Youth Justice Diversionary Services Framework

Ensuring diversion from the justice system is early and lasting

Youth Justice Reform Taskforce
Department of Premier and Cabinet

Tasmanian Government

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 and ongoing Custodians of Tasmania. We recognise Tasmanian Aboriginal people's continuing connection to Land, Sea, Waterways, Sky and Culture and extend our respects to Elders, past and present.

We are committed to working in partnership with Tasmanian Aboriginal people, to address the over-representation of Aboriginal children and young people in the youth justice system, ensuring they are safe and supported to live culturally rich and thriving lives.

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Recognition of contributors

Thank you to the children and young people, individuals, organisations and agencies that took the time to participate in interviews, consultations and workshops to inform the development of our Youth Justice Model of Care and the Youth Justice Diversionary Services Framework. Your views, thoughts and perspectives provided the foundation for this document, and to creating early and lasting diversion in Tasmania.

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Introduction

Background

On 6 December 2023 the Tasmanian Government released the *Youth Justice Blueprint 2024-2034* (the Blueprint) which sets the strategic direction for youth justice reform over the next 10 years. The Blueprint will achieve whole of system reform by shifting the focus from tertiary responses to early intervention, prevention, and diversion, with therapeutic responses being key.

Strategy 2 of the Blueprint directs the Government to *Ensure diversion from the justice system is early and lasting*. Through this strategy, we aim to reduce the number of children and young people in the youth justice system by providing a range of services to support children and young people that are developmentally appropriate and that identify and address underlying causes and consequences of their offending.

The Youth Justice Diversionary Services Framework (the Framework) contributes to the implementation of the Commission of Inquiry into the Tasmanian Government's Responses to Child Sexual Abuse (Commission of Inquiry) recommendations, specifically recommendation 12.13.

Recommendation 12.13 directs that:

01 **The Tasmanian Government, in reviewing current diversion processes and developing a Diversionary Services Framework, should:**

a. Examine the exercise of police discretion to determine whether opportunities for cautioning and community conferencing are being maximised, particularly for Aboriginal children and young people, and children and young people without a strong family support network.

b. Commission research to examine the effectiveness of formal cautions imposed with undertakings and the sanctions imposed by community conferences, to ensure they are proportionate to the alleged offending and not unnecessarily onerous.

c. Introduce legislation to widen the range of alleged offences in respect of which diversion may be pursued and create a presumption in favour of pre-court diversion for children and young people.

02 **The Tasmanian Government should begin statewide delivery of new diversion programs under the Diversionary Services Framework by 2025.**

The Framework is the first step towards implementing the recommendation and sets the foundational policy on which 12.13.1 and 12.13.2 will be delivered. Recommendations 12.13.1(a) and (b), and 12.13.2 will be completed in the implementation of the Framework and 12.13.1(c) will be completed as part of Government's legislative reform agenda.

Applying the Framework

> **The Framework applies to all organisations, individuals or agencies delivering or seeking to deliver diversionary services with Tasmanian Government funding. The Framework outlines expectations relating to the key elements, ways of working, and priority areas for service providers delivering diversionary services for children and young people.**

This Framework is to be used in conjunction with the Youth Justice Model of Care (Model of Care). Organisations providing services in the youth justice service continuum, including diversionary services, must utilise the Model of Care which provides a coordinated and consistent approach to the delivery of trauma-informed, evidence-based and culturally safe services to children and young people in contact with, or at risk of coming into contact with, the youth justice system, and their families across Tasmania.

Services applying for and receiving Tasmanian Government funding to deliver diversionary services are required to demonstrate alignment with the Framework. Outside of specific funding processes, anyone can choose to adopt the Framework as a way to align their policies and services with evidence-based approaches and good practice for diverting children and young people away from the justice system.

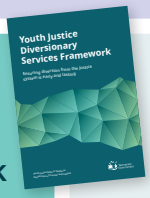
Diversionary services that are required to apply the Framework include services that receive funding specifically to support children and young people who have been referred to their service as part of conditions or requirements of a diversionary process, such as through cautions, community conferences or court orders. This does not include services that are open to children and young people who have been diverted – such as the general services provided by schools, health services, housing support and family support services.

Our Youth Justice Reform Document Map

Cultural safety (notably Aboriginal cultural safety)

Tasmanian Aboriginal Youth Justice Strategy

Youth Justice Service Continuum

Prevention and early intervention	Diversion	Criminal justice response
Youth Justice Blueprint 2024 – 2034 Strategic plan for the youth justice service continuum		
Youth Justice Model of Care Overarching operating philosophy for youth justice services in Tasmania		
Practice frameworks	**Youth Justice Diversionary Services Framework** Expectations for diversionary services  **Practice frameworks**	**Practice frameworks**
Operational models	**Operational models**	**Operational models**
Policies and procedures	**Policies and procedures**	**Policies and procedures**

What diversion means

Diversionary processes

Diversionary processes aim to provide pathways through which children and young people aged 10-17 years who have committed offences can be directed away from further involvement in the justice system.

In the current system these processes are more often provided for children and young people who have limited to no criminal history and have committed low level offences. Diversionary processes have been shown to be effective for children and young people with more complex offending behaviour, especially when these processes are accompanied by or provide a service system response that addresses the underlying drivers of the child or young person's offending behaviour.

Diversionary services

Diversionary services contribute to achieving the aim of reducing the likelihood of future offending, by responding proportionately to the needs of children and young people including services that address a child or young person's unmet needs. In addition, diversion can facilitate engagement or re-engagement with prosocial pathways such as education, training, and employment.

To achieve a therapeutic youth justice system, a range of diversionary services are required to support diversionary processes that meet the needs of children and young people who have offended and to avoid future engagement with the youth justice system.

Importance of diversion

Vision: Children and young people are kept out of the youth justice system using diversion that is early and lasting.

Evidence shows that adolescent brains do not fully develop until children and young people are well into their twenties.[1] This means children and young people have less ability to understand the consequences of their decisions and to regulate their emotions and impulses. However, the ongoing formation of neural pathways and neural plasticity means children and young people have a greater ability to change their behaviour.

The majority of children and young people engaging in offending behaviours as an adolescent grow out of offending with minimal or no intervention, which can be referred to as the 'age-crime curve'.[2] For these children and young people, they may not require the involvement of diversionary services and may require only police cautions in order to reduce future offending. Additionally, disproportionate interventions for children and young people who may otherwise cease antisocial and offending behaviours can increase the risk of future offending, including into adulthood.

Diversionary processes redirect children and young people away from the justice system and support them to stop offending and encourages their long-term desistence from harmful behaviours where appropriate. Such processes not only benefit children and young people but are also cost-effective long term and reduce future expenditure in both youth and adult justice systems and costs to the community.[3]

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 pathway of continuing to offend.

