Acknowledgements

Data used is primarily sourced from the Australian Institute for Health and Welfare 2019, *Youth Justice in Australia 2017-18*. Canberra: AIHW. The artwork incorporated in the design of the report was created by young people as part of their involvement in programs at the Bimberi Youth Justice Centre.

Disclaimer

This report contains reference to external documents outside the Territory’s control. It is the responsibility of internet users to make their own decisions about the accuracy, currency and reliability of information found. While care is taken to provide links to relevant material, the nature of the internet prevents the Territory from guaranteeing the reliability, completeness or accuracy of any material to which this report may be linked.

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The findings and recommendations in this report have been informed by policy papers, research, developments in other jurisdictions, a roundtable on Throughcare, consultation on disability issues within the ACT justice system, and consultation with community representatives and youth justice stakeholders. Taskforce members, government officials and community representatives participated in deliberative workshops to reflect on what is working in youth justice in the ACT and what can be improved.

The objectives of the Blueprint remain current six years later, with some challenges persisting and new challenges emerging. A recent increase in the number of young people in detention over the past 18 months (Dec 2016 – Jun 2018) requires a renewed focus over the next four years. Further challenges identified include: the need for better support for young people with disability and mental health concerns involved in the youth justice system; better support for young people at the earliest opportunity; and additional robust and reportable data.

This report recommends ten focus areas to drive work or to be considered for further or future action to address these challenges in the ACT youth justice system. The focus areas reflect a ‘continuum of support’ that promotes an integrated service system response to improve outcomes for children, young people and their families (see page 21). The focus areas identify existing initiatives to be continued and built on, as well as new initiatives to be considered and explored.

Future work under the Blueprint should connect with strategic initiatives occurring across the human services portfolios that seek to transform support services for children, young people and families who face long-term predictors of risk. Initiatives include the Early Support Initiative; Family Safety Hub; Disability Justice Strategy; Justice Reinvestment Strategy; Canberra as a Restorative City; Future of Education Strategy; Our Booris, Our Way; and the ACT Aboriginal and Torres Strait Islander Agreement 2019-2028. Importantly, these reforms align with the Blueprint’s focus to provide whole-of-family support early in the lives of children and young people, and prevent the need for crisis-driven, intensive and high-cost service responses.

Improving long-term outcomes for Aboriginal and Torres Strait Islander people in the ACT remains a critical focus, with self-determination as the driving principle. Significant work is underway to establish processes for Aboriginal and Torres Strait Islander community-led input and leadership to progress reform across the human services system. Engagement forums are being established to develop, test and implement Aboriginal and Torres Strait Islander community-led solutions to drive service system changes to policy and practice.
This includes a co-design/innovation lab to design a youth justice diversion program for young people in the middle years. Work to divert Aboriginal and Torres Strait Islander families from the child protection system will also be a key focus.

The Taskforce has also identified the need for a multidisciplinary approach through a family-centric model of support. This approach would build on the existing single case management model in Child and Youth Protection Services and involves adopting a broad understanding of family, including extended family or others who have a significant role in the lives of children and young people.

In summary, the Taskforce recommends the following ten focus areas:

- continue to address and reduce the experience of and exposure to childhood trauma;
- achieve better outcomes for Aboriginal and Torres Strait Islander young people;
- enhance support for young people at risk of or who have disengaged from education;
- develop early support for young people in the middle years (8 to 13 years);
- strengthen diversion services for young people at risk of contact with or further engagement in the youth justice system;
- deliver support for young people in detention with disability and/or mental health concerns;
- provide whole-of-family support to address the intergenerational impact of offending;
- maintain and continually improve quality therapeutic services in detention;
- deliver trauma-informed Throughcare in youth justice; and
- collect and link data measures to enable data analytics and information sharing.

The focus areas aim to strengthen the ACT’s approach to youth justice, ensuring continued progress towards achieving the Blueprint’s goals.

The Taskforce recommends developing an implementation plan to identify future work, including actions, timeframes and responsibilities. The Taskforce acknowledges that this work will require funding decisions and investment to explore new initiatives.

Significant policy work should be considered for commencement in 2020 to determine the next steps for youth justice in the ACT, following the conclusion of the Blueprint in 2022.
Introduction

The Blueprint for Youth Justice in the ACT 2012-22 (the Blueprint) is a ten year, whole of government and community plan to reduce youth crime by better supporting young people. The Blueprint provides an evidence-based approach to improving outcomes for young people who are involved or at risk of involvement in the ACT youth justice system.

The Blueprint recognises that by reducing risk factors and strengthening protective factors, our community will be better equipped to keep young people safe, strong and connected.

The Blueprint establishes a framework for measuring outcomes against key indicators for youth justice. The Blueprint is part of a suite of broad justice and human services reforms that have been undertaken across the ACT Government. This program includes:

- Early Support Initiative;
- Family Safety Hub;
- A Step Up for Our Kids Out of Home Care Strategy 2015-2020;
- Establishment of Child and Youth Protection Services;
- Our Booris, Our Way;
- ACT Aboriginal and Torres Strait Islander Agreement 2019-2028;
- Future of Education Strategy;
- Disability Justice Strategy;
- Justice Reinvestment Strategy;
- Reducing Recidivism Plan; and
- Canberra as a Restorative City.

The recommended focus areas in this report closely link with these existing reforms and programs of work to coordinate cross-government and community sector effort over the remaining four years of the Blueprint.

This report presents the Taskforce’s findings by:
- summarising progress of the Taskforce since its establishment;
- providing a snapshot of key indicators for youth justice over the previous six years;
- identifying continuing and emerging challenges; and
- outlining ten recommended focus areas for future work.
The Blueprint for Youth Justice Taskforce (the Taskforce) was established in August 2017 to review progress made to date and provide advice and recommendations on emerging challenges for future work under the Blueprint.

Specifically, the Taskforce was established to:

- consider achievements since 2012 and assess the current state of youth justice in the ACT;
- provide independent advice from the respective knowledge and experiences of Taskforce members; and
- recommend priorities for the next four years with renewed focus on reducing the disproportionate representation of Aboriginal and Torres Strait Islander young people at all stages of the youth justice system.

The Taskforce includes representatives from key community groups, organisations and government agencies, and is co-chaired by the Public Advocate and Children and Young People Commissioner and the Executive Director, Children, Youth and Families in the Community Services Directorate. A full list of Taskforce members can be found at Appendix A.

Since August 2017, the Taskforce has met on 10 occasions and contributed to consultation, policy analysis and discussions to identify emerging issues and develop recommended focus areas.

During this time, the Taskforce has undertaken consultation and engagement sessions with key stakeholders and community members.

The Taskforce has drawn on knowledge and expertise from across the Canberra community, including Aboriginal and Torres Strait Islander community leaders, experts and advocates for children living with disability, mental health experts, and organisations that work directly with children and young people.
**BLUEPRINT TASKFORCE TIMELINE**

**OCTOBER 2017 THROUGHCARE ROUNDTABLE**
The ACT Human Rights Commission led a roundtable focusing on delivering trauma-informed Throughcare that is uniquely designed to meet the needs of young people in the ACT.

**APRIL 2018 MENTALLY FRIENDLY POLICY PAPERS**
Mentally Friendly produced policy papers to support and inform the work of the Taskforce on preventing the intergenerational transmission of criminal offending and intervention options for young people in early adolescence.

**MAY 2018 EARLY SUPPORT AND THROUGHCARE WORKSHOP**
The Blueprint Taskforce led a half-day workshop with members and key stakeholders to discuss intervening early to prevent the intergenerational transmission of criminal offending, developing intervention options for supporting young people in early adolescence and implementing stronger Throughcare practices in youth justice.

**AUGUST 2017 BLUEPRINT FOR YOUTH JUSTICE TASKFORCE ESTABLISHED**
The Taskforce, comprising key community and government members, was established to ensure that the Blueprint remains evidence-based, supportive of community-driven approaches and focused on achieving sustainable outcomes for children, young people and their families in the ACT.

**MARCH 2018 BLUEPRINT PROGRESS REPORT RELEASED**
The ACT Government released the *Blueprint for Youth Justice in the ACT 2012-22: Progress Report 2012-17*, which outlined progress against the Blueprint's strategies and goals, emerging challenges and future priorities identified by the Taskforce.

**MAY 2018 NT ROYAL COMMISSION ANALYSIS**
Analysis of recommendations made by the *Royal Commission into the Protection and Detention of Children in the Northern Territory* was discussed by Taskforce members to identify areas that intersect with priorities and emerging challenges in the ACT.

**JULY 2018 ABORIGINAL AND TORRES STRAIT ISLANDER YOUNG PEOPLE AND DISABILITY WORKSHOP**
The Blueprint Taskforce led a half-day workshop with members and key stakeholders, guided by Aboriginal and Torres Strait Islander community leaders and representatives, and disability experts. The workshop focused on improving outcomes for Aboriginal and Torres Strait Islander young people and enhancing support for young people with disability and mental health concerns in detention.

**NOVEMBER 2018**
The Taskforce met to consider proposed focus areas and priorities for the remaining four years of the Blueprint and the cross-cutting themes of restorative practice, early support and whole-of-family support for families engaged with the justice system.

