



Australia's Youth Justice and Incarceration System

October 2024



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Our commitment to inclusion

The Salvation Army Australia acknowledges the Traditional Owners of the land on which we meet and work and pay our respect to Elders, past, present and future.

We value and include people of all cultures, languages, abilities, sexual orientations, gender identities, gender expressions and intersex status. We are committed to providing programs that are fully inclusive. We are committed to the safety and wellbeing of people of all ages, particularly children. Our values are:

- Integrity
- Compassion
- Respect
- Diversity
- Collaboration

The Salvation Army is a worldwide movement known for its acceptance and unconditional love for all people. We love unconditionally, because God first loved us. The Bible says, “God so loves the world” (John 3:16, RGT). As both a church and charity, we believe all people are loved by God and are worthy of having their needs met. Everyone is welcome to find love, hope, and acceptance at The Salvation Army.

The Salvation Army Australia Territory wishes to acknowledge that members of the LGBTIQA+ community have experienced hurt and exclusion because of mixed comments and responses made in the past. The Salvation Army is committed to inclusive practice that recognises and values diversity. We are ensuring our services affirm the right to equality, fairness, and decency for all LGBTIQA+ people, rectifying all forms of discriminatory practice throughout the organisation.

We seek to partner with LGBTIQA+ people and allies to work with us to build an inclusive, accessible, and culturally safe environment in every aspect of Salvation Army organisation and services. Everyone has a right to feel safe and respected.

Learn more about our commitment to inclusion: <salvationarmy.org.au/about-us>

More information about The Salvation Army is at **Appendix A**.





Executive summary

The Salvation Army welcomes the opportunity to provide this submission to the Legal and Constitutional Affairs References Committee (the Committee) in relation to the Inquiry into Australia's Youth Justice and Incarceration System (the Inquiry).

The Salvation Army provides a range of services that support children and young people across Australia. These include, but are not limited to, housing and homelessness, education, employment and training, social and community activities, drug and alcohol services, and youth justice programs. A list of the services we provide for young people at risk of offending, or involved with the justice system, can be found in **Appendix B**.

We have approached this submission from the perspective of our service providers, bringing to the Committee's attention the critical and overarching need for youth justice reform to be compassionate, holistic, and prioritise safeguarding. At the heart of our submission is the need to prioritise the unique needs, rights and best interests of children and young people when designing, developing and delivering justice responses. Our submission addresses the following:

- **Repairing the harms caused by incarceration and justice responses.** We recognise that incarceration and justice responses are traumatising, and locking up children does not free communities from crime. Responses must do no further harm to children and young people who offend.
- **Partnering with Aboriginal and Torres Strait Islander young people.** We identify that the strengths and knowledge of Aboriginal and Torres Strait Islander culture must be utilised in responses to youth offending to minimise ongoing systemic discrimination, and that enhancing cultural competency and capability across the sector is essential.
- **Aligning justice responses with the best interests of children and young people.** We observe that all levels of Australian government are responsible for ensuring that legislative and administrative justice processes are implemented such that they respect and uphold the rights of children and young people.
- **Developing trauma informed standards of care.** We focus on the need for a well-resourced, integrated and sustainable service system which acknowledges and addresses experiences of disadvantage as drivers for offending.
- **Breaking cycles of violence.** We stress that collaborative, wraparound responses for children and young people experiencing, using, or at risk of using violence must be available, alongside restorative programs which focus on repairing and rebuilding relationships within families.
- **Building a supportive and sustainable service system.** We urge that prevention, early intervention and diversionary models must be prioritised as best practice, alongside stronger collaboration and partnership across the sector, to ensure better outcomes.

The Salvation Army has made **22** recommendations for the Committee to consider. A summary of these recommendations follows on the next page.



Summary of recommendations

Recommendation 1

1.7 The Salvation Army recommends that the Commonwealth Government work with state and territory governments to prioritise safeguarding children when designing, developing and delivering youth justice responses.

Recommendation 2

1.8 The Salvation Army recommends that the Commonwealth Government work with state and territory governments to ensure developmentally appropriate information is provided to children during all interactions with the justice system. This should include access to independent, and robust complaints mechanisms.

Recommendation 3

1.11 The Salvation Army recommends that the Commonwealth Government work with state and territory governments to ensure that all responses to young people who offend are individualised, child-centred, and prioritise and promote choice.

Recommendation 4

1.15 The Salvation Army recommends that the Commonwealth Government work with state and territory governments to invest in transition planning processes which promote a seamless and supported transition back into the community upon release for young people.

Recommendation 5

1.23 The Salvation Army recommends that the Commonwealth Government work with state and territory governments to:

- *Increase investment in alternative educational pathways which promote equitable access to schooling and training opportunities across the board for children and young people; and*
- *Invest in that education pathways which allow young people to access appropriate education before, during, and after encountering justice responses. This should include specific focus on continuity and quality of education.*

Recommendation 6

1.32 The Salvation Army recommends that the Commonwealth Government work with state and territory governments to invest in and deliver programs which encourage building sustainable connections and model healthy relationships for young people who offend, or who are at risk of offending.

Recommendation 7

2.10 The Salvation Army recommends that the Commonwealth Government partner with Aboriginal and Torres Strait Islander communities to design, develop and deliver prevention, early intervention, and diversionary responses to youth offending which are community owned and controlled.



Recommendation 8

2.11 The Salvation Army recommends that the Commonwealth Government work with state and territory governments to address systemic discrimination by actively increasing cultural competency and capability across the youth justice, child protection, and community service system. This should include:

- *Strengthening and centring the voices of Aboriginal and Torres Strait Islander peoples within local communities;*
- *Implementing cultural support staff for Aboriginal and Torres Strait Islander children and young people under youth justice supervision to support maintaining their connection to culture, community, and kin, and to promote culturally informed advocacy;*
- *Supporting targeted recruitment and prioritising identified positions. This could include identified youth liaison officers in frontline law enforcement to better engage with Aboriginal and Torres Strait Islander young people;*
- *Implementing training on cultural awareness and unconscious bias for staff that is mandated and repeated regularly; and*
- *Reviewing statutory child protection tools and processes to ensure they are trauma-informed, culturally safe, and free from bias.*

Recommendation 9

3.7 The Salvation Army recommends that the Commonwealth Government work with state and territory governments to deliver a nationally consistent age of criminal responsibility of 14 years old, without exception. This age should be consistent for both state and Commonwealth offences.

Recommendation 10

3.12 The Salvation Army recommends that the Commonwealth Government develop and invest in a national approach to youth justice in alignment with a national strategy to enhance consistency in responses to young people who offend across Australia.

Recommendation 11

4.8 The Salvation Army recommends that the Commonwealth Government meaningfully increase the rate of income support payments, such as Youth Allowance and JobSeeker, to alleviate experiences of financial hardship and poverty and to ensure children and families can live with dignity.

Recommendation 12

4.9 The Salvation Army recommends that the Commonwealth Government work with state and territory governments to increase sustainable funding which better resources community organisations to support the needs of children and young people.

Recommendation 13

5.3 The Salvation Army recommends that the Commonwealth Government work with state and territory governments to invest in an integrated service system that is well-equipped to respond to the intersectional needs of children and young people who are impacted by family and domestic violence.



Recommendation 14

5.18 The Salvation Army recommends that the Commonwealth Government work with state and territory governments to focus early intervention efforts on supporting children and young people experiencing, using, or at risk of using, violence in the home.

Recommendation 15

6.6 The Salvation Army recommends that the Commonwealth Government work with state and territory governments to increase investment into proactive prevention and early intervention programs that address the causes of offending behaviours. Investment should leverage existing, quality youth service infrastructure to expand support capability.

Recommendation 16

6.12 The Salvation Army recommends that the Commonwealth Government work with state and territory governments to draw on learnings from current successful diversionary programs and invest in those which prioritise capacity building, outside of traditional criminal justice structures.

Recommendation 17

6.15 The Salvation Army recommends that the Commonwealth Government work with state and territory governments to mandate specialist training for frontline workers across the youth sector. This training should be repeated regularly, and cover the impacts of trauma, child-centred practice, and de-escalation techniques.

Recommendation 18

6.23 The Salvation Army recommends that the Commonwealth Government work with state and territory governments to invest in funding models that promote cross-service communication, collaboration, and relationship building.

Recommendation 19

6.27 The Salvation Army recommends that the Commonwealth Government work with state and territory governments to resource frontline justice responses to build strong, positive, and meaningful relationships with young people, families and community-based organisations.

Recommendation 20

6.35 The Salvation Army recommends that the Commonwealth Government work with state and territory governments to invest in and develop robust and innovative initiatives to address ongoing workforce shortages outside of metropolitan areas.

Recommendation 21

6.36 The Salvation Army recommends that the Commonwealth Government work with state and territory governments to ensure all prevention, early intervention, diversionary, and other support services are situated in locations external to criminal justice infrastructure.

Recommendation 22

6.40 The Salvation Army recommends that the Commonwealth Government work with state and territory governments to prioritise the voices of lived experience in developing all justice responses related to children and young people.



1 Repairing the harms caused by incarceration and justice responses

- 1.1 The Salvation Army holds the view that the experience of incarceration for a child or young person is inherently traumatising and results in greater risk of offending later in life. This experience is magnified where young people are incarcerated alongside adults, or justice system responses mirror those provided to adults.

Safeguarding children and young people

- 1.2 The Salvation Army believes that responses to children and young people who offend must be, at all times, compassionate and prioritise their safeguarding. Broadly, Australian youth justice systems aim to provide specialised responses for children and young people, based on notions of “*vulnerability, immaturity and inexperience*.”¹ However, components of the youth justice system mirrors that of the adult justice system, with many penalties analogous to that administered to adults.² This is directly opposed to the notion of safeguarding, and causes serious harms to children.
- 1.3 Hardline, punitive responses and locking up children and young people, does not free communities from crime.³ In our experience, children's engagement with the justice system is a risk factor for future offending,⁴ and children who face increasing periods of time connected to the justice system risk becoming entrenched. The Salvation Army holds grave concerns about the rising sentiment that governments across Australia need to get ‘tough on crime’ in light of recent legislative amendments, or those proposed in various jurisdictions.⁵ We fear that these policy changes, driven by concerns over community safety, are counterproductive and traumatic for children and young people. Such measures undermine and erode youth justice rehabilitation efforts and contradict the principles of safeguarding children.

¹ Walsh, T., Fitzgerald, R., Cornwell, L., & Scarpato, C. (2021). Raise the Age – And Then What? Exploring the Alternatives of Criminalising Children Under 14 years of Age. *James Cook University Law Review* 27, 37-56.
<https://classic.austlii.edu.au/au/journals/JCULawRw/2021/3.html#Heading53>.

² Ibid.

³ Peak Care Queensland. (2023). *Youth Crime – Get Smarter, Not Tougher*. <https://peakcare.org.au/get-smarter-not-tougher/>.

⁴ Shirley, K. (2017). The Cautious Approach: Police Cautions and the Impact on Youth Reoffending. *Crime Statistics Agency*.
<https://apo.org.au/sites/default/files/resource-files/2017-09/apo-nid108381.pdf>.

