



**MISSION
AUSTRALIA**

**ALRC Inquiry into
the incarceration
rate of Aboriginal
and Torres Strait
Islander people**

Submission

Incarceration Rates of Aboriginal and Torres Strait Islander Peoples

Mission Australia's Submission to the ALRC Discussion Paper

Introduction

Mission Australia is a national non-denominational Christian organisation, with more than 155 years experience in standing together with Australians in need on their journey to independence. Our evidence-based, client-centred community services are focused on reducing homelessness and strengthening communities across Australia.

In the 2015-16 financial year we supported over 130,000 Australians through 452 programs and services. We work with families and children, young people and people experiencing homelessness and also provide specialist services for mental health, disability and alcohol and drug issues. We stand together with people in need until they can stand for themselves.

To achieve our goal, we work in partnership with communities, supporters, government, businesses and other organisations. We measure our impact, collecting evidence of what works to inform our service design and delivery, and to advocate for change.

Mission Australia's services address the underlying causes of homelessness - such as socio-economic disadvantage, drug and alcohol abuse, family breakdown, violence, mental illness, unemployment, intergenerational trauma and past incarceration. Each of these issues intersect with the contextual factors contributing to Aboriginal and Torres Strait Islander Incarceration.

Mission Australia provides diversionary programs, alternatives to incarceration and pre and post release support services, as well as addressing the underlying causes of crime. We also work to prevent exits from detention into homelessness and have advocated for a policy of zero exits into homelessness from state care.

Our experience working with Aboriginal and Torres Strait Islander young people has strengthened our understanding of the need for targeted and culturally appropriate services.

This submission focuses on effective diversionary programs and alternatives to incarceration through service evaluation and research data, along with client case studies and service provider perspectives. As many of our justice services work with young people, this submission takes a particular focus on early intervention and diversion programs for young people. This is particularly important as research¹ has found that if an Aboriginal young person comes in contact with the juvenile justice system between the ages of 10 to 14, they are 'almost certain' to be imprisoned as an adult.

¹ NSW Bureau of Crime Statistics and Research (2007) cited in Noetic Strategic Review of the New South Wales Juvenile Justice System (2010)
<http://www.juvenile.justice.nsw.gov.au/Documents/Juvenile%20Justice%20Review%20Report%20FINAL.pdf>

Nevertheless, we recognise the incarceration rates of Aboriginal and Torres Strait Islander adults also need to be urgently addressed. To this end we have recommended that COAG should commit to a target of closing the gap in rates of imprisonment in each jurisdiction by 2040, with the necessary investment in prevention, early intervention, diversion and justice reinvestment. This is in alignment with calls from the change the record coalition and others.²

Australia is falling short of providing equal life opportunities for Aboriginal and Torres Strait Islander people and the outcomes for Aboriginal and Torres Strait Islander people will only improve with significant, long-term and targeted efforts led by Aboriginal and Torres Strait Islander peoples.³

This submission is structured according to the Terms of Reference:

- Diversion (1.a.vi);
- Remand and Bail Support (1.a.v);
- Alternatives to Incarceration (1.b.ii);
- Community Reintegration (1.a.viii);
- Intersecting Issues (2.e.ii) including housing circumstances, employment and education, alcohol and drugs, contact with child protection, domestic violence, mental health, living in remote, rural and regional areas and drivers licences; and
- Culturally Appropriate Programs (2.e.iii).

² National Justice Coalition (2015) *Change the Record*, <https://changetherecord.org.au/>

³ Reconciliation Australia (2016) *The State of Reconciliation in Australia: Summary*, Reconciliation Australia, Kingston, ACT.

Underpinning Principles

Mission Australia has consolidated several key principles which we believe should underpin all of the ALRC's proposals. These include:

- Imprisonment as a last resort, particularly for young people.
- A target of closing the gap in rates of imprisonment in each jurisdiction by 2040, with the necessary investment in prevention, early intervention, diversion and justice reinvestment.
- Prioritising services that target the intersectional disadvantage experienced by Aboriginal and Torres Strait Islander people, including individual risk factors such as violent victimisation experiences, cultural dislocation, child protection and out of home care. Services also need to address community level factors such as rural disadvantage, access and equity to services, and normalisation of violence and offending behaviours in some communities.
- Developing the evidence base for Aboriginal specific services and programs to prevent and address Aboriginal and Torres Strait Islanders involvement with the justice system.
- Recognising intergenerational trauma and complex disadvantage and taking a holistic, person-centred, trauma-informed approach to supports offered.
- Case coordination which incorporates family and community to promote change and wellbeing.
- A whole of government commitment to zero exits from detention into homelessness.
- A greater focus on breaking the cycle between out of home care and juvenile detention.
- Culturally appropriate programs and support for Aboriginal and Torres Strait Islander Australians.
- Recognising the rich cultural heritage and resilience of Indigenous Australians, celebrating strength and agency and investing in Aboriginal and Torres Strait Islander led and controlled solutions.
- Ensuring Aboriginal and Torres Strait Islander people are at the centre of policy and programming decisions.
- Policies and programs must be long-term, adequately funded, local, holistic and evidence-based.

Mission Australia supports the following proposals in the discussion paper:

Proposal 2-2: State and territory governments should work with peak Aboriginal and Torres Strait Islander organisations to identify service gaps and develop the infrastructure required to provide culturally appropriate bail support and diversion options where needed.

Proposal 4-1: State and Territory governments should work with peak Aboriginal and Torres Strait Islander organisations to ensure that community-based sentences are more readily available, particularly in regional and remote areas.

Proposal 7-1: To reduce breaches of community-based sentences by Aboriginal and Torres Strait Islander peoples, state and territory governments should engage with peak Aboriginal and Torres Strait Islander organisations to identify gaps and build the infrastructure required for culturally appropriate community-based sentencing options and support services.

Diversion

Aboriginal and Torres Strait Islander young people are significantly over-represented in youth detention. Young people who get caught up in the juvenile justice system often come from disadvantaged backgrounds and have a range of issues which compound their situation. Young people who have been abused or neglected, are more likely to be incarcerated. A diversionary and rehabilitative approach should be taken so that young people are not punished for their disadvantage and to break the cycle of poverty, substance abuse, mental health concerns and crime.⁴

Detention is a negative experience for young people and causes more harm than good. Some young people, particularly young Aboriginal men, view going into detention as a rite of passage⁵, see detention as a safe place due to having high numbers of family and extended family in custody, or appreciate the structure and routine offered in custody. This highlights the need for community based programs to support young people to form their personal and cultural identity in a pro-social way.

Though the majority of young offenders cease offending by the age of 24-25; Aboriginal young people remain engaged in the justice system for a much longer period; even though, generally their offences are of a less serious nature⁶. In fact, exposure to youth detention substantially increases their likelihood of involvement in crime as an adult.⁷

Culturally appropriate diversion options should be prioritised in areas of high need, such as the Northern Territory and Western Australia. In June 2016, the Australian Bureau of Statistics recorded Western Australia as having the highest number of Aboriginal and Torres Strait Islander people

⁴ Darren Young, *Royal Commission into the Protection and Detention of children in the Northern Territory*

⁵ (Ogilvie, E. and A. Van Zyl, *Young Indigenous, custody and the rites of passage*. 2001: Australian Institute of Criminology)

⁶ Department of Prime Minister and Cabinet, *Aboriginal and Torres Strait Islander Health Performance Framework 2014 Report* <https://pmc.gov.au/sites/default/files/publications/indigenous/Health-Performance-Framework-2014/tier-2-determinants-health/211-contact-criminal-justice-system.html>

⁷ ANTaR- 'How do we change the record?', accessed at

https://antar.org.au/sites/default/files/final_change_the_record_campaign_policy_solutions.pdf

imprisoned (3,997) followed by the Northern Territory (2,914)⁸. The Northern Territory has the largest proportion of Aboriginal and Torres Strait Islanders prisoners, comprising 84% (1,393 prisoners) of the adult prisoner population. This is significantly larger than any other state or territory, with a national average of 27% in 2016.⁹ These statistics emphasise the need for culturally specific care in the Northern Territory and Western Australia as well as other areas with large Aboriginal and Torres Strait Islander populations.

