

2015 – 2018

Youth Justice Framework Western Australia



- ▷ *Integrity*
- ▷ *Respect*
- ▷ *Accountability*
- ▷ *Excellence*
- ▷ *Learning*



Minister's foreword



I am pleased to present the Youth Justice Framework for Western Australia 2015 - 2018. It sets a way forward for youth justice in Western Australia and is aligned to the Government's focus on reducing Aboriginal over-representation. The

framework provides a strong focus on engaging with Aboriginal families and communities, and developing and supporting Aboriginal-led innovative programs.

It is clear that what was done in the past was not working, so things have to change if we want to break the cycle of reoffending for our young offenders. This change is well underway in Youth Justice Services.

If we are going to succeed in turning young lives around, we need to better target resources and expertise at addressing youth offending. To this end I established a dedicated Youth Justice Services division within the Department of Corrective

Services. Its work is guided by a Youth Justice Board that brings fresh perspectives to tackling young people's involvement with the justice system.

The Board brings expertise and insights from diverse sectors and individuals to drive innovation in service design and delivery, and rigour in monitoring and evaluation. It administers the Youth Justice Innovation Fund to fund innovative, community-based programs that address some of the complex factors associated with high youth reoffending rates.

The multiple factors that influence youth crime mean we need to constantly seek out new ways to take effective action. Reducing youth reoffending means we are helping young people build productive lives, saving money and increasing community safety.

Hon Joe Francis MLA
Minister for Corrective Services

Commissioner's foreword



Young people are not born as offenders. Providing hope to young people in our care through rehabilitation programs supports young people who have offended to reassess their actions, and facilitates a safer community.

By putting the needs of young people at the centre of the services we provide, we can improve the lives of young people, victims and the community.

Rehabilitation is particularly significant when we consider the opportunity that we, as an agency and members of a broader community, have to intervene early in the life of a young person who has offended. We know that intervening early has benefits not just for the young person, their family and their community, but for our economy and the well-being of all Western Australians.

The Youth Justice Framework outlines how the Department of Corrective Services will work to keep the community safe in the longer term by helping young people in the justice system to

lead productive, law-abiding lives. This includes addressing Aboriginal over-representation by seeking out Aboriginal-designed and led initiatives to reduce reoffending.

I am confident that we will achieve better results for young people in the justice system by adopting evidence-based practices, working collaboratively with other government agencies, the non-government sector, Aboriginal people, communities and organisations, and young people and their families.

By focussing on the needs of young people, we can provide the necessary tools to equip people in our care to realise a sense of purpose and go on to lead a fulfilling life.

James McMahon DSC DSM
Commissioner
Department of Corrective Services

Operating Philosophy

The Youth Justice Services (YJS) division within the Department of Corrective Services (the Department) is responsible for the safety, security and rehabilitation of young people in custody and those engaged with YJS in the community. The core objective is to reduce reoffending among young people through:

- programs and services to divert young people away from the criminal justice system
- programs and services for young people on orders in the community
- programs and services in custody.

The work of YJS is informed by the principles and functions outlined in the *Young Offenders Act 1994* and the Department's Strategic Plan 2015 - 2018 *Creating Value through Performance* (the Strategic Plan).

The *Young Offenders Act 1994* provides for the administration of juvenile justice. It sets out the provisions for dealing with young persons who have, or are alleged to have, committed offences and to ensure that the legal rights of young persons involved with the criminal justice system are observed.

YJS staff will work in the community and in Banksia Hill Detention Centre to improve outcomes for young people in contact with the justice system.

In line with the Department's mission to ensure a safer community, YJS will focus on:

- security and safety of young people at every stage of the youth justice system
- safety of our people
- rehabilitation of young people.

