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Targeted Interventions to Reduce Youth Violence

- 4.1 There are many, often interdependent factors which combine to influence behaviour during childhood, adolescence and through into adulthood. Chapter 4 examines a diverse range of interventions that aim to reduce youth violence by decreasing risk factors and increasing protective factors which occur at individual, family and community levels.
- 4.2 Chapter 4 also includes consideration of strategies to reduce alcohol related violence and to improve safety through the implementation of best practice policing. While the emphasis in this Chapter is prevention and early intervention, consideration is given to interventions that aim to support the rehabilitation of young victims of violence and to reduce recidivism among young offenders.
- 4.3 Strategies to address societal level issues associated with social and economic disadvantage, and cultural influences which reinforce social norms and shape attitudes towards young people and violence will be considered in Chapter 5.

Approaches to Intervention

Risk and protective factors have been broadly categorised according to whether they occur at individual, relational, community or societal level. There are a large number of strategies and interventions that aim to reduce youth violence and its impacts on young people by targeting risk and protective factors occurring at each of these levels.¹ Regardless of which

1 Ms Linda Chiodo et al, Submission No 78, p 5.

level or levels are targeted, essentially strategies to address youth violence focus on reducing exposure to risk factors and building resilience by increasing exposure to protective factors.²

- 4.4 In addition, strategies and interventions to reduce youth violence can also be classified as primary, secondary or tertiary. As described by the Australian Institute of Family Studies (AIFS):

Primary prevention is targeted at the general community, aiming to promote healthy relationships. Secondary prevention targets at-risk groups and individuals such as young people who have experienced violence in the family home. Tertiary prevention involves those who have already experienced violence, including counselling programs, statutory interventions and perpetrator groups.³

- 4.5 While most evidence to the inquiry has emphasised early intervention and prevention (that is primary and secondary interventions), the need to also provide tertiary interventions to assist and rehabilitate young victims of violence, as well as to reduce levels of recidivism among young offenders is also acknowledged.

Individual

- 4.6 Individual approaches to addressing youth violence are generally aimed at reducing levels of aggressive and anti-social behaviour by assisting with the development of life skills.

Social Development Education

- 4.7 The value of social development programs as an intervention to reduce individual risk factors that contribute to violence and increase protective factors was raised frequently in evidence.⁴ As described in the submission

2 See for example: The Smith Family, Submission No 14, p 3; Commissioner for Children and Young People (WA), Submission No 33, p 4; Australian Research Alliance for Children and Youth (ARACY), Submission No 55, p 16; Mission Australia, Submission No 59, p 18.

3 Australian Institute of Family Studies (AIFS), Submission No 39, p 6.

4 See for example: The Smith Family, Submission No 14, p 4; The Hon Dr Bob MP, Submission No 15, p 5; Cairns Community Legal Centre Inc, Submission No 23, p 6; Matthew Stanley Foundation, Submission No 52, p 32; Mr David Morris, Submission No 64, pp 1-2; Mr Daniel & Mrs Jo Hames, Submission No 65, p 1, Attachment 1; Ms Linda Chiodo et al, Submission No 78, p 5.

from the Queensland Commission for Children and Young People and Child Guardian, social development programs:

... commonly include improving competency and social skills with peers and generally promoting behaviour that is positive, friendly and cooperative. Such programs can be provided universally or to high-risk groups and are most frequently carried out in school or alternative education settings. Programs that emphasise social skills appear to be among the most effective among youth violence prevention strategies. They also appear to be more effective when delivered to children in preschool and primary school environments rather than to secondary school students.⁵

- 4.8 Also emphasising the importance of early intervention, the submission from The Smith Family describes the value of pre-school enrichment programs and social development programs:

Preschool enrichment programs These aim to increase children's school readiness by providing them with early academic skills such as emergent literacy and numeracy, and emotional literacy, such as raising self esteem, problem solving, and empathy.

Social development programs These aim to promote pro-social behaviour and prevent aggression in children by developing life skills such as anger management, empathy, developing and maintaining healthy relationships, problem-solving and conflict resolution.

The positive long-term effects of these programs are most pronounced in children from disadvantaged backgrounds and at-risk groups, reducing involvement in violence and improving educational and employment outcomes.⁶

- 4.9 There was general consensus that social development interventions in early childhood have the greatest effect. However, the need for interventions to be appropriate to the developmental capacity of the child and to be provided continuously as the child transitions through key developmental stages was also noted.⁷

5 Queensland Commission for Children and Young People and Child Guardian, Submission No 66, p 7.

6 The Smith Family, Submission No 14, p 4. See also: Mr Daniel & Mrs Jo Hames, Submission No 65, p 1, Attachment 1; Queensland Commission for Children and Young People and Child Guardian, Submission No 66, p 7.

