



## **ShelterSA Briefing Paper - Responding to children and young people in Juvenile Justice Centres in SA**

### **Introduction**

Shelter SA is the peak body for housing in South Australia. Shelter SA's vision is for all citizens to have an affordable and safe place to call home. The South Australian community has now received the findings of the Royal Commission into Child Protection and it is timely to address the safety of our children. Shelter SA's recent regional consultations have revealed that our vulnerable children are falling through the gaps of service delivery and the current implementation of housing, child protection, youth justice and detention policies are failing to keep them safe. Changes to service responses are required across State Government portfolios and community services to create consistent, improved outcomes for the relatively small cohort of children who enter and exit youth detention centres in South Australia.

Shelter SA understands that the safety of vulnerable children is much more than housing them safely alone. To that end, we have initiated a working group consisting of peak bodies and community organisations to drive a renewed approach to protect our children including the following individuals and organisations:

- Alice Clark, Executive Director and Andris Banders, Shelter SA
- Amanda Shaw, Guardian, Office for the Guardianship of Children and Young People
- Simon Schrapel, Chair, Council for the Care of Children and Young People
- Anne Bainbridge, Executive Director, Youth Affairs Council of SA
- Catherine Earl, Policy Officer, South Australian Council of Social Services
- Leigh Garrett, Executive Director, Community Transitions, OARS
- Albert Beralds, Executive Director, Children and Family Welfare Association of SA

The working group met in May 2016 to discuss the current situation of children entering and exiting juvenile justice centres (JJs). The group identified a number of life transitions when children are at greater risk of harm including first interaction with police, entering the youth justice system, a parent entering custody and child protection notifications, and there was consensus that a preventative approach is urgently required. A focus on children entering and exiting youth detention does not ignore the 'red flags' that occur in the lives of children, but provides a specific, relatively small cohort to focus upon for an improvement in policy implementation. The working group agreed that the policy settings for children are extensive and point to failure at the stage of implementation and service delivery in terms of case management, information sharing, handover between settings and cross-portfolio interactions.

Shelter SA has prepared this briefing paper for the working group to progress planning to address the way government departments and community services work together to ensure consistent, multi-disciplinary pathways that incorporate an appropriate sequence of agreed upon interventions,

timeframes and expected outcomes for children entering and exiting youth detention centres. This briefing paper will clarify the population, the policy context and explore solutions.

## **Background**

On any given night, there are between 58 and 75 children in JJs across South Australia (AIHW 2013:28). 58% of these remanded children will re-enter the JJ as recidivists. 59% of children who enter our JJs identify as Aboriginal (AIC 2015) which is an unacceptable overrepresentation of Aboriginal children in South Australian JJs (South Australian Council of Social Service 2015). Some children who exit detention centres are returning to home and family environments of violence, abuse and/or neglect, exposure to drug and alcohol misuse, mental health issues and insecure housing, all of which contribute to recidivism.

A leading cause of recidivism is an ineffective case planning system both pre and post detention and children are falling through the gaps of service delivery. There is an appropriate policy framework underpinning effective case planning of children in detention (such as youth connect) but inconsistent implementation of policy prevents case planning from being effective when responding to children and young people.

The costs of detaining children in JJs are high and considerably more expensive than other forms of community detention. For example, in Western Australia, the Department of Corrective Services calculated that it cost \$627 per day to house a young person in detention, compared to \$77 per day for community custody (MacKenzie et al 2016). Ensuring effective and timely case planning for children pre and post detention minimises recidivism rates and reduces very high direct custodial costs.

Improving the effectiveness of case management and planning for children who enter and exit detention centres not only aids in improving the behavioural and emotional needs of the young person, it facilitates community rehabilitation and reduces recidivism, as well as being much more cost effective.