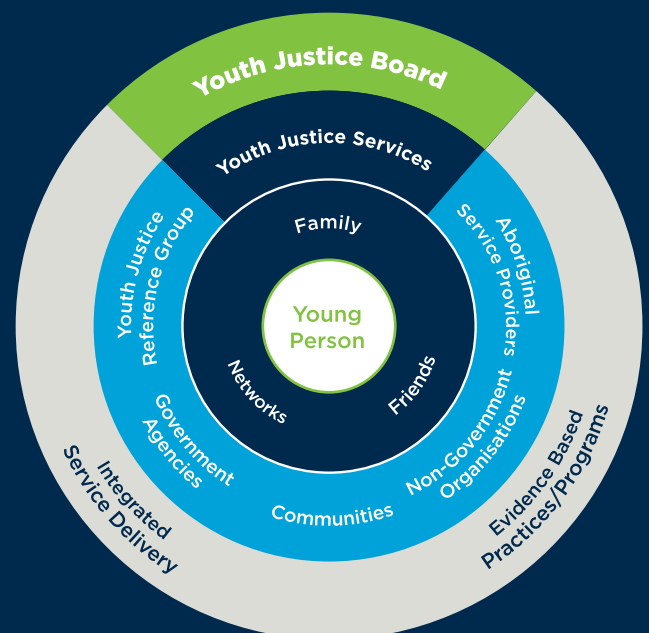
How YJS will work

Youth Justice Services (YJS) will ensure young people are cared for, supported and nurtured both in the community and in custody and leave better equipped to live law abiding, productive lifestyles. This is balanced with a responsibility to ensure community safety.

YJS will always:

- prioritise the safety of the young person and the community
- consider what is in the best interests of the young person and their family
- deliver services to young people that recognise vulnerability, developmental levels, gender, and cultural and religious beliefs and practices
- be informed by evidenced based practice
- deliver a comprehensive 'through care' model of practice that is informed by:
 - the needs of each young person and is age, gender, culturally and linguistically appropriate
 - a recognition and understanding that many young people in the justice system have experienced multiple traumas and that rehabilitation and care will need to address the trauma's causes and symptoms
 - the identification of protective and risk factors

- communicate clearly and in a timely manner with all key stakeholders
- partner with other agencies and organisations to address complex issues contributing to youth offending in the planning and delivery of services
- engage with Aboriginal people to seek, promote and support culturally competent and Aboriginal-designed and led initiatives that reduce reoffending.



Youth Justice Board

The Youth Justice Board was established by the Minister for Corrective Services as a means of introducing new and innovative approaches, providers and programs, into the Department's work with young people, particularly Aboriginal young people. The Board is chaired by the Commissioner and its members have expertise in areas such as Aboriginal mental health, child health, innovation, use of empirical data, engagement and capacity building. The Board administers the Youth Justice Innovation Fund to trial promising community initiatives by predominantly Aboriginal providers to reduce reoffending and the over-representation of Aboriginal young people in custody.

The terms of reference for the Board are to:

- oversee the work of a new, consolidated youth justice division within the Department of Corrective Services
- facilitate direct connections between the community, the non-government sector and the public sector
- ensure continuous evaluation and improvement of matters such as the conditions of young people detained at Banksia Hill Detention Centre and the commission of new services
- promote stronger engagement with Aboriginal families and communities.

Youth Justice Reference Group

A Youth Justice Reference Group comprising representatives from the public and non-government sector has been established to advise the Youth Justice Services (YJS) division. The Reference Group will support the Youth Justice Board through its terms of reference which are to:

- provide advice to the YJS division and the Youth Justice Board
- discuss issues to improve and coordinate outcomes for young people in terms of diversion, rehabilitation and reoffending

- identify and implement mechanisms, services and/or joint projects that enable government, non-government agencies, community organisations, businesses or individuals to assist in the continuum of services for young people in the youth justice system
- work together to achieve a reduction in offending, particularly by Aboriginal young people.

Strategic Projects 2015 – 2018

Youth Justice Services (YJS) will focus on two major areas of work in this three-year period in both the custodial and community environments.

The transformation of Banksia Hill Detention Centre – its culture, services and operations – will improve the way YJS works with young people in custody and their families to help their reintegration into the community.

The second area of work is the development and implementation of an evidence-based Program

Delivery Plan informed by the findings of a review of youth justice programs across custody and the community. The review findings will assist in designing a strategy that will define how services, programs and providers are selected, delivered and evaluated.

The completion of these projects will embed continuous improvement and evidence-based practice into the delivery of YJS across the State.