**MAY 2019**
Blueprint Taskforce final report released.
Summary of Progress

The mid-term progress report on the Blueprint was released in March 2018 and outlined progress against the Blueprint’s strategies and goals, emerging challenges, and future priorities identified by the Taskforce.

Data in the progress report covered the period 2011-12 to 2015-16 (and 2016-17 where possible) and showed that overall, the number of young people coming into contact with, or escalating through, the youth justice system has declined. This means the Blueprint has generally achieved positive outcomes for young people, especially in diverting young people from the youth justice system and reducing the number of young people in detention.

Since the publication of the progress report, subsequently released data (for 2016-17 and 2017-18) shows that since the Blueprint’s implementation:

- the number of apprehensions of young people by ACT Policing has decreased by 37 per cent;
- the number of young people under youth justice supervision has decreased by 27 per cent, and by 33 per cent for Aboriginal and Torres Strait Islander young people;
- the number of young people under community-based supervision has decreased by 27 per cent and by 38 per cent for Aboriginal and Torres Strait Islander young people;
- the number of young people in detention has decreased by 17 per cent, and by 45 per cent for Aboriginal and Torres Strait Islander young people; and
- the number of nights young people spent in detention has reduced by 36 per cent, and by 55 per cent for Aboriginal and Torres Strait Islander young people.

These achievements are the result of significant investment and commitment to the strategies and initial actions under the Blueprint.

Prevention, diversion and individual support have been key focuses of this work, involving collaboration between police, courts, community partners and youth justice services.

The Taskforce’s recommended focus areas (see page 21) aim to build on this success to address emerging challenges for the youth justice system in the ACT.
**Update on key indicators**

This section provides an update on key indicators for youth justice as a summary of progress under the Blueprint over the previous six years.

<table>
<thead>
<tr>
<th>How are we tracking?</th>
<th>2011-12</th>
<th>2017-18</th>
<th>Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of apprehensions of young people by ACT Policing</td>
<td>2824</td>
<td>1783*</td>
<td>↓ 37%</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(2016-17)</td>
<td></td>
</tr>
<tr>
<td>Number of young people under youth justice supervision</td>
<td>242</td>
<td>177</td>
<td>↓ 27%</td>
</tr>
<tr>
<td>Number of young people under community-based supervision</td>
<td>215</td>
<td>157</td>
<td>↓ 27%</td>
</tr>
<tr>
<td>Number of young people in detention</td>
<td>134</td>
<td>111</td>
<td>↓ 17%</td>
</tr>
<tr>
<td>Number of nights young people spent in detention</td>
<td>8347</td>
<td>5379</td>
<td>↓ 36%</td>
</tr>
</tbody>
</table>

*Source: Australian Institute of Health and Welfare (AIHW), Youth Justice in Australia 2017-18, Tables S11b and S84b; ACT Criminal Justice Statistical Profile, December 2017 Quarter, ACT Policing Tables 5 and 6; and Productivity Commission, Report on Government Services 2019, Table 17A.18. *Note: Data for the 2017-18 financial year was not available at time of publication.*

**Young people apprehended**

Since the development of the Blueprint, the number of apprehensions of young people by ACT Policing has decreased by 37 per cent (2011-12 to 2016-17). This long-term trend is due to decreases in the number of apprehensions of Aboriginal and Torres Strait Islander young people and non-Indigenous young people by 38 per cent and 37 per cent, respectively.

**Number of apprehensions of young people aged 10-21 by Aboriginal and Torres Strait Islander status**

![Graph showing number of apprehensions by age and Indigenous status]

*Source: ACT Criminal Justice Statistical Profile, December 2017 Quarter, ACT Policing Tables 5 and 6.
Note: Trend data may differ from those previously published due to data revisions. Data for the 2017-18 financial year was not available at time of publication.*

**Young people under supervision**

Young people who enter the youth justice system can be ordered by the court to undertake a period of supervision. Young people may be supervised in the community or in detention. On an average day in 2017-18, there were 103 young people under youth justice supervision in the ACT.
Of these, approximately:

- five in six (85 per cent) were under community-based supervision;
- one in six (15 per cent) were in detention;
- one in four (26 per cent) were female;
- three in four (74 per cent) were male; and
- one in five (22 per cent) were Aboriginal and Torres Strait Islander.

Young people under supervision on an average day by supervision type, gender and Aboriginal and Torres Strait Islander status, ACT, 2017-18

![Supervision Type, Gender, and Status Breakdown](image)

Source: AIHW Youth Justice in Australia 2017-18, Tables S1a, S37a and S75a

**Note: The number of young people on an average day may not sum to total due to rounding.**

While the number of young people under supervision on an average day is also published in the Report on Government Services, the measure published by the AIHW is preferred as it is more comprehensive (including all young people under youth justice supervision, not just those aged 10 to 17 years) and disaggregates the data by supervision type, gender and Aboriginal and Torres Strait Islander status.

**Trends in young people under supervision**

Data over the previous seven years shows the number of young people under youth justice supervision in the ACT has decreased.

Since 2011-12, the total number of young people under youth justice supervision has decreased by 27 per cent. There has been a decline in the number of young people under community-based supervision of 27 per cent and a decline in the number of young people in detention of 17 per cent.

Simultaneously, the total population of young people (aged 10 to 17 years) in the ACT has increased by six per cent\(^1\) over the same period. This trend shows that fewer young people are encountering the youth justice system and at a lower rate since the introduction of the Blueprint in 2011-12. The total number of young people under youth justice supervision increased by 10 per cent between 2016-17 and 2017-18.

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\(^1\) AIHW Youth Justice in Australia 2017-18, Table S148: Population of young people aged 10–17, by sex and Indigenous status, states and territories, 2008–09 to 2017–18.
Number of young people under supervision during the year by type, ACT, 2011-12 to 2017-18

Source: AIHW Youth Justice in Australia 2017-18 Table S11b, S46b and S87b.
Note: Trend data may differ from those previously published due to data revisions.

The decline in the number of young people under youth justice supervision is largely due to a 19 per cent decline in the number of non-Indigenous young people under youth justice supervision, from 167 in 2011-12 to 136 in 2017-18 (see graph below). There has also been a 33 per cent decline in the number of Aboriginal and Torres Strait Islander young people under youth justice supervision from 61 in 2011-12 to 41 in 2017-18.

Number of young people under justice supervision during the year by Aboriginal or Torres Strait Islander status, ACT, 2011-12 to 2017-18

Source: AIHW Youth Justice in Australia 2017-18 Table S11b.
Note: Trend data may differ from those previously published due to data revisions.

Young people under community-based supervision

Young people under community-based supervision may be supervised on un-sentenced (e.g. on bail) or sentenced orders (e.g. on good behaviour orders). Since the development of the Blueprint, the number of young people under community-based supervision has decreased by 27 per cent. This long-term trend can be attributed to a decline in the number of non-Indigenous young people under community-based supervision of 16 per cent (145 to 122) and Aboriginal and Torres Strait Islander young people of 38 per cent (56 to 35) from 2011-12 to 2017-18 (see graph below).
Number of young people under community-based supervision by Aboriginal and Torres Strait Islander status, ACT, 2011-12 to 2017-18

Source: AIHW Youth Justice in Australia 2017-18 Table S46b.

Note: Trend data may differ from those previously published due to data revisions. Components of tables may not sum to the totals as young people may serve multiple occurrences of supervision during the year.

Young people in detention

Since the development of the Blueprint in 2011-12, the number of young people in detention in the ACT has decreased. A 17 per cent reduction in the number of young people in detention during the year has occurred from 2011-12. However, the number of young people in detention during the year increased between 2016-17 and 2017-18, due to an increase in the number of non-Indigenous young people in detention, while the number of Aboriginal and Torres Strait Islander young people in detention remained stable. The Taskforce’s focus areas are designed to address this increase through a renewed focus on early support and diversion.

The recent Bimberi Headline Indicators Report published in March 2019 includes data on the number of young people detained in Bimberi in the first two quarters of 2018-19 (July to December 2018). This early data shows that fewer young people were in detention in the first two quarters of 2018-19 compared with the first two quarters of 2017-18. This trend will be closely monitored to determine whether the increase of young people in detention in 2017-18 is an isolated event.

Number of young people in detention during the year by Aboriginal and Torres Strait Islander status, ACT, 2011-12 to 2017-18

Source: AIHW Youth Justice in Australia 2017-18, Table S84b.

Types of detention served

Young people in detention may be supervised on sentenced or un-sentenced orders. When a young person is held in un-sentenced detention (i.e. remand), they have been charged with an offence and are awaiting the outcome of their court matter. When a young person is held in sentenced detention, they have been
found guilty of an offence in court and are serving a set period in detention. Since 2011-12, the number of young people in un-sentenced detention has declined by 18 per cent from 126 to 103. Between 2011-12 and 2015-16 the number of young people in sentenced detention declined, with a sharp increase between 2016-17 and 2017-18 (13 to 26 young people).

