



Reforming Tasmania's Youth Justice System

A pathway for improving outcomes across the youth justice support continuum, including the transition plan for the closure of Ashley Youth Detention Centre.

Department of Communities Tasmania
Children, Youth and Families

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Minister's Foreword

We know that the best way to invest in our future, is to invest in the wellbeing of our children, young people, their parents, carers and families.

As part of realising this vision the Tasmanian Government has committed to strengthening the supports and therapeutic interventions provided to young people to prevent engagement with the youth justice system. A key step towards achieving this goal is the development of a whole of government Blueprint for an multi-systemic response to youth justice within Tasmania.

This Blueprint will outline a strategic direction for a contemporary, integrated, therapeutic youth justice system for Tasmania and will have a focus on prevention, early intervention, diversion and rehabilitation for those young people at risk of and/or involved with the youth justice system.

Importantly, the Blueprint includes the Government's commitment to continue the transition to a therapeutic model for custodial youth justice which will see Tasmania's existing youth custodial facility, the Ashley Youth Detention Centre, close and be replaced with two smaller facilities located in the North and South of our State.

Improved outcomes means transforming the way we support young people at risk, and who have offended, and restore young people who do offend as valued and productive members of our community whilst maintaining at all times the safety of our community.

We will do this by:

- Building an integrated service system that responds to the complex causes and factors that lead to youth offending;
- Strengthening and expanding early intervention and diversion strategies for young people at risk of, or who have offended; and



- Building fit for purpose therapeutic custodial youth justice facilities.

The outcomes we are seeking to achieve are:

- A community where fewer families, children and young people are engaged in, or at risk of offending;
- Children and young people at risk, or involved in offending and their families receive every possible opportunity to pursue productive healthy lives, through a therapeutic and wellbeing approach; and
- A reduction in youth offending, resulting in improved community safety.

Government cannot do this alone, it will require ongoing collaboration and engagement across Government agencies, non government service providers, businesses, community members, and most importantly, young people and their families.

This Plan outlines our Roadmap to transform our youth justice system, and ultimately support the safety and wellbeing of all of Tasmania's children and young people, and our whole community.

The Hon Sarah Courtney MP
Minister for Children and Youth

A Youth Justice Blueprint for Tasmania

WHAT IS THE BLUEPRINT?

The Blueprint for Youth Justice will be a strategic plan to drive wellbeing outcomes for Tasmanian young people over the next 10 years. The Blueprint will identify a best practice, evidence based youth justice system for the state to benefit young people and their families and provide for a safer community.

WHO IS DEVELOPING THE BLUEPRINT?

The Blueprint is a whole of government initiative being led by the Youth Justice Project Team in the Department of Communities Tasmania. External experts will be assisting the Government to develop the Blueprint.

WHAT WILL THE BLUEPRINT FOCUS ON?

The Blueprint will have a clear focus on early intervention, prevention, and diversion for young people at risk of becoming involved in the youth justice system. It will also focus on young people who are already in contact with the youth justice system including custodial youth justice, to achieve improved outcomes both for themselves and for the community.

The blueprint will address our obligations under Closing the Gap specifically by building partnerships with Aboriginal organisations to deliver services to Aboriginal young people at risk who have already entered the youth justice system.

HOW DOES THE CLOSURE OF THE ASHLEY YOUTH DETENTION CENTRE RELATE TO THE BLUEPRINT?

The transition to new custodial youth justice facilities allows for a comprehensive renewal of our responses to young people who are sent to custody by the courts.

Together with the Youth Justice Blueprint this provides a unique opportunity to build an integrated service system that responds to the needs of young people from prevention and early intervention, right through to sentenced youth justice responses including custody.

This will provide opportunities for greater integration with the service system that precedes custody and also the support settings for young people transitioning out of custody.

The proximity of new facilities to a wider variety of services and supports will be key to integrating our facilities with the broader response to young people at risk and those who offend, to be outlined in our Blueprint. The development of a best practice, evidence based youth justice system under the Blueprint will occur concurrently with the development of new custodial facilities.

