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Thank you for your invitation to present a submission to the House Standing Committee on Family, Community, Housing and Youth **Inquiry into the impact of violence on young Australians.**

I have a 25 year research interest in this issues and have published extensively on several terms of reference. I will make brief comments under these and attach chapters from my forthcoming book on *Offending Youth: Sex, Crime and Justice* (2009) where more detailed research can be found. This book is a sequel to *Offending Girls: Sex, Youth and Justice (1993).*

Should you require further information I can be contacted on the address above.

Regards

Professor Kerry Carrington

• perceptions of violence and community safety among young Australians;

Community perceptions of violence do not necessarily equate with reality. First, crimes of violence committed by young people are prone to exaggeration by the media. Second it is too confidently assumed that only boys commit violent crime. However rates of violence have been growing faster for girls than boys over the last several decades. The relevant extracts from *Offending Youth* appear below.

1. Fear, threat and the media

Broadly speaking, prevailing concepts of gangs and gang members tend to be stereotypical images that are far removed from reality. Inaccurate definitions and public perceptions of youth 'gangs', can be created and reinforced by a process of labelling, which as discussed in Chapter 3, can lead to social over-reactions, over-policing and criminalization, especially if the group receives adverse media attention (Hall and Jefferson, 1986; Cohen, 1972). Cohen's (1972) study of the Mods and Rockers in post-war Britain illustrated how the labelling of young people as gang members with certain behavioural characteristics, can actually create delinquency. Undue media attention, social over-reaction and over-policing, can place pressure on group members to live up to a particular public image by behaving in ways that correspond with the labels – usually in the form of 'dangerous' or 'tough' gang behaviour. This creates moral panics which in turn exacerbates the effect of labelling by creating 'secondary deviance'. or future offending (see Chapter 3).

Media representations of youth have a powerful impact on the way the criminal justice system and the public view young people (Omaji, 2003: 34). Reporting about youth tends to focus on depictions of young people as dangerous, on drugs, trouble makers and basically 'bad' (White and Wyn, 2008). When there are public shows of dissent involving clashes with the police, or groups of young people engaging in incidents of violence, the public is often misinformed through sensationalist reporting these are the actions of gangs. This type of reporting typically exaggerates the numbers and nature of these groups (New South Wales Standing Committee on Social Issues, 1995). There is usually an implication that these events are pre-planned, although in reality this is not usually the case. Rather these outbreaks of social disorder tend to be spontaneous, resulting from an accumulation of factors of disadvantage and deprivation, combined with poor police and community relations (see Weatherburn, 2006; Lee, 2006).

An example of sensationalised media reporting is illustrated in the reporting of a violent invasion attack by five male youths on Merrylands High School in Western Sydney on April 7, 2008. The attack was shocking insofar as it represented a disregard for authority and a violation of others' rights to safety and freedom. A police inspector commented the he was stunned by the brazenness of the attack (Smith, A. *Sydney Morning Herald*, April 9, 2008). However media reports were primarily concerned with the sensational aspects of the attack, making unfounded claims of racially based gangs terrorising Western Sydney.

Although two of the five youths involved in the attacks had been charged with violent robberies in the past, media reports associated the youths with other incidents such as the shooting of a police officer in 2002 and an American gang culture of violence, drug and guns (Smith, A. *Sydney Morning Herald*, April 9, 2008). The weapons used in the attack on Merrylands High School however, did not involve guns and nor did the police allege that the five were part of an organized gang involving money, drugs or weapons. Other sensationalized aspects of the media report implied that there was a gang culture at the school and that the attack was a 'pay-back'. These claims were strongly refuted by students at Merrylands High School who stated that they were frustrated with the media image of the school (Smith, A. *Sydney Morning Herald*, April 9, 2008). Various other media reports claimed that the Merrylands High School attacks were perpetrated by a rampaging 'Islander gang'. Professor Jock Collins from University of

Technology Sydney, speaking on ABC Radio, referred to reporting of the attack as a moral panic creating fear that is disproportionate to any actual threat. According to Professor Collins, the reporting of gang culture in western Sydney misrepresented the situation and constructed ethnic diversity as the cause of social decay (ABC News, April 9, 2008).

(Source: Carrington and Pereira, 2009: Chapter 8, pp. 123-125)

2. The growth of female share of crimes of violence

Historically many more boys than girls have been drawn into the juvenile justice system for criminal offences and violent related offences. However this pattern is changing as officially recorded rates of female delinquency have been rising steadily in countries such as Australia, England, Canada and the United States over the past 50 years. They have also generally been rising at a rate faster than that for boys, as have their rates for violent crime. As yet there is little consensus about the reasons for these changing patterns of female delinquency. ...

Young women appear to be the fastest growing population within juvenile justice systems in these countries. In Canada, the number of young women charged with criminal offences rose from 7919 in 1980 to 21,898 in 1996, although the patterns vary by province and race (Reitsma-Street, 2000: 133). Girls now account for almost a third of juveniles arrested in the United States compared to just a fifth two decades earlier (Chesney-Lind, Morash and Stevens, 2008: 162). In 1987, young women accounted for only 13 per cent of all juveniles arrested in the United States, by 2000, they accounted for 25 per cent of this population (Schnelle, 2000: 122). During this period the ratio of female to male delinquents changed from one in eight (1:8) to one in four (1:4). Increases in arrest rates were also greater for young women in almost all offence categories including violent crime (Acoca, 2004: 78).

In England and Wales , 'five offence categories among girls (violence against the person, robbery, criminal damage and arson, public order and breach) have risen consistently between 2000 and 2006' (Arnull and Eagle, 2009: 87). This overall trend is depicted in Figure 4.1. The gender gap has also narrowed with the ratio of delinquent girls to boys declining from one in seven (1:7) during the 1960s to one in five (1:5) in the 1990s (Walklate, 1995 in Gelsthorpe, 2000: 68). A similar pattern of rising adolescent female crime rates is evident in Australia....

**Figure 4.1 Young Female Offenders, United Kingdom, 2001-05**
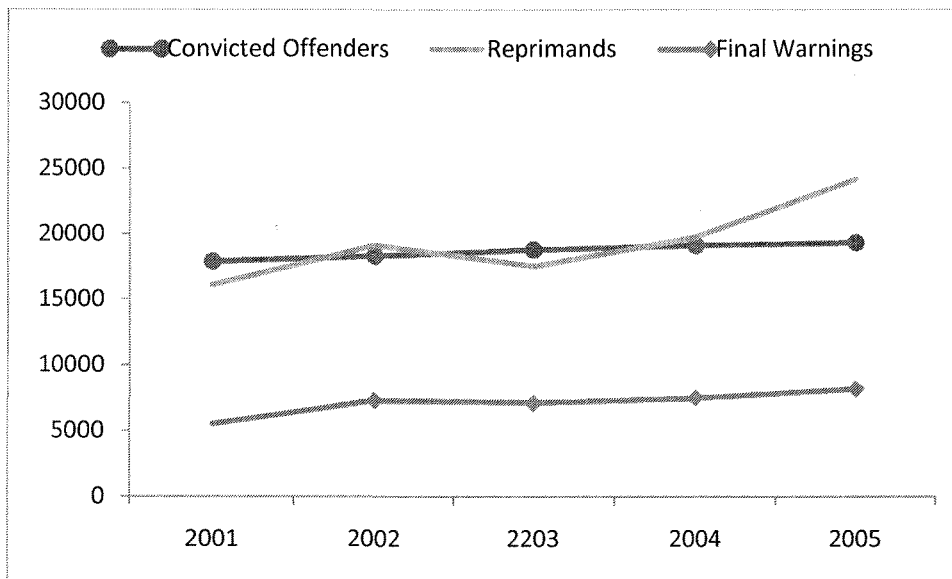
Source: Data extracted from Appendix B, Arnull and Eagle (2009),
Girls and offending –patterns, perceptions and interventions,
Youth Justice Board for England and Wales, Home Office, London,
p. 94

