

Letters to the Age by Julie Edwards, the Chief Executive Officer of Jesuit Social Services (2 letters)

Dealing with youthful offenders may be difficult, but it is not impossible.

The recent violence at Parkville youth detention centre has rightly put the public spotlight on youth justice. Unfortunately, this has resulted in some knee-jerk commentary and responses, including the government's disappointing move to incarcerate children in an adult facility and hysterical and illinformed debate about the "need" to get tougher on crime.

Ironically, by seeking to placate a concerned public, the government risks making our community less safe, rather than more so.

Its announcement yesterday that Indigenous children will not be detained at Barwon Prison is welcome, but only partially addresses concerns about the prevailing policy-on-the-run, as the research is clear that NO children should ever be incarcerated in a correctional environment designed for adults.

Contrary to the current rhetoric, youth offending has been on a downward trend for at least the past five years, and in recent years this state has led the nation with successful youth justice programs. It is true we have a serious problem with a small group of troubled young people committing violent crimes – some of these young people don't seem remorseful, are frightening the community and having a profound impact on victims. We have to invest in changing the behaviour of these problematic children and prevent others following the same path.

Crime statistics show us that young offenders can be divided into four groups. The first two groups offer the best chances of rehabilitation – those who are first-time offenders, and those who offend for a short time as they push boundaries during teenage years before settling down. The third group tend to have been dealing with complex disadvantage from a young age. Early contact with child protection, a parent in prison, exposure to family violence, community disengagement and poor education are common with this group. These children are well known to those of us who work in the community sector, as well as to the police and justice authorities.

The final group are the "late onset offenders" who mostly only begin offending about the age of 15 but rapidly become involved in more serious offending. They may not have the same child protection history and possibly remain engaged at school, but these young people still largely come from the most disadvantaged postcodes. Our experience working with such children tells us their family and school situations are often precarious – they are hanging on to what most of us call "normal" by the skin of their teeth. A number of them left "normal" behind a while ago. And without intervention they will continue to cause trouble.

So, what to do? The “lock them up and throw away the key” approach is about the worst thing we can do. This entrenches disadvantage, heightens disengagement from the community, and embeds impressionable young people within a community of offenders. Research on brain development shows that the second decade of life is a period of rapid change, particularly in relation to impulse control. While this is reflected in behaviour, it also presents a window of opportunity for rehabilitation.

A strong society invests its efforts first and foremost in preventing crime. Once someone is going off the track, we must take steps to divert them from the criminal justice system or rehabilitate them through appropriate supports and programs that extend to their family and community environment.

For those who have seriously gone off track we need to create a strong net that will hold them while they face up to their situation and reset their lives in a positive direction. There is a place for custody but the goal must be rehabilitation.

A comprehensive approach must balance supervision, monitoring and accountability with tailored programs that change their behaviour and build solid skills, offering hope and a chance to build a healthy identity. The work must not cease until that behaviour change occurs and the young person is on a pathway to a positive and contributing future. These programs may be expensive on an individual basis, but far less costly – both in financial terms and community grief – than the current inadequate, piecemeal approach or resort to imprisonment.

There are a few models we can draw on, including Scotland’s successful Violence Reduction Unit, which combines a standard justice approach with education and supports that give elements of choice and control to young people, so they cease seeking power through involvement in gangs.

Avoiding institutionalisation is important – we want these young people to develop positive social skills and reform their behaviour, so the emphasis must be on building relationships in a safe, secure and therapeutic environment where staff are skilled and appropriately trained.

We are talking about a small number of young people whom we need to pursue in this way. If we commit, persevere and invest appropriate resources to tackle this problem we can be very confident of success.

And we cannot stand by while ill-informed, dangerous proposals are put forward that will make the community less safe in the future, and relegate a number of young lives to the scrap heap.

Julie Edwards is CEO of Jesuit Social Services.

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Our broken youth justice system was once the nation's most progressive.

The problem we face with the youth justice system – demonstrated as recently as the weekend's events at Parkville – has been some years in the making. But how did we get here, from once having led the country with our more progressive approach?

It has been argued that this crisis is not, or not only, due to negligence but governments actively pursuing the wrong approach.

Over a number of years, the youth justice system has not received the attention it deserves – and the cost of that neglect is now apparent. The youth justice system sits between two much larger systems – those of child protection and adult corrections. Sadly, the child protection system is a feeder for youth justice; about two-thirds of children in the youth justice system have a child protection history.

The youth justice system is also a feeder for adult corrections, with many people in jail having been transported along the conveyor belt from child protection to youth justice to adult corrections. The broader system is, at best, under severe pressure; at worst, badly broken. Until recently, about 80 per cent of young people in custody at Parkville were on remand, meaning they had not been convicted of an offence. Filling up youth detention centres with unsentenced people creates a vicious circle. There is the direct negative effect on the young people themselves – and remember that when the cases go to court, most young people either do not receive a sentence or get a community sentence.

Further, having so many young people on remand blocks up the system, causing under-servicing and delays in processes regarding court appearances and resolution of cases. This in turn leads to further overcrowding.

Victoria's progressive approach to youth justice was demonstrated by lower rates of youth offending, imprisonment and recidivism. This was a result of an "informal compact" that saw both sides of politics, the police, the judiciary, the department and the community sector more or less aligned in an effort to prevent youth offending, divert young people from the criminal justice system where possible, and rehabilitate those caught up in a cycle of offending.

There was strong leadership; an understanding that this was the best way to turn around precarious lives and keep the community safe in the long run; and experienced staff employed at both policy and program levels. And there was still room for improvement.

So what happened? It's hard to say what occurred first, but over recent years politicians of both persuasions have competed with each other to demonstrate their "tough on crime" credentials. An irresponsible and sensationalist media is intent on creating fear in the broader community, ignoring the facts and the evidence about what works, creating a

pressure cooker environment that politicians are tuned in to. They respond by increasing their tough rhetoric.

The previous government also made hefty cuts to the public service , resulting in the loss of expertise and skill and severely curtailing its capacity to lead and advise in the areas of policy development and program implementation.

Youth justice is a pivotal part of a larger system. Of course we should invest earlier down the conveyor belt to prevent disadvantage and criminal behaviour occurring. But once young people start behaving badly we should do all we can to divert them from further penetration of the criminal justice system not draw them into the seemingly bottomless pit of a life of offending. So when a child hits the youth justice system, we are presented with an opportunity.

That opportunity looks something like this – getting to the bottom of what is going on in the young person’s life and tackling the specific factors that lie at the heart of the offending. This means forming a relationship, listening and learning.

There is nothing soft about this approach. It’s challenging because it’s personal and it’s real. It involves working with the young person to face up to facts about where his (and it is usually “ his”) life is going, about who he is and who he wants to be. This is not a one-size-fits-all intervention; it’s targeted to the real issues the young person needs to tackle, and the behaviour he needs to step away from.

This approach needs to underpin our interventions with young people both in the community and in custody. In custody, it means ensuring the environment is safe; that staff are appropriately qualified , resourced and supported to help young people tackle the underlying causes of their offending and that this happens in a consistent way; that young people remain connected to family and community and are supported to successfully transition out of custody.

The present situation is not of this government’s making. But it is its responsibility to rectify it, not exacerbate it. The government has instigated a review of youth justice, and its findings should be released by April. We expect the government will commit appropriate resources to get the youth justice system back on track.

Julie Edwards is the chief executive of Jesuit Social Services.

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