



A more compassionate Australia

Jesuit Social Services Federal Election Platform

March 2019



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About Jesuit Social Services

For more than 40 years, Jesuit Social Services has been delivering practical support and advocating for improved policies to achieve strong, cohesive and vibrant communities where all individuals can play their roles and flourish.

We work with some of the most marginalised members of the community who are often experiencing multiple and complex challenges. This includes people involved, or at risk of becoming involved, in the criminal justice system and others who face significant barriers to social and economic inclusion. We accompany them, address their needs and partner with community, business and government to support them to reach their potential and exercise their full citizenship.

Jesuit Social Services is a social change organisation. We seek *to do* and *to influence* by working alongside people experiencing disadvantage and advocating for systemic change. We work 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 doing and influencing spans:

- Disadvantaged and marginalised communities
- People with multiple and complex needs
- People involved or at risk of entering the youth and adult justice systems
- Boys and men who are in trouble or causing trouble
- Aboriginal and Torres Strait Islander communities
- People and families seeking asylum
- Education, training and employment

Our work draws our attention to the multiple and interrelated factors that cause disadvantage, push people to the margins, diminish communities' capacity to shape their future, and damage the natural environment we all depend on.

The experiences of vulnerable people are diverse. So are their needs. Effective responses demand programs that can be tailored to individual needs, constant adaptation for successful delivery, and sustained commitment from governments. Above all, they must be founded on the recognition that every human being deserves a second chance.

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 people, community, land and all life.

The Australian Federal Election 2019

At election times, familiar themes often dominate the political agenda: the economy, national security, infrastructure, to name a few. These are vital issues of governance. However, as these conversations take place, too often the needs of people on the fringes of society are overlooked.

There is clear evidence that Australians are looking for leadership on key issues of social justice and inclusion, and want a more compassionate society. Recent polls, for example, show robust support for immigration and multiculturalism;¹ concrete action on climate change;² raising the rate of Newstart;³ and access to family reunion for refugees.⁴

These are the kind of issues that are increasingly gaining traction across the community, including in some of the marginal electorates that will decide this coming Federal election.

Drawing on four decades of advocacy and action, this document outlines Jesuit Social Services' key priorities across a range of interconnected social policy areas, from 'closing the gap' to employment, youth justice, mental health and affordable housing.

Jesuit Social Services calls for resources, policies, practices and ideas that reduce inequality, prejudice and exclusion and that, ultimately, reflect a more compassionate Australia.

KEY RECOMMENDATIONS

1. Building a strong civil society

- Improve sector coordination and give communities a greater voice in policy development, design and evaluation.

2. Place-based approaches

- Fund the establishment of a national centre for place-based approaches.
- Commit to a national action plan to address disadvantage at the systemic and community levels.
- Provide an ongoing, bipartisan social innovation funding pool to design and test genuine, long term place-based responses that deliver real impact within communities.

3. Ecological justice

- Legislate an emissions reduction target of net zero by 2050 and set a clear path to transition to a low-carbon future.

4. Rethinking employment services

- Reform jobactive, including by introducing a licensing system for providers; lower caseloads; and targeted assistance for disadvantaged people.
- Reform the Community Development Program, including by offering meaningful, community-led work activities for people on community.
- Invest in pre-accredited training programs to support people onto an accessible pathway to enter or re-enter education and training as part of their pathway to employment.
- Develop a Federal social procurement policy that creates job opportunities for people facing barriers to employment.

5. Increased income support

- Raise the rate of Newstart, Youth Allowance and related payments by a minimum of \$75 per week.
- Establish an independent social security commission to guide Parliament on future changes to income support rates and monitor indexation settings.

6. Closing the gap

- Commit to progressing the aspirations of Aboriginal and Torres Strait Islander people articulated in the Uluru Statement from the Heart.
- Restore funding to the Indigenous Affairs portfolio.

7. Refugees and asylum seekers

- End offshore detention.
- End the immigration detention of children seeking asylum.
- Abolish temporary protection visas.
- Reverse cuts to Status Resolution Support Services (SRSS).
- Support access to family reunion for refugees.

8. Settlement services for newly arrived people

- Increase funding for settlement services to ensure no community misses out.
- Increase investment in interpreter services for Settlement Engagement and Transition Support services and reinstate a dedicated funding stream to complement settlement service contracts.
- Invest in initiatives that promote social leadership among business to help open pathways to employment for Culturally and Linguistically Diverse communities.
- Fund flexible approaches towards supporting migrants, such as extending programs funded under SETS to be able to deliver services beyond the current post-arrival five-year period of eligibility.

9. Justice

- Develop and commit to a National Youth Justice Strategy.
- Raise the age of criminal responsibility to the age of 14 across all states and territories.
- Support the Northern Territory Government in its efforts to give full effect to the recommendations of the Royal Commission into the Protection and Detention of Children in the Northern Territory.
- Ban the use of isolation in youth justice facilities.
- Significantly reduce the use of isolation and solitary confinement in adult prisons across Australian jurisdictions as part of OPCAT implementation.

10. Affordable housing

- Increase public and community housing stock by 500,000.
- Increase funding to State and Territory Governments to invest in housing and homelessness services to close the gap in the rates of homelessness and overcrowding experienced by Aboriginal and Torres Strait Islander people.
- Work closely with local communities, including Aboriginal owned and controlled community housing providers, to deliver quality housing that is appropriate, affordable and well-maintained.

11. Mental health

- Increase funding for targeted, specialist care and holistic intensive support for people with disability and complex needs.
- Ensure funding for psychosocial support for people with episodic mental illness who are not eligible for the NDIS.
- Develop secure, long-term funding for postvention, early intervention services for suicide bereavement, underpinned by a nationally agreed approach, and increase access to suicide bereavement services for regional and rural areas.

12. Fully funding the National Disability Insurance Scheme

- Commit to fully funding the NDIS over the long term.
- Provide flexibility on pricing that reflects the realistic cost of providing quality intensive support to people with multiple and complex needs.
- Ensure there is a provider of last resort so that no-one is left without support.

13. Gender justice

- Ensure there is a focus on children and young people in developing responses to family violence focused on both victims and perpetrators.
- Invest in early intervention efforts with boys and young men to stop family violence before it starts.
- Commit to funding Starting Over on a long term basis to provide restorative responses to adolescents showing violent behaviour in the home.
- Establish a Stop It Now! service in Australia, consistent with Recommendation 6.2 of the Royal Commission into Institutional Responses to Child Sexual Abuse.

14. National Redress Scheme

- Amend legislation for the redress scheme so that people with criminal convictions are not excluded and can apply while in prison.

15. Protecting human rights

- Introduce an Australian Charter of Human Rights.

1. Building a strong civil society

Strong democracies rely on a dynamic interchange between community service organisations, broader civil society and government to continually develop and improve our collective responses to complex social problems. However, as highlighted in the *Civil Voices: Researching not-for-profit advocacy in Australia*⁵ report, organisations are treading very carefully in their advocacy work to avoid the risk of financial uncertainty and political retribution.

Community organisations should not be seen simply as government service delivery arms to be regulated, but as co-producers of solutions and key participants in civic dialogue. In this regard, the government should increase opportunities for co-design with community service organisations at the strategic policy level in areas such as policy development, design and evaluation (in addition to traditional service delivery roles).

For further details, see Jesuit Social Services' submission to the Review of Australian Charities and Not-for-profits Commission (ACNC) legislation at: <https://jss.org.au/submission-to-the-review-of-the-australian-charities-and-not-for-profits-commission/>.

Jesuit Social Services calls on the incoming Federal Government to improve sector coordination and give communities a greater voice in policy development, design and evaluation.

2. Place-based approaches

Jesuit Social Services' practical experience over several decades delivering community development work in some of the most marginalised communities in Australia – along with our series of *Dropping off the Edge* research reports – has demonstrated the concentrated and overlapping nature of disadvantage. For example, the fourth *Dropping off the Edge* (DOTE) report, released in 2015, 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. The report identified concentrated disadvantage across a broad variety of locations, from remote and rural communities to regional and metropolitan areas.

In New South Wales, for example, just 37 postcodes (6 per cent of the total) accounted for almost 50 per cent of the most disadvantaged rank positions. Communities such as these experience a web-like structure of disadvantage, with significant problems including unemployment, a lack of affordable and safe housing, criminal convictions, and domestic violence. In New South Wales, DOTE 2015 found that people living in the top 3 per cent most disadvantaged postcodes were 3.6 times as likely to have spent time in prison and more than 3 times as likely to be experiencing long term unemployment compared with the rest of the state.

There is growing recognition that place-based approaches are an appropriate response to addressing entrenched locational disadvantage. Place-based approaches aim to empower communities to develop and deliver local solutions over the long term by bringing together members of the community, community organisations, businesses, government and public services like schools and health centres.

Place-based approaches focus on the causes rather than the consequences of entrenched disadvantage, embracing prevention and early intervention in an effort to resolve issues before they escalate.⁶ Individuals and groups work together to design and implement innovative solutions to complex social issues specific to their community, drawing on local strengths, opportunities and goals.⁷

The Victorian Government's place-based Neighbourhood Renewal Program, launched in 2001, was an example of a positive initiative targeted at specific communities 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, lowering unemployment, increasing further education qualifications, and raising perceived levels of community participation. Despite these promising outcomes, the Neighbourhood Renewal Program no longer receives funding.

Without a sustained, collaborative, long-term commitment across the government, community and business sectors, there is a significant risk that some of Australia's most severely disadvantaged communities will continue to 'drop off the edge'. The web of disadvantage can be broken effectively by a multi-layered, cooperative and coordinated strategy that is owned and driven by the community.