The alarming rates of recidivism further demonstrate the need for prevention and early intervention programs. In Western Australia, three in five prisoners (60% or 3,783 prisoners) had previously been imprisoned under sentence. In Queensland, two-thirds (64% or 4,946 prisoners) of prisoners¹⁰ and in the Northern Territory, a striking seven in ten prisoners (72% or 1,194 prisoners)¹¹ were reoffenders in 2016. Of young people, 57% that have been sentenced to custody re-offend¹², stressing the importance of meeting them before, or in the early stages of contact with the justice system.

The following Mission Australia services successfully target people in the early stages of contact with the justice system and offer relevant supports. These could be replicated in other areas or expanded to meet the level of need in the communities they operate.

Youth on Track – NSW

Youth on Track is an early intervention scheme designed to coordinate services for 10-17 year olds who are at risk of long-term involvement in the criminal justice system. Youth on Track provides police and schools with an opportunity to refer young people they consider to be at risk of re-offending, to an offence-focused intervention without requiring a court order. Mission Australia delivers this program in NSW's Blacktown, Central West, Hunter and the Mid North Coast regions. It is funded by NSW Justice.

Targeted Youth Support Service (TYSS) – TAS

The Targeted Youth Support Service (TYSS) in Tasmania offers intensive case management and therapeutic support for vulnerable young people aged 10-18 who are identified as having significant and/or multiple risk factors and where without support, it could result in requiring child protection or possibly escalation into the youth justice system.

⁸ Australian Bureau of Statistics, 2016, *4517.0 - Prisoners in Australia, 2016: Imprisonment rates*, viewed 24th August 2017, <<http://www.abs.gov.au/ausstats/abs@.nsf/Lookup/by%20Subject/4517.0~2016~Main%20Features~Imprisonment%20rates~12>>.

⁹ Australian Bureau of Statistics, 2016, *4517.0 - Prisoners in Australia, 2016 : Northern Territory*, viewed 24th August 2017, <<http://www.abs.gov.au/ausstats/abs@.nsf/Lookup/by%20Subject/4517.0~2016~Main%20Features~Northern%20Territory~24>>.

¹⁰ Australian Bureau of Statistics, 2016, *4517.0 - Prisoners in Australia, 2016 : Queensland*, viewed 24th August 2017, <<http://www.abs.gov.au/ausstats/abs@.nsf/Lookup/by%20Subject/4517.0~2016~Main%20Features~Queensland~20>>.

¹¹ Australian Bureau of Statistics, 2016, *4517.0 - Prisoners in Australia, 2016 : Northern Territory*, viewed 24th August 2017, <<http://www.abs.gov.au/ausstats/abs@.nsf/Lookup/by%20Subject/4517.0~2016~Main%20Features~Northern%20Territory~24>>.

¹² Smart Justice, Youth diversion Makes sense -

<[http://www.smartjustice.org.au/cb_pages/files/Diversion%20paper\(3\).pdf](http://www.smartjustice.org.au/cb_pages/files/Diversion%20paper(3).pdf)>

Working alongside individual young people and collaboratively with family, community members, service providers and government departments, the service aims to:

- Reduce young people's involvement with Youth Justice and Child Protection
- Improve family and peer relationships, self-esteem, health and wellbeing
- Decrease occurrence/risk of homelessness or inappropriate accommodation
- Increase engagement in education and community
- Lessen the number and intensity of risk factors

Referrals to the TYSS come through Mission Australia's Gateway program. Referrals can come from family, service providers, education, government departments, community members or any other source.

Court Diversion Program - WA

Mission Australia is funded to provide a Court Diversion worker in Karratha, South Hedland and Newman. Court diversion programs are available to most offenders appearing in court who have drug-related problems, depending on the seriousness of the offence. These programs are voluntary and in most cases the offender is required to plead guilty during their court appearance. Court diversion programs include:

- Pre-sentence Opportunity Program (POP)
- Young Persons Opportunity Program (YPOP)
- Diversion programs for Aboriginal people
- Supervised Treatment Intervention Regime (STIR)
- Youth Supervised Treatment Intervention Regime (YSTIR)
- Drug Court

Southern Shoalhaven Youth Services - NSW

This service provides referral and assessment service, access to advocacy, court support, advice and support. Offering services to young people and outreach to 'at risk' young people aged between 12 and 24 years.

Shop front

The Shopfront Youth Legal Centre is a free legal service for homeless and disadvantaged young people aged 25 and under. The Shopfront is a joint project of Mission Australia, the Salvation Army and the law firm Herbert Smith Freehills. The Shopfront's main area of practice is criminal law and clients come from a range of cultural backgrounds, including a sizeable number of Aboriginal and Torres Strait Islander young people.

Remand and Bail Support

Bail support programs assist accused persons who would otherwise be remanded in custody to access bail and to meet requirements to remain on bail. A lack of appropriate services to support young people to obtain bail and meet bail conditions has been identified as potentially contributing towards the high number of young people on custodial remand, particularly for Aboriginal and Torres Strait Islander young people and young people from regional or remote areas. Bail support services and programs are an important component of any strategy that aims to reduce the use of custodial remand for young people.

Mission Australia ran a pilot Bail Support Program in Townsville that provided support to 27 young people and their families from November 2015 to June 2017. Of these 27 young people, 5 were non-Indigenous and 22 Aboriginal and Torres Strait Islander young people. The service provided strong results and 18 young people have not reoffended.

One coordinator was assigned to the program to provide suitable and appropriate referrals to services in the community. The families identified the assistance to help deal with issues such as family dysfunction, poor school attendance, drugs and alcohol, mental health, financial budgeting and recidivism. While this program has been replaced by different service models, the importance of bail support cannot be underestimated and accommodation is also crucial.

Bail support, risk of homelessness and reconnecting with culture

A sixteen year old Aboriginal male was referred to the Mission Australia Bail Support Program for his first offence – a domestic violence matter involving his mother and sister. The needs assessment with the young person and his family identified that he was at risk of homelessness due to his long-term threatening behaviour towards a female family member. As part of the case plan process, the family and the young person identified that MA Supported Community Accommodation Townsville (SCAT) was the most appropriate housing service for the young person, and a referral proposal was sent to the Townsville Youth Justice Service.

For a small period of time, the young person was a client of both services, whilst appropriate referrals and case-plan goals were established in both programs. The SCAT program worked with the young person to identify his individual goals and then worked with him to achieve these. They included life-skills training; appropriate, non-violent, respectful, culturally appropriate relationships between male and females; anger-management techniques; and communication skills. Some of these referrals resulted in the young person developing a strong relationship with the local PCYC boxing program, connected him with Aboriginal mentors, and being involved in billycart building and other local NGO initiatives. The young person's day included boxing training, visiting his mother, and returning to the SCAT at night for curfew. Over the course of the next 6 months, the young person stopped mumbling and learned to speak clearly. He grew in confidence and began to speak to female staff, and then the females in his family respectfully.

The young person, during his stay at SCAT, also took part in the first Cultural Camp run by Mission Australia and ATSILS. Following the camp the young person has not re-offended; his relationships with his family have continued to improve; and, he continues to have a strong relationship with 3 of the camp volunteers. The young person has brought cultural and spiritual concerns to these mentors, and has re-established connections with elders from within his family.

Alternatives to Incarceration

Recent research demonstrates that alternatives to detention are not used as effectively as they could be, particularly for Aboriginal and Torres Strait Islander people.

The NSW Bureau of Crime Statistics and Research (BOCSAR)¹³ identified that the most common offences committed by Aboriginal and Torres Strait Islander people were *Assault ABH, Intimidation/Stalking, Common Assault, Breaching a s.12 Bond, Breaching an AVO and Breaching a s.9 Bond*. They note that despite the benefits of home detention and Intensive Correction Orders (ICOs) in reducing recidivism, these methods are not often used for these offences. In 2015 no Aboriginal or Torres Strait Islander person convicted of one of these sentences received home detention¹⁴.

They identify that barriers to the wider use of home detention and ICOs by the courts include issues with 'homelessness, lack of treatment services and the difficulties involved in electronic monitoring in remote rural areas.'¹⁵ Considering each of these issues disproportionately affect Aboriginal and Torres Strait Islander people, services which work to combat these issues are needed.