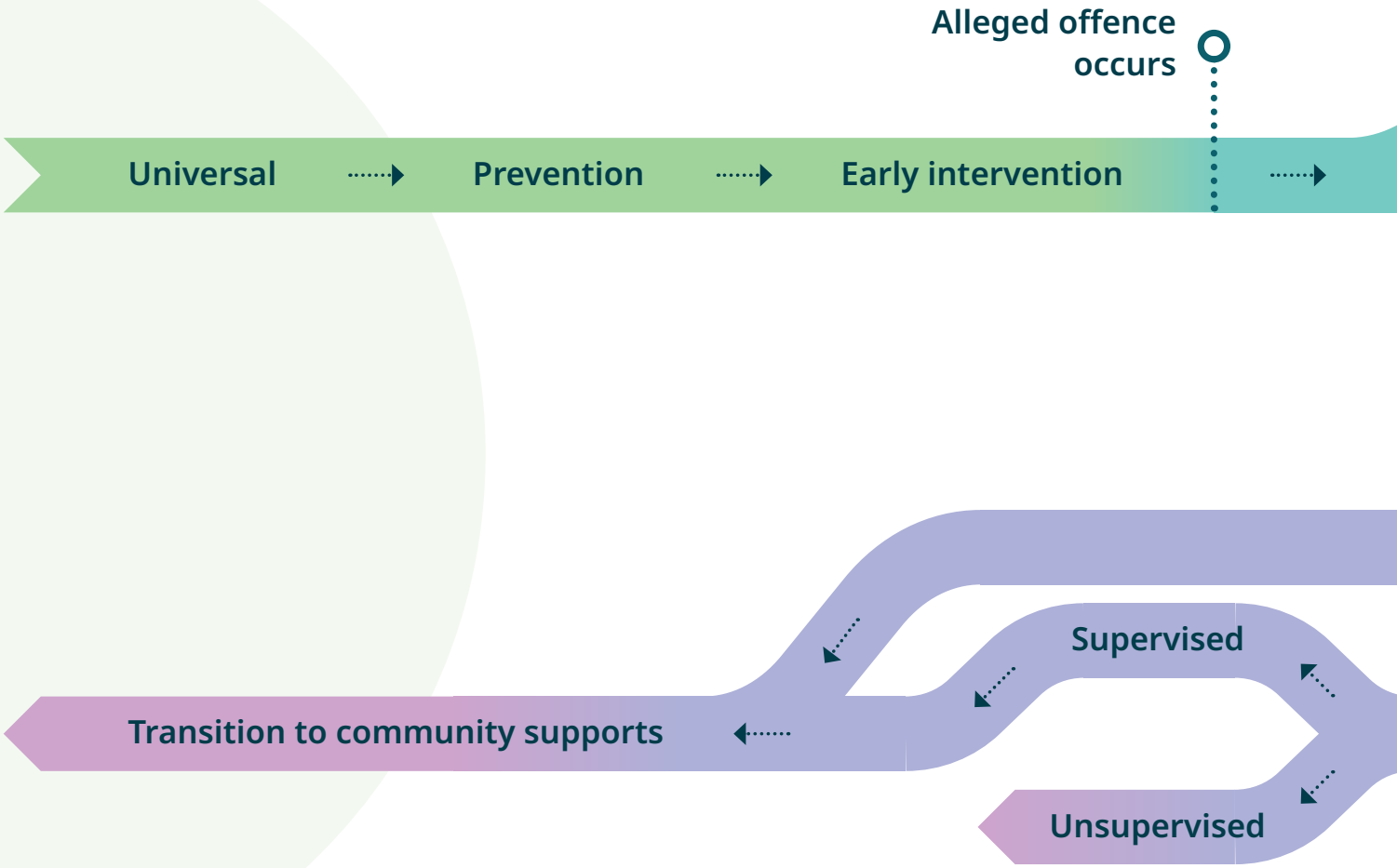
Diversion away from the youth justice system is recognised as a key principle of the *United Nations Convention on the Rights of the Child* (the Convention) and *United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules)*. The Convention also includes that diversion be available as early as possible after initial contact with the criminal justice system, and that the range of eligible offences for which diversion is offered should be extended.

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

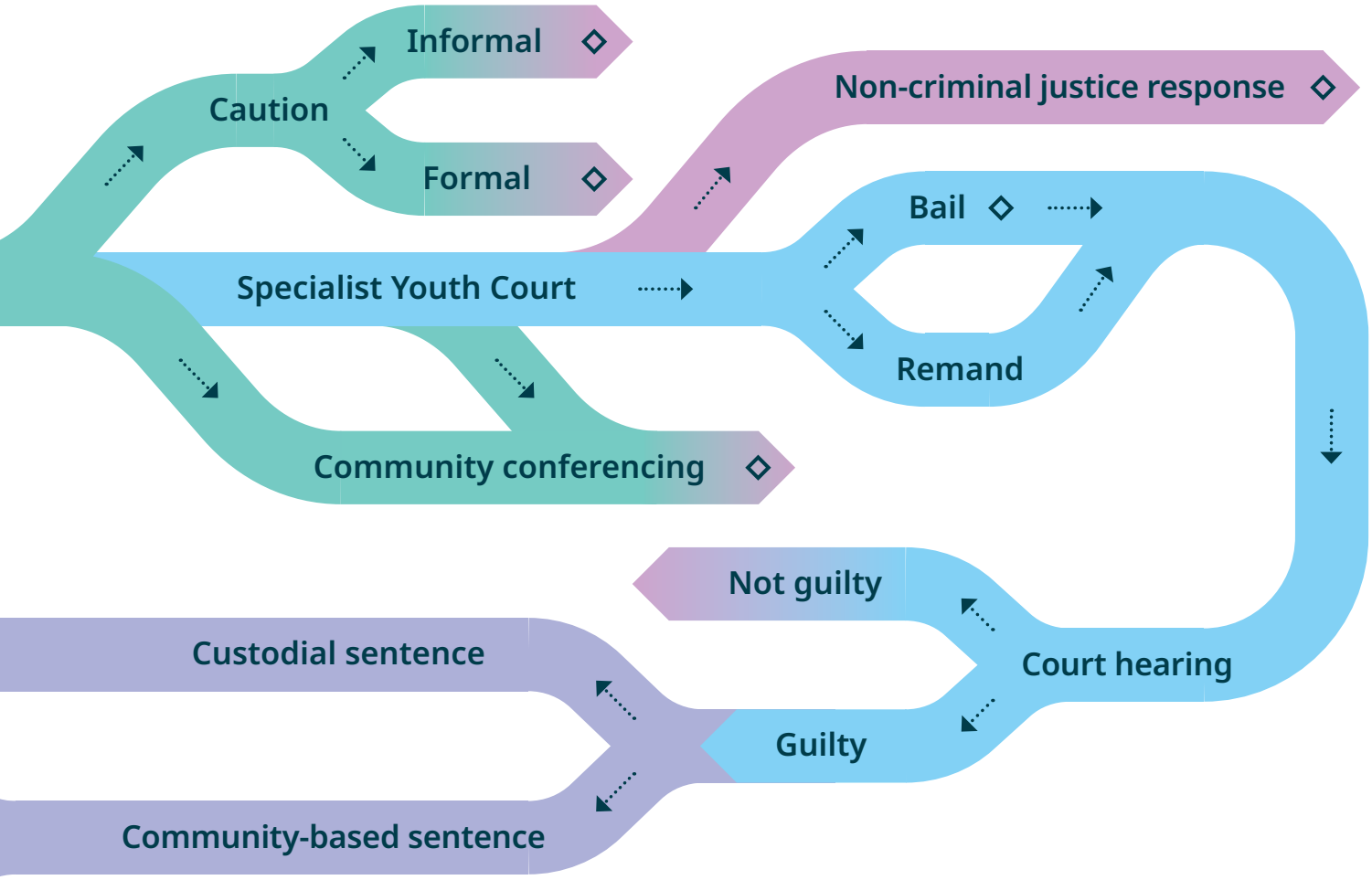
2 Stolzenberg, L., & D'Alessio, S. J. (2008). Co-offending and the age-crime curve. *Journal of Research in Crime and Delinquency, 45* (1), 65-86.