This strategy should be:

- **Targeted** – Concentrated to specific areas of the most severe disadvantage (selected by use of a nationally agreed, transparent and shared evidence base).
- **Tailored** – Meet needs as identified by residents within these communities and respond to the unique mix of issues they face.
- **Integrated** – Recognising that the web of multiple and interconnected causes of disadvantage cannot be addressed with compartmentalised solutions.
- **Cooperative** – Responses are founded on new systemic, coordinated ways of working that draw together different levels of government and departmental portfolios, integrated community initiatives and social impact investment.
- **A long-term horizon** – A long-term commitment of 20 years to address complex, entrenched disadvantage in identified communities.
- **Community owned and driven** – Community leaders drive the agenda, recognising 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, economic and ecological environment in causing and addressing disadvantage.

To help make this strategy a reality and break the cycle of disadvantage, Jesuit Social Services calls for the establishment of a national centre for place-based approaches. This centre would:

- Function as an ongoing dedicated resource for research into locational disadvantage.
- Undertake action research with vulnerable communities to design, test and evaluate their place-based projects and programs.
- Advocate for impactful place-based approaches to solve locational disadvantage.
- Empower local communities and the organisations that work in them to understand and solve their own problems.

Jesuit Social Services calls on the incoming Federal Government, in partnership with the community to:

- Fund the establishment of a national centre for place-based approaches that would act as a key hub for policy, advocacy, research and evaluation, and identify and promote models of best practice in implementing place-based strategies.
- Commit to a national action plan to address disadvantage at the systemic and community levels, putting in place appropriate structures and resources targeted to our most vulnerable communities to effectively break the web of disadvantage.
- Provide an ongoing, bipartisan social innovation funding pool to design and test genuine, long term place-based responses that deliver real impact within communities.
- Commit to holistic interventions across the life span, such as early childhood, school, mental health, justice and crime prevention, and empower citizens to build their communities through provision of local tools and resources.

3. Ecological justice

In an increasingly complex era of climate crisis and environmental degradation, the most marginalised and vulnerable are often the least responsible for ecological problems but are the most affected by their emergence.

A major challenge over coming decades is the transition to a zero greenhouse gas emissions society. This transition will profoundly affect many aspects of social and economic life. It is becoming increasingly clear that, without effective policy responses, a disproportionate share of the cost of this transition will fall on those least able to afford it, exacerbating existing inequality and marginalisation. Minimising the impact of climate change on the most vulnerable is important both on equity grounds and for building community support for the ongoing adjustments that will be needed to mitigate and adapt to climate change. Proactive rather than simply reactive responses, genuine community involvement, and carefully targeted social protection will be crucial to achieving an equitable transition process.

Recognising the serious and imminent risk posed by climate change to the planet and people, Jesuit Social Services calls on the Federal Government to legislate an emissions reduction target of net zero by 2050 and set a clear path to transition to a low-carbon future.

Jesuit Social Services advocates for a holistic approach to social justice that considers human communities and ecologies as interdependent. Ecological justice is a holistic framework inclusive of both social and environmental justice.

*Dropping Off the Edge 2015*⁸ charted the vulnerability of certain Australian neighbourhoods against a range of social, economic, health and educational forms of disadvantage. Emerging evidence illustrates that such factors are also strongly associated with environmental risks and vulnerabilities.

In other words, this same small number of postcodes is also likely to experience disproportionate ecological injustice. Indicators of ecological injustice may include fewer green open spaces and greater site contamination, like soil contamination through siting of toxic waste dumps, or air pollution through industrial activity. It can also be marked by higher density, resulting in fewer natural features such as trees, flora and fauna.

Given this complexity, the pursuit of ecological justice must involve a multi-stakeholder approach inclusive of government, business and community engagement.

Jesuit Social Services calls on the incoming Federal Government to prioritise ecological health and justice in all policy, including by:

- Ensuring robust community consultation on all decisions affecting local environments, based on genuine engagement and community consent.
- Strengthening procedural and regulatory mechanisms to protect communities (for example, by adopting regulatory frameworks that allow community access to all necessary information on projects with ecological impacts).
- Empowering communities by funding education and research on ecological justice and increasing collaboration with the community sector, business and organisations that map environmental risks and harms.
- Investing in research and advocacy on environmental indicators of disadvantage to inform urban planning and environmental health policies and law.
- Introducing ecological audits and guidelines for the public sector, including tools to measure the social and ecological impact of all government decisions.

4. Rethinking employment services

4.1 Reform of jobactive

Our work with people experiencing disadvantage and marginalisation shows us that individuals need support to be equipped with the right skills and training to attain meaningful employment. Jesuit Social Services' education and training programs support participants to gain the essential vocational and personal skills they need to make a successful transition to employment. While the right support can assist people to secure meaningful work, we cannot ignore the structural barriers to employment many people face.

The federal employment services system, with its focus on compliance and meeting narrowly prescribed outcomes, is clearly failing the most disadvantaged people. As at August 2018, almost two-thirds of people in jobactive had been in the system for more than 12 months, and one in five for more than five years.⁹ The most disadvantaged people in particular are not receiving the tailored support they need. Research suggests that, on average, employment services consultants have 148 people on their caseload.¹⁰

Many of the people we work with have little stable employment experience, low levels of basic skills, and a range of other barriers to inclusion. As a starting point, we believe that for this group of people, the employment and wider human services system needs to broaden its focus from the narrow aim of securing short-term employment outcomes. Instead, disadvantaged Australians must be supported on a journey to social inclusion that can be measured against a wider range of social markers.

As noted in our submission to the Senate Education and Employment References Committee's inquiry into jobactive,¹¹ providers of support should focus on building foundational learning skills and participation in prevocational training that offer clear pathways to inclusion for disadvantaged and marginalised people. This requires an employment services system that enables time and resources to be invested in those who are most disadvantaged, as well as a fairer social welfare system that supports (not disincentivises) people on an extended pathway to sustainable employment.

The Jobs Victoria Employment Network (JVEN) is an example of an employment services scheme, implemented at the local level, that is working well. JVEN is specifically targeted at assisting people facing significant barriers to employment, including, for example, people with involvement in the justice system, with services delivered by specialists such as Jesuit Social Services. Key aspects of the scheme are that it is able to invest the time and resources needed by each individual, to develop and enhance their vocational skills and work readiness, and to secure a suitable work position with an employer.

With the current contracts for employment services under jobactive due to expire in 2020, Jesuit Social Services calls for a new model to give particular consideration to the following:

- Introduce a licensing system, overseen by an independent body, with licenses issued to providers based on a set of quality standards, as recommended by the Australian Council of Social Service (ACOSS).
- Contracts based on lower caseloads to enable tailored assistance to disadvantaged people.
- Requirements for comprehensive and independent assessments to ensure people are provided with the most effective support.
- Targeted and additional assistance for disadvantaged people.
- Additional post-placement support and mentoring.
- More nuanced data collection, leading to a fuller understanding of people's strengths and aspirations, and the resultant employment outcomes.

4.2 Pre-accredited training opportunities

We know from our experience delivering pre-accredited training in Victoria that it provides an important stepping stone for people with low-level educational attainment or people who have been out of the workplace or education for some time.

Access to pre-accredited training provides an opportunity to successfully engage in education and enhance skills and work readiness. For some people, this is the first such opportunity in many years. Through the pre-accredited training provided by Jesuit Social Services, participants gain the essential vocational and personal skills they need to make a successful transition to formal accredited training and employment.

Recognising the importance of pre-accredited training, we call on the incoming Federal Government to invest in pre-accredited training programs to support people onto an accessible pathway to enter or re-enter education and training as part of their pathway to employment.

4.3 A federal social procurement policy

The capacity for Federal Government procurement spending to contribute social value, beyond only meeting narrow criteria concerned with financial cost, should be meaningfully pursued. The size of government procurement contracts, which totalled \$71.1 billion in the 2017-18 financial year,¹² underlines the significant potential for a proportion of this spending to be targeted to achieving positive social outcomes, such as the purchase of goods or services and the targeting of recruitment to people who are unemployed, have low skill levels and who live in areas of high social disadvantage.

A Parliamentary Inquiry report into Commonwealth procurement rules, tabled in June 2017, noted that the "prevailing perception is of a procurement 'culture' that focuses on lowest cost rather than considering value-for-money and the implication of broader social or economic benefits".¹³ For this to change, decision-makers should be required to consider social value and impact as part of procurement processes. While current Commonwealth Procurement Rules include reference to considerations such as environmental sustainability, there is no explicit reference to social value and impact when assessing the merits of a particular procurement submission.

The Victorian Government's Social Procurement Framework provides a potential policy model. In effect since September 2018, the framework is intended to embed considerations of social procurement in the government's procurement processes.¹⁴

The framework, which establishes social objectives such as facilitating employment opportunities for disadvantaged Victorians, applies to the procurement of all goods, services and construction undertaken by or on behalf of Victorian Government departments and agencies. Similar social objectives should form part of procurement considerations at the federal level. In particular, there are opportunities for targeted social procurement to encourage, support and resource employment initiatives in communities experiencing high levels of social disadvantage.

Jesuit Social Services calls on the incoming Federal Government to recognise and require Commonwealth procurement to positively impact social outcomes, such as job opportunities for people facing barriers to employment and for those in regions experiencing significant social and economic disadvantage.

A federal social procurement policy should be advanced, with consideration given to allocating a proportion of the Commonwealth's procurement spend toward generating positive social impact in areas experiencing significant disadvantage, as well as through increased direct purchasing of goods and services from Aboriginal and Torres Strait Islander and other social enterprises.

4.4 Community Development Program

Criticisms of the Community Development Program (CDP), the remote-area employment and community development scheme, have been well-documented. These include that:

- participants are required to comply with work requirements (currently set at 25 hours per week, for 46 weeks each year) that are more onerous than jobactive participants;
- the hourly rate is below the minimum wage;
- the nature of the compulsory work is 'activity for activity's sake' and not an avenue to the regular labour market;¹⁵
- the punitive nature of the scheme, with a significant number of penalties applied for failure to comply with requirements; and
- the centralised and inflexible nature of the system which has led to a decline in local decision-making and discretion in its implementation.¹⁶

In addition to these issues, Jesuit Social Services is concerned about the need to consider gender – and the impacts of harmful gender stereotypes – when assessing the delivery of the CDP in remote communities (e.g. whether the program entrenches stereotypes and the flow on effects in terms of parenting/family cohesion and expectations around roles in the community).