From 1960 to 2007 the gender gap has narrowed considerably in New South Wales.[i] Table 4.2 presents a time series of frequency data for criminal matters by sex from 1960 to 2007, and for welfare matters by sex to 1996. Over this 47 year time frame the ratio of young women to young men appearing before the New South Wales Children's Courts for criminal matters has narrowed from around one in 13 (1:13) to one around four (1:4), as depicted in Figure 4.2. The female share of criminal matters has risen significantly from 7 per cent in 1960 to 19 per cent in 2007 (Table 4.2). The number of finalised appearances for criminal matters for females increased from 490 in 1960 to a peak of 2902 in 1997, and has since declined to 1735 in 2007. Over the same time period, finalised appearances for criminal matters for males rose from 6128 in 1960 to a peak of 17,400 in 1975, and has since declined substantially to 7406 in 2007 (Table 4.2).....

It is important to bear in mind that officially recorded statistics of delinquency exclude an unknown and possibly large proportion of undetected juvenile criminal offending. Nevertheless the narrowing of gender disparity recorded since 1961 is substantial (see Figure 4.2)...

The narrowing gap between male and female juvenile offending conforms to gender patterns evident in other large East Coast Australian jurisdictions such as Queensland (Freeman, 1996) and Victoria (Alder and Baines, 1996). In Queensland, for instance, from 1987 to 1994 there was a 64 per cent increase in young women appearing before the Children's Courts for criminal offences, compared to just a 2 per cent increase for young men over the same period (Beikoff, 1996: 17).

Figure 4.2: Male and Female Appearances for Criminal Matters,
NSW Children's Courts 1960-2007
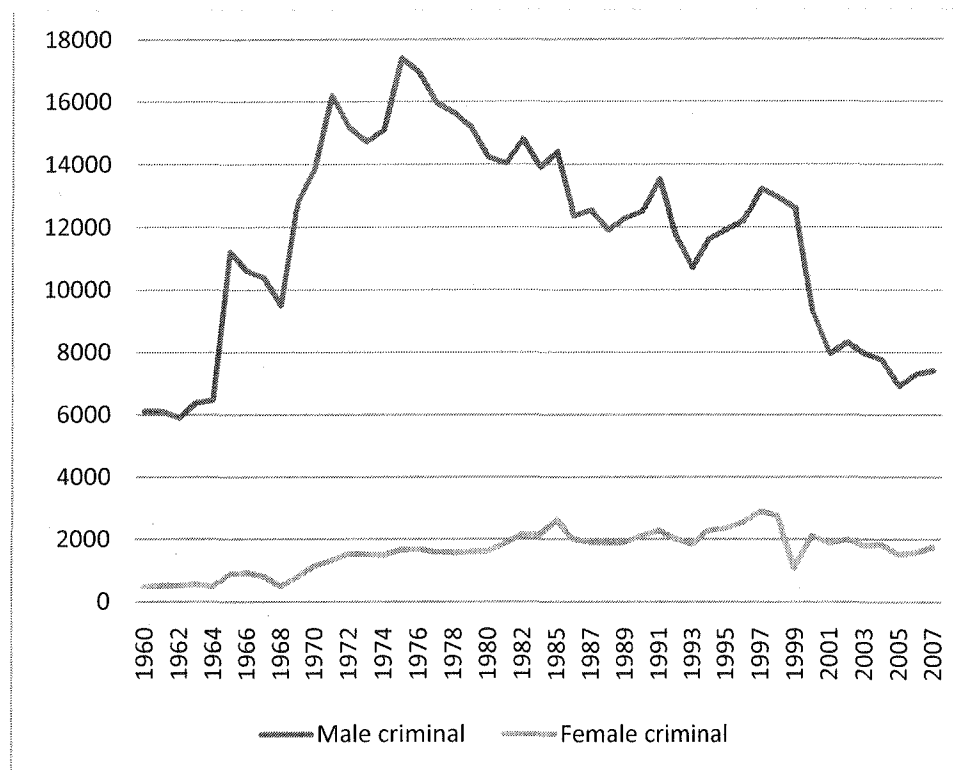
Source: New South Wales Children's Court Data, see Endnote 1

In the context of rising rates of female crime there has been growing speculation about why girls appear to be becoming more violent (Alder et al 2008; Muncer and Campbell, 2001). Until recently, youth violence has been viewed almost exclusively as a masculine phenomenon (Heimer and De Coster, 1999). This has now changed. The increasing interest in girls' involvement in violent behaviour has been sparked by media portrayals of girls' violence as a shocking new phenomenon (Muncer, Campbell, Jervis and Lewis, 2001) seemingly verified by increases recorded in the rate and incidence of violent crimes committed by young women. Exactly how new or shocking is yet to be verified (Maher, 2000: 86; Alder, 2000: 57).

There is however some data which lends support to the notion that girls are becoming more violent, or at least officially recorded as such. Over a 30 year period from 1967 to 1996 in the United States, the arrest rates for girls for violent crime rose by 345 per cent for girls compared to 124 per cent for boys (Schnelle, 2000: 122). The largest increase in arrests for girls in the United States has been in person offence matters and especially matters involving 'simple assault' (Snyder and Sickmund, 2006 quoted in Chesney-Lind et al, 2008: 162). Canada has experienced a five-fold increase in the number of girls charged with offences against the person from 710 in 1980 to 4434 in 1996 (Reitsma-Street, 2000: 133). When population growth over this 16 year period is taken into account the rise may not be as dramatic, but it is still very high. In England the percentage rises in guilty findings for female violence have fluctuated, from a 3.4 per cent rise between 1960 and 1975, a 1.4 per cent rise between 1975 and 1990, and a 4.4 per cent rise between 1990 and 1999 (Muncer, Campbell, Jervis and Lewis, 2001).

In Australia, a national study of trends in violent crime for juveniles was undertaken by the Australian Institute of Criminology over a five year period from 1991 to 1996. The study found that in Queensland, South Australia, Western Australia and Victoria rates for violent crime recorded for female juveniles increased across almost all categories of crimes against the person during the period (Mukhejee et al, 1997: 14, 19, 24, 29). In the three smaller Australian jurisdictions of Tasmania, the Australian Capital Territory and Northern Territory, fluctuations were based on data not reliable enough to interpret with any confidence (Mukhejee et al, 1997 : 34, 39, 44). No data was supplied by New South Wales to the national study. This data was sourced by the authors from the New South Wales data custodians.

