

DECEMBER 2023

# Youth Justice Blueprint 2024–2034

Keeping children and young people  
out of the youth justice system

### **Acknowledgement of Country**

In recognition of the deep history and culture of this island, we acknowledge and pay our respects to Tasmanian Aboriginal people, the traditional owners of the land. We recognise Tasmanian Aboriginal people's continuing connection to Land, Sea, Waterways, Sky and Culture and pay our respects to Elders, past and present. We are committed to ensuring every Aboriginal and Torres Strait Islander child and young person is known, safe, well and learning.

### **Acknowledgement of those who contributed to the Blueprint**

Thank you to those children and young people, individuals, organisations and agencies that took the time to provide written submissions and attend consultation meetings to inform the development of this Blueprint. Your views, thoughts and perspectives provided the foundation for the strategic direction and the actions we need to take to realise a truly therapeutic and integrated youth justice system in Tasmania.

We also acknowledge Noetic Group who led the consultation and development stages of the Blueprint.

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# Message from the Minister



**To ensure Tasmania's future, we need to invest in the safety and wellbeing of children, young people and their families. The Tasmanian Government is committed to developing a youth justice system that benefits children and young people and their families and keeps our community safe.**

As Minister for Education, Children and Youth, I am excited about the opportunities presented by this *Youth Justice Blueprint 2024–2034* (the Blueprint). This is a unique chance to transform the way we address youth offending, providing improved outcomes for children and young people and increasing community safety. Our small size, while presenting geographical challenges, also gives us a chance to do something innovative and nation leading to keep our children and young people out of the youth justice system.

The number of submissions and interest in participating in the workshops to develop the Blueprint demonstrates the keen interest and support for improvement across the sector. Thank you for your views, perspectives and suggestions for change – your ideas have given us a clear mandate to do better and have guided us on where we need to focus our efforts. Importantly, we also heard from

children, young people and families with involvement in the youth justice system, who provided valuable insights into their lived experience and support for a child-centred and child-rights approach.

Throughout the consultation process, several consistent themes emerged, including the need to: invest more in early intervention and prevention programs; increase our focus on diversion from the youth justice system by providing a range of options and services; ensure detention is a last resort by providing a range of bail support programs and alternative sentencing options; have specialist therapeutic interventions that address offending behaviours; and ultimately, reduce the number of children and young people coming into contact with or re-entering the youth justice system. We need to work in partnership with Aboriginal organisations to support Aboriginal children and young people in a culturally appropriate way to reduce their over-representation in the youth justice system and we need to focus on building and supporting a therapeutic and trauma-informed workforce. The themes that emerged during the consultation process have translated into five strategies necessary to realise a truly therapeutic youth justice system in Tasmania.

Importantly, we also know from the Commission of Inquiry into the Tasmanian Government's Responses to Child Sexual Abuse in Institutional Settings (Commission of Inquiry) that we need to build on the work we have already done and continue to put safeguards in place to improve the safety of children and young people. The Tasmanian Government has accepted all 191 recommendations and has already begun implementing youth justice recommendations.

The Blueprint sets the direction for youth justice in Tasmania over the next 10 years. Utilising a public health approach, the Blueprint refocuses and strengthens supports for children, young people and their families, through implementation of an integrated and multidisciplinary service system that promotes wellbeing and reduces engagement in antisocial and youth offending behaviours.

The result will be a service system that supports early intervention and diverts children and young people away from the statutory youth justice system.

For those children and young people whose offending behaviour has escalated and involves a criminal justice response, the Blueprint outlines an evidence-based, therapeutic criminal justice approach that supports the young person to address the factors that led to their offending, preventing continued offending behaviours and ongoing involvement with the system.

To ensure the safety and wellbeing of children and young people in Ashley Youth Detention Centre (AYDC) until its closure, we are responding now to the findings and recommendations of the Commission of Inquiry. We are working on a series of actions, including increasing safety and security for children and young people in the centre, maintaining staffing levels with experienced and competent staff, delivering a therapeutic service model, and implementing practice improvements.

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**The Blueprint includes the Government's commitment, through a child-centred and rights based approach, to build a nation-leading, best-practice approach to children and young people in conflict with the law. Key elements of our plan include the establishment of new, fit-for-purpose youth justice facilities including a new secure therapeutic facility in the south, as well as the development of a therapeutic model of care for youth justice in Tasmania; raising the minimum age of criminal responsibility to 14 years, and the age of detention to 16 years. The development of an Aboriginal youth justice strategy underpinned by self-determination will consider and address legislative reform to enable Aboriginal organisations to design, administer and supervise elements of the youth justice system for Aboriginal children and young people.**

Improved diversion and community-based sentencing options delivered under the reform process will provide alternative and more developmentally appropriate options to detention, ensuring that detention truly is an option of last resort.

I acknowledge that implementing significant service system improvements takes time and commitment. I look forward to working collaboratively across all levels of government, non-government organisations, community, and business sectors, and importantly with children, young people and their families, to ensure that the direction outlined in the Blueprint is delivered across Tasmania. By working collaboratively across government and the community sector, we will forge better connections between vulnerable children and young people, their families, and services. Together we can create generational change for Tasmanian families involved with the criminal justice system, create a youth justice system we can all be proud of, and give each and every young person the best opportunity to turn their life around.

**The Hon Roger Jaensch MP**

Minister for Education, Children and Youth

# Introduction

## What is the youth justice system?

Traditionally, references to the youth justice system relate to the range of formal processes and practices designed to respond to children and young people who have committed, or allegedly committed, an offence. In this context, the youth justice system is primarily a tertiary, statutory service response to those children and young people engaging in offending behaviour.

The Blueprint, adopts a broader definition of youth justice that expands the focus to include prevention, early intervention and diversion. This aligns with a public health approach that shifts the focus from a statutory response to offending towards one that provides supports to children, young people and their families at the earliest opportunity to prevent or reduce risk factors. It provides targeted interventions for children and young people requiring additional support to reduce escalation of antisocial behaviours to offending, and provides appropriate therapeutic responses to reduce repeat offending for children and young people already engaged in offending. The Blueprint is focused on providing prevention, early intervention and diversion pathways that prioritise the needs of the young person, and also consider and improve the safety of the broader community in which they live.

There is consensus between the Australian Government, state and territory governments and community organisations across Australia that we need to reduce the burden on the statutory (tertiary) end of the youth justice system and enhance universal (primary) and targeted and diversionary supports (secondary) in line with a public health approach. A public health approach aims to provide the maximum benefit for

the largest number by investing in primary prevention at the population level, while delivering more specialised and individual supports to those who require more intensive help.

A public health approach is also consistent with the ecological model of child development, which recognises that child development is the product of a complex set of interacting factors, at the individual, family, and community levels. Consistent with this model, parents and carers have the primary influence on a child's development. Supporting families within their community to care for their children is key to achieving a public health approach.<sup>1</sup>

Bringing education, child safety and youth justice services together in the new Department for Education, Children and Young People will support our ability to implement a public health approach and provide opportunities to improve prevention and early intervention.

A public health approach not only improves outcomes at an individual level, but also leads to safer communities and lowers long-term costs to government and was strongly supported by stakeholders through the Blueprint consultation process.

For more information about the public health approach, see Appendix 1.

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<sup>1</sup> Commissioner for Children and Young People. (2022) Submission in response to the Reforming Tasmania's Youth Justice System: Discussion Paper.

**Over its 10-year life span the Blueprint's key objectives are to create a contemporary youth justice system that:**



**Supports** children, young people and their families to **prevent contact** with the youth justice system.



**Addresses offending behaviour** by children and young people.



**Addresses the over-representation** of Aboriginal children and young people.



Keeps children and young people in the **youth justice system safe**.



**Supports** children and young people to **re-enter the community** through **prosocial pathways**.



**Improves** community and staff **safety**.

## **What is the Blueprint and what will it achieve?**

This Blueprint outlines the strategic direction for Tasmania's youth justice system for the next 10 years, with the aim of improving the wellbeing of children, young people and their families while addressing the underlying drivers of offending behaviours, reducing offending and improving community safety.

Our goal is to reduce the involvement of children and young people in the youth justice system. This means:

- a reduction in the number of children and young people entering the youth justice system
- a reduction in the amount of time children and young people are in the youth justice system
- a reduction in the number of children and young people re-entering the youth justice system.

The Blueprint establishes the framework to refocus supports and services to meet the needs of children, young people and their families through a contemporary, child-rights, therapeutic, and integrated approach to youth offending.

The Blueprint has been designed in consultation with the Tasmanian community and aligns with the recommendations of the Commission of Inquiry.

It provides a whole-of-government, whole of community plan, outlining a multidisciplinary service response that promotes the involvement of all Tasmanians in supporting children and young people to prevent them from becoming involved with the youth justice system. In line with the United Nations Convention on the Rights of the Child, this work will promote and protect the rights, wellbeing and best interests of children and young people in Tasmania.

In line with a public health approach, the Blueprint has a focus on prevention, early intervention, and diversion, through to services for repeat and high-risk offenders, changing the pathways for children and young people at risk of, or who are engaged in, offending behaviours.



The Blueprint also provides an opportunity to align the approach to youth justice with other Tasmanian Government initiatives including the *Child and Youth Wellbeing Strategy: It Takes a Tasmanian Village*, and the Strong Families, Safe Kids reforms, as well as working collaboratively with key agencies on related reform processes such as the reforms to the Child and Adolescent Mental Health Service, will provide the most effective response to youth offending.

In 2022, the Standing Council of Attorneys-General (SCAG) agreed that an Age of Criminal Responsibility Working Group would continue to develop a proposal to increase the minimum age of criminal responsibility, paying particular attention to eliminating the over-representation of First Nations children in the criminal justice system, including consideration of services and supports for children diverted from the criminal justice system under a raised minimum age of criminal responsibility.

In September 2023, the Working Group produced a final report for Australian Attorneys-General which addresses services and supports for children diverted from the criminal justice system under a raised minimum age of criminal responsibility.

In July 2023, Tasmania's Commissioner for Children and Young People released her memorandum of advice to the Tasmanian Government concerning the age of criminal responsibility in Tasmania. This complements the Tasmania Law Reform Institute's April 2022 Research Report No. 5: Raising the Minimum Age of Criminal Responsibility: Law Reform Considerations.<sup>2</sup>

In its report, the Commission of Inquiry has also recommended raising the minimum age of criminal responsibility to 14 years, without exception. The Tasmanian Government has accepted the Commission of Inquiry recommendation and will develop and provide a range of community-based health, welfare and disability programs and services tailored to meet the needs of children and young people

under the age of 14 years who are engaging in antisocial behaviour, and to address factors contributing to that behaviour. This recommendation will be completed by July 2029.

There are a range of considerations associated with raising the age of criminal responsibility, most notably what the appropriate service response is for those under that age who engage in behaviours that would otherwise be an offence. The SCAG Working Group and Commissioner for Children and Young People advice will further assist the Tasmanian Government in this context.