BOCSAR's research found that 'removal of these barriers would assist in expanding the use of home detention and ICOs and reducing—or at least slowing the growth rate—of Indigenous imprisonment. If just half of the Indigenous offenders given a prison sentence in 2015 for one of the offences: *Assault ABH, Common Assault, Stalking/Intimidation, Breaching an AVO, Breaching a s.9 Bond or Breaching a s.12 Bond* had instead been given an ICO or home detention, 689 fewer Indigenous offenders would have received a prison sentence'¹⁶.

The identification of homelessness as a barrier to accessing alternatives to imprisonment is important. Appropriate housing options, support services and resources to regional areas are required for people during the justice process and homelessness should not affect their opportunity for home detention or intensive correction orders (ICO).

Imprisonment as a last resort is a key principle of Mission Australia's approach. However, when detention occurs, the focus should be on rehabilitation and adequate supports should be provided during detention and after release to set the person on a positive course for their future. Young people in particular need support and positive reinforcement to have positive outcomes and reach their full potential.

Spin 180 - NT

Spin 180 Youth Sailing Program is an initiative between Mission Australia's Spin180 Youth Homelessness Program and the Darwin Sailing Club to provide an opportunity for young people to participate in a Nationally Accredited Beginner's Sailing course. The program aims to provide an

¹³ Weatherburn, D & Holmes, J., 2017, NSW Bureau of Crime Statistics and Research: Indigenous imprisonment in NSW, <<http://www.bocsar.nsw.gov.au/Documents/BB/Report-2017-Indigenous-Imprisonment-in-NSW-BB126.pdf>>.

¹⁴ Weatherburn, D & Holmes, J., 2017, NSW Bureau of Crime Statistics and Research: Indigenous imprisonment in NSW, <<http://www.bocsar.nsw.gov.au/Documents/BB/Report-2017-Indigenous-Imprisonment-in-NSW-BB126.pdf>>.

¹⁵ Weatherburn, D & Holmes, J., 2017, NSW Bureau of Crime Statistics and Research: Indigenous imprisonment in NSW, <<http://www.bocsar.nsw.gov.au/Documents/BB/Report-2017-Indigenous-Imprisonment-in-NSW-BB126.pdf>>.

¹⁶ Weatherburn, D & Holmes, J., 2017, NSW Bureau of Crime Statistics and Research: Indigenous imprisonment in NSW, <<http://www.bocsar.nsw.gov.au/Documents/BB/Report-2017-Indigenous-Imprisonment-in-NSW-BB126.pdf>>.

opportunity for young people who are partially or completely disengaged from education, from family, at risk of homelessness or are homeless or young people looking for pathways to volunteer work, training and employment and/or engaged in the criminal justice system in Darwin.

The program equips young people in areas of critical thinking, problem solving and conflict resolution; builds resilience, self-confidence, self-esteem and courage; builds and strengthens leadership skills, communication skills and team-work capabilities; and engages young people in a positive, interactive and practical environment and to learn new things.

Young people are referred to the program by youth courts, schools, their family, other providers and can also self-refer where they meet the criteria.

Eligibility criteria include that the young person is aged 12 to 21 and at risk of homelessness or at risk of disengagement from education, family or the community. This includes young people who are rough sleeping, staying temporarily with friends or family members or in crisis accommodation.

The SPIN 180 program is currently funded by the NT Department of Housing and Community Development. The funding received has been limited and while there has been strong interest from the youth courts to utilise these programs as an alternative to detention, there has been no additional funding available to date.

The program has attracted interest over the past 12 months through the introduction of a sailing activity that has evidenced positive change with youth who have participated.

As part of our expansion, we aim to also provide wrap around services where the whole family is included which is critical when addressing generational impact. The service also works collaboratively with other providers and community groups including police.

Juvenile Justice Joint Support Program - NSW

The target group for the Joint Support Program is young people under the supervision of Juvenile Justice within the community who have been assessed as having a medium to high risk of offending. The Joint Support Program seeks to emphasise outcomes, flexibility and a continuum of service delivery between Juvenile Justice and funded service providers through strong collaboration and case management processes, client-focused strategies and regular review meetings to ensure target outcomes are being achieved.

Casework Support complements Juvenile Justice case management of young people, which centres around addressing the criminogenic needs of young offenders. Case Workers work with Juvenile Justice to support young people on achieving goals outlined in their Juvenile Justice Case Plan. Relationship Intervention is funded by the NSW Department of Justice and provides a short-term intervention with young people and/or significant people in their lives where there are relationship difficulties and conflict related to their offending behaviour. The Relationship Intervention Worker focuses on strategies to improve relationships, reduce conflict, mediate solutions and encourage collaborative problem solving between the young person and the significant people in their lives.

Mission Australia delivers the Joint Support Program in the following locations: Casework Support (Illawarra Shoalhaven, Grafton, Tweed, Lismore, Far West, Central West); Crisis Accommodation (Central West, Far West); and Relationship Intervention (Illawarra Shoalhaven).

Community Reintegration

Community reintegration is also essential for both young people and adults released from detention. Preparation needs to happen prior to release and accommodation is a key support to prevent exits into homelessness. Employment supports and working with the family are also key to addressing the intersecting and compounding issues leading to detention as discussed below. Effective post-release supports can substantially reduce the risk of reoffending as well as improving the outcomes for the person themselves.

Post Release Support Services in Darwin and Alice Springs - NT

This service works with prisoners who are due for release within three months and need assistance to re-integrate into the Darwin, Katherine and Alice Springs communities. After the individual has been released, we provide case-management support while they re-establish themselves in the community. This can help to reduce the likelihood of re-offending. Caseworkers facilitate the reintegration for adults exiting the prisons and young people exiting juvenile detention with a focus on life skills, training, employment and tenancy support. We also utilise the mental health supports available through the Personal Helpers and Mentors (PHaMs) program to provide additional supports and assist with reducing risk of reoffending due to mental illness.

Wandoo Young Adult Facility – WA

Wandoo Reintegration Facility is a minimum security prison for young men aged 18 - 28. It is the first prison in Western Australia that caters to the unique needs of this age group. Practical assistance, professional support and targeted referrals are offered to young men, in the Corrective Services' Wandoo Young Adults Reintegration Facility. Mission Australia delivers a through care model, from admission to three months post release, that promotes successful reintegration back into the community. There is a specific focus on supports during the transition from incarceration including education and employment, housing and individual need as well as working with family/significant others.

Extra Offender Management Service (EOMS) - NSW

The Extra Offender Management Service (EOMS) works with offenders to address the underlying causes of their offending, using assessment, voluntary case management and service coordination. EOMS will reduce reoffending and increase community safety by applying well-established offender management practices at extra stages in the criminal justice system – between the time a person is

charged and sentenced and after being released from custody, if they are not under parole supervision.

EOMS is delivered by non-government providers working closely with Corrective Services NSW (CSNSW) and other organisations at a local level. In the past, offender management was only available to offenders sentenced to custody or subject to supervision by CSNSW. EOMS makes offender management available to repeat adult offenders at extra stages of the criminal justice process, without a court or State Parole Authority mandate, through voluntary offender participation.

How EOMS works

Potential participants are identified for EOMS participation in three ways:

- pre-sentence – when a person is issued with a court attendance notice, are not bail refused or not on an order managed the Community Corrections division of CSNSW;
- post-custody – approaching release after completing a custodial sentence and not released to a parole order; and
- through a referral from Local Coordinated Multiagency offender management, which brings together four government agencies including Justice and social services to manage persistent offenders.

EOMS engages with potential participants to introduce the service, assess eligibility and seek their consent to participate.

On agreement to participate, the EOMS case manager develops a case plan with the offender. The case plan is informed by an assessment of the causes of offending and focuses on steps needed for the person to address these underlying factors. These factors may include alcohol or drug misuse, unemployment, domestic violence, mental health issues and lack of positive social connections.

Benefits of EOMS

The program improves community safety by reducing reoffending among participants and thereby contributes to NSW Government targets to reduce domestic violence and adult reoffending.

EOMS offers participants access to case management and interventions to help them make real changes in their lives and reduce their contact with the criminal justice system.

Who can participate?

EOMS is targeted at repeat offenders including domestic violence offenders. EOMS is available to people aged 18 and over.

