



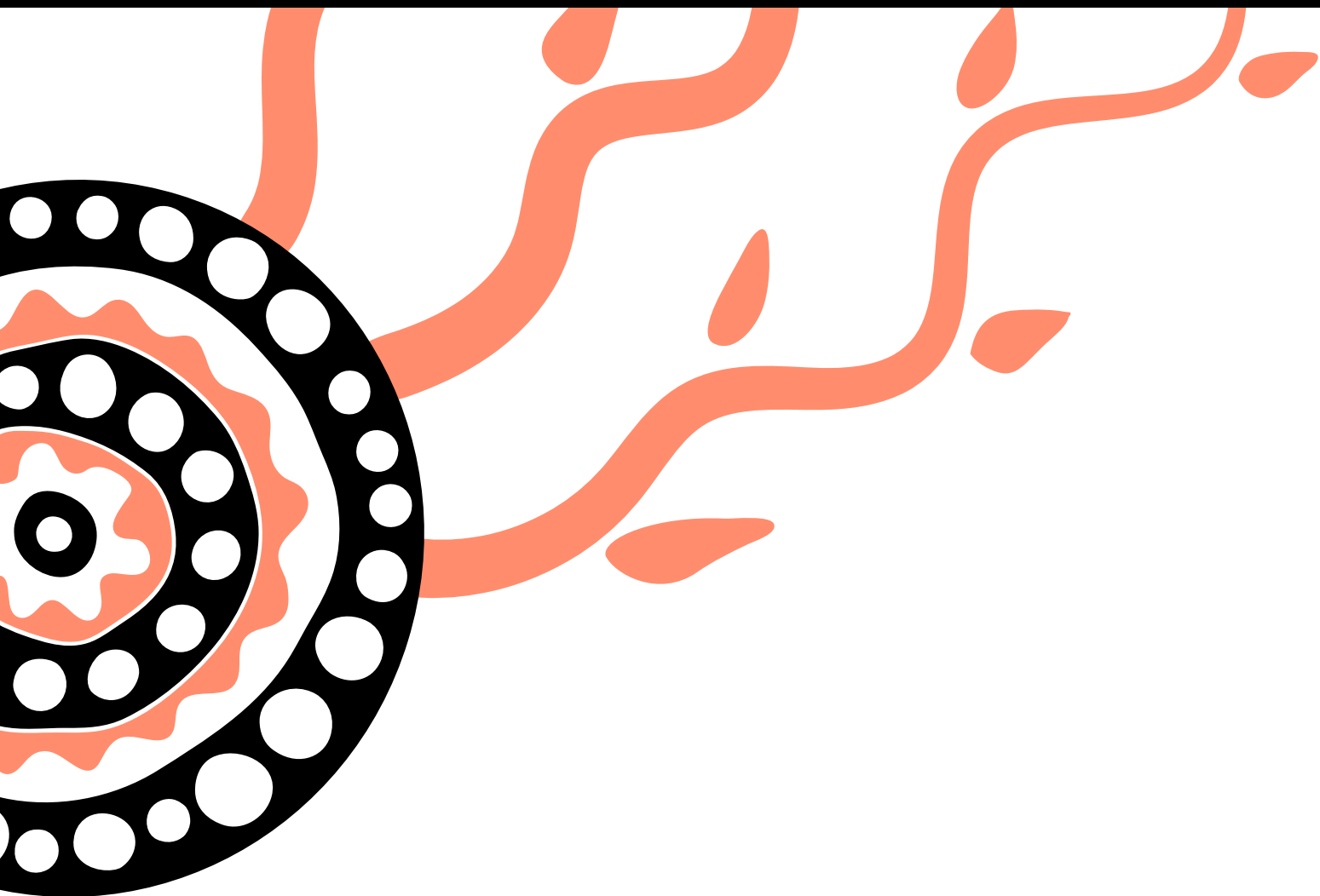
**Young People
Connected,
Communities
Protected**

South Australia's
Youth Justice State Plan
2020-2023



**Government
of South Australia**

Department of Human Services



Acknowledgement to Traditional Owners

The Department of Human Services (DHS) acknowledges and respects Aboriginal peoples as the State's First Peoples and nations, and recognises Aboriginal peoples as Traditional Owners and occupants of lands and waters in South Australia. We respect and celebrate the cultural and spiritual identities of Aboriginal children and young people, and their communities.

Please note that the term "Aboriginal" in this document refers to all Aboriginal and Torres Strait Islander peoples, and that this term is used as First Nations peoples in South Australia are predominantly Aboriginal peoples. DHS acknowledges and respects that

Aboriginal people prefer to be identified, where possible, by their specific language group or nation.

Aboriginal children and young people have the right to grow up free from discrimination of any kind, and to exercise and enjoy their rights to family and culture, in accordance with the United Nations Declaration on the Rights of Indigenous Peoples.

We are committed to ensuring that the needs and aspirations of Aboriginal people are incorporated in the design, development, monitoring and evaluation of deliverable actions.

Young People Connected, Communities Protected

South Australia's Youth Justice State Plan
2020-2023

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Minister's message



South Australia's *Youth Justice State Plan 2020-2023* (the State Plan) introduces how we will work with young people, communities, other government agencies and non-government organisations to deliver youth justice services.

This plan outlines actions the government is taking to provide high quality services in Youth Justice and through our partnerships to reduce offending, support young people to make positive choices, reduce the overrepresentation of Aboriginal children and young people, recognise and support victims of crime, and at all times consider the best interests and voices of vulnerable children and young people.

We have an opportunity to learn from a mounting body of state and national evidence, and recent independent reviews, about sustainable ways to reduce criminal offending and help young people reconnect with their families, communities and culture. Addressing this challenge requires a sector-wide approach.

The State Plan sets out six key themes that have been informed through wide community-based consultation. To support our commitment to shared values under these themes, the actions in this State Plan will see the Department of Human Services (DHS) work with partner agencies to produce real change in:

- 1 Young people's wellbeing**
- 2 Workforce stability and investment**
- 3 Connected services**
- 4 Aboriginal cultural connection**
- 5 Reconnection with community**
- 6 Business intelligence**

The State Government is committed to reform in youth justice services by:

Ceasing the use of resident worn spit protection by June 2020

Implementing an electronic record keeping system

Reviewing legislation, policy and procedure in relation to the use of isolation, segregation and force at the Kurlana Tapa Youth Justice Centre

Strengthening multi-disciplinary allied health assessment and intervention services to ensure young people with complex needs are supported

Prioritising Aboriginal staff recruitment and retention

A trial of Body Worn Cameras to improve safety for young people and staff

On behalf of the State Government, I thank everyone who contributed to the development of the State Plan and the sector's ongoing partnership. Together we are driving change toward a contemporary, efficient and effective system which delivers positive, connected and culturally appropriate services and outcomes for children and young people.

A handwritten signature in blue ink that reads "Michelle Lensink".

Michelle Lensink MLC
Minister for Human Services

A new State Plan

This State Plan sets out practical steps to deliver positive change in how the state's tertiary justice system¹ responses operate for young people. Our shared vision is for connected services and systems which support young people to achieve better life outcomes while maintaining community safety and standards.

While this plan centres around supports for children and young people and assisting their positive connection with community, we acknowledge the impact of offending on the victims of crime. We know from the evidence that a child-centred approach is required to reduce criminal offending, repair the harm caused to the community, and maintain community confidence and support².

A youth justice system recognises that children and young people are different from adults, particularly in their development and their capacity to understand and navigate the legal system. The principles of a youth justice system are to deter individuals from committing acts against the law or reoffending, whilst taking into account the age, development and specific vulnerabilities of the individual.

The safety and wellbeing of children and young people must be at the centre of all decision-making in the youth justice system. Service delivery, supports, and restitution must at all times be cognisant of, and ensure, the rights of vulnerable children and young people³.