Number of young people under detention during the year by legal status, ACT, 2011-12 to 2017-18

Source: AIHW Youth Justice in Australia 2017-18, Table S87b, Table S115b and Table S122b, AIHW Youth Justice in Australia 2016-17 Table S115b and Table S122b, AIHW Youth Justice in Australia 2015-16 Table S115b and Table S122b. Note: The total is the total number of young people who were in detention during the year in the ACT. Young people may serve multiple types of detention during a single year.

Nights in custody served by young people in the ACT

Over the past seven years, the total number of nights young people spent in custody in Bimberi Youth Justice Centre (Bimberi) has decreased by 36 per cent, from 8347 nights in 2011-12 to 5379 nights in 2017-18. However, there was a 77 per cent increase in the number of custody nights between 2015-16 and 2017-18.

This recent growth aligns with the increase in young people in detention that commenced in December 2016 and continued into 2017-18. This growth was largely driven by an increase in the number of young people held in un-sentenced detention and a smaller increase in young people held in sentenced detention.

Custody nights served by young people by Aboriginal and Torres Strait Islander status, ACT, 2011-12 to 2017-18

Between 2015-16 and 2017-18, there was an increase in the number of young people who completed periods of un-sentenced detention of 41 per cent. A number of factors may have contributed to the increase in the number of nights young people served in custody between 2015-16 and 2017-18, including an increase in multiple periods of remand being served by young people.

In 2015-16, 106 periods of un-sentenced detention were completed (lasting an average of four days). In 2017-18, 210 periods of un-sentenced detention were completed (lasting an average of three days), nearly double the number of completed periods in 2015-16.

**Number and median length of completed periods of un-sentenced detention, ACT, 2013-14 to 2017-18**

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</tr>
</thead>
<tbody>
<tr>
<td>Median length of completed un-sentenced periods</td>
<td>4 days</td>
<td>3 days</td>
<td>4 days</td>
<td>2 days</td>
<td>3 days</td>
</tr>
<tr>
<td>Number of young people who completed periods of un-sentenced detention</td>
<td>80</td>
<td>85</td>
<td>73</td>
<td>75</td>
<td>103</td>
</tr>
<tr>
<td>Number of completed periods of un-sentenced detention</td>
<td>172</td>
<td>142</td>
<td>106</td>
<td>130</td>
<td>210</td>
</tr>
</tbody>
</table>

Source: AIHW Youth Justice in Australia 2013-14 Table S117a; AIHW Youth Justice in Australia 2014-15 Table S117a; AIHW Youth Justice in Australia 2015-16 Table S117a; AIHW Youth Justice in Australia 2016-17 Table S117a; and AIHW Youth Justice in Australia 2017-18 Table S117a.

*Note: The annual AIHW Youth Justice in Australia report does not present this data as time series data. This means the data may have changed over time. Despite this, the data is still indicative of current trends.

Similarly, between 2015-16 and 2017-18 there was an increase in the number of young people who were sentenced to detention. Despite a decrease in the median length of completed sentences (from 129 days in 2015-16 to 77 days in 2017-18), the number of young people completing periods of sentenced detention increased nearly two and half times between 2015-16 and 2017-18.

**Number and median length of completed periods of sentenced detention, ACT, 2013-14 to 2017-18**

<table>
<thead>
<tr>
<th></th>
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<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Median length of completed sentences</td>
<td>100 days</td>
<td>78 days</td>
<td>129 days</td>
<td>93 days</td>
<td>77 days</td>
</tr>
<tr>
<td>Number of young people who completed a period of sentenced detention</td>
<td>14</td>
<td>13</td>
<td>9</td>
<td>9</td>
<td>22</td>
</tr>
<tr>
<td>Number of completed periods of sentenced detention</td>
<td>15</td>
<td>13</td>
<td>9</td>
<td>11</td>
<td>22</td>
</tr>
</tbody>
</table>

Source: AIHW Youth Justice in Australia 2013-14 Table S124a; AIHW Youth Justice in Australia 2014-15 Table S124a; AIHW Youth Justice in Australia 2015-16 Table S124a; AIHW Youth Justice in Australia 2016-17 Table S124a; and AIHW Youth Justice in Australia 2017-18 Table S124a.

*Note: The annual AIHW Youth Justice in Australia report does not present this data as time series data. This means the data may have changed over time. Despite this, the data is still indicative of current trends.
The recommended focus areas in this report address the increase in young people in detention through an enhanced focus on providing early support for children, young people and families, as well as identifying the need for trauma-informed Throughcare in detention.

Initiatives that could be explored include improvements to existing case management processes and further improving transition planning for young people who have been on remand for a short period to successfully reintegrate into the community. This will build on work over the previous six years of the Blueprint to implement and deliver improved case management for young people in Bimberi.

Over-representation of Aboriginal and Torres Strait Islander young people

Aboriginal and Torres Strait Islander young people have a long history of over-representation in both the youth and adult detention systems in Australia. While some gains have been made over the previous seven years in reducing the number and over-representation of Aboriginal and Torres Strait Islander young people in the youth justice system, it continues to be a critical issue in the ACT.

<table>
<thead>
<tr>
<th>How are we tracking?</th>
<th>2011-12</th>
<th>2017-18</th>
<th>Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aboriginal and Torres Strait Islander young people under youth justice supervision</td>
<td>61</td>
<td>41</td>
<td>↓ 33%</td>
</tr>
<tr>
<td>Aboriginal and Torres Strait Islander young people under community-based supervision</td>
<td>55</td>
<td>35</td>
<td>↓ 36%</td>
</tr>
<tr>
<td>Aboriginal and Torres Strait Islander young people in detention</td>
<td>44</td>
<td>24</td>
<td>↓ 45%</td>
</tr>
<tr>
<td>Average time Aboriginal and Torres Strait Islander young people spent in custody (nights)</td>
<td>3071</td>
<td>1374</td>
<td>↓ 55%</td>
</tr>
<tr>
<td>Rate of Aboriginal and Torres Strait Islander young people (per 10,000) under supervision on an average day</td>
<td>334.19</td>
<td>235.03</td>
<td>↓ 30%</td>
</tr>
<tr>
<td>Likelihood of Aboriginal and Torres Strait Islander young people being under youth justice supervision*</td>
<td>15x as likely</td>
<td>12x as likely</td>
<td>↓ 3x</td>
</tr>
</tbody>
</table>

Source: AIHW Youth Justice in Australia 2017-18 Table S11b, Table S12a, S46b and S87b, ROGS 2019 Table 17A.18.

*Compared with non-Indigenous young people, rounded to the nearest whole number.

Rate and ratio of Aboriginal and Torres Strait Islander young people under supervision

The level (rate ratio) of Aboriginal and Torres Strait Islander over-representation in youth justice supervision has decreased since the implementation of the Blueprint. Aboriginal and Torres Strait Islander young people in the ACT were 15 times as likely as non-Indigenous young people to be under youth justice supervision on an average day in 2011-12, which has decreased to 12 times as likely in 2017-18. This rate is the second lowest in Australia, behind Tasmania (four times as likely).2

The sharpest reduction in the over-representation of Aboriginal and Torres Strait Islander young people occurred between 2014-15 and 2016-17. However, the rate ratio has fluctuated over the previous six years, decreasing in 2016-17 to its lowest point since the introduction of the Blueprint before increasing slightly in 2017-18.

The rate of Aboriginal and Torres Strait Islander young people under supervision has decreased 30 per cent since 2011-12, from 334.19 young people per 10,000 to 235.03 young people per 10,000.

Rate and rate ratio of Aboriginal and Torres Strait Islander young people under supervision on an average day in the ACT, 2011-12 to 2017-18*

Source: AIHW Youth Justice in Australia 2017-18, Table S12a.

*Note: Graph shows the number of young people under supervision per 10,000 relevant population. The rate ratio is calculated by dividing the Aboriginal and Torres Strait Islander rate by the non-Indigenous rate, using rates to two decimal places. The ACT rate should be treated with caution due to an Aboriginal and Torres Strait Islander population denominator that is less than 10,000.
Challenges

The first six years of the Blueprint’s implementation focused on prevention, diversion and individual support, with custody used as a measure of last resort. The annual progress reporting against the Blueprint has shown strong progress against these reform priorities, and the Taskforce’s recommended focus areas are aimed at continuing this strategic direction.

In particular, the ACT has seen decreases in the number of young people apprehended by ACT Policing and those under youth justice supervision (community-based supervision and detention), as well as an improvement in the number and rate of Aboriginal and Torres Strait Islander young people under youth justice supervision (community-based supervision and detention). However, there is a need to continue to improve outcomes in a range of areas, including reducing the over-representation of Aboriginal and Torres Strait Islander young people in the youth justice system and continuing to divert young people from the youth justice system.

In the Blueprint progress report, the Taskforce identified several continuing and emerging challenges, including:

- understanding and addressing the recent increase of young people in detention (since December 2016), including prevention programs to support diversion;
- reducing the over-representation of Aboriginal and Torres Strait Islander children and young people in the youth justice system, including the use of diversionary conferencing;
- implementing stronger Throughcare practices in youth justice;
- continuing to address and reduce the experience of childhood trauma;
- taking a restorative practice approach to youth justice;
- enhancing support for young people with disability or mental health concerns in detention;
- collecting and linking more robust data measures to enable data analytics;
- developing options for supporting young people in early adolescence;
- providing early support to address the intergenerational impact of offending; and
- supporting young people at risk of or who have disengaged from education.