The Blueprint provides an avenue through which this issue can be further examined to ensure the response forms part of the broader response to offending by children and young people.

The Tasmanian Government will raise the minimum age of criminal responsibility from 10 to 14 years and will increase the minimum age of detention to 16 years by developing alternatives to detention for children aged 14 and 15 years. Implementation will be completed by July 2029.

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**These commitments will make Tasmania the nation's leading jurisdiction on the minimum age of criminal responsibility reform as it will be raised to 14 years without exception together with raising the minimum age of detention to 16 in line with the Commission of Inquiry recommendations.**

Positive change will take time to achieve, with the full benefits of the reforms likely to become apparent over the coming decade and beyond. Incremental improvements are likely to be observable much earlier. We will know that the Blueprint is achieving the desired outcomes by collecting the necessary data, monitoring, reporting and evaluating.

<sup>2</sup> Gogarty, B, & Yu, C. (2022) Raising the Minimum Age of Criminal Responsibility: Law Reform Considerations, Research Report No. 5. University Of Tasmania.



Some of the early indicators likely to demonstrate improvements include:

Children and young people have **increased safety in detention.**

Children and young people have access to **a greater range of early intervention support services** to address risk and **increase protective factors** associated with offending.

Children and young people who have offended are being **diverted away** from the criminal justice system via therapeutic, diversionary and restorative approaches, reducing recidivism.

Aboriginal children and young people in the youth justice system have **greater access to culturally appropriate services** and supports that meet their needs, delivered by Aboriginal organisations.

Children and young people are placed at the centre of the service approach, with service providers working in partnership to deliver an **integrated and connected** multidisciplinary service.

Staff working within the youth justice system have completed **appropriate professional development** and have access to clinical and legal practice supports to ensure a **child and young person centred, therapeutic and trauma-informed** response to youth offending.

**Communities** experience an **increase in safety.**

## What is a therapeutic approach?

A therapeutic approach in youth justice settings frames children and young people as vulnerable and in need of support and healing, as opposed to punishment or fear. It recognises that a majority of children and young people who offend have complex needs arising from their background, environment and experiences of past trauma. They require support through education, social and emotional wellbeing and community connection.<sup>3</sup>

A therapeutic approach to youth justice will target the underlying drivers of offending by children and young people. It promotes behaviour change by providing guidance and support, a sense of self, and the safety and security to encourage growth and development.<sup>4</sup> It will also address the unmet needs of children and young people, improving social connectedness, engagement with learning and employment, as well as health and wellbeing supports. A therapeutic approach to youth justice is not achieved by providing standalone therapeutic programs, but rather is an approach to all aspects of the system.

It is acknowledged that efforts over the past years have been directed at moving towards a more therapeutic approach within the sector. This work has had varying levels of success and limited effectiveness in achieving the system-wide change that is required to truly impact outcomes for children and young people.

A therapeutic approach to youth justice requires commitment and the courage to move further away from traditional punitive responses to youth offending to deliver services in line with contemporary evidence on 'what works'.

3 Legal, L.C., & Social Issues Committee. (2018) Inquiry into youth justice centres in Victoria.

4 Bowles, J. (2014) *What can be done? Residential therapeutic treatment options for young people suffering substance abuse/mental illness* The Winston Churchill Memorial Trust of Australia.

## How was the Blueprint developed?

The Blueprint was developed based on analysis of current data about youth offending, research on contemporary and evidence-based practice nationally and internationally, findings and recommendations from the Commission of Inquiry, discussions with children and young people in the youth justice system, and extensive consultation and collaboration with the Tasmanian community and government agencies.

The *Reforming Tasmania's Youth Justice System Discussion Paper* (Discussion Paper) was widely circulated in December 2021 and provided the basis for the consultation process.


The Discussion Paper outlined the intent of the Blueprint, the current state of youth justice in Tasmania and posed a wide range of questions for consideration in reshaping the system. There was substantial agreement on many of the issues and the reforms needed across the system.

## Our commitment to involve children and young people


The participation of children and young people in decisions that affect them is a fundamental human right. Children and young people can provide a unique perspective on how a child or young person experiences the youth justice system, and assist us to shape a child and young person centred system that is supportive, therapeutic and rehabilitative.

A children and young person's consultation strategy will be developed for all individual actions, to ensure children and young people are consulted throughout development and implementation processes. Only by involving the voice of children and young people and taking their views seriously will we improve our approach to youth justice services.


We intend to engage with children and young people via a number of avenues including through information sourced directly from children and young people and through entities and organisations that engage directly with children and young people such as the Commissioner for Children and Young People, youth peak bodies and from within our service system.




Over **100 stakeholders** were consulted in the development of the Blueprint. This was done **in person, virtually** and via **written submission**.



**43** written submissions were received.



Those consulted with included **Tasmanian Government agencies**, including Department for Education, Children and Young People, Department of Health, Tasmania Police, the Magistrates and Supreme courts; **key stakeholders** such as the Commissioner for Children and Young People; representatives of Tasmania's Aboriginal organisations; and **non-government organisations** including service providers.



Consultation was also undertaken with **children and young people** and their families who have **lived experience** of the youth justice system, either under community-based supervision or in detention.

The Tasmanian Government accepted the Commission of Inquiry recommendation for the development of an empowerment and participation strategy for children and young people in detention, including the establishment of a permanent advisory group of children, young people and young adults up to the age of 25 years with previous experience of youth detention in Tasmania. It is recognised that meaningful participation requires that children and young people: receive clear

information in a way that they can understand; are provided with the opportunity to respond and express their views; and are given assistance to express their views if needed. Further, children and young people need to be advised of how their views have had influence following the Lundy Model of Participation.<sup>5</sup> The implementation of this recommendation will be completed by July 2026.

This approach will ensure the voice of children and young people will continue to guide the reform process and support a child and young person centred approach to service provision.

## **Our commitment to work with Aboriginal children, young people and their families**

We are committed to working with Aboriginal children, young people and their families to reduce the over-representation of Aboriginal children and young people in the youth justice system. In 2021–2022, Aboriginal young people in Tasmania were almost six times as likely as non-Aboriginal young people to be under youth justice supervision.<sup>6</sup>

The Blueprint includes an increased focus on self-determination of Aboriginal people which was supported throughout the consultation by many submissions. The views of Aboriginal children and young people will be critical in delivering meaningful change in line with Article 19 of the United Nations Declaration on the Rights of Indigenous Peoples.<sup>7</sup>

The Tasmanian Government has accepted the Commission of Inquiry recommendation to develop an Aboriginal youth justice strategy underpinned by self-determination and with a focus on prevention, early intervention and diversion strategies for Aboriginal children and young people. The Strategy will consider and address legislative reform to enable recognised Aboriginal organisations to design, administer and supervise elements of the youth justice system for Aboriginal children and young people. Development and

implementation of the strategy will require capacity building and funding for recognised Aboriginal organisations to participate in youth justice decision making and to deliver youth justice services to Aboriginal children and young people. The need for increased measures to ensure cultural safety for Aboriginal children and young people in youth justice facilities was also highlighted. Recommendations 12.27 and 12.28 will both be implemented by July 2026.

The Government also accepted the Commission of Inquiry recommendation for the appointment of a Commissioner for Aboriginal Children and Young People with statutory powers and functions to advocate for and monitor the experiences of Aboriginal children in detention. Implementation will be completed by July 2026.

We recognise that Aboriginal organisations are best placed to ensure there are appropriate responses to address the over-representation of Aboriginal young people in the youth justice system in Tasmania. We will actively partner with these organisations to provide culturally appropriate supports and services for their children and young people at risk of offending or re-offending.

The Blueprint is consistent with the principles of the *National Agreement on Closing the Gap 2020* which outlines priority reforms for the Tasmanian Government. The Agreement supports engagement with Aboriginal people on government policies that affect them. It also holds that many of the services delivered by governments and other mainstream organisations for Aboriginal people could be better delivered by Aboriginal community-controlled organisations. This position was also supported through several recommendations from the Commission of Inquiry.

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**There is a need to strengthen connection to family, community and culture for Aboriginal young people at risk of offending or engaged with the youth justice system.**

5 [https://commission.europa.eu/system/files/2022-12/lundy\\_model\\_of\\_participation\\_0.pdf](https://commission.europa.eu/system/files/2022-12/lundy_model_of_participation_0.pdf)

6 Australian Institute of Health and Welfare, Youth Justice in Australia 2021–2022.

7 United Nations. (2007) United Nations Declaration on the Rights of Indigenous Peoples.

## What are the principles that underpin the blueprint?

Throughout the consultation process, we heard consistent messages about how we should work together across the youth justice sector and factors that were important in undertaking this work. The following principles encapsulate these messages and will guide us in the development and implementation of the policies, programs and initiatives that sit within the Blueprint:

### 1. Children and young people have their rights upheld.

We take the rights and best interests of the child or young person, and their family, into account in all matters relating to them. We actively engage with, and seek the views of children, young people and their communities and provide ongoing opportunities for children and young people with lived experience to be heard.

### 2. Children and young people thrive within well-supported families and communities.

We support children, young people and their families through a shared whole-of-government, whole-of-community approach. We do this by focusing on the six domains of child and youth wellbeing in the *Tasmanian Child and Youth Wellbeing Framework*<sup>8</sup> to improve outcomes for children, young people and their families. We strengthen supports to prevent children and young people coming into contact with the youth justice system and intervene early to support children and young people at risk of offending and their families.

### 3. Aboriginal children and young people are connected to family and communities and are living healthy, safe and culturally rich lives.

We actively engage with and seek the views of Aboriginal children, young people and their communities. We acknowledge the right of Aboriginal people to identify and lead the appropriate response for their children as we seek to address the over-representation of Aboriginal children and young people in the youth justice system.

### 4. Children and young people in the youth justice system are safe.

We adhere to the Tasmanian Child and Youth Safe Standards and Reportable Conduct Scheme and create a culture that fosters child safety and wellbeing across the youth justice system in Tasmania.

### 5. Children and young people are supported by an effective youth justice service continuum.

We strive for a service continuum that addresses the complex causes of youth offending, improves outcomes for vulnerable children and young people, and increases community safety. Detention is an option of last resort and intensive intervention and rehabilitation is provided to effectively transition children and young people from detention back into the community.

<sup>8</sup> Department of Communities Tasmania. (2017) *Tasmanian Child and Youth Wellbeing Framework*.

**6. Children and young people are diverted from the justice system.**

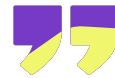
We divert children and young people away from the youth justice system wherever possible. Children and young people are diverted through programs, initiatives and services grounded in evidence, that are regularly monitored and evaluated to ensure effectiveness. We support a child or young person who has offended to take responsibility for their actions and acknowledge the impacts of their offending on the victim and the community through restorative and other therapeutic interventions.