Figure 4.3 Violent Crimes as a Proportion of Criminal Matters by Sex, New South Wales Children's Courts 1989–2007
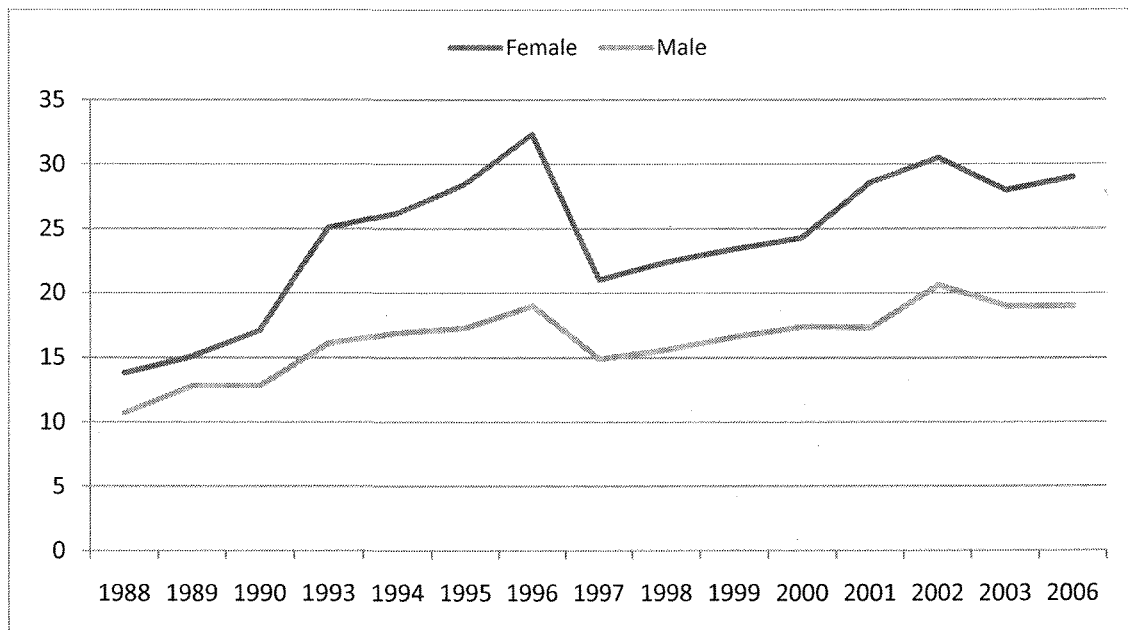
Source: New South Wales Children's Court Data, see Endnote 1

Using available data published from 1989 to the most current, Figure 4.3 presents a trend series for violent crimes by sex for New South Wales Children's Courts.[ii] Between 1989 and 2007 boys continued to outnumber girls who appeared before the courts for violence related offences. However the gender gap narrowed over this period and the proportion of girls appearing before the court for violent related matters has risen substantially. In 2007 violent offences accounted for 29 per cent of all the charges for which females appeared before the Children's Courts in New South Wales, compared to just 13.8 per cent of female proven offenders in 1989 (see Figure 4.3).[iii] By contrast the proportion of violent crimes among males rose less notably, from 10.7 per cent in 1989 to 19 per cent in 2007 (see Figure 4.3).

Whether the statistical evidence of girls becoming increasingly more delinquent and violent reflects changes in the processing of girls by the juvenile justice authorities, or whether it reflects real qualitative changes in female behaviour is a matter of considerable unresolved controversy (Acoca, 2004: 78).

(Various Extracts Carrington, Pereira, 2009: Chapter 4)

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● **the relationship between bullying and violence on the wellbeing of young Australians;**

The impact of cyberbullying on the parallel real worlds of young people, especially on the growth in adolescent female violence, is attracting growing concern. The following extract from *Offending Youth* directly addresses this term of reference.

"The digital generation of the 21st century use on-line forms of communication intermingled with face to face social exchange to create a new kind of social interaction. This has positive and negative consequences. Historically forms of bullying occurred face to face predominantly in the school ground (Patchin, Hinduja, 2006:148). Electronic forms of communication have enabled the extension of bullying into cyberspace, beyond the school ground to penetrate the home and places of sanctuary from real world forms of bullying (Patchin & Hinduja, 2006:155). These new forms of harassment are referred to as cyberbullying. Cyberbullying has become an increasing problem for contemporary societies and usually involves the use of email, mobile phone and websites to defame, threaten, intimidate and humiliate others **(Smith et al 2008)**.

Research into this relatively new crime is at an embryonic stage (Campbell, 2005). One internet based pilot survey found that almost 30% of young people reported having been bullied over the last month on-line, 11% reported engaging in bullying activity, and 47% reported being witnesses to on-line bullying (Patchin & Hinduja, 2006:160). Some victims even reported being bullied up to 50 times over the last 30 days (Patchin & Hinduja, 2006:160). Most studies to date have also found gender differences in these patterns. A Canadian study reported that around 60% of the victims of cyberbullying were girls and that female cyberbullying is often directed at other girls (Li, 2005: 1783). This study also found that electronic communication through chat rooms, texting, and emails is a preferred method of bullying among girls (Li, 2005). A British study also found a greater involvement of girls relative to traditional bullying where boys predominate (Smith et al, 2008:383). The reason cited by student participants for girl's higher rates of cyberbullying was that **'girls hold grudges for longer, boys deal with it there and then and get it over with'** (Smith et al, 2008: 380). Findings from an American study by Kowalski et al (2005) showed far more radical gender differences with girls being twice as likely as boys to be victims and perpetrators of cyberbullying (cited in Mason, 2008: 327).

A cursory analysis using the Google Search button confirms significant gender differences. For instance there were around 24 million search results for 'girls fighting youtube.com', compared to less than 3 million for boys, and over 73 million search results for 'girls fight video' compared to around 32 million for boys (See Table 4.3). Some of these internet sites directly incite violence by asking viewers to rate 'chick fight' videos, pass onto friends and to post in their own. In this sense the internet and mobile bullying is fuelling girl on girl violence by providing an outlet that encourages and rewards violence among girls.

Table 4.3 Google Search Results By Sex & Fighting

Search Words	Girls	Search Words	Boys
Girls Fighting tips	41,60 0,000	Boys Fighting tips	0
Girls Fighting at school	37,40 0,000	Boys Fighting at school	8,860,000
Girls Fighting youtube.com	24,10 0,000	Boys Fighting youtube.com	2,960,000
Girls Fight Video	73,30 0,000	Boys Fight Video	31,500,000
Girl fighting girl	70,70 0,000	Boy fighting over girl	38,300,000

Source: Google last accessed 22 September 2009

According to a Teen Internet Survey last year, girls are more likely to post online videos and personal information than boys (Chang, Kazdin, Hagan and Ibanga, 2008). This makes them more susceptible bullying and the escalation of conflict that typically occurs between girls over insults to reputation (Kathleen Daly, 2008; Mullins, Miller, 2008; and Jones 2008).

Suicide, self harm, anxiety, depression, loss of self esteem, psychological trauma and serious social harm are just some of the consequences of cyber-bullying (Campbell, 2005; Patchin & Hinduja, 2006:149). Because these crimes are occurring in the virtual world of cyberspace there is a naivety about their harmful consequences in the parallel real world. This is an assumption that needs urgent revision in light of the epidemic of girls fight videos being posted on the internet. When fights that occur in the real world are posted into the virtual world the humiliation inflicted upon the victim extends to a much wider, indeed even global, audience. The tarnish to reputation is greater leading to an escalation of conflict and violence between girls in their parallel real worlds. As one victim, who was called a slut and threatened to be stabbed by on-line bullies, explained, 'If they say it to you in a playground, you can forget about, but when it's posted in front of you it's there for you to constantly see, ... you feel more threatened.' (BBC News, 21 September, 2007news.bbc.co.uk/2/hi/uk_news/education/7006473.stm).