The CDP has around 32,000 participants, more than 80 per cent of whom are Aboriginal or Torres Strait Islander people.¹⁷ As a number of submissions to the Senate Finance and Public Administration References Committee's 2017 inquiry into the CDP make clear, community control over program design and delivery should be central to any reform.¹⁸ The current, broken scheme is punishing Aboriginal and Torres Strait Islander people in remote communities and failing to deliver employment outcomes. As noted by the National Congress of Australia's First Peoples, far from developing communities, the scheme "has deepened their disempowerment".¹⁹

Any reform of the system must incorporate the following features:

- be led by Aboriginal Community Controlled Organisations (ACCOs);
- offer meaningful, community-led work activities for people on community;
- identify and appropriately respond to the cultural and gender-specific needs of local communities;
- move away from centralised control of program delivery and accountability arrangements;
- move away from the punitive nature of current penalties; and
- establish achievable requirements that take into account issues of travel in a remote context, as well as community, family and cultural obligations.

Jesuit Social Services believes that effective service provision in remote Indigenous communities must be based on the development of strong relationships that are built through sustained, consistent partnerships over long periods of time between the community, service providers and government. Relationship-building also strengthens the capacity of service providers and government to work effectively with a community, by learning from them about their culture, language and knowledge of their people.

Improving the responsiveness of services and effectiveness of outcomes must include the increased involvement of, and control by, communities and locally-based Aboriginal or Torres Strait Islander organisations in the planning, coordination and provision of services – as well as adopting a gendered lens to ensure the unique needs of communities are taken into account.

Jesuit Social Services supports recommendations by the National Congress of Australia's First Peoples for:

- reformed employment schemes which guarantee Aboriginal and Torres Strait Islander people a fair wage without the threat of heavy penalties;
- preservation of traditional cultural practices as an alternative form of employment where job prospects are limited, and funding for First Peoples-specific training programs; and
- a community-driven approach which prioritises funding for organisations owned and operated by Aboriginal and Torres Strait Islander peoples, and which work with and hire local people.²⁰

4.5 Vocational education and training in remote communities

Aboriginal and Torres Strait Islander people with any level of education beyond compulsory schooling are more likely to gain employment than those without such credentials.²¹

In many remote communities however, there is a dearth of learning opportunities, including a lack of access to secondary schooling and other options such as vocational training. With education a crucial factor in improving social outcomes, young people living in remote communities need options.

An example of a positive initiative was the various Mobile Adult Learning Units, run by Charles Darwin University, which provided vocational training to people in remote communities in the Northern Territory. A key attribute of the project was that it took place on community, with people able to engage in activities that were meaningful to them in a manner supportive of continued connections to family, culture and community.

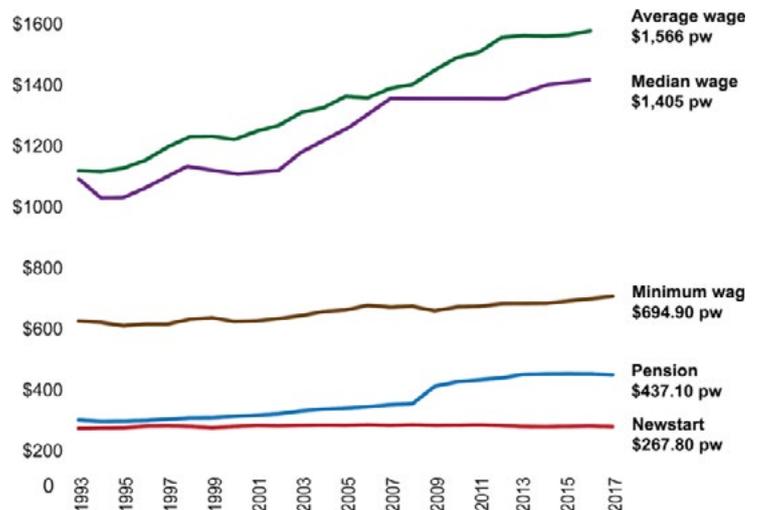
Jesuit Social Services calls on the incoming Federal Government to fund appropriate vocational education and training opportunities for young people in remote communities that are flexible, tailored to community needs and lead to sustainable jobs that contribute to individual and community wellbeing.

5. Increased income support

An October 2018 report by the Australian Council of Social Service (ACOSS) in partnership with the University of New South Wales found that more than one in eight people in Australia (13.2 per cent) are living below the poverty line.²² The report also found that those experiencing poverty at the highest rates are those relying on social security payments such as Youth Allowance and Newstart, underlining the importance of reforming the income support payments system to bring it up to standard.

There has been ongoing underinvestment in the safety net and coordinated measures to lift the most disadvantaged out of poverty. This is starkly represented by the stagnant rate of Newstart Allowance, which has not increased in real terms since 1994. Increasingly however, there is broad community support for change. A June 2018 Guardian Essential poll found that 70 per cent of people agreed that a fair government would raise the rate of Newstart, Youth Allowance and related payments to ensure everybody has enough to live on while they look for paid work.²³

The most vulnerable in our society will not succeed without broad and intensive support. Nor will they succeed if the welfare system punishes them for not being in work.



Source: Australian Council of Social Service

Jesuit Social Services calls on the incoming Federal Government to:

- Raise the single rate of Newstart, Youth Allowance and related payments by a minimum of \$75 per week, as called for by the Australian Council of Social Service (ACOSS).
- Establish an independent social security commission to guide Parliament on future changes to income support rates and monitor indexation settings.

6. Closing the gap

The bipartisan commitment to 'closing the gap' in outcomes for Aboriginal and Torres Strait Islander people has not been delivered. Fundamentally, changes are needed to build the capacity of Aboriginal and Torres Strait Islander communities and enable them to have control over the decisions that affect them. In order to tackle entrenched disadvantage and the over-incarceration of Aboriginal and Torres Strait Islander peoples, we believe efforts must be focused on two key areas, which are intrinsically linked:

- a multi-layered, cooperative and coordinated strategy that is owned and driven by communities;
- place-based structures, plans and resources targeted to our most vulnerable communities to effectively break the web of disadvantage.

6.1 Overrepresentation of Aboriginal and Torres Strait Islander people in the justice system

Aboriginal and Torres Strait Islander adults are incarcerated at 14 times the rate of non-Indigenous adults, while Aboriginal and Torres Strait Islander young people are almost 24 times more likely to be in youth detention than non-Indigenous young people.²⁴ In the words of the National Congress of Australia's First Peoples, this overrepresentation "is a national disgrace and an international embarrassment, requiring urgent action".²⁵

The independent review of the recommendations of the 1991 *Royal Commission into Aboriginal Deaths in Custody*, released in October 2018, found that almost 30 years after the Royal Commission, only around two-thirds of its recommendations have been fully implemented, while the rate of Indigenous incarceration has doubled.²⁶ Recommendations related to breaking the cycle of imprisonment and non-custodial approaches were found to have the lowest rates of implementation nationally.

Jesuit Social Services welcomes the inclusion of justice targets as part of the refreshed Closing the Gap framework which seek to reduce incarceration rates for Aboriginal and Torres Strait Islander adults and young people. However, there is a concern that these draft targets are not sufficiently ambitious. The adoption of justice targets must be accompanied by community-driven solutions to address Indigenous disadvantage, with justice reinvestment adopted as an approach to redirect funding toward such solutions.

Jesuit Social Services is a supporter of the Change the Record coalition and commends its Blueprint for Change as a pathway to reducing imprisonment rates.²⁷

Jesuit Social Services calls on the incoming Federal Government to work in close consultation with Aboriginal and Torres Strait Islander people on a refreshed Closing the Gap agenda, as pledged by the Council of Australian Governments in December 2018.

6.2 Resource Aboriginal and Torres Strait Islander-led solutions

Jesuit Social Services recognises that the people directly affected by an issue are best placed to identify and implement the solutions to their needs. Aboriginal and Torres Strait Islander community-controlled organisations are uniquely placed to provide culturally appropriate services, developed by and for local communities. They should be supported to do so.

The 2014-15 Federal Budget saw over \$534 million cut from the Indigenous Affairs portfolio,²⁸ with dire consequences for many Indigenous organisations and the communities they serve that are still being felt. The task of 'closing the gap' cannot be achieved without sustained investment in locally-driven, culturally strengthening quality programs and services for Aboriginal and Torres Strait Islander people.

Jesuit Social Services calls on the Federal Government to:

- Restore funding to the Indigenous Affairs portfolio, as called for by Aboriginal and Torres Strait Islander peak representative organisations in the 2016 Redfern Statement.
- Engage with organisations and communities to reform federal funding programs, with greater emphasis on needs mapping and with local Aboriginal and Torres Strait Islander organisations as preferred providers.

6.3 Act on the Uluru Statement

Jesuit Social Services acknowledges Aboriginal and Torres Strait Islander people as the traditional owners of this land, whose sovereignty has never been ceded. Jesuit Social Services has joined nearly 10,000 other non-Indigenous Australians calling on the Australian Parliament to make the *Uluru Statement from the Heart* a national priority.³⁰ As acknowledged in the joint statement, we know from many studies, here and overseas, that the empowerment of First Nations people is the best path to improved outcomes.

The culmination of an unprecedented gathering of Indigenous elders, academics, delegates and activities, the *Uluru Statement* calls for a constitutionally enshrined First Nations voice to Parliament, and the establishment of a *Makarrata* Commission that would take active steps for truth telling about our history and lay the foundation for agreement-making (treaties) between Federal and State governments and First Nations peoples.

