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**THE LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

**Government Response to the Blueprint for Youth Justice Taskforce Final
Report**

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This statement provides the Government's response to the Final Report of the Blueprint for Youth Justice Taskforce. The ACT Government accepts all 10 recommended focus areas of the Final Report and this paper provides an update to the Assembly on work to implement the focus areas.

The ACT's youth justice system is guided by the *Blueprint for Youth Justice in the ACT 2012 – 2022*. The Blueprint is a 10-year strategy that provides the framework for youth justice reform in the ACT. The Blueprint focuses on providing early support, diversion and rehabilitative support to young people involved in the youth justice system.

In August 2017, the Blueprint for Youth Justice Taskforce was established by the Minister for Children, Youth and Families. The Taskforce was asked to review progress to date, provide advice on emerging challenges, and make recommendations to focus our work in the remaining four years of the Blueprint.

The Taskforce included representatives from community groups, organisations and government agencies. It was co-chaired by Ms Jodie Griffiths-Cook, the ACT Children and Young People Commissioner and Public Advocate, and Executive representatives from the Community Services Directorate.

The Taskforce's Final Report was tabled earlier this year, and a commitment was made to respond to the report by the end of this year.

The ACT Government thanks the co-chairs and members of the Taskforce for their advice and guidance in developing the Final Report. It was evident that the Taskforce carefully considered its recommendations through a lens that placed our most vulnerable children and young people at the centre.

The Taskforce is an excellent example of how the community and government continue to work together to deliver on the vision of the Blueprint – keeping children and young people safe, strong and connected to their family and community.

The Final Report affirmed that achievements made under the Blueprint demonstrate the success of its approach. Since 2011-12, the number of young people involved in the youth justice system has significantly reduced and, for most of this period, fewer young people have been held in detention. The Taskforce also noted that the focus on prevention, early support and diversion is sound and should be continued.

The Taskforce recommended 10 focus areas to build connections between strategic reforms across the human services system. Crucially, the focus areas strongly support work underway through initiatives developed in partnership between government and community, such as the *ACT Aboriginal and Torres Strait Islander Agreement 2019-2028* and the *Disability Justice Strategy*.

Each focus area seeks to support the transformation of the service system for children, young people and families who face long-term predictors of risk.

The focus areas include the need to deliver trauma-informed services; achieve better outcomes for Aboriginal and Torres Strait Islander young people; and develop early support for young people aged 8-13 years. The focus on diversion services should continue and support for young people with disability and/or mental health concerns in detention remains important.

The Taskforce also identified cross-cutting priority areas to be reflected across all areas of work. These include embedding restorative practice, listening to voices of children and young people and strengthening early support.

The ACT Government is pleased to advise implementation of all focus areas recommended by the Taskforce is well underway.

As recommended by the Taskforce, we have been prioritising work to achieve better outcomes for Aboriginal and Torres Strait Islander children, young people and families. This work is critical to reducing the over-representation of Aboriginal and Torres Strait Islander young people in our youth justice system.

In February this year, the Chief Minister co-signed the *ACT Aboriginal and Torres Strait Islander Agreement 2019-2028*, with the Chair of the Aboriginal and Torres Strait Islander Elected Body, Katrina Fanning, the Minister for Aboriginal and Torres Strait Islander Affairs, Rachel Stephen-Smith, and the Head of the ACT Public Service, Kathy Leigh. This whole-of-government commitment to self-determination for Aboriginal and Torres Strait Islander people is - and will continue to be - the foundation for all our work in this space.

A significant area of focus for the Agreement is justice. This focus outlines our commitment to Aboriginal and Torres Strait Islander people, families and communities to ensure equitable access to justice and culturally safe restorative justice, prevention and diversion programs.

Targets have been established to support Aboriginal and Torres Strait Islander young people through access to a diversion program or individualised support. This includes ensuring that youth justice case plans will be completed within six weeks of a young person entering detention. It will also ensure that at least

25 per cent of all eligible 18- to 25-year-old Aboriginal and Torres Strait Islander people are referred to Restorative Justice by ACT Policing, as a diversion from the formal justice system.