⁵ Dole, N. (2024). Tougher bail laws and a new 'post and boast' social media offence have been announced to crack down on youth crime. How will it work? *ABC News*. <https://www.abc.net.au/news/2024-03-12/nsw-youth-crime-legislation-bail-social-media-incarceration/103578062>; Gillespie, E. (2024). LNP promises to amend legislation, sentence young offenders to 'adult time' for serious crimes if elected. *ABC News*. <https://www.abc.net.au/news/2024-07-07/qld-lnp-youth-crime-adult-time-serious-offences-proposal/104068612>; Middleton, K. (2024). Country Liberals to lower criminal age to 10 years old in NT as Finocchiaro talks tough on law and order. *The Guardian*. <https://www.theguardian.com/australia-news/article/2024/aug/26/country-liberals-to-lower-criminal-age-to-10-years-old-in-nt-as-finocchiaro-talks-tough-on-law-and-order>.



- 1.4 The New South Wales (NSW) Bureau of Crime Statistics and Research (BOCSAR) report that contact with the justice system before the age of 15 is a strong predictor of later offending.⁶ We urge for responses to youth offending to be focused instead on holistically addressing criminogenic risk factors under prevention, early intervention, and diversionary models, to reduce recidivism and criminal justice involvement long-term.
- 1.5 We also highlight that children who engage in more serious or persistent harmful conduct form a minority, and have generally been exposed to many more risk factors. These include amongst others, family violence and conflict, abuse, neglect, intellectual impairments, mental ill-health, poverty, and homelessness.⁷ In our experience, these children are often not connected with adequate wraparound support services or structures which effectively meet their needs.
- 1.6 The Salvation Army supports the continued implementation of safeguards within justice responses, including the right to a support person during police interviews and the right to legal representation. We urge for all justice responses to ensure principles of safeguarding children are prioritised during interactions with young people.

Recommendation 1

- 1.7 The Salvation Army recommends that the Commonwealth Government work with state and territory governments to prioritise safeguarding children when designing, developing and delivering youth justice responses.**

Recommendation 2

- 1.8 The Salvation Army recommends that the Commonwealth Government work with state and territory governments to ensure developmentally appropriate information is provided to children during all interactions with the justice system. This should include access to independent, and robust complaints mechanisms.**

Positioning children at the centre and promoting choice

- 1.9 Choice is fundamental to providing trauma informed support. We hold the view that promoting choice and autonomy is a fundamental element to enhance person-centred care and improve outcomes for children and young people.

⁶ Weatherburn, D. & Ramsey, S. (2018). Offending over the Life Course: Contact with the NSW Criminal Justice System Between Age 10 and Age 33. *Crime and Justice Statistics*. No. 132. NSW: Bureau of Crime Statistics and Research. <https://www.bocsar.nsw.gov.au/Publications/BB/2018-Report-Offending-over-the-life-course-BB132.pdf>.

⁷ Walsh, T., Fitzgerald, R., Cornwell, L., & Scarpato, C. (2021). Raise the Age – And Then What? Exploring the Alternatives of Criminalising Children Under 14 years of Age. *James Cook University Law Review* 27, 37-56. <https://classic.austlii.edu.au/au/journals/JCULawRw/2021/3.html#Heading53>.



- 1.10 The Salvation Army highlights the need for all responses to young people who offend, to be individualised, and consider the unique needs and experiences of each child. In our experience, to achieve the best outcomes for at-risk young people, it is crucial for systems and responses to be developed in such a way that they can be adapted and moulded to fit the needs of the child or young person. Our frontline services identify the benefit of case management and support models which place young people at the centre and provide opportunities and empower young people to make meaningful changes in their own life.

“

“We need responses for youth to be based on aspirational models. We need care to be stable and individualised so young people can forge sustainable connections.”

”

- A Salvation Army Youth Specialist

The Salvation Army's Psychologically Informed Environment (PIE) Model Approach

The Salvation Army's PIE Model approach works to embed psychologically informed environments across all service delivery responses such that they are designed and delivered in a way that considers the emotional and psychological needs of all individuals accessing our services.

The approach is a psychosocial model which places young people's experiences, psychological and emotional needs, and their surrounding social environments and systems, at the heart of support responses. Informed by psychological theories and frameworks, the model works to improve the psychological, social, physical, emotional, and spiritual well-being of children, young people, and their families.

The Salvation Army's approach works to empower and support young people to make necessary changes in their lives to improve their emotional, and psychological well-being, relationships with others, and development of positive coping and behavioural strategies. The approach focuses on building trusting and supportive relationships alongside creating safe and nurturing physical spaces for at-risk children and young people.

Recommendation 3

- 1.11 The Salvation Army recommends that the Commonwealth Government work with state and territory governments to ensure that all responses to young people who offend are individualised, child-centred, and prioritise and promote choice.**



Improving transition pathways and support post-incarceration

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“The exit planning needs to occur when they first enter [justice systems] to be successful... there needs to be some really firm plans at the outset if we want to change people's trajectories.”

”

- A Salvation Army Youth Services Regional Manager

- 1.12 In our experience incarceration responses for young people who offend, drive them into further disadvantage. Our frontline services report that young people lose important elements of their life which promote stability, such as Centrelink payments, accommodation, community connection, and relationships with support services when they are detained. We see that many young people upon release are left with no money, no food, no accommodation, and no supportive adult due to inadequate transition planning and pre-release preparation.
- 1.13 Greater work is needed to ensure that young people are connected to appropriate support networks prior to release, including a supportive adult such as a local caseworker, to ensure there is time to build rapport and develop a plan for the young person to reintegrate back into the community.
- 1.14 We identify that focus should be placed on facilitating programs which allow for pre-release conferencing and consistent support from community-based workers whilst a young person is in custody, such as the Youth Justice Community Support Service contained in Appendix B. It is our view that by creating pathways which enhance positive connection with community-based organisations, for the duration a young person is incarcerated and prior to release, a more supported and seamless transition back into community upon release will be achieved.

“

“What we find is, young people have been left in remand due to lack of placement [accommodation] options. It's all about communication... when they [young people] are coming out [of custody], there's no records, there's no continuation [of support].”

”

- A Salvation Army Supported Independent Living Service Program Manager

Recommendation 4

- 1.15 The Salvation Army recommends that the Commonwealth Government work with state and territory governments to invest in transition planning processes which promote a seamless and supported transition back into the community upon release for young people.**



Addressing educational barriers and school disengagement

- 1.16 In our experience, school offers not only an opportunity for learning and a gateway to employment pathways, but also stability, consistency, and a safe place to engage with peers and the community. The Salvation Army urges that school pathways must be accessible for all young people and that educational opportunities must be equitable for communities across Australia.
- 1.17 Our experience with children and young people is that a lack of school engagement, coupled with antisocial peer and friendship groups, places them at increased risk of offending. Disengagement from school, characterised by low academic achievement, truancy, and exclusion⁸ are risk factors for involvement in the youth justice system, and are predictive of antisocial cognition and youth re-offending.⁹

“

“We find that many students are disengaged from schooling because mainstream school does not fit, does not meet their needs. Alternative schooling offers them [young people] a little bit more flexibility or personal support with the family as well.”

”

**- A Salvation Army Youth Case Worker at The Salvation Army
Independent School**

- 1.18 Our frontline services report that disengagement from school can have a variety of causes. For example, a young person may not have access to transport to be able to get to school, they may have limited family support at home, or they may have had negative experiences at school where their needs are not understood or met.
- 1.19 We hold the view that alternative education and training pathways can act as a protective factor for children and young people at risk of encountering the justice system. Alternative education pathways can provide flexibility, and an opportunity for prevention and early intervention when children and young people are meaningfully engaged in a way that meets their needs. These pathways can include flexible learning programs onsite in mainstream schools or be outside of the mainstream education system and should include additional supports for the young person, and where appropriate, their family.
- 1.20 We point to our Independent Schools initiative, and our Tools for the Trade Program as examples of alternative education pathways. These programs are outlined in Appendix B.

⁸ Hancock, K., & Zubrick, S. (2015). *Children and Young People at Risk of Disengagement from School*. Western Australia: Commissioner for Children and Young People. <https://ccyp.wa.gov.au/media/1422/report-education-children-at-risk-of-disengaging-from-school-literature-review.pdf>.

⁹ Victoria State Government Sentencing Advisory Council. (2016). *Reoffending by Children and Young People in Victoria*. https://www.sentencingcouncil.vic.gov.au/sites/default/files/2019-08/Reoffending_by_Children_and_Young_People_in_Victoria.pdf.



- 1.21 We caution that schools must be appropriately resourced, both in terms of funding and staffing levels, to achieve the desired outcomes.
- 1.22 Disengagement from school is not just a risk factor for offending, but is also a perpetuated consequence of being incarcerated or encountering youth justice responses. In our experience, continuity of access to educational pathways is disrupted when a young person has been removed from their community due to incarceration, and again when they return to the community upon release. We urge that continuity of education which meets the diverse needs of the young person must be a priority throughout the lifecycle of justice system responses.

Recommendation 5

1.23 The Salvation Army recommends that the Commonwealth Government work with state and territory governments to:

- Increase investment in alternative educational pathways which promote equitable access to schooling and training opportunities across the board for children and young people; and
- Invest in that education pathways which allow young people to access appropriate education before, during, and after encountering justice responses. This should include specific focus on continuity and quality of education.

Prioritising connection, stability, and healthy relationships

“

“What we’re always talking about in school [Salvos Independent School] is consistency. Consistency of practice, consistency of staff. A lot of kids have come from a background where they’ve been passed from pillar to post their whole life and then they get into a service, and they get passed around again.”

”

- A Salvation Army Youth Case Worker at The Salvation Army Independent School

- 1.24 The Salvation Army believe that programs which focus on consistency, stability, and relationship building, see better outcomes for children and young people. Quality relationships between the young person and service provider, where the young person feels genuinely heard and cared for, achieve better outcomes.¹⁰

¹⁰ Almqvist, A. & Lassnanti, K. (2017). Social Work Practices for Young People with Complex Needs: An Integrative Review. *Child and Adolescent Social Work Journal*, 35(3), 207-219. <https://doi.org/10.1007/s10560-017-0522-4>.



- 1.25 Programs which prioritise the development of strong and supportive relationships with young people who are at-risk of offending, including programs which work towards improving their relationships with police, see better outcomes in reducing recidivism.¹¹
- 1.26 Physical stability alone does not necessarily improve the outcomes of support. How a young person experiences and interprets this stability is critical in promoting positive development. This includes developing a strong sense of 'place' and identity. We believe this is particularly important for young people who have experienced historical trauma, to encourage psychological safety and recovery.
- 1.27 In our experience, moving in and out of institutional settings such as incarceration facilities, can be scary and overwhelming for children and young people. This lack of stability is disruptive and can have detrimental impacts on the child or young person's wellbeing. We see that preventing young people from settling in one place safely and securely, or removing them from their community, can inhibit the development of stable relationships and connections and the ability to foster a sense of trust with those supporting them. In our experience, when young people are not able to access stable support, they also have difficulty in understanding the opportunities, guidelines and expectations needed to thrive, rather than just survive.
- 1.28 Wherever possible, responses to young people who encounter the justice system must prioritise physical and emotional stability and consistency.

