

Youth Justice

The issues

Offending behaviour can be averted

- The majority of young people grow out of offending without any formal intervention to change their behaviour.
- The rates of incarceration (detention and remand) have risen over recent years.
- Some groups of young people are significantly over-represented in detention figures.
- Many young people who get caught up in the system have issues that could be better dealt with elsewhere given the youth justice system is ill-equipped to deal with many of the issues affecting over-represented young people.

About Mission Australia

Mission Australia is a non-denominational Christian community service organisation that has been transforming the lives of Australians in need for more than 150 years

We are motivated by a vision for a fairer Australia where all young people feel included and valued and encouraged to realise their potential. The holistic nature of our work is reflected in our Outcomes Hierarchy for Pathways through a Successful Youth.¹

Our services work with a diverse range of young people in a variety of settings. During 2011-12 Mission Australia our 78 youth services helped 15,109 individuals and 164 families. In addition, we supported a significant number of young people through our homeless, employment and training services, and worked with families in disadvantaged communities to build their skills and resilience. Our service profile relevant to youth justice includes:

- Prevention and early intervention programs including crime prevention programs.
- Culturally responsive programs to prevent involvement or intervene where contact with the system has occurred.
- Residential programs to address some of the risk factors for offending that result in young people's contact with the justice system such as the MAC River Residential Rehabilitation Program and Triple Care Farm.
- Pre-release and post-release support programs that provide intensive management support to young people in contact with the criminal justice system or released from detention.

Mission Australia's Position on Youth Justice

Mission Australia wants to see changes made to the Youth Justice system

In Australia each year “around 3% of the Australian population aged 10-17 years will be proceeded against by police, close to 2% will have a case finalised in a children's court, a juvenile justice agency will supervise 0.5% in the community.”²

While the figures appear minor, they mask a complex range of social issues that have significant impacts on individuals and communities.

Young people who get caught up in a persistent cycle of offending and re-offending face a bleak future. The long-term implications of being caught up in a persistent cycle of offending include increased and compounded social disadvantage, as well as reduced employability and social inclusion – not to mention an increased risk of detention as an adult. While many young people grow out of offending, those that don't often have a range of issues that compound their situation – issues that would be better dealt with away from the justice system.³ These young people deserve a better response – particularly if we want to prevent an intergenerational cycle of incarceration.

Greater investment in prevention and early intervention

- Key individuals and institutions need to be provided with the tools to identify and address risk factors to reduce the instances of offending;
- The over-representation experienced by many groups of young people within society must be addressed to avoid further compounding the level of social disadvantage they already face; and
- Culturally appropriate and tailored responses must be provided to high-risk and over-represented groups.

Greater and more effective use of rehabilitation and diversion

- Proper screening and assessment processes are required at key transition points within and prior to contact with the criminal justice system with young people referred to specialist services where appropriate;
- Funding for evidence-led rehabilitation services which divert young people out of the youth justice system – particularly as that system is ill-equipped to deal with many of the issues affecting over-represented young people; and
- Diversion programs must be provided as an alternative to detention – they are cost effective and successful at reducing further involvement in crime.

Mission Australia's Position on Youth Justice

Adoption of a cohesive policy direction.

- Justice reinvestment must be introduced into Australian policy – it represents better value for money and produces long term social and economic benefits;
- Comprehensive and consistent application of restorative justice across Australia – young people should not be further disproportionately penalised by their geography; and
- Detention must be a last resort – mindful that there are occasions where the nature of the offence warrants this response.

While Youth Justice is the responsibility of the States and Territories, the Commonwealth Government has a significant role in ensuring consistency and equity in the application of justice responses.

This starts with prevention and early intervention responses: including those provided by front line responders such as police and emergency services; and continues throughout all points of contact with the justice system.

This role is significant because it ensures our justice responses reflect international obligations and that our youth justice system is equitable for all young people.

Adopting Mission Australia's policy responses will benefit us all socially and economically. It will also significantly reduce the detrimental impact that incarceration has on current and future generations and help us move closer to our vision of a fairer Australia.

¹ A copy of our Outcomes Hierarchy for Pathways through a Successful Youth is available for download from: <http://www.missionaustralia.com.au/downloads/annual-reports/2009/file/8-outcomes-hierarchy>

² Australian Institute of Health and Welfare (2011) Juvenile Justice in Australia 2009-10: Juvenile Justice Series No. 8. Cat. no. JUV 8. AIHW, Canberra, p. 17)

³ These include young people from ATSI and CALD backgrounds; young people with a history of abuse and/or out-of-home care; and those with cognitive disability and/or mental illness