The Uluru Statement is an invitation to recognise the rightful place of First Nations people in this country and put in place structures and processes that affirm the sovereignty of Aboriginal and Torres Strait Islander people and give them greater authority over the decisions that affect their lives.

Jesuit Social Services calls on all political parties to commit to progressing the aspirations of Aboriginal and Torres Strait Islander people articulated in the *Uluru Statement from the Heart*.

7. Refugees and asylum seekers

The Catholic Alliance for People Seeking Asylum (CAPSA) is a national initiative to unite the Catholic community and bring about a more compassionate, humane response to people seeking asylum. Formed in 2014 by Jesuit Social Services and Cabrini Health, CAPSA is supported by an advisory group of national representatives from Catholic peak bodies and organisations across the pastoral, education, social and health sectors. This advisory group is currently convened by Jesuit Social Services.

CAPSA has over 5,000 members across all Australian states and territories, including individuals, schools, congregations, organisations and parishes. Through education programs, forums, workshops, information stalls, actions, petitions, lobbying and many other tactics, we aim to shift public debate on this issue by showing its moral imperative through a Catholic-lens.

One example of CAPSA's community engagement is the annual National Week of Prayer and Action, which has involved more than 121 different Catholic schools, many parishes, and a number of Catholic organisations across the country. Thousands of individuals in the Catholic community have come together and participated in a variety of actions, expressing desire for compassionate policy change.

We believe the following key policy reforms should be prioritised for a more humane, safe and effective system that respects the fundamental human dignity of all people seeking asylum.

7.1 End offshore processing

The damaging physical and mental health impacts on people detained for long periods on Nauru and Manus Island, including children, have been widely documented.³¹ Several deaths, reports of self-harm, sexual abuse and other incidents³² clearly underline that people's basic safety and security in offshore processing centres cannot be guaranteed and, indeed, has been severely and consistently undermined.

People seeking Australia's protection should not be transferred to other nations for processing. The current punitive approach, based on principles of deterrence which sees one group of people seeking asylum treated harshly in order to modify the behaviour of others, should form no part of Australian policy.

The Australian Catholic Bishops Conference's 2015-16 Social Justice Statement recognises that the "global movement of people cannot be stopped or managed by any single country, including Australia".³³ As such, we believe that Australia needs to work cooperatively within the region and beyond to lead a humane and ordered response to people seeking asylum.

Australia should end its offshore detention and deterrence approach and instead uphold its responsibilities to people seeking asylum in line with its international treaty obligations.

7.2 End the immigration detention of children

Australia's system of mandatory immigration detention has been particularly harmful for people seeking asylum who arrive by boat, including children. No child should be subject to mandatory detention, a punitive practice that contravenes Australia's international human rights obligations, including under the Convention on the Rights of the Child.

There is clear and confronting evidence of the harm that immigration detention has had on children under Australia's care. The Australian Human Rights Commission's 2014 *The Forgotten Children* report found that "prolonged, mandatory detention of asylum seeker children causes them significant mental and physical illness and developmental delays".³⁴ The report detailed that almost 300 children committed or threatened self-harm in a 15-month period in Australian immigration detention.³⁵ On Nauru, harrowing details have been reported of children swallowing razor blades, repeatedly expressing a wish to die and the emergence of 'Traumatic Withdrawal Syndrome', or 'resignation syndrome', a rare psychiatric condition characterised by dramatic social withdrawal.³⁶

While we acknowledge the significant decrease of children in offshore detention, for many, the damage that prolonged detention has caused will be lasting. Protections must be enshrined in legislation to ensure the harmful treatment of children does not continue. We support the End Child Detention Coalition recommendation for the Australian Government to pass legislation which ensures the well-established practice on the Australian mainland of placing children in alternative to detention programs in the community.

7.3 Fair and timely processing of asylum claims

There have been significant delays in processing the claims for protection of people seeking asylum. CAPSA is aware of many individuals who have waited for more than three years while their claims for protection are processed. This uncertainty is detrimental to individuals' and families' ability to flourish, work and be a part of Australian society. It also places a strain on communities and non-governmental organisations who support individuals and families through this time.

CAPSA shares the concerns of many refugee advocates in relation to current measures which undermine full and impartial decision-making processes on refugee status determinations or which result in only temporary protection.³⁷ The current system which discriminates on the basis of mode of arrival is untenable for a society which prizes equality. A fair process must include affording all people seeking asylum access to appropriate legal assistance and a comprehensive and independent review of decisions.

All people seeking asylum in Australia, regardless of how or when they arrived, must be processed fairly and promptly, and with respect for their human dignity. Arbitrary or indefinite detention at any stage of the determination process is unacceptable.

7.4 Permanent protection

Temporary Protection Visas (TPVs) and other forms of temporary protection have been recognised as causing considerable distress to people seeking asylum in Australia.³⁸

Permanent protection gives individuals and their families the best possible chance to rebuild their lives and participate in society, as well as enabling the Australian community to better reach out and welcome people fully. It is well documented that refugees who are given permanent protection are healthier and better situated to cope with the strenuous experience of settling in a new country.³⁹

For a harmonious and healthy society we need to see the abolishment of temporary protection visas and the upholding of permanent protection, with direct and simple pathways to permanent residency and Australian citizenship.

7.5 Family reunion

For refugees and humanitarian entrants, the often messy circumstances of their departure from their home countries commonly mean that families are split during their forced displacement and unable to enter Australia as a family unit. Currently, obtaining visas for family reunion can be a difficult, expensive and very long process — and due to current policy, for many it is not even possible.

In the Catholic tradition, if people are to live with dignity their family ties are essential. Policy changes are needed for refugees and their families — changes that will lead to more successful settlement outcomes and have social and economic benefits for Australia generally. We support the following measures, outlined in the Refugee Council of Australia's 2016 report *Addressing the pain of separation for refugee families*, concerning access to family reunion for refugees:

- allocate at least 5,000 visas under the family stream of the Migration Program for refugee and humanitarian entrants;
- introduce needs-based concessions under the family stream of the Migration Program;
- conduct a consultation with refugee communities, practitioners involved in providing support with family reunion applications and other relevant persons to develop a process for assessing eligibility for the concessions;
- reduce processing times, increase funding to support the process and remove restrictions to family reunion to people arriving by boat; and
- reduce the associated costs, increase the allocated places and decouple the Community Support Program from the offshore Refugee and Humanitarian Program.

7.6 Providing adequate support

People who seek asylum should be supported to live in the Australian community with the right to work, access basic services, and obtain financial support if they cannot find work. The financial burden of their support should be accepted by the Government and not be shifted to the community sector.

Young unaccompanied children and adults, families with children and those with mental and physical health issues should be carefully supported when living in the community. Children, in particular, should not be held in detention environments but housed in the Australian community with the full range of services necessary for their welfare.

Those who have exhausted all appeals against the rejection of their claims but who cannot be returned to their countries should not be compelled by destitution to return, in keeping with the principle of non-refoulement.

The Status Resolution Support Services (SRSS) is a vital safety net for people seeking asylum in Australia, providing basic income support, casework services, and access to torture and trauma counselling services to many women, men, and children. However, government changes to the eligibility criteria for the program threaten to leave many people in destitution, without this vital basic support.

A survey led by the Refugee Council of Australia⁴⁰ found that four in five people seeking asylum across the caseload of 24 organisations were at risk of homelessness or destitution if this support was cut. Community services are already overstretched and will struggle to assist even more people in need of support.

As outlined in a joint statement between CAPSA, Jesuit Social Services and Jesuit Refugee Service in April 2018, people seeking asylum should be:

- Issued bridging visas with study and work rights, Medicare, and access to SRSS, including where cases are being reviewed by the court system.
- Supported to find sustainable employment through culturally appropriate, specialist employment support services.
- Provided with income support while looking for work or studying.
- Exempt from employment tests, if assessed by independent healthcare professionals as unfit to work, as is standard practice across the welfare system.⁴¹

Jesuit Social Services calls on the incoming Federal Government to:

- End offshore detention.
- End the immigration detention of children seeking asylum.
- Abolish temporary protection visas.
- Reverse the cuts to the Status Resolution Support Services (SRSS).
- Support access to family reunion for refugees.

8. Settlement services for newly arrived people

With more than a quarter of Australians born overseas, diversity is a central pillar of our national identity that should be recognised, welcomed and celebrated. We believe that every Australian 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 the western suburbs of Melbourne, Jesuit Social Services' Settlement Program works to develop people's ability and confidence to access support services, facilitate independence, enhance living skills and promote meaningful community engagement. We refer people to local networks and services, such as those providing housing support and cultural linkages, and run facilitated groups, workshops and information sessions based on participant-identified need, including specific groups for women, elderly people and youth.

We also run the Flemington Homework Club, providing a welcoming, safe and stimulating environment for local refugee and migrant school students to receive educational support and assistance. Students and their families are supported to gain a sense of belonging and a positive identity through regular social engagement with their local community and increased learning opportunities. We are aware of the importance of helping young people to remain engaged in education, given the strong interconnection between educational disengagement and a range of poor social outcomes, including involvement in the justice system.⁴² This initiative does not receive government funding and we are reliant on other grants and philanthropic support. In October this year, the Homework Club received the Homework Club of the Year award from the Centre for Multicultural Youth.

Jesuit Social Services calls on the incoming Federal Government to fund the Flemington Homework Club program on an ongoing basis.

8.1 Addressing barriers to social inclusion

The barriers to successful settlement are varied and complex and may include discrimination, prejudice, a lack of stable housing, language proficiency, and access to services, education and employment. For an individual, certain barriers may require more attention in the initial stages of settlement and be overcome, while some barriers may remain as a constant challenge.

The elected government must work to build communities that enable individuals to thrive and flourish. This means supporting the most marginalised members of our community and investing in strategies that promote social cohesion. National or state-wide policies and centrally-designed services are less effective at tackling the interrelated causes of place-based disadvantage than policies targeted to the needs of a specific community.

