

Rethinking and Reconstructing Youth Justice – an 8-point plan

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10 March 2017

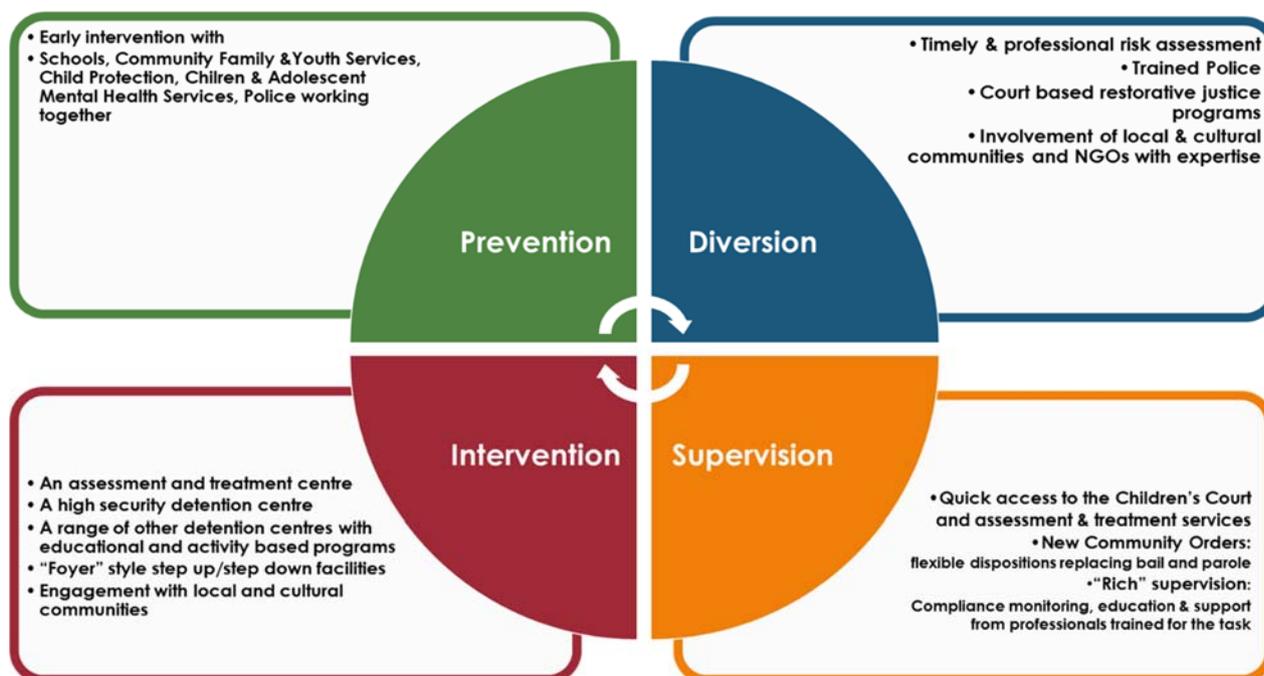
A major public storm has erupted in Victoria about the government's decision to locate a new juvenile justice detention centre at Werribee in the city's south west. Locals see it as demeaning to their neighbourhood, but, in my view, it's the whole idea that is wrong, **NOT** the site!

We have already seen across the nation that putting hundreds of behaviourally disturbed kids of different ages with different needs in one prison-like institution is a recipe for further trouble. We should have learned that from riots and other violence across the country, from the Cleveland Centre in Townsville to Don Dale in the NT, to Parkville, Malmsbury and Barwon in Victoria, and Banksia Hill in WA, or Kariiong in NSW.

And it was not as if we had not been warned! After problems at Parkville in early 2016, a report commissioned, but kept secret by the Victorian Government, from a former head of NSW's juvenile justice department, Peter Muir, had already told them that the young Parkville detainees' destructive behaviour was "to be expected" and "will almost certainly occur again". Muir pointed to how the dated physical infrastructure, staffing skills and shortages, and the frequent use of "lockdowns", an adult prison management tool, had created a high risk that violence would recur.

