

PASIFIKA YOUTH JUSTICE COMMUNITY FORUM

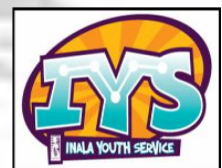
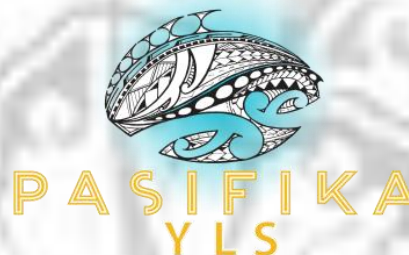
Date: 26 June 2013

Venue: Griffith University - Logan Campus
University Dr, Meadowbrook QLD 4131
REPORT - Position Paper

Due to the Safer Streets Crime Action Plan –
Youth Justice; Discussion Paper.-

http://www.justice.qld.gov.au/_data/assets/pdf_file/0007/177775/safer-streets-crime-action-plan-youth-justice.pdf

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Postcode: 4133, 4078, 4118, 4131, 4205, 4113, 4132, 4052, 4209, 4124, 4075, 4051, 4213, 4300, 4119, 4006

Age: 22yrs – 64yrs

Gender: Male & Female

Country of Origin: Australia, NZ, Fiji, Tonga, Samoa, Indigenous, Cook Island, Niue.

On behalf of Pasifika YLS – Youth Offender Support Service and Griffith University.

Objective

As part of this review the forum was attended by various individuals who were representatives of various Governments, Non Government, communities, workers, parents and young people; the information from the day were collated from their feedback, survey and workshops on the types of reforms we seek to see to address crime issues in Queensland. The questionnaire developed gave us the data that helped capture opinions and ideas about how to tackle crime, youth crime and crime prevention.

Keynote Speaker:

Director – Youth Justice, Policy, Programs, Performance and Practice, Department of Justice and Attorney General Mr. Darren Hegarty.

Panellists:

- Youth Justice Services, Logan
- Child Safety Services, Logan
- Youth Advocacy Centre
- Pacific Community Leaders, Families, Boystown, Youth and Pastoral Care.

QLD Youth Justice

The goal of youth justice is to provide a fair and balanced response to young people in contact with the youth justice system. This response holds young people accountable for their actions, encourages their reintegration into the community and promotes community safety.

This goal is compatible with the Charter of Youth Justice Principles which underpins the [Youth Justice Act 1992](#) (<http://www.legislation.qld.gov.au/LEGISLTN/CURRENT/Y/YouthJustA92.pdf>).

Overview of the *Youth Justice Act 1992*

The *Youth Justice Act 1992* commenced operation on 1 September 1993 (as the *Juvenile Justice Act 1992*) with major amendments occurring in 1996, 2002 and 2010. The *Youth Justice Act 1992* provides laws for young people aged 10-16 years old who commit, or who are alleged to have committed, offences.

The *Youth Justice Act 1992* provides a code for dealing with young people who come in contact with the youth justice system including:

- **procedures for police to respond to young people**
- **providing diversionary options such as cautioning and youth justice conferencing**
- **providing a range of sentencing option**
- **outlining how courts deal with young people**
- **the operation of youth detention centres**
- **recognising the importance of families and communities in the rehabilitation and reintegration of young people, in particular Aboriginal and Torres Strait Islander communities**
- **establishing the Youth Justice Principles.**

In the *Youth Justice Act 1992*, there is a wide range of options to address offending. These options attempt to address the wide spectrum of offending that can occur. Offending can range from minor, "one-off" offending (which represents the majority of offending) to serious, persistent offending.

Other legislation that interacts with the *Youth Justice Act 1992* includes the

- Childrens Court Act 1992
<http://www.legislation.qld.gov.au/LEGISLTN/CURRENT/C/ChildrensCtA92.pdf>
- Bail Act 1980
<http://www.legislation.qld.gov.au/LEGISLTN/CURRENT/B/BailA80.pdf>
- Criminal Code, and the Police Powers and Responsibilities Act 2000
<http://www.legislation.qld.gov.au/LEGISLTN/CURRENT/P/PolicePowResA00.pdf>.