Investment should be targeted at place-based approaches which work to tackle geographically concentrated social disadvantage and barriers to social inclusion by building stronger, more cohesive and resilient communities, and focusing on the causes rather than the consequences of disadvantage. This must incorporate support for newly arrived people to settle and contribute to our shared community.

8.2 Pre-arrival challenges for newly arrived people

Recognising the impact of migration on an individual's experience of settlement is fundamental to the way we work with newly arrived communities to produce positive outcomes. Through our experience working with newly arrived people, including the Vietnamese, Burmese, Tibetan, Eritrean, Ethiopian, Oromo, Amharic, Somali and South Sudanese communities, we have come to appreciate that settlement is a lifelong endeavour with social cohesion the desired endpoint, and social exclusion indicating that the supports provided have been ineffective.

Jesuit Social Services works with participants who have experienced significant trauma as a result of civil war, intergenerational conflict, displacement and extended periods of time living in refugee camps. For those forced to flee their country of origin, yearning for their culture, lives lost and family left behind can lead to the development of mental health issues such as depression and anxiety. Many of our participants have had limited access to education prior to their arrival in Australia and possess low levels of literacy and numeracy, adding to the stress of engaging with their new community.

These pre-arrival experiences impact on a person's ability to connect with, and develop a sense of belonging in, their new community, as well as their understanding of new legal, social and other structures. While policymakers and service providers must necessarily look for common understandings, themes and trends when working with newly arrived people, it is crucial that we never lose sight of the person who remains at the centre of our response.

8.3 Language tuition

Language is a significant barrier to overcome as a newly arrived person. Although the Adult Migrant English Program (AMEP) provides up to 510 hours of English language tuition, Jesuit Social Services' participants have indicated this is less than adequate to obtain a level of English that allows an individual to confidently engage with employers and service providers.

For migrants who are also parents, the capacity to attend AMEP tuition and complete it within five years of commencement can be limited because of the demands of raising young children in a new country. Attending AMEP tuition thus comes with the added responsibility of organising childcare or alternative arrangements for the care of children which, in light of other barriers such as a lack of familial and personal networks, social isolation, issues of transportation and insecure finances, can significantly curtail individuals' ability to attend tuition.

8.4 Restore funding for interpreter services

For many newly arrived people in Australia, interpreting services play a vital role in navigating the complexities of starting over in a new country and fully engaging with the services and support they need. This assistance is not only a practical necessity but also a key personal support for often vulnerable people who may be experiencing social isolation.

From 2019, the Settlement Engagement and Transition Support (SETS) programs such as Jesuit Social Services' Settlement Program will incur the costs of engaging interpreters – an expense that was previously covered by the Commonwealth as part of contracted services. This is an additional cost with no additional funding to cover it and means that service providers are having to carefully consider the engagement of interpreters from a budgeting perspective, with potential impacts on the effectiveness of support.

8.5 Employment opportunities

Employment fosters broader participation in society, provides a sense of purpose, and creates opportunities for migrants to become contributing members of the community. Employment is understandably a crucial goal for new migrants and helps to ensure positive settlement outcomes, particularly given that the financial strain on newly arrived people can be significant.

Jesuit Social Services' participants have indicated that financial pressure comes from multiple sources including the lack of a broader family network of financial support, the responsibility of sending financial aid back to their country of origin, and the expense of public transport, utilities, and education materials for children, exacerbated if from a large family.

Prejudice presents a significant barrier to gaining employment. A study conducted with 72 members of the South Sudanese community seeking employment in the Australian Capital Territory found that 89 per cent experienced racism in the process of looking for a job.⁴³

In this context, we believe that the role of business as an enabler of social inclusion should be more actively explored and promoted. This requires moving away from a transactional relationship between business and marginalised people to one grounded in an understanding of the capacity of business to work with organisations and the community.

A key example is our African Australian Inclusion Program (AAIP), formed in partnership with the National Australia Bank (NAB), which offers six-month paid work placements, including mentoring and career coaching, to qualified African-Australians. In 2019, 400 participants will have taken part in the AAIP across Melbourne and Sydney since its inception in 2009. Of the most recent round of graduates, more than 80 per cent were offered employment at NAB.

A program such as the AAIP not only performs a social good, in broadening the employment prospects of disadvantaged people, but 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.

Building on this success, Jesuit Social Services has 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. We have partnered with the Australian Taxation Office as part of their 'Opening Doors' initiative to offer roles across a number of disciplines and also with John Holland, one of Australia's leading engineering, contracting and service providers to the infrastructure, energy, resources and transport sectors.

8.6 Access to services and support

Engaging with Australian service systems such as Centrelink and Medicare can be difficult not only because of language proficiency, but also because of the complexity of the systems. As the Humanitarian Settlement Program (HSP) tends to only offer support engaging with services within the first six to 12 months of arrival,

migrants can be left to engage with these services without support and without the confidence to do so. Although migrants are able to be referred to a Settlement Engagement and Transition Support (SETS) Program (formerly named Settlement Grants) provider for support following the six to 12 month period, in our experience, more facilitated referral pathways between HSP and SETS providers are required to ensure migrants receive consistent and adequate support to access services.

We encourage more facilitated pathways between the Humanitarian Settlement Program and Settlement Engagement and Transition Support program providers to ensure migrants receive adequate support to access services beyond the initial six to 12 month post-arrival period.

Jesuit Social Services believes that settlement is an individualised, complex and lifelong endeavour — some challenges will be overcome, while some will be overcome and then return. Therefore, our responses must be adaptable and based on a person's unique needs, whether it's support for adequate housing or to reengage in education. We believe that services funded under the SETS Program — such as Jesuit Social Services' Settlement Program — should be able to respond to the settlement needs of migrants beyond the current post-arrival five year period of eligibility. Settlement services and the legislation that govern them must allow for tailored and flexible supports that mirror the non-linear journey towards successful settlement. This is crucial to ensure that people who may be experiencing disadvantage, social isolation or other attendant social issues are able to access the services they need, including beyond the fixed five-year mark.

Jesuit Social Services calls on the Federal Government to:

- Increase funding for settlement services to ensure no community misses out.
- Adopt approaches that promote greater flexibility for migrants completing their AMEP tuition, with particular consideration given to migrants who are responsible for young children.
- Increase investment in interpreter services for Settlement Engagement and Transition Support services and reinstate a dedicated funding stream to complement settlement service contracts.
- Invest in initiatives that promote social leadership among business to help open pathways to employment for Culturally and Linguistically Diverse communities.
- Recognise that settlement is a lifelong endeavour and fund flexible approaches towards supporting migrants, such as extending programs funded under SETS to be able to deliver services beyond the current post-arrival five-year period of eligibility.



SETTLEMENT

Relationships have been central to Jesuit Social Services' work for more than 40 years.

They are also key to our settlement work which supports newly arrived individuals and families to make connections, links them in with services and programs and ultimately settle into life in Australia.

"Having access to practical assistance can often be taken for granted by those who have lived in Australia for a long time and speak English", says Jesuit Social Services' Support Worker Nicole Attard.

"Our settlement program is flexible, dynamic and innovative in the way it supports participants to maximise their resources, skills and chances of living a happy and meaningful life in a new country".

The settlement program work spans individual casework, groups, workshops, information sessions and programs such as an English Language Support Program and a Homework Club, in which volunteer mentors assist primary and secondary students with their school work.

Participant Hawa arrived in Australia from Eritrea in the Horn of Africa in 2014 and has settled in Melbourne with five of her children. She says the practical support provided by the settlement program has helped her family feel at home in Australia.

"Coming to Australia has been one of the greatest things that has happened to my family and I, and I am so happy to be a part of this organisation which helped me and my kids be in a good and safe environment", she says.

"There have been challenges but with the help from the settlement program there is more hope in raising my children to achieve more, make a quality life and be great contributors to society".

9. Justice

Effective approaches to youth justice focus on early intervention and diversion, preventing young people from contact with the justice system wherever possible, using child-specific approaches and engaging families and communities.⁴⁴ Through Jesuit Social Services' experience and research, including *Thinking Outside: Alternatives to Remand for Children*⁴⁵ and *#JusticeSolutions Tour: Expanding the Conversation*,⁴⁶ we know that opportunities are still being missed to intervene and divert vulnerable children and young people from the criminal justice system and address the underlying causes of crime by intervening in the web of disadvantage that impacts on individuals, families and communities.

Rather than focusing our resources on imprisoning young people, we need to concentrate efforts on:

- **Preventing offending**, by investing in programs that keep children safe and connected to family, school, culture and community.
- **Diverting children from contact with the formal justice system**, with tiered and age-appropriate responses that give children the opportunity to learn from their mistakes, repair the harm and address the factors underlying their offending behaviour.
- **Creating better options** that give children purpose, belonging and – ultimately – a brighter future, underlined by a sincere commitment to take the time to listen to young people and their families to truly understand what is driving their behaviour and ensure that those issues and needs are addressed.

9.1 The need for a National Youth Justice Strategy

There are deep structural questions about how we conceptualise youth justice and design our systems that demand attention. Regular reports of poor conditions and ill-treatment and the significant overrepresentation of Aboriginal and Torres Strait Islander young people in detention are issues that are pertinent to every State and Territory. Jesuit Social Services believes that the systemic issues in our youth justice systems should be addressed as a national priority, guided by a national youth justice strategy that recognises poverty and disadvantage as the root causes of crime and diverts children from the justice system at every possible opportunity.

Making youth justice a national priority was a key recommendation of the *Atkinson Report on Youth Justice* in Queensland, published in June 2018.⁴⁷ The report recommended that the state government "endeavour to have youth offending put on a national agenda, preferably under the COAG [Council of Australian Governments] regime". With a recent commitment from the Council of Attorneys-General to convene a working group on raising the age of criminal responsibility nationally, alongside the recent COAG draft targets set in relation to addressing the overrepresentation of Indigenous children in prison, there is a clear need for national leadership on these issues.