**7. People working in the youth justice system are supported and safe.**

We consider the wellbeing and safety of staff in service design, implementation and delivery of youth justice services. Staff members are recognised for their contributions and provided with the skills, supports and resources required to work safely and effectively.

**8. The wellbeing of children and young people is considered in the context of families, communities and broader society.**

We take the influence of families, communities and broader society on children and young people's wellbeing into account in all matters relating to them in line with the ecological model of child development.



The principles encapsulate these messages and will guide us in the development and implementation of the policies, programs and initiatives that sit within the Blueprint.



# Context

## What is the Child and Youth Wellbeing Framework?

This Blueprint recognises the [Child and Youth Wellbeing Framework](#) (the Framework) that was developed as part of the Strong Families, Safe Kids reform and has been adopted across government and non-government agencies. It provides a common approach to understanding the wellbeing of children and young people and will form the foundation for the development and implementation of the policies, programs and initiatives that sit within the Blueprint.

The Framework is based on significant research by the Australian Research Alliance for Children and Youth on enhancing systems for protecting children and improving wellbeing and life chances across the service continuum. The Framework outlines six domains that interact to improve the overall health and wellbeing of Tasmanian children:

- being loved and safe
- having material basics
- being healthy
- learning
- participating
- having a positive sense of culture and identity.

These domains were identified by children and young people as the areas that they viewed as most important to their wellbeing.

Ongoing unmet need in these critical areas is associated with offending behaviours, recidivism and ongoing engagement with the justice system. Improving supports across the six domains can have a positive impact on reducing youth offending.

## What does the current youth justice system look like?

The *Youth Justice Act 1997* provides the legislative framework for the administration of youth justice in Tasmania. The Youth Justice Act defines a youth as a young person aged 10 to 17 at the time of the offence. While the Act includes some consideration of formal diversionary processes, its focus is largely on the statutory response to and management of children and young people who have offended and promotes rehabilitation of a young person where possible, with detention a measure of last resort.

The current Tasmanian youth justice system comprises three main components, delivered by several different agencies.

The first point of contact within the system for children and young people who have committed or allegedly committed an offence is Tasmania Police. The police have a key role in responding to youth offending, not only through their responsibility for investigating and apprehending a young person who has allegedly committed an offence, but also in determining whether to implement diversionary processes such as cautioning or referral to a community conference, or to proceed to charging a young person with the offence. In line with the Act, the first approach of Tasmania Police is diversion.

Children and young people who are charged progress to the court system to have their case adjudicated, usually within the Magistrates Court (Youth Justice Division). The Supreme Court may also hear youth matters involving serious offences.

Youth Justice Services, Department for Education, Children and Young People provides services to children and young people from the point of engagement with

police if they are referred for a community conference, through the court process and any subsequent orders. These services include:

- coordination and management of community conferencing as referred by police or the court
- support for court processes, including the provision of pre-sentencing reports
- supervision and case management of children and young people on court orders
- custodial services for children and young people remanded or sentenced to a period of detention.

The Government also funds some support services including programs for youth at risk, bail support and transition from detention.

## **What are the existing regulatory safeguards?**

Both the Commissioner for Children and Young People and the Custodial Inspector perform independent regulatory oversight functions at AYDC.

The Commissioner for Children and Young People is an independent statutory officer responsible to the Parliament of Tasmania established under the *Commissioner for Children and Young People Act 2016*.

The Commissioner for Children and Young People's role is to promote the rights and wellbeing of Tasmanian children and young people. One of the Commissioner for Children and Young People's specific functions is to advocate for children and young people who are detained under the *Youth Justice Act 1997*. The Commissioner for Children and Young People regularly visits AYDC to meet with the children and young people who are detained there. Children and young people can also contact the Commissioner for Children and Young People directly with concerns they have in relation to their care at AYDC. In February 2021 a newly created Advocate for Young People in Detention began working regularly onsite at AYDC to assist the Commissioner for Children and Young People provide additional advocacy services.

The purpose of the Custodial Inspector is to provide independent, proactive, preventative and systemic oversight of custodial centres. The *Custodial Inspector Act 2016* requires the Custodial Inspector to carry out a mandatory inspection of each custodial centre at least once every three years and to report the findings and recommendations to the responsible Minister and Parliament. To meet the legislative obligations the Custodial Inspectorate undertakes themed inspections of custodial centres focusing on particular inspection standards.

Australia is also a ratifying party to the United Nations Optional Protocol to the Convention Against Torture (Protocol). Through this commitment, Australia gives the right to the Subcommittee on Prevention of Torture and other Cruel, Inhuman or Degrading Treatment or Punishment to visit all places of detention to examine the treatment of the people held there. In Tasmania, the Custodial Inspector also performs the role of Tasmania's National Preventative Mechanism under the Protocol.

The Government will create a new Tasmanian statutory Commission for Children and Young People, following the Commission of Inquiry recommendation for further regulatory safeguards for children and young people including those in detention. The Commission will have all the necessary powers to perform its functions and will comprise an independent Tasmanian Commissioner for Aboriginal Children and Young People, a Commissioner for Children and Young People and a Child Advocate. This recommendation will be implemented by 1 July 2024.



## What does the data tell us?

Most children and young people in Tasmania never come into contact with the youth justice system. Of the 53,886 young people aged 10 to 17 in Tasmania only 888 were proceeded against by police in 2021–22 (1.65 per cent of the population aged 10 to 17). This includes both court and non court actions such as cautions and community conferences.<sup>9</sup>

**The rate of youth offending reduced by almost 62% over the eleven years, from an offender rate of 4,265 per 100,000 Tasmanian young people in 2010–2011 to 1,660 per 100,000 young people in 2021–2022.**<sup>10</sup>

While the youth offender rate for all Australian jurisdictions demonstrates a declining trend over time, the latest ABS data (2021–2022) shows that the number of youth offenders in Tasmania increased by 5 per cent from the previous year. It is also important to note that the youth offender rate counts each unique youth offender only once and does not reflect the number of times that unique young person may have offended in any given period. The latest ABS data also show that in 2021–2022 youth offenders proceeded against by police more than once increased 26% in Tasmania from the previous year, the biggest increase of all the jurisdictions except ACT (32%). This data suggests that this cohort is where resources need to be concentrated. Recidivism is a heightened concern regarding young offenders and can include serious offences as well as prolific repeat offending, which has not only a considerable impact on the young person, but victims and the community more broadly. Appropriate responses are needed for repeat youth offenders who are entrenched in the youth justice system or at a high risk of becoming entrenched.<sup>11</sup>

9 National State and Territory Population, ABS Estimated Resident Population by single year, Tasmania, 2022; ABS, Recorded Crime 2021–22, Table 20; Note: ABS results exclude traffic and breach of bail offences.

10 Australian Bureau of Statistics, Recorded Crimes 2021–22, tables 19, 20.

11 ABS, Recorded Crime 2021–22

Between 2014 and 2022 youth crime charges varied from a low of 2,376 charges in 2016, to a high of 3,879 charges in 2022, with an annual average over this period of 2,924 charges. There was an overall increase of 48 per cent from 2014 to 2022.

Recidivism rates between 2014 and 2021 varied from a low of 53 per cent in 2014 to a high of 72 per cent in 2017.<sup>12</sup>

In relation to young people sentenced to formal youth justice supervision by the courts, on an average day in 2021–2022, in Tasmania:<sup>13</sup>

**97 young people aged 10 and over were under youth justice supervision.**

**12.2 per 10,000 young people aged 10–17 were under supervision, lower than the Australian national average of 13.4 per 10,000.**

**Indigenous young people were almost 6 times as likely as non-Indigenous young people to be under supervision.**

**9.1 young people were in detention.**

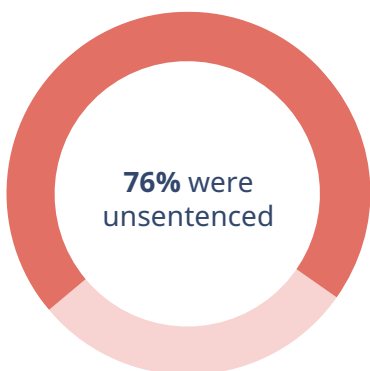
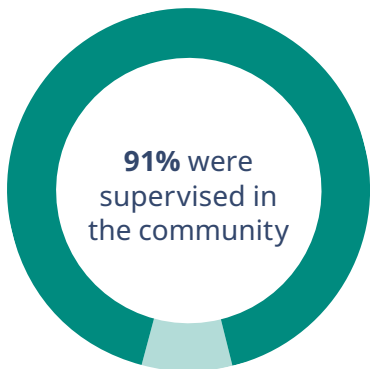
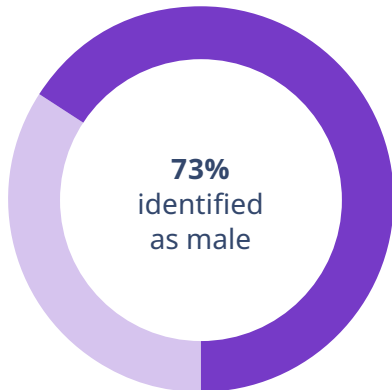
**6.9 of the 9.1 young people in detention were on unsentenced orders, while 2.6 were on sentenced orders.\***

12 Statistics sourced from content prepared by the Department of Police, Fire and Emergency Management, Reporting Services, November 2021.

13 Australian Institute of Health and Welfare, Youth Justice in Australia 2021–2022. Note: ABS source documents state that sentencing statistics should be used with a high level of caution for smaller jurisdictions as they only refer to a small number of people.

\*The sentencing data can also be misinterpreted due to the possibility of someone being on sentenced and unsentenced detention at the same time. This causes the percentages to become inflated.

**Among those under youth justice supervision in Tasmania on an average day<sup>14</sup>:**



Between July 2020 and June 2021, the Australian Bureau of Statistics reported that offenders aged 10 to 17 comprised **11% of all offenders** proceeded against by police in Tasmania. Of the 888 offenders aged 10 to 17 that were proceeded against by police in that year:<sup>15</sup>



Almost **1 in 3** (n=260) had a principal offence of acts intended to cause injury



Just over **1 in 5** (n=181) had a principal offence of theft and other related offences

14 Australian Institute of Health and Welfare, Youth Justice in Australia, 2021-22

15 Australian Bureau of Statistics, Recorded Crime - Offenders 2021-22, Table 20

## What does the evidence tell us?

**Understanding why children and young people offend is critical to being able to develop and implement strategies to prevent offending and reduce recidivism.**

A large number of studies over the past several decades, both nationally and internationally, have explored offending behaviours across the life course.

There is considerable evidence that most children and young people who offend, do so in a time-limited manner, and do not require intensive service system responses to address their offending behaviours.<sup>16</sup> For the small group of children and young people who continue offending behaviours, data shows that offending almost always follows the same trajectory. Offending increases through the teenage years, peaks in late adolescence or early adulthood and then decreases or ceases as the young person progresses through adulthood.