Key Priority Areas 2015 – 2016

Priority	Action
Transformation of Banksia Hill Detention Centre – culture, services and operations	Focus on the operating philosophy, recruitment and training of staff including a cultural change program, reforming the education service, implementing new templates for reports to the judiciary and the implementation of a case management model that links with community based Youth Justice Services (YJS)
Development of a plan for service delivery – informing the tender, contracting, delivery and evaluation of programs to young people in detention and in the community	This will be used to procure a suite of programs and activities that will be integrated with services, programs and providers funded through the Innovation Fund. All programs will be reviewed using an evidence-based evaluation framework
Reducing the over-representation of Aboriginal young people in the justice system	Focus on collaborative partnerships between government and non-government and specifically Aboriginal organisations, and innovative service delivery across WA focussing initially on the Pilbara and Kimberley
Data collection	Improve data collection about all aspects of our operations and work to share this information with stakeholders to develop informed and collaborative responses
Review of the <i>Young Offenders Act 1994</i>	Consult on the proposal to amend the <i>Young Offenders Act 1994</i>
Adoption of a comprehensive risk and needs-assessment tool that is developmentally and culturally competent	The adoption of such a tool will identify the individual needs of each young person and inform their case management at all stages of contact with the youth justice system
Collaborative partnerships and innovative service delivery across Western Australia	Work with stakeholders to develop long term sustainable partnerships and programs across Western Australia. In 2015 – 2016 this will commence with a focus on the Pilbara and Kimberley

Strategic Alignment 2015 – 2018

The following outlines the work of Youth Justice Services (YJS) during 2015 - 2018 within the context of the Department's Strategic Plan. The intent is to develop world-class youth justice services for the WA community.

Strategic Platform	Project
Right structure, right people – trained right	<ul style="list-style-type: none"> • Develop a Workforce Plan for YJS • Undertake regular recruitment and training for frontline staff
Operational focus	<ul style="list-style-type: none"> • Transformation of Banksia Hill Detention Centre – culture, operations and services • Pilot and implement programs for young people • Develop evaluation tools
Risk management	<ul style="list-style-type: none"> • Participate in the Department's risk management framework to achieve better outcomes across all areas for young people in the youth justice system, for staff and for the community
Leadership and culture	<ul style="list-style-type: none"> • Implement a lessons learnt framework for youth justice to contribute to better outcomes for young people and the community and staff development • Actively participate and contribute to the revision of the Department's Training Academy's model of training delivery to ensure that training of youth justice staff reflects best practice in working with young people
Engagement	<ul style="list-style-type: none"> • Enhance external partnerships, networks and agreements to improve service delivery for young people and their families. • Investigate opportunities for external research engagement focussed on youth justice priorities • Work with Aboriginal stakeholders to reduce the over-representation of Aboriginal young people in all parts of the youth justice system
Service delivery	<ul style="list-style-type: none"> • Review the programs that are delivered in the community and custody settings • Develop a model of service delivery to refer young people to a range of evidence based programs that meet the needs of the young person and assist their rehabilitation
Infrastructure	<ul style="list-style-type: none"> • Contribute to optimising youth justice services infrastructure
Technology	<ul style="list-style-type: none"> • Explore the use of digital technology to enhance services

Principles

The principles outlined in the *Young Offenders Act 1994* inform all aspects of the work of Youth Justice Services (YJS). The principles are outlined in section 7 of the Act:

- (a) there should be special provision to ensure the fair treatment of young persons who have, or are alleged to have, committed offences
- (b) a young person who commits an offence is to be dealt with, either formally or informally, in a way that encourages the young person to accept responsibility for his or her conduct
- (c) a young person who commits an offence is not to be treated more severely because of the offence than the person would have been treated if an adult
- (d) the community must be protected from illegal behaviour
- (e) victims of offences by young persons should be given the opportunity to participate in the process of dealing with the offenders to the extent the law provides for them to do so
- (f) responsible adults should be encouraged to fulfil their responsibility for the care and supervision of young persons, and supported in their efforts to do so
- (g) consideration should be given when dealing with a young person for an offence, to taking measures other than judicial proceedings for the offence if the circumstances of the case and the background of the alleged offender make it appropriate to dispose of the matter in that way and it would not jeopardise the protection of the community to do so
- (h) detaining a young person in custody for an offence, whether before or after the person is found to have committed the offence, should only be used as a last resort and, if required, is only to be for as short a time as is necessary
- (i) detention of a young person in custody, if required, is to be in a facility that is suitable for a young person and at which the young person is not exposed to contact with any adult detained in the facility, although a young person who has reached 16 years may be held in a prison for adults but is not to share living quarters with an adult prisoner
- (j) punishment of a young person for an offence should be designed so as to give the offender an opportunity to develop a sense of social responsibility and otherwise to develop in beneficial and socially acceptable ways
- (k) a young person who is dealt with for an offence should be dealt with in a time frame that is appropriate to the young person's sense of time
- (l) in dealing with a young person for an offence, the age, maturity, and cultural background of the offender are to be considered
- (m) a young person who commits an offence is to be dealt with in a way that – strengthens the family and family group of the young person; and fosters the ability of families and family groups to develop their own means of dealing with offending by their young persons; and recognises the right of the young person to belong to a family

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