## **Policy Context**

In 2010, the then South Australian Premier, Mike Rann published the “youthconnect: South Australia’s Youth Strategy 2010-2014” aiming to providing whole-of-government services to children and young people aged between 12-25 years, including children exiting JJs (Government of South Australia 2010). The Strategy outlined key principles for youth services to prevent young people from disengaging from their communities and facilitating their wellbeing. Despite other States also developing similar youth connect strategies, at the time; South Australia was the only jurisdiction to implement it.

Youth connect programs were reviewed by Atelier in 2012, who outlined generally positive findings about the programs however, Atelier’s recommendations included the following statement:

“The evidence suggests opportunities to strengthen case management provision by building-in a more intensive provision immediately following release [from a JJ]. In this period, there is a ‘window of opportunity’ to more effectively connect each young person making the transition from incarceration. Under current arrangements and despite their initial intentions, the evidence

indicates that too great a proportion of the young people released from incarceration soon revert to the circumstances that formerly placed them into contact with juvenile justice. The evidence suggests that a more intensive case management structure, explicitly focused within the short 'window of opportunity', could provide a bridge that capitalises on the positive progress that many make during incarceration" (Atelier 2012:iii).

Other reports on the South Australian juvenile justice system support the findings of Atelier. For example in a report analysing issues impacting the Australian juvenile justice system as a whole by Tricia Rushton called "Good Practice, Strengthening Services for Youth in Juvenile Justice" (2014), the South Australian system was praised for its State-led, systematic approach to reducing fragmentation in service delivery and barriers to information sharing in service responses to young people. The report emphasised that there was still work to do in order to ensure that the effectiveness of these systems were not personality based, but are consistently implemented as standard operating practice (Rushton 2014).

The findings of the Atelier and Rushton reports resonate strongly with current evidenced-based practice in supporting children who enter and exit JJs (Howell, Kelly, Palmer & Mangum 2004; Coccozza, Veysey, Chapin, Dembo, Wlaters & Farina 2005; Pearson 2009; Cowell, Lattimore & Krebs 2010). Effective and 'joined up' child-centred case planning pre and post detention not only reduce the risk of recidivism and harm to the child, but also can facilitate the continuing positive developments gained during the detention period. This 'window of opportunity' is a crucial moment in the transition between exiting detention and returning to community and maximises engagement with other services, education and employment.

In 2015, the South Australian Minister for Youth, Zoe Bettison developed "It starts with YOUth" strategy. Building on the achievements of the youth connect strategy, the strategy placed an increased focus on youth homelessness, affordable accommodation, and developing more practical solutions to issues impacting young people (DCSI 2015). From this strategy the SA Youth Homelessness Working Group was formed, headed by Service to Youth Council (SYC) which developed a report on young people entering and exiting homelessness called "*Pathways: Improving the economic and social participation of young people experiencing homelessness in South Australia*" (South Australian Youth Homelessness Working Group 2015). Despite these reports detailing young people's experiences of homelessness and barriers to community engagement and employment, there was a lack of detail addressing the issue of young people exiting detention – with none of the reports mentioned above discussing young people exiting detention being at risk of homelessness.

Atelier's evaluation argued for more intensive case management for young people exiting detention in 2012, and Rushton's report praised South Australia's JJs but pushed for more to be done, the reports from DCSI and SYC in 2015 have not detailed how they will address these issues, potentially reflecting that effective case management of South Australian young people exiting detention is not a current priority for the South Australian government. The reports contain positive rhetoric about providing supports and to prevent young people from experiencing homelessness, but it is concerning that there is a lack of detail on how the South Australian government and community services will facilitate more effective case management of young people.

## **Suggested Reform**

Shelter SA has initiated a working group consisting of a number of community leaders, as detailed above, to discuss potential reforms to the way policies affecting children entering and exiting detention are implemented.

Based upon current literature on case planning for children entering and exiting detention, the working group has discussed how the South Australian Juvenile Justice System (JJS) could be better aligned with evidenced based practice. After consultation with the group and a service gap analysis of the currently existing JJs in South Australia, Shelter SA has developed an initial outline of what improvements could look like.