There has been little research into the perpetrators of cyber-bullying. One study noted that a cyberbully in their sample claimed that she posted her fights online because she wanted bragging rights among her friends (Chang, Kazdin, Hagan and Ibanga, 2008). Other bullies in the same study reported putting their fights on YouTube to let others know who they beat up (Chang, Kazdin, Hagan and Ibanga, 2008). The sample sizes in all these studies are however small compared to the numbers of young people using the internet and the millions of cites on the internet where these exchanges occur.

The difficulty of regulating internet crimes poses manifold challenges to policy makers and legislators. Regulation is costly, fraught with disputes about jurisdictional liability and

frequently outside the reach of regulators. Electronic bullies can also use anonymity, false identities or temporary email accounts to avoid detection (Patchin & Hinduja, 2006:154). Hence the best way to minimise harm is to prevent these crimes from occurring in the first place. Responsibility for preventing cyberbullying rests with young people, parents, educators, regulators and internet service providers. Young people need to be educated about the ethical use of internet and electronic forms of communication and warned or the risks of cyberbullying. There are some useful internet sites which aim to raise public awareness about the consequences of cyberbullying, although these tend to concentrate on avoiding victimisation rather than preventing cyberbullying. Parents and young people can take control of cyberspace by target hardening their home computers with internet security tools, software to block fight sites, and regulating the unsupervised time slots allocated for accessing the internet. Given there were over 37 million search results for girls school fights compared to around 9 million for boys (See Table 4.4), cyberbullying is clearly a growing problem for schools all over the world. There has also been a corresponding rise in girls who report bullying and report being bullied in schools since the rise of the digital generation (Artz, 2004:52). Schools can do much to prevent cyberbullying by promoting ethical standards of conduct for internet and mobile use; cultivating a positive school climate; taking seriously allegations of bullying; encouraging victims to collect evidence; installing filtering software on school computers, and banning devices, such as mobiles used to take digital images of school fights from school grounds (Center for Social and Emotional Education Newsletter, 2009:5). Lastly internet providers have a responsibility for regulating the sites that incite girl on girl violence. It is not enough to assume this a user's responsibility, as most sites do. Internet providers can do much more to clean up the net, to deter the posting of violent videos, to provide complaint mechanisms for victims and to create opportunities for the restoration of tarnished reputation through the publication of apologies from cyberbullies. The impact of cyberbullying on the parallel 'real worlds' of young women and patterns of female delinquency, and how best to prevent it, warrants much more research." (Source, Carrington, Pereira, 2009:72-74)

- ● **social and economic factors that contribute to violence by young Australians;**

A wide range of social and economic factors contribute to perceptions of youth violence and the factors that exacerbate youth violence. Some of the relevant extracts from the book are reproduced below. However the book contains a great deal more analysis and evidence of this kind.

"Youth victimisation and homelessness
Social phenomena such as youth homelessness, drug abuse, juvenile crime, delinquency, unemployment and youth suicide are popular representations of the 'youth underclass' (Bessant, 1997: 23). The youth underclass is a term used to describe vulnerable and marginalised young people who are homeless and jobless and have few prospects for advancement in the socio-economic hierarchy. They frequently experience intergenerational unemployment, lack of education, stigmatised social status, ethnic and racial exclusion and tend to be over-regulated by welfare and criminal justice systems (Wong, 2004; Cunneen and White, 2007; Carlen, 1996). Their exclusion from economic, social and cultural participation is through no fault of their own, but is the product of economic and political ideologies unpinning social policies (see Carlen, 1996). Yet public perceptions and media depictions of youth of the 'underclass' portray young people in public space as inherently dangerous, subversive, uncivilized and anti-social (Bessant, 1997; Carlen, 1996). Although these stigmatising and moralising assumptions about working class young people discursively influence policy and practice, they do not contribute to an understanding of the factors

underlying their abuse, disadvantage, homelessness or delinquency (Carrington, 1993; National Youth Commission, 2008; Carlen, 1996).

In 2008 there were around 100,000 homeless Australians every night, almost half of whom were under 24 years of age (Australian Institute of Criminology, 2008). Young Indigenous youth are more likely to experience homelessness than non-Indigenous young people (National Youth Strategy, 2008: 10), making them particularly exposed to public regulation and over-policing. Young homeless people are often perceived to be potential perpetrators of crime when in fact they are actually more likely to be victims of crimes inflicted by other homeless people and members of the public (National Youth Commission, 2008; Carlen, 1996; Australian Institute of Criminology, 2008). In 2005 young people aged between 15-19 years were three times more likely to be victims of robbery than the general population (Australian Bureau of Statistics, 2005). Homeless young people in this age group are at an even higher risk because of their greater vulnerability to becoming victims of violence and theft (Australian Institute of Criminology, 2008). The perception of homeless youth as a threat is a misconception derived from their highly visible group presence. In reality most young homeless people do not gather in groups to make trouble, but prefer to stick together in groups for protection precisely because they are at such a high risk of victimisation. Many end up engaging in petty crime such as fare evasion, offensive language or shop-lifting and relations between the police and homeless youth are often a source of conflict and antagonism (National Youth Strategy, 2008). Yet when young people on the street are victimized or fear for their safety they are often afraid to make a report to the police for fear of not being believed or because they are afraid of being harassed. Young homeless women are particularly likely to experience sexual violence but may be reluctant to report these incidents to the police for fear of not being taken seriously (National Youth Strategy, 2008: 286). Conversely adults perpetrators of crimes against young homeless people are rarely held to account for their crimes, yet young homeless people continue to be highly vulnerable to surveillance, over-policing, regulation and punishment for their deviance (Carlen, 1996: 123). One of the recommendations (18.2) of the *Report of the National Youth Commission Inquiry into Youth Homelessness* (2008) was that youth and police community liaison committees monitor issues between police and young people in public spaces and determine how policing practices impact on young people (National Youth Strategy, 2008: 297).

Youth, dissent and rioting
Social exclusion

Even though there is no direct causal link between economic disadvantage and crime, there are a number of mediating factors such as poverty, long-term unemployment and problematic familial relationships which deprive young people of social and economic participation. These factors contribute to the exclusion of young people from mainstream society and can produce a sense of marginalisation, social isolation, resentment, stigmatisation and anger, creating the conditions to become involved in crime (Savelsberg and Martin-Giles, 2008; Weatherburn and Lind, 1998). Most people experiencing low socioeconomic conditions do not commit crimes but research suggests that young people from low socioeconomic neighbourhoods such as public housing estates are more likely to become involved in criminal activity than those who live in other areas (Weatherburn, Lind and Ku, 1999; Lee, 2006). Areas characterised by high crime rates and socioeconomic disadvantage can be precursors to widespread social disorder

when combined with other conditions such as a propensity for fear, chronic anger, frustration, social alienation, over zealous policing and poor response to calls for police assistance (Weatherburn, 2006; Lee, 2006). In the most extreme cases, social exclusion when combined with some of the demographic features of public housing and poor police and community relations, can spark public dissent or even precipitate a full-scale riot of the kind that occurred in Macquarie Fields in 2005.

Macquarie Fields

In February 2005, around one hundred and fifty residents from Macquarie Fields, in South Western Sydney, engaged in four days of violent clashes with the New South Wales police. This public show of dissent has become known as the Macquarie Fields riots, which erupted following the deaths of two teenagers in a motor vehicle accident during a police pursuit. The police laid 186 charges and arrested 59 people on charges including assaulting the police, malicious damage, malicious wounding, possession of weapons and possession of drugs and rioting (Lee, 2006: 32). Confrontations between police and residents had been a common occurrence in the area, especially incidents involving young people (Simmons and Lecouteur, 2008: 671). Police-community relations were frequently strained by miscommunication and tension, leading to mounting fear, anger and frustration on both sides (Weatherburn, 2006: Lee, 2006). It is notable that the Macquarie Fields riots share some common features with other similar events. Riots in Redfern and Palm Island, both in 2004, began with the death of a community member following incidents with the police within a context of strained relations between the community and the police (Lee, 2006).