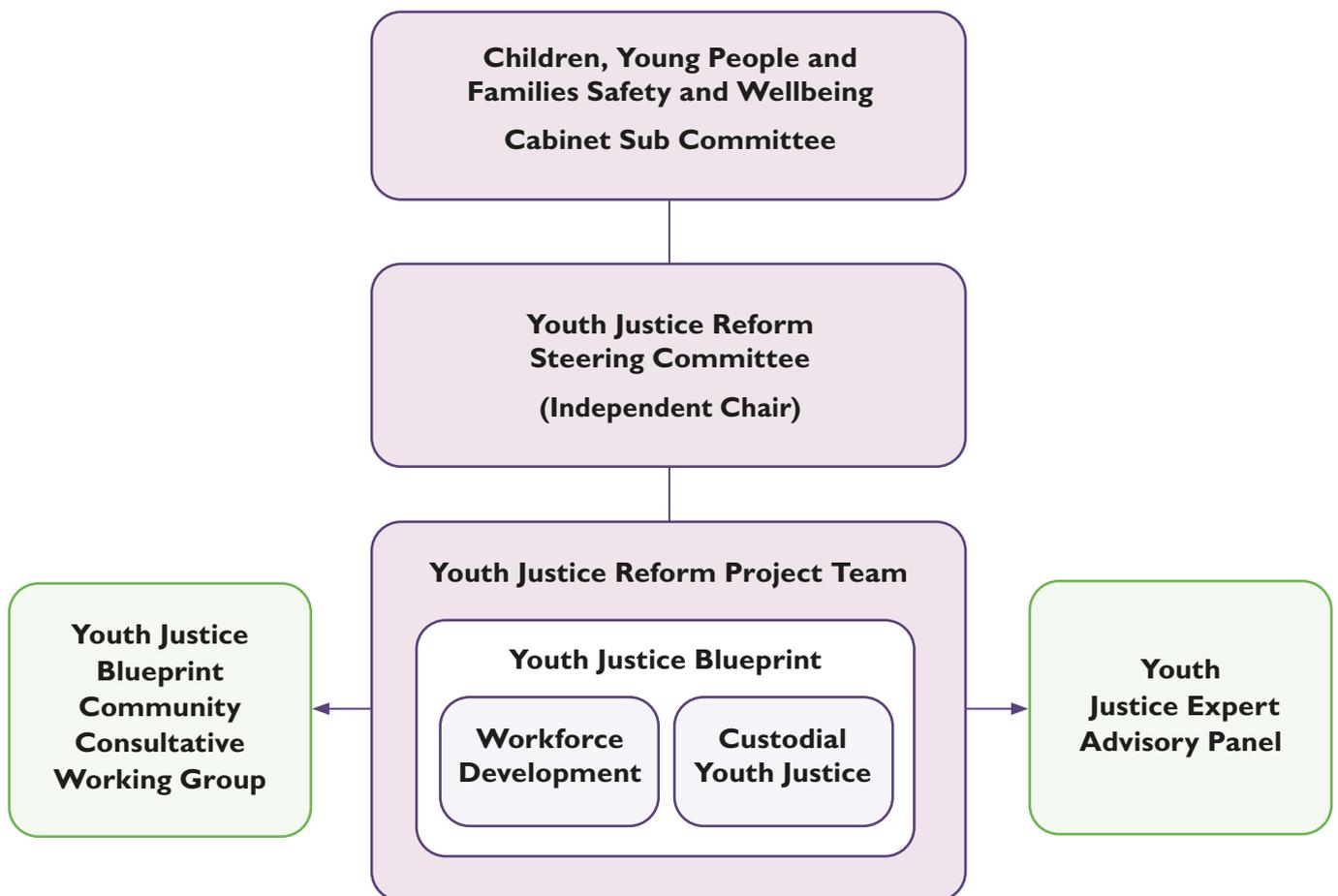
HOW WILL THE BLUEPRINT BE DEVELOPED?

The Blueprint will be developed through community consultation. The consultation process will start with the release of a Discussion Paper. Details of the consultation process and how to make submissions will be available on the Department of Communities website.



Our Governance

The Youth Justice Reform requires a co-ordinated effort between government agencies with our non-government partners. The governance structure will support co-ordination and collaboration for the duration of the Youth Justice Reform Project.