Participants must either be living in (or soon to be released to) an EOMS catchment area and not be supervised by the Community Corrections division of CSNSW.

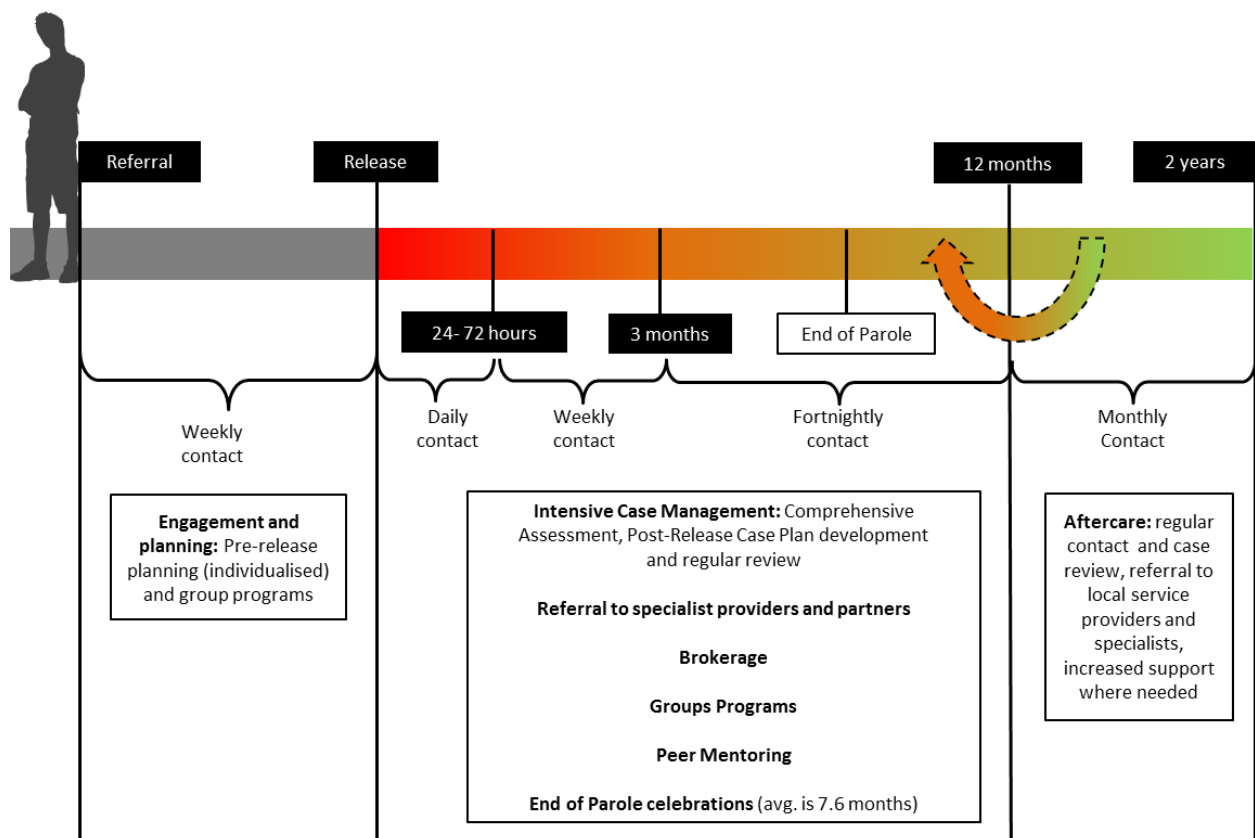
Intersecting Issues

Housing circumstances – zero tolerance for post release homelessness

Mission Australia supports efforts to provide stronger planning for those exiting prison so that they are not exited into homelessness. There is a significant gap in supported accommodation options available to young people and adults on release from incarceration. Successful models such as the Supported Community Accommodation Townsville (SCAT) could be replicated in areas of high need to reduce recidivism and decrease the risk of homelessness.

We suggest a service model that includes pre- and post-release case management, referral to local and specialist service providers, material support (by way of brokerage), aftercare support and options for the inclusion of Peer Mentoring and AOD Counselling and Support Services. The service should begin 8-12 weeks prior to release, and continue for the two years following release. This model should achieve the following:

- Pre-release support and planning, with seamless transition to post release support and aftercare.
- Individualised support provided to program participants post release for two years, based on personal needs and circumstances as well as ongoing risk assessment (including of criminogenic factors and known offending behaviours).
- Focus on accommodation, relationships/support networks and employment/education participation, as well as fulfilling parole requirements.
- Collaboration and partnerships: with local and specialist service providers to ensure a holistic and comprehensive approach to supporting individual pathways to independence and desistance from criminal activity; and to complement and align with supports provided by Corrections and other relevant agencies.



For the youth justice system the model should also include:

- Tailored support to ensure young people in supervised AND community detention can continue to engage with or re-engage with education, vocational training and employment opportunities.
- Programs targeting offending risk factors including cognitive distortions, aggression, family violence, victim empathy, substance use etc.
- Services to co-ordinate out of home care and justice services.
- Support for young people and their families through the complex court system.
- Family-based interventions that support relationship building and emotional literacy.
- Support provided post-release that is youth friendly and focused on supporting young people into meaningful/productive uses of time including education and employment.
- Diversionary programs linked to education and employment with case management supports that are known to be effective and offer good opportunities for scale.

Supported Community Accommodation Townsville (SCAT)

The Supported Community Accommodation (SCAT) service in Townsville provides transitional support for young people exiting the Cleveland Youth Detention Centre. The service has been running since 2010, accommodating up to four young people at any one time for up to 6 months

post-release. A major focus of the SCAT service is supporting the transition back to family wherever possible, which means that we work to not only address the needs and challenges faced by the young person, but also those of their family. The program is funded by the Queensland Department of Justice and Attorney-General.

The service targets 16-18 years old young males who:

- Are residing in Townsville catchment areas; and
- Are leaving detention on either a Supervised Release Order or bail; or
- Are homeless or at risk of homelessness.

While the SCAT program primarily works with 16-18 year old males, on occasion, it also supports young males aged 12-15 years on a short-term basis while reconnecting them with family or kin.

Since 2010, SCAT has housed 54 boys. It has also provided emergency or overnight accommodation to a further 58 boys. Young people are referred to the service by the Townsville Youth Justice Service, Child Safety, Cleveland Youth Detention Centre, Beyond Billabong, and Youth Housing and Reintegration Services (**YHARS**).

A young person may reside in the SCAT house for up to 6 months, during which time they receive practical support, and assistance to develop the skills they need to transition to semi-independent and independent housing. They are also supported to reconnect with family.

Whether the young person stays for the full 6 months varies from case to case. This may be because the resident moves into an independent living arrangement, moves back in with family, or reoffends and returns to custody. If at the end of 6 months the young person needs continuing support, SCAT may either extend their placement or refer the resident to another appropriate service.

Participants in the program are provided with tailored case management support to assist them in achieving their personal, developmental and welfare goals. This may include:

- completing a drug or alcohol rehabilitation program;
- guidance when reconnecting with family;
- assistance in enrolling in education or vocational courses;
- learning to prepare meals;
- learning to clean and wash clothes;
- learning to maintain a garden;
- having assistance purchasing items for independent living; and
- assistance in finding accommodation.

For those residents on bail, SCAT assists in complying with conditions. This may mean transporting residents to programs, facilitating their reporting to youth justice or accompanying them to court.

Staff visit potential clients in detention four weeks before transitioning to SCAT, with the aim of building rapport, and to work on goals in conjunction with their youth justice case plan. Four weeks is preferred to strengthen worker/client relationships.

SCAT is usually staffed with a ratio of 1 staff member to 4 young people during the day and 2 staff members to 4 young people in the evening. However this ratio can change depending on the needs and complex behaviours of the young people residing there at the time.

SCAT has a diversity of staff in our Townsville programs, many of whom identify as Aboriginal or Torres Strait Islander. We also provide indigenous mentors, who engage with our clients on a regular basis. We further provide cultural camps every three months to connect young people to culture.

Queensland Youth Justice reviewed outcomes data for the SCAT services to measure the long term outcomes of service models which work with young people. They reviewed cases that closed between 1 July 2014 and 30 June 2015 due to successful completion of the service. There were 7 cases in this category. As at 16 August 2016, Only 2 of these young people had reoffended. This was calculated by assessment of youth justice court records and adult court records.