Crime rates in Macquarie Fields are two to three times higher than the state average and police are placed under intense pressure to reduce these rates by adopting more aggressive and confrontational styles of policing. This in turn sparks resentment, prompting residents to behave in provocative ways that attract even more aggressive police tactics, leading to real or perceived feelings that the police are targeting particular groups (Weatherburn, 2006). Although confrontational styles of policing combined with strained police-community relations can alienate communities and lead to hostility towards the police (Darcy, 2005), these factors alone cannot explain the built-up tensions that sparked the full-scale riots in Macquarie Fields. The riots were presented as an isolated incident by a minority group of 'trouble-makers' (Simmons and Lecouteur, 2008: 671). Yet, a spiral of deviance amplification was well in place before the riots in 2005 as the problems in the community went much further than tension between residents and the police, to include a generalised hostility to the wider community ignited by a sense of social exclusion (Weatherburn, 2006; Lee, 2006).

In 2006 a Parliamentary *Inquiry into the Public Disturbances at Macquarie Fields* highlighted some key features of socioeconomic disadvantage in the Macquarie Fields community at the time of the riots which had been previously identified as dissent risk factors (see Lee, 2006). These included: a disproportionate number of residents living in public housing; a high rate of sole parent households - almost twice that of the state average; a high percentage of low income households; a higher than state average unemployment rate, which was significantly higher for young people aged 15-24 years; lower than state average levels of educational qualifications; and high levels of alcohol and drug abuse among young people. Community services and programs were underfunded and insufficient, especially local health services including mental health, women's health and youth health services. Parenting and family programs, libraries, lifestyle and nutrition programs, community and social services, were vastly underfunded or non-existent, the youth centre was closed and sporting programs inaccessible. There was a negative police culture involving frequent verbal abuse from police

to the community and a lack of police response to local disturbances (NSW Parliament Standing Committee on Social Issues, 2006). ....

Cronulla Riots and the ethnic crime debate

When young people from ethnic minority backgrounds are targeted and vilified on the basis of their ethnicity it is hardly surprising if hostilities erupt. In December 2005 around five thousand people gathered at Sydney's Cronulla Beach, seeking justice for a physical attack by 'Lebanese' youth on two Australian lifesavers who had asked the Lebanese youth to stop playing soccer on the beach. In a show of national solidarity members of the crowd carried the Australian.. Anglo-Australian identity was clearly distinguished from those of Middle Eastern appearance with placards, messages on bodies, slogans and by chanting 'fuck off Lebs' (Poynting, 2006: 8). Violence fuelled by alcohol and lasting several days, involved anyone of Middle Eastern appearance being set upon and beaten up by the crowd.

Although acts of violence such as the Cronulla Riots cannot be linked solely to political populism, media racialisation or ethnic vilification, there is no doubt that all these factors play a central role in the creation of racial hatred and violence. Poynting (2006) argues that political discourse can deliver 'permission to hate' by promoting racial discrimination and failing to act against it. If Muslims are generalised as the enemy in the war on terror, then white citizens might feel justified in attacking those identified as the enemy – in this case anyone of Middle Eastern appearance. Politicians commenting on Cronulla denied that a problem of racism underscored the events, preferring instead to engage in rhetoric of 'ethnic crime gangs'. Following the riots, the Premier Morris Iemma proposed the introduction of a twenty-five year maximum prison term for assaults on life-savers.

Sections of print and electronic media play a vital role in shaping public understandings of the activities of ethnic minority young people and fuelling the ethnic crime debate, as illustrated in media reporting of the Cronulla riots. In the week leading up to the Cronulla riot a campaign of text messaging incited a riot for the following weekend. Some of these text messages were reproduced by popular 'shock jock' radio personalities and newspaper media, in effect advertising attendance and encouraging violence at Cronulla to 'reclaim the beach' from the 'Lebs' (Poynting, 2006). Sections of the media, particularly the 'shock jocks', invited the idea of trouble at Cronulla by encouraging the gathering of troublemakers looking for a fight (White, 2006). For example, Sydney commercial radio 2GB broadcaster Alan Jones reading a text message, publicly announced:

This Sunday every Aussie in the shire get down to North Cronulla to support the Leb and Wog bashing day. Bring your mates. Let's show them that this is our beach and they're never welcome. (Nguyen, K., *The Age*, April 11, 2007).

The expectation of violence was created, at least in part, through the advance publication of the event by sections of the media. Reprisal attacks, by carloads of young 'Lebanese' men from the western suburbs, including assaults and property damage were equally as repugnant as the assaults committed by 'Aussie' lads. However, media reporting focused disproportionately on the reprisal attacks by 'Leb boys' as evidence of the existence of violent criminal 'ethnic gangs' (Lee, 2007; Poynting, 2006).

Other incidents which have contributed to anxieties about 'ethnic gangs' are the drive-by shooting of Lakemba Police Station in 1998 and the gang rapes by Lebanese youths in 2000 (see Lozusic, 2002: 17). It is indisputable that these crimes were abhorrent, horrific and violent, presenting a threat to individuals, young women and the wider community. However,

media reporting and public discourse surrounding these crimes identified the ethnicity of the perpetrators as their most salient feature, implying that criminality is an inherent characteristic of ethnicity. This is despite very public condemnation of the crimes by most Lebanese leaders and the wider Muslim community who expressed shame and appal at these crimes (Poynting, et al, , 2004: 182-3). There is no empirical evidence of a causal link between ethnicity, gang rape and other crimes. As we saw in the previous chapter, young men from a range of cultural, social and socioeconomic backgrounds commit sexual assaults and other crimes.

(Source: Various Extracts, Carrington and Pereira, 2009, Chapter 8 pp. 126-133)

• strategies to reduce violence and its impact among young Australians.

There are a range of strategies in existence to reduce violence. Which strategy will work best depends on the form of violence and especially the context in which it occurs (i.e. whether or not is occurs in public or private). For instance the reduction of sexual violence committed by young men in private requires a different strategy to the reduction of gang related street violence that occurs in public. Various relevant extracts from the book have been selected to illustrate the need for VARYING approaches to reducing violence among young people.

"Anti-gang strategies and community based responses
Coercive strategies

Coercive anti-gang strategies emphasise law enforcement or zero tolerance approaches, rather than using preventative strategies to improve interaction between young people and the police. For example, in 2001 the New South Wales Carr Government announced the *Justice Legislation Amendment (Non-association and Place Restriction) Act 2001* to ameliorate gang activity by breaking down an offender's association with persons and places that increase the likelihood of their re-offending. The new laws targeted gang related crime including non-association and place-restriction orders; gang rape; new gang related offences under the crimes act such as car jacking; recruiting children to engage in criminal activity; new police powers to stop and search vehicles and to question passengers in cars used in connection with the commission of an indictable offence; and new offences for crimes committed in company (Lozusic, 2003). The legislation has been criticized for being modelled on American laws aimed at gang activity and for being unlikely to have any significant impact on crime in Australia. Additionally, there are concerns that the Act will be felt most strongly by groups who hang around together in public space or those perceived by the police to be undesirable, particularly working class young people and Aborigines (Lozusic, 2003). Similarly, in 2008 the New South Wales Premier Morris Iemma responded to the Merrylands High School attacks by suggesting an increase in penalties for offences that are committed in a group, including property offences (Smith, A. *Sydney Morning Herald*, April 9, 2008). This policy is likely to impact heavily on young people who commit relatively minor crimes, especially those who are most visible in public spaces.