Youth Justice Policy Context

Youth justice policy and procedure development in Queensland supports contemporary youth justice practice. In 2007, the Youth Justice Services Practice Manual and Youth Justice Conferencing Practice Manual was produced. The manuals outline step-by-step processes for youth justice staff across both program areas. Each manual documents best practice and includes links to legislation, policies and forms.

To ensure contemporary practice in youth justice continues to be implemented in Queensland, youth justice policy and practice is subject to a cyclical review process. This ensures the following principles of the *Youth Justice Act 1992* continue to be reflected in youth justice practice:

- a recognition of the vulnerability and maturity of children and their need for special protection when they have contact with the justice system
- the diversion of the young person from the criminal justice system as opposed to the institution of formal criminal proceedings
- wherever appropriate the detention of a young person as a last resort
- a focus on the rehabilitation of a young offender
- holding young people accountable and encouraging them to accept responsibility for their offending behaviour.

The interface between the youth justice system and the child protection system in Queensland is also an important consideration. Many youth justice clients have had contact with the child protection system, or their contact with the youth justice system may be a catalyst for child protection intervention. This has resulted in policy development to ensure high quality, coordinated service delivery is provided to young people and their families.

Blueprint for the Future of Youth Justice

The government is targeting the cycle of youth crime as part of its ongoing commitment to reduce crime. To this end it is seeking community views to shape innovative and effective reform of the youth justice system in order to tackle youth crime and make our communities safe.

The views of the community will be used to inform a Blueprint for the Future of Youth Justice in Queensland.

Safer Streets Crime Action Plan – Youth Justice

The Blueprint for the Future of Youth Justice explores a number of areas key to breaking the cycle of youth crime. It also raises pertinent questions about youth crime and invites feedback from the public and parties concerned with youth justice issues.

The action plan specifically explores:

- **expansion of the boot camp program across Queensland**
- **a review of the *Youth Justice Act 1992***

- **effective sentencing options**
- **early intervention and diversion**
- **how to respond to causes of crime**
- **managing demand for youth justice services**
- **improving youth detention services**
- **effective non-government investment.**

Have your say

The development of the Blueprint for the Future of Youth Justice involves actively seeking feedback on the reforms needed to address crime issues—particularly youth crime—in Queensland.

A short questionnaire, the Crime Survey, is available to capture people's ideas and opinions on how to tackle youth crime.

Additionally, members of the public and interested parties are invited to respond in writing to the questions raised in the Information Paper.

Results of the public consultation will be used to inform the government's plans and deliver a Blueprint for the Future of Youth Justice in Queensland.

Blueprint for the Future of Youth Justice

Following public consultation, the government will deliver a Blueprint for the Future of Youth Justice. This will address the concerns raised by the public and other interested parties while working within the constraints of the current fiscal environment. The Blueprint will provide an action-plan to transform the youth justice system and break the cycle of offending.

Workshop

- Youth Justice/ Correction/ Child Safety and QPS Police
- Community Engagement/ Family

STRENGTHENING FAMILIES

How effective do you think the following measures are in preventing crime and disorder:

- **Early Intervention**
- **Early Education**
- **Young person may not know what is ok**
- **Talk about 'taboo' subjects**
- **Don't avoid the issues**
- **Community responses critical ie churches to start the conversation early – Sunday School**
- **Public Awareness**
- **Awareness re: gravity of situation re violence**
- **Challenge ignorance**
- **Explore issues of grief and loss**

IMPROVING THE CRIMINAL JUSTICE SYSTEM

How effective do you think the following measures are in preventing crime and disorder:

- **Adults system to do things in timely manner**
- **Remove ability to remand unnecessary ie hold adults accountable**
- **Short and sharp response to youth crime (align practice with principle of the act**
- **Bail conditions with no consequences ie Police and Youth Justice have a positive responsibility to monitor and respond to bail conditions and courts do not respond. This fills up the court systems unnecessarily with unnecessary appearances.**
- **Pasifika Youth Links Service – Inala Youth Services (YOSS) as an alternative to current model**
- **Bail conditions with no consequences ie police and Youth Justice have**
- **What outcomes are achieved by specialised programs?**
- **Long term funding for successful programs/ sustainability**
- **Communities and agencies working together ie utilise demonstrable knowledge of collaborative work**
- **Work with family groups/ intervention with families and within families. This needs to occur early on with little children and then re-occur at transitional phases.**