Further detail on these challenges was outlined in the Blueprint Progress Report 2012-17, and all identified challenges have been considered and addressed through the ten focus areas recommended by the Taskforce.

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Cross-Cutting Priorities

In addition to the Taskforce’s ten recommended focus areas to guide work over the next four years of the Blueprint, the Taskforce has also identified four cross-cutting priorities that should be reflected across all areas of work to:

- embed restorative practice in the youth justice system;
- listen to the voices of children and young people;
- shift the human service system towards early support; and
- develop programs and policies that focus on young people in the context of family.

Embed restorative practice in the youth justice system

Restorative practice has been identified by the Taskforce as an important cross-cutting priority for the next four years of the Blueprint.

Restorative practice is an emerging social science that seeks to positively influence human behaviour and strengthen civil society through integrating developments from a range of fields including education, psychology, social work, criminology, sociology, organisational development and leadership. The aim of restorative practice is building healthy communities, increasing social capital, reducing the impact of crime, decreasing anti-social behaviour, repairing harm and restoring relationships.4

Restorative practice is an overarching approach to the delivery of human services.

Embedding restorative principles throughout the youth justice system aligns with the goal to make Canberra a Restorative City.

The most common example of restorative practice is restorative justice, a clearly structured process that brings together people affected by crime to repair the harm. It plays an important and positive role in keeping young people out of custody, helping restore trust and accountability and assisting young offenders and victims to explore the impacts and accountability of actions as a strong motivator for change.

The ACT Restorative Justice Unit in the Justice and Community Safety Directorate has been taking referrals involving young people since 2005. As at 30 September 2018, the unit has engaged with 2,506 young offenders, of which 1,502 have participated in a conference. ACT Policing and the ACT Children’s Court have referred the majority of young people, which means young offenders have either been diverted from the justice system or have been referred by an entity focused on the rehabilitation of young people.

Restorative justice continues to be an integral and positive part of the response of the ACT youth justice system to young people who have offended. The Taskforce recommends further embedding a restorative practice approach across the youth justice system as a key focus of work over the next four years.

Listen to the voices of children and young people

Listening to the voices of children and young people in policy development and implementation under the Blueprint is vital to its continued success. It is also a priority that is strongly aligned with the third strategy of the Blueprint – to encourage the participation of children, young people and their families. Seeking feedback from children and young people is critical to implementing and improving programs and initiatives.

Ensuring the participation of children, young people and their families in decisions that affect them will encourage the development and

ownership of solutions. This engagement contributes to developing solutions that will have the best chance of success.

Addressing this priority supports the co-production of solutions by involving all stakeholders, including those who do not access services. It also requires using new methods of engagement, such as the planned co-design/innovation lab to design a youth justice diversion program for young people in the middle years.

Children and young people’s voices need to be placed at the centre of the youth justice system.

This means building on the success of work under the Blueprint to date, such as piloting Family Group Conferencing for families engaged with Child and Youth Protection Services (CYPS).

The Taskforce recommends that appropriate consultation with children and young people is considered for new initiatives in all focus areas, as well as existing mechanisms for collecting feedback for service improvement.

Shift the human services system towards early support

The Taskforce supports the ACT Government’s Early Support Initiative (formerly known as *Early Intervention by Design*), which is a ten-year reform agenda to change the service system to enhance wellbeing through increased early support across Health, Education, Justice and Community Safety, and Community Services. This reform will transition away from crisis-driven responses and access to services, where service impact is least effective, to earlier support that improves people’s long-term life outcomes.

Reform work under the Early Support Initiative will commence implementation from 1 July 2019. Implementation will be co-produced in partnership with people with lived experience, with particular focus on self-determination for Aboriginal and Torres Strait Islander people, government agencies and community organisations.

The Taskforce’s ten recommended focus areas are intentionally designed to support and progress this important work to bring an early support focus to the continuous improvement of the youth justice system.

The need for the human services system to provide early support to children and young people was noted in the Domestic Violence Prevention Council Extraordinary Meeting Report (2018). The Report identifies the needs of children and young people affected by domestic and family violence, including sexual violence. It highlights that children witnessing and experiencing domestic and family violence have special needs, in addition to the needs of the adults around them. The Report notes that children and young people ‘are often invisible within ACT service systems.’ Work will be required to enhance the existing family violence sector to be more responsive to the needs of children and young people impacted by domestic and family violence.

Develop programs and policies that focus on young people in the context of family

The Taskforce has identified the need for programs and policies to recognise the needs of the whole family to better support a child or young person who is at risk of involvement or already involved with the youth justice system. Adopting a whole-of-family approach in youth justice programs, services and sentencing options for young people in early adolescence is a key factor in preventing offending and reducing recidivism.

Developmental criminology research has continued to support the view that school-based and whole-of-family support can have major beneficial effects on parents and children at a relatively low cost. For instance, family support has been shown to improve classroom behaviour, children’s social relationships and capacity for self-regulation. This growing evidence base makes a clear case for the need to deliver family support as a means to both address disadvantage
and prevent youth offending in a cost-effective way.\textsuperscript{5}

The Taskforce identified a heightened need in the ACT to respond to problems early in a way that promotes a whole-of-family approach and fosters attachment to school. The recommended focus areas in this report have been designed to build stronger and healthier family and community relationships, as part of holistic responses to young people in early adolescence at risk of offending.

Engaging the entire family should be the default approach to service delivery, rather than the exception.

A whole-of-family and whole-of-community service response, including interventions that are integrated within the education system, will provide an opportunity to reduce the risk of offending by targeting the root causes of anti-social and offending behaviour.

A critical element of this cross-cutting priority is working with the Aboriginal and Torres Strait Islander community to foster self-determination and enable the community to develop its own solutions. This is also a fundamental principle of the Early Support Initiative, especially the establishment of effective engagement methods.

This work also builds on the early success of the Functional Family Therapy and the Family Group Conferencing trials being implemented across the child protection and youth justice systems.

The Taskforce acknowledges that government and community agencies have more work to do to reduce the over-representation of Aboriginal and Torres Strait Islander young people in the youth justice system. Working effectively in partnership with the Aboriginal and Torres Strait Islander community is a key priority to improve outcomes in the future.

\textsuperscript{5} Homel, R, Freiberg K, Branch S, Le, H 2015, *Preventing the onset of youth offending: The impact of the Pathways to Prevention Project on child behaviour and wellbeing*, Australian Institute of Criminology.
The Taskforce recommends ten focus areas to be implemented or considered for further or future action. These focus areas have the potential to enhance the strategic direction of the ACT youth justice system to ensure that services and supports meet the needs of young people and their families now and into the future.

The focus areas respond to the discussions and findings of the Taskforce over the last year, identifying existing initiatives that should be continued and built on alongside initiatives to be explored to address emerging challenges.

The ten focus areas are outlined on page 21, mapped against a continuum of support, illustrating how these focus areas provide an integrated response to improving outcomes for children, young people and their families at risk of involvement with the youth justice system. A high-level summary of the focus areas recommended by the Taskforce is provided at Appendix B.

The Taskforce recommends that the ACT Government consider the focus areas in this report, and develop an implementation plan to include actions, timeframes and responsibilities, with initial efforts ideally focused on the areas of early support and Throughcare.
## Continuum of Support and Recommended Focus Areas

<table>
<thead>
<tr>
<th>Community</th>
<th>Early Support</th>
<th>Prevention</th>
<th>Diversion</th>
<th>Youth Justice Supervision</th>
<th>Youth Detention</th>
<th>Throughcare /Reducing Recidivism</th>
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<td>Achieve better outcomes for Aboriginal and Torres Strait Islander young people Engage in co-design with the Aboriginal and Torres Strait Islander community</td>
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<td>Continue to address and reduce the experience of and exposure to childhood trauma</td>
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<td>Enhance support for young people at risk of or who have disengaged from education</td>
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<td>Develop early support for young people in the middle years (8 to 13 years)</td>
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<td>Strengthen diversion programs and services for young people at risk of contact with or further engagement in the youth justice system</td>
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<td>Provide whole-of-family support for families involved with the justice system to address the intergenerational impact of offending</td>
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<td>Deliver support for young people with disability and/or mental health concerns in detention</td>
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<td>Maintain and continually improve quality therapeutic services in detention</td>
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<td>Deliver trauma-informed Throughcare in youth justice</td>
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<td>Collect and link data measures to enable data analytics and information sharing</td>
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1. Achieve better outcomes for Aboriginal and Torres Strait Islander young people

These discussions have indicated that a whole-of-family focus is critical, using a broad definition of family that includes extended family, kin or others who have a significant role in the lives of children and young people.

