



# SENATE INQUIRY SUBMISSION

Australia's Youth Justice  
& Incarceration System  
**September 2024**

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**Creating** a lifetime of change



Committee Secretary  
Legal and Constitutional Affairs References Committee  
Department of the Senate  
PO Box 6100 Parliament House  
CANBERRA ACT 2600

September 17 2024

Dear Committee members,

### **Inquiry into Australia's Youth Justice and Incarceration System**

We write to address point (g) 'any related matters' of the inquiry's terms of reference, with a particular focus on the strong link between unresolved childhood trauma and youth justice involvement. As a children's mental health charity dedicated to supporting vulnerable children, we have seen first-hand the critical role early intervention plays in preventing these young people from entering the justice system. This submission draws on our extensive twenty-year experience delivering therapeutic support to children with mental ill-health, presenting evidence on how early, trauma-informed care can reduce the risk of incarceration and promote long-term positive outcomes for at-risk youth.

The connection between childhood trauma and youth involvement in the justice system is well-documented but often not addressed in preventive measures. Research shows that children who experience unresolved trauma are significantly more likely to exhibit behavioural issues that can lead to encounters with the criminal justice system. Mental health services are a key factor in breaking this cycle, particularly for at-risk children in disadvantaged communities.

Schools are ideally positioned as community hubs for the early identification of mental health challenges and as gateways to accessible, equitable care. However, this responsibility cannot fall solely on teachers, who already face the immense challenge of addressing a broad spectrum of student needs. A more sustainable and effective solution requires a collaborative approach, integrating specialised mental health services within schools to ensure children receive the necessary care while allowing educators to focus on their core roles.

In the following pages, we will briefly explore the psychological mechanisms linking trauma, mental health issues, and the increased risk of incarceration. We will also discuss how early intervention through trauma-informed mental health care can reduce youth incarceration rates and promote healthier, more resilient futures for our young people. KidsXpress stands ready to support these efforts by continuing our work with at-risk children through our Community and School Partnership Programs.

We thank the Committee for the opportunity to contribute to this inquiry and are pleased to present our evidence and recommendations in the sections that follow.

Many thanks

Margo Ward  
KidsXpress CEO & Founder

## Introduction to KidsXpress

KidsXpress is a registered charity and leading specialist in children's mental health, providing trauma-focused Expressive Therapy and Education Services to children under 12 and their caregivers. Founded in 2005, KidsXpress was established to address a significant gap in services for children impacted by childhood adversity, such as neglect, abuse, grief, and household dysfunction.

At the heart of KidsXpress' innovative approach is the use of art, music, drama, and play to provide therapeutic benefits in a single setting. In addition, the organisation delivers Trauma-Informed Education Services that empower educators to recognise and effectively support trauma-impacted children in the classroom.

Since opening its doors, KidsXpress has provided intensive therapy to over 4,100 children who might have otherwise struggled to access the mental health support they needed. Beyond our direct expressive therapy sessions, KidsXpress reaches thousands more children aged 4-12 every year through our School Partnership Program. In the 2023 School Year alone, we delivered our mental health intervention program to 2,577 students across seven schools, ensuring that vulnerable children were supported within their educational environment. Through both direct therapeutic care and our school-based services, KidsXpress is making a meaningful difference in the emotional and mental well-being of children.

Programs are offered at KidsXpress' headquarters in Macquarie Park and regional Tumut, as well as onsite at partner schools and community venues. By working closely with both children and their caregivers, KidsXpress ensures early intervention to prevent the long-term effects of childhood trauma, fostering healthier outcomes and reducing the future demand for mental health and social support services.