Understanding Why Young People Offend

Neurological research shows that young people have visibly different brains to adults. Adolescents are hard-wired to test limits, act without thinking, overlook the consequences of their actions and react strongly to peer pressure. On a positive note, the science of neuroplasticity indicates that young people have great potential to change behaviour patterns before they become entrenched. Developmentally, adolescence is both a period of risk and a window of opportunity.¹

Most young people in Tasmania are law abiding, however some degree of risk-taking behaviour is a universal aspect of the adolescent stage of human development, and for some this is expressed as antisocial or offending behaviours. There is considerable evidence that the majority of young people who offend, do so only once, and as such do not require service system responses. In fact, research suggests that over-supervision of those young people who are at low risk of continued offending is likely to increase their risk of future offending.²

For the small group of young people for whom offending behaviours continue, data shows that offending almost always follows the same trajectory. Offending increases through the teenage years, peaks in late adolescence or early adulthood and then decreases or ceases as the young person moves through their twenties.

For this group, providing pathways into services and opportunities such as vocational training and employment, ensures that youth offending doesn't result in long term loss of life chances and spiralling disadvantage.

WHAT WE KNOW ABOUT RISK AND PROTECTIVE FACTORS

Most professionals agree that no single factor leads a child towards offending behaviour. Rather, risk factors cluster together in the lives of the most disadvantaged children, with a range of negative consequences including increased engagement in anti-social and criminal behaviour. Research has demonstrated strong linkages between offending and a range of risk factors including involvement with the child safety system, homelessness, cognitive disability, mental health concerns, alcohol and drug use, intergenerational trauma, experience of family violence, and disengagement with education.

Given the degree of overlap between factors associated with offending and other problem behaviours, intervention for one factor can realise gains in multiple areas, highlighting the need for collaboration between individuals, families, schools, and community services.

The presence of protective factors in the life of a child or a young person helps explain why some young people exposed to clusters of risk factors predictive of potential escalation into criminal behaviour, do not grow up to behave anti-socially or to commit crimes.

¹ In ANZOG 2021, 10 Pillars of Youth Justice, referencing National Research Council, 2013, *Reforming Juvenile Justice: A developmental approach*, The National Academies Press, Washington DC.

² Andrews, D. A.; Bonta, J.; Hoge, R. D. (1990). "Classification for Effective Rehabilitation". *Criminal Justice and Behavior*. 17(1): 19–52.



Youth Justice – Service System Continuum

The *Youth Justice Act 1997* (the Act) provides the legislative framework for the administration of youth justice in Tasmania. The Act was proclaimed in 2000 and promotes diversion and rehabilitation of a young person where possible.

The youth justice service system comprises of a set of processes and practices for responding to children and young people who have committed, or allegedly committed, an offence. It deals primarily with young people aged 10–17 at the time of the offence.

There are a number of government agencies who provide services within the youth justice system. The majority of services are provided at the primary (prevention and early intervention level), and secondary (diversion and targeted interventions). Tertiary (custodial) services accounts for a very small component within the youth justice system.

Once the Blueprint Discussion Paper is released, the community consultation process will provide an opportunity to consider prevention, early intervention, diversion and targeted support interventions and improved wrap around services for those young people at risk of and/or involved with the youth justice system.

PREVENTION AND EARLY INTERVENTION

Prevention and early intervention aims to identify and address wellbeing issues, particularly during primary school and early adolescence.

Services that address children, young people and families' needs include the Strong Families Safe Kids Advice and Referral Line and Child and Family Learning Centres which provide advice and supports. Educational services also support young people to remain engaged in learning through flexible learning programs and re-engagement processes.