Children and young people are most likely to commit a low-level crime, such as vandalism or property crime, and are more likely to be noticed and contacted by police because of the public nature of these crimes. They are also less likely than adult offenders to commit a serious crime.<sup>17</sup> However, it is important to recognise that there are also young people who are repeat offenders, or who commit serious offences. For example, almost 30 per cent of youth offenders in Tasmania in 2021–2022 (260 offenders) had a principal offence of acts intended to cause injury.<sup>18</sup>

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**Diverting children and young people who are committing low-level offences and are most likely to ‘grow out of’ offending, away from a justice system response and managing their behaviours in an alternative manner can prevent them being labelled as ‘a criminal’. This label can radically impact how they are viewed and treated by others, as well as how they view themselves and their self-worth.**

Using a justice system response for children and young people at low-risk of ongoing or serious offending also potentially introduces these children and young people to higher-risk offenders and provides antisocial modelling that may influence offending behaviours for a child or young person who is otherwise at low risk of re-offending.<sup>19</sup>

There is no single factor that leads a child or young person towards ongoing offending behaviour. Research demonstrates strong linkages between offending and a range of factors including involvement with the child safety system, homelessness, cognitive disability, mental health concerns, drug and alcohol use, intergenerational trauma, experience of family violence and disengagement with education. Often these factors cluster together in the lives of the most disadvantaged children and young people.<sup>20</sup>

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16 Livingstone, M., Stewart, A, Allard, T., & Ogilive, J. (2008) *Understanding Juvenile Offending Trajectories*, School of Criminology and Criminal Justice Griffith University.

17 Richards, K. (2011) ‘What makes juvenile offenders different from adult offenders?’ *Trends and Issues in Crime and Criminal Justice*, no. 409, Australian Institute of Criminology, Canberra.

18 Australian Bureau of Statistics (2021–22), Recorded Crime – Offenders, ABS Website, accessed 2 November 2023.

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19 Gatti, U, Tremblay, R, & Vitaro, F. (2009) ‘Iatrogenic effect of juvenile justice’. *Journal of Child Psychology and Psychiatry*, vol. 50, no. 8, pp. 991–998.

20 Andrews, D.A. & Bonta, J. (2010) *Rehabilitating Criminal Justice Policy and Practice*, Psychology, Public Policy and the Law, Vol 16, 39–55.

The presence of protective factors in the life of a child or young person helps explain why some children and young people exposed to clusters of risk factors predictive of potential escalation into criminal behaviour do not grow up to behave antisocially or commit crimes. Protective factors may include supportive environments and strong bonds with family, mentors, and the community, as well as prosocial beliefs, attitudes, and behavioural standards.

Given the degree of overlap between factors associated with offending and other problem behaviours, interventions for one factor can realise gains in multiple areas. This highlights the need for collaboration between individuals, families, schools, and government and non-government services. The service response required crosses agency boundaries, thereby requiring a multidisciplinary and systematic response across community, specialist, and statutory services.



There is considerable evidence that most children and young people who offend, do so in a time-limited manner, and do not require intensive service system responses to address their offending behaviours.

## What did the consultations tell us?

The consultation process for the Blueprint identified a range of challenges with the current operation of the youth justice system and the reforms required to bring it in line with contemporary best practice and refocus the service system to best and most efficiently deliver the services required while upholding children and young people's rights.

### Diversion/Targeted intervention

Increase availability and accessibility of effective diversion and intervention services for those at risk of offending and those with low-risk offences.

Increase bail support options, especially supported accommodation to which a young person can be bailed.

### Workforce

Difficulties recruiting and retraining appropriately trained staff.

Lack of services and workforce expertise in rural and remote areas.

### Prevention and early intervention

More appropriate prosocial activities to build support networks and strengthen community engagement.

Better support for parents to build their capacity to provide a safe and supportive environment for their children and young people.

Greater investment in early intervention programs.

Create a hub-style, multi-agency model of support to provide and coordinate wrap-around supports and services for children, young people and their families.

### Detention

Must be a last resort.

Reduce numbers of young people detained on remand.

Improve throughcare and service continuity.

Purpose-built facilities.

### Aboriginal engagement

Partner with Aboriginal organisations to address the over-representation of Aboriginal young people in the youth justice system.

There are minimal culturally relevant responses to offending available for Aboriginal young people.

### Services

An absence of mental health and alcohol and drug services, including inpatient facilities, meaning these issues cannot be addressed and can lead to offending behaviours.

Increase educational supports for young people disengaged from school, especially in primary school, including alternate education and learning options.

Critical shortage of appropriate accommodation options for young people and families.

Increase the number and knowledge of formal support programs and referral pathways across the state.

### Court processes

Reduce wait times for matters to be heard to support the link between actions and consequences.

Greater support for young people to promote understanding of the court process and ability to participate and direct their defence in legal matters.

Ensure court processes and the hearing of youth justice matters are therapeutic and appropriate for children and young people.

### System

Lengthen funding cycles to reduce uncertainty and retain staff.

Legislation needs to be contemporary and embody a therapeutic approach.

Raise minimum age of criminal responsibility to 14.

Establish a collaborative and multidisciplinary approach between government and non-government.

## What are we already doing?

The Tasmanian Government is currently implementing a range of initiatives that will assist in supporting those children and young people who are at risk or engaged in youth offending and their families.

More information about key initiatives that align with and complement the Blueprint is at Appendix 2.

## What have we learnt from the Commission of Inquiry into the Tasmanian Government's responses to Child Sexual Abuse in Institutional Settings?

The Report from the Commission of Inquiry, *Who was looking after me? Prioritising the safety of Tasmanian Children* (COI Report), was released on 26 September 2023. The Commission reported on the adequacy and appropriateness of the Tasmanian Government's responses to allegations and incidents of child sexual abuse at the AYDC.

The COI Report noted that while Tasmanian Government institutions are generally safe for most children and young people, some children and young people are not safe. While positive changes were beginning to occur throughout the life of the inquiry, more can and should be done to improve their safety, particularly for children in out of home care and youth detention, as well as Aboriginal children in institutions. A greater focus on child safety needs to be embedded in decision making and in day-to-day practices. Staff need more education and training on child sexual abuse and clear guidance and support to help them identify and confidently respond to risks of child sexual abuse.

The Commission made 39 recommendations to improve the safety and wellbeing of children and young people in the youth justice system grouped across 9 key themes:

- *Addressing the legacy of abuse* including closing the AYDC.
- *Cultural change* through strong leadership, a therapeutic model of care, fit-for-purpose facilities and supports for staff as well as ongoing monitoring and evaluation of cultural change.
- *Reducing the number of children in youth detention* by increasing the minimum age of criminal responsibility to 14 years, working towards increasing the minimum age of detention to 16 years, development of the Youth Justice Diversionary Framework, maximising opportunities for children and young people to be admitted to bail and minimise the number of children and young people on remand, and enhancing opportunities to divert young people, including Aboriginal young people, away from the youth justice system.
- *Creating a child-focused youth detention system* including incorporating best practice design features in youth justice facilities, development of a youth justice model of care that facilitates therapeutic, trauma-informed and culturally safe service delivery as well as access to critical services such as health, education, and vocational training for children and young people in the youth justice system and connection to family and community.
- *Aboriginal children in youth detention* including the appointment of a Commissioner for Aboriginal Children and Young People, a specific focus on enhancing self-determination focusing on Aboriginal specific prevention, early intervention and diversion strategies and enhanced cultural safety in youth justice facilities.

- *Harmful sexual behaviours in youth detention* including creation of a Harmful Sexual Behaviours Support Unit to support best practice responses to harmful sexual behaviours in youth justice facilities.
- *Searches, isolation and the use of force* including the need for legislative change and therapeutic policies and practice in relation to searches, isolation and use of force in detention.
- *Responding to concerns, complaints and critical incidents in detention* through robust processes for responding to concerns, complaints and critical incidents in detention.
- *Independent oversight of youth detention* including increased oversight through an independent community visitor scheme and a Commission for Children and Young People with functions and powers to monitor all residential youth justice facilities.

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**The recommendations recognise that legislative changes to the Youth Justice Act 1997 will need to be made to support the implementation of many recommendations and enact the improvements necessary for the safety and wellbeing of children and young people in the system.**

The Tasmanian Government's Response to the Final Report of the Commission of Inquiry, *Keeping Children Safe and Rebuilding Trust*, outlines the Government's commitment to implementing all 191 recommendations as a priority.



# Strategic Direction

To deliver a contemporary, evidence-informed and connected youth justice system for Tasmania, five key strategies have been identified for focus over the next 10 years.

1

STRATEGY

Prioritise prevention and early intervention to reduce engagement with the youth justice system

2

STRATEGY

Ensure diversion from the justice system is early and lasting

3

STRATEGY

Establish a therapeutically based criminal justice response for children and young people

4

STRATEGY

Integrate and connect whole-of-government and community service systems

5

STRATEGY

Provide an appropriately trained, supported and culturally aligned therapeutic workforce

Investing in these strategies will enable Tasmania to provide improved services, thereby reducing risk factors and increasing protective factors that support children, young people and their families. They will ensure the government and community is appropriately resourced and developed to provide support in a tailored, child and young person centred and culturally sensitive way. The strategies will reduce offending through an increase in early intervention and diversionary services and deliver a therapeutic response for those children and young people already engaged in offending behaviours to decrease recidivism. This will improve community safety and place children and young people and their needs at the centre of the system.

# 1

STRATEGY

## Prioritise prevention and early intervention to reduce engagement with the youth justice system

### What is prevention and early intervention in the context of youth justice?

Under a public health approach to youth justice, prevention and early intervention strategies aim to intervene to prevent children and young people commencing offending behaviours. This approach includes a range of universal activities designed to support wellbeing at the population level.

The wellbeing of the child or young person relies on the strength of the family, the cohesion of the community in which the child or young person lives and the effectiveness of informal and formal networks that surround them. Importance is placed on social connections and strengthening families, particularly during the early years.

Early intervention involves the timely identification of emerging wellbeing issues and the provision of appropriate services and supports to address them. This includes greater access to services to address both parental and children and young people's needs across the six domains of the *Child and Youth Wellbeing Framework*. For some families, intensive engagement and services for caregivers are required to build their capacity to provide a safe and secure environment and support their children and young people.

Engagement with prevention and early intervention supports is primarily on a voluntary basis. To encourage participation and make accessibility as easy as possible, services should include elements of assertive outreach or delivery through community service hubs. It requires a service system that can 'wrap' services around children and young people and their families in a coordinated and holistic way. Approaches that identify risk factors, respond to wellbeing issues and make timely decisions based on the individual needs of the young person and their families to prevent them from entering the formal youth justice system are essential. This includes consideration for young Tasmanians from culturally diverse backgrounds who may be disengaged/at risk of disengagement from the community, education and employment and/or displaying harmful behaviours. It is well established that ethnicity is one of a number of social risk factors leading to involvement with the youth justice system.<sup>21</sup> It is important that the service system recognises that Aboriginal children, young people, their families and Aboriginal organisations are best placed to determine and deliver services that meet the needs of Aboriginal children and young people.