9.2 Raise the age of criminal responsibility

A small number of vulnerable children enter the criminal justice system at a very young age. We know this group is among the most vulnerable in our 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 life.⁴⁸

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.⁴⁹ 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 prevent these children's trajectories into the justice system is to address the issues driving their vulnerability such as family dysfunction, trauma, abuse and neglect.

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.⁵⁰

Age of criminal responsibility: international comparison

AUS	NZ	CAN	ENG	USA	FRA	GER	SWE	NED	CHN	JPN
10	10	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.

The overrepresentation of Aboriginal and Torres Strait Islander young people in the justice system must also be acknowledged. During 2017-18, the average daily detention rate for Aboriginal and Torres Strait Islander people aged 10-17 years was 35.2 per 10,000 Aboriginal and Torres Strait Islander young people, 24 times the rate for non-Indigenous young people (1.5 per 10,000).⁵¹

9.3 Implement the findings of the Royal Commission in the Northern Territory

The Northern Territory youth justice system was in crisis before the Royal Commission into the Protection and Detention of Children in the Northern Territory was called, and remains that way. In 2017-18, the rate of young people aged 10-17 years who were supervised in the community and in detention in the Northern Territory was 54.8 per 10,000 young people, compared to the national average of 20.2 per 10,000 young people.⁵²

The Royal Commission conducted an extensive inquiry and reported back with clear recommendations for change. Having accepted the intent and direction of all 227 recommendations, the Northern Territory Government is working to implement significant system reform. However, the reality is that the scale of the challenge in the Northern Territory requires the Commonwealth to take an active role in ensuring all recommendations are implemented.

Consistent with the recommendations of the Royal Commission, action by government must be taken in partnership with local communities, adopting a place-based approach, and built on the principles of mutual respect, shared commitment, shared responsibility and good faith.⁵³ Jesuit Social Services has signed on to the Aboriginal Peak Organisations Northern Territory (APO NT) Principles which guide the development of partnership-centred approaches for non-Aboriginal organisations when engaging in the delivery of services to Aboriginal and Torres Strait Islander communities.

9.4 Use of isolation in youth justice settings

In light of the health and community safety risks associated with solitary confinement as confirmed by both international research and local experience, Jesuit Social Services considers that the use of isolation in youth justice centres should be banned. Practices must ensure that harm to children and young people is minimised and that their rights are protected.

We recognise and support the findings of the World Health Organisation,⁵⁴ which acknowledge the range of detrimental effects that solitary confinement can have on the mental health and wellbeing of those subjected to it. International human rights law requires that the use of solitary confinement be kept to a minimum and reserved for the few cases where it is absolutely necessary and for as short a time as possible.

Solitary confinement negatively affects an individual's overall level of physical and mental health in custody. Many people describe experiencing physical health impacts such as deterioration in eyesight, poor appetite and joint pain. Mental health impacts are more profound and include increased difficulty in regulating emotions, constant hypervigilance and paranoia, distortions in time, increased suicide or self-harm risk and increased symptoms of anxiety or depression. Solitary confinement also creates significant barriers to achieving successful rehabilitation and reintegration.

For children, researchers have demonstrated the link between isolation and lasting psychological damage.⁵⁵ Children and young people are particularly vulnerable due to the fact that they are still developing mentally and physically. The traumatic nature of isolation can have severe consequences on adolescent brain development, making young people all the more vulnerable to sustained contact with the justice system and to suicide.⁵⁶

In the Northern Territory, excessive use of isolation, lockdowns and restraint in youth detention centres has been identified in a number of reviews:

- **Michael Vita report, 2015:** "The review found that too much reliance was placed on confinement and separating detainees away at Don Dale in particular. This was probably due to the lack of appropriate cellular and other centre infrastructure as well as a lack of training and supervision of staff".⁵⁷
- **Office of the Children's Commissioner, 2016:** "...prolonged and often repeated episodes of isolation for extended periods of time were identified. This often led to further outbursts with the young person becoming increasingly more agitated and attempting self-harm".⁵⁸
- **Royal Commission Final Report, 2017:** "Isolation of children and young people was used on some detainees excessively, punitively and in breach of section 153(5) of the Youth Justice Act (NT) ... detainees were placed in physically and mentally unhealthy conditions".⁵⁹ The conditions at the centres in question "caused suffering to many children and young people and, very likely, in some cases, lasting psychological damage to those who not only needed their help but whom the state had committed to help by enacting rehabilitative provisions in the *Youth Justice Act* (NT)".⁶⁰

In Victoria, *The Same Four Walls* report from the Commission for Children and Young People found that isolation and lockdowns were closely related practices used to manage behaviour in Victorian youth justice centres. The report found the number of lockdowns was “unacceptably high” and “had a detrimental impact on young people”, and that isolation was repeatedly being used on portions of the youth prison cohort, often without relevant authorisation.⁶¹

In NSW, the Inspector of Custodial Services found that confinement was the most prevalent form of punishment in places of juvenile detention, used in 71 per cent of cases.⁶² Isolation was disproportionately meted out as punishment to Aboriginal and Torres Strait Islander children and young people in detention — despite making up roughly 47 per cent of the prison population. 63 per cent of children and young people placed in confinement over the two year period of inspection were Aboriginal or Torres Strait Islander.

9.5 Isolation in adult prisons

The impact of isolation and solitary confinement on young people aged 18 to 24 is also clear and well documented. Based on our experience working with young people in adult justice settings, we have found that while this cohort is subject to confinement and isolation in Victorian prisons, it is often overlooked.

Jesuit Social Services' *All Alone: Young Adults in the Victorian Justice System*⁶³ highlighted the vulnerability of young people in adult prisons subject to isolation, emphasising the long-term damage created by conditions of confinement when brain development is still occurring. Our report raised a number of concerns regarding the welfare and treatment of young adults in Victorian prisons, and questioned whether the appropriate human rights standards are being met.

We have called on the Victorian Government to legislate for a presumption against the use of isolation, with isolation only permissible in rare cases where immediate safety to persons is a concern, and then only for the briefest possible period. In no case should isolation exceed 14 consecutive days, and a period of such length could only be justified in the most extreme circumstances.

We welcome the Victorian Ombudsman's investigation into the isolation of young people in closed environments in Victoria, carrying out inspections according to the standards of the United Nations' Optional Protocol to the Convention against Torture (OPCAT). This is the Ombudsman's second investigation through the OPCAT structure.

OPCAT was ratified by the Australian Government in late 2017, and aims to prevent ill-treatment of people in closed environments through regular independent inspections by a United Nations committee of international experts and local inspection bodies called National Preventative Mechanisms (NPMs). While the structure of OPCAT and the NPM in Australia is yet to be finalised, the Commonwealth Ombudsman has been appointed NPM Coordinator for OPCAT in Australia.

Oversight of the use of isolation across Australian states and territories is inconsistent. The Victorian Ombudsman's investigation is a positive initial step, and there is now an urgent need for national attention and a consistent approach across jurisdictions. Ideally, the Commonwealth Ombudsman, as the Coordinator of the NPMs, should encourage investigations through NPMs into the harmful practice of isolation in places of detention. However, given the complexity of the establishment of NPMs and the potential for delay, immediate action is required.

Jesuit Social Services calls for the incoming Federal Government to:

- Develop and commit to a National Youth Justice Strategy that seeks to address poverty and disadvantage as the root causes of crime, diverts children from prison at every possible opportunity and that provides access to the opportunities that every Australian child deserves.
- Work through COAG to raise the age of criminal responsibility to the age of 14 across all states and territories, in line with international standards embodied in the United Nations Convention on the Rights of the Child and enacted in many overseas jurisdictions.
- Support the Northern Territory Government in its efforts to give full effect to the recommendations of the Royal Commission into the Protection and Detention of Children in the Northern Territory, focusing on investing in place-based, family-centered and culturally strengthening approaches to prevention, early intervention and diversion.
- Through COAG, work with States and Territories toward the application of relevant recommendations of the Royal Commission in all Australian jurisdictions.
- Work with States and Territories and independent oversight bodies (such as state ombudsmen) to ban the use of isolation in youth justice facilities and significantly reduce the use of isolation and solitary confinement in adult prisons across Australian jurisdictions as part of OPCAT implementation.

10. Affordable housing

10.1 Increasing supply of affordable housing

The availability of safe, secure and stable housing is a major issue for many in our community, but particularly for people with mental illness, alcohol and drug problems, and other complex needs. The majority of social housing tenants are some of the most disadvantaged in the community, and market failure has arisen when other human services have been privatised, leading to people with complex needs falling through the cracks.⁶⁴

In particular, there is an absence of housing options and associated supports for vulnerable young people with multiple and complex needs, including young people who have experienced trauma or who may be transitioning from out-of-home care or the justice system. In Victoria, the number of people exiting prison into homelessness has grown by 188 per cent over five years from 2011-12 to 2016-17.⁶⁵ Access to safe and affordable housing is fundamental to a person's ability to get their life back on track, and it is vital that housing issues be resolved prior to release from prison. Supports must also be in place that address each individual's needs, including assistance to build basic independent living skills such as navigating tenancy obligations, meal preparation, budget management and personal hygiene.

Evidence⁶⁶ confirms that there is a serious undersupply of social housing and affordable housing in Australia – the latest census data shows overall rates of social housing declined from 5.0% in 2006 to 4.2% in 2016 – and the high costs of housing as a proportion of household income is leading to household stress and in many cases homelessness and poverty.

