

Blueprint for a Better Future: Paving the Way for Youth Justice Reform in Western Australia

WHAT IS THE BLUEPRINT?

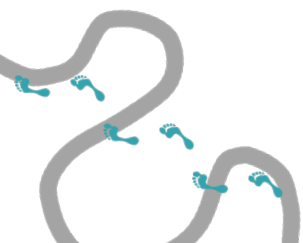
Social Reinvestment WA has developed a comprehensive evidence-based blueprint outlining a vision for a more effective, and connected youth justice system in Western Australia. A whole-of-system approach that responds to the underlying causes of offending to reduce crime, ensures the wellbeing of children and young people, and delivers safer and better futures for our most disadvantaged communities.

- Developed over 2.5 years with the contributions and collective expertise of 40+ non-profit organisations, community leaders, justice experts.
- A comprehensive document for policy makers.
- Covers Causes and Needs; Best Practice; Evidence-Based Program Examples; Specific Directions for Systemic Reforms; and Corresponding Legislative Frameworks.
- Accompanied by a Brief, Executive Summary, and Infographics for easy dissemination.
- Blueprint Edition 1 Launched 26th August 2022 to prompt and guide reform.

WHY DO WE NEED IT?

- **Community concern in relation to high profile instances of children and young people involved in offending across the state**, with media, political leaders, and communities crying out for responses, particularly in the Kimberley, Pilbara, and Perth Metro regions.
- Despite the evidence base demonstrating that responding to youth justice issues requires interventions across many social areas, **WA currently lacks a whole of government strategy in this critical area**. Whilst there are various pieces of reform happening, with no over-arching direction and integration of approaches, our state is continually funding and initiating **only knee-jerk responses to youth crime, lacking carriage of an overarching vision**.
- This has led to **a lack of funded, effective alternatives** and options for responding to children and young people in the communities that need them most, and a **disconnect between service systems** which fail to meet the needs of this vulnerable group and shuffles children around until they fall through cracks, often ending up incarcerated.
- The **alarming conditions in Banksia Hill and recent transferral of children to Unit 18 in Casuarina maximum security adult prison**, are cause for significant concern exacerbated by staff shortages and a lack of alternatives for low-risk offenders and children on remand. In April 2022, OICS recommended urgent action. Of particular concern is the **significant self harm** occurring inside the facilities, and a lack of a therapeutic, trauma informed, and culturally responsive operating model. Rolling **lockdowns** inside were **ruled unlawful by the Supreme Court** in August 2022.
- Evidence from medical experts confirms that **detention and criminalisation cause immediate and long-term harm to children**, and make it **more likely** they will offend again in future.
- With recidivism rates as high as 80%, and costing \$1100 a day, WA's Juvenile detention system is both the **most expensive response and fails to effectively rehabilitate** or reintegrate.
- WA has the **most disproportionate number of Aboriginal children incarcerated in the country**, with Aboriginal children making up 78% of the children in prison last year. Our state's **commitments to Closing the Gap** prioritise and commit us to reducing the number of Aboriginal people in the youth justice system.
- Furthermore, as the **ALP leads a national process for states to move to raise the minimum age of criminal responsibility**, and momentum builds for change in WA, we need our systems ready to support the children who are diverted away from the criminal justice system.

**No one wants to see children in prison, and everybody wants to live in safety and free of fear in their communities. We know the current system isn't working to achieve this. Blueprint for a Better Future seeks to answer the question:
What do we do instead?**



HOW DID WE DEVELOP THIS REPORT?

- **This report came about because** in SRWA's ongoing advocacy for justice reinvestment and to Raise the Minimum Age of Criminal Responsibility, we have continually been met with the same obstacle and question: "We don't want to incarcerate children, but what do we do with them instead?"
- Whilst there are better options and alternatives, many already running, what was there was no recent publications summarising the evidence, and detailing how a different system could function.
- **Informed by:**
 - Open invitation workshops with non- government organisations (26 orgs, 117 attendees);
 - Consultations with people with lived experience in the justice system (including 6 Aboriginal young people currently in the system, and 4 adult lived experience ambassadors);
 - Desktop analysis and research by King Wood Mallesons law firm;
 - An extensive research, drafting, and development process by SRWA team with our coalition members (29 organisations.)
 - Individual briefings and feedback from key organisations.
- The dire situation of children moved to Casuarina maximum security adult prison, meant publishing concrete ideas of how to do things differently became *a matter of urgency*.
- We aim to use the Blueprint to prompt and guide ongoing conversations and engagement on necessary reform, culminating in a summit next year.
- The Blueprint is Edition 1- open to evolution and additions, and potential future re-releases.
- We hope policymakers will clearly comprehend possible alternatives to the current approach.
- This work, and the work of SRWA to campaign to end the systemic over-representation of Aboriginal and Torres Strait Islander people in WA's justice system is made possible through the generous contributions and commitments of our 29 member organisations, and since 2021, our partnership with Change the Record.
- SRWA were not funded externally for this work, but prioritised it because we saw it was needed.

