



SUBMISSION TO THE 2018/2019 NSW STATE BUDGET

March 2018



Jesuit
Social Services
Building a Just Society

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For further information, contact:

Julie Edwards, CEO, Jesuit Social Services

T: 03 9421 7600

E: julie.edwards@jss.org.au

Jesuit Social Services: Who we are and what we do

Jesuit Social Services has been working for more than 40 years delivering practical support and advocating for improved policies to achieve strong, cohesive and vibrant communities where every individual can play their role and flourish.

We work with some of the most marginalised individuals and communities, often experiencing multiple and complex challenges. Jesuit Social Services works where the need is greatest and where we have the capacity, experience and skills to make the most difference.

Our services span Victoria, New South Wales and the Northern Territory where we support more than 57,000 individuals and families.

Our service delivery and advocacy focus on the following key areas:

- **Justice and crime prevention** – people involved with the justice system
- **Mental health and wellbeing** – people with multiple and complex needs and those affected by suicide, trauma and complex bereavement
- **Settlement and community building** – recently arrived immigrants and refugees, and disadvantaged communities
- **Education, training and employment** – people with barriers to sustainable employment.

The promotion of **education, lifelong learning and capacity building** is fundamental to all our activity. We believe this is the most effective means of helping people to reach their potential and exercise their full citizenship. This, in turn, strengthens the broader community.

Research, advocacy and policy are coordinated across all program and major interest areas of Jesuit Social Services. Our advocacy is grounded in the knowledge, expertise and experiences of program staff and participants, as well as academic research and evidence. We seek to influence policies, practices, legislation and budget investment to positively influence participants' lives and improve approaches to address long term social challenges. We do this by working collaboratively with the community sector to build coalitions and alliances around key issues, and building strong relationships with key decision-makers and the community.

Our Learning and Practice Development Unit builds the capacity of our services through staff development, training and evaluation, as well as articulating and disseminating information on best practice approaches to working with participants and communities across our programs.

We acknowledge the Traditional Custodians of all the lands on which Jesuit Social Services operates and pay respect to their Elders past and present. We express our gratitude for their love and care of the land and all life.

Introduction

Jesuit Social Services welcomes the opportunity to make a submission to the *2018/19 NSW State Budget*.

The NSW Government's 2017/18 Budget saw welcome investment in early childhood, schools, mental health, and the community legal sector, which included:

- \$4.2 billion to build school infrastructure in growth areas such as Western Sydney
- \$217 million over four years for the Start Strong reforms to early childhood education
- \$20 million for community-based mental health services
- \$6 million in funding for community legal centres.

In a tight budget environment, spending must prioritise social and community services that enable communities to flourish. These services form the fabric needed to address the very social problems that contribute to crime, educational disengagement, concentrations of long term unemployment, drug and alcohol problems and family dysfunction.

NSW currently has record numbers in our adult prisons, including disgraceful over-representation of Aboriginal and Torres Strait Islander people, historically high recidivism rates, and an unacceptable number of young people in detention being held on remand without conviction. Some of the most vulnerable members of our community continue to cycle through child protection, homelessness, family violence and mental health services, and experience unemployment.

Setting the scene

Ecological justice

In an increasingly complex era of rising social inequity, environmental degradation and climate crisis, new challenges towards building a just society are appearing. The most marginalised and vulnerable continue to bear the brunt of inequality and disadvantage - they are often the least responsible for these social injustices as well as ecological risks and threats - but are the most affected by their emergence.

Jesuit Social Services' understanding of justice has thus expanded to include not only social justice, but also environmental justice. Ecological justice therefore represents the union of both of these domains - a historical understanding and an emerging perspective of the forces which shape our world. To this end, ecological justice means that all measures to create improved social outcomes must also consider both environmental effects and outcomes.

The pursuit of ecological justice involves a multi stakeholder approach inclusive of governance, business and community engagement. It also involves ethical transformation where healthy relationships become a central principle of pursuing justice. Jesuit Social Services wishes to invite discussion on what practices, policies and actions can be taken by governments, individuals, organisations and the community services sector within Australia, to build an ecologically just society.

The challenge of overcoming disadvantage

All Australians should have access to the opportunities in life that will enable them to flourish – to complete their education, to get a job, to access safe and affordable housing, to raise their children in safe communities and to see the next generation thrive.

In 2015, Jesuit Social Services along with Catholic Social Services Australia released the findings of its forth *Dropping off the Edge 2015 Report (DOTE)*¹, which found that complex and entrenched disadvantage continues to be experienced by a small but persistent number of locations in each state and territory across Australia, including in NSW.

Of particular concern for Jesuit Social Services is the concentration and web-like structure of disadvantage within a small number of communities across the state. Our research found that those living in the 3 per cent most disadvantaged postcodes in NSW are:

- 3.6 times as likely to have spent time in prison
- more than 3 times as likely to be experiencing long term unemployment
- nearly 3 times more likely to have a low level of education and/or have suffered domestic violence
- twice as likely to have a disability or significant mental health problem.

The persistent nature of locational disadvantage becomes obvious when we compare findings of this 2015 study with previous studies undertaken in 2007, 2004 and 1999. No fewer than 24 of the state's 40 most disadvantaged postcodes in *Dropping Off The Edge 2015* were also found to be in the 5 per cent 'most disadvantaged' in the 2007 study, and many have been in a depressed state since the early studies were undertaken in 1999 and 2004.

Jesuit Social Services has consistently argued that public policy must pay greater attention to the role of structural factors and social inequality as key determinants of health and wellbeing. These are therefore drivers of demand for community services.

In addition to addressing structural determinants, the Government can also tackle disadvantage through the provision of services. Here investment must be forward looking and preventative. From our experience, we know the best way to reduce crime and the burden on our criminal justice system is to tackle its root causes. In order to do this we need effective universal services in education, health and family services, as well as access to safe and affordable housing. We need to be able to respond to people in our community who fall through the cracks, and provide holistic interventions during times of crisis. And, fundamentally, we need to commit to long-term, local, community-led solutions in areas of deepest disadvantage.

The community sector, businesses and private philanthropy all have a vital role to play as key partners with the Government.

Priority areas for the 2018-19 New South Wales State Budget

Entrenched disadvantage

Long-term, place-based responses to entrenched disadvantage

Without a sustained, collaborative, long-term commitment across the government, community and business sectors, there is a significant risk that some of the state's most severely disadvantaged communities will continue to 'drop off the edge'.