Concern is further heightened in light of the National Rental Affordability Scheme (NRAS) coming to an end in 2018, without a replacement initiative. The NRAS sought to encourage investment in affordable housing by offering financial incentives to persons or entities to build and rent new dwellings to low or moderate income households at 20 per cent or more below market rates.⁶⁷

Jesuit Social Services calls on the incoming Federal Government to invest in a diversity of housing options for people with multiple and complex needs, including:

- Increase public and community housing stock by 500,000.
- Head-leasing and housing first initiatives to assist people who face barriers entering the private rental market or accessing social housing.
- Expanding supported housing options, particularly for young people, who do not have adequate independent living skills and/or require supported living arrangements, including 24 hour support options such as those provided by Jesuit Social Services at Dillon and Perry House.
- Adequate resourcing for social housing providers to offer housing to people with multiple and complex needs.

We also support the *Everybody's Home* campaign, led by the Council to Homeless Persons and Homelessness Australia. This includes the following actions:

Support for first home-buyers: Reset our tax system to make it fairer for ordinary Australians to buy a home

- **A national housing strategy:** More low-cost properties mean more choices, making it cheaper and easier to find a home. 500,000 new social and affordable rental homes are needed to meet the demand for affordable housing.
- **A better deal for renters:** Get rid of "no grounds" evictions and unfair rent rises so that millions of Australian renters have the security they need to create homes, build lives and raise families.
- **Immediate relief for Australians in chronic rental stress:** Increase Commonwealth Rent Assistance for the thousands of Australians who are struggling to pay the rent.
- **A plan to end homelessness by 2030:** With real effort we can halve homelessness in five years - and end it in 10.

10.2 Housing in Indigenous communities

While Aboriginal and Torres Strait Islander people make up 3 per cent of the population, they comprise 20 per cent of the homeless population in Australia.⁶⁸ In the Northern Territory, the figures on homelessness are stark, with an estimated 599.4 homeless persons per 10,000 people (compared to the national rate of 49.8 per 10,000 people).⁶⁹ Of the homeless population in the Northern Territory, 81 per cent live in 'severely' crowded dwellings.⁷⁰

We know that chronic overcrowding and inadequate public housing in town camps, remote communities and urban centres across the territory is contributing to poor health, domestic violence, higher incarceration rates, poor school attendance and unemployment. For these reasons, housing must be addressed as a matter of priority.

The National Congress of Australia's First Peoples has stated that ensuring safe and secure housing for Aboriginal and Torres Strait Islander people requires not only substantial infrastructure investment, but also programs to ensure community buy-in to oversee and maintain housing developments.⁷¹ There is also a need to ensure that Aboriginal-owned housing options, including social housing owned and managed by Aboriginal community housing organisations, are supported as a priority.

Jesuit Social Services calls on the incoming Federal Government to:

- Increase funding to State and Territory Governments to invest in housing and homelessness services to close the gap in the rates of homelessness and overcrowding experienced by Aboriginal and Torres Strait Islander people.
- Work closely with local communities, including Aboriginal owned and controlled community housing providers, to deliver quality housing that is appropriate, affordable and well-maintained.

11. Mental health

Jesuit Social Services supports a holistic approach to mental health that takes account of key drivers of poor mental health, including poverty and disadvantage, discrimination, family dysfunction and histories of trauma. We also recognise that mental illness (as well as alcohol and drug issues) is often a contributing factor to involvement in the criminal justice system.

In 2017, in Australia, deaths from intentional self-harm rose 9.1 per cent from 2016. The preliminary standardised death rate for 2017 was 12.6 deaths per 100,000 persons, equal with 2015 as the highest recorded preliminary rate in the past 10 years.⁷²

Strategies are required to address drivers of poor mental health and to provide more effective service responses, including specific responses for children and young people, people in contact with the justice system, people with multiple and complex needs, and Aboriginal and Torres Strait Islander people. People should be able to get the right services at the right time, local to where they live – be it a metropolitan, regional or rural area.

11.1 Accessing support through the NDIS

People with multiple and complex needs require a specialist response to effectively address their multifaceted needs as there are often additional vulnerabilities and extra barriers that they face when accessing mainstream services. A coordinated approach is required to ensure their care is effective and impactful.

The National Disability Insurance Scheme (NDIS) in its current form does not lend itself to this type of intense case management which requires the support of experienced and skilled practitioners. The vulnerable cohorts we work with include young people with an intellectual disability who also have psychosocial health issues and do not necessarily have the capacity to navigate the complexities of the NDIS and successfully engage with appropriate services. They would benefit from better integration between the NDIS and the wider health and social services system to ensure their full needs are met, including action to address complex issues of abuse, trauma and delayed cognitive development.

It is vital when working with people with multiple and complex needs that co-occurring issues are not compartmentalised and dealt with in isolation by numerous service providers.

The NDIS must find ways to successfully link with other mainstream services such as housing, mental health, drug and alcohol and employment services, as well as to other government departments.

Conversely, the NDIS cannot become a substitute for mental health services, particularly considering the high rates of undiagnosed mental health problems. According to Community Mental Health Australia, it is estimated that as many as 10,000 Victorians living with serious mental illness will be ineligible for the NDIS and are at risk of not receiving appropriate psychosocial rehabilitation services.⁷³ People with undiagnosed mental health problems will go unsupported as current mental health services lose their funding to NDIS funded services.

Often participants are pushed to access other services wherever possible. However the existence of the NDIS has created a number of service funding gaps meaning there are fewer services available outside of the NDIS to those who are not eligible, or who need a more nuanced response than the scheme can provide.

We call for the NDIS to develop strong and sustainable links with other mainstream services to ensure that no person with disability goes without support, and that people requiring a multi-agency response have their needs met.

11.2 Postvention, early intervention services for suicide bereavement

It is critical to recognise the risk of suicide amongst those who are bereaved by suicide. Support After Suicide, run by Jesuit Social Services throughout Melbourne and regional Victoria since 2004, works to reduce this risk by working closely with people affected by suicide. This service provides counselling, support groups and online resources to those bereaved by suicide, as well as delivering training to health, welfare and education professionals.

The need for this specialist service for suicide bereavement is significant, particularly given the mix of grief, trauma and unique set of issues that contribute to the suicide that each person experiences. However, Support After Suicide is significantly underfunded, and there is a lack of certainty regarding ongoing funding, putting people at risk of missing out on timely service. Additionally, while Support After Suicide operates in regional areas, its ability to provide robust services in spite of increased demand is limited due to restricted funding.

11.3 Recognising and responding to experiences of trauma

We have significant experience working with young people in contact with the justice system who have complex needs, including histories of trauma. Many of these young people also have experiences of being excluded from mainstream mental health or community services because they fail to meet service expectations around

attending appointments, or have challenging behaviours. Young people with trauma related behaviours are also often indirectly excluded from services where they are not made to feel welcome, or perceive that the service is not 'for them'.

While mainstream services can and should adjust service delivery to be more inclusive and responsive to people with histories of trauma, the gap between where they are now and where they need to be to offer a service equivalent to a specialist response is substantial and may take many years of evolution.

11.4 Funding through Primary Health Networks

Jesuit Social Services has built strong relationships with the various Primary Health Networks (PHNs) that fund Support After Suicide to deliver services in Victoria. The PHN model, first established in 2015, has been working well in terms of enabling local organisations to deliver key services to meet local needs. However, each PHN has different reporting and evaluation requirements, which places a sizable administrative burden on specialist programs such as Support After Suicide. Establishing consistent reporting requirements across different PHNs would help ensure greater efficiency, particularly for service providers with limited resources.

Jesuit Social Services calls on the incoming Federal Government to:

- Increase funding for targeted, specialist care and holistic intensive support for people with disability and complex needs, to ensure their full needs are met and to help people navigate the NDIS and successfully engage with appropriate services.
- Ensure funding for psychosocial support for people with episodic mental illness who are not eligible for the NDIS, to ensure they don't fall through the gaps of the system.
- Develop secure, long-term funding for postvention, early intervention services for suicide bereavement, including Support After Suicide, underpinned by a nationally agreed approach.
- Increase access to suicide bereavement services for regional and rural areas.
- Increase the capacity of mainstream mental health services to respond to trauma, particularly for families and children.
- Establish consistent reporting and evaluation requirements across Primary Health Networks.



SUPPORT AFTER SUICIDE

When Ian Maurer's son, Tim, took his own life in 2006, Jesuit Social Services' Support After Suicide program became "like a lifeline".

He participated in an eight-week early bereavement program but once it finished he felt there was "nothing to connect to".

Some time later, Ian was contacted by staff from the program asking if he was interested in helping to establish a monthly Men's Program, for men bereaved by suicide. He jumped at the opportunity to be part of the program's steering committee and together with Colin Charles, Bereavement Support Worker at Support After Suicide and convener of the Men's Program, the group has grown considerably.

Seven years later, Ian still attends the program on a regular basis.

"To me, it's still as relevant as the first one I went to. The objective is to give a place where men can feel comfortable and whatever they say or do is within the walls of confidentiality", says Ian.

Colin says the program plays a crucial role in helping men feel connected to one another and sharing their experiences.

"Basically the fact that the program exists helps people's grief", he says.

"Some men come along every session and others might come along and then you don't see them for a year or two, but they know they are always part of the community".

Ian now volunteers with and fundraises for Support After Suicide, which Colin says is deeply appreciated.

"You get to the process where part of your healing is about giving back to others, and we are grateful for Ian's support".

12. Fully funding the National Disability Insurance Scheme

Jesuit Social Services works with people with a range of disabilities, commonly including intellectual disability, cognitive impairment, and high needs mental health problems. For this vulnerable cohort, who often also face a range of co-occurring and interrelated issues, such as homelessness, substance misuse and involvement in the child protection and criminal justice systems, it is clearly imperative that the National Disability Insurance Scheme (NDIS) functions as effectively as possible to ensure all people have access to appropriate support.

A key concern expressed by disability service providers is that current prices set by the National Disability Insurance Agency (NDIA) are insufficient and do not reflect service delivery realities.⁷⁴ More tailored support, particularly for people with multiple and complex needs, requires more flexible pricing that takes into account the realistic cost of providing quality intensive support by skilled staff, including after-hours services.