Developing healthy relationships with young people who have been exploited

- 1.29 In our experience, the risk of exploitation amongst young people who are incarcerated also increases. Our frontline services see young people being criminalised for behaviours which often originate out of exploitative relationships. We are anecdotally seeing an increase in intergenerational offending, and relationships where young people experiencing disadvantage are manipulated or coerced into engaging in harmful behaviour by adults as a way to survive.
- 1.30 Punitive responses which fail to address the root causes of offending such as in cases where offending originates out of exploitation, will not be effective.
- 1.31 Our services see instances where young people have been incarcerated, associated with more seasoned offenders, and have found connection and belonging and therefore continue to offend with these peers. Diversionary responses that sit outside of the justice system, and prioritise building rapport and healthy relationships, are better geared to support young people who offend as a result of exploitative relationships.

¹¹ Ravulo, J. (2023). The Role of Holistic Approaches in Reducing the Rate of Recidivism for Young Offenders. *Judicial Commission of New South Wales*. https://www.judcom.nsw.gov.au/publications/benchbks/children/CM_Holistic_approaches_reducing_recidivism.html.

“

“Young people need someone who is here with them in the trenches. [Young people] need opportunities to grow, to be nurtured, encouraged, and believed in. We need to work with young people on a relational level”

”

- A Salvation Army Youth Program Coordinator in Moree

Recommendation 6

- 1.32 The Salvation Army recommends that the Commonwealth Government work with state and territory governments to invest in and deliver programs which encourage building sustainable connections and model healthy relationships for young people who offend, or who are at risk of offending.**



2 Partnering with Aboriginal and Torres Strait Islander young people

- 2.1 The Salvation Army draws particular attention to the ongoing impacts of systemic discrimination, intergenerational trauma, and disadvantage experienced by Aboriginal and Torres Strait Islander communities. Our experience in supporting Aboriginal and Torres Strait Islander children and young people is that many of them continue to be disproportionately impacted by intergenerational trauma, child protection involvement, school disengagement, and youth justice systems.
- 2.2 Many systems including child protection and youth justice systems, primarily adopt punitive approaches that operate in conflict with Aboriginal and Torres Strait Islander culture, for example, removing children and young people from country to be incarcerated. This only exacerbates experiences of disadvantage and marginalisation amongst the children, families, and communities exposed to these systems.

“What we’re seeing is, young people coming off country to be locked up. Total disconnect from their family, so when they’re released...they’re going back to the unknown and then getting locked up again.”

- A Salvation Army Transitional Support Service Coordinator

- 2.3 Aboriginal and Torres Strait Islander children and young people continue to be overrepresented in child protection and youth justice systems. In 2022, Aboriginal and Torres Strait Islander children were 19 times more likely than their non-Indigenous counterparts to be under youth justice supervision,¹² and made up 42.8 per cent of children aged 0-17 years in out-of-home care.¹³
- 2.4 The National Agreement on Closing the Gap (Closing the Gap) set the intention to reduce the overrepresentation of Aboriginal and Torres Strait Islander children in detention by at least 30 per cent, by 2031, in target eleven. This target remains off-track.¹⁴
- 2.5 Closing the Gap also set the intention to reduce the overrepresentation of Aboriginal and Torres Strait Islander children in out-of-home care by 45 per cent in target twelve.¹⁵ In our experience, children who encounter child protection responses which are not culturally safe, experience a vast array of social costs, which often become risk-factors for offending.

¹² Australian Institute of Health and Welfare (AIHW). (2023). *Youth Justice in Australia*. <https://www.aihw.gov.au/getmedia/3fe01ba6-3917-41fc-a908-39290f9f4b55/aihw-juv-140.pdf?v=20230605182448&inline=true>.

¹³ Australian Government Productivity Commission. (2023). *Closing the Gap: Annual Data Compilation Report*. <https://www.pc.gov.au/closing-the-gap-data/annual-data-report/report/snapshot-socioeconomic#seo11>.

¹⁴ Closing the Gap. (Undated). *Closing the Gap Targets and Outcomes*. <https://www.closingthegap.gov.au/national-agreement/targets>.

¹⁵ Ibid.



- 2.6 It is alarming, however not surprising, that Aboriginal and Torres Strait Islander children experience a disproportionately higher risk of encounters with the youth justice system. This is often linked to their overrepresentation in the child protection system.
- 2.7 The Salvation Army urges the need for specific emphasis to be placed on ensuring that responses to youth offending are non-discriminatory, minimise compounding trauma, and promote the wellbeing and safety of Aboriginal and Torres Strait Islander children, families, and communities. The strengths of Aboriginal and Torres Strait Islander culture, including kinship systems, cultural values, expectations, and law must be considered and included when designing, developing and delivering responses to youth offending.
- 2.8 In line with views of the Secretariat of National Aboriginal and Islander Child Care (SNAICC), and in respect of self-determination, we call for direct and targeted consultation with Aboriginal and Torres Strait Islander communities. This will empower the development and delivery of holistic prevention, early intervention, and diversion responses in a manner which is culturally informed and safe, and which prioritises cultural connection.¹⁶
- 2.9 We also recommend the need for investment in building the cultural competency and capability of frontline justice, law enforcement, and community services to ensure culturally safe and responsive responses are available to young people who offend.



“If we had Elders who could sit and do interviews with kids, get data to identify a direction we can take, a direction to be a part of the solution. Let them be a part of the solution. We make too many solutions for them [Aboriginal and Torres Strait Islander communities]. We need to come back to Elders and let them be a part of this process with kids.”



- A Salvation Army Aboriginal and Torres Strait Islander Coordinator

Recommendation 7

- 2.10 The Salvation Army recommends that the Commonwealth Government partner with Aboriginal and Torres Strait Islander communities to design, develop and deliver prevention, early intervention, and diversionary responses to youth offending which are community owned and controlled.**

¹⁶ Secretariat of National Aboriginal and Islander Child Care (SNAICC). (2021). *National Framework for Protecting Australia's Children 2021-2031*. <https://www.snaicc.org.au/wp-content/uploads/2021/11/SNAICC-ConsultationReport-successor-plan-Nov2021.pdf>.



Recommendation 8

2.11 The Salvation Army recommends that the Commonwealth Government work with state and territory governments to address systemic discrimination by actively increasing cultural competency and capability across the youth justice, child protection, and community service system. This should include:

- Strengthening and centring the voices of Aboriginal and Torres Strait Islander peoples within local communities;
- Implementing cultural support staff for Aboriginal and Torres Strait Islander children and young people under youth justice supervision to support maintaining their connection to culture, community, and kin, and to promote culturally informed advocacy;
- Supporting targeted recruitment and prioritising identified positions. This could include identified youth liaison officers in frontline law enforcement to better engage with Aboriginal and Torres Strait Islander young people;
- Implementing training on cultural awareness and unconscious bias for staff that is mandated and repeated regularly; and
- Reviewing statutory child protection tools and processes to ensure they are trauma-informed, culturally safe, and free from bias.¹⁷

¹⁷ Allan, L. & Bogle, A. (2024). NSW to Review Child Protection Screening Algorithm Over Concerns About Racial Bias. *The Guardian*. <https://www.theguardian.com/australia-news/2024/apr/08/nsw-child-protection-laws-indigenous-children-in-care>.



3 Aligning justice responses with the best interests of children and young people

Raising the minimum age of criminal responsibility

Understanding childhood development, criminal culpability, and the influence of peer pressure

- 3.1 The Salvation Army draws attention to the impact of development and susceptibility to peer pressure on children and young people's offending behaviours. Our frontline services identify that many of the young people who encounter youth justice responses, have engaged in harmful behaviour due to pressure from friends or peers.
- 3.2 Evidence demonstrates that children under the age of 14 cannot have developed sufficient cognitive capacity to assume criminal culpability.¹⁸ This developmental immaturity affects several skills including impulsivity, cognitive reasoning, and consequential thinking, all of which can be linked with the impacts of peer pressure on offending behaviour.¹⁹ By incarcerating or punishing young people within justice responses, the child's development and long-term health and wellbeing outcomes will be impacted, including their susceptibility to engage in further offending.²⁰
- 3.3 The Salvation Army holds the view in line with medical experts, academics, advocates, and other non-government organisations, that the minimum age of criminal responsibility (MACR) should be raised to at least 14 years.

“

“It's important to discuss the distinct ages in child development because under 18 we are talking about children...and having an incarceration response to children engaged in normal risk-taking behaviour...but if we continue to criminalise people during this age then we're going to put them into a life of criminality.”

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- A Salvation Army Youth Services Regional Manager

¹⁸ Cunneen, C. (2017). Arguments for Raising the Minimum Age of Criminal Responsibility. *The University of New South Wales, Research Report*. <https://www.cypw.unsw.edu.au/sites/ypp.unsw.edu.au/files/Cunneen%20%282017%29%20Arguments%20for%20raising%20the%20minimum%20age%20of%20criminal%20responsibility.pdf>.

¹⁹ Ibid.

²⁰ Richards, K. (2011). What Makes Juvenile Offenders Different from Adult Offenders? *Trends & Issues in Crime and Criminal Justice*. No. 409. Canberra: Australian Institute of Criminology. <https://doi.org/10.52922/ti274705>.



Protecting the rights of children and young people

- 3.4 The Salvation Army supports a rights respecting approach when considering youth justice responses. All levels of Australian government are responsible for ensuring legislative and administrative processes be implemented such that they respect and uphold the rights of children and young people, based on international guidelines.²¹
- 3.5 The Convention on the Rights of the Child (CRC) creates broad international obligations surrounding the treatment of children, including in the justice system, and directs that treatment must hold the best interests of the child as a primary consideration.²² The CRC directs that special consideration be taken to ensure adequate safeguards, care, and legal protections are afforded to children to account for “*physical and mental ‘immaturity.’*”²³
- 3.6 The United Nations Committee on the Rights of the Child (CRC Committee) recommend that States avoid fixing the MACR too low, and encourage it to be increased to at least 14 years in General Comment 24.²⁴ Finding the previously recommended MACR of 12 years being too low, the CRC Committee rationalise that children under 14 years do not have the capacity to commit a ‘criminal’ offence.²⁵ In their 2019 Concluding Observations, the CRC Committee recommends the Australian Government commit to raising the MACR to 14 years to bring youth justice systems in line with CRC obligations.²⁶

Recommendation 9

- 3.7 The Salvation Army recommends that the Commonwealth Government work with state and territory governments to deliver a nationally consistent age of criminal responsibility of 14 years old, without exception. This age should be consistent for both state and Commonwealth offences.**

Adopting a national approach to youth justice

- 3.8 In our experience, any response to youth justice must involve strong collaboration and coordination across states, territories, and Commonwealth frameworks to ensure responses are consistent and in line with developmental evidence.