7 See for example: ARACY, Submission No 55, p 35; Mission Australia, Submission No 59, p 25; Ms Linda Chiodo et al, Submission No 78, p 5; Ms Deirdre Croft, Transcript of Evidence,

- 4.10 Reference was made in evidence to a number of social development programs. These programs aim to assist children and young people with moral development, anger management and conflict resolution, and to promote pro-social behaviours e.g. *Promoting Alternative Thinking Strategies (PATHS)*, *Second Steps*, *Rock and Water*, *Teach One to Lead One*.⁸ Reference was also made to social development programs which more specifically aim to promote development of respectful, healthy relationships and tolerance of diversity e.g. *LoveBites*, *Respectful Relationships*.⁹
- 4.11 A number of inquiry participants recommended that social development education interventions include clear and unambiguous information about the consequences of violent behaviour. This information should give young people a clear understanding of the potential impact of violence on victims and the consequences for perpetrators, including criminality. In this regard, the submission from Voices Against Violence observed:
- Schools need to reinforce and educate those values - but also to practice what they preach. Schools need to be able to effectively punish bad behaviour. We need a society and culture with respect for authority where those in authority can hand out a realistic consequence. Many schools currently run values based programs, however these programs need to be constructive and real and avoid pushing a 'warm and fuzzy - lets all be nice to each other' message. Such programs must teach consequences. They must outline there is a punishment consequence for inappropriate behaviour, and they must teach that there is an impact consequence for the receiver. Put simply children need to be taught the impact of hurting someone else.¹⁰
- 4.12 Evidence to the inquiry also included information on social development resources which have already incorporated components designed to educate young people about the consequences of their actions and of poor

24 February 2010, p 3; Professor Paul Mazerolle, Transcript of Evidence, 30 March 2010, p 15; Dr Kate Freiberg, Transcript of Evidence, 30 March 2010, p 30.

8 The Smith Family, Submission No 14, p 4; Cairns Community Legal Centre Inc, Submission No 23, pp 6, 7.

9 See for example: Ms Nina Funnell, Submission No 4, p 7; Nepean Domestic Violence Network, Submission No 18, p 4; UnitingCare Children, Young People and Families (UCCYPF), Submission No 45, p 18; Queensland Government, Submission No 46, p 11; Tasmanian Government, Submission No 56, p 9; NSW Government, Submission No 76, p 4; Ms Allyson Essex, Transcript of Evidence, 12 May 2010, pp 14-15.

10 Voices Against Violence, Submission No 67, p 5.

decision making. Examples include the *Skool Project*¹¹ and *Putting Youth in the Picture*.¹²

4.13 Recognising bullying as a widespread form of violence that occurs in various social settings, submissions have also identified the need for social development programs that specifically target bullying behaviour. Importantly, to be effective, evidence suggests that anti-bullying strategies need to assist both the victims and perpetrators of bullying.¹³ Again, evidence to the inquiry included reference to a number of anti-bullying social development interventions including *Solving the Jigsaw*, *Pride and Prejudice*, *Friendly Schools and Families*.¹⁴

4.14 In the context of changing communications technologies, a number of submissions considered options addressing the increase in cyber-bullying specifically. Professor Kerry Carrington of Queensland University of Technology (QUT) noted some of the difficulties of addressing cyber-bullying through increased regulation of the internet and other electronic forms of communication as follows:

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.¹⁵

4.15 Instead Professor Carrington suggested that the best approach to tackling cyber-bullying is through education about the safe and ethical use of internet and other electronic forms of communication, saying:

... 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 of the risks of cyberbullying ... Parents and young people can take control of cyberspace by target hardening their home computers with internet security tools,

11 Mr Michael Jeh, Submission No 73, Attachment 1, pp 1-4.

12 Province Promotions Pty Ltd, Submission No 71, pp 1-5. See also: Exhibits No 11 & 12.

13 Kalyan, Transcript of Evidence, 15 February 2010, pp 10-11.

14 See for example: ACT Government, Submission No 37, p 4; Queensland Government, Submission No 46, p 8; Tasmanian Government, Submission No 56, p 8.

