



## Responding to children in juvenile justice centres in South Australia

Update September 2016

### Introduction

This is an update to the [background paper](#) on the safety of children entering and exiting youth detention centres in South Australia and the progress of the Working Group. An analysis of the policy settings that relate to this relatively small, but extremely vulnerable cohort of children reveals that the policies across State Government departments and within the community services are adequate (Payne 2007; Richards 2011) however, their implementation is not consistently keeping children safe (Institute of Child Protection Studies 2008). For example, bail accommodation must place children back into safe environments and this is a critical issue for children returning to the community – it is more than just a question of bricks and mortar. It is necessary for children to have an affordable, secure, safe and appropriate home and family environment to return to when they leave youth detention. The cost of doing nothing is high. “Typically poor outcomes related to reintegration and recidivism of children, with and without disabilities, are estimated to cost [United States of America] society \$1.5 million for each person” if they begin criminal activity as a child and continues into adulthood (NCWD, 2010). However, most young people “grow out” of their criminal behaviour and do not become career criminals (Smart Justice, 2012). Other service delivery issues span the service system and involve multiple government and non-government agencies.

This paper discusses the relevant Royal Commission into Child Protection recommendations, the evidence-base for service delivery and Shelter SA’s community consultation findings that provide a solid foundation for the next steps of the Working Group to plan a community workshop for stakeholders.

### Royal Commission into Child Protection

The release of the recommendations of the Royal Commission into Child Protection confirm that our work is a critical aspect of keeping children safe and because it is initiated by the community, we need not wait for government sanction or approval to continue to make progress. The analysis of the Royal Commission recommendations identifies themes that contain assumptions about the role housing plays in keeping children safe and the need to have adequate crisis accommodation, short, medium and long term housing solutions as part of any efforts to improve the safety of children. The six main themes relevant to our work include the following:

- 1) Coordination of stakeholder agencies at entry, through flow and exit from the youth justice system;
- 2) Agency capacity and workforce capability in working with young people with complex needs;

- 3) Lead agency roles, responsibilities, and delegated authorities, and their functions;
- 4) Appropriate screening and assessment processes for the bio-psycho-social needs of children;
- 5) Appropriate referral policies and practices; and
- 6) The ability to address regional and rural issues and people living with complex issues to minimise dislocation from any existing services or supports.

### **Evidence-Base**

Research into improving outcomes for children exiting youth detention centres consistently highlights guiding principles that increase the likelihood of successful rehabilitation. One of the systemic changes raised through the Royal Commission is to increase the efficiency of case management responses in different areas of the child protection system (Nyland 2016). Better case management will increase the effectiveness of the transition process and is an evidence-based child centred practice principle. Worker consistency and rapport building, a focus on reunification (if appropriate) and rehabilitation as soon as the young person enters the detention centre and solution focused case management (Youth Justice Board for England and Wales 2014) are effective principles.

An evidence-based model, Multi-Agency Safe Guarding Hubs (MASH), has emerged from the United Kingdom and is a potential framework for facilitating the above principles into practice (Department of Justice NSW 2016; Home Office 2014; NWCD 2010). Shelter SA is continuing to engage with the academic literature around MASH and other models, in order to develop suggestions to improve the case management of children entering and exiting youth detention centres. Other recognised approaches include the following:

- Discharge planning happens as soon as the young person enters detention (Department of Justice NSW 2016);
- High levels of co-ordination and co-operation between service providers pre and post detention (Department of Health and Human Services 2016);
- The young person's family (if appropriate) is involved in the rehabilitation process (Department of Communities and Social Inclusion 2015); and
- A focus on reintegrating the young person into education, training and employment (Department of Families and Communities 2011).

### **Community Consultation**

As part of identifying and defining suitable models of support for children with complex needs, Shelter SA is mapping transition pathways within the youth justice and detention systems talking with stakeholders in South Australia. Shelter SA is continuing to meet with relevant organisations to discuss the systemic issues that negatively affect children leaving youth detention centres and possible ways to improve outcomes. Two of the major barriers agencies identify in effectively supporting transition from detention to the community are poor information sharing between service providers and the poor quality of shared information across the system. Some service providers struggle to balance the competing interests of sharing information and maintaining the young person's right to privacy. Any service delivery changes must define the roles and responsibilities of organisations with regard to information sharing and Information Sharing Guidelines may need to be adapted.