<sup>21</sup> Sentencing Advisory Council. (2012) Sentencing children and young people in Victoria.

## What are we trying to achieve?

To actively keep children and young people away from the youth justice system by:

- 1 Supporting whole-of-government and community efforts to intervene early with children and young people who experience disadvantage and are at risk of offending.
- 2 Supporting the provision of appropriate, accessible and coordinated health, wellbeing and disability supports and services to children, young people and their families.
- 3 Making every effort to assist children and young people to remain engaged in learning.
- 4 Supporting children and young people's need for safe, stable and appropriate housing and accommodation.
- 5 Meeting the needs of children, young people and families through a range of accessible early intervention support services.
- 6 Supporting Aboriginal organisations to develop programs that promote wellbeing and sustain connectedness with community and culture.
- 7 Supporting the provision of a range of prosocial activities that meet the needs of children and young people.

## Why is this important?

By intervening early to support family wellbeing, we address risk factors associated with offending, and increase protective factors, preventing youth offending and interrupting cycles of intergenerational offending. Children and young people who have stability and feel secure, are learning and fully engaged in their community and have a sense of culture and identity, are less likely to offend.

There is no defined early intervention approach currently articulated for children and young people at risk of offending. While there is no single factor that leads a child towards offending behaviour, the factors associated with antisocial and offending behaviour are well known. Identifying children and young people who are at risk and ensuring their basic needs are met is a key factor in preventing children and young people from becoming offenders. Access to safe accommodation, engagement with education, mental health supports and drug and alcohol treatment as well as prosocial linkages with community are some of the most important factors to ensuring children and young people do not start the journey to offending.

There is also an association between early childhood experiences of trauma and youth offending. Children and young people who have experienced chronic trauma such as abuse and neglect, or exposure to family violence, and are involved with the child safety system, are over-represented in the youth justice system. Although most children and young people who are involved with the Child Safety Service do not engage in offending behaviours, for some, their trauma background presents as challenging and impulsive behaviour. This behaviour can increase the likelihood of them becoming involved with the youth justice system. Effort is required to reduce the number of 'crossover children', who are involved with both the child safety and youth justice systems. Aboriginal children and young people are over-represented in both the child safety and youth justice systems.

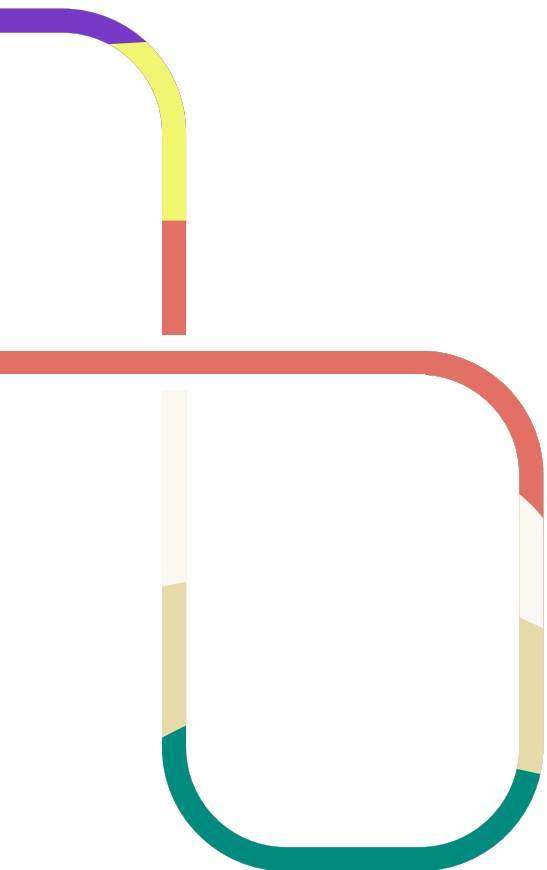
Several key prevention and early intervention targets from the *National Agreement on Closing the Gap 2020* relate to Aboriginal children and young people. These health and wellbeing targets focus on Aboriginal children and young people thriving in their early years, connecting with culture, education, employment and training, the ability of Aboriginal families to secure housing and for Aboriginal children and young people to be safer.

During consultation, it was noted that although a range of early intervention programs exist, availability and accessibility of these programs is insufficient for the need. Feedback suggests children and young people who are presenting with multiple and complex needs, particularly those exhibiting violent or other problematic behaviours, are often excluded from such services, or the services do not have the skill sets to work with children and young people in this cohort. Other services are only offered on weekdays, unduly limiting access for those unable to attend during standard business hours.

Consultation highlighted that for many children and young people there is an absence of prosocial activities in which they can participate. Children and young people may be excluded from or unable to access sporting or other activities where they can engage in team building, develop a sense of connectedness and benefit from prosocial modelling.

Submissions also noted the importance of timely access to appropriate and relevant disability services, including easily accessible pathways for diagnosis of cognitive and intellectual disability in children and young people. While behavioural or developmental concerns may be well recognised in a child or young person and appropriate paediatric referrals made – they still may not be assessed for up to 24 months.

Left waiting and unsupported, these children and young people are more likely to come to harm, and exhibit their distress through escalating antisocial behaviour, with long-term and sometimes lifelong consequences.



# 2

STRATEGY

## Ensure diversion from the justice system is early and lasting

### What is diversion?

Diversion aims to provide pathways through which children and young people with limited or no criminal history and who have committed low-level offences can be directed away from the justice system.

The *Youth Justice Act 1997* currently includes two formal diversionary processes, cautioning and conferencing. Decisions regarding whether a young person should be formally diverted are primarily the responsibility of police, however courts may also refer a young person to a community conference, where appropriate. Implementing diversionary processes is currently a discretionary process and its application is subject to variation often due to eligibility criteria. Under the Youth Justice Act, eligibility for diversion is dependent upon several criteria, including the young person admitting to the offence and taking responsibility for their actions. These criteria can restrict the young person from partaking in the diversionary process.

While these two diversionary processes form part of the youth justice legal framework, the concept of diversion away from the justice system can equally be applied as a guiding principle across the service continuum. By using every opportunity to divert children and young people away from the youth justice system, we can prevent offending behaviour from becoming entrenched and a young

person entering into a 'career' of offending. To be effective, diversion must be accompanied by access to services and supports that address a child or young person's unmet health and wellbeing needs and facilitate engagement or re-engagement in education and training.

Diversion away from the youth justice system is recognised as a key principle of the *United Nations Convention on the Rights of the Child* and the *United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules)*.



Diversion aims to provide pathways through which children and young people with limited or no criminal history and who have committed low-level offences can be directed away from the justice system.

## What are we trying to achieve?

To reduce the involvement of children and young people in the youth justice system by:

- 1 Supporting the effective diversion of children and young people from contact with the justice system while encouraging them to take responsibility for their behaviour.
- 2 Providing a range of developmentally appropriate responses for children and young people under the minimum age of criminal responsibility who are exhibiting behaviours that would otherwise be considered an offence.
- 3 Delivering a range of diversionary options and programs for children and young people who come into contact with the justice system.
- 4 Ensuring Aboriginal children and young people have access to Aboriginal-led diversionary services.
- 5 Preventing disengagement and facilitating re-engagement with education through a range of alternate education supports and programs that assist in diverting children and young people from the justice system.
- 6 Ensuring children and young people have access to and are supported to access services to address their mental health, disability, and alcohol and other drug dependence needs.

## Why is this important?

Research shows that adolescent brains do not fully develop until children and young people are well into their early twenties.<sup>22</sup>

This means children and young people have less ability to understand the consequences of their decisions and to regulate their emotions. However, the ongoing formation of neural pathways as part of brain development also means children and young people have a greater ability to change their behaviour.

While the majority of children and young people engaging in offending behaviours as an adolescent grow out of offending with minimal or no intervention, there is strong evidence that the earlier a young person comes into contact with the criminal justice system, the more likely they are to engage in repeat and escalating offending behaviours, including into adulthood.<sup>23</sup> Similarly, disproportionate interventions for children and young people who may otherwise cease antisocial and offending behaviours can increase the risk of future offending.

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**Diversiónary processes redirect children and young people away from the justice system and support them to stop offending. Such processes are not only cost effective, but also reduce future expenditure in the adult justice system and costs to the community.**

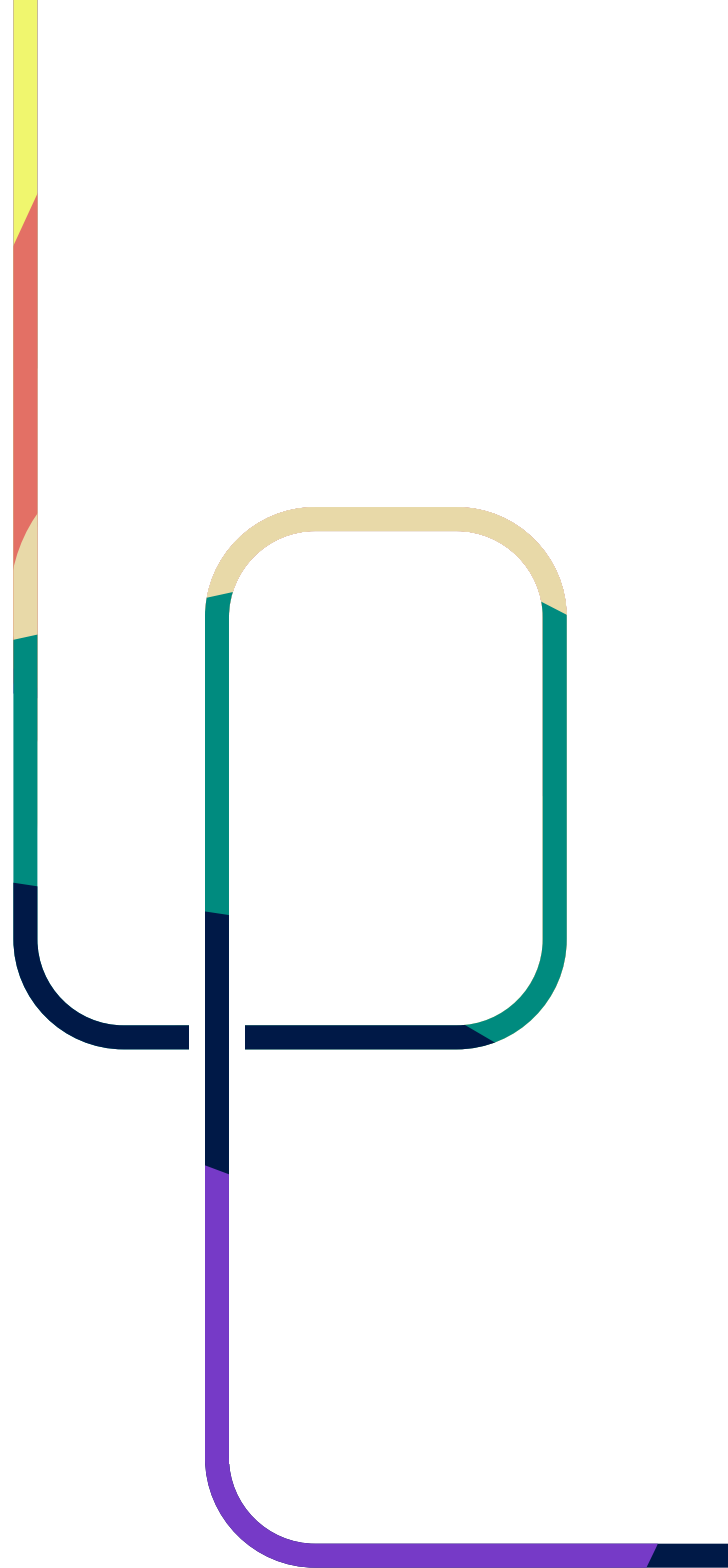
22 Raising Children – the Australian parenting website – Brain development in pre-teens and teenagers – pre-teens supported by Australian Government – Department of Social Services – The Royal Children’s Hospital Melbourne – Murdoch Children’s Research Institute.