SCAT provides housing and wrap around supports at a particularly vulnerable time for young people as they are leaving detention. It therefore reduces the risk of both recidivism and homelessness for these young people. The supports provided are scaled back as the young person becomes more autonomous supporting their journey to independence. In this environment the young people are able to learn essential life skills before returning to their family and community providing a strong foundation for long-term success. However SCAT will continue to provide contact support for a further 4 weeks post exit to ensure a successful transition, as well as assist with the connection to YHARS for ongoing support as required.

Going Places

MA's Going Places program in Cairns (funded by Queensland Department of Communities) involves homeless outreach which moves long-term homeless people into sustainable housing. This program works with significant numbers of Aboriginal and Torres Strait Islander clients. In a cost benefit assessment, it was found that for every \$1 invested, the government saved \$5.10 in public services no longer required. The savings reflect benefits including reduced need for crisis accommodation, incarceration, court proceedings, police time, diversionary services, time in hospital, and participants being able to support their own children.¹⁷

Employment and Education

Holistic services are required to address underlying social issues, build resilience, assist young people to take responsibility for their actions and enhance their prospects for their future. Our general approach to working with individuals who have come to the attention of the criminal justice system is to work with the young person, their families and on some occasions their peers. We work with

¹⁷ Mission Australia, *Going Places* cost benefit assessment infographic summary, 2013. Available at: https://www.missionaustralia.com.au/2020-strategy-page/doc_download/173-going-places-cost-benefit-assessment-infographic-2013.

young people across all the life domains (education, health, daily living personal and social skills) and support them to build new skills and stronger connections with their schools and communities.

Synergy auto Repairs – North Melbourne, VIC

Synergy Auto Repairs is a social enterprise based in North Melbourne that offers customers a full suite of smash repair services, while providing a flexible accredited training program and support for young people aged 16-20 with a history of motor vehicle related offences. The program harnesses participants' interest in cars and aims to help them build a career in a field that matches their interests. The social enterprise equips participants with the skills to commence a smash repairs apprenticeship. The initiative is an Australian-first partnership between Mission Australia, the National Motor Vehicle Theft Reduction Council (NMVTRC), Kangan TAFE, and Suncorp Group.

A 2016 independent evaluation noted that the program has engaged with over 100 young people, and the business had repaired more than 600 cars.

In relation to the success and efficiency of the program after two years, the 2016 independent evaluation found:

- All young participants agreed that Synergy has given them a strong basis from which to grow the skills needed to make them employable within the automotive industry.
- The program is innovative and has the opportunity to offer long-term positive outcomes to young people, with the aim of helping get young people 'back on track'.
- Both the participants and staff felt that the Synergy program had a transformative effect on the young people who participated.
- The program offers a unique model due to the complex nature of the client group and the emphasis on operating as a social enterprise needs to be considered in this analysis.

It was recommended that the partnership between Mission Australia, Suncorp and the National Motor Vehicle Theft Reduction Council should develop the program further, and create templates for broader enterprises similar to this model.

By mid 2017 Synergy had serviced 1,115 cars. Recent reviews found that 68% of clients had resolved court issues and 70% had ongoing opportunities, be it an apprenticeship, casual employment or return to education.



* Includes apprenticeships, further study, casual employment and other opportunities

Charcoal Lane

Charcoal Lane is a social enterprise in Fitzroy that combines a restaurant specialising in native flavours with a comprehensive training program for young people who have experienced vocational and non-vocational barriers to employment. Charcoal Lane enables Aboriginal and other young people to gain both accredited hospitality qualifications and professional experience within a supportive developmental environment. On completing traineeships at the restaurant, young people are well prepared to move into careers in hospitality, or other industries.

Sydney South West Youth Services, NSW

South West Youth Services (SWYS) provide education, employment, life skills and counselling support to marginalised youth from 10-25 years in the Macarthur and Liverpool regions. SWYS provides preventative and early intervention services that aims to discourage young people from disengaging with education and falling into unemployment or crime. The service's staff work with young people to develop solutions based on the strengths of the individual.

Youth Crime Prevention Program (YCPP), Campbelltown

Intensive case management, developmental programs, and re-engagement with education/employment and early intervention strategies for young people aged 10-18 years who are considered to be at serious risk of entering detention.

Alcohol and Drugs

Substance use disorders, particularly those that are comorbid with mental health disorders, can increase the risk of crime, and especially violent crimes¹⁸. Despite very high and problematic rates of substance abuse among young offenders, Australian and international studies have found that drug and alcohol treatment referral and uptake occur at very low rates in this population¹⁹.

The NSW Ministry of Health²⁰ conducted an evidence check on the effectiveness of alcohol and other drug interventions in at-risk Aboriginal youth. In their analysis of relevant studies, they found the common thread of effective interventions were those which had 'strong community interest, engagement, leadership and sustainable funding'. Some studies recognised cultural and recreational activities, and regular rather than one-off initiatives were also helpful. Mission Australia stress the importance of these approaches, and have seen success in the following models.

¹⁸ Ritchie, G., Weldon, S., Freeman, L., MacPherson, G. & Davies, K. (2011) Outcomes of a drug and alcohol relapse prevention programme in a population of mentally disordered offenders, *The British Journal of Forensic Practice*, 13 (1) pp.32 – 43.

¹⁹ Lennings, C.J., Kenny, D.T. & Nelson, P. (2006) Substance use and treatment seeking in young offenders on community orders, *Journal of Substance Abuse Treatment*, 31 (4) pp. 425–432.

²⁰ Doran, C., IKinchin, I., Bainbridge, R, McCalman, J. and Shakeshaft, A. 2017, *Evidence Check: Effectiveness of alcohol and other drug interventions in at-risk Aboriginal youth*, Sax Institute for the NSW Ministry of Health, <<https://www.saxinstitute.org.au/wp-content/uploads/Effectiveness-of-AOD-interventions-in-at-risk-Aboriginal-youth.pdf>>

MAC River and Junaa Buwa!

Junaa Buwa! and MAC River are Mission Australia's residential rehabilitation centres for young people who have entered, or are at risk of entering, the juvenile justice system and have a history of alcohol and other drug use. Funded by NSW Department of Justice, they offer residential and outreach services as well as educational and living skills training and aftercare support. The services cater for young people aged 13-18 years in New South Wales with Junaa Buwa! located in Coffs Harbour and MAC River in Dubbo. Young people undertake residential rehabilitation for 12 weeks which is followed by 12 weeks after care support. The services take a holistic approach including case management addressing criminogenic risk and need. More than 80% of clients are Aboriginal young people, and over 70% of MAC River attend the service from remand. The services provide a range of offence focussed interventions, including the Changing Habits Reaching Targets cognitive behavioural program, X-Roads Drug and Alcohol program, Family Violence programs including Manbox and X-Roads, and cultural interventions including cultural camps, a cultural/yarning area, Aboriginal art including didgeridoo making, clapsticks and totem poles, and engagement with the Aboriginal men's group for mentoring.

The Junaa Buwa! AOD Outreach Program is an evidence based AOD treatment program established in 2012 and federally funded through the Department of Health. The program targets 13 to 18 year olds at eight high schools on the Mid North Coast of NSW delivering culturally appropriate and comprehensive assessments, brief interventions, therapeutic counselling, case management, referral, advocacy and aftercare. More than 50% of the young people engaged in the service identify as Aboriginal & Torres Strait Islanders.

The Junaa Buwa! services are leading members of the Gumbaynggirr Youth Community Drug Action Team, coordinating AOD service providers while educating and developing responses to youth AOD concerns in the local Aboriginal communities.

Drug and Alcohol Youth Service (DAYS) – Perth, WA

A number of co-located programs and services operate under this umbrella and aim to address the holistic needs of young people in Perth who are trying to deal with alcohol and/or other drug misuse and associated challenges such as mental illness, gender identity and a past history of trauma or abuse. Mission Australia works closely with young people, their families and other service providers in areas such as education, employment and housing. In particular, Mission Australia works collaboratively with Next Step, the clinical services arm of Drug and Alcohol Office, and court-related Juvenile Justice Teams to provide integrated services. DAYS offers case-management, individual and family counselling, access to mentors, psycho-education groups and clinical psychology, residential services and includes access to an allied health team of clinical psychology, nurses, GPs and psychiatry. DAYS also offers the additional programs set out below:

- Youth Withdrawal and Respite Service

24/7 residential-based support (for up to 21 days) for young people aged 12 to 21 years, who want to detoxify and address alcohol and/or other drug misuse.