There is no denying that the existence of gangs sometimes represents a danger to individuals and the community, as the recent bikie gang feuding at Sydney airport amply illustrates (Robinson, G. *Sydney Morning Herald*, March 23, 2009). However, there is little evidence that policies designed to restrict gang membership and association provide solutions to everyday problems of crime and violence, much of which occurs in private, in or around licensed premises and remains unregulated as illustrated in the previous chapter. In reality, a great

deal of violence is not gang related and in fact, in the United States efforts to suppress gangs have failed to curb them (Hallsworth and Young, 2008; 190). Individuals are blamed for the 'problem' rather than violent and delinquent behaviour being understood as part of a larger problem of which the existence of the gang is only one component. Individualising the problem in this way obscures some crucial determining elements of street violence, such as social and economic exclusion and poverty, which are pushed into the background in favour of a singular ambiguous explanation of the 'gang' (Hallsworth and Young, 2008). This is not to understate the importance of preventing the formation of criminal or violent gangs through community crime prevention strategies and other police interventions which are the least harmful to youth and to the community.

Community crime prevention

Community crime prevention involves reducing the risk of crime through broader, holistic, community-based strategies including situational prevention such as modification of environmental crime opportunities and altering architectural design to increase surveillance; community prevention and collective collaboration such as Neighbourhood Watch; and developmental prevention such as providing activities for young people and strengthening peer, school and family ties (Tonry and Farrington, 1995). These types of strategies were recommended in the report of the inquiry of New South Wales Standing Committee on Social Issues into *Public Disturbances at Macquarie Fields* (2006). The Macquarie Fields Action Plan has since implemented a number of key initiatives including attempts to increase employment and traineeship opportunities; enhance social activities; improve relations between the police and the community; and address the underlying social problems in the wider area of western Sydney. To effectively reduce the risk of crime and prevent the formation of gangs, the police and community need to combine several different strategies in ways that enhance the participation and social inclusion of young people (White, 2004).

As a less aggressive and non-confrontational form of policing, community policing has the potential to foster positive interaction between the police and youth while building links with the local community (White, 2006). The value of this approach is highlighted in the community policing initiatives used by police commander Dave Darcy between 2001 and 2004 in the inner Sydney suburb of Wooloomoloo. The area was characterised by public housing residents, had a youth crime problem and was policed with a 'tough on crime' mentality, which had been unsuccessful in reducing crime (Darcy, 2005). Darcy set out to rekindle community policing by gaining a sound knowledge of the community including having regular interaction with the homeless and local criminals. Police formed networks with the local school and local service providers to reduce the likelihood of crime. As they came to better understand the social and physical features of the neighbourhood the policing of the community became less stressful as community relations improved. This stands in stark contrast to confrontational styles of policing which, according to Darcy, can lead a community to view the police as an 'occupying force' and risk alienating the community (Darcy, 2005: 153). Measures designed to address problems between the police and ethnic minority youth include attempts to identify problems relating to perceptions of racist and unfair policing, and the introduction of anti-racist and cross-cultural education in police training (White, Perrone, Guerra and Lampugnani, 1999).

(Source: Various Extracts, Carrington and Pereira, 2009, Chapter 8 pp. 133-135)

Extracts from Chapter 7, Sex, Youth and Violence

"This chapter explores why young women have particularly high victimisation rates for sexual assault, why violence between young men remains such a concern, and why young men are responsible for far more than their share of these crimes. After reviewing the statistics about these highly gendered crimes, the chapter analyses the structure of hetero-normative sexual relations that characterise the links between youth, sex and violence. The argument is illustrated by three particular instances of violence – one a particularly brutal example of sexual violence unleashed upon a defenseless 14 year old at a beach party - a series of more recent scandals involving football stars and allegations of violence, insobriety and sexual violence played out off field – and violence that occurs mostly between young men. The chapter then examines how sexual assault complainants are typically treated when they seek legal remedies to having been sexually assaulted. This is a sobering exercise which illustrates time and again the inadequacies of the criminal justice system in dealing with sexual assault matters. This is even more so with child complainants. The chapter ends on a more positive note pointing to the possibilities for preventing sexual violence among young people through the cultivation of sexual ethics. This section draws upon work initially conducted by one of the authors with Moria Carmody (see Carmody and Carrington, 2000), but moves on to take its inspiration from the exciting new ideas recently developed by Carmody (2009)."

Why are some young men so violent toward each other?

Putting domestic violence aside, a great proportion of all other recorded assaults and acts of violence occur between men and young men in particular. Young men aged 20-24 experience the highest rate of assault in the Australian population (ABS, 2008). A good deal of bullying and physical violence also occurs among boys at school (Rigby, 1996). Risk factors identified with violent behavior include being young and male, having had childhood experiences of violence in the home, low levels of educational achievement, lack of anger management skills, mental illness and drug dependency, and easy access to firearms and weapons (Cameron, 2000:2). A great proportion of recorded acts of violence occur in or around licensed premises and recreational venues such as sporting venues, football matches and night clubs where large groups of young men congregate. Male on male violence that occurs in these cultural venues is thought to be fuelled by excessive alcohol consumption. Research on young men convicted for murder found that their homicidal violence was mostly spontaneous, unplanned and committed to defend male 'honor' (Polk, 1993). Where illegal activities are involved (such as disputes over illegal drug markets or firearms) violence may be the only means of conflict resolution available.

Anti-homosexual violence is a particular form of male on male violence largely motivated by homophobia and directed at the 'male other' – young men considered not to shape up to the ideals of aggressive, physical, strong and heterosexual masculinities (Plummer 2005). Tomsen argues that anti-homosexual killings occur in two main contexts - fatal attacks in public places committed by young men in groups and retaliations in private spaces in response to misunderstandings or unwanted homosexual advances (Tomsen, 2007:96-97). In both cases anti-homosexual violence is a form of offending similar to other forms of masculine violence, such as drinking related public order violence (Tomsen, 2007:97). Much confrontational violence between men is thought to be about defending male honor and exercising privilege and power (Tomsen, 2007:97). In what follows we unpack some of other specific dimensions of youth sex and violence.

Why is sexual violence so gendered?

While both girls and boys can be victims of sexual assault, nearly all sources agree that men (and young men in particular) have a virtual monopoly over crimes of sexual violence. Males

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account for 99% of offenders of sexual assault (ABS, 1996) and boys account for 99% of Children's court appearances for sexual offences (n = 155) (NSW BOCSAR , 2007: 69-72). A study of the characteristics of Australian juvenile sex offenders found that all were male, almost a half were repeat sex offenders, 80% were of anglo celtic background, 11.5% Indigenous, 4.3%, Pacific Islander, and another 4.3% were Asian (Kenny, Seidler, Blaszczynski, Keogh, 1999). The average age of convicted sex offenders in the study was 15.7 years. Physical coercion (use of a knife, gun, instrument or threat) was present in 47% of the incidents. Around half were assessed to have perceptual and cognitive disorders, 38% had deviant sexual fantasies, and 13% attributed their sexual violence to overwhelming impulsive urges (Kenny, Seidler, Blaszczynski, Keogh, 1999). Nearly all denied responsibility for their sexually violent conduct – with only 3% of the sample making a full admission (Kenny, Seidler, Blaszczynski, Keogh, 1999).