Jesuit Social Services calls on the NSW Government, in partnership with the community, to act immediately to put in place appropriate structures, plans and resources targeted to our most vulnerable communities to effectively break the web of disadvantage. We need a multi-layered, cooperative and coordinated strategy that is owned and driven by the community. It must involve all layers of government and the business and community sectors, reflecting shared responsibility and joint commitment to resolve this entrenched problem. This strategy must take account of the unique characteristics and circumstances of local communities and be sustained over the long term. It should be:

- **Targeted** – concentrated to specific areas of the most severe disadvantage.
- **Tailored** – Meet the community's needs and responding to the unique mix of issues facing the community.
- **Integrated**– Recognising the web of multiple and interconnected causes of disadvantage.
- **Cooperative** – Responses are founded on a strong relationship between government and departmental portfolios, integrated community initiatives and coordination between different levels of government.
- **A long term horizon** – A long-term commitment of 20 years to address complex, entrenched disadvantage.
- **Community owned and driven** – Community leaders drive the agenda, recognizing the strength within communities and work with them to build capacity, generate action, attract external resources and maintain direction and energy.
- **Engaged at the individual, community and national levels** – Recognising the complex interplay of the individual, their family circumstances, their community, and the broader social and economic environment in causing and addressing disadvantage.

We recommend the NSW Government develop a whole-of-government, long-term strategic approach to entrenched and localised disadvantage.

Since 2008, Jesuit Social Services has been working in Western Sydney to help communities break out of cycles of disadvantage by developing local answers to local problems. In Western Sydney, Jesuit Social Services is leading the Willmot Community Hub project, working closely with the local community and community leaders to identify what services are needed to improve life outcomes for people in Western Sydney – one of the most disadvantaged areas of New South Wales.

Our work in Western Sydney also includes running The Store in Mt Druitt, which has expanded to Willmot in the past year. The Store provides subsidised fresh and healthy food to the local community, which experiences layers of structural disadvantage.

Jesuit Social Services now has a bold yet attainable vision for the future that will see hope, pride and participation return to the area. We want to make real and lasting change, engage the local

community and build the capacity of community leaders to drive and sustain this work over the long haul.

One of the ways we hope to achieve this vision is through a network of local employers who have expressed a strong desire to setup targeted employment pathways to employ local and disadvantaged people in Mt Druitt, and in particular Willmot.

Research by the Productivity Commission notes that employment is the most robust factor for keeping people out of poverty, and that more than 30 per cent of people who are unemployed experience deep social exclusion.² Education, training and employment play a key and powerful role in addressing many of the overlapping issues facing disengaged and highly vulnerable people in our community.

In Mt Druitt, our relationships with local, long-term unemployed people have grown alongside networks providing employment preparation, training and support. The missing component is a dedicated and skilled person, working in the community, to connect these resources up into an accessible pathway to successful local employment, and work to reduce place-based and entrenched disadvantage.

We recommend the NSW Government invest in a dedicated position to establish targeted employment pathways in Willmot, by connecting pre-existing and motivated networks to create pathways to real jobs.

The Men's Project

Boys and men are in trouble – and they are causing trouble. Not all of them. Not even most. But too many. We see it in high levels of substance abuse, mental health issues, radicalisation and violence.

The impact on women, children, families, communities and society as a whole is profound. As a society we have recently begun to acknowledge one significant aspect of the problem – violence against women. The focus has been, as it should be, on supporting the victims of this violence.

But we need to do much more. Around 95 per cent of victims of violence experience violence from a male perpetrator,³ 92 per cent of all prisoners in NSW are male,⁴ and on average, six men suicide each day – three times the rate of women.⁵

We must address the root causes of these injustices by supporting boys and men to live respectful, accountable and fulfilling lives, where they are able to develop loving relationships free from violence and contribute to safe and equal communities.

We need to promote positive change around gender norms and stereotypes and what it means to be a healthy and respectful man in the 21st century. We need to focus on the contributing factors to male violence like mental health problems, substance abuse and social isolation. And we need to collaborate with and build the capacity of others to reduce violent behaviour by boys and men.

If we can support boys and men to establish meaningful relationships, to build hopes and aspirations, and to fully realise their potential, this will benefit not only boys and men but everyone in the community – children, women, friends and families.

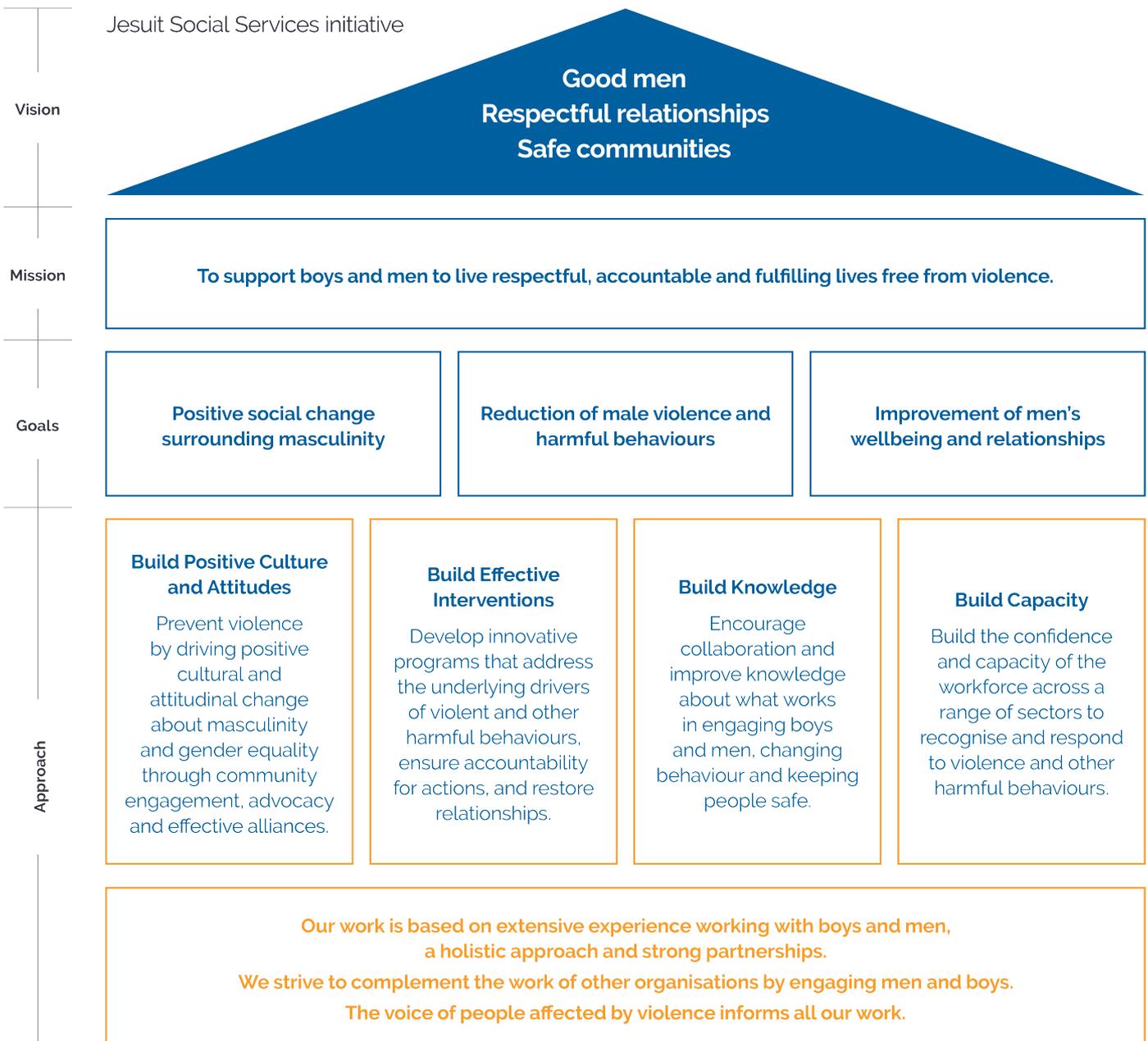
There are already some important programs that work with boys and men, particularly in responding to violence. For more than 40 years, Jesuit Social Services has been a prominent provider of these.