²¹ Fernando, M. (2013). Express Recognition of the UN Convention on the Rights of the Child in the Family Law Act: What Impact for Children's Rights to be Heard? *UNSW Law Journal*, 36(1), 88-106. <https://classic.austlii.edu.au/au/journals/UNSWLawJl/2013/4.html>.

²² Article 3, *Convention on the Rights of the Child*, opened for signature 20 November 1989, 1577 UNTS 3 (entered into force 2 September 1990).

²³ *Convention on the Rights of the Child*, opened for signature 20 November 1989, 1577 UNTS 3 (entered into force 2 September 1990).

²⁴ UN Committee on the Rights of the Child (CRC). (2007). *General Comment No. 24, replacing General Comment No. 10: Children's Rights in Juvenile Justice*, CRC/C/GC/24.

<https://www.ohchr.org/sites/default/files/Documents/HRBodies/CRC/GC24/GeneralComment24.pdf>.

²⁵ Ibid.

²⁶ UN Committee on the Rights of the Child (CRC). (2019). *Concluding Observations on the Combined Fifth and Sixth Periodic Reports of Australia*, CRC/C/AUS/CO/5-6.

<https://documents.un.org/doc/undoc/gen/g19/316/49/pdf/g1931649.pdf?token=ouoce0lwtfYQL9ok2K&fe=true>.



- 3.9 The Salvation Army points to the recent report, *Help Way Earlier!*, released by The National Children's Commissioner which details the benefits of a national approach to youth justice.²⁷
- 3.10 We support the notion that adopting a national approach in alignment with a national strategy will ensure that the best interests and rights of children and young people become a primary consideration in implementing and delivering responses for young people who offend.
- 3.11 We believe that in the development of a national approach, there is opportunity for national leadership with appropriate accountability mechanisms and consistent legislative frameworks to enhance outcomes for young people who encounter the justice system.

Recommendation 10

- 3.12 The Salvation Army recommends that the Commonwealth Government develop and invest in a national approach to youth justice in alignment with a national strategy to enhance consistency in responses to young people who offend across Australia.**

²⁷ Australian Human Rights Commission (2024). 'Help way earlier!': How Australia can transform child justice to improve safety and wellbeing. Sydney: Australian Human Rights Commission.
https://humanrights.gov.au/sites/default/files/document/publication/1807_help_way_earlier_-_accessible_0.pdf.



4 Developing trauma-informed standards of care

- 4.1 The Salvation Army believes that all children and young people must be afforded the right to a childhood where they can thrive, be supported, and empowered. In our experience, children who become engaged in the justice system are those who face the greatest disadvantage.
- 4.2 Adverse childhood experiences (ACEs) encompass cumulative experiences during childhood, such as maltreatment and disadvantage, which are stressful and potentially traumatic.²⁸ ACEs are closely linked risk factors which contribute to offending behaviours amongst children and young people, and result in contact with police and the youth justice system.²⁹ Medical evidence suggest that ACEs disrupt brain development in critical early childhood years, affecting self-regulation, reward-seeking, executive function, and threat perception, all of which is linked with behaviour.³⁰
- 4.3 Our experience is that the following ACEs are key criminogenic risk factors, which commonly foreshadow young people becoming caught up in the youth justice system.
 - **Socioeconomic disadvantage and poverty.** We highlight the interface between socioeconomic disadvantage, poverty, financial hardship, and criminality. We hold concern that increasing cost of living pressures are contributing to increases in young people offending. Our frontline services have seen cases where young people offend as a means to survive, for example shoplifting to obtain their basic needs, or to sell off for money to afford basic necessities. Evidence supports this experience, demonstrating that young people who experience inequalities related to financial hardship and poverty are at increased risk of offending.³¹ In 2024, the Australian Institute of Health and Welfare found children who experienced socioeconomic disadvantage, were ten times more likely to be under youth justice supervision.³² Alleviating experiences of financial distress and hardship in families will prevent the corrosive impact of poverty on the “*capacity of parents to parent*.”³³ It may also prevent the onset of harmful behaviour in young people, where the behaviour is made necessary by experiences of disadvantage and social adversity.

²⁸ Malvaso, C., Day, A., Cale, J., Hackett, L., Delfabbro, P., & Ross, S. (2022). Adverse Childhood Experiences and Trauma Among Young People in the Youth Justice System. *Trends & Issues in Crime and Criminal Justice*. No. 651. Canberra: Australian Institute of Criminology. https://www.aic.gov.au/sites/default/files/2022-06/ti651_adverse_childhood_experiences_and_trauma_among_young_people.pdf#:~:text=In%20fact%2C%20a%20recent%20systematic%20review%20by%20Malvaso,short%20of%20the%20diagnostic%20cut%20%80%91off%20for%20mild%20PTSD.

²⁹ Ibid.

³⁰ Emerging Minds. (2020). *Adverse Childhood Experiences (ACEs): Summary of Evidence and Impacts*.

<https://d2p3kdr0nr4o3z.cloudfront.net/content/uploads/2020/02/19102540/ACES-Summary-of-Evidence-and-Impacts-V2.pdf>.

³¹ Office of the Guardian for Children and Young People. (2021). *Residential Care Contributing to 'Criminalisation' of Young People*. <https://gcyp.sa.gov.au/2021/10/14/residential-care-contributing-to-criminalisation-of-young-people/>.

³² Australian Institute of Health and Welfare (AIHW). (2023). *Youth Justice in Australia*. <https://www.aihw.gov.au/getmedia/3fe01ba6-3917-41fc-a908-39290f9f4b55/aihw-juv-140.pdf?v=20230605182448&inline=true>.

³³ Homel, R., Freiberg, K., Branch, S. & Le, H. (2015). Preventing the Onset of Youth Offending: The Impact of the Pathways to Prevention Project on Child Behaviour and Wellbeing. *Trends & Issues in Crime and Criminal Justice*. No. 481. Canberra: Australian Institute of Criminology. <https://www.aic.gov.au/publications/tandi/tandi481>.



“They [a 10- and 11-year-old child] were stealing food because they were hungry. Because their grandmother doesn’t get paid to care for them. They were reprimanded three hours away because no-one would have them bailed to their address...a horrific situation and it’s not an isolated incident, it’s something we see quite regularly.”

- A Salvation Army Youth Services Regional Program Manager

- **Exposure to, or lived experience of, substance use.** The Salvation Army emphasises that better support for addressing substance use concerns for young people and their families, can have a positive impact in reducing harmful behaviours and in turn, contact with the justice system. The use of alcohol or drugs by parents, caregivers, or children themselves increases the risk of offending through exposure to substance related risks.³⁴ The Australian Institute of Criminology (AIC) reported in 2021 that incarcerated children and young people were found to use a wider range of drugs, use more frequently and start using at a younger age, in comparison to those not in custody.³⁵ Our frontline services identify the critical need for drug and alcohol treatment programs to embed the voices of lived experience through mentors or peer workers to reduce stigma in seeking treatment, promote shared understandings, and improve relationship building amongst those seeking treatment. Evidence echoes this sentiment.³⁶
- **Homelessness.** Youth homelessness often originates from challenging home lives and turbulent family relationships.³⁷ Supported housing for young people where it is no longer safe for them at home, is limited. Homelessness becomes the only alternative. In our experience, the lack of safe and affordable housing which contributes to young people becoming homeless, also acts a risk factor for initial offending. We see this where offending becomes necessary to survive for a young person in crisis, and without housing. Homelessness is also a consequence of justice responses. Children and young people might lose their accommodation upon incarceration and are held in detention for prolonged periods as a result due to no suitable accommodation.³⁸

“You’re not able to work on anything if you’re in crisis. The most important thing is stable accommodation, and access to longer-term accommodation.”

- A Salvation Army Youth State Manager

³⁴ Dodd, J., & Siggers, S. (2006). The Impact of Drug and Alcohol Misuse on Children and Families. *Australian Research Alliance for Children and Youth*. https://www.aracy.org.au/publications-resources/command/download_file/id/143/filename/The_impact_of_drug_and_alcohol_misuse_on_children_and_families.pdf.

³⁵ Payne, J., & Prichard, J. (2005). Key Findings from the Drug Use Careers of Juvenile Offenders Study. *Trends and Issues in Crime and Criminal Justice*. No. 304. Canberra: Australian Institute of Criminology. <https://www.aic.gov.au/publications/tandi/tandi304>.

³⁶ Alcohol and Drug Foundation (ADF). (2019). *Lived Experience*. https://cdn.adf.org.au/media/documents/Lived_Experience_PP1.pdf.

³⁷ Ibid.

³⁸ Watt, E., Iannelli, O. & Booth, S. (2021). *Under 18-Year-Olds are Still Being Locked Up Simply Because They Are Homeless*. <https://probonoaustralia.com.au/news/2021/10/under-18-year-olds-are-still-being-locked-up-simply-because-they-are-homeless/>.



- **Family breakdown and instability.** In our experience family dynamics, structure, and stability play a key role in feelings of safety and security throughout childhood. Children and young people who experience turbulent family relationships and breakdown face increased risk of contact with the justice system. The Salvation Army observes that these children commonly experience an accumulation of disadvantage across childhood and adolescence where formative early life experiences are disrupted, and therefore offending behaviours become more prevalent.³⁹
- **Exposure to abuse, neglect, and trauma.** We identify that trauma, abuse, and neglect experienced by children and young people increases the risk of offending. Child abuse and neglect impacts wellbeing outcomes, and causes offending to become more common.⁴⁰ This is regardless of whether treatment was intentional or not. Children exposed to abuse may develop dysregulated behaviours in response to difficult life experiences, which amount to offending.⁴¹ The AIC found that 94 per cent of young people under youth justice supervision were known to child protection services and 83 per cent had at least one notification for alleged maltreatment.⁴² This is particularly concerning for children living outside of major, metropolitan cities. In 2022-23, the rate of children living in inner and outer regional, remote and very remote areas who were in out-of-home care was more than twice that of those living in major cities.⁴³
- **Mental ill-health or living with a cognitive disability.** The prevalence of mental ill-health and cognitive disability amongst children and young people in the youth justice system has significantly increased. 60 per cent of children who interact with youth justice systems present with two or more mental health disorders, and 33 per cent of incarcerated young people report high levels of psychological distress.⁴⁴ Mental ill-health has been linked with increased likelihood of engaging in harmful behaviours resulting in police engagement,⁴⁵ as has cognitive disability.⁴⁶ For those experiencing mental ill-health in rural and remote areas, a key issue is restricted access to mental health services.⁴⁷ People with disability living in rural, regional, and remote areas experience similar challenges accessing support with fewer services available.⁴⁸

³⁹ Bosick, S., & Fomby, P. (2018). Family Instability in Childhood and Criminal Offending during the Transition into Adulthood. *American Behavioural Scientist*, 62(11), 1483-1504. <https://doi.org/10.1177/0002764218787000>.

⁴⁰ Australian Institute of Health and Welfare. (2019). *Australia's children: in brief*. Canberra: AIHW. doi:10.25816/5e152818d082c; Cashmore, J. (2011). The Link Between Child Maltreatment and Adolescent Offending: Systems Neglect of Adolescents. *Family Matters*, 89, 31-41. https://aifs.gov.au/sites/default/files/fm89d_0.pdf.