RECOMENDATION

1. **Alternative program (Culturally Appropriate Program)**
2. **Service to provide verbal versus paper based submissions because arduous**
3. **Youth Advocacy Centre to develop family handbook re how to navigate the Youth Justice Legal System and the continuum of care within the Youth Justice System**
4. **Government facilitate community forum with key-stakeholders involved in the process to give verbal feedback re the information collated re the Safer Communities agenda.**
5. **Increase transparency regarding the submissions ie have them on line to accessed by all as with any similar enquiry**
6. **Provide qualitative data to key-stakeholders**

RESPONDING TO THE CAUSES OF CRIME

How effective do you think the following measures are in preventing crime and disorder:

- **Increase collaborative approach**
- **Domestic Violence, Mental Health and Drug & Alcohol to be co-located; this is an economically viable model of service delivery and there is an increase in the targeted response**
- **Increase service delivery hubs that align with co-mobility**
- **Discussion re Woodridge High Community Hub to deliver services from one site**
- **Have a mix of Hubs and singular community base service delivery providers**
- **Adults in custody; education them re the impact on the next generation**

Do you have any suggestions for other ideas that may reduce crime?

- **Better understanding of how it can effect the individuals future and their families**
- **Programs supporting young people through employment**
- **Needs to be a collaborative approach involving Government, community agencies, churches, families and young people working together and owning the problem.**
- **Programs need to be holistic and culturally appropriate with the focus being to restore and reconnect with family and community, giving the young people a sense of self worth and hope**
- **Key cultural specific positions for targeted groups that are highly represented in the community**
- **Positive mentor program and culturally linked**
- **Pre-apprenticeship programs; manual arts schools/ creative arts and sports program for youths that struggle with academic style of learning**

Youth justice

This section identifies a range of initiatives that specifically target young offenders or young people at risk of engaging with the youth justice system. In Queensland, the youth justice system responds to young people between the ages of 10 and 16 years. In your opinion, how effective do you think each intervention is likely to be in preventing youth crime and making Queensland safer?

EARLY INTERVENTION AND PREVENTION

Prevention programs that are implemented early in a child's life aim to reduce the likelihood that they will offend in the future. These include early childhood development programs such as early childhood education programs, targeted maternal and child health care programs, parenting programs, and home visitation programs.

- **Very ineffective currently**
- **Increase and enhance early intervention and prevention activities**
- **Concept solid but the delivery not so much**
- **Effectiveness is impacted upon by sufficient resources and targeted funding; and sustainable funding**
- **Strategies to enhance community awareness of programs**
 - **What is being delivered?**
 - **Who?**
 - **What are the outcomes?**
 - **What are the outputs?**
- **Collaboration**
- **Effective assessments re Mental Health and intelligence so intervention can meet identified needs**
- **Define early intervention ie early in life; early in transitional phase; start of pregnancy; parenting programs and skills development; education**
- **When in Youth Justice – they are already identified; too late**
- **Give capacity to run programs**
- **Policies visibility and relationships with schools, parents, churches and Young people**

- **What has worked in organisations? Explore that and pull themes/principles together**
- **Alternatives if the LEAD program – Griffith University (Legacy, Education, Achievement, Dream); educative focus; action learning model**
- **Look at media and mitigate what young people are exposed to.**

NAMING AND SHAMING

Currently, the identity of a child in Queensland is protected until the age of 17, on the basis that those who make mistakes when they are young should not be punished for life once they turn their lives around.

- **Not a good idea**
- **Forum want evidence why it is thought this is a good idea and why it is thought this would be effective**
- **This increases the risk of isolating young person from their community, family and support system.**
- **This could be a factor to youth suicide**
- **Labels young person and may lead to self fulfilling prophecy**
- **Social media implications ie some young people enjoy being identified and adds to 'street cred'**

BREACH OF BAIL

If a child breaches their bail conditions they can be returned to Court and re-sentenced for the original offence. Breach of bail itself is not an offence but it is an offence for the child not to appear in court on the date required by the bail undertaking. For adults, breach of bail is already an offence.