3 Welsh, B. C., & Tremblay, R. E. (2021). Early developmental crime prevention forged through knowledge translation: A window into a century of prevention experiments. *Journal of Developmental and Life-Course Criminology*, 7, 1-16.

Youth justice system and diversionary processes



This map of the current Tasmanian Youth Justice system demonstrates the stages at which children and young people can be diverted away from the court's criminal justice responses. As the Commission of Inquiry recommendations relating to legislative amendments are implemented, this map will be updated to reflect new diversionary or other pathway options available. Where children and young people 'exit' the youth justice system on the map, this does not mean they leave supports put in place for them while in the system. Appropriate throughcare ensures that children and young people are supported in these transitions.



- Prevention and early intervention
- Diversion
- Court proceedings and outcome
- Sentence
- Transition to community supports
- Referral opportunities for diversionary services

Statutory provisions

The *Youth Justice Act 1997* (Tas) (the Act) currently includes two diversionary processes, cautioning (formal and informal) and community conferences, with additional options for courts to divert children and young people away from further criminal justice system involvement, such as through alternative sentencing. 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 discretionary and its application is subject to variation, often due to eligibility criteria. Under the Act, eligibility for diversion is dependent on several criteria, including the young person admitting to the offence and taking responsibility for their actions. A young person taking responsibility for their actions can lead to better outcomes when applying therapeutic approaches, however children and young people who have experienced trauma may not have the emotional regulation or development required to experience contrition in a way that supports working therapeutically.

Restorative justice practices, such as community conferencing, play a key role in diversionary interventions, incorporating reparation of harm and the active participation of children, young people and their families, as well as victims and broader communities into the process.

Under Commission of Inquiry recommendation 12.13.1(a-b), the Government has committed to reviewing the exercise and effectiveness of these processes, which will occur in the implementation of this Framework. This review will include identifying ways to maximise children and young people's access to diversion, with a focus on pre-court diversionary options.

The Government has also committed to, under various Commission of Inquiry recommendations, reviewing a suite of legislation that relates to increasing children and young people's access to diversion at multiple points in the youth justice system.

This review includes:

Legislation	Recommendation	
Youth Justice Act 1997	12.12	Amend the Youth Justice Act to update the principles of the Act to reflect contemporary understanding of child development.
	12.13.1(c)	Introduce legislation to widen the range of offences where diversion may be used and create a presumption in favour of pre-court diversion.
	12.15(a)	Amend the Youth Justice Act to introduce sentencing requirements including providing for rehabilitation as a primary purpose and graduated, trauma-informed sentencing.
Bail Act 1994	12.14(a) i	Introduction of legislation to consider the matters specified in section 3B of the Bail Act 1977 (Vic), as well as consideration of the child or young person's age (including developmental), Aboriginal status, and previous traumatic and out of home care experience.
	12.14(a) ii	Introduction of legislation that prohibits the refusal of bail to children and young people on the grounds of not having any, or any adequate, accommodation.
Magistrates Court	21.9	Amend the Youth Justice Act and Children, Young Persons and Their Families Act (1997) (Tas) to ensure that the Magistrates Court has explicit power to order a child who has engaged in harmful sexual behaviour to engage in therapeutic intervention.
	12.15(c)	Assist and support the Magistrate's Court to establish a new division of the Magistrates Court to hear and determine both child protection matters and criminal charges against children and young people.
Other legislation related work	12.20(a)	Appropriate mechanisms and pathways for children in contact with the criminal justice system to be diverted to the mental health system for assessment and treatment.
	12.11(a)	Raise the minimum age of criminal responsibility to 14 years.
	12.11(c)	Raise the minimum age of detention (including remand) to 16 years.

What children and young people are saying

‘Help way earlier!’

In 2024 the Australian Human Rights Commission released *‘Help way earlier!’: How Australia can transform child justice to improve safety and wellbeing*.

The report, informed by the voices of 150 children and young people with experience of youth justice systems nationwide, investigates opportunities for reform of young justice and related systems.

Children and young people who contributed to the report were given the opportunity to identify what they thought would help keep children and young people strong and out of trouble. The top 6 selections made by children and young people were:

- A safe home or place to live
- Positive activities to do
- Cultural and traditional activities
- Training for a job
- Going to school
- Services and supports for me

Voices of Young People in the Youth Justice System Project

The Tasmanian Commissioner for Children and Young People conducted in-depth discussions with 12 young people with recent lived experience of the Tasmanian youth justice system and has released three reports (as of November 2024) presenting the findings from these discussions.

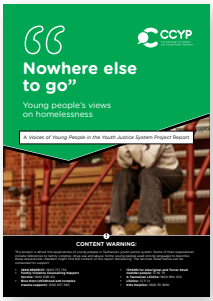
These reports are:

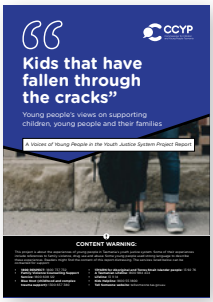
"Listen: This is my voice"

Young people's experiences of the youth justice system

"Nowhere else to go"

Young people's views on homelessness





"Kids that have fallen through the cracks"

Young people's views on supporting children, young people and their families

Across these reports young people shared their experiences as well as their ideas about how we can better support children and young people, including those who engage in harmful behaviours, to grow and thrive. Common themes related to diversion from the youth justice system that emerged across the reports include:

- The need for earlier intervention before behaviour escalates to offending
- That children and young people who engage in offending, especially ongoing or serious offending, have often experienced significant trauma in their lives
- The need for individualised, needs-based support that addresses root causes
- That children and young people will often engage in offending out of necessity related to poverty, substance use, and homelessness
- That for some children and young people, youth detention can be or feel like a safer environment than they experience in the community
- That peer groups have a significant influence on both positive and harmful behaviour, and that experiences such as detention or homelessness push children and young people into peer groups that encourage harmful behaviours
- That having access to prosocial activities and positive mentorship can have a positive impact on the lives of children and young people.

Premier's Youth Advisory Council

In December 2024, the Youth Justice Reform Taskforce ran two workshops with members of the Premier's Youth Advisory Council (PYAC) aged 17-25 years.

These workshops focused on:

- What factors influence PYAC members when they *don't* engage in offending?
- What actions could be taken to increase the presence of those factors in the lives of children and young people?

The PYAC members identified the following influences and actions:

01

Positive peer influences

a. Access to mentors and people with lived experiences

b. Having positive role models to look up to

c. Access to social clubs and activities that are welcoming for children and young people who experience disadvantage.

02

Positive families and communities

a. Cultural changes to reduce stigmatisation or assumptions about individuals, families and communities

b. Increase community-based services such as Neighbourhood Houses

c. Provide ways for children and young people to contribute to and feel a sense of pride in their communities

d. Promote positive work happening in communities, including work done by children and young people.

03

Prosocial activities, including education and employment

a. Increase opportunities to socialise with other schools and meet new people

b. Create and enhance alternative education pathways to meet the needs of all learners

c. Embed early intervention and prevention initiatives in schools – including expanding free breakfast and lunch programs

d. Provide a greater range of alternatives to school suspensions.

04

Positive sense of identity

a. Communities and services should take action to avoid stigmatisation and stereotyping of families with histories of justice system involvement

b. Increase education on respectful relationships, including on harmful sexual behaviours and on different types of abusive behaviours

c. Communities should aim to be places of belonging and opportunity for all children and young people

d. Promote positive work in the media to combat coverage that stigmatises children and young people.