⁴¹ White, R., & Cunneen, C. (2015). Social Class, Youth Crime and Justice. In Goldson, B., & Muncie, J. (Eds) *Youth, Crime and Justice* (pp. 17-30), (2nd ed), Sage, London. <https://classic.austlii.edu.au/au/journals/UNSWLRS/2015/59.pdf>.

⁴² Malvaso C, Day A, Cale J, Hackett L, Delfabbro P & Ross S 2022. Adverse childhood experiences and trauma among young people in the youth justice system. *Trends & issues in crime and criminal justice* no. 651. Canberra: Australian Institute of Criminology. <https://doi.org/10.52922/ti78610>.

⁴³ Australian Institute of Health and Welfare. (2024). *Child protection Australia 2022–23*. <https://www.aihw.gov.au/reports/child-protection/child-protection-australia-2022-23>.

⁴⁴ National Mental Health Commission. (2023). *Justice and Child Wellbeing Reform across Australia*. <https://www.mentalhealthcommission.gov.au/publications/justice-and-child-wellbeing-reform-across-australia>.

⁴⁵ Morgan, M., & Higginson, A. (2023). Police and Procedural Justice: Perceptions of Young People with Mental Illness. *Policing and Society*, 33(7), 841-860. <https://doi.org/10.1080/10439463.2023.2207714>.

⁴⁶ Boiteux, S., & Poynton, S. (2023). Offending by Young People with Disability: A NSW Linkage Study. *Crime and Justice Bulletin*. No. 254. NSW: Bureau of Crime Statistics and Research. Full report available at www.boscar.nsw.gov.au.

⁴⁷ National Rural Health Alliance. (2021). *Mental Health in Rural and Remote Australia: Fact Sheet*. <https://www.ruralhealth.org.au/sites/default/files/publications/nrha-mental-health-factsheet-july2021.pdf>.

⁴⁸ National Rural Health Alliance. (2023). *Disability and Access to the NDIS in Rural Australia*. <https://www.ruralhealth.org.au/sites/default/files/publications/nrha-disability-factsheet-feb-2023-final.pdf>.



- 4.4 The Salvation Army identifies a significant need to increase strategic funding and investment in local community organisations which support the unique needs of children and young people experiencing disadvantage, such that they are diverted away from the justice system. We identify that targeted investment will better resource community organisations to engage in planned, coordinated responses which address the criminogenic risk factors of at-risk children.
- 4.5 Ensuring the physical, mental, emotional, and social health needs of these young people can be met will likely reduce offending behaviours and consequently increase community safety.⁴⁹
- 4.6 With any diversionary justice reform, there becomes an inevitable increase in demand for specialist child and youth support services. The service system must be bolstered to meet this demand. The complexities experienced by children who offend, mean that it is likely these children will require several support services and community programs to meet their needs. These may include youth homelessness services, alcohol and other drug programs, mental health supports, community centres, and youth wellbeing programs.
- 4.7 The sector is currently overstretched. This is a significant barrier and inhibits services' ability to provide the support needed to help a child, young person, or family to the extent that they need. We call on the Australian Government to commit to adequate service funding to ensure a well-funded and resourced sector that meets the needs of all children and young people.

Recommendation 11

- 4.8 The Salvation Army recommends that the Commonwealth Government meaningfully increase the rate of income support payments, such as Youth Allowance and JobSeeker, to alleviate experiences of financial hardship and poverty and to ensure children and families can live with dignity.**

Recommendation 12

- 4.9 The Salvation Army recommends that the Commonwealth Government work with state and territory governments to increase sustainable funding which better resources community organisations to support the needs of children and young people.**

⁴⁹ Fox, S., Southwell, A., Stafford, N., Goodhue, R., Jackson, D. and Smith, C. (2015). *Better Systems, Better Chances: A Review of Research and Practice for Prevention and Early Intervention*. Canberra: Australian Research Alliance for Children and Youth (ARACY). http://www.community.nsw.gov.au/data/assets/pdf_file/0008/335168/better_systems_better_chances_review.pdf.



5 Breaking cycles of violence

Family and domestic violence

- 5.1 The Salvation Army highlights that many of the children and young people who seek support from our services, do so due to family and domestic violence. Evidence shows that family violence can have lifelong harms for children and those around them, including psychological and behavioural impacts, health and socioeconomic impacts, and increased risk of intergenerational violence and re-victimisation.⁵⁰
- 5.2 The Salvation Army acknowledges that children need to be recognised and treated as victim-survivors in their own right. We also recognise that children need to be engaged and supported as individuals, through systems that recognise their needs and the benefit of intervention to prevent long-term negative impacts of trauma. To minimise ongoing trauma and reduce the potential for children to model harmful behaviours in future, The Salvation Army urges that children and young people be able to access timely case management and therapeutic responses that promote their participation and are tailored according to age and development.⁵¹ We support the continuation and expansion of integrated services with funding for child youth specialist workers to be co-located in specialist family and domestic violence services. This will assist in addressing the impacts of trauma at the earliest available opportunity and will create systems which prioritise long-term prevention for youth offending.

Recommendation 13

- 5.3 The Salvation Army recommends that the Commonwealth Government work with state and territory governments to invest in an integrated service system that is well-equipped to respond to the intersectional needs of children and young people who are impacted by family and domestic violence.**

“Generally, family violence does not start with the young person...it's the family history and intergenerational violence. We are there to help the young person and do what we can.”

- A Salvation Army Youth Justice Client Services Coordinator

⁵⁰ Richards, K. (2011). Children's Exposure to Domestic Violence in Australia. *Trends & issues in crime and criminal justice*. No. 419. Canberra: Australian Institute of Criminology. <https://www.aic.gov.au/publications/tandi/tandi419>.

⁵¹ Richards K 2011. Children's exposure to domestic violence in Australia. *Trends & issues in crime and criminal justice* no. 419. Canberra: Australian Institute of Criminology. <https://doi.org/10.52922/ti269351>; Safe + Equal. (Undated). *Supporting Children and Young People*. <https://safeandequal.org.au/working-in-family-violence/tailored%20inclusive-support/children-and-young-people/>.



Responding to adolescent violence in the home

- 5.4 The Salvation Army believes it is critical to focus attention on adolescent violence in the home (AVITH) to best support young people using, or at risk of using, violence to get help early. AVITH is a term that describes a pattern of violent behaviour used by a young person within their family, and may include property damage, financial, psychological, physical, and sexual forms of violence.⁵²
- 5.5 Research by Australia's National Research Organisation for Women's Safety (ANROWS) suggests that one in five young people surveyed had used violence against a family member.⁵³ Violence used by young people follows different patterns to those seen amongst adults. Young people's use of violence is commonly reactive and impulsive and may be driven by dysregulated emotional states, as a means of managing family conflict or a form of self-defence. This contrasts to more controlled patterns seen in adults.⁵⁴
- 5.6 Victorian data has shown that 80 per cent of young people with initial police interventions for AVITH go on to have future contact with justice systems.⁵⁵ Over half of these young people have future contact with the justice system as a victim of crime, a victim-survivor of family and domestic violence, or as a complainant on a family and domestic violence intervention order.⁵⁶

Ensuring responses are trauma-informed and fit-for-purpose

- 5.7 AVITH research has pointed to an acute need for early intervention for families and young people that takes the form of wraparound collaborative responses.⁵⁷ The Salvation Army echo this sentiment, urging that responses aim to break down barriers and stigma surrounding seeking support. AVITH needs to be met with responses that are trauma-informed, address barriers to engagement, are flexible and tailored according to the individual needs of young people and their families, and are intersectional and culturally safe.⁵⁸
- 5.8 Trauma informed services should provide safe and nurturing spaces for young people to build trusting relationships with family and the community. We believe that AVITH interventions need to be completely external and prior to involvement with other intervention systems, such as youth justice or child protection services.
- 5.9 Our youth homelessness services are anecdotally seeing increasing numbers of young people who have used violence entering our homelessness refuges. We hold significant concerns around a lack of support options and interventions for young people using violence.

⁵² Campbell, E., Richter, J., Howard, J., & Cockburn, H. (2020). *The PIPA project: Positive interventions for perpetrators of adolescent violence in the home (AVITH)* (Research report, 04/2020). Sydney, NSW: ANROWS.

⁵³ Campbell, E., Ellard, R., Hew, E., Simpson, S., McCann, B. & Meyer, S. (2023). WRAP around families experiencing AVITH: Towards a collaborative service response (Research report, 04/2023). ANROWS.

⁵⁴ Ibid.

⁵⁵ Crime Statistics Agency. (2022). *Adolescent family violence in Victoria*. <https://www.crimestatistics.vic.gov.au/research-and-evaluation/publications/adolescent-family-violence-in-victoria>

⁵⁶ Ibid.

⁵⁷ Campbell, E., Ellard, R., Hew, E., Simpson, S., McCann, B. & Meyer, S. (2023). WRAP around families experiencing AVITH: Towards a collaborative service response (Research report, 04/2023). ANROWS.

⁵⁸ Ibid.



- 5.10 Our frontline services, including alcohol and other drug, youth justice, and homelessness services, have drawn attention to the uncharted nature of responding to AVITH. Within the family, domestic and sexual violence sectors AVITH programs are limited, and investment is needed to adequately address the needs of young people using violence in the home. Interventions for adults who use violence do not work for young people who require more tailored and individualised responses which are age and developmentally appropriate.
- 5.11 The Salvation Army highlights the need for the development of educational initiatives targeted at children and young people using, or at risk of using, violence. This could include school-based programs that focus on behaviour in healthy relationships, conflict resolution, positive coping mechanisms and emotional regulation. Consideration must be given in the development of these programs to engage young people living with a disability and for young people with all cognitive abilities.
- 5.12 We also urge the need to utilise cultural strengths when engaging with young people at risk of using violence who are from Aboriginal and Torres Strait Islander or culturally and linguistically diverse communities. Emphasis should be placed, and investment focussed, on programs and initiatives developed and facilitated by these communities, for their communities.

Working with families to keep them strong and together

“

“Families will often do everything not to report [violence], so they endure so much pain and harm to keep that young person safe, away from systems of child protection and justice...to keep their young person safe.”