To highlight progress in this area, in 2018-19 there were 13 referrals of Aboriginal and Torres Strait Islander young people received, an increase of 18% from 2017-18.

The ACT Government has also funded the establishment of the Warrumbul Court - a Circle Sentencing Court for young people. This is vital to ensuring that young Aboriginal and Torres Strait Islander people who do come before the Court receive culturally appropriate support to address offending behaviour. The Warrumbul Court will be operational in December 2019.

The Government acknowledges the strong link between access to equitable services and support for young people, and the impact this can have on life outcomes. By focusing on wellbeing, we aim to prevent young people entering the youth justice system in the first place.

This focus is reflected in the 2019-20 ACT Budget. Since the release of the Taskforce's Final Report, this Government has invested \$1.433 million in Family Group Conferencing. Family Group Conferences divert families away from the Courts and provide the whole family with an opportunity to contribute to the decision-making process about their child's situation.

This investment ensures that Family Group Conferencing is available to all Aboriginal and Torres Strait Islander families engaging with, or entering, the youth justice and child protection systems. As at 30 September 2019, 33 families have been involved in a Family Group Conference, involving 73

children. As a result, 50 Aboriginal and Torres Strait Islander children have not entered out of home care. For the remaining 23 children, decisions about the best care arrangements have been made by the extended family.

To further address and reduce childhood trauma, the ACT Government has partnered with Gugan Gulwan Youth Aboriginal Corporation and OzChild to provide the Functional Family Therapy program.

The program addresses safety concerns in the family environment by helping families to take practical actions to reduce the risk of their children entering care. It supports families to improve home dynamics and reduce the risk of abuse and neglect, helping to reduce the number of Aboriginal and Torres Strait Islander children and young people entering, or remaining in, out of home care.

These initiatives are showing early promising results and the Taskforce Final Report provided strong support and guidance for this work. The relevance of these initiatives to youth justice – and not just child protection – was reinforced during a study trip to the UK and Ireland last year. As the first jurisdiction in Australia to bring together child protection and youth justice case management, we will continue to look for opportunities to expand restorative and family-centred responses across our integrated child and youth protection services.

To embed this focus on early support in the system more broadly, this Government has also committed to an ambitious 10-year reform to shift the human services system from a crisis-focus to a system that responds earlier to improve the wellbeing of young people, families and communities.

The *Early Support Initiative* brings together the Justice and Community Safety, Health, Education and Community Services Directorates, as well as the

community sector, in recognition that no single organisation can do this work alone.

One focus of this reform effort is enhancing early support capacity through four implementation initiatives. These initiatives are grounded in what people in the community have already told us will work for them – a focus on intergenerational wellbeing, a system that supports self-determination, and services that work with children and young people in the context of their families and communities.

As the Taskforce noted, investment in early support, particularly for young people at risk of disengaging from education, is critical to reducing the risk of children and young people becoming involved in the youth justice system in the first place.

In August last year, the Deputy Chief Minister released *The Future of Education Strategy*. This strategy guides continued investment in the Network Student Engagement Team to support young people at risk of disengaging from education. This multidisciplinary team includes specialist teachers, senior psychologists and allied health professionals. Their work seeks to re-engage children and young people with education, help manage students with complex and challenging behaviour, and put appropriate supports in place for students with mental health concerns.

Alongside this on-campus support, the Off Campus Flexible Learning Program was implemented in Term 4 last year. This program offers holistic, trauma-informed education for a small group of young people with complex needs who, in some cases, cannot access education in a mainstream school setting. Students

are supported to co-develop their learning plans, which include academic and wellbeing goals designed around each student's needs and interests.

In June 2019, the Minister for Children, Youth and Families announced a collaborative partnership with the Youth Coalition of the ACT, Northside Community Services, Woden Community Services and the Conflict Resolution Service to deliver improved services for young people who are at risk of homelessness or engaging with the youth justice or child protection system. Through the *Safe and Connected Youth* initiative, we have invested \$480,000 in increased case management and therapeutic supports in addition to a comprehensive piece of work to develop a model of support focussing on early intervention and support for children, young people and their families at risk of disengagement and adverse outcomes, such as homelessness.