Key elements of diversion

Children and young people will be at the centre of diversionary services in Tasmania by applying the following Key Elements. The Key Elements have been drawn from the Principles of the Model of Care. The below Key Elements detail how these should be applied specifically when delivering diversionary services.

Service providers must ensure the following Key Elements are embedded in their service design and delivery:

Child, young person and family centred

Safety and wellbeing

Participation, agency and voice of children and young people

Throughcare and collaboration

Therapeutic and strengths-based

Aboriginal culturally responsive and safe

Trauma-informed

Evidence-informed

Social and community-based approaches

Child, young person and family centred

What it means

Diversionary services must recognise that children and young people are children first, and not define them by their offending behaviour. Organisations must act in a way that upholds the rights of the child or young person, as specified in the *United Nations Conventions on the Rights of the Child*.

How to apply it

Services will view children and young people engaged in offending as children first, rather than offenders. By utilising a human rights approach, services will be responsive to and led by the needs of children, young people and their families in both service design and delivery, as well as working with them to identify their goals and strategies to achieve them. Diversionary service providers must make all efforts to ensure that children, young people, and their families are involved in and lead decisions that affect them. Diversionary services will demonstrate application of the following rights – where applicable – when working with children and young people.[4]

The United Nations Conventions on the Rights of the Child include:

- non-discrimination;
- survival and development (including safety, health, culture, adequate standards of living and education);
- participate, including in cultural life, and for the views of the child to be heard;
- no unlawful or arbitrary deprivation of liberty;
- arrest, detention or imprisonment as a last resort and for the shortest appropriate time;
- maintain contact with family;
- being treated with humanity and respect for their inherent dignity, and not be subjected to cruel, inhuman or degrading treatment or punishment;
- the provision of legal assistance;
- no compulsion to confess guilt; and
- where appropriate, not resorting to judicial proceedings but rather measures such as care, guidance and supervision orders, counselling, probation, education and vocational training programmes and other alternatives to institutional care.

4 Sourced from: Convention on the Rights of the Child | OHCHR

Participation, agency and voice of children and young people

What it means

> Article 12 of the *United Nations Conventions on the Rights of the Child* provides that all children and young people have the right to express their views freely on matters that affect them.

It also states that their views should be taken seriously and given due weight in accordance with their age and maturity. Effective service design and delivery actively encourages the participation and agency of children, young people, their families and communities. This also includes respecting where children, young people and families may decline to participate in diversionary processes or services.

How to apply it

Diversionary services must actively seek and give serious consideration to the views of children and young people in their service design and delivery. Importantly, service providers must give greater weight to the views of children and young people who have experienced, or are at high risk of experiencing, youth justice system involvement. Diversionary services must respect where children and young people decline to participate in their service. To ensure that children and young people have every opportunity to elect to participate in a diversionary service, there should be a range of service options for children and young people to participate in. Diversionary service providers can enhance their services by designing them with consideration to the views of children and young people, including on how they can be supported to address the underlying drivers of their offending.

Therapeutic and strengths-based

What it means

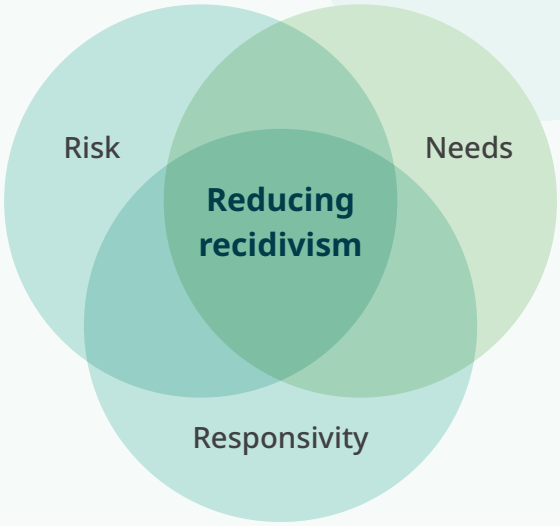
> A therapeutic approach recognises that many of the underlying drivers of offending are often directly connected to a child or young person's unmet needs.

Where these unmet needs are identified as contributing to offending behaviour, diversionary services can provide proportionate supports to reduce the likelihood that a child or young person will reoffend.

Diversionary services must apply a strengths-based approach that focuses on the abilities and capacities of children and young people, rather than deficits. When applying a strengths-based approach, diversionary services must recognise that disproportionate interventions for children and young people, who may otherwise cease antisocial and offending behaviours, can increase the risk of future offending.

How to apply it

Diversionary services must tailor their approaches to ensure that the right intervention is being offered at the right time to have the longest lasting impact and that those interventions build on the strengths and capacities of children, young people, and their families. Diversionary services will assess this through an evidence-based model.



This can be achieved through applying a Risk, Needs, Responsivity (RNR) Model[5] that assesses the:

- **Risk** – ensure the intensity of the intervention matches the risk.
- **Needs** – address the factors (criminogenic needs) that contribute to an individual's offending.
- **Responsivity** – interventions are delivered in a manner that meets the individual's learning style, motivation and strengths.

To have a lasting therapeutic impact on the ongoing needs of children and young people, it is often necessary to also work with their families. The ecological model of child development demonstrates that children and young people are most influenced by the adults in their immediate environment – usually their families. By identifying and building on families' strengths and capacities, diversionary services can promote long-term reductions in the risk that children and young people will reoffend in the future.

5 Andrews, D A and Bonta, J, 2014 *The psychology of criminal conduct* (5th edn), Routledge, New York.

Trauma-informed

What it means

Trauma informed care considers the prevalence of trauma in its service users and understands the impact trauma can have on a person, their emotions and their relationships with others. Trauma responsive care puts trauma-informed knowledge into action. Research suggests almost 90 per cent of children and young people involved in justice settings have a history of traumatic experiences, with many of them experiencing multiple adverse childhood experiences in their life.[6] The compounding effect of these experiences can impact the way a child or young person engages with support and the effectiveness of interventions.

How to apply it

Given this prevalence of trauma and the strong link to offending behaviour, any organisations delivering diversion services must have a strong understanding of trauma-informed, therapeutic responses appropriate to the needs of children and young people.

Diversionary services need to demonstrate that their staff members have appropriate training in trauma-informed practice and in the application of the six core trauma-informed principles:[7]

The trauma-informed principles are:

- **Safety** – emotional and physical
- **Trust** – a service that is sensitive to children and young people's needs
- **Choice** – providing opportunity for choice
- **Collaboration** – 'doing with' rather than 'doing to'
- **Empowerment** – of the individual as a key focus
- **Respect for diversity** – respecting diversity in all its forms

Diversionary services must also understand and respond to the impacts of intergenerational trauma on Aboriginal children, young people and their families. This is achieved through Aboriginal-led professional development for organisations, and through ensuring that Aboriginal organisations are involved in or leading the delivery of care for Aboriginal children and young people.

6 Adverse childhood experiences and trauma among young people in the youth justice system (aic.gov.au)

7 NSW Health (2022), *Trauma Informed Care*, https://www.health.nsw.gov.au/mentalhealth/psychosocial/principles/Pages/trauma-informed.aspx

Social and community-based approaches

Why this is important

For diversionary services these approaches should include utilising restorative justice approaches. Restorative justice prioritises collective decision-making, reparation of harm caused to the victim of a crime and can equip children and young people with the skills and awareness to make prosocial decisions. Children and young people engaging in restorative justice practices are encouraged to accept responsibility for their behaviour and actively participate alongside victims and communities in the justice process, collectively deciding on a way forward that repairs the harm caused by the offence. Evidence suggests that restorative justice practices, including conferencing, yield positive experiences, increasing perceptions of fairness and satisfaction from both victims and alleged offenders.[8]

What this looks like

In developing and implementing community-based approaches, children and young people must be given the opportunity to participate in, and contribute to, these initiatives. This can be achieved through justice reinvestment approaches that are community-led and aim to address the underlying drivers of contact with the justice system in their local area. This can be achieved by applying the principals of place-based approaches.