But these programs are disparate in nature and spread unevenly across the country. And while some are successful, they generally deal with single-issue behaviours of individual men and boys. A new approach is needed to achieve genuine change – a big picture approach that looks at the root causes of violence and harmful behaviour by boys and men. To this end, Jesuit Social Services recently established and launched the Men’s Project.



the men's project

Jesuit Social Services initiative



The Men's Project aims to work initially with boys to both understand their attitudes and behaviours, as well as support them to them to establish meaningful relationships, to build hopes and aspirations, and to fully realise their potential. Jesuit Social Services calls on the NSW Government to commit to and invest in the following initiative to reduce male violence and create safer communities:

Attitudes and Behaviours of Australian Boys 2018

While a growing body of international research stresses the importance of engaging boys and men in addressing gender inequalities and the gendered drivers of violence against women, children and other men, little research has been done in Australia focussing specifically on boys' attitudes and behaviours on a range of related issues such as gender norms and stereotypes, gender equality, relationships, violence, and the role of technology.

The Men's Project seeks funding to develop and undertake the first comprehensive survey of the attitudes and behaviours of Australian boys on a range of issues including gender, technology, and relationships. This will provide an invaluable insight into our boys and identify specific issues to be responded to.

Jesuit Social Services would welcome the opportunity to work in partnership with the NSW Government to deliver lasting change to our community.

We recommend the NSW Government invest in *Attitudes and Behaviours of Australia Boys 2018* to prevent and address male violence in young boys and men.

Youth justice

Characteristics of young people who offend

"...the corollaries between child poverty, social and economic inequality, youth crime and processes of criminalisation are undeniable"⁶

Research shows that the causes of offending in younger children are strongly connected to their environment and its impact on their development. Jesuit Social Services' extensive research such as [*Thinking Outside: Alternatives to remand for children*](#), has identified a strong correlation between child and youth offending and entrenched disadvantage.

Many children and young people who display challenging behaviour have histories of trauma, neglect and contact with child protection. It is well recognised that early experiences of child abuse and neglect have a detrimental impact on a child's brain development. Research undertaken by a number of academics has identified how hardship early in life can inhibit the development of oral language,⁷ result in intense and cumulative harm,⁸ and have long term impacts on health and social outcomes.⁹ In these settings, a child's ability to develop important emotional, social and cognitive skills is diminished, leading the child to be behind his or her peers in a broad range of competencies.

These risk factors have a further effect on the health and well-being of children and young people. A NSW study looking into the health of young people in custody identified that 83 per cent of young people were found to have at least one psychological disorder, and 63 per cent had two or more psychological disorders.¹⁰ In this same study it was reported that in the past 12 months, 10 per cent of young people engaged in suicidal acts with intent, and 7 per cent of young people engaged in suicidal acts with medical lethality.¹¹ These are telling when compared with young people across

Australia, with a 2015 study indicating: 14 per cent of children and young people have mental disorders and around 3 per cent have ever attempted suicide.¹²

There is also a strong connection between school performance, truancy and criminal involvement. A number of studies, including Jesuit Social Services' research, have found that between 60-70 per cent of students skipping school were involved in criminal activity.¹³

It is also worth noting that Aboriginal Australians are significantly over-represented in the justice system. Compared to the non-Indigenous population, Aboriginal children in NSW are 16 times more likely to be under community-based supervision and 23 times more likely to be in detention.¹⁴

Vision and purpose

An effective youth justice system is one that holds young people accountable for their actions while working to rehabilitate and re-socialise them, to ultimately prevent re-offending.

Jesuit Social Services' recent #JusticeSolutions study tour was an initiative looking outside our borders for solutions to youth justice problems in Australia. Senior leaders of our organisation undertook an international tour, taking in parts of Norway, Germany, Spain, the United Kingdom and the United States.

On the [#JusticeSolutions study tour](#) it became very clear that successful youth justice systems have a clear vision and well-articulated purpose. Jesuit Social Services' vision for youth justice systems is to enable young people who offend (or are at risk of offending) to lead healthy, productive and crime-free lives. To achieve this, our purpose must be rehabilitation.

Effective youth justice systems focus on early intervention and diversion, preventing young people from further contact with the justice system, using child-specific approaches and engaging families and communities. They have thorough assessment and planning processes that are supported by strong social infrastructure and well-resourced community alternatives to locking up young people. When prison is necessary, the focus is on strong education, addressing problem behaviour and underlying needs, and building social and practical skills through programs that prepare young people for reintegration into their community. They use facilities that are small and close to the homes of detainees, with positive cultures and well qualified staff who are trained to build relationships of trust, rather than punish.

All of this is underlined by a deep commitment to take the time to hear the voices of young people, and the voices of their families, to truly understand what is driving their behaviour and ensure that those issues and needs are addressed. Please see **Appendix A** for a visual representation of our vision for youth justice systems in Australia.