15 Professor Kerry Carrington, Submission No 47, pp 8-9.

software to block fight sites, and regulating the unsupervised time slots allocated for accessing the internet.¹⁶

4.16 Youthlaw & Frontyard Youth Services also recommended that cyber-bullying strategies be directed to young people, parents and educators, suggesting:

- raising the awareness of young people about personal decision-making in on-line social spaces,
- educating parents and encouraging setting of appropriate controls for their children's engagement with digital-technology, and
- supporting teachers to assist in identifying students at risk of bullying or being bullies themselves.¹⁷

Early Education Facilities and Schools as the Hub of Social Development

4.17 While acknowledging the importance of families, particularly parents, in providing guidance and discipline to support the development of values, pro-social behaviours and life skills, it was recognised that this is not available to all children and young people in the home. As explained by Dr Adam Tomison, where the family environment does not provide adequate social learning, school provides a means for reaching a large number of children and young people:

If you take the assumption that maybe parents are not providing the attitudinal education that kids need, you have to look at alternative vehicles to do that and teach what is appropriate behaviour. A school, even though it is very busy in terms of its curriculum, is obviously an ideal venue to do that at varying ages. I am a quite big believer in the use of school for not just teaching reading, writing and arithmetic but also teaching social behaviour that you wish to have enforced through the community – appropriate standards of behaviour, as simple as public courtesy and all the way through to not assaulting people.¹⁸

4.18 Representing the Foundation for Young Australians (FYA), Mr Charby Ibrahim explained to the Committee:

We want young people to respect each other and to be able to empathise and sympathise and to develop a range of behaviours, but I do not think those things are necessarily innate all the time.

16 Professor Kerry Carrington, Submission No 47, p 9.

17 Youthlaw & Frontyard Youth Services, Submission No 35, p 9.

18 Dr Adam Tomison, Transcript of Evidence, 10 February 2010, p 12.

Also, it is not as though they are explicitly taught within everybody's nuclear family, not that the nuclear family is the norm anymore anyway. I really believe that there has to be very specific education within schools, not just violence prevention but a broader respect for relationships ...¹⁹

- 4.19 Also focusing on schools as a portal for social development education, the submission from UnitingCare Children, Young People and Families (UCCYPF) stated:

Probably the most important point for addressing violent behaviour is within the education system. Schools enable prevention and early intervention programs to reach a large number of young people and present a valuable opportunity to provide support for children and young people who are displaying or experiencing violent or antisocial behaviour.²⁰

- 4.20 Comments to the Committee from young people themselves were generally favourable to integrating social development education into schools. As explained by a young participant from the inquiry's Youth Forum in Melbourne:

... [we need to] teach people how to recognise violence and how to deal with it from a very young age. It could maybe be put into the curriculum when they are starting school. And it should not just be their teachers who teach them, but someone with some credibility – someone who has had experience in that area or a role model or someone like that – who would come in and teach these kids about the issue and how to deal with it, whether it be at home, on the street or in the school and whether it be cyberbullying or whatever.²¹

- 4.21 Another young participant emphasised the need for early intervention and sustained social development capacity building, saying:

We need to teach [young children] that even emotional bullying is not on, giving the conflict resolution skills at that age and then moving on to high school and equipping families with the capacity to deal with that at home as well and to educate their children. We talked about teachers possibly being equipped with the skills to

19 Mr Charby Ibrahim, Transcript of Evidence, 15 February 2010, p 31.

20 UCCYPF, Submission No 45, p 4.

21 Simon, Transcript of Evidence, 15 February 2010, p 9. See also: Ms Lauren Moss & Ms Hannah Woerle, Transcript of Evidence, 17 March 2010, pp 3, 5.

deal with violence in terms of taking preventative measures rather than addressing the issue when it happens.²²

4.22 The following comments on social development education were made by respondents to the inquiry's online youth survey:

Educate (especially in schools) about the possible outcomes of violence and bullying. Female, under 18 years, rural/remote

Have a proper education program. Most young people are getting no or wrong behavioural advice from their home environment e.g. lots of parents in 30/45 year old category know nothing of family life, family values and moral behaviour. Male, 18-24 years, regional city

Make it compulsory in schools to make the students aware of the repercussions and how violence among young people can change a person's life for the worse. Female, under 18 years, rural/remote

Some young people I know think it is okay to start a fight with someone when you disagree with them. I think teaching people how to express themselves in words and in logical ways would help them. Female, 18-24 years old, capital city

Violence has to be bred out of people by educating them about the more important aspects of life such as love, respect, human advancement, mental expansion, scientific exploration, arts, culture, music, creativity - this is the way to feed positive thought to those who need it and when they are occupied by these sorts of activities and life goals, then they will cease their senseless violent activity. Female, 18-24 years, capital city

4.23 While prevention of violence among young people is the ideal, some submissions identified the need to provide assistance for those who are at increased risk of violence or who have already been involved in violence either as a perpetrator or victim. In the school setting, it was suggested that better access to support from school counsellors, social workers or school chaplains is needed to prevent escalation of violence or repeat involvement.²³ The following comment was made by a respondent to the inquiry's online youth survey:

Provide more counsellors for victims to talk to and not just friends even though friends can be good in the short term, what good is it in the long term? Male, under 18 years, capital city

22 Heba, Transcript of Evidence, 15 February 2010, p 6.

23 See for example: National Council of Single Mothers and their Children Inc (NCSMC), Submission No 2, p 10; UCCYPF, Submission No 45, p 17.