Violence does occur between same sex partners and is a phenomenon often overlooked in policy and academic research (Hayes, Jefferies & Ball, 2008)). Nevertheless, age and sex are the major predictors of the victimization of sexual violence. Young women aged 15-19 face the highest risk of victimization for sexual assault and conversely young men of the same cohort are more likely to commit sexual offences compared to older age groups of men (Leivore, 2003: 19). Hence adolescent males account for a sizable proportion of all recorded sex offences and adolescent females their victims. About one third of sexual assault victims will experience more than one attack (Salmelainen and Coumarelos, 1993:3). Those most vulnerable to victimisation tend also to live in disadvantaged residential areas. There are perplexing regional differences too with sexual assault rates on the whole higher in rural areas (Hogg & Carrington 2006; Lievore 2003).

...

It seems few adolescent boys escape the peer pressure to use sex with girls as a way of demonstrating their sexual prowess and masculine credentials. An Australian study of 100 young people observed that the young men who they interviewed felt they had to establish proof of their heterosexual male identity to their peers by bragging about their sexual encounters. This 'centred on whom they had sex with, what act acts they performed and how many times they "had scored"' (Carmody, 2009:37). Carmody quotes a young man she interviewed recalling how important is was to 'have sex when you're in school'. He recalls that 'if you went out with a girl and didn't seal the deal as such, you would cop it at footy training....' (Frank, 18 year old in Carmody, 2009:37).

A similar English study of 100 young men and 300 young women found that the young men they interviewed also struggled to promote themselves as masculine among their peers (Holland, Ramazanoglu and Sharpe 1993)). Boys who fail to demonstrate sexual prowess are vulnerable to being outcast and bullied. To avoid failure, and thus ostracism from the peer group, the authors of this research suggest that boys are drawn into sexual strategies where the purpose of having sex with girls is not to share an intimacy or express mutual affection- but to establish masculine identity. This is the larger cultural script that underlies a great deal of sexual violence that occurs in the context of young men growing up, engaging in the risky rituals of finding their manhood.

Studies also tend to confirm suspicions that young men who are less educated and come from lower socio-economic backgrounds are more prone to engage in risky sex and at an earlier age (Carmody, 2009:27). One explanation for the predominance of boys from lower socio-economic among the sex offending population is that young men who are marginalized, displaced and undergoing a crisis in establishing dominance and social status 'lash out against

the women and children they can no longer support economically nor control patriarchally' (Bourgois, 1996: 412).

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Sexual Violence: The Limits of Law & Criminal Justice

Most sexual violence remains hidden, unrecognised or unreported and thus outside the scope of formal means of regulation by the justice system (Carmody & Carrington 2000; Lievore 2003; Eggar, 2004). Fear of being ridiculed, stigmatized, further harmed or subject to ostracism explain why so few victims report being sexually assaulted to the authorities (see Carrington 1998). Estimates vary but only about one in 10 victims report being sexually assaulted to the police (Mouzas and Makkai, 2004). Of the small number of cases that proceed to court around 38% will be subsequently dropped by prosecutorial agencies largely due to insufficient evidence (Lievore, 2005:5) and only about one in ten will lead to a conviction (Fitzgerald, 2006:1). Victims who can demonstrate physical injury or other evidence of actively resisting their attack have a greater likelihood of leading to a conviction (Lievore, 2005:5). Those cases most likely to lead to a conviction were where the defendant pleaded guilty. This means certain types of victims face much higher prospects of not being believed and ending up feeling ridiculed and re-vicitimised by the legal remedies they seek. Hence sexual assault has one of the lowest reporting rates and highest rates attrition rates of any officially designated crime. The high rate of attrition undermines the criminal justice system's capacity to act as a deterrent to sex offenders.

The situation for child complainants is even worse. Child complainants in sexual assault matters report feeling hurt and overwhelmed after being subject to hours even days of annoying, demeaning, intimidating, harassing and repetitive cross examination (Eastwood, 2003:5). An Australian Institute of Criminology study of the experiences of child complainants in sexual assault cases, described one case where a crying child was asked more than 30 times to describe the length, colour and width of the penis of the accused and forced to draw the penis 'to scale' (Eastwood, 2003:5). When asked if they would go through the process again given their experiences of the criminal justice system only 44 % of children from Qld, 33% of children from NSW and 64 % of children from WA said they would (Eastwood, 2003:2). The majority in most states said they would not. ...

Young People, Violence Prevention and Ethical Sex

Given many instances of violence and sexual violence occur in cultural settings and personal contexts well insulated from the normalising gaze of regulatory influences such as schools, teachers, parents and justice agencies, the key to reducing its effects is to prevent it in the first place. The final part of this chapter canvases some novel approaches to preventing violence and sexual violence among young people. ....

Assuming that the strategies of violence, bullying and sexual domination to which some boys are drawn into are avoidable, researchers have attempted to identify what might actually prevent these delinquencies. We begin with looking at how to reduce violence between boys and then move on to discuss how to prevent sexual violence, most of which committed by young men upon young women. A number of services and programs have been identified in addressing issues of violence among people. These include adolescent drug and alcohol counselling and treatment programs, early childhood interventions where violence is known to occur in families, educating parents and guardians and providing targeted support to at risk parents, school based interventions aimed at reducing bullying and violence, anger

management services, improving relations between young men and the police, the provision of accessible recreational facilities for young people and pathways to skills and vocational training for young people at risk who have left school (Cameron, 2000:3-5). Unemployed young people not in school or further study have lots of time yet few resources to consume expensive leisure products such as movies, DVDs, skate rings, swimming pools, rock concerts, music festivals and the like. Some Local councils have taken advantage of crime prevention project funding to provide free skating parks and bicycle tracks aimed at diverting young men from otherwise becoming violent or committing petty crimes such as graffiti and vandalism (Cameron, 2000:5). While measures such as these are welcome they don't quite address the need for gargantuan cultural shift in the way young men perform their masculinity in cultural contexts where violence is valorized rather than condemned.

When it comes to measures specifically designed to address the problems of sexual violence, many are post assault interventions that occur after the assault (Carmody & Carrington 2000). Law reform, treatment programs with sex offenders, apprehended violence orders, post-trauma counseling, provision of victim support and the trial of specialized sexual assault courts are welcome policy developments which help address the problems that victims face, but none embody a particularly preventative focus.

Moira Carmody and Karen Willis (2006: 7) from the NSW Rape Crisis Centre have undertaken a major study of young people and sexual ethics. Their study, which included young people of diverse sexual orientations from rural and metropolitan NSW, explored the anti-violence educational needs of young men and women aged 16-25. Their findings indicate that the gender double standard is still a major influence on how young people negotiate sexual intimacy. The real novelty of the study is that it advances our understanding of the complexity of sexual intimacy and the processes of negotiating consent. Communication of verbal and non-verbal cues of consent were vital as whether or not the sexual encounters were ethical and mutually pleasurable. Their study found that the young people engaging in casual sexual encounters were less likely to have the rapport to effectively communicate consent, and hence the 'room for error' was higher in such contexts, especially where alcohol had been consumed (Carmody & Willis 2006: 77). Young women engaging in casual sex in particular reported an inability to speak, increasing the risk of unwanted sexual assaults, feelings of regret and of being used (Carmody & Willis 2006: 77). Herein lies the clue to negotiating mutually pleasurable ethical sexual encounters. The young women in their study who felt they had the capacity to negotiate mutually desirable sexual encounters 'were able to find a voice which was absent in many causal encounters' (Carmody & Willis 2006: 79). Hence Carmody and Willis argue that sex education which advises girls to simply 'say no' is misled as it places young women in a passive negotiating position and young men in a powerful negotiating position as the sexual aggressor (Carmody & Willis 2006: 80). Their research suggests the emphasis in sex education should be placed, not on how to refuse sex, but how to negotiate sexual intimacy ethically. They conclude, provocatively, that both parents and schools need to offer advice to young people that focus on the positive aspects of how to successfully negotiate sexual intimacy, something missing from most sex education manuals.