Fig 1. Young people under supervision on an average day, by age and sex, South Australia, 2018-19 (AIHW Youth Justice National Minimum Dataset (YJ NMDS) 2000-01 to 2018-19)

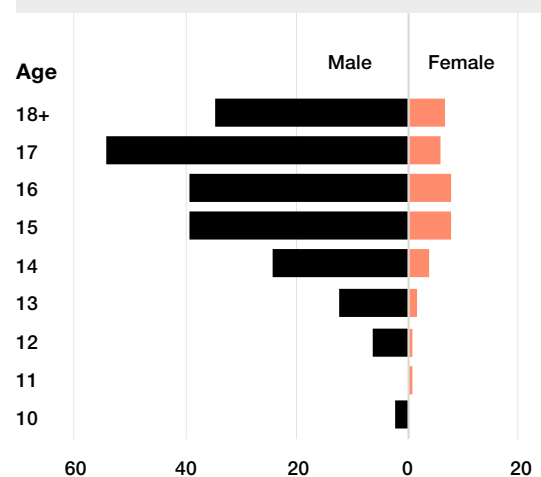
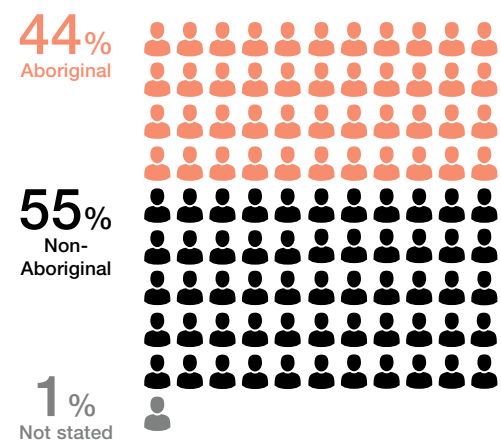


Fig 2. Aboriginal young people under supervision in South Australia, 2018-19 (AIHW Youth Justice National Minimum Dataset (YJ NMDS) 2000-01 to 2018-19)



¹ Explanatory note: use of the term 'youth justice system' herein describes the tertiary response to offending behaviour, which includes court sanctions, statutory supervision and external providers working with these young people. Use of the term 'Youth Justice Services' denotes the division of the Department of Human Services, which provides statutory supervision, as provided for in the *Youth Justice Administration Act 2016*.

² Armytage and Ogloff (2017), *Youth Justice Review and Strategy: meeting needs and reducing offending*.

³ In accordance with the United Nations Convention on the Rights of the Child, the United Nations Declaration on the Rights of Aboriginal People, and relevant legislation including the *Youth Justice Administration Act 2016*, the *Youth Justice Administration Regulations*, and the *Charter of Rights for Youths Detained in Training Centres*.

A child or young person who is guilty of an offence must be provided with the opportunity to make restitution and learn from their mistakes in ways that promote their development and full potential. Service responses also recognise that a small number of children and young people commit serious acts of harm and need to make restitution under appropriate legislated measures and with a matched rehabilitative response that includes promoting and actioning the principles of the *Victims of Crime Act 2001*.

South Australia's youth justice system has statutory responsibility for the supervision of children and young people under the *Youth Justice Administration Act 2016* (YJAA). The Act provides the legislative framework under which DHS may exercise its youth justice powers and functions, with consideration of national and international rules, guidelines and protocols. Importantly, it aligns with the objects and guiding principles of the *Young Offenders Act 1993* (YOA), such as the promotion of individual responsibility, restitution to victims, community safety and the rehabilitation of young people, and provides a consistent legislative framework for the management of young people in the justice system.

The needs, vulnerability and developmental differences of young people are recognised and protected in the YJAA. This is particularly reflected by the inclusion of a provision requiring a "Charter of Rights for Youths Detained in Training Centres".

The Youth Justice Services division within DHS has oversight of supervised orders determined by the court under the YOA. Young people often have a range of needs that go beyond their contact with the justice system. These needs are critical in informing the approach of Youth Justice Services.

In recent years, justice services for young people in multiple jurisdictions have undergone change following the release of critical independent reviews, including the *Royal Commission into the Protection and Detention of Children in the Northern Territory*. For South Australia, this State Plan will deliver against the government's priorities for youth justice services, and respond to the independent reviews by the Ombudsman SA and the Training Centre Visitor. In addition, the department is committed to continue to review and improve its practices in line with the needs of children, young people and staff, community expectations, and national standards and international conventions.

A primary focus of our work is to reduce the over-representation of Aboriginal children and young people throughout the system. We now have a better understanding of intergenerational trauma and its lasting consequences on future generations. Systemic racism, abuse, family and domestic violence and intergenerational poverty and incarceration continue to impact Aboriginal families and communities. As an organisation we acknowledge these impacts and their relationship with the numbers of Aboriginal clients in Youth Justice.

We will work closely with Aboriginal children and young people, families and communities, to facilitate cultural connections and provide culturally safe and trauma-responsive services to Aboriginal children and young people. We will support the passing of knowledge and culture to Aboriginal children and young people who are the vessels of culture moving forward.

This plan acknowledges that to better support a positive future for our state's children and young people, we need to better understand and work *with* children and young people. We can only do this by hearing their voices and connecting with other services that work with them and their families before, during and after their contact with the justice system. Children and young people must be involved in decision

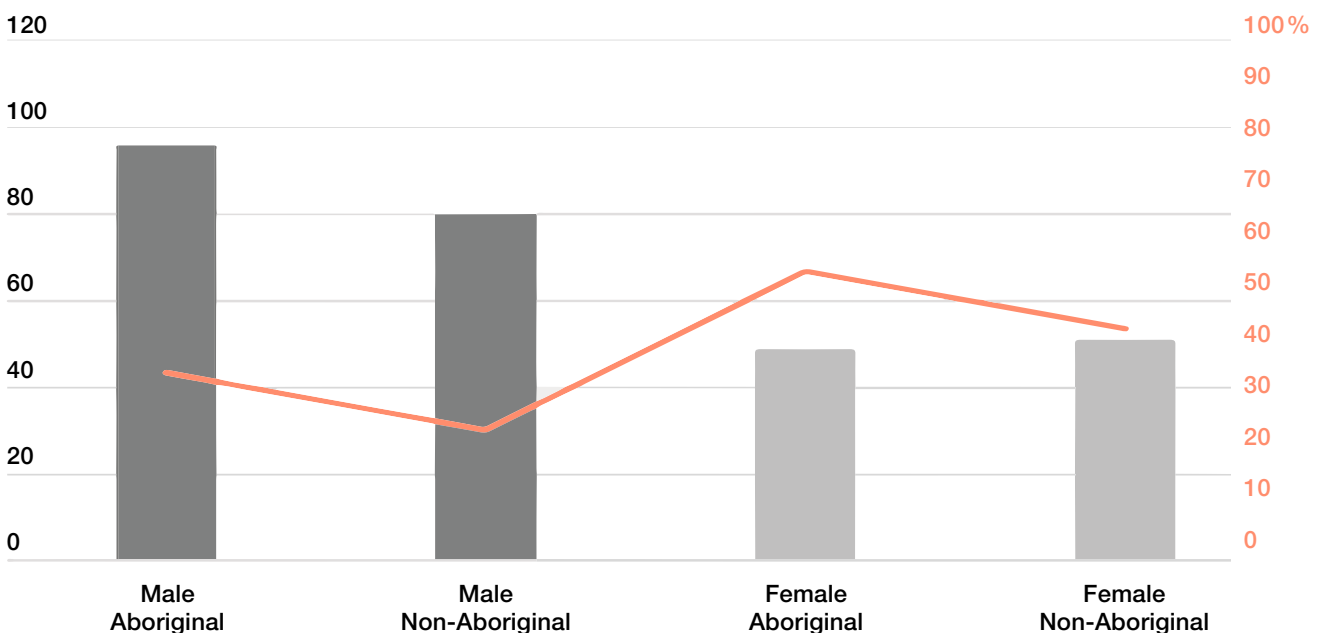
making processes that affect them, such that they themselves are helping to create their own positive alternate pathways, and connection to community and country.