Shelter SA proposes a reform to the currently existing structure of service delivery that responds to children who enter and exit JJs in South Australia. This reform aims to address the gaps in service implementation that places risks on children entering and exiting detention centres. It aims to improve multi-disciplinary co-ordination across portfolios and departments, within and between community services and, increase efficiency and quality outcomes for these children.

The proposed reform is to establish a multi-agency service framework to coordinate multi-disciplinary service responses that specifically target this cohort of children borrowing from South Australia's Multi Agency Protection Service (MAPS) model and the UK's Multi-Agency Safeguarding Hubs (MASH) framework for protecting women and children who are experiencing domestic violence.

MASH (Home Office 2014) in the UK provides a solid framework upon which a co-ordinated response to children exiting detention can be developed in South Australia. Within their Multi Agency Working and Information Sharing Project report, the Home Office identified poor information sharing policies as a key cause in the failure to respond quickly and effectively to the safeguarding of adults and children at risk of abuse. Australia has an experience of failed responses to protect women from domestic violence, and a model of increased information sharing should underpin the future model of case managing children entering and exiting detention in South Australia. A MASH framework of protection for adults and children at risk of abuse has three principles; information sharing, joint decision-making and coordinated intervention.

The MASH framework has proven outcomes for adults and children at risk of abuse. The major determinant of these improved outcomes was the establishment of 'multi agency safeguarding hubs' that facilitated a more accurate assessment of risk and need, more thorough and driven management of cases, better understanding between professions, and greater efficiency.

Core functions of the multi-agency hubs are as follows:

- Acting as a single point of entry – gathering all notifications relating to safeguarding in one place;
- Enabling thorough research of each case to identify potential risk;
- Sharing information between agencies;
- Triaging referrals;

- Facilitating early intervention; and
- Managing cases through co-ordinated interventions.

The service hubs, when implemented within a framework to respond to children entering and exiting detention, can mitigate the risk of a child ‘falling through the gaps’ of service delivery in South Australia. The implementation of these hubs would fit within the already pre-existing structure of service delivery organisations. The creation of the ‘role’ of a hub would belong to a lead agency with the responsibility to co-ordinate and share information freely between other relevant agencies. The lead agency would have already institutionalised underpinning policies to evidenced-based child protection and trained staff equipped with the knowledge to accurately identify and appropriately respond to ‘red flag’ events experienced by children entering or exiting the JJS.

## Conclusion

South Australia’s JJS is considered a high quality system in Australia and policy recommends coordinated case management to young people entering and exiting JJs. Yet, there is still progress to be made to prevent young people from ‘falling through the gaps’ within this system. The social and economic cost of having inadequate case management for our children and young people is harmful and expensive. Regression, recidivism and exposure to harm and homelessness are real risks for children and young people who are not adequately supported within their community or safely rehabilitated post detention.

Mike Rann’s 2010 Youthconnect strategy focussed the government and community services sector’s attention to addressing these issues however, the current South Australian government youth strategy’s lack of obvious effort to improve implementation and services to this group is concerning.

Shelter SA proposes a MASH-like reform to currently existing service delivery in the establishment of a lead agency or ‘hub’ that is responsible for ensuring that services involved with a young person are notified and engaged whenever that young person experiences a ‘red flag’, including entering a JJC or exiting one. Such a reform would ensure that case management services meet the standards of care for young people within the JJS and minimise ‘falling through the gaps’.

This reform is based upon global evidenced-based practice in case management for young people in a JJC. Shelter SA has already briefed Minister Bettison on these issues and will invite the South Australian government more broadly to collaborate with the community sector in order to introduce reformed service delivery and improved outcomes for South Australian children and young people.

To discuss the issues raised in this paper, Shelter SA is proposing an invitation only event of key stakeholders. Please contact Shelter SA to provide your comments and questions or if you require more information by telephone (08) 8223 4077 or email [sheltersa@sheltersa.asn.au](mailto:sheltersa@sheltersa.asn.au). We acknowledge the contribution of Shelter SA research intern Lyndon Gordon in the review of the literature referenced in this paper.

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