- Youth Residential Rehabilitation Service

24/7 residential-based support (for up to three months) for young people aged 12 to 20 years, who are experiencing difficulties related to alcohol and/or other drug misuse

- THASP/Transitional Accommodation

Supported transitional accommodation is available for young people who have completed residential rehabilitation.

- Youth Outreach Service

This service is particularly suited to young people who find it challenging to deal with mainstream treatment service options. The DAYS Outreach Workers are also available to provide information and presentations to agencies regarding DAYS and referral processes.

- Cannabis Intervention Service

With referrals from the Police or Courts, this early intervention service supports and counsels young people about the harmful effects of using cannabis and the desirability of quitting.

- Young Person's Opportunity Program

This early intervention and prevention/diversion program supports young people aged 12 to 17 years referred by the Juvenile Justice Teams because of offending behaviour related to substance misuse.

- Youth Detention Counsellor

This service provides information, education and counselling support to young people aged 12 to 17 years in juvenile detention centres because of offending behaviour related to substance misuse.

- Methamphetamine Initiative

The Methamphetamine Initiative supports young people who are identified as meth-amphetamine using from the point of referral to the Drug and Alcohol Youth Service (DAYS) through to residential services using a short-term case-management model. DAYS recognises that young people who are using Methamphetamine are more vulnerable to disengagement particularly in the weeks prior to entry into residential services, and aims to reduce disengagement by employing proactive and assertive outreach strategies and associated follow-up.

Pilbara Community Alcohol and Drug Service (PCADS)

The Pilbara Community Alcohol and Drug Service (PCADS), offers a range of services that assist individuals and communities to address drug and alcohol use and strives to increase the wellbeing of people living in the Pilbara Region of Western Australia. The service aims to engage directly with individuals, families and communities to:

- Prevent problems arising from alcohol and other drug use
- Provide treatment support for people struggling with their wellbeing

- Community support to assist communities in becoming more resilient in coping with the effects of alcohol and other drugs

Services provided by the Pilbara Community Alcohol and Drug Service are focused on not only reducing levels of alcohol and drug related harm, but improving the general health and wellbeing, relationships, engagement, and general living conditions within Pilbara communities. From the service locations in South Hedland, Karratha, Newman and Tom Price, Clinical Case Managers engage with small and remote communities through outreach trips.

Any person who is seeking support to improve their health and wellbeing can access our services, including:

- Aboriginal people and communities
- Children and young people (14 years and over)
- People with mental health and alcohol and other drug concerns
- People in rural and remote area
- Families/significant others of people with alcohol and other drug concerns
- People from culturally and linguistically diverse backgrounds
- People who have interacted with the criminal justice system

Contact with Child Protection

Aboriginal and Torres Strait Islander children and young people are also over represented in the out-of-home care and juvenile justice systems compromising their housing stability and adding to their risks of homelessness on exit. The rate of Aboriginal and Torres Strait Islander children in out-of-home care is almost ten times that of other children, and continues to grow. The rate of Aboriginal and Torres Strait Islander children in juvenile detention is 26 times that of other children.^{21,22} Concerted efforts are required to address both of these concerning statistic through systems changes and ongoing supports.

Numerous studies have found that children from out-of-home care are over-represented in the juvenile justice system. In NSW in 2010, 28% of male and 39% of female youth detainees had a history of out-of-home care.²³ Australian Institute of Health and Welfare found that in 2014-15, 'young people who were the subject of a care and protection order were 20 times as likely to be under youth justice supervision in the same year as the general population'²⁴. The links between experiences of childhood trauma and the likelihood of youth offending are well established. However, a study by Monash university of 70 former care workers and young people also found that the 'levels of support available to young people during and in transition from state care were important factors contributing to the risk of offending.'²⁵ Access to specialised trauma support

²¹ Aboriginal and Torres Strait Islander Peak Organisations Unite (2016) *The Redfern Statement*, Australia, Aboriginal and Torres Strait Islander Peak Organisations Unite, 9th June 2016, Redfern.

²² AIHW (2015) *Youth Detention Population in Australia*. AIHW, Bulletin 131, December 2015, Canberra.

²³ Murphy, P., McGinness, A., Balmaks, A., McDermott, T. & Corriea, M. (2010) cited in <https://www.legalaid.vic.gov.au/sites/www.legalaid.vic.gov.au/files/vla-care-not-custody-report.pdf>

²⁴ Australian Institute of Health and Welfare (2016) cited in <https://www.legalaid.vic.gov.au/sites/www.legalaid.vic.gov.au/files/vla-care-not-custody-report.pdf>

²⁵ Mendes, P., Snow, P. & Baidawi, S (2012) cited in <https://www.legalaid.vic.gov.au/sites/www.legalaid.vic.gov.au/files/vla-care-not-custody-report.pdf>

services while in state care, and adequate transitioning support upon exiting state care is necessary to support young people and reduce the risk of offending.

Springboard

Springboard is an intensive case management support program to assist young people aged 16-18 years in residential out-of-home care and up to 21 years who have left residential care, to gain secure long-term employment by re-engaging with appropriate education, training and/or supported employment opportunities. MA currently delivers Springboard across the Southern and Northern Metropolitan Regions of Melbourne.

Integrated supports for complex needs

Taikeesha is an Aboriginal and Torres Strait Islander identifying woman who was referred to a Lismore Justice program run by Mission Australia (MA) following her release from detention. Taikeesha has been in and out of detention from the age of twelve and is now 19. Her offending escalated over the years from driving unlicensed and stealing offences to several violent assaults, and Taikeesha is quick to point out during intake that she will 'sort out anyone who gets in her way'. She has one child currently in state care monitored by Family and Community Services NSW (FaCS) and reports a history of domestic and family violence perpetrated by both her ex-partner and family towards her. She was released to unstable housing with family and has recently been advised the leaseholder received an eviction notice. Her Justice Case Worker outlined Taikeesha's case plan to MA and together it was agreed that MA focus on housing, family/parenting support, and coordinated behaviour change support.

Taikeesha was supported to register with FaCS Housing and engage with Community Services regarding her need for independent housing and interest in establishing contact visits with her child in care. She was further supported to inform FaCS of her pregnancy and identify health/parenting supports to increase protective factors for her second child to remain in her care post birth. MA referred Taikeesha to a Specialist Homelessness Service (SHS) and worked collaboratively with the service to obtain and maintain temporary housing placements whilst on a waitlist for community housing properties. She was accompanied to contact visits with her child in care and agreed to attend anti-natal appointments via community health on a fortnightly basis with transport provided by MA as needed.

Taikeesha disclosed a domestic violence incident perpetrated against her by her partner whilst she was in a temporary housing placement to MA. She was assisted with reporting the incident to Police, and following her referral to a Safety Action Meeting (SAM) by Police and the local Women's Domestic Violence service, her MA support worker attended the meeting to share information beneficial to her ongoing safety, and advocate for housing through the Safe Pathways initiative and Staying Home Leaving Violence.

Taikeesha secured a subsidised rental property through the combined efforts of MA, the SHS provider, Housing NSW, and support from members of the SAM. MA obtained brokerage for furnishing the property and worked closely alongside Justice and FaCS to ensure she maintained

reporting and change of address information in relation to her supervision order and child protection monitoring.

She continues to work with coordinated services around behaviour change, and now attends specialist domestic violence counselling appointments every month. Taikeesha speaks of being better able to liaise with NSW Police and FaCS workers without 'going off', and she is almost through her period of supervision post release. Taikeesha has not re-offended and is now attending contact visits with minimal FaCS supervision. She is also going for her driver's licence.