Committee Comment

- 4.24 In view of the volume and strength of evidence to the inquiry, the Committee concludes that social development programs which teach and support effective interpersonal communication, life skills and pro-social behaviours will be an essential component of an early intervention and prevention strategy to reduce violence. With regard to effective implementation, the Committee understands the importance of initiating social development with very young children, including pre-school children, and continuing to support social skills capacity building in a developmentally appropriate framework.
- 4.25 The Committee believes that delivering social development programs through early education facilities and schools will have a number of benefits. Firstly, delivery through formal education systems will ensure that social development programs reach the vast majority of children and young people. Secondly, program delivery through these systems will ensure that understandings are consistent and will eliminate the perception of stigmatisation if the program were delivered to 'at risk' students only.
- 4.26 To ensure that social development programs are provided nationally, the Committee strongly supports the inclusion of social development as a core component of the national curriculum for kindergarten to year 12. The national curriculum is being progressively developed by the Australian Curriculum, Assessment and Reporting Authority (ACARA), which in turn reports to the Ministerial Council for Education, Early Childhood Development and Youth Affairs (MCEECDYA). The Committee notes that development, consultation and implementation of phases 1 and 2²⁴ of the National Curriculum are well progressed and due to be implemented by 2011.²⁵
- 4.27 Therefore, and in view of the volume and strength of evidence to the inquiry, the Committee recommends that MCEECDYA include social development education and training as an essential component in phase 3 developments for the national curriculum.

24 Phase 1 learning areas include English, mathematics, science and history. Phase 2 learning areas include geography, arts and languages. Phase 3 learning areas include information and communication technology and design and technology, health and physical education, economics, business, and civics and citizenship.

25 Australian Curriculum, Assessment and Reporting Authority (ACARA) website, viewed on 19 May 2010 at http://www.acara.edu.au/verve/_resources/What_are_the_AC_development_timelines.pdf.

Recommendation 2

4.28 **The Committee recommends that the Ministerial Council for Education, Early Childhood Development and Youth Affairs include social development education and training as an essential component in phase 3 developments for the national curriculum.**

4.29 With regard specifically to bullying, the Committee notes the 2009 *Bullying of Children and Young People* report produced by the General Purposes Standing Committee No 2 of the NSW Legislative Council. The report makes 25 recommendations which address a range of issues including:

- provision of more support and guidance to assist schools with the implementation of anti-bullying programs;
- improved training for teachers on how to identify and intervene in bullying situations;
- recruitment of additional school counsellors and more support for access to external counselling services for students;
- the need for anti-bullying education to be implemented as part of a broad focus on student well-being;
- the need to increase community awareness of the harmful effects of bullying and effect changes in attitudes to bullying; and
- the need to develop and implement a range of strategies to specifically address cyber-bullying.²⁶

4.30 The Committee believes that its own recommendation to make social development programs an essential part of the national curriculum will be instrumental in reducing bullying behaviour by promoting respectful relationships and tolerance of diversity. However, the Committee also appreciates as cyber-bullying is a relatively recent phenomenon, that different approaches may be required to address this issue.

4.31 Therefore, the Committee is pleased to note that cyber-bullying is one aspect of cyber-safety being investigated in more detail by the recently

26 General Purposes Standing Committee No 2, NSW Legislative Council (2009), *Bullying of Children and Young People*.

established Joint Select Committee *Inquiry into Cyber-Safety*.²⁷ The Committee looks forward to viewing the recommendations made in relation to cyber-bullying in due course.

4.32 In the meantime, the Committee is encouraged to see that the Australian Government has already proceeded to take action to address cyber-safety for young people through its Cybersmart initiative.²⁸ The Cybersmart website developed by the Australian Communications and Media Authority (ACMA) provides parents, teachers, librarians, children and young people with up-to-date, comprehensive and age appropriate online cyber-safety resources and assistance.

4.33 With regard to bullying and violence occurring in schools, the Committee notes that the *National Safe Schools Framework* (NSSF) is currently under review. Introduced in 2003, the NSSF:

... consists of a set of nationally agreed principles for safe and supportive school environments and includes appropriate responses that schools can adopt to address the issues of bullying, harassment, violence, and child abuse and neglect.²⁹

4.34 As noted below, the emergence of new communications technology is also the driver for the NSSF review:

Since the NSSF was first implemented in schools there has been an emergence of new technologies such as mobile phones and computers. These new technologies have resulted in a new type of bullying known as cyber bullying.