PRINCIPLES GUIDING A NEW APPROACH



Community Leadership and Co-Creation

The voices of children, young people & communities needs to be at the heart of what we do. Lived experience insights are integral in ensuring our responses are effective, appropriate, & supportive.



Holistic and Therapeutic Responses

Instead of punitive responses, we need to prioritise policies, programs, and supports that address the unmet needs of children, young people and families to achieve cultural, social, and emotional wellbeing.



Data and Evidence-Driven Proactive Interventions

Providing the right support, in the right place, at the right time to meet children & young people's needs and change trajectories; informed by accessible data, information, & evidence.



Accessible Supports

Removing barriers and to ensure help and support whenever children and young people need it, regardless of entry point or mechanism; to create a system with no wrong door.



Aboriginal Self-Determination

Self-determination for Aboriginal people in responses that pertain to them, and support for Aboriginal community-controlled solutions.



Justice reinvestment

Investing in wellbeing to address the underlying causes of offending, for a smarter approach that creates safer communities.



Transparent, Accountable and Anti-Discriminatory Systems

Create increased trust in our justice systems through greater accountability mechanisms which seek to uphold the rights of children and proactively address systemic discrimination



SPECTRUM OF INTERVENTION

This spectrum of intervention demonstrates the new recommended systemic approach to youth justice outlined within the Blueprint.



RECOMMENDATIONS

This visionary document currently presents **17 key recommendations, across 3 major areas**. Some of these recommendations are actions which could commence immediately, others are processes which will take time to shift and re design. But critically, we have 3 immediate asks of government:

KEY ASKS OF GOVERNMENT

WHOLE OF GOVERNMENT STRATEGIC APPROACH

Develop a whole of government vision and strategy to improve youth justice outcomes across the life-course, in partnership with the community and sector, commencing by the end of 2022. Carriage of a new vision and strategy should be made accountable and enabled through a leadership mechanism.

Why: Western Australia currently has no mechanism to coordinate efforts across government agencies responsible for youth justice outcomes. As a result, we are seeing a disconnect between strategic intentions, funded services, and reforms between agencies, and vulnerable young people are falling through the cracks. Western Australia requires a strategy and vision for youth justice to enable connected and coordinated services for children and young people and take a holistic approach to improve outcomes.

Accountability is critical as youth justice outcomes are the responsibility of multiple ministerial portfolios and existing government agencies. As a result, interagency coordination is limited and no one body has oversight of the service system from prevention to crisis and detention. Identifying a champion within government, such as a new Ministerial Portfolio, to oversee this work will support accountability within existing activities.

FUNDED AND ACCESSIBLE PROGRAMS IN EVERY PLACE

Identify the 10 communities in most urgent need of action on youth justice, and allocate resourcing in the 2023 Budget for place-based initiatives to co-create asset-based solutions in partnership with local communities, ACCOs, NGOs and government services across the spectrum of intervention (Justice Reinvestment Sites.)

Why: A lack of coordination between resourcing and services at a local level is preventing strategic work to address community-wide issues that are the underlying causes of offending. To achieve maximum effect from programs such as Target 120, we need to invest in the backbone supports that allow local collaboration, place-based strategies, and identifying service gaps across the spectrum of intervention.

LAW REFORM

Begin a review of the *Young Offenders Act 1994 (WA)*, commencing no later than the end of 2022, to update this legislation with modern understandings of youth offending, reflect a focus on prevention and diversion, and prioritise pathways that promote the wellbeing of children, young people and communities.

Why: The *Young Offenders Act 1994 (WA)* has not been substantially reviewed since its initial review in 1998, and restrains the options available for young people in the justice system. A review commenced in 2016 but was suspended in advance of machinery-of-government changes. Reforming the Act is required to address provisions in the Act, reflect modern understandings of youth justice, and to address contemporary issues in youth detention and remand.

For more information and to read the whole report and accompanying documents:

www.srwa.org.au