Within DHS, a new Communities and Families portfolio was established in 2019. The purpose of this portfolio is to provide a coordinated, collaborative service response to children and young people at risk of entering the child protection system. This portfolio also supports alignment in the department between areas working with many of the same people and families, including Youth Justice Services, Community Services, Safer Family Services, the Early Intervention Research Directorate and the Office for Women (responsible for the state's domestic, family, and sexual violence response).

Fig 3. Dual clients

Number and percentage of young people aged 10-17 under YJ supervision in SA who also received Child Protection services, 2012-13 to 2016-17.

AIHW Young people in child protection and under youth justice supervision report (1 July 2013 to 30 June 2017)



In developing this plan, DHS led extensive consultation and co-design throughout 2018-19. Independent reports, evidence and client and community feedback were used as a basis for workshops with staff, key partner agencies, community partners, young people and Aboriginal communities.

Through our work during this process, a vision for the State Plan was identified:

Providing young people in the youth justice system and their families with connected supports, programs and services.

We will do this by:

Strengthening relationships and engagement with Aboriginal communities

Forming a transparent and accountable state-wide response

Creating an accessible suite of services supported by collaborative research and evidence.

Six key service design themes were identified and supported as shared directions, under which values statements are articulated, and form this plan's sections:

-  **Young people's wellbeing**
-  **Workforce stability and investment**
-  **Connected services**
-  **Aboriginal cultural connection**
-  **Reconnection with community**
-  **Business intelligence**

The projects identified under these six themes set the strategic work for 2020-23. These projects represent the views and voices of our many stakeholders including children and young people. The projects in this plan will involve a combination of intersecting operational, policy and strategy change that will need to occur concurrently. This will require a collaborative project approach across the sector to design and deliver the intended outcomes.

In early 2019, Chief Executives from DHS, Education and Child Protection along with the Commissioner for Public Sector Employment agreed to jointly sponsor a 'Connected Youth Journey Lab' to better understand the complexities of young people's lives and critical intervention points, including entry into, and exit out of, Youth Justice Services supervision.

The 'Journey Lab' has been used to inform how we: place young people at the centre of service and product redesign; improve the efficiency and effectiveness of systems and processes; facilitate focused and purposeful collaboration, and; make informed decisions about priorities, resources and efforts.

The Journey Lab worked with stakeholders to distil insights that helped to shape this plan. This included contributions from more than 500 visitors who helped to map how different government agencies, processes, supports, services and protective factors interact to influence a young person's trajectory through the tertiary system.

One of the executive governance group's first priorities will be to establish an outcomes framework for measuring baselines, against which we will monitor and evaluate change⁴.

⁴ See "Governance and Accountability" section.



Young people's wellbeing

“the safety, welfare and wellbeing of children and young people is inextricably linked to their culture and community”⁵

Mick Gooda, Aboriginal and Torres Strait Islander Social Justice Commissioner

Shared value

Young people's safety and wellbeing is at the heart of our services.

A contemporary youth justice system must be centred around each young person within it. A 'whole-person' approach identifies a theoretically informed⁶ and multi-systemic understanding of the underlying causes and interrelationships behind a young person's behaviours, the factors which can contribute to the persistence of difficulties, and generates a case planning approach which is sequential and identifies targeted goals for change.

Emphasis will be on building children and young people's resilience, confidence and sense of purpose, with supports tailored to each individual's needs. Including the voice of the child or young person, their family and community is crucial to improving service design, delivery and outcomes.

An inclusive understanding of the physical, psychological, emotional, developmental, social, financial and cultural aspects of a child or young person's life is required to deliver effective case management. For example, the acknowledgement, identification and appropriate response to gender diversity, age, care status, and geographical location is required in assessment and service delivery. In light of the recent global COVID-19 pandemic, there is an even greater requirement to focus on the early identification and response to the psychological, emotional and social wellbeing needs of children and young people.

The greater proportion of children and young people under supervision by Youth Justice are male (Australian Institute of Health and



Welfare⁷), however, girls and young women have different programmatic needs to help them make positive choices. This level of understanding and responsiveness is required for meaningful progress in case management, and to ensure that custodial settings will meet and exceed the expectations of the Optional Protocol to the Convention against Torture (OPCAT) National Preventive Mechanism (NPM).

For Aboriginal children and young people, connection, or reconnection, to culture and community is fundamental to supporting their identity and ability to respond positively to services and programs in the justice system. We are committed to taking an evidence-based approach to case management with a focus on wellbeing, including an overarching commitment to practice that is family inclusive, trauma responsive and culturally informed. This ensures that young people are at the centre of their own case plans, with their histories, stories and experiences informing and guiding our practice in ways that utilise their personal, family and cultural strengths. Our case management approach also enables a child or young person to understand the impact of their actions and the work they can undertake to prevent this harm reoccurring.

Young people have identified that they want independent living skills and to be equipped with the tools to advocate for their own needs, with additional support when needed. Services must be relationship-focused, with personal introductions and transitions, sound cultural knowledge and connection, an ability to respond outside of usual office hours and flexible assertive outreach that is family and community inclusive.

The *Final Report of the Royal Commission into the Protection and Detention of Children in the Northern Territory* concluded that there needs to be “a paradigm shift in Youth Justice to increase diversion and therapeutic approaches”⁸. Whilst the Royal Commission specifically focused on the Northern Territory, this need has been echoed in independent reviews of needs and practice in other jurisdictions in Australia. For example, the Telethon Kids Institute Banksia Hill project found significant levels of diagnosed and undiagnosed foetal alcohol spectrum disorder among children and young people in the system, along with a lack of appropriate assessment and therapeutic responses⁹.

⁵ humanrights.gov.au/about/news/childrens-rights-must-come-first

⁶ See, for example, Bronfenbrenner’s Ecological Systems Theory

⁷ Australian Institute of Health and Welfare 2019. Youth Justice in Australia 2017–18. Cat. no. JUV 129. Canberra: AIHW.

⁸ Royal Commission into the Protection and Detention of Children in the Northern Territory (2017)

⁹ Bower C, Watkins RE, Mutch RC, et al. Foetal alcohol spectrum disorder and youth justice: a prevalence study among young people sentenced to detention in Western Australia, *BMJ Open* 2018; 8: e019605. doi: 10.1136/bmjopen-2017-019605

An emerging body of literature identifies the connection between disability-related needs and offending behaviour for some young people¹⁰. Disability-related needs that are hidden, missed, misidentified and inadequately addressed by social service systems can increase the likelihood of young people withdrawing from education, being associated with antisocial peers and behaviours, and making poor choices, which can all increase the risk of offending behaviour. Children and young people in the justice system need to have timely access to specialised, comprehensive assessment, and operational staff require training to understand the complex needs of children and young people in custody. This highlights the need for a shared commitment to meet these complex needs.

There have been a number of calls, nationally and internationally, to raise the age of criminal responsibility. The Council of Attorneys-General Working Group is reviewing the age of criminal responsibility in Australia, and a report with recommendations will be provided at the end of 2020. To remain progressive, our youth justice system must consider how best to work with families, communities and partners to support and foster the growth of young children who are at risk of future contact.

¹⁰ For example, see: Bower et al (2017); Frize, Kenny & Lennings (2008); and Snow, P.C., Bagley, K. and White, D. (2017).







Initiatives underway

To inform our approach and to better understand the wellbeing needs of the children and young people we work with, the Youth Justice Assessment and Intervention Services team led a Disability Screening Assessment project in Kurlana Tapa in 2019. This provided insights into the prevalence, complexity and impact of disability needs, to improve responses to children and young people under Youth Justice Services supervision. The project investigated intellectual functioning, expressive and receptive language, visual motor processing, executive functioning, sensory processing, criminogenic need and mental health.

Nine out of ten young people were found to be at risk for language disorder, below average for intellectual functioning, and at moderate or high risk of reoffending.

The project identified multiple areas of disability-related need, and high levels of criminogenic risk and need, all of which impact on service engagement, service delivery and therapeutic activities within young people's case plans.