The NSSF also needs to incorporate recent changes to legislation regarding online crimes. Schools have expressed their concerns about their areas of responsibility given that many bullying activities now follow students home, or begin at home, through the use of computers and mobile phones.³⁰

27 Australian Parliament – Joint Select Committee on Cyber-Safety webpage, viewed on 20 May 2010 at <http://www.aph.gov.au/house/committee/jssc/tor.htm>.

28 Australian Government Cybersmart website, viewed on 1 June 2010 at <http://www.cybersmart.gov.au/>.

29 Australian Government – Department of Education, Employment and Workplace Relations (DEEWR) website, viewed on 20 May 2010 at <http://www.deewr.gov.au/Schooling/NationalSafeSchools/Pages/NationalSafeSchoolsFramework.aspx>.

30 Australian Government – DEEWR website, viewed on 20 May 2010 at <http://www.deewr.gov.au/Schooling/NationalSafeSchools/Pages/Frameworkreview.aspx>.

- 4.35 The Committee understands that the review of the NSSF is due to be completed by mid 2010 and presented to MCEECDYA for endorsement. The Committee looks forward to the release of the revised NSSF.
- 4.36 For young victims of violence, but also for perpetrators of violence who are frequently facing challenges of their own, the Committee believes that access to support and counselling services for students is critical to the early identification of problems and assisting young people to improve their social skills and to build resilience. While recognising that the provision of school counselling services is the responsibility of state and territory government departments of education, in accordance with recommendation 17 of the NSW 2009 *Report on Bullying of Children and Young People*³¹ the Committee urges action by state and territory education departments to recruit additional school counsellors.
- 4.37 However, the Committee believes that a broader approach to the provision of youth counselling and support services is needed to ensure adequate availability and access. Therefore, the Committee welcomes the additional \$79 million funding announced in the 2010 budget to support additional 'youth friendly' mental health services provided by Headspace, including drug and alcohol services. The additional funding, to be rolled out over four years, will deliver up to 30 new youth-friendly services as well as providing extra funding for the existing 30 Headspace sites.³²
- 4.38 The Committee believes that establishing partnerships to facilitate referral of students to community-based youth counselling services, such as those provided by Headspace, could provide a means for addressing shortages of counselling services, particularly where school services are limited or oversubscribed. Therefore the Committee recommends that the Australian Government, in consultation with state and territory governments and non-government stakeholders, examine options for establishing partnerships between departments of education and community-based service providers. The intention of these partnerships is to facilitate the referral of students to external counselling and support services where required and appropriate.
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31 Recommendation 17: That the Minister for Education and Training take immediate action to support the recruitment of additional school counsellors. Further, that the Minister consider adopting the model proposed by Public Schools Principals Forum, which would involve the recruitment of university graduates with social-work qualifications to undertake those functions of school counsellors that are not related to clinical assessment.

32 Australian Government - Department of Health and Ageing (DoHA) website, *Australian Government 2010-11 Health and Ageing Portfolio Budget Statements*, viewed on 15 June 2010 at <http://www.health.gov.au/budget2010>. See also: Various witnesses, Transcript of Evidence 12 May 2010, pp 3, 8-9.

Recommendation 3

- 4.39 **The Committee recommends that the Australian Government, in consultation with state and territory governments and non-government stakeholders, examine options for establishing partnerships between departments of education and community-based service providers to facilitate referral of students to external counselling and support services where required and appropriate.**
- 4.40 In addition, the Committee also notes that the Australian Government provides complementary support to school counselling services through the *National School Chaplaincy Program* (NSCP). For participating schools³³, the NSCP offers advice and guidance about ethics, values and relationships.³⁴ The NSCP program is currently being reviewed by the Department of Education, Employment and Workplace Relations. The review is being informed by a national consultation with key stakeholders (i.e. state and territory education departments, major service providers, representatives of independent and faith based school systems, peak representative bodies for parent and community organisations, principals and other relevant interest groups). The national consultation process aims to:
- ... consider the achievements and effectiveness of the NSCP, and its relationship with other student support activities. The process will canvass stakeholder views and issues in relation to future chaplaincy and pastoral care services, and other student support activities. A number of key issues will be examined including:
- NSCP achievements
 - relationship of the NSCP with other student support activities
 - what is/is not working well
 - current and future needs
 - potential target group(s)/priority areas
 - possible future program options

33 The NSCP is a voluntary program requiring schools to apply for annual funding to support school chaplains or pastoral care workers. Two funding rounds were conducted under the program in 2007, with schedule program completion in December 2011.

34 Australian Government – DEEWR website, viewed on 15 June 2010 at <http://www.deewr.gov.au/Schooling/NationalSchoolChaplaincyProgram/Pages/home.aspx>.