The principles of place-based approaches are:[9]

- Committing to long-term and sustainable timeframes
- Engaging with local strengths and capacities
- Committing to addressing structural inequities
- Sharing of decision-making powers
- Working in partnership with Aboriginal people and supporting self-determination
- Recognising the unique nature of each community

When utilising or engaging in restorative justice approaches, diversionary services must utilise a trauma-informed approach that balances the therapeutic benefit of children and young people taking responsibility for their actions, with the understanding that the life experiences (including traumatic experiences) leading to their offending, may have been beyond their control.

8 Kimbrell, C. et al., 2023 "Restorative justice programs and practices in juvenile justice: An updated systematic review and meta-analysis of effectiveness", *Criminology and Public Policy*, 22(1), pp. 161-195, https://doi.org/10.1111/1745-9133.12613

9 https://jss.org.au/programs/place-based-hub/what-are-place-based-approaches/

Safety and wellbeing

What it means

All children and young people in Tasmania have the fundamental right to experience safety under the supervision and care of the Tasmanian Government, non-government and Aboriginal service providers. Diversionary services are designed to support children and young people, particularly those who are vulnerable across multiple domains, such as those identified as **Priority Areas** in this Framework. Organisations delivering these services are responsible for ensuring the safety of the children and young people who participate in them.

Beyond safety, meeting the wellbeing needs of children and young people is central to a therapeutic approach. Wellbeing goes beyond an individual and the influence of families, communities and broader society should be considered, in line with the ecological model of child development.

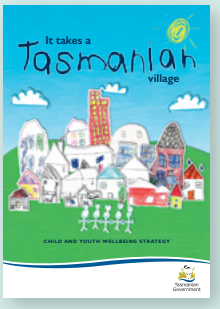
How to apply it

To work effectively with children and young people, especially those who have experiences of trauma, diversionary services must create space, both emotionally and physically, in which children and young people feel safe and valued. To achieve this, services must be compliant and proactive with child safeguarding practices, and legislation, including the *Child and Youth Safe Organisations Act 2023* (Tas) and the *Registration to Work with Vulnerable People Act 2013* (Tas).

> **Organisations delivering diversionary services must be ready, through their procedures and policies, to respond to any child safety concerns raised, whether those are experiences the child or young person has had within or outside of the organisation.**

Diversionary service providers must consider the ecological context of the child or young person, including in the measurement of outcomes for their program. Where service providers can apply an outcomes framework approach aligned to the Child and Youth Wellbeing domains, children and young people are given the best opportunity to be diverted from the justice system in a lasting way.

Ongoing training is required to ensure that staff are appropriately aware of the legislative requirements with which they must comply, and that their attitudes and professional practices are in alignment with evidence-based safeguarding. This must be modelled and led across each level of the organisation delivering diversionary services.



The It takes a Tasmanian village: Child and Youth Wellbeing Strategy outlines six domains that interact to improve the overall wellbeing of Tasmanian children and young people[10]

10 These domains were developed by and adapted from the Australian Research Alliance for Children and Youth's 'The Nest'.

Throughcare and collaboration

Why this is important

Throughcare supports children and young people through transition between different touchpoints in the youth justice system. Collaboration, including appropriate information sharing, must occur between organisations working with children, young people and their families to provide consistent case coordination. This collaboration must extend to the way service providers work with children, young people and their families, by ensuring they are led by their needs and goals.

What this looks like

While diversionary services are often engaged for a specific purpose or identified need, these services must ensure that children and young people transitioning out of their service are supported. Service provision should be individualised for the child or young person, with the goal that they are appropriately supported during and after transition. This is achieved through case planning, warm handovers, care team participation, flexibility from service providers, and in collaboration with children, young people and their families.

Aboriginal culturally responsive and safe

What it means

> **Aboriginal-led organisations are best placed to deliver services for Aboriginal children and young people.**[11]

Non-Aboriginal service providers must recognise that while we seek the same outcome from diversionary services for Aboriginal children and young people, the approach we take to divert Aboriginal children and young people away from the youth justice system may be different. The Tasmanian Government recognises the importance of partnership, shared decision making and co-design of diversionary services with Aboriginal people.

How to apply it

Aboriginal service providers delivering diversionary services for children and young people will do so holistically, with consideration of broader wellbeing domains and the child or young person's ecological context. Where a non-Aboriginal service provider is working with Aboriginal children, young people and their families, they must have a culturally competent and culturally safe workforce to support the Aboriginal child or young person. This will be achieved by services partnering with Aboriginal service providers or accredited Aboriginal specialists to ensure staff receive ongoing professional development in the areas of cultural safety, responsiveness and competence. All services working to divert Aboriginal children and young people must work to prioritise family, extended family, local community, cultural and Country connection.

11 National Agreement on Closing the Gap – Priority Reform Two – Building the Community-Controlled Sector

Evidence-informed

What it means

Diversion has an established and growing evidence base that supports its effectiveness at reducing the likelihood of future justice system involvement. To support the delivery of effective diversionary services, organisations must be monitored and evaluated to ensure they are adhering to best practice. This evaluation must be considered in the context of contemporary evidence and research. Service providers must utilise opportunities to identify and resolve any issues early, and in a collaborative way.

How to apply it

The measures that support evaluation will consider measuring success beyond the number of children and young people offending, and ideally incorporate qualitative and quantitative measures, with a focus on outcomes over outputs. This approach will, where appropriate, incorporate the voices and experiences of children and young people, and evaluate both how the services affect offending behaviour, and the broader impacts on the child or young person's wellbeing domains.

This can be achieved through evidence-informed evaluation methods such as:

- Outcomes frameworks
- Narrative or story-based evaluation methods
- Longitudinal case studies
- Co-designing evaluation tools with children and young people
- Trauma-informed evaluation methods
- Aboriginal-specific and led evaluation approaches

Ways of working

When delivering diversionary services for children and young people, these ways of working are additional enablers for successful diversion beyond the Key Elements of diversion adapted from the Model of Care.

By incorporating these into diversionary services, organisations will be best placed to deliver services that meet the needs of the children, young people, and their families. Not every child or young person will need all of these supports from every service and their application in individual cases must be assessed against the needs of the individual.

Diversionary services will support children and young people by working in ways that are:

Early, lasting and proportionate to need

Promoting educational engagement and attainment

Led by Aboriginal people and organisations

Upholding community safety

Consistent and aligned

Early, lasting and proportionate to need

What this looks like

Diversionary services should be available at the earliest point that a child or young person comes into contact with the youth justice system, such as through police referrals, and also for children and young people who have more advanced or complex offending behaviour. This is consistent with the general comment of the United Nations Committee on the Rights of the Child that opportunities for diversion should be available from as early as possible after first contact with the criminal justice system and at various stages throughout the process.[12]

By utilising evidence-based assessments, such as the RNR model that consider and respond to both the needs of children and young people and the nature of their offending behaviour, diversionary services will meet the needs of children and young people where they are.[13] Diversionary services will need to identify clear eligibility and exit criteria for children and young people in their service to ensure that they are supported to transition out of diversionary services and into the community at the right time.