Research shows that increasing the representation of Aboriginal and Torres Strait Islander families in both universal and targeted early intervention services is key to reducing later involvement in intensive, statutory services.\(^6\) Policy and practice enhancements in this area will also need to be strongly aligned with outcomes and actions agreed under the *ACT Aboriginal and Torres Strait Islander Agreement 2019-2028*. The whole-of-government commitment to supporting self-determination is critical in this area, as recommended by the work of *Our Booris Our Way*.

Statistics also show that Aboriginal and Torres Strait Islander young people may be more likely to experience disability than the general population.\(^7\) This highlights the need for a disability focus in developing and delivering tailored whole-of-family supports to ensure better outcomes for Aboriginal and Torres Strait Islander families.

Work to develop a family-centric service model should be informed by learnings from the Functional Family Therapy trial, currently being jointly funded by Gugan Gulwan Youth Aboriginal Corporation, OzChild and the ACT Government. The trial aims to reduce the number of Aboriginal and Torres Strait Islander children and young people entering or remaining in out of home care through culturally specific interventions that strengthen families and communities. This trial is a promising step to addressing the need for whole-of-family trauma-informed services.

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\(^6\) SNAICC, Family Matters Report 2017, pages 9 and 43.

\(^7\) Australian Bureau of Statistics 2012, 4433.0.55.005 – *Aboriginal and Torres Strait Islander People with a Disability*. 

This focus area is aimed at reducing the over-representation of Aboriginal and Torres Strait Islander young people in contact with the youth justice system through an integrated human services system response. It has been informed by discussions and consultation with the Taskforce and community leaders and representatives from the Aboriginal and Torres Strait Islander community.
Achieve better outcomes for Aboriginal and Torres Strait Islander young people

What does this mean?

• Support the delivery of the ACT Aboriginal and Torres Strait Islander Agreement 2019-2028 and Action Plans.
• Improve service delivery across statutory and non-statutory service systems to embed a safe, culturally appropriate youth justice system.
• Engage with Aboriginal and Torres Strait Islander young people, families and communities to design and deliver services.
• Capacity building for Aboriginal and Torres Strait Islander community-controlled organisations and managed services.

How could it be done?

Build on existing initiatives

• Support the Yarrabi Bamirr trial for Aboriginal and Torres Strait Islander families where a parent is engaged with, or at risk of engagement with, the justice system to become self-managing, healthy and safe. This is part of the Justice and Community Safety Directorate justice reinvestment trial that is working in partnership with Winnunga Nimmityjah, the Aboriginal Legal Service and Mulleun Mura Aboriginal and Torres Strait Islander program at the Women’s Legal Centre.
• Support the Warrumbul Court to work with the Aboriginal and Torres Strait Islander community and youth justice system to address over-representation and offending behaviour.
• Continue to embed the Aboriginal and Torres Strait Islander Child Placement Principle into practice by 2020, guided by recommendations made by the Our Booris Our Way Review.

Explore new initiatives

• Establish an Aboriginal and Torres Strait Islander Policy and Practice Co-Design Forum to enable community-led solutions and self-determination. The Forum will develop, test and implement Aboriginal and Torres Strait Islander community-led solutions to drive service system change and policy and practice reforms.

• Progress work to divert Aboriginal and Torres Strait Islander families from the child protection system.
• Develop and deliver training for youth workers in the statutory and non-statutory youth justice and community sectors to provide more integrated and holistic support for Aboriginal and Torres Strait Islander families.

Who should be involved?

• Aboriginal and Torres Strait Islander young people, families and community
• Aboriginal and Torres Strait Islander community-controlled organisations and managed services
• ACT Aboriginal and Torres Strait Islander Elected Body
• Community Services Directorate
• Justice and Community Safety Directorate
This focus area is aimed at building on existing trauma-informed practice within the youth justice and child protection systems. The aim is to explore and develop specific supports and services for young people engaged in the youth justice system who have experienced childhood trauma as a result of factors leading to involvement with child protection.

Research shows that children and young people who have experienced abuse or neglect are at greater risk of offending and entering the youth justice system. The Australian Institute of Health and Welfare found that nationally, young people in the child protection system were nine times as likely as the general population to also be under youth justice supervision. Between 1 July 2013 and 30 June 2017, nearly 52% of young people who had been under youth justice supervision in the ACT had also received child protection services.

While research consistently identifies that young people with a history of abuse or neglect are more likely to offend than young people without this history, the mechanisms that explain this association are still poorly understood. However, research does show that experience of complex trauma, particularly during vulnerable early development periods, can have important effects on young people’s cognitive processing and behavioural reactions later in life.

Addressing childhood trauma is therefore important in diverting children and young people from involvement in the youth justice system.

Reducing the effects of intergenerational trauma – the transfer of impacts of trauma from one generation to the next – is also critical for Aboriginal and Torres Strait Islander young people who have experienced multiple disadvantage and ongoing impact in families descended from the Stolen Generation.

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9 Australian Institute of Health and Welfare 2017, ‘Young people in child protection and under youth justice supervision: 1 July 2013 to 30 June 2017’, Table S4a.
11 Ibid.
Therapeutic services must therefore take into consideration the extent of intergenerational trauma within the family to deliver appropriate support to a child or young person.

Children and young people can also be profoundly impacted by witnessing or experiencing family and domestic violence. Experiencing violence at home can cause childhood trauma and may act as a precursor to involvement with the child protection system. Exposure to such violence may also lead to separation from parents, family and community.

In addition, the need to address trauma experienced by children whose parents are involved in the adult justice system is key to reducing the intergenerational impact of offending. This is outlined under focus area six (see page 29).

Experiences of trauma may also lead to the development of disability, such as impaired cognitive functioning or hearing. Evidence demonstrates that children with disability are over-represented in care and protection and youth justice populations. A recent estimate is that 24 to 30 per cent of children in out of home care have some form of disability. Recognising the needs of young people with disability as part of providing therapeutic supports is discussed further in focus area seven (see page 31).

The Taskforce recognises that substantial work is underway to address and reduce the effect of childhood trauma through A Step Up for Our Kids, the ACT’s five-year out of home care strategy. Further work is needed to build on the success of Functional Family Therapy and Family Group Conferencing to develop a quality therapeutic continuum of care for young people aged 12 to 25 years, including therapeutic residential care.

This focus area recognises that children and young people who have experienced abuse or neglect require specialised, tailored services and support to enable recovery from trauma, as part of rebuilding young lives.

3. Enhance support for young people at risk of or who have disengaged from education

This focus area is aimed at supporting young people who are at risk of or who have disengaged from education to divert young people from the youth justice system.

Many young people at risk of offending or displaying anti-social behaviour, especially in early adolescence, are likely to still be engaged in mainstream education, providing an opportunity to divert young people from the youth justice system. Research shows that effective programs offer universal programming across the entire student population to address known factors for early-onset crime (e.g. alcohol consumption, attention problems and negative peer group influence) and more targeted and individualised interventions for those young people who are starting to disengage from education.13

This focus area is aligned with work currently being undertaken in the Education Directorate through the Future of Education Strategy to address current gaps and inconsistencies in service offerings in schools around inclusion and wellbeing. Feedback from the community through the development of the Strategy indicated the need for personalised learning options for young people ‘at the margins.’ Feedback also emphasised the creation and valuing of learning pathways other than one that valorises university entry at the expense of other pathways. In response, work under the Strategy includes a universal service of Positive Behaviour for Learning (PBL), pedagogy support services, in-school and beyond campus learning options, and new products to capture consistent wellbeing data for all students.

An important consideration in this focus area is disability screening and assessment for children of all ages, where appropriate. This can ensure that the necessary supports are provided as early as possible and assist in preventing children with behavioural issues associated with disability from disengaging from school.

Enhance support for young people at risk of or who have disengaged from education

What does this mean?

- Fostering school attachment and long-lasting educational pathways so young people can make decisions about their learning needs.
- More tailored support and programming for young people and their families.
- Improving young people’s access to services and supports, including in schools.

How could it be done?

Build on existing initiatives

- Continue to provide high quality education to young people through the Murrumbidgee Education and Training Centre.
- Build upon the Continuum of Educational Supports in ACT public high schools to respond to the diversity of learning and support needs through personalised and flexible learning options in line with the Future of Education Strategy.

Explore new initiatives

- Explore mentoring or other evidence-based and individualised in-school support to identify and respond to early indications of behavioural issues and prevent escalation into offending behaviour.

Who should be involved?

- Education Directorate
- Aboriginal and Torres Strait Islander community-controlled organisations and managed services
- Youth-specific community support services
- Community Services Directorate
- Young people

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4. Develop early support for young people in the middle years (8 to 13 years)

This focus area is aimed at supporting young people in early adolescence, or ‘the middle years’ (8 to 13 years), closely aligned to one of the implementation initiatives under the ACT Government’s Early Support Initiative.

The Early Support Initiative will shift government and community service systems to a commissioning for outcomes model, establishing implementation initiatives, practice and service reforms that shift the focus of the human services system from the crisis and statutory end of the system, towards earlier support.

Providing early support before problems escalate is the most effective way of preventing youth offending. Improving support for children in the middle years and their families is an area that requires renewed focus over the next four years. This includes addressing the needs of children who have experienced family and domestic violence. Programs initiated early in life to reduce later risk are generally more effective than later attempts at intervention and remediation.14

This focus area also aims to address the needs of children and young people who have a history with care and protection services and are at risk of involvement in the youth justice system. This aligns with work underway through the ACT’s out of home care strategy, A Step Up for Our Kids.

