

because
children
matter

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Submission to:

House Standing Committee on Aboriginal and Torres Strait Islander Affairs
Inquiry into the high level of involvement of Indigenous juveniles and young adults in the criminal justice system

17 December 2009

Dear Committee Members,

UnitingCare Burnside welcomes the opportunity to submit to this Inquiry. Indigenous children and young people are 16 times more likely to be under supervision in juvenile justice systems than a non-indigenous child or young person despite the fact that they represent only 5% of the youth population in Australia. Diversionary alternatives must be introduced in order to keep these children and young people connected with the community, engaged in education and out of the criminal justice system.

UnitingCare Burnside (Burnside) is a leading child and family welfare agency in NSW and part of the Uniting Church in Australia. Burnside is part of UnitingCare Children, Young People and Families, an organisation which assisted more than 23 000 disadvantaged children, young people and families across the state in 2008. Our purpose is to provide innovative and quality programs and advocacy to break the cycle of disadvantage that affects vulnerable children, young people and families. Our engagement with juvenile justice issues comes from our direct experience of the impact that involvement with the juvenile justice system has on the lives of disadvantaged children, young people and families. Through our practice and policy work we have identified the need for a range of support services in order to effectively divert children and young people from the juvenile justice system.

Enclosed with this letter are our papers, *Locked into Remand* and *Releasing the Pressure on Remand*. These papers address Term of Reference 5 – 'Best practice examples of programs that support diversion of Indigenous people from juvenile detention centres and crime, and provide support for those returning from such centres'.

In February 2009 we released a background paper, *Locked into Remand*, on the high number of children and young people who are held on remand in juvenile justice centres in NSW. This paper highlights the overrepresentation of Indigenous children

and young people held on remand in NSW and presents the correlation between time in a juvenile justice centre and recidivism.

Locked into Remand was the basis of numerous discussion points at a Roundtable on Keeping Children and Young People out of Remand convened by the Council of Social Service of NSW (NCOSS) in March 2009. Participants at the Roundtable came from 12 separate organisations including Burnside, the Public Interest Advocacy Centre, the Youth Justice Coalition and the Aboriginal Child, Family and Community Care State Secretariat (AbSec). In consultation with the Roundtable members, Burnside developed a position paper, *Releasing the Pressure on Remand*, that builds on the initial background paper and highlights the key issues and solutions discussed at the Roundtable meeting.

In particular, *Releasing the Pressure on Remand*, developed in consultation with AbSec, outlines the best practice examples that we believe would be most effective at successfully supporting and diverting children and young people from Australian juvenile justice systems. It is important that these support services are accessible to children and young people at a number of points across the criminal justice system so that diversion is a viable option for Indigenous children and young people in juvenile justice systems.

If you have any questions please contact me on

Yours sincerely

Karen Bevan
A/Director - Social Justice and Partnerships