- **Forum seeks evidence re effectiveness and what it is hoped this strategy will achieve**
- **What consequences will be imposed?**
- **Prolong the process re young people in Youth Justice system**
- **Doesn't address reason for breach**
- **Why not ask young people what they will agree to and hold them accountable for that**

ADMISSIBILITY OF FINDINGS OF GUILT IN ADULT COURTS

If a young person is found guilty of an offence and no conviction is recorded, the Court will not be made aware of this finding should the young person appear before the Court as an adult. This principle is intended to recognise that mistakes made as a child should not follow a person into adulthood.

- **Depending on the offence ie increase offending ie number and nature**
- **Depend on nature of adult offence**

REMOVAL OF DETENTION AS A LAST RESORT

Young offenders are currently sentenced to detention as a last resort. This principle is intended to recognise that young offenders should be given every opportunity to change their behaviour before being locked up.

- **Breach of Australian International obligations**
- **Counterproductive to research and adds to criminogenic risks**

Do you have any suggestions for addressing youth crime or improving the youth justice system?

- Youth worker to support families at an early intervention stage
- Culturally appropriate program and services
- Collaborative case management
- Connections into community
- Yes, collaboration and working with families and young people and community
- Culturally appropriate programs that educate the western society on culture values and vice versa
- More funding for NGO – on the grass roots

What sort of activities would you like to see young offenders undertaking on community service orders?

- Compulsory attendance and participation in community Program is Boystown; Pasifika Youth Links Service which count toward their hours
- Leadership & Mentoring programs
- Drug and alcohol program
- Cultural Identity
- Mental Health (Culturally appropriate – Programs and Services)
- Intergenerational awareness
- Cross cultural awareness
- Working with victims of crime where appropriate to see the effects of their behaviour on the community (Restorative model)
- Helping the elderly, which they could learn life skills
- Doing work in sectors that may interest them and possible employment later

Any other suggestions or comments?

- Better alliance between Courts and NGO
- More culturally appropriate programs
- Promoting cross cultural awareness training programs
- Fund strengths based programs
- Pacific context – Sports, creative arts and cultural identity
- More emphasis on religious support groups to target confronting family topics
- More emphasis to be focused on breaking down traditional barriers that restrict limit family communication within the homes
- Open up the early intervention ie Youth Boot Camps programs for more community agencies/ organisations to conduct in their backyards.

CONCLUSION

- Require for transparent communication re survey and the responses
- Want access to submissions
- Submissions should be collated and on line and accessible to public

Pasifika Youth Justice Community Forum – EVALUATION (50+)

1	I found the Community Forum Relevant	AGREE 100%	DISAGREE	NOT SURE
2	The Community Forum was interesting and motivating	AGREE 100%	DISAGREE	NOT SURE
3	The materials, presentation and workshops were useful	AGREE 100%	DISAGREE	NOT SURE
4	The Community Forum was well Organised	AGREE 100%	DISAGREE	NOT SURE
5	The sessions were well Structured	AGREE 100%	DISAGREE	NOT SURE

Any Additional Comments;

- “We need a more interaction between different groups. This will improve more network and relationships building, leading to more understanding of our different cultures”
- “More culturally appropriate program”
- “Not only should there be more Forum but for more groups, family heads to be told of dates and places”
- “Very good Forum”
- “The next Forum to be at least a 2-3 day event; issues about Youth and Justice needs more time to be successful”
- “Eye opening - need another Forum”

This Forum was supported by;

- **Department of Justice and Attorney General**
- **Logan District Youth Justice**
- **Department of Communities Child Safety - Logan**
- **Qld Police – Logan**
- **Youth Advocacy Centre**
- **Western District Youth Justice**
- **Department of Immigration and Citizenship**
- **Glenala State High School**
- **Good Start Program – Qld Health**
- **Serco – Southern Qld Correctional Centre**
- **Logan City Council**
- **Brisbane City Council**
- **Church Alive**
- **Boystown**
- **Max Employment**
- **First Contact**
- **Youth Outreach Service – Salvation Army**
- **Brisbane Christian Centre**
- **Anglicare**
- **Griffith University**
- **Inala Youth Service**

On behalf of Pasifika Youth Links – (YOSS) Inala Youth Service and Griffith University,

We would like to thank everyone that attended the forum; it is only with your input, expertise and ideas that we can truly implement change within our community and government.

All information collated from the day is submitted in this Report for the consideration of the Department of Justice and Attorney General.

For further information and clarification, please do not hesitate to contact me.

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