Domestic Violence

Family violence is a leading cause of homelessness for Aboriginal and Torres Strait Islander women and children as it is for non-Aboriginal or Torres Strait Islander women and children. However, Aboriginal and Torres Strait Islander women are 35 times more likely to be hospitalised due to family violence than non-Aboriginal or Torres Strait Islander women.²⁶ As called for in the Redfern Statement, the Australian Government should lead a whole-of-government plan to address violence against Aboriginal and Torres Strait Islander women and children.²⁷ Mission Australia also delivers culturally responsive and adapted programs:

Women's Safe Houses – Western NSW

Mission Australia runs three safe houses located in Western New South Wales, at Lightning Ridge, Walgett and Brewarrina. These Safe Houses operate as crisis centres and have a focus on assisting women and children escaping DFV and homelessness with a focus on Aboriginal women. Transitional accommodation assists women and families who have been through the Safe House program and cannot return home. While a woman or family is in transitional housing, staff assist them with living skills programs, financial stability, tenancy supports, children's educational engagement, liaising with health providers and progressing into more permanent stable housing. Group-based parenting and behavioural programs are also offered such as Seasons for Healing, Aboriginal Triple P, Incredible Years, Circle of Security, 123 Magic, Keeping Children Safe, LoveBites, Through Young Black Eyes, Rage (Anger Management), Managing the Bull and Act Now Stronger Together. Community outreach including intensive case management is provided for clients in the community with complex needs.

Men's behaviour change program (MBCP) - NSW

Mission Australia is an accredited provider of Men's Behaviour Change programs in Western NSW. This program is aimed at providing intervention to men who use violence in family contexts, and providing complementary support for women, children and families affected by family violence. These programs operate from best practice in offender rehabilitation, using the risk needs responsiveness model as a basis for intervention. The program is structured for 2.5 hours a week over 16 weeks, delivered by a male and a female facilitator, one of whom is Aboriginal. The pilot program,

²⁶ Murray S. & Theobald J. (2014) 'Domestic and family violence', in Chamberlain, C., Johnson, G. & Robinson, C. (Ed.) *Homelessness in Australia: An Introduction*, Sydney: UNSW Press.

²⁷ Aboriginal and Torres Strait Islander Peak Organisations Unite (2016) *The Redfern Statement*, Australia, Aboriginal and Torres Strait Islander Peak Organisations Unite, 9th June 2016, Redfern.

delivered in partnership with Corrective Services at the end of 2016, found that of a group of 7 men, only one had gone on to reoffend. Corrective Services noted that the approach of this program helped keep men and their families engaged, citing one particular example of a man who had failed to complete the program 4 times (and returned to custody for this), completing the Mission Australia program.

In addition to the accredited men's behaviour change program, Mission Australia offers a diverse suite of services in the region to support women, children and families affected by family violence including child protection and diversion programs, family support, specialist homelessness services, and women's and children's crisis accommodation.

The Victorian Royal Commission into Family Violence found that about two thirds of offenders were males, and 80 percent of their victims were their mothers, highlighting the need for programs to target abuse within the family context. Though the reported incidents of child to parent abuse is smaller in NSW, this is likely due to underreporting.

An integrated services approach also mitigates safety risks to women and families. Engaging family services to provide partner and family support can facilitate alerts to them of any changes in risk level, so they can remain as safe as possible. It enables shared risk assessment and improved risk and safety planning. Women and children are provided with a more in-depth assessment of risk at various times including in preparation for court ordered child contact. An important part of our programs is to provide information to women and children experiencing DFV about how to maintain their safety. Integration of services also provides better support for the partner and other family members, through case management, complex case co-ordination and support to access specialist services.

The design of our MBCP for Western NSW incorporates feedback from consultations with local Aboriginal communities and will continue to adapt in response to input from ongoing governance mechanisms. For instance, trained Aboriginal workers will provide MBCP facilitation and partner support services in culturally appropriate ways. Mission Australia intends to offer this program to participants who are Aboriginal and Torres Strait Islander as well as those who are not, based on the central notion that there is no justification for the use of violence against women in any culture. The design allows for culturally specific issues to be worked through where they arise as part of the process.

Domestic Violence Coordinated Response in WA

The Family and Domestic Violence Coordinated Response Service is part of a new model in Western Australia helping families who are in crisis by providing support to keep themselves and their families safe from Domestic Violence.

The service provides support for people and their families who are experiencing Domestic Violence by wrapping a range of supports around them such as those provided by Mission Australia, WA Police and the Department for Child Protection and Family Support.

The Family and Domestic Violence Coordinators in Karratha and South Hedland work together with WA Police Officers and Department for Child Protection and Family Support staff to help protect the

victims and also ensures that the proper documentation and reporting is done to ensure perpetrator accountability.

Mental Health

Aboriginal and Torres Strait Islander young people with cognitive disabilities and mental health issues are over-represented in the justice system.

An analysis of our *Youth Survey* found that in In 2016, over three in ten (31.6%) of Aboriginal and Torres Strait Islander respondents met the criteria for probable serious mental illness, compared to 22.2% for non-Indigenous youth.

The *Youth Survey* findings in 2015 in relation to higher proportions of Aboriginal and Torres Strait Islander young people experiencing low levels of happiness and expressing negativity about the future, as well as concerns about depression and suicide, also require a concerted policy effort, especially considering the unacceptable disparity in youth suicide rates.

These concerns are also backed up by research which shows that one third of Aboriginal and Torres Strait Islander young people have reported high levels of psychological distress; more than twice the rate of young non-Aboriginal or Torres Strait Islander people. More Aboriginal and Torres Strait Islander young people are hospitalised for mental and behavioural disorders than non-Aboriginal or Torres Strait Islander young people. The leading causes of this hospitalisation were schizophrenia, alcohol misuse and reactions to severe stress. Additionally, Aboriginal and Torres Strait Islander young people die at a rate 2.5 times higher than non-Aboriginal and Torres Strait Islander young people.²⁸

Mental health responses must be culturally sensitive and gender sensitive and address the structural issues that contribute to higher levels of psychological distress for young females and Aboriginal and Torres Strait Islander young people. It is essential that effective mental health services and interventions are available to all young people, whether living in capital cities or more remote areas.

Mental health, health and education

One young person involved with Supported Community Accommodation Townsville (SCAT) has shown significant growth after just 3 months into the program. He entered the house when he was 17, and had no social connections or networks in Townsville. He had a history of self-harm and had tried to take his life three times. His education was that of grade 8. Now, just 3 months on, he is capable of independent living; including being able to navigate Townsville by bike. He has had no repeated offending or police charges. He has been able to invest in his future, enrolling in and completing Certificate I & II in Automotive and connecting with a job services provider. He regularly attends counselling and is making progress.

²⁸ AIHW (2011) *The health and welfare of Australia's Aboriginal and Torres Strait Islander people*. Canberra: Australian Institute for Health and Welfare.

Upon turning 18 years old, even though there were safety plans in place he did not go out drinking and has decreased his alcohol use. He has been riding his bike, and walking and trying to eat less. He has lost 10 kg and improved his overall physical health. He has become interested in hobbies, he regularly checks his crab pots, goes fishing with staff, uses his PS3 to do his online study and plays games He is using his time in a meaningful way that gives him satisfaction. He has had no suicide attempts or self-harm attempts. He has been making friends and contacts at his TAFE course, helpfully expanding his social networks. He has been saving \$15 per fortnight and accessing housing agencies with minimal support.

Inter-generational trauma and discrimination

Our Youth Survey 2016 showed that one in five Aboriginal and Torres Strait Islander young people reported experiencing discrimination on the basis of race or cultural background, more than three times the proportion of non-Indigenous young people and more needs to be done to combat this.

Dispossession, racism, trauma, disadvantage and disconnection from culture and disengagement from education and employment are all underlying contributors to poor mental health, substance misuse and contact with the justice system for Aboriginal and Torres Strait islander people. Many of these are intergenerational issues that require preventive policies and services which build community, family and individual resilience.²⁹

Research has found that programs that show positive results for Aboriginal wellbeing are those which encourage self-determination, community governance, reconnection, community life, restoration and community resilience.³⁰ Further, these solutions must be driven by Aboriginal leaders and communities.

Inter-generational trauma, loss of culture, family violence

Bailey is before the court for domestic violence against his partner. He self-referred to a Mission Australia (MA) service in Lismore, seeking support to access alcohol and other drug services, and behaviour change support. He is a proud Aboriginal man who acknowledges his anger and drinking has often resulted in scaring his loved ones and having contact with authorities.

