensive youth justice policy. This will involve the Government's key priorities and ensuring alignment with both the department's overall objectives and the new government's commitments. The Department of Children and Families (DCF) will support DoC in its efforts to reduce youth crime and provide alternative pathways to help break the cycle of reoffending.

## Agencies

### Department of Corrections (DoC) and Department of Children and Families (DCF)

DCF brings together a range of advocacy and frontline service delivery functions to support the delivery of youth justice services that provide alternative (non-statutory) pathways to break the cycle of reoffending.

In addition, DCF's Youth Outreach and Re-engagement Teams are based across the Territory and focus on building strong relationships and identifying gaps across services that support young people and their families to navigate the youth justice system.

Youth Outreach and Re-engagement Officers within these teams act in the best interests of young people, focusing on early intervention and prevention, taking a proactive outreach to reduce antisocial and offending behaviours.

DoC is responsible for the supervision of youth in detention within the Alice Springs Youth Detention Centre and the Hotlze Youth Detention Centre based in Darwin.

The *Northern Territory Youth Detention Centres Model of Care* informs how youth detention centres will work to rehabilitate young offenders and keep the community safe.

This document is the result of a more than 18-month consultation process with youth and their families, health and education providers, youth detention staff, advocates, police and sector experts.

The document sets out the steps the DoC will take to improve the way care is provided for young people in detention. These changes will be from the moment a young person enters detention to well after they have returned to the community.

DoC is also responsible for the supervision of a youth on a Court order with Community Youth Justice Officers (CYJO) based across the Northern Territory. CYJOs lead case management, working with young people and their families, and internal and external Government and non-Government service providers, so the youth fulfills statutory obligations and responsibilities.

## **Police**

Youth offenders in the Northern Territory who are dealt with by Northern Territory Police may be referred to the NT Police Youth Pre-Court Diversion Scheme (YDS) under either section 39 or 64 of the *Youth Justice Act 2005*. Depending on the nature of the offending, a young person may also be released on bail, or remanded in custody.

## **Courts**

If the court finds a charge proven against a young person, the decision may be made to:

- dismiss the charge or discharge the young person without penalty
- adjourn the matter for up to 6 months and, if the young person does not commit a further offence during that period, discharge them without penalty
- adjourn the matter to a specified date within 12 months of the finding of guilt, and grant bail to the young person for the purposes of assessing prospects for rehabilitation, allowing the youth to demonstrate they have rehabilitated or for any other purpose the court considers appropriate
- order the young person to participate in a specified program that has been approved by the Minister
- order that the young person be released, subject to conditions including to observe any specified conditions, be of good behaviour for a specified period or appear before the court if called to do so
- impose a fine
- make a community work order
- order that the young person serve a term of detention or imprisonment that is suspended
- order that the young person serve a term of detention or imprisonment
- make any other order that another court could make if the young person were an adult.

## **Elements, programs and services**

### **Youth pre-court diversion**

The YDS operated by Northern Territory Police operates within a Restorative Justice framework and includes verbal and written warnings, Drug Diversion and Youth Justice Conferencing (with either family or victim–offender). Conference outcomes can include referral to formal programs to assist with the issues behind offending. These can include alcohol and other drugs or anger management counselling, and conditions such as an apology to the victim, community work and engagement with school.

NT Police provide ongoing training on the YDS and restorative justice conference facilitation to both police and non-government service providers who work with youth offenders.

### **Case management**

All YDS clients who are formally diverted are case managed through the diversion process. Non-government services, funded under the Youth Diversion Grants Program managed by the DoC services, provide specific case management services in urban and remote areas. In remote communities they also work under a community development model with young people at risk and those undergoing reintegration from detention.

## **Offence-specific and therapeutic programs**

NT Police work closely with all community-based services so that young people may access programs relevant to their needs. Programs used by the YDS can include substance abuse, anger management, training and education, and community work.

Drug Diversion is also offered for first-time low-level offending. This is generally referral for education-based services.

## **Community Youth Justice Officers**

Community Youth Justice Officers (CYJOs) play a crucial role in the Northern Territory's Youth Justice System, dedicated to supporting and rehabilitating young people in contact with the justice system. They work with young offenders, families, community organisations, and various stakeholders to deliver programs and services that promote positive behavioural changes, accountability, and reintegration into the community.

CYJOs serve as a bridge between the youth justice system and the communities, fulfilling several essential functions:

### **Case Management and Assessment**

- CYJOs conduct comprehensive assessments of young offenders, considering various factors such as background, risk of re-offending, family circumstances, and specific needs. Based on these assessments, they develop individualised case plans to guide each young person's rehabilitation journey.
- Case management responsibilities include setting goals with the young person, regularly reviewing progress, and adapting case plans based on evolving needs and circumstances.