”

- A Salvation Army Alcohol and Other Drug Services Coordinator

- 5.13 The Salvation Army acknowledges that there are instances where family units are struggling to support and keep a young person using violence safe and at home. Our frontline services draw attention to fear of institutional responses, such as the child protection or justice systems, acting as a barrier for parents seeking help early. As a result, families might endure extensive damage and harm at the hands of the young person as opposed to engaging with child protection or justice services and responses. This effect can be further pronounced in Aboriginal and Torres Strait Islander families and communities where a history of, and ongoing systemic racism and discrimination has eroded trust in institutions, and amplifies the fears already stated.
- 5.14 We highlight the benefit of reunification style programs that provide respite, alongside working towards family preservation, restoration and rebuilding familial relationships. For example, we point to the government-funded Ruby's Reunification Program in South Australia.⁵⁹

⁵⁹ Uniting Communities. (Undated). *Rubys Reunification Program*. <https://www.unitingcommunities.org/service/rubys-reunification-program>



- 5.15 We also highlight the benefit of outreach programs which provide family-based, integrated case management as an early intervention response supporting young people using violence within their family, friendship and community context. For example, we point to the Step Up Program in Victoria.⁶⁰ We believe that such programs, when implemented early, can prevent families getting to a point of crisis and therefore reduce the risk of the young person engaging with the homelessness sector.
- 5.16 Restorative approaches must take into account the severity and length in which violence has occurred in implementing long-term support, and must be integrated into care prior to a young person returning home. They must provide opportunity for the voice of the young person to be heard, and to determine what family dynamics and structure looks and feels like to them. In our experience it is common for young people to exit incarceration prior to being connected with wraparound support services and therefore they experience a gap in support. We suggest that the Australian Government consider the development of dual-referral pathways for young people to access both family violence and youth justice support in the lead up to, and post release as part of an integrated service system.
- 5.17 Pathways should include in-reach support at an earlier stage, whilst a young person is in the prison system. This will enhance rapport and relationship building between the young person and support service, promoting meaningful engagement prior to release and establishing a pathway for long-term engagement post release. We believe that accessing both specialist supports concurrently and with services operating in partnership pre and post release, would be an effective option to support reparative relationship work and will ensure continuity of support for the young person to integrate back into community, well after release.



"We're partnering with a family violence service to work with families. That's the opportunity we have... to try and work with families to keep them strong and together."



- A Salvation Army Youth Services Regional Manager

Recommendation 14

- 5.18 The Salvation Army recommends that the Commonwealth Government work with state and territory governments to focus early intervention efforts on supporting children and young people experiencing, using, or at risk of using, violence in the home.**

⁶⁰ The Sexual Assault and Family Violence Centre. (Undated). *Adolescent Family Violence – Step Up Program*. <https://www.safvcentre.org.au/our-services/adolescent-family-violence-step-up-program/>.



6 Building a supportive, sustainable and compassionate system

- 6.1 The Salvation Army urge the critical need for all justice responses, including that of the police and court systems, to uphold the physical, cultural, and emotional safety of children and young people.⁶¹ It is our view that responses should be geared to respond to the holistic needs of the child or young person and promote meaningful participation, rather than having a compliance-based focus.
- 6.2 We urge that the entire frontline youth justice system must be appropriately resourced and draw attention to the following areas in particular.

Prioritising prevention and early intervention

“There always seems to be a cry of help from families requesting early interventions but it seems that it’s not until they’re actually down the road and engaged with youth justice, where those services are actually tapped into.”

- A Salvation Army Youth Justice Client Services Coordinator

- 6.3 The Salvation Army highlights the need for increased strategic and targeted investment in proactive prevention and early intervention programs which address the root causes of offending behaviours (as discussed in chapter four of this submission). In our experience, a key challenge is the limited number of early intervention programs that effectively target criminogenic risk factors to prevent children and young people from reoffending.
- 6.4 Frontline justice responses, police interventions, and incarceration remain a reactionary response to children and young people who offend. Well timed and high value, early intervention programs and supports are crucial to address the needs of young people who offend and reduce recidivism. Early intervention approaches are preferable to ensure a reduction of the costs that more intensive and invasive approaches, such as youth justice supervision and incarceration, have on children and the community.⁶²
- 6.5 We support strategic investment into services which are evidence-based and demonstrate accountability through outcomes measurement, to ensure that services have the resources to deliver quality support. Investment must be sustainable and allow for community services who are effectively addressing offending risk factors to expand their support capability.

⁶¹ Standing Council of Attorneys-General. (2023). *Age of Criminal Responsibility Working Group Report*. <https://www.ag.gov.au/sites/default/files/2023-12/age-of-criminal-responsibility-working-group-report-2023-scag.pdf>.

⁶² Australian Institute of Criminology (AIC). (2007). Cost Effectiveness of Early Intervention. *AI Crime Reduction Matters*. No. 54. Canberra: Australian Institute of Criminology. <https://www.aic.gov.au/sites/default/files/2020-05/crm054.pdf>.



Recommendation 15

6.6 The Salvation Army recommends that the Commonwealth Government work with state and territory governments to increase investment into proactive prevention and early intervention programs that address the causes of offending behaviours. Investment should leverage existing, quality youth service infrastructure to expand support capability.

Implementing effective and coordinated diversionary models

- 6.7 The Salvation Army supports police and justice responses to crime occurring in the most effective and least damaging manner. The police make up a critical part of our frontline justice system and are likely to be first responders. It is crucial that police have a thorough understanding of trauma-informed practice to ensure that children who have experienced disadvantage and trauma are met with proportionate, compassionate, and supportive responses.⁶³
- 6.8 The Salvation Army identifies a significant need to support children and young people who engage in harmful and offending behaviour to develop a better understanding of the impact of their behaviours on others, including victims or crime and the wider community. We believe that being supported to identify and understand the consequences of harmful behaviours can promote future behaviour change. This support must be provided through diversionary responses that prioritise reflection and education.
- 6.9 In considering how diversionary responses that operate outside of criminal justice models and court processes may practically be delivered, The Salvation Army highlights the success of the Children's Court Diversion Model and Group Conferencing Program contained within Appendix B.
- 6.10 Geared for a younger cohort, the internally developed program operating in Victoria has yielded positive outcomes in reducing recidivism and supporting the needs of children who have engaged in harmful behaviour. The program's aim is to keep young people out of traditional court proceedings and instead offers an opportunity for the young person to have their charges dismissed after meaningful engagement with the restorative process.
- 6.11 The Salvation Army affirms its support for diversionary responses such as this, which are voluntary, focused on capacity building and learning, and engage in collaborative and child-focused decision making. See The Salvation Army's case study examples to follow.

⁶³ Harris, A. (Undated). Trauma, Young People and Juvenile Justice. *Australian Child & Adolescent Trauma, Loss & Grief Network*. <http://earlytraumagrief.anu.edu.au/files/Trauma%20and%20juvenile%20justice%20in%20Australia.pdf>.



Children Court Youth Diversion (CCYD) – Working in a Culturally Supportive Context

A CCYD conference convener received a referral for a young Aboriginal and Torres Strait Islander man, Darren*, to participate in a conference. The referral related to serious assaults involving weapons. Darren was linked in with a cultural support worker who attended the conference, alongside his CCYD coordinator, solicitor, and the convenor. The Aboriginal and Torres Strait Islander youth liaison police officer was unable to attend, however they were able to engage with the young person to catch up for a coffee and build a positive relationship after the conference.

During preparation sessions, Darren was able to reflect on what contributed to his offending, explaining that he often feels very angry and needs an outlet for this. On further exploration, Darren was able to identify that the anger he feels is a result of childhood trauma following the loss of his father. Darren was also able to share that he experiences visual perception disturbances. He agreed to get support to obtain a mental health plan, with a view to attending counselling for his mental health, previous trauma, and to develop anger management strategies.

During the conference, Darren was able to identify the serious and possible further consequences of the assault. He was given space to reflect on the choices he could have made to prevent the assault, including the fact that he had used substances which had likely impacted on his decision making. During the conference, Darren struggled to empathise with the victim, expressing that they were there to hurt him and his friend, however he did acknowledge that the victim had turned up not expecting the fight would involve weapons, which would have been frightening for them.

Prior to the offence, Darren had been disengaged from education for more than 12 months, though afterwards was supported to enrol in education on a part-time basis and to gradually work towards attending full-time.

Throughout the CCYD conference process, Darren demonstrated many strengths including honesty, respect, courage, taking responsibility, resilience, care for others, and determination. Since the offence, Darren has demonstrated he can change his behaviour and learn from it, evidenced by his re-engagement in education and effort to stay out of trouble.

Darren has also expressed a keen desire to obtain employment with a goal to save money for a car, buy a unit to live in and eventually rent it out to others, and help support his nan who has cared for him for most of his life.

**Name has been changed for confidentiality.*



Children Court Youth Diversion (CCYD) - A Creative Approach to Trauma

Two 14-year-old females in residential care were involved in stealing a car. Zoe* was referred to a CCYD Diversion Conference, and was the passenger. In the 12 months after the offending Zoe experienced considerable trauma. She was assaulted by the co-offender and has sustained permanent injury to her eye. Zoe's co-offender continued to steal vehicles and was killed in a collision.

Upon referral, considerable care was taken to assess the suitability for the CCYD to proceed. The convener consulted with Zoe, her current care team, and her mother. Zoe chose to proceed and indicated that she would like to have the chance to tell her story. Alongside the CCYD, Zoe sought support through Victims of Crime following the assault.

Preparation sessions commenced, integrating some calming art therapy approaches. Zoe is very creative, and valued a chance to work clay as she spoke. The tactile nature of the material was soothing, and she was able to speak candidly and open up to a professional for the first time about her experience as a victim of assault. She was supported by her most trusted residential care worker and continued to engage in art therapy in the remaining sessions.

A CCYD Diversion Conference was set up to include Zoe and her mother, her residential care worker, her specialist care team, her diversion co-ordinator, her solicitor and the youth resource officer. Art therapy was integrated into the conference. Here, Zoe reflected on her role in the theft of the vehicle, she took responsibility for her actions and explored the impact on the vehicle's owner. The conference acknowledged her experience as a victim of crime and a plan was made to support her with a referral to Victims of Crime for further specialist support.

**Name has been changed for confidentiality.*

Recommendation 16

6.12 The Salvation Army recommends that the Commonwealth Government work with state and territory governments to draw on learnings from current successful diversionary programs and invest in those which prioritise capacity building, outside of traditional criminal justice structures.



Prioritising workforce capacity building

- 6.13 Achieving a trauma-informed and rehabilitative approach under any diversionary model is dependent on staff, organisations and other responders having a common understanding of the causes and impacts of trauma and how this affects children's behaviour.⁶⁴ Quality leadership and staff recruitment is crucial, as is ongoing workforce training and education to increase the capacity of workers engaging compassionately with children and young people.⁶⁵
- 6.14 The Salvation Army observe the need for increased levels of effective, tailored education, training and workforce capacity building across the youth justice, frontline law enforcement and broader community services workforce. This should include police and other emergency service workers, frontline service staff (including housing, family and domestic violence, health, and education), judicial system staff (including judges and prosecutors), security guards, youth workers, and cultural and faith leaders.

Recommendation 17

- 6.15 The Salvation Army recommends that the Commonwealth Government work with state and territory governments to mandate specialist training for frontline workers across the youth sector. This training should be repeated regularly, and cover the impacts of trauma, child-centred practice, and de-escalation techniques.**

Improving cross-service communication, collaboration and partnerships

- 6.16 The Salvation Army highlights the benefit of fostering multiagency collaboration across the community service and youth justice sector, in promoting better outcomes for young people who offend, or who are at-risk of offending. Improving the efficacy of non-criminalising responses necessitates a holistic, multi-agency approach.
- 6.17 Community support services are often under-resourced and work in silos due to limited capacity. In our experience, limited capacity means that inter-service relationship building occurs ad-hoc. Effective collaboration between service practitioners and wraparound support for children and young people is therefore restricted.⁶⁶

⁶⁴ Children and Family Intensive Support. (2017). *Child-Centred, Family-Focused Support*.

https://www.dss.gov.au/sites/default/files/documents/04_2022/cafis_1b_-_child_centred_family_focused_support.pdf.