During his early contact with MA, Bailey disclosed a long history of exposure to violence and described a number of traumatic events which he feels have impacted on his ability to live a 'good life'. He disclosed he is a man of the Stolen Generation and is hurting. He has tried alcoholics anonymous and reports being court ordered to residential rehabilitation about ten years ago, though suggests neither were helpful. When asked by his MA case manager about what would help him and his family to heal and work through his trauma and violence, he broke down sobbing and asked for someone to talk to that understands 'what his life has been like'.

²⁹ Department of Health (2013) Aboriginal and Torres Strait Islander suicide: origins, trends and incidence. Canberra: Department of Health. Available at: <http://www.health.gov.au/internet/publications/publishing.nsf/Content/mental-natsisps-strat-toc~mental-natsisps-strat-1~mental-natsisps-strat-1-ab>.

³⁰ Ibid.

The case manager referred Bailey to a local Aboriginal and Torres Strait Islander service for support. Bailey was transported and accompanied to his assessment with the service by MA, where he was offered Stolen Generation counselling, alcohol and other drug counselling, and behaviour change counselling all under one roof. Bailey was also encouraged to join a Men's group run for Aboriginal Men by Aboriginal Men and explores a wide range of group determined subjects to support men in their recovery journeys. Bailey reported back to the case manager that he had also let his partner and an Aunty know of the service as Women's support was also available.

During his support period with MA, the case manager kept in touch with Bailey and the referred service to encourage regular connection and support. Bailey also used his appointments to talk about his hopes for the future, and acknowledged his interest in learning more about his Culture and Country. Bailey continued to work with MA and the local Aboriginal service, and now proudly reports he has not been back before a court for hurting his loved ones. He continues to work on his use of alcohol and is confident enough to talk at Men's Group.

Living in remote, rural and regional areas

Some Aboriginal and Torres Strait Islander people living in remote, rural and regional areas experience disadvantage due to limited transport options. Service providers indicate that some clients are unable to attend employment, education, appointments and court due to limited public transport, no vehicle access or lack of a drivers licence. Importantly, this can affect people's ability to meet bail requirements and access support services.

Service providers suggest the regeneration of programs such as the Aboriginal Driver Education Program (ADEP) in Victoria. The 'Changing Gears' and 'Ignition' programs provided driver education in schools in remote areas. Noting that many community members experienced literacy issues, one service provider attested that the nature of the course made it easy for everyone to understand. She saw many clients receive their drivers licence and go on to gain employment or apprenticeships.

While the removal of funding saw the conclusion of ADEP, the L2P program is running with success, and is a model which could be extended to other regional, rural and remote areas.

L2P (Learner to Permit)

The L2P (Learner to Permit) program pairs young people with a volunteer mentor who assists them to learn to drive and build up their driving hours required to secure a license. It supports young people to achieve their working or education ambitions and targets Gippsland areas like Yarram, Sale, Bairnsdale, Lakes Entrance and surrounds, where driving is essential for young people to get to work as public transport is lacking. Many Aboriginal and Torres Strait Islander young people participate in this program.

Transport assistance is also required for Aboriginal and Torres Strait Islander people in regional, rural and remote area to access support services or court based programs. Increased drivers licensing programs would also assist this situation. Mobile service hubs that make regular visits to regional

and community locations would also promote access to services, engagement and foster trust and rapport with community people.

Co-located service delivery or a 'one stop shop' approach would also help reduce stigma related to accessing a service. This trauma informed delivery approach, for example, would increase the opportunity to engage people in services which may experience lower rates of self-referral, such as sexual assault services, domestic violence services, child protection services, gambling help and financial counselling. Co-located services have particular benefits of discrete referral and protection for people seeking domestic violence services and in rural and regional areas where people worry about being seen accessing a particular service.

Culturally Appropriate Programs

The importance of culturally appropriate programs is recognised in the principles stated above. For Aboriginal and Torres Strait islander young people, it is especially important for them to connect with their cultural identity. A strong sense of cultural identity and belonging can improve wellbeing and be a protective factor during times of transition.

Traditional Camp - QLD

Mission Australia, in collaboration with the Aboriginal and Torres Strait Islander Legal Service (ATSILS), provides Indigenous camps on local, traditional country to support local Aboriginal and Torres Strait Islander young people who are involved in the criminal justice system and are at high risk of reoffending. Up to 10 camping trips per year are planned to a local national park to do culturally appropriate activities to strengthen young people's connection to culture and country.

The inaugural camp took place on 22-23 April 2016, and a further two camps were run that calendar year. One camp was held at Mungulla, and the other two in Bowen. Young people are identified and referred to the camp through SCA, the Bail Support Program and ATSILS. Mission Australia also works collaboratively with Queensland Youth Services where there may be clients who are engaged with one or more of their services. Numbers are restricted to five young people per camp to allow more contact.

The camp aims to provide SCA/ATSILS young people with opportunities to experience traditional and cultural activities, identify healthy, traditional and sustainable food, and understand how the environment reflects traditional cultural knowledge and uses of environmental resources.

The camps are based on the premise that connection to mob and to country is an essential part of health as a first nation person. The cultural camps aim to enhance the self-esteem and cultural pride of Indigenous young people, particularly those who may feel disconnected from their cultural identity.

The camps are run by three SCA staff members and one ATSILS staff member, in collaboration with four local Indigenous elders. The program has access to two Mission Australia vehicles and one Mission Australia camper trailer, which includes camping equipment.

The camps are run for two nights and three days. They usually run over Friday and Saturday nights. On the camp, young people may participate in the following activities:

- Aboriginal mentoring with an elder;
- visiting cultural and environmental sites;
- observing turtle tagging;
- observing traditional spear making for fishing;
- learning to identify traditional bush tucker;
- participating in cultural cooking lessons;
- fishing;
- swimming; and
- cultural yarning with a senior elder.

After the camp, the elders maintain regular contact with the participants. This is both formal and informal contact. Formal contact is facilitated on an as-needed basis, or as identified by any of the support workers for the referring services. Further contact can be facilitated at the request of the young person. The purpose of this contact may be for general support, or it may be more specific. For example, the young person and the elder may revisit the individual goals they set together on the camp. The young person can then attend further camps to explore these goals, acquire more skills, and discover a further connection to the land.

This program is funded by Mission Australia. Mentor Trevor Pryor, from ATSILS, is working with Mission Australia on the camps in a voluntary capacity. Brother Gary Pryor and Father Trevor Pryor Senior, the Indigenous Elders, also participate as volunteers.

Young people get a lot of value out of this program. Importantly, the camp is not a 'one off' for young people, there is ongoing mentoring for up to a year and young people can also be connected to a local men's group to maintain connection to culture. Through this experience, they gain increased respect for themselves, for others, and for their cultural heritage.

Elders Visiting Program - NT

The Elders Visiting Program was developed in partnership between the NT Department of Justice, the Aboriginal and Torres Strait Islander Commission, Community Council and elders, and commenced in 2005 throughout NT Correctional facilities both adult and youth. The objectives are to support the mental health and wellbeing of Indigenous prisoners by maintaining links to community and culture while in prison, and to improve the reintegration prospects of Indigenous prisoners by talking about behaviours that led to their incarceration and discussing their post release plans, obligations and expectations upon returning to the community. The program also provides an important link between Indigenous prisoners and Corrections staff, advising staff on cultural and community issues that may impact on an inmate's behaviour or ability to address their offending.

Conclusion

Mission Australia believes that imprisonment should be a last resort and that addressing intersectional disadvantage is key to reducing the stark over-representation of Aboriginal and Torres Strait Islander people in both juvenile detention and adult prison.

This requires broader investment in families and communities as well as more specific programs focussed on diversion and alternatives to incarceration when contact with the justice system occurs. Where a person is incarcerated the focus should remain on rehabilitation and through-care to enable community reintegration, prevent exits into homelessness and reduce recidivism.

Many effective models of support are outlined above and could be replicated to have more impact across Australia and particularly in areas of high need. It is also crucial to ensure Aboriginal and Torres Strait Islander people are at the centre of policy and programming decisions and that solutions are developed with and appropriate to local communities.

We would be happy to provide any further information that would be useful to the Australian Law Reform Commission in addressing this important issue.