## The Trauma-Incarceration Connection

Research consistently demonstrates a strong correlation between childhood trauma and involvement in the juvenile justice system. In Australia, a study found that 81% of young people in detention reported experiencing at least one form of childhood trauma, with many experiencing multiple traumatic events [1]. This high prevalence of trauma among incarcerated youth underscores the critical role that adverse childhood experiences play in shaping negative outcomes. The types of trauma experienced by these young people are diverse and often severe, including:

- Physical and sexual abuse
- Neglect
- Domestic violence
- Parental substance abuse
- Parental incarceration

From a psychological perspective, these traumatic experiences can lead to a range of mental health issues, including depression, anxiety, post-traumatic stress disorder (PTSD), and substance abuse disorders. A study of incarcerated youth in New South Wales found that 87% had a psychological disorder, with many experiencing multiple mental health issues [2]. The pathway from trauma to mental health issues and ultimately to incarceration is complex and multifaceted, involving several psychological mechanisms:

- **Disrupted Attachment:** Trauma, particularly from caregivers, can cause insecure attachment, leading to difficulties in forming relationships, poor emotional regulation, and a distorted self-image.
- **Maladaptive Coping Mechanisms:** Without healthy coping strategies, traumatised individuals may turn to substance abuse, self-harm, or aggression, all of which increase the risk of criminal justice involvement.
- **Altered Stress Response:** Trauma dysregulates the body's stress response, resulting in hypervigilance, impulsivity, and emotional difficulties, often manifesting as aggressive or antisocial behaviours.

- **Cognitive Distortions:** Trauma can lead to negative beliefs about oneself and others, misinterpreting social cues, and increasing the risk of criminal behaviour.
- **Impaired Executive Functioning:** Trauma can impair brain development, particularly in areas responsible for decision-making, resulting in impulsivity and difficulty considering long-term consequences.
- **Reenactment of Trauma:** Some individuals may unconsciously reenact their trauma by engaging in high-risk situations, increasing their likelihood of justice system involvement.

### **Risk Factors for Vulnerable Children**

Certain groups of children in Australia face a higher risk of experiencing trauma and subsequent mental health issues. These vulnerable populations include:

**First Nations Children:** Indigenous Australian children are disproportionately affected by trauma and overrepresented in the juvenile justice system. They face unique challenges stemming from intergenerational trauma, systemic racism, and socioeconomic disadvantage. The legacy of colonisation and forced removal policies continues to impact Indigenous communities, contributing to higher rates of family violence, substance abuse, and poverty.

**Migrant and Refugee Children:** Children from migrant and refugee backgrounds often carry the burden of pre-migration trauma, as well as the stress of adapting to a new culture and language. Many have experienced war, persecution, or displacement, which can have lasting effects on their mental health and well-being.

**Rural and Remote Communities:** Children in rural and remote Australia face significant barriers to accessing mental health services due to limited resources, geographical isolation, and a shortage of professionals. These challenges are worsened by natural disasters like the 2019/2020 Black Summer bushfires and the 2022 Northern NSW floods, both of which have caused severe psychological impacts. Following the bushfires, 60% of young Australians (16-25) reported increased depression, anxiety, and stress, while the Northern Rivers region now faces unprecedented demand for youth mental health services due to the floods. [3] [4]

## **Impact of Early Intervention**

Children who receive timely mental health care, particularly those exposed to trauma, are significantly less likely to develop behavioural issues that may lead to involvement with the justice system. Research also demonstrates that early intervention can reduce recidivism by 16% among youth who do engage with the justice system. [5]

Neuroscience underscores the profound impact of early intervention in preventing trauma-related behavioural problems. Trauma affects the brain's emotional regulation, decision-making, and impulse control centres, including the amygdala, prefrontal cortex, and hippocampus. Prolonged exposure to stress hormones like cortisol can impair the functioning of these regions, leading to hypervigilance, impulsivity, and difficulty managing emotions—factors that increase the risk of behavioural issues.

Early intervention mitigates these effects by supporting healthy neurodevelopment. During childhood and adolescence, the brain remains highly plastic, offering a unique opportunity to rewire and recover from trauma. Trauma-informed therapy, when provided early, can reshape neural pathways and promote healthier coping mechanisms. By intervening early, these trauma-induced behavioural patterns can be prevented from becoming ingrained. In contrast, delayed intervention allows maladaptive behaviours—such as aggression or avoidance—to solidify, making later treatment less effective.

Studies show that children who receive early trauma-focused mental health care experience significantly better emotional regulation and symptom reduction compared to those who receive either delayed or no treatment. [5] These findings highlight the urgency of early intervention.