To promote young people's wellbeing, **we will:**

1

Continue delivering on actions in line with recommendations from the Ombudsman SA and Training Centre Visitor, including:

- a. Ceasing the use of resident worn spit protection at Kurlana Tapa
- b. Reviewing the use of isolation, segregation and force (including mechanical restraint)
- c. Implementing alternatives to partially clothed searches, so that these are a last resort
- d. Improving incident review and client feedback processes
- e. Ensuring supports for children and young people are inclusive.

2

Develop and deliver a consolidated Programs Framework and Delivery Plan in partnership with the sector that addresses areas of priority needs and support.

3

Implement improvements identified in the Youth Justice Assessment and Intervention Services Disability Screening project, to ensure assessment and intervention needs are met in a timely manner.

4

Design and implement a revised assessment approach incorporating information sharing between agencies, including specifically considering the needs of Aboriginal young people, young people with disability, LGBTIQ+ people, people from CALD backgrounds, individual criminogenic risks and needs, past trauma, learning needs, and understanding the impact of crime.

5

Work with service partners to formalise, resource, monitor and review connections with existing family-focused programs and services, including those specifically designed for young parents and family engagement.

Workforce stability and investment

“ as per trauma-informed practice, providing training to individual staff members and teams related to ‘informed’ and better practice will only have minimal impact unless the systems, processes and environment are also changed to support this practice”

Youth Justice staff member

Shared value

We equip our people to understand and support young people, their needs, networks and culture.

An effective system delivering positive outcomes for children and young people is reliant on having a safe, well-trained and motivated workforce. Staff have told us that, to achieve this, we must provide more professional development, training and mobility opportunities, and methods to strengthen relationships across agencies.

The work our staff do is complex. There is an inherent challenge in providing statutory services, while meeting complex safety and security needs. According to the Harvard Business Review (Gaffe & Jones, 2013), the best employers are those which support individuality, foster clear and honest communication, build on staff strengths, use values to foster workplace pride, meaningful work, and simple and fair rules.

In order to continuously improve how we identify and respond in our environment, we need clear, effective and accountable procedures and systems. This includes having a strong ‘business model’: a staffing structure with clear areas of responsibility and governance. It also relies on listening to the voices of staff and stakeholders to help us continuously improve and innovate, in partnership.



Attraction and retention of skilled and knowledgeable staff across all levels remains an ongoing area of focus. Aboriginal staff are critical for engaging with, and delivering positive outcomes for, Aboriginal children and young people, therefore improved Aboriginal training and employment pathways are required. Cultural expertise must be valued akin to professional expertise. Building an Aboriginal workforce would further develop the cultural understanding of non-Aboriginal staff to better meet the needs and aspirations of Aboriginal children and young people.

Initiatives underway

In 2019, DHS commenced rollout of the TeamGage tool. This tool provides employees across the department with the opportunity to provide anonymous feedback related to six core metrics. The monthly survey is quick and easy, able to be completed in only two minutes. The metrics chosen for feedback directly related to areas identified for improvement through an early whole of government survey called Your Voice, coordinated by the Office for the Commissioner for the Public Sector.

The six core metrics are:
Communication, Innovation,
Trust, Collaboration,
Fulfillment and Impact.

This tool will be a critical part of monitoring staff feedback to inform our continuous improvement approach.

To invest in our staff

we will:

1

Implement a new staffing structure, with clearer areas of responsibility and governance for Youth Justice.

2

Increase recruitment and retention of Aboriginal staff in Youth Justice.

3

Review internal staff communication processes to identify opportunities for improving information sharing, learning and development and staff engagement.

4

Implement an enhanced training agenda for staff including priority focus in the areas of trauma responsiveness, cultural safety, Aboriginal languages, disability, substance misuse and family inclusive practice.

5

Invest in modern technologies, such as body scanners and body worn cameras, to strengthen safety and security of staff and young people at Kurlana Tapa.

6

Deliver evidence-based models of therapeutic care which incorporate specialist allied health expertise.

7

Contribute to a Communities of Practice approach, where skills and knowledge are shared among service partners.

8

Build capacity and staff morale through improving formalised development pathways for all staff, shared professional development opportunities, mobility options, formalised staff recognition and capability mapping.



Connected services

“ I want my worker to come with me to meet my teacher, so I know them and they know me”

Young person under Youth Justice Services supervision

Children and young people need consistent support and stable one-on-one, trusting relationships with service providers especially at critical times of change, such as when transitioning in and out of custody. Through Journey Lab insights, young people and those who work closely with them identified that authentic and ongoing relationships were a key determinant of better outcomes.

The Youth Justice case management approach is designed to support children and young people to make positive choices towards their reintegration into the community. An overwhelming number of contacts and assessments, with retelling of one’s story, can be frustrating and re-traumatising. According to Journey Lab feedback, few professional relationships persist through the critical period following release from custody.

Evidence of the value of connecting services is repeatedly cited by reports, including the comprehensive independent review of Victoria’s youth justice system in 2017¹¹, and via consultation with stakeholders at every level of engagement. This is particularly relevant for services which provide supports beyond the duration of a Youth Justice Services mandate, in particular the Department for Child Protection’s service provision for dual clients.

Shared value

We provide holistic, flexible and connected services to achieve positive lived experiences and lasting outcomes for children and young people, families and communities.

11 Armytage and Ogloff (2017), Youth Justice Review and Strategy: meeting needs and reducing offending.



South Australian legislation supports the principle of detention as a last resort. It is recognised, however, that at times factors other than the risk of reoffending can influence whether a young person is diverted from more formal forms of justice response. These can include the presence or absence of stable accommodation, supportive relationships and prosocial peers, clear service delivery options to support desistance from offending and school engagement.

We know that family, communities and peers play a pivotal role in a child or young person's life, and local and accessible supports may be needed to strengthen these relationships. Where there is risk of homelessness, supported accommodation options can provide a place of safety and connection. Solutions also require flexibility. Sector partners have consistently highlighted the need to work differently with 8 to 14-year-old children and young people.

Partnerships across governments provide for effective and appropriate sharing of information to better understand critical points and precursors in a child or young person's life and can be used to inform prevention strategies. For example, partnership with Child and Adolescent Mental Health Services provides opportunities to review and strengthen mental health approaches and life-course considerations in service design.

Victims of crime must be recognised and their voices empowered by the justice system. Connected agencies with mechanisms for consulting effectively with victims and their families is a vital step toward healing.

“ If we're serious about rehabilitation in youth justice, we need to get serious about designing and evaluating effective systems of case management”

Shelley Turner, Monash University¹²

¹² Turner, S. (2019). Rehabilitation and case management: What do the recent major reviews of youth justice tell us?. Abstract from Australasian Youth Justice Conference 2019, Sydney, Australia.

To deliver better connected services

we will:

1

Improve diversionary and statutory practice through partnerships with the Attorney-General's Department, Courts Administration Authority, Department for Correctional Services and the South Australia Police.

2

Partner with Community Services, including Metropolitan Aboriginal Youth and Family Services (MAYFS) and Aboriginal Community Controlled Organisations, to effectively respond to the needs of Aboriginal children and young people.

3

Partner with the Department for Child Protection to better meet the needs of dual clients.

4

Deliver a targeted approach for school re-engagement through the Youth Education Centre.

5

Work collaboratively to increase shared accountability for information sharing, consistent approaches, identification of challenges and elimination of duplication when working with children and young people in the youth justice system.

6

Strengthen end-to-end case management and ensure the young person's voice is at the centre of assessment, planning and service delivery.

7

Further develop and market the Youth Justice Victims' Register to empower victims of crime, and consider their voices in understanding the impacts of crime.

8

Work with the Youth Education Centre to increase accessibility of education for all children and young people in custody including those with learning difficulties, disability, trauma, disadvantage, or placed on restricted routines.



Aboriginal cultural connection

“Always support the self-determination of Aboriginal peoples and understand that for strategies to really work, Aboriginal communities must feel they have ownership of these directions”

Youth Justice Aboriginal Advisory Committee

Shared value

We will ensure the voices of Aboriginal communities inform and promote strong connection to family, communities, culture, country and language.