The aim of A Step Up for Our Kids is to improve outcomes for children and young people in care by providing more flexible, child-focused services, and reducing demand for out of home care places. The Strategy places a strong emphasis on preventing children and young people from entering care, and on moving them out of care into permanent family settings as quickly as possible. It is about creating a system of care that works to address trauma experienced by children and young people.

This focus area aims to align work in the youth justice system with work to improve early support capacity within the health and broader human services system. Establishing an integrated and cohesive service system that re-positions health and human services to focus on early support will improve the client experience and help to achieve better outcomes for families with greatest need.

### Develop early support for young people in the middle years (8 to 13 years)

#### What does this mean?

- Develop alternative pathways for young people in the middle years at risk of involvement in the youth justice system.
- Enhance mental health services, therapeutic responses to trauma, counselling support, and drug and alcohol support for children aged 8 to 13 years.15

#### How could it be done?

**Build on existing initiatives**

- Continue to evolve and mature the out of home care system to provide a therapeutic response to children and young people in care under A Step Up for Our Kids.

**Explore new initiatives**

- Develop a diversionary service response led by the Human Services Cluster Directorates, to support young people in the middle years (8-13 years) at risk of involvement in youth justice.

#### Who should be involved?

- Human Services Cluster Directorates (Community Services, Justice and Community Safety, Education and ACT Health)
- ACT community sector
- Children, young people and families

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15 This is consistent with Action 33 of the ACT Drug Strategy Action Plan 2018-2021: A Plan to Minimise Harms from Alcohol, Tobacco and Other Drug Use.
5. Strengthen diversion programs and services for young people at risk of contact with or further engagement in the youth justice system

This focus area is aimed at continuing diversion efforts that have been successful under the Blueprint to date, acknowledging the importance of maintaining efforts in this space. Key areas for this work include exploring extending the availability and access to family group conferencing as a restorative practice approach to working with families. It will also include work to develop a model of care for young people under 14 who are at risk of or engaged in offending behaviour. Developing a model of care is critical preliminary work required before considering raising the age of criminal responsibility to 12 years, a recommendation of the Royal Commission into the Protection and Detention of Children in the Northern Territory.

Diversion is a key focus of the Blueprint and the current ACT diversionary framework targets young people who are displaying anti-social behaviours or coming into formal contact with the police and/or court system, diverting them away from the justice system. While this diversion focus will continue, over the next four years of the Blueprint work should shift towards addressing risk behaviour ‘before it starts’.

Therapeutic interventions that recognise the high rates of co-morbidity between mental health concerns and cognitive and intellectual disability are also important to integrate into diversionary responses and models of care.

### Strengthen diversion programs and services for young people at risk of contact with or further engagement in the youth justice system

#### What does this mean?

- Continue support for diversion initiatives in the community, building on the success of diversion programs under the Blueprint, such as PCYC’s Intensive Diversion Program.
- Improve diversionary measures as part of ACT Policing’s Service Model Reform Agenda.
- Include young people’s voices and experience in the design and delivery of diversion programs.

#### How could it be done?

**Build on existing initiatives**

- Continue to deliver the After-Hours Crisis Service.
- Explore extending access and availability of Family Group Conferencing, particularly for all Aboriginal and Torres Strait Islander families engaging with or entering the youth justice and child protection systems.

**Explore new initiatives**

- Develop a new model of child homelessness support for young people aged 8 to 15 years.
- Develop a model of care for young people under 14 years (and their families) who are at risk of engaging in offending behaviour or who have had contact with the youth justice system, as part of preliminary work to consider raising the age of criminal responsibility.

#### Who should be involved?

- Community Services Directorate
- ACT Policing
- Justice and Community Safety Directorate
- ACT community sector
- Young people
6. Provide whole-of-family support for families involved with the justice system to address the intergenerational impact of offending

Intergenerational transmission of offending refers to the transfer of criminal offending behaviour from one generation to the next.\textsuperscript{16} Research shows that children whose parents are convicted of offending are at higher risk of offending themselves.\textsuperscript{17} The reasons for this are complex and intertwined. Parenting practices are thought to be important, although environmental factors are also crucial as parents who offend often live in socio-economically disadvantaged circumstances with fewer opportunities to access education and employment.\textsuperscript{18} Families may have also faced intergenerational exposure to risk factors and experienced bias from the justice system due to offending history.

This focus area recognises that a holistic and collaborative approach across the youth and adult justice systems, especially when a parent is incarcerated, is important in reducing the risk of intergenerational impact of criminal offending. Research shows improving whole-of-family support, such as targeted support to detained parents to improve parenting practices and family functioning, may be effective in reducing the transfer of criminal offending.\textsuperscript{19} This area supports the work of the Functional Family Therapy trial, a partnership between the ACT Government, Gugan Gulwan Youth Aboriginal Corporation and OzChild.

A holistic approach to family support also requires a focus on addressing disability needs. Disability is often prevalent amongst youth and adult offenders and can impact the whole family – whether it is a child or a parent with disability. This means that any whole-of-family interventions must also acknowledge and understand the importance of disability to implement effective supports and achieve better outcomes for families.

The Taskforce recognises that considerable work in this focus area is already underway. The Justice and Community Safety Directorate is undertaking a justice reinvestment trial in partnership with Winnunga Nimmityjah for Aboriginal and Torres Strait Islander families where a parent is engaged with, or at risk of engagement with, the justice system. \textit{Yarrabi Bamirr}, Ngunawal words for ‘Walk Tall’, recognises the need for a whole of government and community service system response in addressing the over-representation of Aboriginal and Torres Strait Islander people in the criminal justice system. The Yarrabi Bamirr trial supports families at risk to become self-managing, healthy and safe. Under the program, justice reinvestment workers at Winnunga Nimmityjah, the Aboriginal Legal Service and Women’s Legal Centre work with families to co-design unique family plans to address their goals related to matters such as housing, health, justice, education and employment. Cross-government support is then provided to families to address their identified needs.

This focus area recommends strengthening support to parents in custody to improve parenting practices and support whole-of-family approaches to address the trauma and financial strain associated with the incarceration of a family member. For young people detained in Bimberi Youth Justice Centre, it will require a focus on reducing recidivism through therapeutic practice, targeting criminogenic needs and developing robust Throughcare (addressed further in focus area 9). It will also require continued support from the Family Engagement Officer at Bimberi.

\textsuperscript{18} Auty K et al., page 218.
\textsuperscript{19} Goodwin, V and Davis, B (2011), \textit{Crime families: gender and the intergenerational transfer of criminal tendencies}, Australian Institute of Criminology, Canberra.
Provide whole-of-family support for families involved with the justice system to address intergenerational impact of offending

What does this mean?

- Support for children and young people with parents who are incarcerated including education, training or employment opportunities.
- Increased capability and capacity building for professionals in the sector to be able to facilitate and lead whole-of-family support programs for families involved with the justice system.
- Programs focused on improving parenting practices and family functioning and addressing the trauma of child-parent separation where a parent is incarcerated.

How could it be done?

Build on existing initiatives

- Implement learnings from the Functional Family Therapy trial to inform work to support families involved in the justice system.
- Strengthen trauma-informed support in the adult justice system for parents, focused on improving parenting practices and family functioning, and addressing trauma.

Explore new initiatives

- Provide more support for children and young people whose parents are incarcerated, including through the education system.
- Develop a proof of concept initiative to trial a Sustained Nurse Home Visiting Program through the existing Maternal and Child Health nurse service.

Who should be involved?

- Justice and Community Safety Directorate
- Education Directorate
- Community Services Directorate
- ACT Policing
- ACT Health/Canberra Health Services
- Children, young people and families
7. Deliver support for young people with disability and/or mental health concerns in detention

This focus area is aimed at better supporting young people in detention with disability and/or mental health concerns. It will closely link with work being undertaken through the development of the *Disability Justice Strategy*, including how learnings from what works in youth justice can inform the development of actions and implementation of the Strategy.

This focus area aims to improve service delivery and the capability of the youth justice system to use a ‘disability lens’ to better respond to young people’s needs, in addition to the ‘trauma lens’ that is currently embedded in the system.

As identified through work to develop the *Disability Justice Strategy*, implementing effective services and supports for children and young people involved in the youth justice system requires consideration of intellectual and cognitive disabilities, which can sometimes be hidden. There is also a strong relationship between trauma and intellectual and cognitive disabilities that impact disproportionately on children and young people who have been involved with the care and protection and youth justice systems.