Robyn Layton, representing Justice Reinvestment SA (JRSA), provided the Working Group with an update and advice about developing culturally safe models of case managing Aboriginal children entering and exiting the youth detention system. Layton's work with JRSA provided the group with evidence-based examples of community development within the youth justice system and impressed the need to include Aboriginal people in the process to ensure engagement and culturally appropriate services. We look forward to working with JRSA to progress our work.

### **Stakeholder Workshop**

Shelter SA is planning a workshop to bring the wider group of stakeholders together to explore and discuss the key systemic issues related to children in youth detention centres. The aim of the workshop is to develop recommendations about a possible process that can better respond to the identified issues, improve the safety of children and reduce recidivism. We borrow from research into the health system that looks at clinical pathways, which are complicated for patients to navigate. The presence of someone to drive the care, especially between hospital and community settings, is of key importance to ensure high quality patient outcomes.

We aim to document the ideal pathways for children from the moment they enter the detention centre until they are safely back at home. Upon the child's entry into detention for example, there must be a psychosocial assessment as soon as possible that could trigger a multi-agency meeting to develop rehabilitation and discharge plans for each child. Attending the multi-agency meeting is a priority for workers. It is critical that government and non-government agencies are part of the team. The meeting participants assign a lead agency to the child to take responsibility for driving the rehabilitation and discharge process and to ensure that each agency fulfils its tasks and roles prior to the discharge of the child. The lead agency is the most appropriate government or non-government agency. The discharge plan ensures there is a safe place for the child to return to in terms of the family environment, the supervision they require, the physical bail address suitability, the community supports that are in place and importantly, the sharing of information, communication around the discharge and physically accompanying the child home. The lead agency will ensure there is adequate handover between settings. With some straightforward administrative changes, we believe that we can increase the safety of all children exiting youth detention and reduce high recidivism rates.

The workshop topics will address what is known to be effective within other complex systems and contains elements of the above options for exploration. The framework for the workshop will be the [South Australian Guardian's Charter for the Rights of Children and Young People in Care](#) and consideration will be made to providing access to rights and the least restrictive, but safe, culturally appropriate environment for children. Workshop activities include the following topics:

- Stakeholder roles and responsibilities – we aim to develop a shared understanding of the roles and responsibilities of each agency and its workers to ensure there is clarity between agencies. Gaps in understanding result in inadequate transfer of responsibility between settings, which is crucial to improving outcomes.
- Exploration of the potential role of a lead agency to drive a coordinated approach and what the role might entail.

- Discussion about a consistent process to handover responsibility for each child during their transition between settings – custody to community – as an essential aspect of case management.
- Current information sharing guidelines will be reviewed with the aim of overcoming privacy issues and creating a common understanding of what information can be shared, with whom and when to increase the effectiveness of case management.
- Pathways into and out of youth detention centres will be mapped noting the critical transition points and the actions that must be taken to ensure the safety of the child.
- Identify an appropriate methodology for assessment including what domains it should include, with an assessment of evidence-based tools and the timing and sharing of the assessment results.
- Discussion about the tensions between enabling the least restrictive environment and rights of the child – that is no child will return to an unsafe or unsuitable physical dwelling or family situation.
- A question for the participants is about the best way to include the voices of children and young people in this work.
- Discussion about the possibility of a multi-agency meeting to analyse the assessment and plan rehabilitation and discharge to ascertain the most appropriate way for this to occur.
- How to better case manage children who are in detention for short periods.
- The cultural appropriateness of services is a critical issue for Aboriginal children and must be included in any recommendations emerging from this work.

The data collected at the workshop will be included in a written report including recommendations for systemic change and advocacy.

### **Get Involved**

Shelter SA understands that there are a diverse number of stakeholders involved in ensuring the safety and wellbeing of children exiting detention and we welcome your input. If you have any questions or comments or simply wish to register your interest in this work, please contact Alice Clark, Executive Director, Shelter SA on 0425 060 649 or [alice.clark@sheltersa.asn.au](mailto:alice.clark@sheltersa.asn.au).

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