

R.G. RECEIVED
15 JAN 2010

Save the Children

BY: ATSI/A

Save the Children
Level 2, Suite 405
Elizabeth Street
Surry Hills
NSW, 2010

The House Standing Committee on Aboriginal
and Torres Strait Islander Affairs
House of Representatives
Parliament House
CANBERRA, ACT, 2600

To the Secretary of the Committee,

Re: Inquiry into Indigenous juveniles and young adults in the criminal justice system

The over representation of Indigenous young people in the criminal justice system is one of the most disturbing human rights issues on Australia's current political landscape. Despite the allocation of significant resources to address this over representation, the issue continues to contribute to Indigenous disadvantage. This submission discusses how initiatives that improve educational and training opportunities through prevention and early intervention programs can assist in improving the social and emotional literacy of Indigenous young people, thereby contributing to their increased positive social engagement.

Save the Children is the world's largest independent child rights development organisation, making a difference to children's lives in more than 100 countries. The organisation has extensive and relevant experience in managing quality services for children and families across Australia and overseas. Save the children has been working with Indigenous communities in Australia for almost 60 years, both in urban and remote settings. Save the Children runs programs in the key areas of health, education and child protection. Our youth at risk programs demonstrate the effectiveness of taking a whole of community approach to improving outcomes for young people based on a participatory capacity building model.

Eternity Aid is a non-profit organisation based on Christian values, which has been operating a Life Skills Program at the Reiby Juvenile Justice Detention Centre, New South Wales since 2003. Eternity Aid identified the need for better educational outcomes for Indigenous detainees and thus established the Reiby Lifeskills Program with funding support from the New South Wales Department of Education and Training. The program utilises the skills of a range of professionals including Occupational Therapists, Speech Therapists and Special Education teachers, whilst

also incorporating a number of community volunteers. In 2008, the program was awarded runner-up in the Department of Juvenile Justice Director General's Excellence Awards.

More recently, in partnership with Save the Children, the Reiby Lifeskills Program has expanded to provide one-on-one mentoring in a non-threatening environment to young males aged 10-16 who are in custody – over 80% of whom are Indigenous. A positive outcome of this has been more constructive social interactions with visitors and community members. After consultation with the New South Wales Minister for Juvenile Justice, the Honourable Graham West, the program has now expanded to include the Emu Plains Juvenile Detention Centre, with preliminary arrangements for expansion into other centres, such as Junaparina Juvenile Detention Centre and Bronte Adolescent Wing at Long Bay Forensic Hospital in 2010.

Due to the overwhelming number of Indigenous detainees originating from Bourke who have limited literacy and numeracy skills, Eternity Aid and Save the Children established an early intervention allied health clinic and youth outreach program in Bourke, providing assessments, therapy and support for children, young people and their families. The value of this program is its emphasis on continuity of service. The already established relationships between Indigenous juvenile detainees, their community and the professionals who have assisted them in the detention programs in Reiby and Emu Plains Detention Centres is essential to the effectiveness of the program.

The development of social norms and behaviours for Indigenous juveniles and young adults can lead to better social engagement

Eternity Aid and Save the Children are currently running the Life Skills Program in Reiby and Emu Plains Juvenile Justice Detention Centres. The goal of the program is to increase the ability of young people in detention to make positive choices, therefore building pathways back into education, employment and community.

The program came about in response to the obvious needs of the young men who were struggling with their school work due to low numeracy and literacy skills. Although young people in detention receive formal schooling, the success of the Life Skills program depends on the one-to-one tutoring with a trained volunteer that caters to the individual needs of each student so as to further develop reading, writing and numeracy skills along with social and emotional literacy. The facilitation of positive social interactions in a non-threatening environment is the underpinning philosophy of the program.

The program, which has been running in Reiby since 2003, takes a human rights approach by explicitly addressing the UNCRC articles of non-discrimination (article 2), best interest of the child (article 30) and dignity (article 40). Children in custody

are entitled to receive an education, to be supported through their time in detention and to be treated with dignity.

Although the students receive academic tutoring in reading, writing and maths skills, the one-to-one interaction with the tutor is the pivotal factor that leads to the development of increased self esteem, confidence, appropriate social behaviours and norms. The tutor's role as support and role model is key to addressing many of the social dysfunctions that the young men bring with them as the result of abuse, neglect, substance abuse and other social and emotional issues. Save the Children in partnership with Eternity Aid is in a unique position to extend these relationships into the Indigenous community through its sister program, focussing on allied health, in Bourke. The relationship developed through one-to-one interaction also builds a foundation of trust and respect that is conducive to success in academic learning.

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.

The Bourke Allied Health Clinic program was born out of the Reiby Lifeskills Program as a way of extending the support into one of the communities that was highly represented within Reiby. (For a brief period in 2006, two thirds of the detainees were from the Bourke district.) Mentors from the Life Skills program were invited to Bourke by one of the Indigenous young men in custody to provide the same safety and support that he received in Reiby. The program takes a preventative and proactive approach by providing:

- a) allied health assessments and therapy for pre-school and school aged children who show signs of cognitive and behavioural delay. The philosophy underpinning this approach is that early diagnosis and intervention can prevent children from future disengagement from education and productive participation in the wider community. These are major factors in anti-social and criminal behaviour.
- b) training in early intervention strategies and behaviour management for locally based staff through professional development of teachers and childcare workers, youth workers and other key stake holders, in order to build the capacity of the community and ensure the sustainability of the program.
- c) youth outreach through mentoring, training and arts-based programs that support reengagement with education, improve employment opportunities and empower young people to take an active role in their community.

The Bourke program is based on an "invitational" model where the outside organisation, in this case Eternity Aid and Save the Children, are invited in by the community to collaborate on ways to provide needed support and services. The mobile Allied Health program clinic visits Bourke four times a year so that the

community and the partner organisations can meet to discuss needs and future directions for the project.

Our recommendations:

The provision of a holistic model that offers a continuum of care and support from detention to community is essential to addressing the issue of over representation of Indigenous youth in detention. The current post-release situation for many Indigenous young people inadvertently encourages re-offending due to housing issues, outstanding warrants, increased police surveillance and lack of resources to provide lasting support.

In conclusion:

There is much debate over the factors that contribute to the high rates of juvenile detention within the Indigenous community, as well as ambivalence on how best to reduce the obvious over representation. However, the statistics are difficult to ignore. In 2005, 52% of 10 to 17 year olds in juvenile detention across Australia were Indigenous. Many rural and remote Indigenous communities do not have adequate, if any, access to diversionary programs or alternative sentencing options, such as supervised bonds, community service orders or periodic and home detention. A reinvestment in Indigenous communities through consultation and collaboration is essential if the issue of over representation is to be addressed effectively. Research has shown that programs that incorporate community involvement are more likely to succeed because they address the issues of access and equity and ensure that communities are not further weakened by removing members through incarceration. The community then becomes the central focus in crime prevention as they work in partnership to meet their own needs.

We would value the opportunity to discuss our programs in more detail at a public hearing. Should you have enquiries regarding this submission please contact

Yours sincerely,