Research shows that young people with disability are over-represented in custody. For example, the NSW (2009) Young People in Custody Health Survey showed that 22 per cent of young people in custody reported having disability or illness that had been troublesome for six months or more, a higher percentage than the general population of young people who have disability (8.9 per cent).\(^{20}\) There is also evidence that Aboriginal and Torres Strait Islander young people may experience disability at higher rates that the general population. Aboriginal and Torres Strait Islander people are 1.7 times as likely to be living with disability and 1.5 times as likely to be living with severe disability.\(^{21}\)

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\(^{21}\) Australian Bureau of Statistics 2012, 4433.0.55.005 – *Aboriginal and Torres Strait Islander People with a Disability*. 
For example, a recent study estimated that approximately 98% of Aboriginal and Torres Strait Islander adult detainees have a cognitive disability. This means that disability is a vital perspective in developing and delivering whole-of-family supports to ensure better outcomes for Aboriginal and Torres Strait Islander families.

Mental health and behavioural disorders are the leading cause of disability among young Australians aged 15 to 24 years and are among the most prominent needs of young people in contact with the youth justice system, particularly those entering detention. Screening and assessment to identify and support the treatment of mental health disorders for young people in detention are therefore important factors in rehabilitation, and will be prioritised under this focus area.

This focus area recognises that while comorbidity of disability and mental health concerns can be high amongst young people involved with the youth justice system, the interventions, therapeutic and diagnostic approaches required are different.

### Deliver support for young people with disability and/or mental health concerns in detention

#### What does this mean?

- Develop identification and practice guidelines for children and young people who have disability, including with Foetal Alcohol Syndrome Disorder (FASD), and low-level mental health issues through consistent and comprehensive screening, including for young people in detention.
- Support actions of the Disability Justice Strategy and ensure learnings from youth justice initiatives inform ongoing implementation of the Strategy.
- Improve capability of staff in the youth justice sector to identify, understand and respond to the needs of young people with disability.
- Ensure better data capture of disability issues.

#### How could it be done?

**Build on existing initiatives**

- Ensure all information provided to young people before, during and after a period of custody is accessible for people with disability.

**Explore new initiatives**

- Ensure disability screening and assessment is undertaken for all young people in detention with a therapeutic focus*
- Develop a disability-informed and capable youth justice workforce by upskilling staff (including in Bimberi) through training and support.*

#### Who should be involved?

- Community Services Directorate
- ACT Health/Canberra Health Services
- Young people

*In alignment with the forthcoming action plan under the Disability Justice Strategy.

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24 This is consistent with objectives of the *National Foetal Alcohol Spectrum Disorder Strategic Action Plan 2018-2021*. 
8. Maintain and continually improve quality therapeutic services in detention

This focus area is aimed at continuing to improve service delivery within Bimberi through providing quality and tailored therapeutic programs and services, which address young people’s offending needs and build their life skills. This focus area aims to enhance the existing therapeutic model of care that currently underpins service delivery at Bimberi.

A key focus of this area will also be ensuring better coordination between existing oversight systems as additional oversight mechanisms are introduced into Bimberi, including the new Inspector of Correctional Services. This will ensure that young people can continue to access a strong network of independent advocacy and support, which includes the Public Advocate and Children and Young People Commissioner and three Official Visitors, one of whom is a dedicated Aboriginal and Torres Strait Islander Official Visitor.

### Maintain and continually improve quality therapeutic services in detention

**What does this mean?**

- Meeting the needs of young people in Bimberi Youth Justice Centre, including support to address offending needs, alcohol and other drugs treatment and counselling and services to build life skills.
- Continually improve service delivery in detention by seeking and incorporating feedback from young people.
- Improve coordination of independent oversight mechanisms of Bimberi, including maintaining and strengthening feedback loops to deliver service improvements.

**How could it be done?**

**Build on existing initiatives**

- Improve the provision of services in Bimberi to build young people’s life skills and provide tailored alcohol and other drugs treatment and counselling services and support.
- Continue to respond to recommendations made by the *Royal Commission into Institutional Responses to Child Sexual Abuse.*

**Explore new initiatives**

- Implement the National Principles for Child Safe Organisations and support the development and implementation of ACT Child Safe Standards in Bimberi.
- Establish arrangements to implement the role of Inspector of Correctional Services at Bimberi, including developing a cohesive and integrated Standards Framework.

**Who should be involved?**

- Community Services Directorate
- Chief Minister, Treasury and Economic Development Directorate
- National Office for Child Safety
- Justice and Community Safety Directorate
- Public Advocate and Children and Young People Commissioner
- ACT Ombudsman’s Office
- ACT Inspector of Correctional Services
- Young people
9. Deliver trauma-informed Throughcare in youth justice

This focus area is aimed at improving transition support for young people who have been sentenced or remanded to a period of custody in Bimberi. A key focus raised by the Taskforce in this area is improving coordination between the statutory and non-statutory systems by developing a system of Throughcare that is uniquely designed to meet the needs of young people.

Initiatives such as the Bendora Throughcare Unit and the integration of child protection and youth justice services under Child and Youth Protection Services (CYPS) have been the first steps in implementing effective Throughcare in youth justice. These initiatives assisted young people to successfully re-integrate into the community after detention, with the recidivism rate for young people in community-based supervision decreasing steadily since 2011-12.

However, the recidivism rate for young people on sentenced orders, while decreasing from 2011-12, showed significant fluctuations over the first six years of the Blueprint. This highlights the importance of embedding stronger Throughcare practices for young people leaving Bimberi.

The development of this focus area has been informed by the outcomes of the ACT Human Rights Commission’s Youth Justice Roundtable in October 2017. The Roundtable engaged a range of community and government stakeholders and focused on the need to develop a system of Throughcare that covers a number of domains, including housing, family relationships, living skills, pro social relationships, mental and physical health, education, vocational training and employment, drug and alcohol use, and leisure and recreation.

Deliver trauma-informed Throughcare in youth justice

What does this mean?

- Identify opportunities for community support services and youth workers to routinely work across both the statutory and non-statutory system to support young people accessing and leaving Bimberi.
- Improvements to existing case management processes for young people on community-based orders or who have been on remand for a short period (on a voluntary basis).
- Intensive transition planning for young people who leave Bimberi, with tailored case plans that recognise the importance of recovery from trauma, develop independent life skills, consider disability assessment and support needs and are developed with young people.

How could it be done?

Build on existing initiatives

- Coordinate and deliver joint case management and support/service delivery in Bimberi with family support and youth engagement team workers, before a young person is released from Bimberi.

Explore new initiatives

- Survey young people on exit from Bimberi (and if they re-enter) to better understand what could be improved from their experience of the justice system, and which factors are important to support desistance.
- Establish a principal practitioner to strengthen case management and professional therapeutic practice in Bimberi to support young people in detention.

Who should be involved?

- Community Services Directorate
- Community organisations funded under the Children, Youth and Family Services Program
- Public Advocate and Children and Young People Commissioner
- Young people
- ACT Health Directorate/Canberra Health Services
10. Collect and link data measures to enable data analytics and information sharing

This focus area is aimed at contributing to national information and data linkage programs to improve understanding of long-term outcomes for young people in the youth justice system.

Collecting robust data measures is crucial to being able to use data analytics for linkages across various data sets, to establish a clear picture of where needs exist and investments can be targeted, and gain a broader understanding of the long-term impact of the Blueprint.

Currently, there is a lack of available ACT-specific data on young people with disability in the youth justice system. This focus area recommends developing new measures to address this data gap and better support young people with disability. This work is closely linked with the Disability Justice Strategy (in development), which should also be able to address this issue.

This work is also aimed at removing the barriers in policy and practice (whether real or perceived) that are preventing information sharing. The Taskforce has observed that many issues relating to information sharing require policy and practice reform rather than legislative reform. This focus area is therefore aimed at improving information sharing about individuals as well as improving national datasets.

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Collect and link data measures to enable data analytics and information sharing

**What does this mean?**

- Identify and remove any barriers in policy and practice in the youth justice sector, to enable sharing of information about the vulnerability of a young person that might place them at a greater risk of harm, anti-social behaviour or possible offending behaviour.
- Improved information and data sharing to support young people at risk.
- Ensure data is being collected on relevant measures and develop new measures to address data gaps, such as identifying disability in the youth justice system.

**How could it be done?**

**Build on existing initiatives**

- Continue to share information between Bimberi and the Alexander Maconochie Centre under the agreement between the Executive Director, Children, Youth and Families and the Executive Director, ACT Corrective Services.

**Explore new initiatives**

- Contribute to the national crime and justice data linkage project to explore links between adult corrections data and youth justice data by the Australian Bureau of Statistics (ABS) and the Australian Institute of Health and Welfare (AIHW).
- Support the implementation of actions in the Disability Justice Strategy that focus on data collection and reporting.
- Develop and implement a new information management system for child protection and youth justice.

**Who should be involved?**

- Community Services Directorate
- Justice and Community Safety Directorate
- ACT Health/Canberra Health Services
- Education Directorate
- ABS and AIHW
- ACT Chief Digital Officer
Next Steps

The Taskforce recommends that the ACT Government considers the ten focus areas in this report, including policy, practice and service delivery changes that are required to improve outcomes for children and young people involved with the youth justice system. The Taskforce recommends that an implementation plan be developed to include actions, timeframes and responsibilities.

The Taskforce also recommends that the ACT Government undertakes substantial policy work (to start in 2020) to determine the next steps for youth justice in the ACT, following the conclusion of the Blueprint in 2022.