- funding model/mechanisms and funding requirements.³⁵
- 4.41 While noting the potential of the NSCP to provide students with pastoral care and spiritual guidance, the Committee notes that this is not a substitute for professional counselling or support services for students. In situations where demand for counselling services is high or in circumstances where student issues are complex, some students that initially approach school chaplains for advice may need to be referred to professional counselling services, either school services or external services.
- 4.42 To improve access to student counselling and support services, the Committee believes mandatory training for all school chaplains to assist with the early identification of students who may require professional assistance is essential. Furthermore, and as noted above, the Committee believes that establishment of partnerships and formal mechanisms for referral to other youth support services, including external counselling services, will enhance and extend the range of professional counselling options available to students.

Recommendation 4

- 4.43 **The Committee recommends that the Department of Education, Employment and Workplace Relations, as part of its review of the *National School Chaplaincy Program*, enhance and extend access to professional counselling and support service for students by:**
- **introducing mandatory training for all school chaplains to assist them with early identification of students who may require professional assistance; and**
 - **establishing partnerships and formal mechanisms for referral from the *National School Chaplaincy Program* to other student counselling or youth support services, including external counselling services where appropriate.**

35 Australian Government – DEEWR website, viewed on 15 June 2010 at <http://www.deewr.gov.au/Schooling/NationalSchoolChaplaincyProgram/Pages/home.aspx>.

Relational

- 4.44 Relational approaches are generally aimed at influencing the relationships that young people have with those that they interact with on a regular basis, such as family members and peers. Interventions are generally aimed at providing parents with effective parenting skills and supporting good family and peer relationships.

Family Relationships

- 4.45 The importance of stable, healthy and nurturing parenting and good family relationships raised frequently in evidence to the inquiry. As noted by Australian Bahá'í Community:

The first source of values education is the family. By the time children are old enough to enter school, they have unconsciously adopted many of the values that they experience at home. It is recognised that parental behaviour (particularly neglect or coercion) is a leading cause of violence amongst young people.³⁶

- 4.46 Positive parenting, including the provision of consistent messages, teaching children and young people to understand and respect boundaries was seen by many inquiry participants to be fundamental to establishing pro-social behaviour patterns and avoiding violence.³⁷ However, parenting skills were also seen by many to be deficient, particularly in certain family circumstances (e.g. those involving economic hardship, inadequate housing, domestic violence, parental substance abuse, lack of parental education).³⁸ The following comments on parenting were made by respondents to the inquiry's on-line youth survey:

Some people just need better parents. Female, under 18 years, rural/remote

Teach the parents how to raise their kids so they have guidelines, support and a conscience so they will have enough respect for others to not disrespect them in any way. Female, under 18 years, regional city

36 Australian Bahá'í Community, Submission No 58, p 2.

37 See for example: Ms Jo Howard, Submission No 3, pp 5-6; Dr Susan George, Submission No 13, pp 1-3; The Smith Family, Submission No 14, pp 6-8; Cairns Community Legal Centre Inc, Submission No 23, p 6; Matthew Stanley Foundation, Submission No 52, pp 28-29; Voices Against Violence, Submission No 67, p 5; Mr Paul Stanley, Transcript of Evidence, 30 March 2010, p 41.

38 See for example: Victim Support Australasia Inc (VSA), Submission No 1, p 7; Ms Jo Howard, Submission No 3, p 3; Voices Against Violence, Submission No 67, p 4.

- 4.47 In situations of intergenerational disadvantage, it was suggested that today's parents may themselves have lacked the benefit of good parental role models to teach them positive parenting skills.
- 4.48 Once again, early intervention to encourage the development of effective, stable and supportive relationships within families was considered by many to be critical.³⁹ The Commissioner for Children and Young People (WA) stressed the importance of early identification of families at risk, suggesting:
- Focusing efforts to support families in the early years with universal screening and information, and with targeted support for families identified with increased risk profiles is essential to improving the risk and protective factor balance for children and young people.⁴⁰
- 4.49 Some evidence to the inquiry called for universal access to pre-natal and post-natal nurse visitation programs for new mothers to identify parents that may require additional assistance.⁴¹ Evidence also called for increased access to positive parenting programs and programs to facilitate and promote strong and healthy parent/child relationships.⁴² Support for positive parenting and family relationships capacity building initiatives in evidence to the inquiry includes reference to a large number of interventions such as the *Positive Parenting Program (Triple P)*, *Communities for Children*, *Brighter Futures* and *Bringing up Boys*.⁴³

Committee Comment

- 4.50 The Committee notes the availability of a number of Australian Government and state/territory government programs to assist with building and developing strong, stable and healthy family relationships. For example, as part of the NSW State Plan, the Committee notes the

39 See for example: The Smith Family, Submission No 14, p 5; Cairns Community Legal Centre Inc, Submission No 23, p 6; Matthew Stanley Foundation, Submission No 52, p 25; Queensland Commission for Children and Young People and Child Guardian, Submission No 66, p 7.