If we imagine the youth justice system as a maze that entraps vulnerable young people – all too easy to enter but so difficult to escape – we must redesign the maze so that the pathways in are narrowed and the pathways out are clear.

Justice policy is complex. For it to succeed it must operate in an environment that can stand firm against political and populist pressures. We call on the NSW Government to commit to developing a youth justice strategy based on the evidence of what works.

We call on the NSW Government to commit to developing a strategy for a youth justice system that holds young people accountable for their actions while working to rehabilitate and re-socialise them, to ultimately prevent re-offending.

Setting targets

If we build prisons we will fill prisons – this is not only expensive but it is also unsustainable. Instead of building prisons we should be closing them and investing in alternatives. We must set targets to reduce youth offending, incarceration and recidivism, with a specific focus on Aboriginal and Torres Strait Islander young people.

Reducing reoffending saves money. Modelling undertaken for Jesuit Social Services in 2014¹⁵ showed that a 15 per cent reduction in the rate of male reoffending in adults could save the Victorian corrections system between \$15.2 million and \$23.4 million per year over the long term. Achieving this reduction would also result in significant savings beyond prisons, including for mental health units, hospitals, police and other community support services.

We have seen in other parts of the world that a short-sighted and non-evidence based approach will only see more young people trapped in the maze of the youth justice system, ultimately creating more victims.

We recommend the NSW Government set targets to reduce youth offending, recidivism, incarceration, and the number of young people on remand. Specific corresponding targets should also be set for Aboriginal and Torres Strait Islander young people.

Strengthening diversion and support in the community

The NSW youth detention population is on an overall downward trend. As at June 2017, the population of young people in custody was 291, significantly lower than the June 2011 peak of 405 young people.¹⁶ Diversion programs in NSW, such as youth justice group conferencing, have been shown to effectively divert young people from custody.¹⁷

Jesuit Social Services acknowledges and welcomes positive diversion initiatives that have already been undertaken in NSW, such as:

- the introduction of the *Young Offenders Act 1997* which created a hierarchy of sanctions designed to divert young offenders, including youth justice conferences, and was found to be successful¹⁸, and
- the Maranguka Justice Reinvestment Project in Bourke, developed to decrease the rate of contact of Aboriginal children and young people with courts and custodial detention in Bourke¹⁹.

These initiatives can be further enhanced by strengthening the diversion of young people away from the youth justice system.

Positive examples of diversion and restorative justice approaches

The following programs offer examples of responses that effectively contribute to the positive development of young people. Each emphasises:

- the importance of restorative justice principles, processes and practice
- a therapeutic approach that responds to the needs of vulnerable children and young people, particularly those in the child protection system who come into contact with the justice system
- an understanding of the particular needs of Aboriginal children and young people who are overrepresented in the youth justice system

- the critical role of education as a protective factor, and the need to ensure vulnerable children’s continued engagement in school.

Youth Justice Group Conferencing

Undue reliance on detention in criminal justice policy is both ineffective and costly. There is little evidence that tougher sentencing policy improves community safety through deterrence or incapacitation.²⁰ In fact, several studies have found that imprisonment increases the likelihood of offending behaviour and has the potential to negatively affect prisoners, particularly younger, lower-risk offenders.²¹

Restorative practices are more effective in reducing re-offending and making our communities safer. Jesuit Social Services works with young people in the justice system in Victoria and the Northern Territory, using a problem-solving approach to offending that is based on principles of restorative justice.

In Victoria, Jesuit Social Services has delivered the Youth Justice Group Conferencing program since 2003, enabling dialogue between young people who have offended, their victims and the wider community. The program is grounded in principles of restorative justice, which emphasise reparation and restoration,²² and aims to:

- raise the young person’s understanding of the impact of their offending on the victim, their family and/or significant others and the community
- reduce the frequency and seriousness of re-offending by the young person completing the program
- improve the young person’s connection to family/significant others and their integration into the community
- negotiate an outcome plan that sets out what the young person will do to make amends for their offending
- increase victim satisfaction with the criminal justice process, and
- divert the young person from a more intensive sentence.²³

Since March 2017, Jesuit Social Services has also delivered a youth justice group conferencing program in the Northern Territory operating under a similar model. This pre-sentence program has already seen almost 30 young people referred. All young people referred have been Aboriginal and Torres Strait Islander, and cultural safety and ensuring a culturally strengthening process (e.g. by engaging Aboriginal elders in group conferences) has been a paramount consideration in convening group conferences.

Restorative justice group conferencing is effective: a 2010 KPMG independent evaluation of young people who completed a group conference between 2007 and 2009 found that more than 80 per cent of participants had not reoffended two years later – this compared to 57 per cent for the comparison group (i.e. young people who had been placed on Probation or on a Youth Supervision Order).²⁴ A number of evaluations have also shown that group conferencing achieves very high rates of victim satisfaction.²⁵

Comparing group conferencing across jurisdictions, evaluations seem to indicate that conferencing in NSW has not delivered outcomes as favourable as those in Victoria.²⁶ The reason for this is not definitively known however, according to the Report on Government Services 2018, each year five times as many group conferences are conducted in NSW compared with Victoria, and Victoria spends almost \$10,000 more per conference²⁷ (i.e. Victoria conducts less conferences with more resources dedicated per conference).

Jesuit Social Services understands that the majority of referrals for group conferences in NSW come from police (as opposed to the Children’s Court in Victoria) which would suggest that the seriousness

of offending is lower. In our experience, the more serious the offence, the greater the opportunity for restoration through group conferencing because the impact of the offence on all parties involved has generally been greater, and there is more harm to repair. We would also suggest that given the discrepancy in funding between Victoria and NSW, group conferences in Victoria are almost always convened by people with substantial experience and qualifications, additional supports are able to be provided to victims and offenders, and more than a single conference can be run if required.

Jesuit Social Services believes that restorative approaches such as group conferencing should be expanded throughout criminal justice systems across Australia, based off the successful Victorian model.

Restorative justice is also more cost-effective than keeping a young person in detention. For every \$1 invested on Youth Justice Group Conferencing, for example, the Victorian Government saves at least \$1.21 in the short term, and this saving is likely to increase in the long term.²⁸ On every level, it makes more sense to divert young people away from the justice system.