23 Commissioner for Children and Young People. (2021) Age of Innocence: Children and Criminal Responsibility.

We recognise that while we seek the same outcomes from diversionary programs for Aboriginal children and young people, the approach we take to divert Aboriginal children and young people away from the youth justice system, in partnership with Aboriginal organisations, may be different.

A therapeutic youth justice approach must therefore provide a range of diversionary services to prevent those at risk of offending from engaging with the justice system, and those who have already offended from re-entering or continued engagement.

Throughout the consultation process, stakeholders recognised that a range of diversionary options are required to provide police with appropriate opportunities to effectively divert those who exhibit early offending behaviour. Providing services to support children and young people that are developmentally appropriate and recognise and address underlying causes and consequences of their offending are key to successful early and lasting diversion.





# 3

STRATEGY

## Establish a therapeutically based criminal justice response for children and young people

### What is a therapeutic criminal justice response?

A therapeutic criminal justice response for children and young people engaged in youth offending provides a range of interventions and support options that address criminogenic needs, target the driving factors behind offending behaviours and build upon strengths. Service responses are tailored to the individual and proportionate to the level of offending and risk of re-offending and give due consideration to community safety.

Restriction of liberty through detention of a young person should be an action of last resort. Research consistently recognises that detention alone is not an effective method of reducing youth offending and can instead have a profoundly negative impact on a young person's mental and physical wellbeing.

### Why is this important?

An effective response to youth offending must recognise the factors that differentiate children and young people who offend from adults who offend. Biologically, young people are still undergoing physical and mental development. Continued cognitive development, particularly in the areas of emotional regulation and perception of risk, mean decision-making skills are not as developed among young people as they are in adults.

Chronic experiences of trauma are also common for children and young people who offend. As part of a therapeutic approach to youth justice, a strong focus on trauma-informed practice is required. When children and young people experience adverse childhood events such as abuse and

neglect, witnessing family violence, insecure attachment, death of a parent, not having their developmental needs met, exposure to drugs and alcohol and caregivers with mental health issues, this can change the way their brains develop. We need to work with children and young people in ways that acknowledge their experiences, understand their responses and triggers, and offer opportunities to learn new responses and behaviours, establishing new neural pathways.<sup>24</sup>

Children's rights must also be upheld and it has been demonstrated that the implementation of a child-centred and rights based approach can create positive change for children and young people in the youth justice system.<sup>25</sup>

The Government has accepted all the Commission of Inquiry recommendations, including those with a focus on ensuring children and young people in detention are treated in a therapeutic manner and not traumatised further. In addition, the Government will update legislation reflecting contemporary understandings of child development, children's antisocial behaviour and children's needs.

The importance to children and young people in the youth justice system of maintaining or building connections with their family and community was also highlighted. Families may require support so they can positively influence and become an important part of their children and young people's lives.

<sup>24</sup> Department of Communities Tasmania. (2020) *Ashley Youth Detention Centre Practice Framework*.

<sup>25</sup> Kilkelly, U, & Bergin, P. (2022) *Advancing Children's Rights in Detention: A Model for International Reform*. Bristol University Press.

## What are we trying to achieve?

To reduce the number of children and young people re-entering the criminal youth justice system by:

- 1 Developing a contemporary and therapeutic legislative framework for youth justice that emphasises prevention, early intervention, diversion and rehabilitation through system-wide collaboration and cooperation.
- 2 Providing Aboriginal children and young people in the youth justice system with therapeutic responses that meet their needs.
- 3 Strengthening our therapeutic approaches to working with children and young people across the youth justice system.
- 4 Maintaining connection with families and community throughout a child and young person's involvement with the youth justice system.
- 5 Providing increased access to legal supports to assist children and young people to understand and be fully involved throughout the legal process.
- 6 Delivering effective support that meets the individual needs and circumstances of children and young people on bail through a range of assisted bail options.
- 7 Ensuring the availability of graduated sentencing options to address the underlying causes of offending behaviour.
- 8 Providing a range of developmentally appropriate sentencing options for children and young people under the minimum age of detention including those who have been found guilty of serious violent offences and who may be a danger to themselves or the community.
- 9 Delivering stronger case management, evidence-based interventions and offence-specific programs that better identify and respond to the individual needs and behaviours of children and young people.
- 10 Introducing new fit-for-purpose, secure and safe youth justice facilities, co-designed with Aboriginal organisations and supported by child-centred, evidence-based and therapeutic models of care.
- 11 Ensuring cultural safety across the youth justice system for Aboriginal children and young people.
- 12 Establishing effective transition and step-down supports for children and young people transitioning from the custodial environment.
- 13 Ensuring children and young people have access to and are supported to access safe and stable housing, educational and employment pathways and services to address their mental health, disability, and alcohol and other drug dependence needs.

The *National Agreement on Closing the Gap* 2020 Target 11 seeks to reduce the over-representation of Aboriginal and Torres Strait Islander children and young people in detention by 30 per cent by 2031. To enact change and make a difference to the life outcomes for Aboriginal children and young people in the justice system, we need therapeutic criminal justice responses that meet their needs.

In line with restorative justice principles, services also need to support children and young people to take responsibility for their offending behaviour and the harm caused to the victims and the community.

## Essential elements of a therapeutic youth justice system

### *Cultural Safety*

Aboriginal children and young people have a right to grow up in a safe and nurturing environment with connections to community, culture and identity. This includes the positive recognition and celebration of culture through self-determination, participation in decision making and respect and protection of culture.

There are risks to children and young people when cultural safety is not practiced or respected.

The Government has accepted all the Commission of Inquiry recommendations, including those relating to cultural safety; the need for culturally safe youth justice facilities co-designed with Aboriginal communities; ongoing Aboriginal programs for young people in detention; staff with the knowledge and skills to provide a culturally safe environment; and policies and procedures that reflect culturally safe practices. This recommendation will be implemented by July 2026.

### *Legal processes*

As part of a therapeutic approach to youth justice, court processes and legal services are required that enable the young person and their family to actively participate in the legal and court system in a timely manner. The traditional courtroom structure and operation is often highly intimidating for children and young people and their families, and the use of technical and unfamiliar legal terminology, and other language that exceeds the clients' literacy, has been shown to result in a young person's disengagement with proceedings.<sup>26</sup> Equally, evidence suggests the timeliness of the court response is critical in ensuring children and young people can connect their offending with the consequences being imposed by the court.

Research indicates that a contemporary approach to hearing youth matters requires a specialist approach that is child focused; promotes the participation of children and families in the court process; incorporates problem-solving, collaborative and multidisciplinary practices; is supported by a specialised and trained workforce; and provides culturally responsible approaches.<sup>27</sup> A number of submissions to the consultation process highlighted the need for a specialist youth court, to hear both child protection matters and criminal charges against children and young people.

The Commission of Inquiry reported that "a specialist Children's Court in Tasmania would significantly benefit children and young people" and recommended the establishment of a new specialist division of the Magistrates Court to deal with child protection matters and criminal charges against children and young people. The Tasmanian Government has accepted the Commission of Inquiry recommendation and will establish a new division of the Court with implementation to be completed by July 2029.

26 Ministry of Justice, New Zealand. (2011) Youth Court Research: Experiences and views of young people, their families and professionals.

27 Centre for Innovative Justice (RMIT). (2020) Specialist Children's Court Approaches (Research Report). In Commissioner for Children and Young People, Submission in response to the Reforming Tasmania's Youth

## **Bail**

To ensure we are not unnecessarily detaining children and young people, appropriate bail support options, including accommodation options, are required. Maximising opportunities for children and young people to be admitted to bail and minimising the number of children and young people on remand was also a focus of the Commission of Inquiry. The Government has accepted recommendations to ensure children and young people are provided with every opportunity to be bailed including: improved legislation around bail, funding additional bail support programs, the establishment of a 24 hour bail system and specific considerations around new assisted bail facilities. Implementation will be completed by July 2029.

Anecdotal evidence suggests that one of the key reasons for children and young people being remanded to, or held in detention prior to being sentenced, was a lack of suitable housing to which a young person could be bailed. Consequently, children and young people who have not been found guilty of an offence, or whose offence may not otherwise require a sentence of detention, are being placed in detention because they are unable to access appropriate accommodation options. Submissions were united in the view that children and young people should not be denied bail due to a lack of appropriate accommodation. The over-representation of children and young people who have not yet been sentenced to a period of detention being held within the detention centre environment is extremely costly, and research on 'what works' with children and young people who are engaging in offending behaviours clearly identifies that disproportionate responses increase the risk of a young person becoming entrenched in offending.<sup>28</sup>

All other states and territories have some form of statewide bail assistance program, the key components of which include an after-hours support service, bail supervision and accommodation support.

Bail support programs that assist children and young people charged with committing a crime to remain in the community in appropriate accommodation are critical to ensuring that they are not detained unless absolutely necessary. Consultation with stakeholders also suggested that bail support must include more than simply accommodation, with strong support for a supported accommodation model which could include therapeutic staffing and day programs linked to education, health and wellbeing.

## **Therapeutic intervention programs**

To effectively address youth offending, interventions and supports that respond to individual risks, offending behaviours and needs are required. There is no specific intervention that can be recommended as the solution for all children and young people who offend. Instead, there are a wide range of sanctions, treatments and therapeutic interventions that can be employed, with a range of consequences. Providing a variety of therapeutic options, including mental health and drug and alcohol supports, will ensure we are able to deliver services that address the factors contributing to a child or young person's offending behaviours, build upon their strengths and effectively address their needs.