In the event that service providers are unable, or unwilling, to adequately meet a person's needs, a provider of last resort should be in place to assist. Clear arrangements should be put in place between the Commonwealth, State and Territory governments on what entity is responsible for providing services to some of the most vulnerable people in the community in these circumstances.

Jesuit Social Services calls on the incoming Federal Government to:

- Commit to fully funding the NDIS over the long term, ameliorating the risk of future financial uncertainty.
- Provide flexibility on pricing that reflects the realistic cost of providing quality intensive support to people with multiple and complex needs.
- Ensure there is a provider of last resort so that no-one is left without support.

13. Gender justice

Boys and men are over-represented in a range of key indicators of harmful social behaviours and negative social outcomes: the perpetration of violence and other crimes, in suicide rates, and in various measures of social and economic exclusion and disadvantage.

The impact of male-perpetrated violence, sexual abuse and harassment of women is profound. One in 6 Australian women have experienced physical and/or sexual violence by a cohabiting partner since age 15.⁷⁵ A November 2016 study by Australia's National Research Organisation for Women's Safety (ANROWS) found that intimate partner violence accounted for an estimated 5.1 per cent of the disease burden amongst women aged 18 to 44 years – more than other any other risk factor.⁷⁶

In addressing violence perpetrated by boys and men, our priority must be to make women and children safe; change structures, norms and practices that regard women as inferior and condone violence against them; ensure that violence is reported and sanctioned; and hold men to account for their actions. Stronger policing and restraints will form a necessary part of the response but they will not be enough unless boys and men change their behaviour.

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 also need to focus on the contributing factors to male violence like mental health problems, substance abuse and social isolation.

To this end, Jesuit Social Services established The Men's Project to provide leadership on the reduction of violence and other harmful behaviours prevalent among boys and men, and build new approaches to improve their wellbeing and keep families and communities safe.

Initiatives of The Men's Project include:

- **Modelling Respect and Equality (MORE)** program which recruits, trains and supports male and female role models who interact with boys and men on a frequent basis to develop the knowledge, skills and confidence they need to help contribute to positive change in their communities.
- **Before it Starts**, a pilot program which will provide intensive support for at-risk boys aged between 8-12 years, working with families and schools in order to keep these boys out of trouble and on the right track.

13.1 The Man Box study

The attitudes and behaviours of young men toward gender stereotypes, mental health and wellbeing, violence and relationships were explored in an Australian-first research project launched by The Men's Project in October 2018.

*The Man Box: A study on being a young man in Australia,*⁷⁷ focused on the attitudes to manhood and the behaviours of young Australian men aged 18 to 30. It involved an online survey of a representative sample of 1,000 young men from across the country, as well as focus group discussions with two groups of young men. The study was modelled on research in the United States, United Kingdom and Mexico that was released by Promundo in 2017.

The Man Box is the set of beliefs within and across society that place pressure on men to act in a certain way – to be tough; to not show any emotions; to be the breadwinner; to always be in control; to use violence to solve problems; and to have many sexual partners. Our study explored how young men encounter the Man Box rules in society and internalise them personally by asking their views on 17 messages about how a man should behave. We also looked at the influence of agreement with the Man Box rules on different areas of young men's lives, including health and wellbeing, physical appearance, relationships, risk-taking, violence, and bystander behaviour.

Through the research, we found that social pressures around what it means to be a 'real man' are alive and well in Australia. Two thirds of young men said that since they were young they had been told a 'real man' behaves in a certain way, and felt that there was pressure to adhere to these behaviours. Key messages perceived by young men include:

- that a guy who doesn't fight back when others push him around is weak – 60 per cent of those surveyed felt that society gave them this message;
- that a 'real man' would never say no to sex – 56 per cent of young men surveyed felt that society told them this; and
- that a 'real man' should have as many sexual partners as he can – 47 per cent of young men felt that this was a message they received.

The majority of young men surveyed disagreed with the Man Box beliefs. But there is still a large number who agree with some of the beliefs that make up the Man Box, including being strong, not showing vulnerability, always being in control and men being the primary providers at home.

Living up to the pressures of being a 'real man' causes harm to young men and those around them, particularly women. Young men who most strongly agree with these rules report poorer levels of mental health, engage in risky drinking, are more likely to be in car accidents and to report committing acts of violence, online bullying and sexual harassment.

We need action across the community and in the form of new programs which will deliver benefits to society, as well as to the young men themselves in terms of health, wellbeing and safety.

We recommend that all levels of government ensure that relevant policies explicitly recognise the harmful impacts that the Man Box norms can have. Relevant programs and initiatives should focus on ways boys and men can live positive alternatives to the Man Box norms, guided by a public health approach across areas including mental health and wellbeing, alcohol harm reduction, road safety, crime and violence prevention, and the prevention of family violence.

13.2 Adolescent family violence

Jesuit Social Services is developing and trialling new ways of working with adolescents who commit family violence and their families, including *Starting Over*, an adolescent family violence pilot program working with schools in Western Sydney. This work draws from Jesuit Social Services' experience using restorative justice in responding to youth offending, and offers a Family Group Conference process for young people who have used family violence. This work is being undertaken in collaboration with schools and local community organisations, and is being evaluated by experts from the University of Melbourne.

While *Starting Over* is currently federally funded for one year, commitment for ongoing and longer term funding is needed. In addition, the current age of eligibility is 10 to 16 years old. Intervention is needed even earlier, to work with children at the first signs of vulnerability to violence.

13.3 Stop It Now!

There are currently no national early intervention programs in Australia for adults, children and young people who are worried about their sexual thoughts or behaviours in relation to children.⁷⁸ The gap in preventative interventions for potential perpetrators was identified by the *Royal Commission into Institutional Responses to Child Sexual Abuse*, with *Stop It Now!* highlighted as a potential model to adopt in the recommended National Child Sexual Abuse Prevention Strategy.⁷⁹

Stop It Now! is an early intervention program that operates in North America, the United Kingdom, Ireland and the Netherlands, and has also previously operated on a small scale in Queensland. The program has been positively evaluated in both the UK and the Netherlands.⁸⁰ *Stop It Now!*'s key feature is a phone helpline that provides information and support for adults and young people who are worried about their own sexual thoughts and behaviours, as well as parents, family members, and professionals who encounter or are concerned about child sexual abuse.

Following discussions with experts and practitioners in the field of child sexual abuse, The Men's Project initiative at Jesuit Social Services embarked on a scoping study to assess *Stop It Now!*'s feasibility and develop a model for delivering the program in Australia. Based on a review of key literature, interviews with *Stop It Now!* providers in the US, UK/Ireland/Scotland and the Netherlands, stakeholder feedback sessions and individual consultations with experts in the field, we concluded that there is a strong case for a *Stop It Now!* service in Australia. The service should be linked to wider primary prevention efforts delivered under the recommended National Child Sexual Abuse Prevention Strategy.

Jesuit Social Services calls on the incoming Federal Government to:

- Support the development and testing of new approaches to address gendered violence with young men, including building on initiatives of The Men's Project such as Modelling Respect and Equality (MORE) and Before It Starts.
- Ensure there is a focus on children and young people in developing responses to family violence focused on both victims and perpetrators. This should include investment in early intervention efforts with boys and young men to stop family violence before it starts.
- Commit to funding *Starting Over* on a long term basis to provide restorative responses to adolescents showing violent behaviour in the home, and lower the age of eligibility for the program.
- Establish a *Stop It Now!* service in Australia, consistent with Recommendation 6.2 of the Royal Commission into Institutional Responses to Child Sexual Abuse.

14. National Redress Scheme

In its current form, the National Redress Scheme for people who experienced institutional child sexual abuse can deny a victim access to redress if they have been sentenced to imprisonment for five years or longer, or are in prison.

By allowing for the exclusion of this vulnerable cohort, the current scheme falls short of fulfilling the specific recommendations, findings, and overall ethos and intentions of a redress scheme as described in the Final Report of the Royal Commission into Institutional Responses to Child Sexual Abuse.

Jesuit Social Services calls on the incoming Federal Government to amend the legislation so that:

- People with criminal convictions are not excluded from the National Redress Scheme.
- People are permitted to apply while in prison.

15. Protecting human rights

Australia is often described as an outlier among democratic nations for lacking some form of federal law that comprehensively protects human rights. Too often it is the most vulnerable in society that have their human rights breached, including young people in detention or people seeking asylum in Australia.

A federal charter of rights, whether enacted by an ordinary act of parliament or enshrined in the Constitution, would fill this void, helping to ensure that people's fundamental rights, including the rights to life, liberty, culture, privacy, expression, assembly, and freedom from torture, are adequately protected.

The Australian Capital Territory was the first national jurisdiction to introduce a human rights act in 2004 and Victoria followed suit with the *Charter of Human Rights and Responsibilities Act 2006*. In its recent annual report on the operation of the Victorian Charter, the Victorian Equal Opportunity and Human Rights Commission noted that the Charter was raised or considered in more than 40 cases in Victoria's higher courts in 2017, including in cases that involved the right to a fair hearing, freedom of expression and the best interests of the child.⁸¹

An effective charter of rights would:

- require public authorities, as well as entities acting on their behalf, to act in a way that is compatible with human rights;
- require public officials to properly consider human rights when developing policy and legislation;
- provide for an effective remedy when a public authority breaches human rights;
- require that parliament publicly respond if legislation is found to be inconsistent with human rights;
- require courts to interpret laws consistently with human rights; and
- foster a stronger human rights culture and understanding in government and the community.⁸²

Jesuit Social Services supports the Human Rights Law Centre's campaign for an Australian Charter of Rights to help ensure every person's human rights are adequately protected and that public authorities are held to account for any violations of fundamental rights.

Jesuit Social Services calls on the incoming Federal Government to introduce an Australian Charter of Human Rights.

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