Aboriginal children and young people are over-represented at all stages of the youth justice system, particularly in detention. Aboriginal children and young people in South Australia make up nearly 5% of the population aged 10-17 years (December 2018). On a daily average, 50% of the children and young people aged 10-17 in community-based supervision, and 63% of those in Kurlana Tapa, are Aboriginal¹³. Aboriginal children and young people are more likely to have their first contact with the system at a young age, to have multiple contacts, and to experience multiple episodes of supervision. This data needs to be understood, and acted upon, to bring change.

The YJAA recognises the over-representation of Aboriginal young people in the justice system. The Aboriginal Youth Justice Principle, contained in the Youth Justice Administration Regulations 2016, requires that family and community are active participants in case planning, assessment and decision making for Aboriginal young people. We will use the Principle as a fundamental guiding approach in all projects carried out through this State Plan.

¹³ Productivity Commission (2020) Report on Government Services Tables 17A.5, 17A.6, 17A.28



For Aboriginal children and young people in the system, there is a need to support a process of healing and cultural connection. Connection to family, community, Elders, culture and language are all crucial parts of personal development and achieving positive outcomes. Providing Aboriginal children and young people with opportunities to also become positive role models for others will help to influence the pattern of over-representation over time.

Aboriginal family and community have expressed their desire for opportunities to connect and collaborate with culturally appropriate services and supports, with advocates who understand the complexity of the issues children and young people face.





Aboriginal and Torres Strait Islander Youth Justice Principle

For the purposes of the Act, the Aboriginal and Torres Strait Islander Youth Justice Principle is as follows:

- a** that, in acknowledging the diversity of Aboriginal and Torres Strait Islander communities, the individual cultural identity of Aboriginal and Torres Strait Islander youths be recognised and their beliefs and practices be supported, respected and valued;
- b** that Aboriginal and Torres Strait Islander youths will be supported to uphold their cultural responsibilities and have access to, and participation in, cultural ceremonies, funerals and cultural practices, relevant to their individual cultural identity;
- c** that assessment, case planning and decision making in respect of an Aboriginal or Torres Strait Islander youth includes consultation with relevant Aboriginal and Torres Strait Islander people or organisations to assist the youth;
- d** that, where it is appropriate to do so, the identified family, significant person and community of an Aboriginal or Torres Strait Islander youth are participants in assessment, case planning and decision making for the youth;
- e** that Aboriginal and Torres Strait Islander youths are provided with programs, services and supports that have regard to their age, maturity and individual cultural identity;
- f** that the assessment of appropriate accommodation in a training centre will consider the individual cultural identity of Aboriginal and Torres Strait Islander youths;
- g** that, where necessary, Aboriginal and Torres Strait Islander youths will be provided with interpreters and, where possible, translated documents;
- h** that the particular health, education and wellbeing needs of Aboriginal and Torres Strait Islander youths are considered and, where practicable, met;
- i** that officers of the Department actively participate in cultural training and demonstrate culturally respectful engagement;
- j** that the Department actively recruits and supports the retention of Aboriginal and Torres Strait Islander staff.



Initiatives underway

Yunga Nungas – a ‘whatever it takes’ approach

The Yunga Nungas program is an intensive response for Aboriginal young people with complex needs involved in the youth justice system. With support from Community Services, DHS, young people co-designed the program based on their needs, interests and future aspirations. The structured program aims to strengthen the young people’s culture and identity, social and emotional wellbeing, family supports, health and fitness, numeracy and literacy, employment and work readiness skills. As a group, the young people were supported to build and repair relationships, problem solve, play an active role in challenging their offending behaviours and to support one another to make positive changes. Supported by the Mums and Grannies group, the young people and their families have shared ownership of the group and their achievements. The success of this methodology is being utilised to inform core business on an ongoing basis in MAYFS.

“Buthera Agreement” Cultural Connection Pilot Program

Youth Justice and Community Services have co-developed a program of work in partnership with the Narungga Nations Aboriginal Corporation (NNAC) to provide cultural activities for young people at risk of contact with the youth justice system. An initial camp was held on traditional Narungga land in November 2019, where young people were engaged to design and coordinate the content of the camp and the associated pre- and post-camp activities. These activities included a strong focus on wellbeing, language, engagement with Elders, and transition opportunities including education, training and employment pathways and connection to culture. Outcomes of the program include: greater connection to community, Kinship Elders, family and peers support; reduction in substance misuse; and a platform for setting future aspirations, such as respect, leadership and taking responsibility.

To facilitate Aboriginal cultural connection **we will:**

1

Support Aboriginal children and young people to identify their own cultural pathways as custodians of their own stories, including through shared use of cultural tools across services (eg *Circles of Trust* cultural engagement tool and the *My Journey* individual cultural pathway tool).

2

Finalise the Youth Justice Aboriginal Engagement Plan to formalise how we bring the voices of Aboriginal communities into all activities supporting Aboriginal young people, their families and their communities.

3

Deliver an Elders visiting program in Kurlana Tapa and explore a community-based equivalent.

4

Engage young people and community to design and develop an Aboriginal cultural trail and cultural connection space at Kurlana Tapa.

5

Build on the learnings from *Narungga Nations pilot cultural connection program* as an exemplar for further cultural connection initiatives.

6

Work with communities and partners to increase learning of language and culture in Kurlana Tapa.



Reconnection with community

“ I want to be a mentor to my siblings and cousins”


Young person under Youth Justice Services supervision

We know that reducing reoffending requires more than the statutory supervision of children and young people. Crime has devastating impacts on victims and the community more broadly. This State Plan is therefore designed to deliver services that provide better opportunities for children and young people to achieve positive outcomes with pro-social behaviours, therefore improving community safety.

Youth Justice, together with sector partners, is required to provide services which support children and young people to address their offending behaviour, including programs and individualised interventions. Many supports are interrupted or simply stop when a child or young person transitions from custody to community. These supports are critical in the first 24-48 hours after release when a child or young person most needs stability when settling back into life in the community (Journey Lab insight). For example, some children and young people may need further support for transport, accommodation, access to clothes, food or money upon release.

Shared value

We are clear on our role in supporting children and young people to connect to community, while maintaining community safety and acknowledging the impact on victims of crime.