40 Commissioner for Children and Young People (WA), Submission No 33, p 4.

41 See for example: UCCYPF, Submission No 45, p 18; NSW Government, Submission No 76, p 3; Professor Paul Mazerolle, Transcript of Evidence, 30 March 2010, pp 14, 21.

42 See for example: The Smith Family, Submission No 14, p 5; Cairns Community Legal Centre Inc, Submission No 23, p 5; Queensland Commission for Children and Young People and Child Guardian, Submission No 66, p 7; NSW Government, Submission No 76, pp 3-4.

43 NCSMC, Submission No 2, p 10; Cairns Community Legal Centre Inc, Submission No 23, p 5; NSW Government, Submission No 76, p 3; Professor Paul Mazerolle, Transcript of Evidence, 30 March 2010, p 21.

commitment made by the NSW Government by 2011 to:

- provide routine ante-natal and post-natal psychosocial assessments for all women who use the public system to identify any issues or areas of difficulty;
- offer all new parents a nurse home visit;
- offer parenting education to all parents of children aged 3-8 years by 2011; and
- extend its *Brighter Futures Program*, a program which aims to improve the level of support available to vulnerable families by providing access to a range of services, such as quality child care, case management, parenting programs and home visiting.⁴⁴

4.51 Furthermore, the Committee understands that the Australian Government is offering a number of interventions under its *Family Support Program*. Family and parenting services which provide early intervention and prevention services are a core component of the program, which aims to assist families to build and strengthen relationships, develop life skills and enhance relationships between parents and children.⁴⁵ Of particular relevance to the inquiry is the *Communities for Children* initiative which provides more than \$100 million between 2009-10 to 2011-12 to promote protective factors such as good ante-natal and maternal health and nutrition, good parental communication, positive parenting, family harmony and participation in broader social networks.⁴⁶ The program focuses on families with children up to 12 years of age who are at risk of disadvantage and operates at 45 sites around Australia.

4.52 In view of the expansion of a number of state based and national strategies to increase the resilience of children and young people by supporting the development of supportive and healthy family relationships, the Committee stops short of making specific recommendations. However, the Committee anticipates that the efficacy of these interventions will be assessed in due course through rigorous evaluation. The critical

44 NSW Government, Submission No 76, pp 10-11.

45 Australian Government - Department of Families, Housing, Community Services and Indigenous Affairs (FaHCSIA) website, viewed on 26 May 2010 at <http://www.fahcsia.gov.au/sa/families/progserv/familysupport/Pages/default.aspx>. See also: Ms Allyson Essex, Transcript of Evidence, 12 May 2010, pp 4-5.

46 Australian Government - FaHCSIA website, viewed on 26 May 2010 at <http://www.fahcsia.gov.au/sa/families/progserv/communitieschildren/pages/default.aspx>. See also: Ms Allyson Essex, Transcript of Evidence, 12 May 2010, pp 4-5.

importance of program evaluation is considered in more detail in Chapter 5.

Peer Relationships

4.53 As children grow older, the influence of parents decreases while the influence of peers increases. As noted in Chapter 3, peer pressure can be difficult for young people to resist. Where peer pressure involves anti-social behaviour and violence and the influence on behaviour is negative, positive messages from peers can also be powerful tools for encouraging positive behaviour.⁴⁷ The potential for peer influence to encourage positive behaviour was emphasised in the submission from Voices Against Violence which observed:

Young guys are probably the biggest influencers - they need to all step up and stop their stupid mates before they do something stupid. Don't encourage the behaviour by relishing in the stories of the fight he got into on the weekend - tell him he is an idiot.

If you've got a mate that gets aggressive when he has too much - stop him before he drinks too much. Young girls also play a big part. Also all need to stand up and give a clear message they don't want to be with someone that likes to punch on. Girls need to send a clear message that they are not impressed by thuggish behaviour.⁴⁸

4.54 As explained by Step Back Think and the Foundation for Young Australians, peer influence is a significant component of the *No Regrets* program.⁴⁹ In brief, as outlined by Step Back Think, *No Regrets*:

... targets years 9 to 12, with a focus on peer leadership and giving ownership of the problem to students. With the help of a number of volunteers and members of Step Back Think, '*No Regrets*' enables students to come up with ideas and methods for addressing issues of violence and problems of disrespect. It gives them the opportunity to think about ways of dealing with confrontational situations and aims to dispel myths over issues of

47 See for example: Matthew Stanley Foundation, Submission No 52, p 4; Various witnesses, Transcript of Evidence, 30 March 2010, pp 38-39.