Youth Justice Group Conferencing is a problem-solving approach to offending that emphasises the offender's personal accountability, encourages an inclusive decision-making process that encourages participation, and aims to right the harm caused by an offence.²⁹

We recommend the NSW Government invest in youth justice group conferencing to ensure the program can be provided with adequate intensity, supports, and experienced convenors, as per other models in Australia.

Barreng Moorop

Recognising the need to divert vulnerable children away from the youth justice system through our [Thinking Outside: Alternatives to remand for children](#) research, Jesuit Social Services delivered the Barreng Moorop program in partnership with the Victorian Aboriginal Legal Service (VALS) and the Victorian Aboriginal Child Care Agency (VACCA). The program is funded by the Commonwealth Government, and in 2017 was transitioned from Jesuit Social Services to VACCA to administer and run the program as lead agency, with VALS and Jesuit Social Services remaining engaged as partners.

Barreng Moorop works with 10-14 year old children, their siblings and their families residing in the North and West metropolitan regions of Melbourne who intersect the criminal justice system. The program provides culturally responsive trauma-informed services to divert young Aboriginal people away from the criminal justice system. Since its inception in 2015, Barreng Moorop has assisted 35 Aboriginal children and their families.

Barreng Moorop works with the whole family and community (where appropriate) to provide a wrap-around response, understanding the composition of Aboriginal families, in which the extended family plays an active role. The responsibility of child care and rearing is shared amongst a range of family members with, in many cases, a multi-generational core of kin providing primary care.

In response, Barreng Moorop works with, and provides support to, family members with the focus of using family, community and culture as a protective factor to divert young people away from the criminal justice system in a manner which is sustainable and genuine.

Barreng Moorop uses an intensive case management model, along with trauma-informed practices which acknowledge the trauma Aboriginal people have experienced throughout history due to colonisation, loss of culture and connection to land, and the removal of children from their families.

We note that these factors and the impact of intergenerational trauma plays out in the daily life of many of the Aboriginal children and families we work with.

Outcomesⁱ from Barreng Moorop participants in 2016/17 were impressive:

- 82 per cent of participants had an improved view of self
- 76 per cent of participants had improved health and wellbeing
- 76 per cent of participants had improved connection with family
- 76 per cent of participants had an improved capacity to set goals
- 65 per cent of participants had improved participation in education or employment.

We recommend the NSW Government invest in a program based on the Barreng Moorop model, to provide a whole-of-family response in Aboriginal and Torres Strait Islander communities.

ⁱ Data sourced from internal participant database measuring improvements against Jesuit Social Services' Our Way of Working outcomes in 2016-17

Case Study: Barreng Moorop

Rachel* is 13 years old and is on a Permanent Care Order in the care of her extended family member. The family has been involved with Barreng Moorop since September 2015. Barreng Moorop's work with the family has included:

- Supporting Rachel's extended family member to access and move into a transitional housing property and relocating Rachel to live with her extended family member
- Completing and submitting a public housing application
- Linking Rachel's extended family member in with a doctor to address his health needs
- Working in collaboration with Rachel's school to improve her self-esteem and sense of self
- Providing support to transition Rachel from primary to secondary school and assisting with accessing financial aid to purchase school supplies
- Providing transport so that Rachel can continue to access counselling
- Working with the school, counsellor and Rachel's extended family member, to develop behaviour management strategies to support Rachel to manage her behaviour and interaction with others.
- Providing education about bullying and cyber safety
- Organising care team meetings with all services involved with the family

As a result of Barreng Moorop's work with the family, key outcomes include:

- Rachel has not had further involvement with the police
- The school noted that Rachel's involvement in incidents at school decreased from a couple a day to a couple a week when she moved in with her extended family member
- Rachel has smoothly transitioned to secondary school and is engaged in schooling
- Rachel and her extended family member are currently residing together in transitional housing together and her extended family member has been offered a public housing property
- Rachel's health management has improved, including sexual health awareness, and has continued engagement with counselling
- Rachel is engaged in pro-social activities which has improved her physical health as well as her self esteem
- Rachel has attended holiday camps and met other children her age outside of school
- Contact with extended family is improving
- Rachel's extended family member is receiving Centrelink benefits and Family payments, and has improved health management

*Not her real name

Youth Diversion Pilot Program

Between June 2015 and December 2016, Jesuit Social Services delivered services to young people participating in the Youth Diversion Pilot Program (YDPP) operating out of the Children's Court of Victoria. A young person appearing in the Children's Court for the first or second time for a low level offence could be referred to the diversion program by the Magistrate. If the young person successfully met the requirements of the Diversion Plan then a criminal conviction was not recorded. This had many positive benefits, including enhanced prospects for engaging in future employment.

Under the YDPP, once a youth offender was referred to the program, an initial assessment was completed. At that point, an immediate preliminary Diversion Plan was agreed upon to assist the young person to start making a change to their life. A 'diversion worker' had carriage of the youth offender's engagement in the program. The diversion worker would continue to meet with the young person to develop a fully formed Diversion Plan. The Diversion Plan would be directed towards preventing future offending and, depending on the nature of the previous offending, could be brief and targeted or more complex and holistic.

Each Diversion Plan was tailored to the needs of the particular youth offender. It could take up to 8 weeks of engagement before a Diversion Plan was finalised with a particular young person. Each Diversion Plan focused on any number of the following categories of support/intervention: offending; home and community; education, training and employment; and health and wellbeing. Specific actions, support services or programs were identified under each of these categories and formed part of the Diversion Plan. The diversion worker would often meet with family or support people when formulating the Diversion Plan. The duration of the Diversion Plan was also decided upon. The Diversion Plan was intended to be primarily participant driven, rather than driven by the 'diversion worker'. The diversion worker monitored the participant to determine what parts of the Diversion Plan have been actioned and then drafted a report for the Court.

Data collected by Jesuit Social Services indicates that the diversion program was successful in supporting young people to understand the impacts of their offending behaviour and to engage in activities to prevent future offending. Over 90 per cent of all finalised diversions resulted in a dismissal of the charges.

Participants were supported to improve family relationships, engage with education, training and employment, and address mental health and substance use issues. The program's 15 month report (1 June 2015 – 31 August 2016) indicated that:

- Of the 357 Diversions finalised:
 - 330 people (92.43 per cent) completed Diversion successfully and had their matters dismissed
 - In 27 cases the Diversion was considered unsuccessful and the original charges were re-listed (these mostly related to the young person not engaging with the program, moving to a different location, or further alleged offending during the Diversion period)

Responses to the question "What has been the most significant change for you since coming to the Youth Diversion Pilot Program"? (taken from exit interviews conducted with participants) included:

- I have more motivation to do things, get a job and go to the gym. I have goals now.
- Not getting in trouble, keeping clean.
- Getting back into school.
- Studying more, don't have to go to court.
- More positive outlook on life.
- Able to talk about future and mum trusts me.
- Staying off the streets and keeping out of trouble.
- I stopped doing drugs.
- I haven't been in trouble since and have changed who I hang around. I now just do the right thing.