⁶⁵ Australian Children's Commissioners and Guardians. (2017). *Statement on Conditions and Treatment in Youth Justice Detention*. https://humanrights.gov.au/sites/default/files/document/publication/ACCG_YouthJusticePositionStatement_2-Nov2017.pdf.

⁶⁶ UNSW Centre for Crime, Law and Justice (CCLJ). (2021). *Replacing the Youth Justice System for Children Aged 10-13 Years in NSW: A 'Best Interests' Response*. <https://www.unsw.edu.au/content/dam/pdfs/research/2023-10-coop/CCLJ%20Best%20Interests%20Response%20Report%20September%202021.pdf>.



- 6.18 Collaborative practice describes circumstances where individuals and organisations work in partnership to address problems and achieve shared goals. Collaborative relationships allow the combination of expertise, effort, and professional networks which often produces greater benefits for clients.⁶⁷
- 6.19 Collaboration and partnership may occur between different specialist frontline community services, for example youth services and family, domestic and sexual violence programs, or between non-government and government entities.
- 6.20 In our experience communication, collaboration, and partnership across services is critical to building an integrated support system. This allows more seamless navigability of supports for the young person and strengthens their access to specialist supports which suit their diverse needs. We also see that collaborative practice improves referral pathways for children and families by minimising the access points a young person or family encounter to engage in meaningful and holistic support.
- 6.21 We point to our Youth Justice Community Support Service, Casework Support Program, and Shifting Gears Program in Appendix B, and the case study below.
- 6.22 Collaborative practice and information sharing may also operate within forum or panel settings. For example, our frontline services identify the benefit of high-risk panels in identifying risks of harm to the young person and in turn, improving outcomes for young people. A panel might consist of representatives from child protection, department of justice, police, drug and alcohol programs, mental health, and homelessness services to ensure that the support needs of a young person can be addressed in a collaborative manner and that services are able to engage in streamlined information sharing.

⁶⁷ Community Door. (Undated). *Collaboration*. <https://communitydoor.org.au/resources/collaboration>.



Casework Support Program (CSP) – Working in Partnership for Comprehensive Support

Zac* is a 16-year-old male who sought support from The Salvation Army to improve his employment prospects, obtain necessary identification, and address other personal challenges. During assessment, the CSP caseworker identified several barriers, including a lack of identification documents, unstable employment, difficulties in managing personal relationships, and thoughts of engaging in criminal activities as a means of financial support. The CSP caseworker worked closely with Zac and other relevant support services to address his immediate needs and develop longer-term strategies for success. This included:

- Supporting Zac to create a resume, boosting his confidence and employability. Zac was supported to find suitable interview clothing, hand out resumes, complete employment applications, and obtain a Tax File Number. As a result, Zac successfully secured two jobs, marking a critical step toward financial independence.
- Providing financial and administrative support to help Zac obtain photo identification.
- Supporting Zac to obtain his learner's license alongside referral to The Salvation Army's Drive4Life program.
- Successfully exploring Zac's thinking and steering him away from criminal activities through regular discussions and positive, consistent engagement.
- Fostering an open dialogue, and regularly discussing with Zac his personal struggles. This encouragement led him to seek professional support, and he was referred to a psychologist who diagnosed him with ADHD. This provided Zac with a clearer understanding of his behaviours and the support he needs to manage them.

Encouraged by his positive experience with The Salvation Army, Zac enrolled in a Community Services course, committing to personal growth and skill development. The program's holistic approach supported Zac to make significant strides in his personal and professional life. The collaborative efforts with Youth Justice and the ongoing positive relationship with The Salvation Army reinforced consistent service delivery, providing Zac with a solid foundation for future success.

**Name has been changed for confidentiality.*

Recommendation 18

6.23 The Salvation Army recommends that the Commonwealth Government work with state and territory governments to invest in funding models that promote cross-service communication, collaboration, and relationship building.



Exploring the role of positive relationship building with frontline justice responders

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“If we [services] have a strong relationship with our youth liaison [police] officer, we get better outcomes. If there needs to be a conversation we [services] can negotiate [with police] to make it less traumatic.”

”

- A Salvation Army Youth Services Regional Manager

- 6.24 In our experience, where police are able to establish and maintain meaningful, positive relationships with young people, families and organisations, outcomes for young people who offend, are improved. Strained relationships between frontline justice responses, young people, and families, perpetuates mistrust and promotes antisocial perceptions. This mistrust exacerbates feelings of ‘us and ‘them’ and creates a perceived barrier preventing young people or families from accessing support early.⁶⁸
- 6.25 In our experience, where young people already have positive relationships with police, interactions become less confrontational and less traumatic. We also highlight that services and community-based programs which have strong relationships with local police, such as youth liaison officers, see better outcomes. A positive relationship with the local police might see community based organisations being able to attend an interview or provide support to a young person who has been detained or assist in supporting a young person after release from arrest.
- 6.26 The Salvation Army urges the critical need for focussed, intentional and meaningful relationship building between police, young people, families, and organisations, in order to improve outcomes for young people who offend. Our services see that relationship building activities could take place in formal settings, such as police attending schools to talk about their legal rights or in an exercise program which partners police officers with at-risk youth, or informal settings such as drop-in youth centres where a police officer may be available onsite. We recognise that a critical part of this requires frontline justice responses and community organisations to be adequately resourced.

“

“Services have run programs like fitness programs with the police in the morning where young people deemed at risk of offending are invited from local schools to take part in the program before school. They’ve already got that positive relationship and positive regard with the police prior to being picked up... [they have] that positive connection outside of the juvenile justice system.”

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- A Salvation Army Youth Services Regional Manager

⁶⁸ Ravulo, J. (2023). The Role of Holistic Approaches in Reducing the Rate of Recidivism for Young Offenders. Judicial Commission of New South Wales. https://www.judcom.nsw.gov.au/publications/benchbks/children/CM_Holistic_approaches_reducing_recidivism.html.



The Salvation Army's Services Working in Partnership with New South Wales Police

The Salvation Army's Central Coast services have a strong relationship with local NSW Police.

Our relationship with the NSW Police includes:

- Youth Liaison Officers and Aboriginal Community Liaison Officers who provide referrals for casework support and attend the local drop-in program hosted at Oasis;
- LGBTQIA+ Liaison Officers who attend local youth events hosted at Oasis;
- The Crime Manager who attends the local drop-in program at Oasis;
- Police Citizens Youth Club who have previously run the Fit for Life program in Oasis Auditorium with young people from local schools; and
- The Monthly Youth Action Meeting at a local police station to discuss the needs of young people at risk.

The benefits of these relationships and programs include a positive connection for young people with NSW Police, new referrals for support, and early intervention opportunities for young people to engage in positive social programs.

Recommendation 19

6.27 The Salvation Army recommends that the Commonwealth Government work with state and territory governments to resource frontline justice responses to build strong, positive, and meaningful relationships with young people, families and community-based organisations.

Enhancing service accessibility in regional and remote locations

6.28 In our experience children and young people who live in regional and remote communities face unique challenges because of their geographical location. These include limited access to services, poorer educational and employment opportunities, high rates of poverty, limited availability of recreational activities, limited digital connectivity, and isolation.⁶⁹

⁶⁹ Ellem, K., Baidawi, S., Dowse, S. & Smith, L. (2019). Services to young people with complex support needs in rural and regional Australia: Beyond a metro-centric response. *Children and Youth Services Review*. 99, 97-106. <https://www.sciencedirect.com/science/article/abs/pii/S019074091830882X>; New South Wales Auditor-General. (2023). *Regional, rural and remote education: Performance Audit*. Audit Office of New South Wales. [Report on Rural and remote education.pdf \(nsw.gov.au\)](https://www.nsw.gov.au/report-on-rural-and-remote-education.pdf); NSW Council of Social Services. (2023). *Mapping Economic Disadvantage in New South Wales*. https://www.ncoss.org.au/wp-content/uploads/2023/04/NCOSS_MappingEconomicDisadvantage_Report_April23_v7.pdf; McCosker, T. et al. (2023). *Measuring Australia's Digital Divide: Australian Digital Inclusion Index: 2023*. https://www.digitalinclusionindex.org.au/wp-content/uploads/2023/07/ADII-2023-Summary_Report_Final-1.pdf



- 6.29 Although regional and remote communities can provide a sense of community, belonging, and support, young people in these areas require supports and services that are responsive to their individual, unique needs and the needs of their community.⁷⁰
- 6.30 Regional and remote communities across Australia often experience challenges in ensuring service accessibility and have greater difficulty maintaining quality service delivery for young people. This is due to additional barriers including ongoing challenges in recruiting and retaining enough qualified staff to respond to demand, and a general lack of services available.
- 6.31 The Salvation Army highlights that regional and remote youth workforces often experience high staff turnover and therefore ongoing staff shortages due to the demand for services outweighs the resources available in community-based programs. We recognise the need for targeted recruitment drives to incentivise youth sector jobs across the spectrum, including teachers, youth workers, youth liaison workers, and other positions targeted to working with young people at risk.

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“Stigma can be a pretty huge thing in a small town...you’re going to be known...you’re going to be very quickly, labelled.”

- A Salvation Army Youth Services Regional Manager

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- 6.32 In addition to service accessibility, we recognise the impact of stigma being particularly prevalent in regional and remote areas where communities are smaller. Stigma is commonly associated with those who are engaged with the criminal justice system and the effect is particularly pronounced in relation to punitive environments.⁷¹
- 6.33 Co-locating diversionary and other community support services within punitive criminal justice facilities blurs the separation between the two, thereby perpetuating unintended stigma and resulting in detrimental consequences for affected children.⁷²
- 6.34 Placing support services outside of justice infrastructure will ensure children understand that preventative, early interventions, and diversions are not punishments. We suggest these services should be managed by reputable, community-based organisations.

⁷⁰ Moeller-Saxone, K. (2018). *Factors Influencing the Wellbeing of Rural and Regional Young People*. Australian and New Zealand Mental Health Association. <https://anzmh.asn.au/blog/youth/factors-influencing-the-wellbeing-of-rural-and-regional-young-people>.

⁷¹ Australian Human Rights Commission. (2001). *Human Rights Brief No. 5 – Best Practice Principles for the Diversion of Juvenile Offenders*. <https://humanrights.gov.au/our-work/publications/human-rights-brief-no5-best-practice-principles-diversion-juvenile-offenders>.

⁷² Ibid.



Recommendation 20

6.35 The Salvation Army recommends that the Commonwealth Government work with state and territory governments to invest in and develop robust and innovative initiatives to address ongoing workforce shortages outside of metropolitan areas.