Addressing some types of offending behaviours such as harmful sexual behaviours or family violence requires specialist, youth offence-specific therapeutic programs. Such programs focus on addressing behavioural, attitudinal and lifestyle factors associated with specific types of offending and provide specialised supports that target the unique factors associated with different offending behaviours. The Government will create a specific harmful sexual behaviours unit to support best practice responses to harmful sexual behaviours in youth justice facilities as recommended by the Commission of Inquiry. Implementation will be completed by July 2026.

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28 Andrews, D.A. & Bonta, J. (2010) *Rehabilitating Criminal Justice Policy and Practice*, Psychology, Public Policy and the Law, Vol 16 39–55.

The unit would develop specific policies, protocols and practice guidelines to support best practice responses to harmful sexual behaviours and support the monitoring and oversight of harmful sexual behaviours in all residential youth justice facilities.

Overall, Tasmania has limited therapeutic programs to support children and young people at risk of, or who are engaging in, offending. The absence of an overarching strategic plan, identifying the importance of such programs and how they contribute to a cohesive youth justice service system, has resulted in past services being funded in an ad hoc and time-limited manner. Additionally, the absence of effective monitoring and evaluation of services has provided little evidence on which to base decision-making about extending program funding.



Evidence demonstrates that interventions delivered in community settings are more effective than those delivered in a custodial setting.

### Community-based supervision

Evidence demonstrates that interventions delivered in community settings are more effective than those delivered in a custodial setting.<sup>29,30</sup> Community-based interventions have the added benefit of enabling the young person to remain in their community and connected with family and services.

Community-based supervision is a time-limited intervention which aims to provide direction and behaviour change by engaging the young person with relevant services to address criminogenic needs both during and beyond the term of their community supervision order. Community-based supervision of children and young people who have offended involves assessing the complex risk and rehabilitative needs of children and young people, developing case management plans to address the assessed needs, and supporting the young person and their family to meet the orders of the court and the case management plan while they remain under a community-based supervision order.

Research demonstrates that effective community-based supervision can reduce recidivism, with findings indicating that clients of youth justice workers who apply strong supervisory skills have lower rates of re-offending.<sup>31</sup> A counselling-based approach which builds a strong relationship between the supervisor and the young person and uses processes such as motivational interviewing, problem-solving, prosocial modelling and the appropriate use of reinforcement and cognitive restructuring has demonstrated greater efficacy than a focus on monitoring and compliance alone.<sup>32</sup>

29 McCarthy, P, Schiraldi, V, & Shark, M. (2016) *The Future of Youth Justice: A Community-Based Alternative to the Youth Prison Model*. New thinking in Community Corrections.

30 Jesuit Social Services. (2013) *Thinking Outside: Alternatives to remand for children*, Research Report.

31 Trotter, C. (2012) *Effective community-based supervision of young offenders*, Australian Institute of Criminology.

32 Trotter, C. (2012) *Effective community-based supervision of young offenders*, Australian Institute of Criminology.



Community service orders, for example, provide a hands-on, activity-based focus where young people can learn new skills through engagement with the community, participating in education and training, and health and personal development programs. These activities support young people to address their rehabilitative needs in a practical way that can also provide reparation to the community.

### ***Custodial supervision***

A custodial service remains an option of last resort of the youth justice system. A custodial sentence provides the opportunity for intensive intervention and rehabilitation through a therapeutic model of care. The ongoing efficacy of such interventions post release requires effective transition planning that identifies how gains achieved while in custody can be sustained.

This throughcare approach is critical to ensure the system is responsive to the individual needs of a young person transitioning from detention by connecting and reintegrating children and young people into a home or community and is supported by the Commission of Inquiry. This is achieved through linkages with accommodation, education, health, employment and other essential services and post-release support programs. Any custodial service approach will be most successful if it is part of a planned program of supports in the community upon a young person's release. Without this support, children and young people can easily fall back into past patterns of behaviour, both increasing their risk of returning to detention and undoing any progress made while in detention.

Evidence demonstrates that small-scale facilities as outlined by the Commission of Inquiry, located close to a young person's home and community, have the capacity for adaptable and relational security measures and provide a therapeutic environment, promote rehabilitation, and reduce recidivism.<sup>33</sup> The physical environment greatly impacts the procedures within a youth justice environment, the relationships between staff and children and young people, and ultimately a young person's prospects of rehabilitation and community safety. The importance of moving to this type of custodial setting was highlighted by a number of stakeholders during the consultation process.

It is equally important to provide step-down accommodation for children and young people who are exiting a secure facility, as part of a program of planned transitional support.<sup>34</sup>

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33 Oostermeijer, S, & Dwyer, M. (2019) Local Time, Design Guide for Small-scale Local Facilities.

34 Commissioner for Children and Young People. (2022) Submission in response to the Reforming Tasmania's Youth Justice System: Discussion Paper.

# 4

STRATEGY

## Integrate and connect whole-of-government and community service systems

### What is an integrated and connected system?

Children and young people who are at risk of, or engage in, offending behaviours, are a vulnerable population and have a range of needs that cross disciplines and service systems.<sup>35</sup> This requires a collaborative and multidisciplinary approach delivered in a coordinated and holistic manner through partnerships between service providers. This approach places the child or young person at the centre of service provision and operates from a common model of care, utilising shared goal setting and planning between government and non-government services.

**This way of working requires active communication between agencies, sharing of information, co-location of services and a consistent knowledge about available services and supports. An integrated approach to service provision across government and non-government agencies also reduces duplication and improves efficiency.**

Recent evidence demonstrates the benefits of collaborative efforts of key stakeholders including government, service providers, the community and academics working together to achieve justice reinvestment outcomes.<sup>36</sup> Justice reinvestment is an emerging concept in Australia, mainly focused on data-informed, place-based strategies to reduce over-representation of Aboriginal people in the justice system, increasing social wellbeing and creating safer communities. A justice reinvestment approach may provide the opportunity to generate better outcomes for children and young people in Tasmania.

<sup>35</sup> Clancey, G, Wang, S & Lin, B. (2020) *Youth Justice in Australia: Themes from recent inquiries*, Trends and Issues in Crime and Criminal Justice.

<sup>36</sup> Australian Institute of Criminology. (2018) Justice reinvestment in Australia: A review of the literature.



## What are we trying to achieve?

To prevent and reduce children and young people's contact with the youth justice system by:

- 1 Creating a connected whole-of-government, whole-of-community approach to youth justice, which actively collaborates and shares information to support children, young people and their families.
- 2 Developing a shared model of care between all service providers across the youth justice continuum that reflects contemporary therapeutic, trauma-informed and evidence-based practice that is consistent with child safe principles.
- 3 Building on multidisciplinary engagement to address the needs of children, young people and their families.
- 4 Clarity of roles and responsibilities for agencies and organisations involved in the delivery of services to children and young people.
- 5 Appropriate and timely information sharing.
- 6 Achieving a throughcare approach for children and young people that facilitates and supports transition between services, facilities and the community in a responsive and child and young person centred manner.
- 7 Developing systems and processes to collect the necessary information for monitoring and evaluation of services.

## Why is this important?

There is strong anecdotal evidence that the needs and complexity of children and young people within the youth justice system are increasing. The majority of those at risk of, or engaged in, offending behaviours have multiple vulnerabilities and are known to a range of services prior to commencing their offending behaviour.

For children and young people with complex needs, a multidisciplinary team model with access to a range of intervention options can provide a more effective response. Services are tailored to the specific needs of each individual child or young person and engagement with multiple services is easier and more accessible.

To support an integrated youth justice system, we need to ensure collaboration between key service partners including youth justice, courts, police, education, and the Child Safety Service so practice approaches and learnings can be shared and there is a common understanding of good therapeutic practice with consistent and agreed language. The creation of opportunities for shared, multidisciplinary and creative learning will support integration of the service system.

To better integrate and connect people and services, children and young people must be placed at the centre of the system. Cross-agency collaboration should be facilitated to ensure complex problems are addressed and children and young people have better access to the services they need. This approach prevents a young person from being passed from one service to another, with no single service able to provide the supports required to comprehensively address the needs.



A throughcare approach that commences service planning at the earliest possible opportunity and follows the young person's engagement with youth justice services can provide stability for the young person.

While throughcare is most often discussed in relation to exiting detention, a broader application of a throughcare approach across the service continuum could have additional benefits for children and young people. Continuity and consistency in the case management relationship has been shown to be incredibly important, especially for children and young people who have experienced trauma, with strong relationships between children and young people and youth justice staff creating a safer youth justice environment.<sup>37</sup> The best performing youth justice systems achieve safety and security primarily through relationships, rather than using physical barriers, isolation and restraints.<sup>38</sup>

A throughcare approach that commences service planning at the earliest possible opportunity and follows the young person's engagement with youth justice services can provide stability for the young person. Consistent case management and client-centred planning across the continuum, as well as ongoing access to support services with whom the young person is engaged enables the development of rapport and stability that is not dependent upon the young person's place within the continuum, i.e. detention. Models that incorporate a throughcare or end-to-end approach were well supported during the consultation.

As a smaller jurisdiction, Tasmania has a unique opportunity to closely collaborate across agencies and other service providers. Collaboration and information sharing is not currently well structured or formalised, and this presents an opportunity for improvement. Fortunately, there is a strong appetite to share information and to work together to achieve better outcomes for children and young people.

37 Adler, J, Edwards, S, Scaly, M, Gill, D, Puniskis, M, Gekoaski, A & Horvath, M. (2016) *What works in managing young people who offend? A summary of international evidence*, Ministry of Justice Analytical Series, London.

38 Australian & New Zealand School of Government. (2020) *10 Pillars of Youth Justice*, Research Insights.

# 5

STRATEGY

## Provide an appropriately trained, supported and culturally aligned therapeutic workforce

### What is an appropriately trained, supported and culturally aligned therapeutic workforce?

The people who work in the youth justice system and supporting services are critical to providing successful outcomes for children, young people and their families, and enhancing community safety. An effective, therapeutic youth justice system requires a highly qualified and trained workforce, skilled in evidence-based and trauma-informed practice that is culturally aligned to a child safe environment. Staff need the competency to assess, identify and match interventions for children and young people that effectively address the causes of their offending. Staff require a comprehensive understanding of adolescent development and behaviour change interventions and the ability to access specialist advice when needed.

Leaders must have the skills, aptitude and experience to effectively manage people and to lead a child safe organisation.

The youth justice workforce needs to be culturally competent so it can support and respond to the needs of Aboriginal children and young people in the youth justice system. In addition, it needs to work with Aboriginal children, young people, their families and Aboriginal organisations across the continuum to help them support Aboriginal children and young people.