The use of lockdowns, in my view, points to the very root of the present problem: trying to impose a failed adult corrections model on kids. We need to treat them differently because they are different: their emotional maturity, impulse control, and social connectedness are incomplete. Many of the kids in the juvenile justice system have been abused, come from dysfunctional families or state care, or have untreated behavioural, mental health or substance abuse problems.

Warehousing them in the punishing idleness of a prison regime and expecting passive compliance, let alone any recovery is fanciful. We need to think about how we respond to these kids in a holistic way:



Here are some proposals about how such a new holistic system might begin to take shape. There are plenty of identifiable gaps and problems in the model, even at first glance: but it is often easier to begin a discussion we must have from a set of concrete proposals. The ideas below relate specifically to current system in Victoria, but the principles generalise easily:

1. Priority #1 should be the establishment of a world-class **Young Peoples Forensic Assessment and Treatment Service**. It would work in all 4 areas of a holistic youth justice system:
 - in prevention and diversion, it would work most closely with schools, school support services, police, families and local and cultural communities.
 - in supervision and intervention, it would identify not only the needs of young people, but also the level of risk they pose to

themselves and others, and recommend to the Children's Court the best forms of community-based supervision or residential intervention, both to help the young people and to mitigate community risk.

Much of the expertise to undertake these tasks already exists, in Forensicare, Juvenile Justice Mental Health, Orygen, the Children's Court Clinic, and Children's and Adolescent Mental Health and Student School Support services. But it needs a clear policy direction, excellent clinical leadership, strong co-ordination, adequate resources and a fair degree of refocusing.

2. For young people who are charged with multiple or serious offences, this service would need an **Assessment and Treatment Centre**, a residential facility run on the model of a therapeutic service provided by mental health professionals inside walls secured by professional corrections staff. Forensicare's Thomas Embling Hospital for adults in Victoria shows how this can work successfully. Why should our kids deserve any less?
3. Effective diversion programs will need **specially trained police and more community youth workers**. In Victoria, some of the recently promised 4000 extra police should be specially trained to work in prevention and community diversion with young people. Some have already been "hypothecated" to work in family violence prevention: many of those they work with will be kids often seen in the youth justice system.
4. A new **Young Peoples Supervision Service** should replace adult concepts like probation, bail and parole, with broad, flexible, Court-supervised Community Orders. In my view, in Victoria this should be a division of Corrections Victoria, overseen by the Children's Court.

5. The **Children's Court** should be totally revamped and enlarged. It needs to be able to respond to young people's offending behaviour in a much more timely way, in days, not weeks. It needs to be able to identify children at risk in its protection jurisdiction and steer them towards diversionary programs. In Victoria, as well as incorporating the resources and experience of the Youth Parole Board, community members and mental health professionals should be recruited to the bench to play a strong role in the Court's diversion and supervision responsibilities.
6. The Court will necessarily take decisions to detain some young people beyond assessment and treatment, for risk management and sometimes punitive reasons. At least initially and perhaps even in the longer run, the system will need a **High-Security Detention Facility** to deal with particularly dangerous and recidivist offenders, but that absolutely should not form the model for the whole system, nor should these kids be housed with others who are much more vulnerable. The facility should house no more than 50 kids, should still have a primary rehabilitation focus, even in a high-security environment, and should be used only as a last resort for the shortest time possible.
7. Beyond the high-security and assessment and treatment centres, there should be another 4 to 6 **Youth Education Centres**, still run on the Embling model: well-trained corrections staff looking after security, but inside the walls,
 - a secondary school campus,
 - a couple of TAFEs,
 - an outdoor skills learning centre,
 - a special purpose Koori learning facilityand the like, all charged with engaging local communities.
8. A series of step up/step down "**foyers**" would allow kids to continue programs they begin in detention while living in the

community, or to start programs without being detained after assessment and treatment.

There are many community groups and non-government organisations with a keen interest and strong existing social capital working in the areas the new system will try to improve. It is vital that their knowledge, skills and commitment are valued and used in establishing a new system.

But still, doing some or all of this, or more, will be expensive - a major investment in radically new infrastructure. But at least it has some chance of not being good money wasted after bad which is what a continuation of the current model will deliver in wasted lives.

And, then, perhaps the people of Werribee like those in many other parts of the country might be happy to take have one or more of these facilities ... because they're OUR kids!

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