The Taskforce also focused on how we provide better support for young people with disability and mental health concerns. Keeping these young people out of the youth justice system is crucial to achieving positive long-term outcomes for vulnerable families.

The Taskforce noted the need to improve service delivery and capability in the youth justice system to use a 'disability lens' to better respond to young people's needs. In response, as part of the *Disability Justice Strategy 2019-2029* and First Action Plan released this year, the Government has committed to providing greater support to young people with disability in the youth justice system. Actions focus on improving service delivery through better identification, screening and assessment of disability for young people.

A key action in the strategy is delivering training to staff to foster a disability-informed and responsive legal and justice sector. This includes a 'best practice'

guide for ACT Policing, developed in partnership with the ACT Victims of Crime Commissioner, as well as educational outreach for the community on the rights of people with disability.

This work is one of the many ways we are delivering on the ACT Government's vision to foster a socially inclusive and connected community.

As much as possible, we aim to divert children and young people from engagement with the youth justice system through these initiatives. For young people who do spend time in custody at Bimberi Youth Justice Centre, we provide a safe and rehabilitative environment that supports them to remain connected to family and prepares them for their return to the community.

The ACT Government is focused on maintaining a therapeutic youth justice system that meets the needs of young people. A therapeutic approach recognises a shift towards a more holistic understanding of the impact of trauma. In 2019, the Community Services Directorate established the Principal Practitioner role and extended this role to Bimberi. This role has now been funded as a full-time position at Bimberi, strengthening the joint case management approach through expert clinical guidance on positive behaviour support.

The core purpose of Bimberi is rehabilitation and providing young people with the supports and services they need to turn their lives around. Many other Australian State and Territory Governments have looked to Bimberi as an example of how to provide a human rights-focused youth justice centre.

Last week, the Australasian Youth Justice Administrators – a body of senior Executives from across Australia and New Zealand who are responsible for the delivery of youth justice services – held their annual meeting in Canberra.

Together with Operational Directors from States and Territories, this group visited Bimberi to learn about the ACT's experience to inform the future direction of youth justice in jurisdictions across Australia and New Zealand.

This group heard about many of the practice reforms we have undertaken in the ACT youth justice system, including our work to improve data management and information sharing.

The Government is also pleased to report that, on 1 October 2019, the new Child and Youth Record Information System (CYRIS) went live. CYRIS replaces legacy child protection and youth justice systems introducing significant improvements for staff. This system will provide staff with better access to client information, including the views of children and their families, as well as better mobile service and flexible functionality for staff in the field.

In time, CYRIS will extend to the Child and Family Centres and the Child Development Service, helping to improve information sharing and establish improved reporting functions with community stakeholders.

Looking forward, the Taskforce recommended that governance of the Blueprint for the next three years be conducted through consultation with a broad cross-section of government stakeholders and community sector partners. This will include engaging with, and seeking the views of, children and young people.

To do this, the Community Services Directorate will establish a forum to oversee progress against the Blueprint to commence in early 2020. The forum will comprise ACT Government officials, community stakeholders, and subject matter experts to discuss and identify any emerging challenges. This will

include examining recent data and trends following the release of the Australian Institute of Health and Welfare's *Youth Justice in Australia* in May 2020.

The safety and wellbeing of young people in the youth justice system, youth workers in Bimberi and the wider community continues to be the Government's priority. The Government again acknowledges the professionalism, care and commitment demonstrated by staff who work every day with our most vulnerable young people.

Working with children and young people in youth justice can be tough. There is no quick fix and there are no easy answers. That's why the Blueprint is so important, with its strategic focus on building an effective and quality youth justice system.

Again, the Government is pleased to accept all recommendations from the Taskforce and looks forward to continuing to implement the focus areas over the final years of the Blueprint.