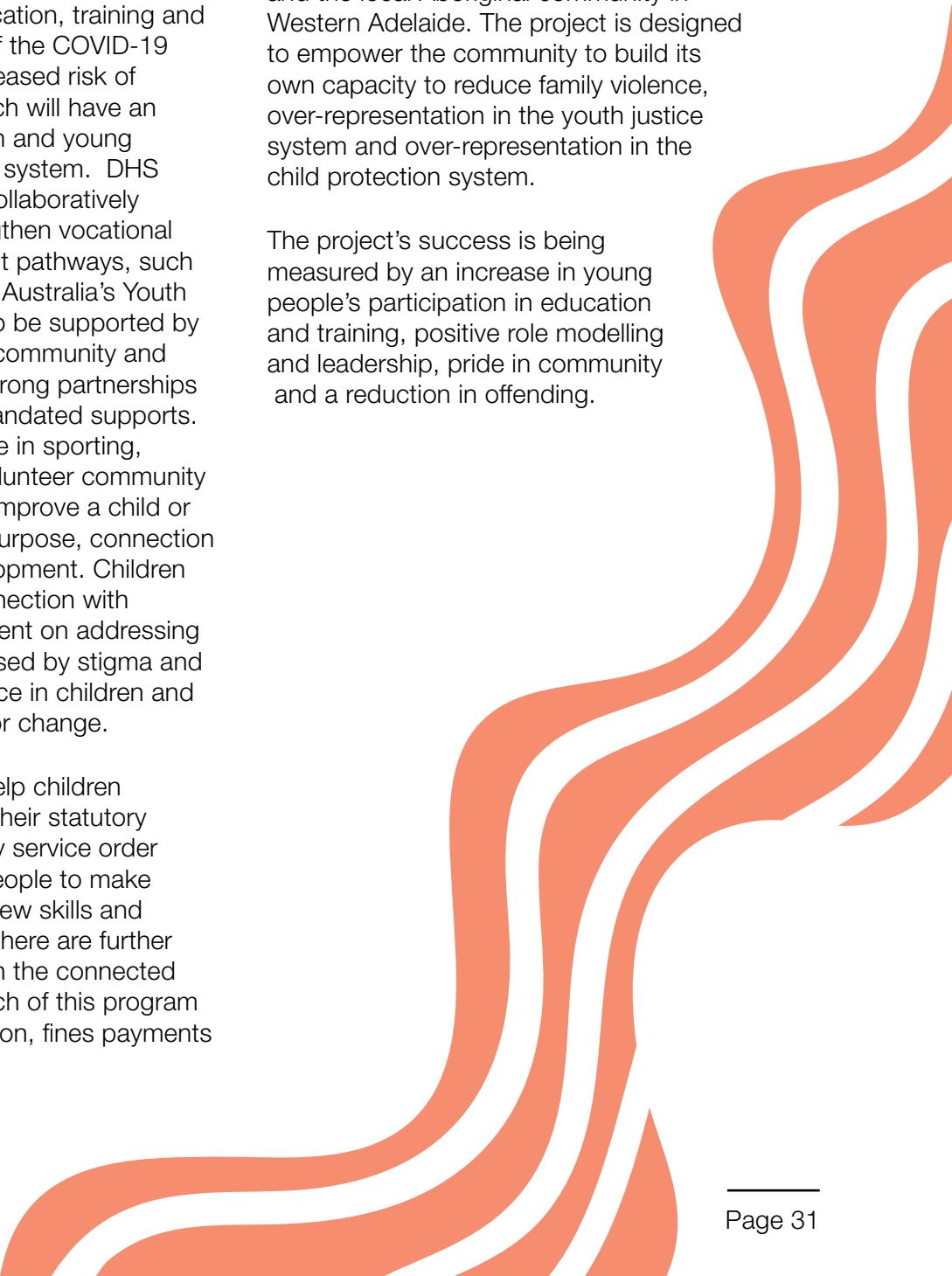
A holistic approach is required for the individual needs of children and young people; prosocial community relationships are known to be a powerful protective factor against criminal reoffending. In this context, community connection includes effective pathways to education, training and employment. As a result of the COVID-19 pandemic, there is an increased risk of youth unemployment, which will have an adverse impact on children and young people in the youth justice system. DHS is committed to working collaboratively with key partners to strengthen vocational education and employment pathways, such as those outlined in South Australia's Youth Action Plan. These need to be supported by coordinated services and community and family connections, with strong partnerships between pre- and post-mandated supports. Opportunities to participate in sporting, recreational, creative or volunteer community activities can significantly improve a child or young person's sense of purpose, connection and positive identity development. Children and young people's reconnection with community is also dependent on addressing the reality of the harm caused by stigma and promoting public confidence in children and young people's capacity for change.

For example, in order to help children and young people to fulfil their statutory obligations, the community service order program enables young people to make restitution whilst building new skills and opportunities. We believe there are further opportunities to strengthen the connected community-based approach of this program as a key option for restitution, fines payments and rehabilitation.

Initiatives underway

The **Tiraapendi Wodli Project** is a joint initiative between DHS, Australian Red Cross and the local Aboriginal community in Western Adelaide. The project is designed to empower the community to build its own capacity to reduce family violence, over-representation in the youth justice system and over-representation in the child protection system.

The project's success is being measured by an increase in young people's participation in education and training, positive role modelling and leadership, pride in community and a reduction in offending.





To enhance connection to community **we will:**

1

Strengthen pathways for children and young people's access to targeted training and employment opportunities through increased partnerships with the Department for Innovation and Skills.

2

Design and adopt a set of agreed dashboard of outcome measures with our partners that will be used to monitor change for young people under this State Plan, and use these to inform where we invest further resources.

3

With advice from the Training Centre Review Board, and in consultation with Aboriginal community, review the policies on leave from Kurlana Tapa (section 34 and 40 YJAA), and the process to support Conditional Release applications, to strengthen transition to community.

4

Leverage existing community programs (including those commissioned in the non-government sector) to better utilise pro social, sports and recreational activity for young people.

5

Develop a communications strategy to improve public knowledge, with the view to fostering more positive community re-integration for young people exiting custody.

6

Bolster service delivery across government and non-government agencies to support the crucial 24-48 hours post-release.

7

Implement a Youth Justice Advisory Board comprising young people with lived experience across the youth justice system, to further embed the voices of young people in youth justice service delivery and decision-making.



Journey Lab insight

The Connected Youth Journey Lab has demonstrated that the experiences of young people exiting custody are diverse. That said, a common theme emerged around the range of individual and family needs in this critical transition time. Whilst many organisations offer support in the weeks and months post-release, often the onus is on the young person or their family to try and navigate with, and connect to, multiple services, indicating a need for improved assertive outreach.

Many young people describe barriers in connecting to services and a delay in access due to the 9am-5pm nature of service provision. In many cases, it was noted that young people had returned to custody within 48 hours of release where strong throughcare may have been lacking. This is particularly the case when young people are released under no ongoing Youth Justice mandate.

Business Intelligence

“When information about risk is not shared, workers operate in isolation, resulting in an incomplete understanding of the complex needs and interconnected circumstances of their clients.”

Megan Philpot, Acting SA Ombudsman, Information Sharing Guidelines for promoting safety and wellbeing

A contemporary system requires robust, high-quality collaborative research that supports and informs policy development and decision making and enhances workforce skills and program delivery to improve services for our children and young people.


The South Australian Government has passed legislation (*Public Sector (Data Sharing) Act 2016*) to support and facilitate the sharing of data between public sector agencies, and between public sector agencies and other organisations. The legislation aims to promote public sector data as a public asset and enables data-driven evaluation of policy, programs and services. Through this, and other existing data agreements, we have the capability to safely and responsibly manage data linkage projects.

Collecting quality data can improve how we understand children and young people, plan services, conduct case management, support staff, set optimal outcome-based measurables, and meet the expectations of victims of crime. In conducting this work, we will respect the data sovereignty of Aboriginal peoples and communities.

Sharing data between agencies provides an opportunity to see and respond to a much bigger picture than individual interactions with a single system; by understanding patterns among communities across connected systems over time, we are better informed to make decisions about intervention opportunities.

Shared value

We are committed to improvement in the collection, sharing and analysis of data for decision making and research.



Investment in research is important to ensure services are effective by evaluating outcomes. By working collaboratively with the DHS Early Intervention Research Directorate, there is potential to leverage existing data, insights and strategic direction.

Good business intelligence requires the innovative use of technology, and we need to continue to build capability, develop

collaborative and innovative workplace culture, and invest in the tools we need to have a contemporary approach. Through the COVID-19 pandemic, we have developed new ways of working, including utilising new technologies. Through our business intelligence focus, we will continue to build on these improvements to support flexible ways of working and delivering services.

To build business intelligence **we will:**

1

Review and improve client feedback processes to continuously inform practice effectiveness.

2

Develop a community-informed three-year research agenda to inform practice and innovation through partnerships with universities and the non-government sector, and identify opportunities for research translation.

3

Build a more sophisticated understanding of Youth Justice populations and trends through shared data projects.

4

Ensure business intelligence and data sharing initiatives are on agendas for regular meetings with key service partners to support appropriate information sharing.

5

Score requirements for a future-focused case management tool that connects logging requirements across Youth Justice services.

6

Conduct a micro-pilot as a try-test-learn for roaming tablet use by Youth Justice staff.

Governance and accountability

Strong governance is critical to solidify, implement and monitor cross-agency accountability for service delivery and collaborative practice. Together, the following elements form the Governance Framework:

Oversight

Ministerial oversight provided by the Social Affairs Cabinet Committee (SACC) and the Justice and Legislative Reform Cabinet Committee for any legislative reform.

Accountability and Direction

Relevant government and non-government agencies drive partnerships across systems and monitor agreed shared priorities.

Implementation

Partner agencies work to implement agreed actions priorities.