### **Expressive Therapy: A Best-Practice Approach**

As leaders in trauma-informed care, KidsXpress delivers timely, evidence-based interventions that capitalise on the critical developmental period of the early years. [7] Delivered to children aged 4-12 years, our Expressive Therapy program combines psychology with creative modalities—such as art, music, play, dance, and drama therapy—to provide an inclusive, non-verbal medium for children to express their emotions. Expressive Therapy, considered one of the most developmentally appropriate interventions for children, is particularly effective for those impacted by trauma who may struggle to articulate their experiences verbally. It empowers children to communicate and process their trauma in a safe and supportive environment without the need to relive their experiences through words, making it a best practice approach for trauma-informed care. [8]

## **The Solution: School and Community Based Interventions**

International research consistently shows that school-based and community interventions are the most effective forms of early intervention for at-risk youth. [9] These approaches engage young people with supportive adults who provide help, guidance, and treatment, fostering resilience and positive development. Unlike punitive measures, which focus on punishment after problems have escalated, community-based early interventions address the root causes of youth offending, such as mental health issues, substance abuse, and family dysfunction.

Schools are particularly well-suited for early intervention because they offer a familiar, accessible and non-stigmatising environment where children can access help. However, schools are already burdened by overloaded curriculums and stretched resources, making it difficult for them to handle the complex mental health needs of students on their own. To be most effective, schools need mental health professionals embedded within their community who can work alongside teachers and staff, providing specialised support. By becoming a part of the school environment, these professionals can build trust with students, identify issues early, and deliver ongoing, targeted interventions that teachers are not trained to offer.

## **The KidsXpress School Partnership Program**

The KidsXpress School Partnership Program has been operating since 2020 offering:

- Trauma-Informed Therapy to identified K-6 students: Addressing mental health issues at their root.
- Whole-School Support: Building capacity among all staff (teaching and support staff) in trauma-informed care to create a supportive environment.
- Early Intervention: Identifying and addressing concerns early.
- Proven Outcomes: Schools report reduced teacher trauma, improved retention, better classroom behaviour, and enhanced student engagement.

Partner schools enter into an intensive multi-year commitment with KidsXpress staff move into the school offering the following on-site, full-day programs as part of the regular school day:

### Support for Students:

Using the therapeutic benefit of music, art, drama and play, a team of two highly-skilled therapists will support children identified by the school as requiring support in weekly sessions in the following settings:

- Individual Therapy (for complex cases)
- Group Therapy (for mild to moderate cases)

Additional support for *all* students includes:

- Playground connection activities for all students
- Ad-hoc counselling for students who self-refer
- Peer conflict support during recess/lunch

### Support for teachers:

Delivered by our specialised trauma-informed consultant, this support includes:

- Whole-class socio-emotional lessons
- One-on-one teacher consultation
- Classroom observation to identify trauma-impacted students
- Whole-Staff Professional Development Training
- School Wellbeing Support Team Assistance
- Discipline policy review and behaviour management plan support
- Kindergarten and High School Transition Programs

The KidsXpress School Partnership Program is currently being delivered in the following schools:

- Bidwill Public School
- Merrylands Public School
- Merrylands East Public School
- Hampden Park Public School
- Granville Public School (due to commence Term 4, 2024)

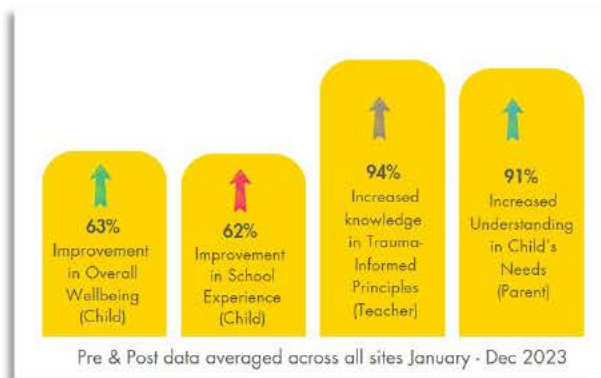
### **Our Impact**

The effectiveness of KidsXpress interventions has been rigorously assessed using the Child Outcome Rating Scale (CORS), a globally recognised psychological assessment tool designed to measure changes in personal, school, family, and overall wellbeing both before and after therapy. Data collected across multiple KidsXpress sites in 2023 reveals substantial improvements across all domains of child development, with the results clearly demonstrating the program's significant positive impact.