The Taskforce notes that the ACT Government will continue to contribute to national discussions and work on youth justice related issues.

Governance and Reporting

The Taskforce recommends that governance of the Blueprint for the next four years is conducted through consultation with a broad cross-section of government stakeholders and community sector partners and includes engaging with and seeking the views of children and young people.

It is recommended that governance is conducted through a meeting of key stakeholders during 2019, possibly on a bi-monthly basis, reducing to bi-annually in subsequent years. This will ensure consideration of several critical, related projects including the Reducing Recidivism Plan, Disability Justice Strategy and ACT Aboriginal and Torres Strait Islander Agreement 2019-2028.

The purpose of these governance meetings will be to monitor and review the impact of recommended focus areas, which will inform further progress reports.

In line with the reporting framework outlined in the Blueprint, the Taskforce recommends that two further progress reports are published – one at the end of 2020 and another at the end of 2022.
## Appendix A: List of Taskforce Members

### Co-Chairs:
- Executive Director, Children, Youth and Families, Community Services Directorate
- Public Advocate and Children and Young People Commissioner

### Secretariat and Policy Support
- Business Support – Children, Youth and Families (CSD)
- Human Services Policy – Strategic Policy (CSD)

### Membership:
- ACT Human Rights Commission
- Aboriginal and Torres Strait Islander Elected Body
- Gugan Gulwan Youth Aboriginal Corporation
- Winnunga Nimmityjah Aboriginal Health Service
- Aboriginal Legal Service
- Youth Coalition of the ACT
- Canberra Police Citizen’s Youth Club
- YWCA
- Anglicare
- Belconnen Community Service
- Northside Community Service
- Woden Community Service
- Youth Law Centre ACT
- Legal Aid ACT
- Disability Reference Group
- ACT Policing
- Justice and Community Safety Directorate
- Health Directorate (including Justice Health Services)
- Education Directorate
- Chief Minister, Treasury and Economic Development Directorate
- Community Services Directorate
## Appendix B: Summary of Focus Areas

### Focus Area: Achieve better outcomes for Aboriginal and Torres Strait Islander young people

**What does this mean?**
- Reducing over-representation of Aboriginal and Torres Strait Islander young people in contact with the youth justice system through an integrated human services system response.
- Engaging with Aboriginal and Torres Strait Islander communities to design and deliver services and build capacity.

**How could it be done?**
- Support the Yarrabi Bamirr and the Warrumbul Court initiatives.
- Embed, through community consultation, the Aboriginal and Torres Strait Islander Placement Principle into practice by 2020.
- Use co-design methodologies to promote self-determination, e.g. establishing an Aboriginal and Torres Strait Islander Policy and Practice Co-design Forum.
- Progress work to divert Aboriginal and Torres Strait Islander families from the child protection system.

**Who should be involved?**
- Aboriginal and Torres Strait Islander young people, families and community
- Aboriginal and Torres Strait Islander community-controlled organisations (CCOs) and managed services
- ACT Aboriginal and Torres Strait Islander Elected Body
- CSD
- JACSD

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### Focus Area: Continue to address and reduce the experience of and exposure to childhood trauma

**What does this mean?**
- Building and enhancing trauma-informed supports and services across the human services system for children and young people who have experienced trauma.
- Addressing the needs of children who have experienced domestic and family violence.

**How could it be done?**
- Continue Therapeutic Assessments and increase capability within Child and Youth Protection Services.
- Address unmet need and build on therapeutic responses to trauma for children aged 12 and over.
- Reform the human services system to deliver consistent trauma-informed approaches.

**Who should be involved?**
- Community Services Directorate (CSD)
- Justice and Community Safety Directorate (JACSD)
- Education Directorate
- ACT Office for Mental Health
- ACT community sector
- Children and young people

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### Focus Area: Enhance support for young people at risk of or who have disengaged from education

**What does this mean?**
- Fostering school attachment and long-lasting educational pathways so young people can make decisions about their learning needs.
- Tailoring support and services for young people and their families, including in schools.

**How could it be done?**
- Provide high quality education and support in Bimberi.
- Embed the Continuum of Education Support in high schools.
- Explore in-school support programs to identify and respond to early indications of behavioural issues and prevent escalation into offending behaviour.

**Who should be involved?**
- Education Directorate
- Aboriginal and Torres Strait Islander CCOs and managed services
- Youth-specific community support services
- CSD
- Young people

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### Focus Area: Develop early support for young people in the middle years (8 to 13 years)

**What does this mean?**
- Developing alternative pathways for young people in the middle years at risk of involvement in the youth justice system.

**How could it be done?**
- Develop a diversionary service response to support young people in the middle years (8 to 13 years) at risk of involvement in youth justice.
- Build capacity for therapeutic responses in the OOHC system.

**Who should be involved?**
- Children, young people and families
- CSD, JACSD, Education Directorate, ACT Health
- ACT community sector

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### Focus Area: Strengthen diversion programs and services for young people at risk of contact with or further engagement in the youth justice system

**What does this mean?**
- Continuing to support community diversion initiatives.
- Including young people’s voices in the design and delivery of diversion programs.

**How could it be done?**
- Extend access to existing services like Family Group conferencing.
- Develop a new model for children aged 8 to 15 at risk of homelessness.
- Develop a model of care for young people under 14 at risk of offending.

**Who should be involved?**
- CSD
- ACT Policing
- JACSD
- ACT community sector
- Young people

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### Focus Area: Deliver support for young people with disability and/or mental health concerns in detention
<table>
<thead>
<tr>
<th>What does this mean?</th>
<th>How could it be done?</th>
<th>Who should be involved?</th>
</tr>
</thead>
</table>
| Improving identification and support of young people in detention with disability and mental health concerns or Foetal Alcohol Syndrome disorder. | Ensure all information for young people in the youth justice system is accessible for people with disability. | CSD  
ACT Health/Canberra Health Services  
Young people |
| Supporting actions of and learning from the Disability Youth Justice Strategy. | Ensure disability screening and assessment is undertaken with a therapeutic focus. | CSD  
ACT Health/Canberra Health Services  
Young people |
| Focus Area: Provide whole-of-family support for families involved with the justice system to address intergenerational impact of offending | Develop a disability-informed and capable youth justice workforce by upskilling staff. | ACT Health/Canberra Health Services  
Children, young people and families |
| Focus Area: Maintain and continually improve quality therapeutic services in detention | CSD  
Chief Minister, Treasury and Economic Development Directorate  
National Office for Child Safety  
JACSD  
ACT Ombudsman’s Office  
ACT Inspector of Correctional Services  
ACT Health/Canberra Health Services  
Children, young people and families |
| Improving service delivery within Bimberi through quality and tailored therapeutic programs and services, which address young people’s offending needs and build life skills. | Improve the provision of services in Bimberi to build young people’s life skills and provide tailored alcohol and other drugs treatment and counselling. | JACSD  
Education Directorate  
CSD  
ACT Policing  
ACT Health/Canberra Health Services  
ACT Ombudsman’s Office  
ACT Inspector of Correctional Services  
ACT Health/Canberra Health Services  
Children, young people and families |
| Improving coordination of independent oversight mechanisms of Bimberi. | Continue to respond to the Royal Commission into Institutional Responses to Child Sexual Abuse. | JACSD  
Education Directorate  
CSD  
ACT Policing  
ACT Health/Canberra Health Services  
ACT Ombudsman’s Office  
ACT Inspector of Correctional Services  
ACT Health/Canberra Health Services  
Children, young people and families |
| Focus Area: Deliver trauma-informed Throughcare in youth justice | Establish arrangements to implement the role of Inspector of Correctional Services at Bimberi. | JACSD  
Education Directorate  
CSD  
ACT Policing  
ACT Health/Canberra Health Services  
ACT Ombudsman’s Office  
ACT Inspector of Correctional Services  
ACT Health/Canberra Health Services  
Children, young people and families |
| Improving transition support for young people who have been sentenced or remanded to a period of custody in Bimberi. | Implement the National Principles for Child Safe Organisations and ACT Child Safe Standards in Bimberi. | JACSD  
Education Directorate  
CSD  
ACT Policing  
ACT Health/Canberra Health Services  
ACT Ombudsman’s Office  
ACT Inspector of Correctional Services  
ACT Health/Canberra Health Services  
Children, young people and families |
| Coordinate joint case management and support/service delivery in Bimberi with family support and youth engagement workers. | Continue to improve information sharing and data linkage locally and nationally. | JACSD  
ACT Health/Canberra Health Services  
Education Directorate  
ACT Ombudsman’s Office  
ACT Inspector of Correctional Services  
ACT Health/Canberra Health Services  
ACT Chief Digital Officer |
| Survey young people on exit from Bimberi (and if they re-enter) to improve services and understand factors that support desistance. | Support the implementation of the Disability Justice Strategy focusing on data collection and reporting. | JACSD  
ACT Health/Canberra Health Services  
Education Directorate  
ACT Ombudsman’s Office  
ACT Inspector of Correctional Services  
ACT Health/Canberra Health Services  
ACT Chief Digital Officer |
| Focus Area: Collect and link data measures to enable data analytics and information sharing | | |