Reporting to SACC will be a Youth Justice Executive Steering Group, comprising executive membership from the following agencies:

- Department of Human Services
- Department for Child Protection
- Department for Education
- Department for Innovation and Skills
- Department for Health and Wellbeing
- Attorney-General's Department
- Department of Correctional Services
- South Australia Police
- Courts Administration Authority
- Aboriginal Affairs and Reconciliation (Department of the Premier and Cabinet)
- South Australian Housing Authority.

The initial priorities for this new Steering Group will be:

Determining project teams for the completion of each identified action

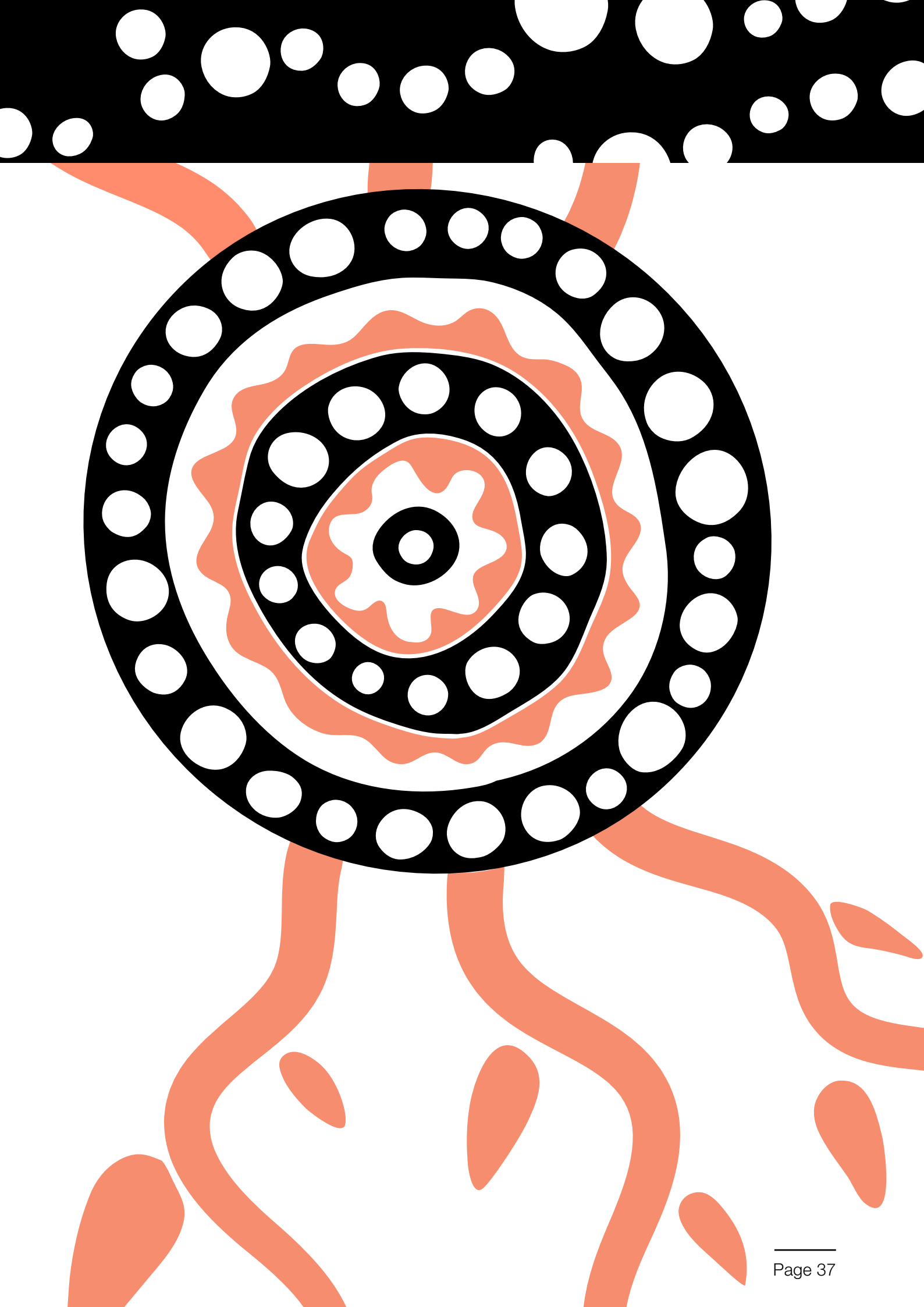
Prioritising projects and setting timeframes for delivery

Finalising an outcomes framework with which to measure system performance

The established Youth Justice Aboriginal Advisory Committee (YJAAC) will continue to provide advice to the Steering Group and project working groups. Opportunities for further engagement with the non-government sector will be sought to support implementation of shared priorities.

A number of strategic relationships with statutory offices support a transparent and progressive youth justice system in South Australia. This includes ongoing independent visiting, advocacy and inspection functions of the Training Centre Visitor, OPCAT NPM, oversight and current reporting requirements to the Ombudsman SA, and shared priorities with the Commissioner for Aboriginal Children and Young People, the Commissioner for Children and Young People and the Commissioner for Victims' Rights.

An update on the plan's progress will be made publicly available in May 2021.



Delivery plan

Project	Partners	Lead	Timeframe	Area(s)	
Young people’s wellbeing - Young people’s safety and wellbeing is at the heart of our services.					
1.1	Continue delivering on actions in line with recommendations from the Ombudsman SA and Training Centre Visitor	TCV, Ombudsman	DHS	30 June 2021	Strategy, Policy and Operational
1.2	Develop and deliver a consolidated Programs Framework and Delivery Plan	NGOs, Education, SA Health	DHS	30 June 2021	Strategy
1.3	Implement improvements identified in the Youth Justice Assessment and Intervention Services Disability Screening project	SA Health	DHS	30 June 2021	Strategy, Policy and Operational
1.4	Design and implement a revised assessment approach incorporating information sharing between agencies, including specifically considering the individual needs of children and young people, and understanding the impact of crime	DCP, SA Health, Education, Commissioner for Victim’s Rights	DHS	31 Dec 2022	Strategy, Policy and Operational
1.5	Formalise, resource, monitor and review connections with existing family-focused programs and services	DCP, SA Health, Education	DHS	31 Dec 2022	Strategy, Policy and Operational
Workforce stability and investment - We equip our people to understand and support young people, their needs, networks and culture.					
2.1	Implement a new staffing structure, with clearer areas of responsibility and governance for Youth Justice		DHS	30 June 2020	Strategy
2.2	Increase recruitment and retention of Aboriginal staff	DPC-AAR	DHS	31 Dec 2023	Strategy
2.3	Identify opportunities for improving information sharing, learning and development and staff engagement		DHS	30 June 2020	Strategy and Operational
2.4	Implement an enhanced training agenda	DCP, SA Health, Education	DHS	30 June 2021	Strategy, Policy and Operational
2.5	Invest in modern technologies, to strengthen safety and security of staff and young people at Kurlana Tapa		DHS	31 Dec 2020	Strategy, Policy and Operational
2.6	Deliver evidence-based models of therapeutic care	DCP, SA Health	DHS	31 Dec 2023	Strategy, Policy and Operational

Project	Partners	Lead	Timeframe	Area(s)	
2.7	Contribute to a Communities of Practice approach	DCP, SA Health, Education, NGOs, DHS	Joint	30 June 2022	Strategy, Policy and Operational
2.8	Improve formalised development pathways for all staff		DHS	30 June 2021	Strategy
Connected services - We provide holistic, flexible and connected services to achieve positive lived experiences and lasting outcomes for children and young people, families and communities.					
3.1	Improve diversionary and statutory practice	CAA, DCS, SAPOL, AGD	DHS	31 Dec 2023	Strategy, Policy and Operational
3.2	Effectively respond to the needs of Aboriginal children and young people	MAYFS, Aboriginal Communities, Controlled Organisations	DHS	30 June 2021	Strategy, Policy and Operational
3.3	Better meet the needs of dual clients	DCP	DHS	30 June 2021	Strategy, Policy and Operational
3.4	Deliver a targeted approach for school re-engagement	YEC	DHS	30 June 2021	Strategy
3.5	Increase shared accountability for information sharing, consistent approaches, identification of challenges and elimination of duplication	DCP, Education, DCS, SAPOL, DHS	DHS	30 June 2021	Policy and Operational
3.6	Strengthen end-to-end case management and ensure the young person's voice is at the centre of assessment, planning and service delivery	DCP, SA Health, Education, Commissioner for Victim's Rights	DHS	30 June 2022	Policy and Operational
3.7	Further develop and market the Youth Justice Victims' Register	Commissioner for Victim's Rights Consultative Committee, CAA	DHS	31 Dec 2020	Strategy, Policy and Operational
3.8	Increase accessibility of education for all children and young people in custody	Education, Aboriginal Communities	DHS	30 June 2021	Strategy, Policy and Operational