Key outcomes

Over 90 per cent of participants successfully completed the diversion program and had their matter dismissed. Common positive outcomes include:

- young people demonstrating a better understanding of the impact of their offending
- improved family and community relationships
- re-engagement with education
- improved mental health.

The program received consistently positive feedback from Victoria Legal Aid, police prosecutors and the broader court network.

Drawing on these aforementioned evidence-based programs, we recommend the NSW Government strengthen diversion in youth justice by adopting proven successful programs.

We recommend the NSW Government strengthen diversion in NSW by adopting successful, evidence-based diversion interventions and program models.

Age of criminal responsibility

A small number of vulnerable children enter the criminal justice system at a very young age. According to the Australian Institute of Health and Welfare, 331 children under 15 years of age were held in youth detention in NSW in 2015/16³⁰. We know this group is among the most vulnerable in the community and that children first detained between the ages of 10 and 14 are more likely, compared to those first supervised at older ages, to have sustained and frequent contact with the criminal justice system throughout their life³¹. These findings have been further confirmed by our [Thinking Outside: Alternatives to remand for children](#) research.

Child offending experts, psychologists and criminologists agree that younger children have rarely developed the social, emotional and intellectual maturity necessary for criminal responsibility before the age of 14 years and also lack the capacity to properly engage in the justice system. Consequently, procedural fairness cannot be assured and criminal justice proceedings fail to guarantee a just response to children’s behaviour. The most effective approach to divert these children’s trajectories into the justice system is to address the issues driving their vulnerability such as family dysfunction, trauma, abuse and neglect.

In line with international standards embodied in the United Nations Convention on the Rights of the Child and enacted in many overseas jurisdictions³², we recommend raising the age of criminal responsibility to the age of 14 in NSW. According to an international study of 90 countries, 68 per cent had a minimum criminal age of 12 or higher, with the most common age being 14 years.³³

Age of criminal responsibility: international comparison

AUS	NZ	CAN	ENG	USA	FRA	GER	SWE	NED	CHN	JPN
10	10-14	12	10	6-12	13	14	15	12	14	14

Source: Hazel 2008, Cross-national comparison of youth justice, Youth Justice Board for England and Wales

We recommend putting in place evidence-based approaches to supporting vulnerable children who are below this age. This should include less punitive methods of holding them to account, such as restorative justice and family centred approaches, as well as preventative measures which target the social and economic factors which lead to anti-social behaviour.

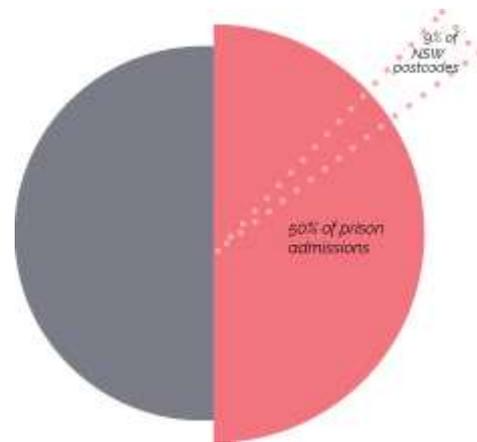
We recommend the NSW Government raise the age of criminal responsibility to 14 years and fund a program that takes a restorative and welfare approach to anti-social behaviour in children under the age of 14 years.

Adult Justice

Reduce crime by responding to underlying drivers

Place-based, long-term initiatives must be maximised to reduce crime. *Dropping off the Edge 2015* found that 9.3 per cent of all NSW postcodes accounted for almost half (49.6 per cent) of all prison admissions in NSW.³⁴ This highlights the often localised nature of crime, as well as the role of disadvantage as an underlying cause of offending.

A community capacity building approach to community crime prevention recognises the role that disadvantage in communities plays in the prevalence of crime. This a cost-effective measure directs funding to communities with high levels of crime to fund community-led initiatives as a means of preventing crime. Over time, these initiatives lead to savings in justice spending due to a reduction in levels of crime. These community-driven responses target underlying issues that the community has identified as important to them. The Just Reinvest NSW project in Bourke is already seeing good results. There has been an improvement in school attendance, a sharp drop in domestic violence assaults and it currently has the lowest number of people jailed for driving offences that it has seen in 10 years.³⁵



Australian jurisdictions have identified the need for more innovative approaches to crime reduction, highlighting the efficacy of a community capacity building approach in Texas which led to a 1,125 drop in prisoner numbers.³⁶

We commend the NSW Government's commitment to reduce reoffending by five per cent by 2019, and welcome the \$237 million plan to achieve this target. However, NSW's increasing prison recidivism rate - the second worst in Australia - which went up from 42.7 per cent in 2012-13, to 51.3 per cent in 2016-17³⁷, reflects the need to implement innovative approaches that more effectively address the underlying drivers of reoffending. Jesuit Social Services believes the effectiveness of community capacity building approaches presents an opportunity to reduce reoffending in New South Wales.

Justice Reinvestment

Jesuit Social Services has recently conducted research on justice reinvestment and its intersection with disadvantage and social cohesion, in a paper titled [Flourishing Communities](#).

Justice reinvestment is a criminal justice policy approach that prioritises prevention and diversion over detention. It is a form of preventative financing in which governments redirect resources that are currently spent on incarcerating offenders into community-based programs and services that aim to address underlying causes of criminality.³⁸

The intended purpose of justice reinvestment is therefore to simultaneously reduce penal budgets and offending rates.³⁹ It aims to prevent offending, break the cycle of recidivism and increase community safety by working to more effectively rehabilitate and reintegrate offenders.⁴⁰

In its 2018-19 Budget Submission⁴¹, Just Reinvest NSW called for a range of initiatives with regard to adult justice, including:

- investment of \$60 million over two years into early intervention, prevention and diversionary programs
- policy and legislative reforms to immediately reduce the Aboriginal and Torres Strait Islander prison population in NSW and free up resources for reinvestment
- annual reporting on the impact of reforms to the criminal justice system (implemented under the Criminal Justice Reform Package) and the savings generated as a result of those reforms
- Allocation of sufficient resources to community-based programs and supervision particularly in regional and remote areas
- \$6.35 million over 5 years for a Justice Reinvestment Framework for NSW as part of the Department of Justice's strategy to address the overrepresentation of Aboriginal people in the criminal justice system

In line with our desire to see justice reinvestment widely adopted throughout Australia, Jesuit Social Services supports the recommendations made by Just Reinvest NSW in their 2018-19 Pre-Budget Submission.