From January to December 2023, children participating in KidsXpress programs showed a 63% improvement in overall wellbeing and a 62% improvement in school experience. This reflects the tangible benefits of early mental health intervention in addressing emotional and behavioural challenges.

Additionally, the program's impact extends beyond the children themselves. Teachers reported a 94% increase in their knowledge of trauma-informed principles, enabling them to better support students within the classroom setting. Similarly, parents experienced a 91% increase in their understanding of their child's needs, allowing for more effective support at home.

This triangulated approach—gathering perspectives from children, educators, and parents—offers a holistic and robust evaluation of the program's success. The consistent, substantial gains across emotional wellbeing, school experience, and trauma-informed care highlight that KidsXpress interventions not only meet the complex needs of vulnerable children but also enhance the support systems surrounding them. These findings underscore the program's capacity to deliver meaningful, long-term improvements in children's mental health and educational outcomes, positioning it as an invaluable model for early intervention.



**Table 1:** Impact of KidsXpress Intervention Pre- and Post-Therapy Improvements in Wellbeing, School Experience, and Trauma-Informed Knowledge (Jan - Dec 2023)

## Why KidsXpress?

What sets KidsXpress apart is its unique, school-embedded mental health program, the only one of its kind in NSW, ensuring direct support within educational settings. We are members of Mental Health Australia and our therapy and training programs are endorsed by accredited bodies such as Australian Community Workers Association and NSW Education Standards Authority confirming the high quality and credibility of our interventions. Additionally, our School Partnership Program (SPP) demonstrates a strong return on investment (ROI), modelled on the UK's Place2Be framework, which has shown a cost-benefit ratio of £1:£8, showcasing its significant economic value. [10] We expect to see similar results for KidsXpress when a comprehensive study is conducted, given the program's alignment with Place2Be's evidence-based approach. Currently, the Matilda Centre at the University of Sydney is undertaking an evaluation of the KidsXpress School Partnership Program, and we anticipate the findings will further validate the program's effectiveness and ROI in the Australian context. This rigorous evaluation will provide key insights into the program's impact on both children's mental health and overall school wellbeing.

## Recommendations

**1) Integration of Trauma-Informed Care into the Youth Justice System:** We recommend incorporating trauma-informed mental health services directly into the youth justice system. By screening children and young people for trauma exposure and offering therapeutic interventions, we can address the root causes of delinquent behaviour, which are often linked to unresolved trauma. This approach not only reduces recidivism but also promotes rehabilitation over punishment, aligning with international best practices for juvenile justice. Additionally, KidsXpress offers specialised training to child welfare professionals and anyone working with at-risk youth, equipping them with the necessary skills to identify trauma and implement trauma-informed care. By embedding this expertise within the youth justice system, we can ensure that professionals working with these vulnerable populations are fully equipped to support rehabilitation efforts effectively.

**2) Expansion of School-Based Programs:** We strongly advocate for the expansion of programs like the KidsXpress School Partnership Program (SPP) into more schools across Australia. The SPP offers a vital in-school mental health service that embeds therapeutic support directly into the school community, making it accessible for children at risk of entering the justice system. By providing trauma-informed interventions early, these programs address emotional and behavioural issues before they escalate into more serious problems.

The impact of this approach is profound. Schools involved in the SPP have reported significant improvements in emotional regulation, resilience, and classroom behaviour, all of which contribute to a more positive learning environment. Children who may otherwise be overlooked due to under-resourced mental health services are provided with consistent, structured support that enables them to process trauma, develop healthier coping mechanisms, and engage more positively with their peers and educators.

This coordinated, community-based model of intervention not only mitigates the immediate behavioural issues linked to trauma but also has long-term benefits by reducing the risk of youth incarceration. By addressing trauma at its root, the SPP promotes emotional stability, reduces aggressive behaviours, and fosters a sense of belonging and self-worth in vulnerable students. Expanding this model nationally would significantly reduce youth incarceration rates by focusing on prevention and early intervention, ensuring that children receive the help they need before their challenges lead to contact with the justice system.

*"We need programs like KidsXpress in every school.  
I wish my grandkids attended a KidsXpress partner school."  
Anne Hollonds, National Children's Commissioner*

Citations:

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