### **Community Engagement and Liaison**

- CYJOs work closely with community organisations, family members, educational institutions, and healthcare providers to ensure a holistic approach to youth rehabilitation. Their role is to strengthen community ties, provide resources, and involve local services in the youth's support network.
- They often act as advocates for young people, helping to build pathways to education, employment, and other prosocial opportunities within the community.

### **Court Support and Reporting**

- CYJOs prepare and present reports for the Youth Justice Court, including bail assessments, supervision assessments and pre-sentence reports and recommendations on conditions that should be placed on these orders. They provide insights to the Court into the young person's progress, challenges, and suitability for specific programs.
- They may attend court proceedings to support young people and their families, explain legal processes, and clarify available options to both the young person and the court.

### **Monitoring and Compliance**

- Part of the CYJO's role is to monitor compliance with court orders, diversion programs, community work orders and conditions such as curfews, attendance at education or employment, and participation in programs. They conduct regular check-ins to ensure the young person meets their obligations.
- CYJO's are responsible for electronic monitoring when a young person is subject to an electronic monitoring device (EMD). Assisting a young person to comply and reporting breached to the Court or Northern Territory Police.

- Non-compliance is managed through interventions designed to support young people in fulfilling their commitments while addressing underlying issues that may be contributing to challenges in adherence. Non-compliance of bail conditions are reported directly to the Northern Territory Police and Conditional breaches are lodged with the respective court.

## **Key programs and support mechanisms**

The Northern Territory's Youth Justice System includes a variety of programs and supports managed or facilitated by CYJOs, aiming to reduce reoffending and address factors contributing to youth offending.

### **Diversion programs**

- Diversion programs are a central component of the youth justice strategy, aiming to divert young people away from formal court processes and into constructive activities. These programs may include education, skills development, community service, cultural programs, and restorative justice practices.
- CYJOs collaborate with local community services to tailor programs that align with the young person's cultural and individual needs, fostering accountability and promoting positive social behaviour.

### **Restorative Justice and Victim Engagement**

- Restorative justice programs emphasise accountability, empathy, and making amends. CYJOs support victim-offender mediation sessions where appropriate, allowing young people to understand the impact of their actions and engage in meaningful reparations.
- These programs help build empathy, understanding, and personal responsibility while offering victims a voice in the justice process.

### **Rehabilitation and Skills Development Programs**

- Rehabilitation initiatives aim to address the underlying issues that contribute to youth offending, such as substance abuse, trauma, mental health challenges, and lack of education or employment opportunities.
- CYJOs link young people to relevant services, including counselling, education and skills development opportunities, and mentoring, to help them develop essential life skills and increase their chances of positive reintegration into society.

### **Family and Cultural Support**

- Recognising the importance of family and culture, CYJOs actively involve family members and community members in the young person's rehabilitation. They work with Aboriginal Cultural Advisors to ensure culturally sensitive approaches in all aspects of the youth justice process.
- By integrating cultural programs and family involvement, CYJOs promote healing, identity formation, and community reintegration for Indigenous youth.

### **Ongoing Risk Assessment and Crisis Intervention**

- CYJOs perform continuous risk assessments, particularly for young people who may pose risks to themselves or others. They coordinate with mental health services, educational authorities, and family members to provide immediate intervention when necessary.
- In cases of acute crisis, CYJOs ensure that young people have access to crisis support services, including emergency housing, mental health care, and substance abuse support.

## Challenges and Collaboration with Stakeholders

The role of a CYJO is multifaceted and requires significant coordination across multiple sectors. Challenges include managing high caseloads, addressing complex mental health and behavioural issues, and working within diverse cultural contexts. To navigate these challenges effectively, CYJOs collaborate with:

- **Supreme Court, Youth Justice Court and Northern Territory** for alignment on legal obligations and compliance.
- **Social Services and Health Providers** for comprehensive health and well-being support.
- **Educational and Employment Services** to build pathways for positive reintegration.
- **Community Organisations** to ensure culturally sensitive programming and community support.

Community Youth Justice Officers play a vital role in the Northern Territory's youth justice framework, focusing on the rehabilitation, support, and reintegration of young people. Through assessment, case management, community engagement, and close monitoring, CYJOs address the root causes of youth offending, promote personal growth, and work to prevent recidivism. By fostering strong community partnerships, utilising restorative justice approaches, and advocating for youth, CYJOs support a youth justice system that aims to positively reshape lives and strengthen communities across the Northern Territory.