Recommendation 21

6.36 The Salvation Army recommends that the Commonwealth Government work with state and territory governments to ensure all prevention, early intervention, diversionary, and other support services are situated in locations external to criminal justice infrastructure.

Cementing the voices of lived experience

- 6.37 The Salvation Army acknowledges the critical importance of listening to the voices of children, young people, and families with a lived experience of justice and incarceration system responses to improve service and policy responses.
- 6.38 Wherever able, children and young people should be engaged as individuals, through forums that are tailored according to their age and development. For example, sitting around a table may not be an effective environment to engage a child or young person. A simple way to encourage engagement is to ask the young person how and where they wish for support or consultation to occur. We suggest that consideration is also given to creative outlets, providing children with tools for expression and fostering emotion.
- 6.39 Systems and processes need to recognise the unique needs of children and young people, and the benefit of intervention to prevent long-term negative impacts of trauma. To minimise systemic trauma, The Salvation Army reiterates that children and young people must be able to access timely support and therapeutic responses which target the root causes of offending, and promote participation and meaningful engagement.

Recommendation 22

6.40 The Salvation Army recommends that the Commonwealth Government work with state and territory governments to prioritise the voices of lived experience in developing all justice responses related to children and young people.



7 Conclusion

- 7.1 The Salvation Army thanks the Legal and Constitutional Affairs References Committee for the opportunity to provide a written submission to this Inquiry.
- 7.2 The Salvation Army would welcome the opportunity to discuss the content of this submission should any further information be of assistance. Further information can be sought from government.relations@salvationarmy.org.au.

The Salvation Army Australia Territory

October 2024



Appendix A About The Salvation Army

The Salvation Army is an international Christian movement with a presence in more than 130 countries. Operating in Australia since 1880, The Salvation Army is one of the largest providers of social services and programs for people experiencing hardship, injustice and social exclusion.

The Salvation Army Australia provides more than 1,000 social programs and activities through networks of social support services, community centres and churches across the country.

Programs include:

- Financial counselling, financial literacy and microfinance
- Emergency relief and related services
- Homelessness services
- Youth services
- Family and domestic violence services
- Alcohol, drugs and other addictions
- Chaplaincy
- Emergency and disaster response
- Aged care
- Employment services

As a mission-driven organisation, The Salvation Army seeks to reduce social disadvantage and create a fair and harmonious society through holistic and person-centred approaches that reflect our mission to share the love of Jesus by:

- Caring for people
- Creating faith pathways
- Building healthy communities
- Working for justice

We commit ourselves in prayer and practice to this land of Australia and its people, seeking reconciliation, unity and equity.

Further information about The Salvation Army can be accessed at: <

<https://www.salvationarmy.org.au/>>



Appendix B The Salvation Army's services for at-risk youth

The Salvation Army's Tools for the Trade Plus, Victoria

The Tools for the Trade Plus program is a Salvation Army initiative in Victoria which targets people experiencing disadvantage.

The education and work readiness program is designed to address criminogenic risk factors for young people disconnected from education and work, and at risk of offending.

The program collaborates with local police who engage in positive and meaningful ways throughout the 10-week course, developing positive healthy relationships with young people, families and communities.

The Salvation Army's Youth Justice Community Support Service (YJCSS), Victoria

The Salvation Army works alongside Victoria's Department of Justice to deliver YJCSS. The program provides intensive support and services for young people who are already involved with youth justice. YJCSS sees youth justice workers and community service workers operate in partnership to holistically support the young person.

YJCSS recognises that young people in the justice system represent those experiencing the greatest disadvantage and aims to support them to:

1. Reduce the severity, frequency, and rates of reoffending and prevent them from becoming entrenched in the justice system;
2. Facilitate the transition of young people in justice systems back into community;
3. Prepare young people for adulthood by developing independence, resilience, and social connectedness; and
4. Develop young people's capacity for meaningful educational and economic participation.

YJCSS also delivers integrated transitional housing support via the Youth Justice Housing Pathways Initiative. This initiative is an extension of the wraparound support available under YJCSS which offers transitional housing properties and housing outreach support to young people.



The Salvation Army's Partnership with Government Services, New South Wales

The Salvation Army operates several initiatives in partnership with government services to ensure wraparound support for at-risk young people.

Casework Support Program (CSP)

The CSP is an initiative operating in both regional NSW (Central Coast) and metropolitan Sydney. The program involves specialised casework by The Salvation Army and collaborates with Youth Justice, targeting young people in contact with the justice system.

CSP is designed to address criminogenic risk factors such as financial hardship, school disengagement, access to employment, or mental ill-health. The program aims to reduce recidivism and reintegrate young people who are under youth justice supervision orders back into the community, by supporting them to gain the support, knowledge, and skills they need to engage pro-socially.

Shifting Gears Program

The Shifting Gears Program is an initiative which operates in partnership with The Salvation Army and Youth Justice. Shifting Gears originated out of a significant need for driver education programs which target the overwhelming number of car theft and related offences amongst young people in rural and regional NSW.

The education program is designed to address criminogenic risk factors for young people and provides support surrounding driving, awareness, and making positive choices.

Children's Court Youth Diversion Circle, Victoria

The Children's Court Youth Diversion Circle (CCYD) initiative is an educational opportunity which assists young people to develop insight and emotional understanding into their behaviour and its consequences. Born out of our success in delivering restorative group conferencing,⁷³ this Salvation Army program provides space for children to identify the impacts of offending and take responsibility for this behaviour.

Informed consent must be provided by the child or young person to engage, and they must be afforded appropriate legal representation. The process is overseen and delivered via an independent Salvation Army convenor and during the conference, a collaborative diversion plan is discussed amongst the parties and collectively agreed upon. Reoffending is less frequent and less serious amongst children who have participated in the program.

⁷³ Victoria State Government. (2022). *Diversion: Keeping Young People Out of Youth Justice to Lead Successful Lives*. <https://files.justice.vic.gov.au/2022-03/Youth-diversion-statement.pdf>.



The Salvation Army's Youth Justice Group Conferencing, Victoria

The Salvation Army works alongside Victoria's Department of Justice to deliver Group Conferencing. The program is based on restorative principles and offers a problem-solving approach to offending. Group conferencing occurs between a young person who has offended and the victim, balancing the needs of young people and the community through dialogue.

The program provides a community-based rehabilitation intervention within the Children's Court during pre-sentencing. It aims to:

1. Divert the young person from intensive court-imposed sentences by raising the young person's understanding of the impact of their offending and engaging with the young person's support network;
2. Reduce the frequency and seriousness of reoffending;
3. Increase voluntary victim engagement and satisfaction with justice systems; and
4. Integrate young people back into the community following the Group Conference.

The program requires the young person's and victim's consent to engage in the process and allows both parties the opportunity to tell their story and be heard. At the conclusion of the conference, a negotiated outcome plan is agreed upon which contains fair and reasonable steps to promote the support and rehabilitation of the young person.

The Salvation Army's Independent Schools, Queensland

The Salvation Army's Independent Schools are located in the North Brisbane and Ipswich areas in Queensland. The schools work with young people aged between 14 and 18 years, that have disengaged from mainstream education due to individual, relational, or social factors, to help them re-commence their education.

Our team of teachers, teacher aides and youth workers support young people who are struggling with adversities, such as mental and physical health, legal matters, and other educational barriers.

The staff at The Salvation Army's Independent Schools advocate tirelessly for those who may not be aware of their rights in education, or the resources that are available to them. Young people who have missed large portions of school find it difficult to navigate through systems such as the job market, Centrelink services, and the legal system. The staff at our schools provide education, training, and employment pathways as well as advocating for young people, especially those who do not have the support of an adult in their lives at home.



The Salvation Army's Youth Supportive Independent Living Service (SILS), South Australia

The Salvation Army's SILS is a Department for Child Protection Service in South Australia that supports young people from the age of 16 years, under current statutory care and protection orders, until the age of 18 years.

The program provides intensive case management and non-family-based housing support for young people under guardianship of the Chief Executive. Young people live independently in individual or shared accommodation within the community and are provided support based on their level of need.

A team of Salvation Army case managers work to provide these young people the opportunity to develop essential life and living skills, to ensure they are adequately prepared for transitioning into independent living upon completion of their care orders.

The Salvation Army's Drive for Life

The Drive for Life program is a Salvation Army initiative designed to support young people aged between 16-25 years, to obtain their driver's license. The program is delivered in several locations across Australia.

Drive for Life believes all young people should have the opportunity to achieve their goals and reach their full potential. Having a driver's license is a key milestone in a young person's life and helps them move towards independence. Being able to drive gives young people the choice and control necessary to realise their education, employment, and housing goals.

The program partners with a variety of youth services and works closely with local public schools to provide a welcoming and accessible environment which is safe and supportive for at-risk young people to build a safe driving skillset.

The Salvation Army's Equip Workshop, Oasis Newcastle

The Equip Workshop is a Salvation Army initiative run through Oasis Newcastle which targets at-risk young people between 12 to 25 years, who are actively engaging in alcohol and other drug use. The psychoeducation workshop is designed to teach young people about substance use, its consequences, and support young people at-risk of offending.

The workshop includes group and one-on-one engagement with a mentor who has lived experience of substance use. Mentors prioritise relationship building to encourage and empower young people to make positive changes to their life, in a supportive environment.



The Salvation Army's Deadly Diamonds Leadership Program, Moree

The Deadly Diamonds Youth Leadership Program is a Salvation Army initiative in Moree which promotes age-appropriate development of leadership skills amongst local children and young people. The program is targeted at 12 to 18-year-olds and its aim is to nurture local young people to become community leaders through peer-to-peer, faith-based mentorship.

Deadly Diamonds aims to develop the skills and independence to empower young people to become positive role models for their community, boost their confidence, and teach them how to support others. By offering a place of family, community, and connection, The Salvation Army initiative hopes to give young people who are at-risk hope for a better future.

The Salvation Army's Positive Lifestyle Program (PLP)

The Salvation Army's PLP is an eight-module course which takes participants through a self-awareness-raising process, focusing on personal difficulties they may be unable to independently identify or address.

Originating in Canada, it was introduced in Australia by The Salvation Army in the 1990s to be used in courts and prisons. The updated material is now used in a wide variety of fields and settings.

The program is non-invasive and non-judgemental and looks to address self-awareness, anger, depression, loneliness, stress, grief and loss, problem solving, assertiveness, self-esteem, and future directions. It is delivered in a variety of settings across The Salvation Army's services, including our youth homelessness refuges.

The Salvation Army's Home Stretch Program, Western Australia

The Salvation Army's Home Stretch Program integrates a range of practice approaches, resources and tools that have been co-designed, tested and refined with young people and Aboriginal and Torres Strait Islander Communities.

Home Stretch is delivered by The Salvation Army in metropolitan Perth and provides support across multiple domains including housing, justice, education, health, mental health, alcohol and other drugs, disability and financial wellbeing. Support is accessible until the age of 21.

The program offers engagement with a transition coach and support for young people's aspirations. Young people have choice, control and agency in how they engage with the service. Home Stretch designed to be flexible and individualised, and provides continuity and certainty during critical periods.