In a book length analysis of this pioneering study of young people and ethical sex, Carmody notes how many of the young people interviewed felt the personal development subjects at school did not prepare them for sexual intimacy, focusing instead on the biological aspects of sexual reproduction, the dangers of sex, the risk of sexuality transmitted deceases and falling pregrant (Carmody, 2009:59). Sex education is one of the few avenues of information offered to young people about sex. However what young people wanted and needed to know is almost completely absent from sex education in schools - 'the emotional aspects of sexuality' – discussion about desire, pleasure and the positive aspects of sexual intimacy, discussion

about same sex intimacy (Carmody, 2009:60). This leads to a decontextualisation of sex education and a disjuncture between young people's experiences and the formal curricula (Carmody, 2009: 63). These programs also generally fail to engage boys or provide them with an educational setting where they can ask questions and seek advice in a non-threatening environment about the positive aspects of sexuality (Carmody, 2009:60). They discovered a couple of noteworthy exceptions.

The Victorian Department of Human Services and the South Australian Department of Health have experimented with positive sex education courses. Sine 1993 Youth Justice in Victoria have been running an intensive treatment program for convicted male sex offenders aged 10-21, called Male Adolescent Program for Positive Sexuality (MAPPS). The program aims to reduce sexual abuse by reducing the risk of re-offending. One particularly praiseworthy aspect of the program is its intensity, weekly sessions over the length of the court order – on average almost a year (www.cyf.vic.gov.au/youth-justice/library/publications/mapps). One of the major inadequacies identified by evaluations of similar offender treatment programs running in the United States is that many were one off sessions and had no follow up component (Carmody and Carrington, 2000). This is not the case with MAPPS. An independent evaluation of the program found that only 5 percent of MAPPS clients reoffended, that young men took more responsibility for their conduct admitting to another 63% of sexual offences during their treatment, and that stakeholders, parents, youth works and justice professionals through very highly of the effectiveness of the program (www.cyf.vic.gov.au/youth-justice/library/publications/mapps).

South Australia piloted a positive sex education project called Sexual Health and Relationships Education (SHARE) with young people aged 13-15 from 15 secondary schools who volunteered and had parental permission. The program used a holistic approach with resources for parents, participants and school teachers. Evaluations of the program have been very positive and other states and educational institutions have developed programs based on promoting positive sexual relationships (Carmody, 2009).

Youth, Sex & Violence: Ending on a positive note

Given that most instances of sexual violence are unable to be regulated by criminal law by virtue of their manifestation in private – usually without witnesses necessary for corroboration, it is fundamentally important to focus on how to prevent it. The prevention of sexual violence requires the cultivation of positive expressions of masculinity, interaction and sexual conduct. In asserting that young men and boys are capable of forming positive sexually ethical relationships we have argued against thirty years of feminist wisdom on this topic and more than a century of Lombrosian criminological positivism. Young men (including footballers) do not form a species apart from humanity biologically pre-programmed to sexual assault and act violently. The challenge is how to engender a wider ethical culture opposed to the expression of violence and sexual violence, not through the disciplinary regimes of coyness that operate through disciplining the bodies of adolescent girls, but through the cultivation of a sexually responsible male citizenry, and a league judiciary and a criminal justice process genuinely capable of normalising those who fail their civic responsibility to fashion genuinely non-violent forms of male conduct and sexuality

(Source: Various Extracts, Carrington, Pereira, 2009 Chapter 7, Sex, Youth and Violence, pp. 106-120)

The last chapter of *Offending Youth* provides an overview of youth conferences, diversion and restorative justice strategies available in Australian jurisdictions, which members of the committee may find useful.

"This chapter provides an overview of new approaches to youth delinquency, modelled on principles of restorative justice and diversion From the early 1990s juvenile justice policies across Australian jurisdictions began introducing diversion programs such as police cautioning and restorative youth justice conferencing to prevent young people from entering the formal end of the juvenile justice system. This followed the recognition that punitive, retributive forms of justice stigmatize the offender and amplify deviance. In contrast to punitive models, restorative justice models of intervention stigmatize the deed rather than the offender, emphasize responsibility, negotiation, restoration, compensation, and reintegration, rather than retribution (Braithwaite, 1989). These models also ideally involve the offender and their family, the victim, and the community in the justice process to collectively decide how best to deal with the offence and make restitution for harms done (Bargen, Clancey and Chan, 2005). Victim involvement is an important aspect of justice missing from court processes where the role of the victim is usually confined to being a witness (Booth and Carrington, 2007). Diversion strategies have not been without their critics, partly because there is sometimes a misuse of police discretionary powers in issuing diversionary options, but mostly because these alternatives have resulted in net-widening for some groups of young people."

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[i]   **Data sources and quality issues**

Carrington has been collecting this administrative by-product data for 25 years. Over such a lengthy period changes in counting rules for matters heard before the New South Wales Children's Courts have impacted on the quality of time series and the direct comparability of certain time frames. Some of the changes in counting rules have followed changes to the data custodian of the juvenile justice collection. From 1960 to 1983 the data was maintained and published by the New South Wales Department of Youth and Community Services (or its predecessors), from 1984 to 1990 by the New South Wales Bureau of Crime Statistics and Research and since 1991 by the New South Wales Department of Juvenile Justice. For care and welfare matters, the data from 1990 was for the first time reported separately, by the Department of Community Services, following the formal separation of juvenile justice from child protection in this jurisdiction. Data for welfare matters after 1996 was no longer reported in a manner comparable with the time series. For this reason data for welfare matters after this date has been excluded from the trend analysis.

The counting rule for data from 1960 to 1982 was based on final court appearances, not individuals, or proven offenders. Data for 1983 was reported according to a different counting rule, idiosyncratic to the time series, and has been excluded from the trend analysis for this reason. From 1984 to 1987 unpublished data for finalised court appearances was extracted from the Children's Court collection. Data from 1988 to 1990 is based on a slightly different set of counting rules, namely proven offenders for criminal matters and proven matters for welfare offences. This data is not directly comparable to the rest of the time series and has been excluded from the analysis of trends in crime rates, although included in Table 1. Unpublished data from 1991 to 2004 for finalised court appearances by criminal matters is comparable to data collected from 1960 to 1982 and between 1984 and 1987.

The authors gratefully acknowledge the assistance of the New South Wales Department of Juvenile Justice for providing unpublished data disaggregated by sex from 1990-1991 to 2003-2004.

[ii]As previously outlined, similar caveats about the quality of the trend data apply in relation to changes in counting rules. Data prior to 1997 is not directly comparable to the rest the time series. Additionally the small frequencies for girls limit the reliability of the trend data.

[iii]   Caution is needed when interpreting percentage increases in violent offences on the basis of small absolute figures (see Naffine, 1987: 92-93, Beikoff, 1996: 17, and Burman et al, 2003 on this point).' ().