12 United Nations Committee on the Rights of the Child (2019), *General comment No.24 (2019)* on children's rights in the child justice system, Convention on the Rights of the Child.

13 Andrews, D A and Bonta, J, 2014 *The psychology of criminal conduct* (5th edn), Routledge, New York

Promoting educational engagement and attainment

What this looks like

Being engaged in education can, in and of itself, promote desistence from harmful behaviours. Education services should support children and young people to engage in school in a way that meets their individual learning needs. This involves supporting their literacy as the foundation for all other learning and as an enabler for greater educational engagement. Literacy is positioned as a whole-of-community responsibility in Tasmania under the *Lifting Literacy Framework*. Utilising evidence-based literacy practices has been proven to improve literacy skills, even when external factors may inhibit engagement in schooling. Evidence-based literacy teaching can be incorporated by any professional working with children and young people to help form the basis of literacy skills needed to engage in education. Organisations working with children and young people who are disengaged from education can utilise a structured literacy evidence base to ensure that their communication and practice is both appropriate for those with low literacy (plain English or simple English) and offers opportunities for children and young people to build their literacy skills, including their oral and written language.

Traditional learning environments are not always able to meet the needs of all learners. In these cases, diversionary service providers should consider providing or engaging with alternative education options that maintain children and young people's connection with education, while understanding their current capacity to participate in learning. Alternative education options could include:

- Mobile education, including home visits
- Education for Aboriginal children and young people that is delivered by Aboriginal-led organisations, including outside of classrooms
- Education services that are co-located in locations that feel safe and are trusted by children and young people
- Lower teacher-to-learner ratios, including one on one

Led by Aboriginal people and organisations

What this looks like

All Aboriginal and non-Aboriginal organisations working to divert Aboriginal children and young people must apply the reforms in the National Agreement on Closing the Gap (the Agreement) in their service provision. These are:

- Formal partnerships and shared decision making
- Building the community-controlled sector
- Transforming government organisations
- Shared access to data and information at a regional level

These reforms must be applied by diversionary services to contribute to reaching Target Outcome 11 identified by the Agreement: "Young people are not overrepresented in the criminal justice system", with a target of reducing the rate of Aboriginal and Torres Strait Islander young people (10-17 years) in detention by at least 30 per cent by 2031.

Diversionary services are responsible for the training and performance development of their workforce in Aboriginal culturally safe practices. Organisations must meet the National Principles for Child Safe Organisations, specifically Principle 4, and the Universal Principle of the Child and Youth Safe Standards.

The Government recognises that Aboriginal organisations, Elders, and Aboriginal people are most often the best option for providing and designing services for Aboriginal children and young people because of their unique perspectives, cultural knowledge and community trust that are critical to achieving positive outcomes for Aboriginal children and young people. The Government will align to the priority reforms of the Agreement and promote self-determination of Aboriginal people by being led by and supporting Aboriginal people and organisations.

Upholding community safety

What this looks like

Provision of services that meet the needs of children and young people will support those working in the youth justice system to divert children and young people early in their offending, working towards the goal that their first contact with the justice system is their last. Police are often the first contact children and young people have with the justice system.

Police can also know children, young people and their families before offending behaviour occurs through community engagement or partnerships with other organisations, such as schools. Service partnerships with police increases options police can use as part of their diversionary processes, as alternatives to court. These partnerships can include referral pathways, specialised local partnerships with police divisions, and service providers working within police stations to support them in responding to the needs of children and young people that police interact with.

Consistent and aligned

What this looks like

To ensure that diversionary services are consistent and aligned to the broader suite of youth justice and child safety reform, service providers are required to implement the Model of Care, as well as all other applicable policies, procedures and legislation.[14] This includes, at a minimum, service users demonstrating how they will:

- Align and implement other relevant policy and project work delivered under the Blueprint.
- Align service design and delivery to the *It Takes a Tasmanian Village: Child and Youth Wellbeing Strategy*.
- Implement other related COI reform under the *Change for Children Strategy* (where applicable).
- Comply with the requirements of the *Child and Youth Safe Organisations Act 2023* (Tas).
- Understand and comply with any obligations (if applicable) for services and service users under the *Youth Justice Act 1997* (Tas), *Children, Young Persons and their Families Act 1997* (Tas), Bail Act 1994 *(Tas)*, and *Disability Rights, Inclusion and Safeguarding Act* (2024) (Tas)
- Ensure the protection of service user data in compliance with the *Personal Information and Protection Act 2004* (Tas).

14 Note: these requirements may change over time. Guidance will be provided to diversionary services on the expectations of them at the point in time that they are delivering services.

National Principles for Child Safe Organisations

01 Child safety and wellbeing is embedded in organisational leadership, governance and culture.

02 Children and young people are informed about their rights, participate in decisions affecting them and are taken seriously.

03 Families and communities are informed and involved in promoting child safety and wellbeing.

04 Equity is upheld and diverse needs respected in policy and practice.

05 People working with children and young people are suitable andsupported to reflect child safety and wellbeing values in practice.

06 Processes to respond to complaints and concerns are child focused.

07 Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training.

08 Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed.

09 Implementation of the national child safe principles is regularly reviewed and improved.

10 Policies and procedures document how the organisation is safe for children and young people.

Priority areas

The following priority areas were identified as cohorts or domains that must be prioritised in the delivery of new diversionary services.

This need is defined by children and young people within these groups being overrepresented in the youth justice system, as well as currently lacking in diversionary options and services. It is common for vulnerable children and young people to experience vulnerability across multiple domains. These priority areas should be viewed as a range of cohorts or domains that a child or young person may be a member of, rather than distinct cohorts.

Housing

Aboriginal children and young people

Mental health

Children and young people aged 10-13 years

Children and young people with disability

Alcohol and other drug use

Repeat offending and intergenerational offending

Harmful sexual behaviours

Children and young people in Out of Home Care

Housing

Housing is a human right, and children and young people with statutory involvement in the youth justice or child safety systems are particularly vulnerable to experiencing homelessness either on their own, or with their family. A lack of suitable housing can contribute to children and young people's prolonged engagement with the youth justice system. This can happen due to a lack of suitable accommodation making bail access difficult, being exposed to unsafe adults, and being at increased risk of engaging in offending behaviour to survive.

> Under the *United Nations Convention on the Rights of the Child*, and the principles of the *Youth Justice Act 1997* (Tas), children must only be detained as a measure of last resort and for the shortest appropriate time therefore access to safe and affordable housing is a critical enabler.[15]

Opportunities for change

- Increased options for appropriate accommodation for children and young people on bail
- Housing options for Aboriginal children and young people on bail
- Support and training for housing providers on working with children and young people who have youth justice system involvement
- Development of housing support plans for young people with youth justice involvement[15]
- Accommodation options that support a young person on bail to remain living with their family, if the family is experiencing homelessness
- Medium, transitional and long-term accommodation options to combat youth homelessness
- Staffing and infrastructure that support working therapeutically with children and young people with complex needs
- Inclusion of wraparound supports in housing services.