Project	Partners	Lead	Timeframe	Area(s)	
Aboriginal cultural connection - We will ensure the voices of Aboriginal communities inform and promote strong connection to family, communities, culture, country and language.					
4.1	Support Aboriginal children and young people to identify their own cultural pathways	MAYFS	DHS	31 Dec 2020	Operational
4.2	Finalise the Youth Justice Aboriginal Engagement Plan	YJAAC, Aboriginal Communities	DHS	31 Dec 2021	Strategy
4.3	Deliver an Elders visiting program in Kurlana Tapa and explore a community-based equivalent	DCS, DCP, Education, Aboriginal Communities	DHS	31 Dec 2021	Operational
4.4	Design and develop an Aboriginal cultural trail and cultural connection space at Kurlana Tapa		DHS	30 June 2020	Strategy
4.5	Build on the learnings from Narungga Nations pilot cultural connection program	NNAC, MAYFS	DHS	31 Dec 2023	Strategy
4.6	Work with communities and partners to increase learning of language and culture in Kurlana Tapa	Education, AAR Aboriginal Communities	DHS	30 June 2022	Strategy and Operational
Reconnection with community - We are clear on our role in supporting children and young people and to connect to community, while maintaining community safety and acknowledging the impact on victims of crime.					
5.1	Strengthen pathways for young people's access to targeted training and employment opportunities	DIS	DHS	30 June 2022	Strategy
5.2	Design and adopt a set of agreed outcome measures	DCP, Education, SA Health	DHS	31 Dec 2020	Strategy
5.3	Review the policies on leave from Kurlana Tapa (section 34 and 40 YJAA), and the process to support Conditional Release applications	CAA, TCRB, Aboriginal Communities	DHS	30 June 2021	Policy and Operational
5.4	Leverage existing community programs	NGOs	DHS	30 June 2021	Operational
5.5	Develop a communications strategy		DHS	30 June 2021	Strategy
5.6	Support the crucial 24-48 hours post-release	DCP, SA Health, Education, SAHA	DHS	30 June 2021	Strategy and Operational
5.7	Implement a Youth Justice Advisory Board comprising young people with lived experience across the youth justice system	Red Cross, Commissioner for Children and Young People, Commissioner for Aboriginal Children and Young People	DHS	30 June 2021	Strategy, Policy and Operational

Project	Partners	Lead	Timeframe	Area(s)	
Business intelligence - We are committed to improvement in the collection, sharing and analysis of data for decision making and research.					
6.1	Review and improve client feedback processes	TCV	DHS	31 Dec 2020	Strategy, Policy and Operational
6.2	Develop a community-informed three-year research agenda and identify opportunities for research translation	Universities, NGOs	DHS	31 Dec 2023	Strategy
6.3	Build a more sophisticated understanding of Youth Justice populations and trends	DCP, SA Health, Education, Universities	DHS	30 June 2021	Strategy
6.4	Ensure business intelligence and data sharing initiatives are on agendas for regular meetings with key service partners	DCP, Education, SA Health, CAA	Joint	31 Dec 2020	Strategy
6.5	Progress a future-focused case management tool that connects logging requirements across Youth Justice services		DHS	30 June 2021	Strategy and Operational
6.6	Conduct a micro-pilot as a try-test-learn for roaming tablet use by Youth Justice staff		DHS	30 June 2021	Operational

Abbreviations

AAR	Aboriginal Affairs and Reconciliation (Department of the Premier and Cabinet)
AGD	Attorney-General's Department
CAA	Courts Administration Authority
DCP	Department for Child Protection
DCS	Department for Correctional Services
Education	Department for Education
MAYFS	Metropolitan Aboriginal Youth and Family Services (Department of Human Services)
NGO	Non-Government Organisation
OPCAT	Optional Protocol to the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
SAPOL	South Australia Police
TCV	Training Centre Visitor
YJAAC	Youth Justice Aboriginal Advisory Committee

Glossary



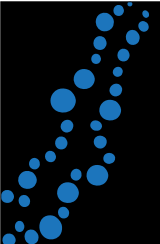



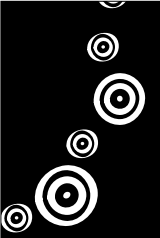

Aboriginal	In this document “Aboriginal” refers to all Aboriginal and Torres Strait Islander peoples.
Assessment	Assessment is the systematic collection, review, and purposeful use of client related information which may utilise standardised validated assessment tools, be primarily based on professional discretion, or a combination of both.
Bail	Following a period of remand, a court may order a child or young person to be released into the community pending the outcome of the trial. Bail may be supervised or unsupervised.
Carers	Family members, guardians or friends who are responsible for the unpaid care of a client.
Child	A person under the age of 18 years.
Detention	A sentencing option for courts when a young person is sentenced to serve time in a training centre. South Australia’s only training centre is Kurlana Tapa.
Dual client	A client of both Youth Justice (DHS) and the Department for Child Protection.
Elders	An Aboriginal Elder is someone who has gained recognition within their community as a custodian of knowledge, and who has permission to disclose cultural knowledge and beliefs.
Kurlana Tapa	South Australia’s only training centre, which provides a safe and secure environment for young people in custody. Kurlana Tapa means “New Path” in Kurna language.
Over-representation	A disproportionate representation of a particular cohort, such as Aboriginal children and young people in contact with the youth justice system.
Remand	The act of placing in custody a child or young person who is accused of an offence to await trial or the continuation of the trial.
Youth	A person of or above the age of 10 years, but under the age of 18 years. In relation to proceedings for an offence, includes a person who was under the age of 18 years on the date of the alleged offence.

'Cultural Maintenance'

“ This artwork is a fusion of symbols that represent the Department of Human Services' Reconciliation Action Plan vision. It reflects many values that help to build the capacity of DHS, visually piecing together a waveform that represents cohesion and connectedness as an organisation.

The artwork reflects the department's commitment to reconciliation, ensuring the betterment of Aboriginal health and creating a community that is safe, inclusive and welcoming to all Aboriginal people.”

- Allan Sumner, Artist

	Protection This element represents sand. The same way sand naturally protects against erosion we must also protect and maintain our culture, language and values.		Sustainability This symbol represents water and fresh water springs representing the flow of life, renewal and how water sustains life in cycles spanning generations.		Accountability Two journey lines represent Aboriginal elders who are responsible for teaching our young ones, and leading them on the right path. Their approach may not be the same, but their message is consistent.
	Collaboration A woven pattern found in traditional basket weaving represents working together for a strong, collective solution. The strands weave together, forming a robust, functional basket.		Innovation This symbol represents a tree root growing under the ground, and winding its way around obstacles on its journey, creating new paths as it grows bigger and stronger.		Culture Aboriginal identity is our culture - it is our home and our comfort; our safe place. This symbol represents that shelter and the cultural collective of Aboriginal community groups across SA.
	Inclusiveness This symbol represents the coming together of professionals, providing collaborative opportunities for people to learn about issues for Aboriginal people.		Support This symbol represents gathering sites; places where support is offered to families and communities that is culturally safe.		Growth This symbol represents a living tree that is being sustained by water. Like the tree, our organisation provides opportunities for personal growth and self-development.



**Government
of South Australia**

Department of Human Services