DIVERSION AND TARGETED INTERVENTION

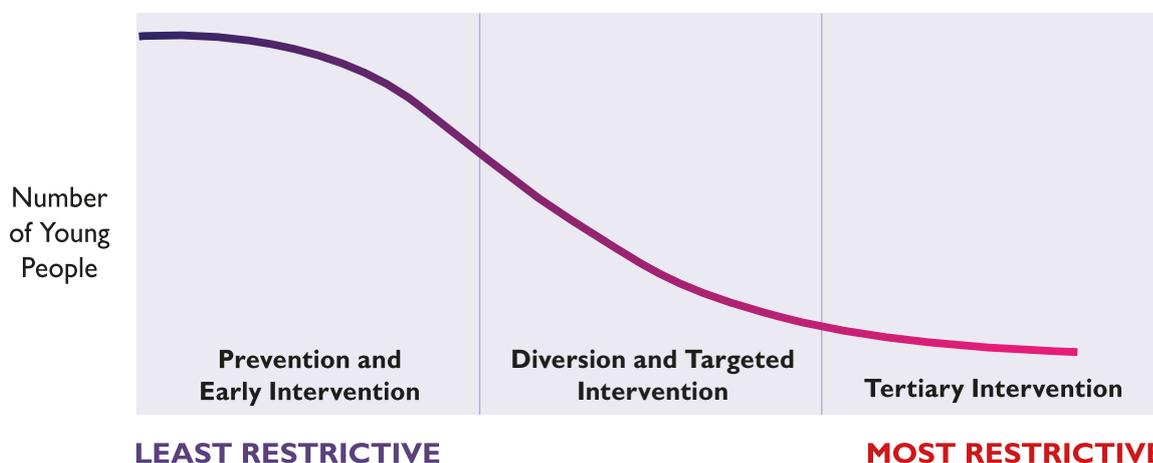
The current service system includes a range of supports for young people at risk of offending, or who have committed low-level offenses.

This includes diversionary strategies such as Police cautions and community conferences. There are also a number of intervention programs including youth support services and therapeutic interventions that seek to address the underlying causes of offending behaviours. Community Youth Justice Services are also available to young people, providing court directed community supervision and case management services.

TERTIARY INTERVENTION

The Ashley Youth Detention Centre currently provides custodial youth justice services in Tasmania for those sentenced by the court and provides remand for those who are awaiting outcomes of their court matter or had been found guilty of an offence.

The Transition from Detention Program, delivered through a non-government organisation, provides mentoring based on a through care model for young people transitioning out of AYDC.



Youth Justice at a Glance

Number of youth files actioned by Tasmania Police

2013-14

2,784

2019-20

1,742

↓ DOWN 37%

Young people under youth justice supervision

2013-14

361

2019-20

242

↓ DOWN 33%

Young people under community-based supervision

2013-14

352

2019-20

230

↓ DOWN 35%



Young people under supervision on an average day in 2019-20:

Young people in detention

2013-14

56

2019-20

53

↓ DOWN 5%



146
TOTAL



Nine in ten (89%) were under **community-based supervision**



Three in four (75%) were **MALE**



One in three (32%) were **Aboriginal and Torres Strait Islander**



One in ten (11%) were **in detention**



One in four (25%) were **FEMALE**

References:

Department of Police, Fire and Emergency Management Corporate Performance Reports for 2013-2014 and 2019-2020
 Australian Institute of Health and Welfare, Youth Justice in Australia 2013-2014 and 2019-2020

The safety of young people in the Ashley Youth Detention Centre

The Centre has a range of external and internal safeguards in place to ensure young people are safe and are well supported. The Custodial Inspector and the Commissioner for Children and Young People play an important oversight role. There are also a range of internal oversight mechanisms that assist the Department of Communities to monitor support and activities within the Centre.

EXTERNAL SAFEGUARDS

Custodial Inspector

The Centre

- is subject to regulation through mandatory inspections (announced and unannounced site visits) undertaken by the Custodial Inspector;
- reports all critical incidents and follow up action to the Custodial Inspector; and
- provides the Custodial Inspector with copies of the AYDC Incident, Isolation and Search Registers on a monthly basis.

The Commissioner for Children and Young People

- Young people in detention have access to external independent advocacy from the Commissioner for Children and Young People. The Commissioner regularly visits the Centre to meet with young people.
- The Government has funded a new three year Advocate position to assist the Commissioner to provide enhanced advocacy during the transition.
- The Advocate will have an office at AYDC, and will visit regularly in addition to regular visits from the Commissioner.
- The Centre reports all critical incidents and follow up action to the Commissioner.
- The Commissioner receives AYDC Incidents, Isolation and Search Registers on a monthly basis.

INTERNAL SAFEGUARDS

AYDC Framework of Practice developed in 2020 articulates the evidence informed approach to undertake therapeutic interventions in working with young people in a detention centre environment.

AYDC Learning and Development Framework

The Learning and Development Framework identifies the mandatory training and competencies required in trauma-informed practice.

CCTV recording occurs 24/7.

Electronic recording of all incidents.