15 2024-05-21 - Youth Voices HOMELESSNESS-V3.indd (childcomm.tas.gov.au)

16 Tasmanian Housing Strategy Action Plan 2023-27, *Priority 2.3.2*, Homes Tasmania, https://www.homestasmania.com.au/__data/assets/pdf_file/0027/276930/Housing_Tasmania_Strategy_Action_Plan_2023-2027.pdf

Aboriginal children and young people

Aboriginal children and young people are significantly over-represented within youth justice systems nationally. In Tasmania they are 3.8 times more likely than their non-Aboriginal peers to experience youth detention. This can be attributed to intersectional disadvantages that disproportionately affect Aboriginal people, including poor health, housing, low employment and education levels, dysfunctional families and communities, dispossession and past government policies. Evidence shows Aboriginal children and young people are also treated differently within these systems than their non-Aboriginal peers. Aboriginal children, young people, and their families, live with the ongoing impacts of colonisation, including intergenerational trauma. In addition, evidence demonstrates that Aboriginal-led governance and decision-making results in long-lasting, better outcomes for Aboriginal people and communities.[17]

Non-Aboriginal service providers have a responsibility to deliver services in a culturally safe and responsive way. Cultural competency is developed through ongoing training, education and related experiences of Aboriginal people. Aboriginal workers should be embedded in services, providing cultural knowledge to support culturally appropriate service development and delivery with fair remuneration for their cultural expertise, qualifications and lived experiences. There must be zero tolerance for racism, discrimination or cultural disrespect of any kind towards Aboriginal children and young people, their families, Elders, team members or organisations. Aboriginal children and young people will be supported to connect with Country, culture, family and extended family.

Opportunities for change

- Aboriginal-led Multisystemic Therapy and Functional Family Therapy
- Information sharing arrangements
- Cultural safety and competency training delivery by Aboriginal organisations and specialists, including on the impacts of and ways of working with children, young people and their families who experience intergenerational trauma
- Aboriginal-led youth interventions, connections and mentoring programs
- Aboriginal-led wellbeing programs.

17 Alison, F, Cunneen, C, (2013), *Indigenous Justice Agreements*. Current Justice Initiatives Paper 4.

Mental health

Evaluating mental health in youth justice systems is complex and data is limited, however the available research demonstrates a much higher prevalence of mental health concerns in the youth justice cohort than the general population. This is higher again for those in youth detention.[18] Mental health can have a causal relationship with offending, but can also be a symptom of underlying, intersecting issues that contribute to offending behaviour and over representation of children and young people with mental health conditions in the youth justice system. Multidisciplinary supports, including clinical and non-clinical, can promote working holistically with children and young people by understanding and responding to their individual experiences and needs.

Opportunities for change

- Evaluation methods for services that measure outcomes against the child and youth wellbeing domains
- Assessments and access to referrals that meet of the needs of children and young people, including specialists
- Youth mental health services targeting primary prevention, early intervention and intensive intervention, including residential and secure care options
- Programs that work with children and young people's families and community to build on strengths, through the application of the ecological model of child development
- Pre-clinical assessments and mental health responses that are based on wellbeing domains
- Community-based mental health treatment options
- Trauma informed training for staff working in diversionary programs to understand potential difficulties for children and young people with histories of trauma to accept responsibility for their actions
- Clinical court liaison staff to advise on therapeutic options.

18 Kinner, S.A et al. (2014), 'Complex health needs in the youth justice system; a survey of community based and custodial offenders, *Journal of Adolescent Mental Health, 54* (5), 521-6

Children and young people aged 10-13 years

Current system

Under the *Criminal Code Act 1924* (Tas) a child aged between 10-13 years cannot be held criminally responsible for their actions, unless it is proven that they had sufficient capacity to know what they did was wrong –known as the doctrine of *doli incapax*. This acknowledges that children and young people's brains are still developing, and they may not have the capacity to fully understand the consequences of actions. The *Youth Justice Act 1997* (Tas) similarly applies to young people aged 10-17 years, with some exceptions. While a child may be judged not to have the capacity to understand what they did was wrong, there is benefit in providing proportionate support that addresses the underlying drivers of their behaviour at an early stage. Proportionality is particularly important for this age group, as overly intensive intervention may inadvertently criminalise or expose them to other children and young people with more established criminal behaviours.

Future system

Under the Blueprint, the Government has committed to raising the age of criminal responsibility from 10 to 14 years-of-age. Once this legislation has been passed, children under the age of 14 will not be held criminally responsible for their actions. When the age of criminal responsibility is raised, children under 14 years-of-age cannot be formally diverted from the court's criminal justice system as they can no longer be liable for criminal offences. However, services must be in place to respond to harmful behaviours. This is critical in ensuring these behaviours are addressed early and do not become entrenched by the time behaviours of children and young people are defined as offences they can be held criminal responsible for.[19]

19 It should be noted that there are a number of possible alternative models to criminal responsibility for 10–13-year-olds. The types of services required will depend on the model that is chosen. Legislative change is due to be completed by 2029.

Opportunities for change

- Specialised services targeting 10 – 13-year-olds
- Programs that engage 10 – 13-year-olds without the need for formal diversion or youth justice orders
- Programs that work with police to identify and provide early support for children and young people before their behaviour escalates to requiring criminal justice responses
- Service partnerships with local schools
- Programs that address underlying drivers of early offending/harmful behaviours, to prevent escalation into requiring criminal justice responses
- Programs that facilitate engagement with education, including through the provision of alternative education options
- Services that involve families and other members of a child or young person's community, including through data linkage
- Services that also link to initiatives targeted at other age groups, such as the first 1000 days
- Mentorship programs, including peer-based models.

Children and young people with disability

Children and young people with disability are over-represented in the youth justice system.[20] Children and young people with disability in youth detention can be exposed to substantial risks of violence, neglect, lack of access to health and educational supports or accessible cultural safety. While this is being addressed at a system level by the Government under the Blueprint and Commission of Inquiry recommendations, this is particularly important and urgent for children and young people with disability.[21] For children and young people with disabilities, understanding and appropriately responding to their needs through assessments and corresponding supports enables their needs to be met and their underlying drivers of offending behaviour addressed.

While children and young people with disability may require therapeutic supports specific to their disability, they must also be able to access mainstream services. This is because they may have support needs outside of their disability, and because they have a right to do so under the ***Convention of the Rights of Persons with Disabilities***.[22] The Disability Royal Commission (the Commission) highlights the specific need to divert people with cognitive disability who are charged with low level offences.

The Commission also identifies the lack of nationally consistent data on children and young people with disability in youth justice systems, which raises concerns over the ability of these systems to respond to the needs of the children and young people.

20 Sentencing Advisory Council (2021), 'Sentencing Young Offenders,' pp. 14-15;

21 Final Report - Volume 8, Criminal justice and people with disability (royalcommission.gov.au)

22 enable convention cover (un.org)

23 Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability: Final Report, *Recommendation 8.21*, Volume 8, Criminal justice and people with disability, https://disability.royalcommission.gov.au/system/files/2023-09/Final%20Report%20-%20Volume%208%2C%20Criminal%20justice%20and%20people%20with%20disability.pdf

Opportunities for change

- Court-based diversion programs[25]
- Consistent access to screening, assessments, and data collection on disability for children and young people in diversionary programs with clear referral pathways
- Training for staff on working with children and young people with disability, especially for cognitive disability
- Education-focused programs that target specific learning needs of children and young people with disability
- Diversionary services specialising in working with children and young people with cognitive disability, including Foetal Alcohol Spectrum Disorder
- Consistent data collection, information sharing agreements, and access to appropriate assessments to facilitate therapeutic supports.

Alcohol and other drug use

Children and young people, including whose parents or carers use alcohol, tobacco and other drugs, have been named as a priority population group by the *Tasmanian Drug Strategy 2024-2029*. There is a strong crossover in children and young people who use alcohol and other drugs (AOD) and children and young people under youth justice supervision.[24] Promisingly, where children and young people can access AOD diversionary treatment, they show positive outcomes in relation to substance use, risk taking and social functioning. Providing AOD support early, that is aligned to the principles of harm reduction,[25] alongside opportunities for detox to occur with community supports, is key to reducing the impact that substance use can have on the likelihood of children and young people offending.