We support the recommendations made by Just Reinvest NSW in their 2018-19 Pre-budget Submission, as a means to reduce reoffending rates and the over-representation of Aboriginal and Torres Strait Islander peoples in the justice system.

Training and Employment

Long term place-based initiatives

Education, training and employment play a key and powerful role in addressing many of the overlapping issues facing disengaged and highly vulnerable people in our community. The promotion of education, lifelong learning and capacity building is fundamental to the work of Jesuit Social Services.

Jesuit Social Services works with people who are often frustrated at the lack of access to valuable work experience and employment opportunities. This is most acute for people from disadvantaged backgrounds who often lack employment experience. We call on the NSW Government to look at long-term initiatives that are targeted to communities of disadvantage, to create jobs and pathways to employment, particularly for young people at risk of disengaging.

The OECD has conducted research into local strategies for youth unemployment, identifying that it is often at the local level that government policies can be integrated and combined with place-based initiatives to provide multidimensional responses to complex problems.⁴² From their analysis of various case studies and initiatives, a number of key themes and lessons emerged, including:

- put in place the right incentives and success measurement to support collaboration and target action on critical areas
- improve data availability and understand the nature of local skills supply and demand mismatch as a starting point of the local youth employment strategy process
- promote employer ownership and ensure that firms invest in their future workforce

- support sectoral approaches to bring together educational institutions, industry organisations, employment agencies and other government departments to develop career pathways, articulating skills requirements and connecting youth to the local economy, and
- monitor the implementation of programmes and evaluate success.

The Victorian Government's former place-based Neighbourhood Renewal program, launched in 2002, is an example of a positive initiative that worked across government, in partnership with local residents, businesses and the community sector, and combined social investment, service coordination and community involvement in decision making. A 2008 evaluation of the program found it reduced disadvantage and narrowed the gap between renewal areas and the rest of the state, as well as lowering unemployment, increasing further education qualifications, and raising perceived levels of community participation.⁴³

The Hunter Community Renewal Scheme is another positive example of an initiative targeted towards a community experiencing disadvantage. The Scheme was developed in response to a Jesuit Social Services report released in 1999 and prepared by Professor Tony Vinson, which found that Windale – a suburb in southern Newcastle – was the most socially disadvantaged community in NSW.⁴⁴ The Scheme was funded by multiple parties including state government, local government and community sector organisations, and involved a number of components and phases:

- a Community Renewal Strategy
- a comprehensive three-year Action Plan addressing social and employment needs
- community consultations and a Benchmark Survey that collected local residents' attitudes and was used to develop the action plan
- a Place Manager engaged for a three-year period and transition of responsibilities from the Place Manager to line agencies, and
- creation of the Windale Board of Management, a resident-run collective, to oversee community renewal activities.⁴⁵

A case study prepared by the Strengthening Communities Unit - NSW Premier's Department, found that over the three-year implementation period of the Action Plan a number of achievements were made which included:

- increased student school attendance and community volunteer involvement
- creation of 25 jobs and nine new start-up businesses
- 27 local women trained in an Assistant in Nursing course
- Crime Watch established with women reporting they felt safe moving around the community at night, and Police reporting that tensions between them and the community lessened, and
- a 'School as Community' Centre established which eventually became a blueprint for similar initiatives throughout NSW.⁴⁶

We call on the NSW Government to develop long-reaching initiatives that are targeted to communities of disadvantage, to create real jobs and pathways to employment, particularly for young people.

We recommend the NSW Government develop long term place-based initiatives targeted to communities of greatest disadvantage, that work with community, industry and employers to create real jobs and pathways to employment.

Corporate inclusion

Jesuit Social Services also notes the significant barriers to employment faced by newly arrived and Culturally and Linguistically Diverse (CALD) communities, which can limit their sense of integration into the Australian community. For these groups, employment fosters broader participation in society, provides a sense of purpose, and creates opportunities to become contributing members of the community.

Based on our experiences engaging with migrant communities seeking employment, Jesuit Social Services formed a partnership with the National Australia Bank in 2009 to establish the African Australian Inclusion Program (AAIP).

The AAIP fosters workplace inclusion for disadvantaged and underemployed skilled African migrants by addressing the initial barriers – including a recruitment landscape which is highly influenced by bias (conscious or unconscious) – which can often prevent entry into the Australian workforce. While the AAIP produces a social good, in broadening the employment prospects of disadvantaged migrants, it also provides significant benefits to the private sector in opening up an untapped labour market of talented workers and shifting perceptions in a positive way. The program has been successful because it offers the private sector partner the competitive advantage of bringing experienced, skilled, yet underemployed, job seekers to their attention. It also serves to benefit the private sector through workplace diversification, in boosting staff engagement and in enhancing corporate reputation.

African Australian Inclusion Program

We provide African-Australians with corporate sector experience

- There are systemic barriers to entry to the Australian corporate workplace for qualified African-Australians – including lack of Australian experience, non-recognition of qualifications, lack of business networks and bias (both conscious and unconscious).
- The program provides African-Australians with the opportunity to showcase their capabilities as well as specific development to become effective, independent professionals working in their chosen field.
- The roles include finance, IT, business administration, business analysis, corporate responsibility, project management, marketing and customer contact.
- Through AAIP, participants:
 - undertake a paid internship in their chosen field
 - immerse themselves in Australian workplace culture and build powerful professional networks
 - receive mentoring to achieve assigned tasks and duties
 - work with a coach to achieve broader career goals
 - at a minimum, obtain a professional reference at the end of their placement

We offer career coaching to ensure job success beyond the program

- With the help of NAB career coaches, AAIP's impact lasts beyond the program itself.
- Participants work with a coach to help them achieve broader careers goals and search for job opportunities both within and outside NAB once the internship is complete.
- The program has been running since 2009, with 74 participants over that period in Sydney.
- 90 per cent of Sydney Participants at the end of the last round of the program had found work at NAB or in their chosen field.