### What are we trying to achieve?

To prevent and reduce children and young people's contact with the youth justice system and keep them safe within the youth justice system by:

- 1 Supporting cultural change to create a child safe environment for children and young people in the youth justice system.
- 2 Building capacity within the workforce so that all staff have the required dispositions, skills and capabilities for their role.
- 3 Strengthening professional learning opportunities in trauma-informed and therapeutic approaches to practice for professionals and other workers in the youth justice service system.
- 4 Increasing cultural competence across the youth sector to enable staff to identify and work in culturally appropriate ways.
- 5 Developing an ongoing culture of learning, inquiry and continuous improvement, including collaborative opportunities for professional development, supervision and support, and opportunities for best practice to be shared and supported.

- 6 Facilitating youth justice staff having access to specialist clinical and legal support and advice regarding case direction and interventions for children and young people.
- 7 Providing a range of support services for staff, including access to wellbeing supports.
- 8 Strengthening health and safety by embedding safe systems of work and creating safe environments.

We need to build capacity within the sector through the availability of quality training and professional development opportunities that support the development of the skills required to deliver services in line with the principles and objectives of this Blueprint. Additionally, we need to ensure the workforce is appropriately supported with access to relevant advice and services to enable them to undertake this challenging work.

## Why is this important?

**All staff working within the youth justice system need to be prepared for and have the capability to respond to the challenges inherent in working within the system. To undertake this work effectively, they need to be able to tailor responses and deliver services in a therapeutic and trauma-informed way and feel supported to do this.**

Workforce planning should be based on the current competencies and experiences in the sector and how these relate to the range of dispositions, skills and capabilities required to deliver services in a therapeutic,

evidence-based and culturally appropriate manner. Workforce planning must also adhere to Tasmania’s Child and Youth Safe Standards which will be a key element in the implementation of all aspects of the new youth justice system.

Across the required workforce, there are some skills and expertise either in high demand nationally or hard to recruit and retain. Tasmania’s relatively small population exacerbates the workforce challenges. Engaging with training providers to ensure appropriate courses and other training programs are available to provide ongoing professional development for existing staff and education and training for people interested in working in the field, will support availability of suitably qualified staff into the future. Equally, establishment of partnerships with specialist service providers who can provide consultancy services, specialist training and mentoring or supervision to support staff develop expertise in specialised elements of service provision, would be of significant benefit.

The duties required of staff in a therapeutic youth justice system lend themselves to individuals trained in social services, psychology, social work or similar. These staff often need to work within and apply legislative frameworks to deliver an effective and efficient service. Youth justice staff require a mechanism to access advice regarding the practical application of the legislation to inform their work in accordance with legislative frameworks.

Staff wellbeing is also a critical consideration and access to a range of supports will ensure the ongoing wellbeing of staff working within the youth justice system. Given a high proportion of children and young people who offend have experienced some sort of neglect or trauma, staff are at risk of vicarious trauma with staff in some services also at risk of primary trauma due to instances of threatening and violent behaviour directed towards them by the children and young people they are working with.

# Implementing the Blueprint

## Next steps

Implementing the Blueprint over a 10-year timeframe will be a dynamic process that continues to evolve as we make progress and evaluate our responses. It will therefore be supported by a series of action plans implemented through a whole-of-government, whole-of-community approach. Focus areas and priority actions may change over time to reflect the views of children and young people, new priorities, and reflections on existing work.

***Keeping children and young people out of the youth justice system – First Action Plan*** is being developed to guide us through the first few years of the reform. It will be informed by consultations undertaken as part of development of the Blueprint as well as comprehensive research; findings and recommendations of the Commission of Inquiry; examination of the existing service system in Tasmania; analysis of best practice in other jurisdictions; and targeted consultation with key stakeholders.

Future action plans will be developed and informed through stakeholder and community consultation, recommendations of the Commission of Inquiry and a review of actions and work undertaken under the First Action Plan.

The voice of children and young people, especially those with lived experience of the system, is critical to the implementation of the Blueprint. We will be consulting with children and young people via a number of avenues including through information sourced directly from children and young people and through entities and organisations that engage directly with children and young people such as the Commissioner for Children and Young People, youth peak bodies and from within our service system.

This will continue to guide the reform process and support a child and young person centred approach to service provision.

A governance structure will oversee the development, implementation and evaluation of actions under the Blueprint. As recommended through the Commission of Inquiry, ongoing governance will be established to oversee and monitor the functioning of the youth justice system beyond the implementation of youth justice reforms.

## Monitoring, reporting and evaluation

The Blueprint will be monitored and evaluated over its 10-year life. A Blueprint monitoring and evaluation plan will detail how we measure the Blueprint's progress against the intent of the Blueprint and short and long-term outcomes across each of the five strategies. Specifically, this will include measures to monitor and evaluate cultural change in detention as outlined in the Commission of Inquiry.

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**Evaluation will also be considered as part of individual actions in the action plans.**

To inform the community on progress on the Blueprint, annual reports will be released containing information about implementation of actions and the success and effectiveness of actions.

# Appendix 1

## A public health approach

Public health aims to provide the maximum benefit for the largest number of people. Public health programs for the primary prevention of youth offending are designed to expose a broad segment of the population to preventative measures, thereby delivering at a population level approaches reducing youth offending and recidivism.

This approach shifts the focus from a statutory response, towards one that seeks to improve the health and wellbeing of children, young people and their families. It addresses the underlying risk factors that increase the likelihood of youth offending and puts measures in place to better support children and young people within our community. Supports to prevent problems occurring in the first place and which quickly respond to problems, if or when they do occur, should be available to all, with specific targeted interventions available as required.

The principles of a public health approach provide a useful framework for continuing to investigate and understand the causes and consequences of youth offending, and prevent youth crime through primary prevention, early intervention programs, policy and advocacy. This leads to safer communities and lowers long-term costs to government.

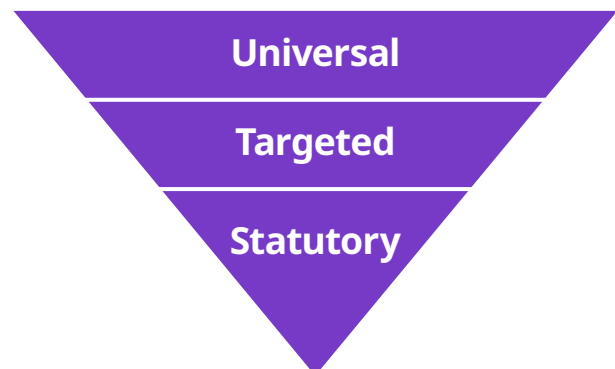
## Why this approach?

There is consensus between the Australian Government, state and territory governments, and community organisations in Australia, regarding the need to reduce the burden on the statutory (tertiary) end of the criminal justice system and to enhance universal (primary) and targeted (secondary) supports and services, in line with a public health model. Respondents to the Blueprint consultation process, including the Commissioner for Children and Young people supported the public health approach in addressing youth offending.

### Our current service system



### Evidence-based public health approach





# Appendix 2

## What are we already doing?

The Tasmanian Government is currently implementing a range of initiatives that will assist in supporting those children and young people, and their families, who are at risk of, or engaged in, youth offending. Some of the key initiatives that align with the Blueprint include:

### [Child and Youth Wellbeing Strategy: It takes a Tasmanian village](#)

*It Takes a Tasmanian village* is a comprehensive, long-term and whole-of-government Child and Youth Wellbeing Strategy for 0 to 25 year olds. The six wellbeing domains from the Tasmanian Child and Youth Wellbeing Framework form the structure for the strategy and the first action plan. The four-year action plan for the strategy contains 65 initiatives that support the wellbeing of 0 to 25 year olds, with a particular focus on the first 1,000 days (the critical early years, from pregnancy to two years old). The strategy also provides a wellbeing framework for future four-year action plans.

### [Review of the Child and Adolescent Mental Health Service \(CAMHS\)](#)

Implementation of recommendations from the CAMHS review will change the service response for complex and challenging mental health presentations, including individuals with trauma-related mental health diagnoses and those who lack parental or familial supports, as well as establishing a youth forensic mental health service.

### [The Tasmanian Housing Strategy 2023–2043 and Action Plan \(2023–2027\)](#)

A key future housing policy approach is the development of the Tasmanian Housing Strategy. The Tasmanian Government is investing heavily in social and affordable housing. The Tasmanian Housing Strategy is soon to be released and addresses housing challenges around affordability, supply and sustainability.

The Tasmanian Housing Strategy will have a key focus on supporting people in need, including developing housing pathways to support the short and long-term housing needs of young people transitioning from out of home care and youth justice, in line with the Blueprint's strengths based approach and commitment to ensuring more young people have access to safe accommodation with support to build independence.

Examples of this commitment already in action are the expansion of the Youth2Independence (Y2I) program for young people aged 16–24 years and the introduction of Colville Place in the South of the state and Malana in the North providing medium-term supported accommodation for at risk young people under the age of 16.

The Under 16 Lighthouse early intervention supported residential care pilot for young people under the age of 16 has commenced in the South with a focus on therapeutic care, family restoration and mediation. The pilot is a partnership which is managed by DECYP and the property is owned by Homes Tasmania.

### **Review of the Children, Young Persons and Their Families Act 1997**

A comprehensive review of the *Children, Young Persons and Their Families Act 1997* has commenced and will be informed by the findings and recommendations of the Commission of Inquiry and best practice approaches for the safety and wellbeing of children, young people and their families.

### **Child and Youth Safe Organisations Framework**

The Tasmanian Government has developed a new legally mandated framework that aims to promote the safety and wellbeing of children and young people from all forms of harm in institutional settings. The Framework comprises four pillars including the Child and Youth Safe Standards; the Reportable Conduct Scheme; the Independent Regulator; and information sharing provisions.

### **Tasmania's Third Family and Sexual Violence Action Plan 2022-2027: Survivors at the Centre**

Survivors at the Centre provides early intervention for adolescents who use violence against their families and violence against their intimate partners through the Step Up program, now delivered statewide. The Harmful Sexual Behaviours program continues to provide therapeutic services to children and young people engaging in developmentally inappropriate or harmful sexual behaviours, including those whose behaviours reach the criminal justice threshold. The plan also includes a number of prevention initiatives that seek to safeguard children and young people from sexual violence and initiatives that support those who have experienced sexual and family violence.

### **Tasmanian Implementation Plan for Closing the Gap (2021-2023)**

Tasmania is a signatory to the new National Agreement on Closing the Gap 2020. The Tasmanian Implementation Plan for Closing the Gap (2021-2023) focuses on embedding broad actions aligned to the Closing the Gap four key priority reforms. To support this work, the Tasmanian Government will allocate funding towards building capacity in Aboriginal community-controlled organisations to better meet the local and regional needs of Tasmanian Aboriginal people.



Tasmanian  
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