Opportunities for change

- Training for staff on harm reduction, including those working outside of the AOD sector
- Early intervention for substance use, such as advice services and youth AOD outreach workers
- Services to support vaping and nicotine addiction
- Partnerships between youth justice, law enforcement and health services
- Supports for children and young people impacted by others' substance use.

24 Australian Institute of Health and Welfare (2018), *Overlap between youth justice supervision and alcohol and other drug treatment services*, 1 July 2012 to 30 June 2016

25 Harm Reduction Coalition, *Principles of Harm Reduction*, https://harmreduction.org/about-us/principles-of-harm-reduction/

Repeat offending and intergenerational offending

While the number of young people proceeded against by police is decreasing, there is some evidence[26] to suggest that the amount of young people being proceeded against multiple times is increasing.[27] Research suggests the rate of reoffending (or recidivism) for young people is linked to increased likelihood of their offending continuing into adulthood.[28] Similarly, there is a strong link between children and young people whose parents have engaged in offending and their own likelihood of offending both in their youth and as an adult.[29] Reducing recidivism and intergenerational offending is challenging, however intensive interventions that work with a young person and their family, such as early intervention supports for families, or Multisystemic Therapy show positive results for children and young people who are engaged in serious offending as a result of complex environmental factors.[30]

Opportunities for change

- Increased provision of Multisystemic Therapy
- Functional Family Therapy
- Intensive case management
- Place-based responses that address ecological influences on offending
- Provision of 24/7 support
- Assertive outreach.

26 Australian Bureau of Statistics (2022-23), Table 25: Youth Offenders, Number of times proceeded against by police by age.

27 This data does not demonstrate whether the young people proceeded against were found guilty as a result of being charged. This should not be interpreted as the amount of young people reoffending as guilt has not been established.

28 National Institute of Justice (2014), *From Youth Justice Involvement to Young Adult Offending*, https://nij.ojp.gov/topics/articles/youth-justice-involvement-young-adult-offending

29 Tzoumakis, S, et al. (2019), The intergenerational transmission of criminal offending behaviours, *Criminology Research Council*. https://www.aic.gov.au/sites/default/files/2020-05/19-1415-FinalReport.pdf

30 Latimer, J (2023), Multisystemic Therapy as a Response to Serious Youth Delinquency, *JustResearch vol. 12*, Government of Canada. https://www.justice.gc.ca/eng/rp-pr/jr/jr12/p5d.html#a1

Harmful sexual behaviours

The COI Final Report defines harmful sexual behaviours as a broad range of behaviours, from those that are developmentally inappropriate displays of behaviour, to those that involve one child sexually harming another child.[31] Research considered by the Royal Commission into Institutional Responses to Child Sexual Abuse found that the majority of children and young people who engage in an instance of harmful sexual behaviour do not go on to commit a second offence.[32] This research suggests that the presence of other anti-social characteristics and sexual deviances can indicate an increased likelihood that harmful sexual behaviours will continue into adulthood.

This suggests that there is not a single diversionary process or service to suit all children and young people who are displaying harmful sexual behaviours and responses must be guided by individual circumstances and assessments.

Under recommendation 21.1-10 of the COI, the Government has committed to improving the therapeutic service system for victim-survivors of child sexual abuse, which includes supporting children and young people who have experienced or displayed harmful sexual behaviours. This includes, among other work, a commitment to amend legislation to allow the Magistrates Court explicit powers to divert children and young people who have displayed harmful sexual behaviours.

31 https://www.commissionofinquiry.tas.gov.au/__data/assets/file/0011/724439/COI_Full-Report.pdf

32 Final Report - Volume 10, Children with harmful sexual behaviours

Opportunities for change

- Establishment of a peak body for the sexual assault service system, including for children and young people who are displaying harmful sexual behaviours, including utilising early intervention and prevention opportunities
- Development of a statewide framework and plan for preventing, identifying and responding to harmful sexual behaviours, including those displayed by children and young people
- Improving the therapeutic service system, including support for children and young people displaying harmful sexual behaviours
- Legislative amendments to increase access to diversion
- Establishment of a Harmful Sexual Behaviours Unit
- Development of resources that provide guidance and education around working with children and young people who are displaying harmful sexual behaviours
- Liaison between services and Police to identify and address behaviours early
- Outreach and mentoring programs
- Training for organisations and community on intersections and differences between harmful sexual behaviours, child sexual abuse and child sexual exploitation
- Improvements to information sharing processes.

Children and young people in Out of Home Care

Children and young people with experience in the Out of Home Care (OOHC) system are over-represented in the youth justice system. Similarly children and young people in the youth justice system have disproportionate contact with the OOHC system.[33] When these young people are under the supervision of both systems ('crossover' children and young people), they have unique needs that are sometimes not accounted for by police, courts or youth justice services.[34] To successfully support children and young people in OOHC, service providers must use a strengths-based and trauma-informed approach. This involves working with a child or young person to identify the supports needed to meet their goals. To apply this approach collaboratively, service providers must work with police, courts and youth justice services where appropriate.

Opportunities for change

- Services specialising in working with 'crossover' children and young people, and their families and carers
- Training and development of standards for OOHC, police and youth justice staff on working with 'cross over' children and young people
- Supports for families and carers with child safety or OOHC involvement whose children are involved in offending behaviour
- Afterhours service provision to support responding to challenging behaviours
- Integrated, holistic case management approaches.

33 Australian Institute of Health and Welfare (2020-21), *Young people under youth justice supervision and their interaction with the child protection system*, https://www.aihw.gov.au/reports/youth-justice/young-people-under-youth-justice-supervision/summary

34 Colvin, E, Gerard, A, McGrath, A (2020), *Children in out-of-home care and the criminal justice system: A mixed-method study*, Report to the Criminology Advisory Council. https://www.aic.gov.au/sites/default/files/2020-09/CRG_221617_final_report.pdf

Monitoring, reporting and evaluation

Ongoing monitoring, reporting and evaluation of effective diversionary service provision fosters accountability and supports evidence-based decision making within services. This allows for continuous service improvement, ensuring children and young people receive care of the highest standard.

Reporting against a Youth Justice Outcomes Framework (Commission of Inquiry recommendation 12.7a) will provide transparency of outcomes and service delivery in line with the achievements identified for diversion under the Blueprint.

Under Strategy 2 of the Blueprint: Ensure diversion is early and lasting, we aim to reduce the involvement of children and young people in the youth justice system by:

- Supporting the effective diversion of children and young people from contact with the justice system while encouraging them to take responsibility for their behaviour.
- 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.
- Delivering a range of diversionary options and programs for children and young people who come into contact with the justice system.
- Ensuring Aboriginal children and young people have access to Aboriginal-led diversionary services.
- 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.
- 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.

Governance

Governance outlines the structure, policies, and controls to balance risk, facilitate timely and effective decision making and ensure compliance and accountability.

The Tasmanian Government, including all the relevant agencies, has responsibility for delivering the Blueprint and the strategic implementation of the Framework, in partnership with the non-government sector and the community.

The implementation of the Framework will be led by the agency responsible for delivering the Blueprint. Individual agencies will be responsible for incorporating the Framework into their commissioning approaches through implementation activities identified under the Implementation Plan. A partnership approach with Aboriginal organisations will inform the design and delivery of diversionary services for Aboriginal children and young people.

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Tasmanian Government