Policies and Procedures based on best practice, govern the work practices within the Centre.

Psychometric Testing assists the Department to recruit the most suited applicants to work at the Centre.

Quality Review Program is currently being established to support workforce professional development through practice review and compliance monitoring activities.

Low staff to client ratios offers increased monitoring and oversight of residents.

Our Youth Justice Reform Roadmap

Our indicative timelines for key activities are as follows:



Youth Justice Blueprint

Future State

Tasmania has an integrated, public health approach to youth justice that ensures we are:

- engaging and intervening with children and young people at risk of offending early to prevent offending;
- positively influencing the wellbeing of young Tasmanians through therapeutic, diversionary, and restorative services to reduce reoffending by children and young people; and
- engaging the community to invest in our vulnerable young people, making the community safer and reducing long term costs to the community.

KEY MILESTONES – NAVIGATING TO OUR FUTURE STATE

PHASE 1	PHASE 2	PHASE 3
Phase 1 October 2021 – June 2022	Phase 2 July 2022 – June 2023	Phase 3 July 2023 – September 2024
<ul style="list-style-type: none">• Consult and develop a Youth Justice Blueprint for Tasmania.• Implement the Youth Justice Reform Governance Framework.• Establish a Youth Justice Reform Project Team.• Establish the Youth Justice Reform Project Team.	<ul style="list-style-type: none">• Commence implementation of the Blueprint.• Establish the Youth Justice Blueprint Community Consultative Group.• Complete analysis and review of the <i>Youth Justice Act 1997</i>.	<ul style="list-style-type: none">• Continue to implement the Blueprint.• Complete legislative amendments.

Workforce Development

Future State

- The youth justice workforce have access to the relevant services and supports needed to work with young offenders effectively, in a trauma informed and evidence based way, and in line with the National Principles for Child Safe Organisations.
- The workforce is appropriately resourced and supported, ensuring competency to assess, identify and match interventions to effectively target and address the needs of young people, and the causes of their offending.
- The workforce have opportunities for learning and development in collaboration with key partners to build a common understanding of good therapeutic practice and consistent and agreed language to support change for young people.

KEY MILESTONES – NAVIGATING TO OUR FUTURE STATE

PHASE 1	PHASE 2	PHASE 3
Phase 1 October 2021 – June 2022	Phase 2 July 2022 – June 2023	Phase 3 July 2023 – September 2024
<ul style="list-style-type: none"> • Establish AYDC Employee Consultative Group. • Complete a youth justice sector workforce capability analysis. • Develop and commence implementation of an AYDC Workforce Transition Plan. • Complete an external review of the AYDC Learning and Development Framework. 	<ul style="list-style-type: none"> • Develop, consult, finalise and implement a Youth Justice Workforce Capability Building Plan. • Develop a custodial youth justice “<i>Development, Learning and Competency Framework</i>”. • Commence workforce planning for new facilities. 	<ul style="list-style-type: none"> • Continue implementation of the Youth Justice Workforce Capability Building Plan. • Recruit, induct and train facility staff.

Custodial Youth Justice

Future State

- Two new, fit for purpose custodial facilities located close to key population areas to allow integration with health, education, vocational and other support services, as well as providing connection with the community.
- Young people receive intensive intervention and rehabilitation through a well-designed therapeutic model of care and the most appropriate and responsive service to meet their needs.
- Young people benefit from effective transition planning and through care that links young people with a planned program of supports in the community upon a young person's release.

KEY MILESTONES – NAVIGATING TO OUR FUTURE STATE

PHASE 1	PHASE 2	PHASE 3
Phase 1 October 2021 – June 2022	Phase 2 July 2022 – June 2023	Phase 3 July 2023 – September 2024
<ul style="list-style-type: none"> • Complete functional brief for new facilities. • Commence procurement of Facility Design. • Establish Youth Justice Expert Advisory Panel. • Finalise new sites including community consultations. • Complete an external review of the AYDC Practice Framework. 	<ul style="list-style-type: none"> • Facility Design completed. • Develop and finalise Infrastructure Project Management Plan for new facilities. • Finalise a custodial youth justice therapeutic model of care. • Commence construction. 	<ul style="list-style-type: none"> • Construct two new facilities and commence operations. • De-commission the AYDC site.



Department of Communities Tasmania

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