We collaborate with business for stronger collective impact

- AAIP shows how the social and business sectors can collaborate to achieve a stronger collective impact.
- The program delivers genuine shared value that benefits participants, NAB and the broader community – for example as role models for younger African-Australians.
- AAIP's success has been recognised with several awards, including:
 - Diversity@Work (2010)
 - Melbourne Awards – City of Melbourne (2011)
 - Australian Human Resources Institute Diversity Award (2012)
 - Victorian African Community Award (2013 and 2014)
 - Victoria's Multicultural Awards for Excellence – Business Award (2017).

“The African Australian Inclusion Program is not really about giving me a job – it’s about transforming my life, transforming my household, transforming my extended family and transforming the community I represent.”

Building on the highly successful AAIP – and with the support of the current Victorian Government over the next two years – we have developed the Corporate Diversity Partnerships program to help companies connect with a diverse talent pool of qualified people who seek an opportunity to obtain the corporate experience and professional networks needed to launch their careers. Our Corporate Diversity Partnerships approach is founded on the following principles:

- **Partnership** – collaborating to arrive at the right approach for each business
- **Proven model** – time-limited, paid work experience with built-in mentoring and support
- **Flexibility** – extensive program or individual internships
- **Support and development** – for both interns and company employees
- **Workforce supply** – the option for companies to offer post-program employment.

With a spirit of collaboration and a shared desire to open up paid internship opportunities to talented people, we can connect the dots for companies to create a partnership that works – for everyone.

Most recently we have partnered with the Australian Taxation Office as part of their ‘Opening Doors’ initiative to offer roles across a number of disciplines (finance, accounting, commerce, economics and information technology) for professionally qualified individuals from refugee and humanitarian entrant backgrounds seeking to establish themselves in Australia. For more information on this program see: <http://corporatediversity.org.au/>.

Jesuit Social Services calls for more dedicated Corporate Diversity Partnerships to be developed, adapted from the AAIP model, to offer other disadvantaged CALD groups corporate work experience and an induction into Australian workplace culture and practice.

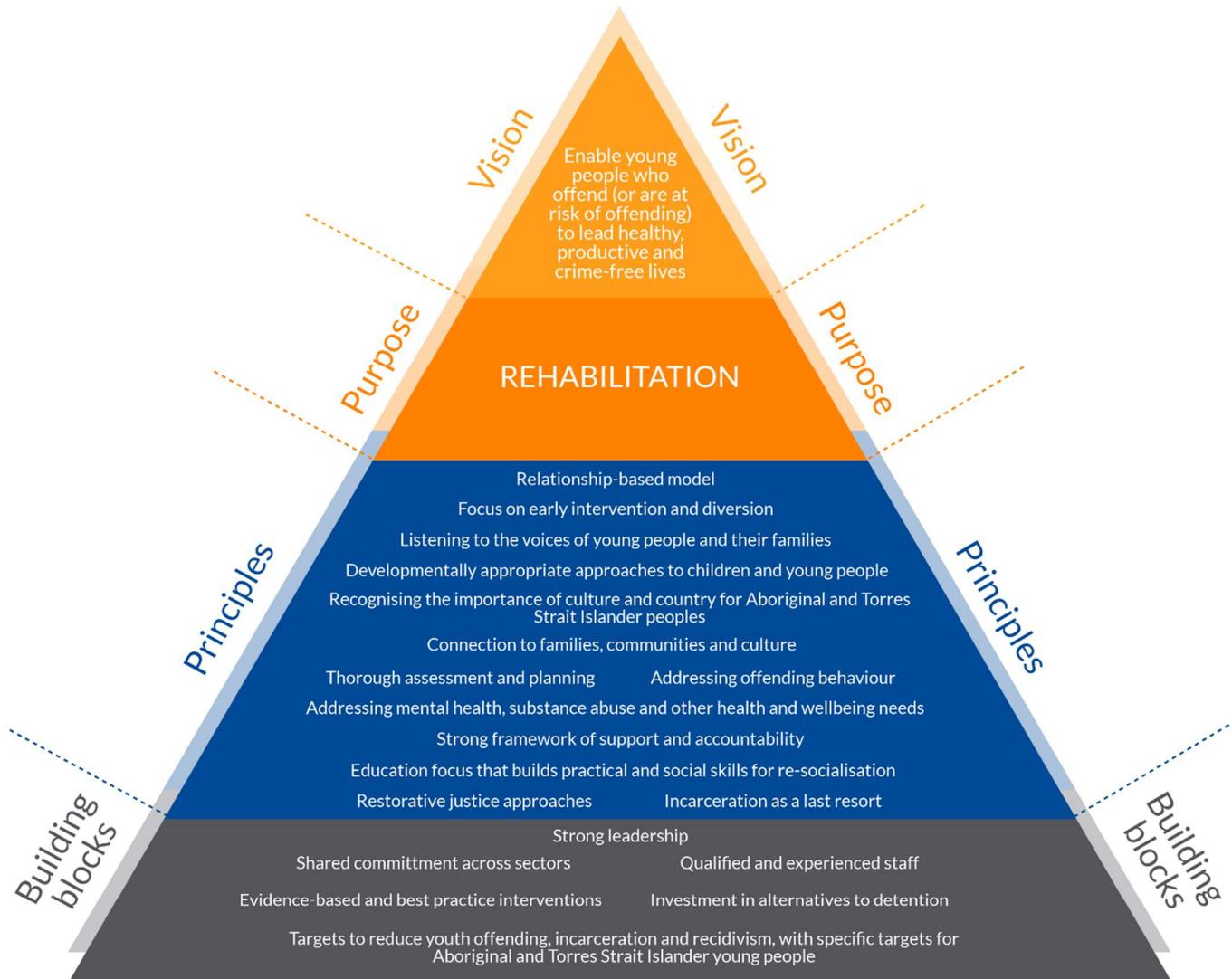


AAIP participant with NAB People Leader

We recommend the NSW Government invest in Corporate Diversity Partnerships for Culturally and Linguistically Diverse communities with high unemployment rates.

Appendix A

A model for youth justice



Detention

- Adopt a relationship-based model across every aspect of operations
- Dynamic security
- Offer small community-based settings (prioritising normality, and ongoing engagement with family and community)
- Facilitate connection with family, community and culture
- Prioritise education and skills for life
- Address offending behaviour
- Address mental health, substance abuse and other health and wellbeing needs
- Focus on re-socialisation, transition and re-integration to the community
- Keep remandees separate from sentenced offenders
- Engage and support staff who have appropriate personal attributes, qualifications and experience to build relationships of trust and deliver on the re-socialisation goal

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