48 Voices Against Violence, Submission No 67, p 5.

49 Foundation for Young Australians (FYA), Submission No 20, p 1; Step Back Think, Submission No 27, p 7.

violence, drugs and alcohol and the ability to make your own decisions.⁵⁰

- 4.55 In Brisbane, the Committee heard evidence relating to *Red Frogs*, another peer influence intervention. *Red Frogs* employs young volunteers to support school-leavers through schoolies weeks by providing a positive presence and practical support for young people within their party culture. Mr Leigh Drennan, a friend of Matthew Stanley who was tragically killed in 2005 at the age of 15 years as a result of a violent attack, described his experience as a *Red Frogs* volunteer on the Gold Coast as follows:

Probably the best example of [peer influence] was when I was down at Schoolies. There were five 17-year-olds walking down Cavill Avenue, not in a group but in a straight line – walking with the intention of knocking into someone or hoping that they could get a reaction out of someone. I happened to walk past them as a Red Frog worker, so I just went over to them and asked them if they wanted some red frogs. I ended up getting into a discussion with them and I talked about Matt and my friendship with Matt and how badly it had cut me up when he died. By the time I finished my discussion with them, their whole body language had changed. They walked away one behind the other. They went from having the intention of looking for a fight, going out at night and wanting to fight someone and getting into some sort of trouble, to being so affected by hearing my story that they walked away with totally different intentions for the night.⁵¹

Committee Comment

- 4.56 In addition to the increased risks of experiencing violence as a result of exposure to anti-social peer pressure, the Committee also recognises the very real potential for young people to exert positive influences on their peers. Rather than using ‘authority’ figures to transfer knowledge and skills, peer educators and volunteers use approaches and styles of communication which overcome traditional generational communication barriers. Furthermore, through their participation in education and guidance initiatives, the young volunteers themselves provide inspirational and positive peer role models for others.

50 Step Back Think, Submission No 27, p 5. See also: Mr Daniel Cronin, Transcript of Evidence, 15 February 2010, p 18.

51 Mr Leigh Drennan, Transcript of Evidence, 30 March 2010, p 39.

- 4.57 As with interventions at individual and community levels, the Committee understands the need for peer education programs and interventions to be rigorously evaluated. However, the Committee also believes that it is important for young people to be seen as part of the solution to youth violence rather than solely the cause of the problem. In this regard the Committee is aware that a number of inquiry participants have called for young people to be actively engaged in developing strategies to tackle youth violence.⁵²
- 4.58 The Committee agrees that seeking input from young people is essential to devising and implementing solutions to youth violence that are going to work for them. Indeed as part of its own inquiry the Committee has sought to engage with young people and to hear their views through the inquiry's online survey, and through talking to young people at public hearings and informal meetings. The Committee found this input to be invaluable, and acknowledges that young people themselves best understand the issues confronting them.
- 4.59 Therefore, the Committee strongly supports the Australian Government's approach to opening channels of communication between Government and young people through the Australian Youth Forum (AYF) and other consultative fora to identify issues of importance to youth and to actively engage young people in developing solutions.

Community

- 4.60 Community approaches to reducing youth violence generally aim to increase a young person's connectedness with their proximal social environment. Risk and protective factors involve:
- engagement with schools/education;
 - the built environment and infrastructure;
 - the availability of alcohol and drugs; and
 - the effectiveness of law enforcement and policing.

52 See for example: NCSMC, Submission No 2, p 1; Commissioner for Children and Young People (WA), Submission No 33, p 4; Queensland Government, Submission No 46, p 2; Queensland Commission for Children and Young People and Child Guardian, Submission No 66, p 1; NSW Government, Submission No 76, p 2; Mr Adair Donaldson, Transcript of Evidence, 30 March 2010, p 48.

Linking to Communities

- 4.61 The importance of establishing linkages between communities and young people to reduce youth violence was raised by a number of inquiry participants. For example, Mr Harry Hukin observed:

So many children do not get the nurturing that teaches discrimination, that enables discretion and discernment and social responsibility for the individual, so that they know they are part of the community, needed by the family, that they themselves have responsibilities involving contributions to society. In many ways they are left to fend for themselves.⁵³

- 4.62 The Commissioner for Children and Young People (WA) suggested that:

Strategies that improve engagement with children, young people and their communities are significant in addressing the impact of social exclusion and disengagement that often translates into violent and antisocial behaviour.⁵⁴

Connections with School

- 4.63 Several submissions note that strong engagement with school, characterised by good academic achievement and regular attendance, is a protective factor against violence.⁵⁵ The following comment was made by a respondent to the inquiry's online youth survey:

*EDUCATION!!! keep people in school and that will reduce fights.
Female, 18-24 years, regional city*

- 4.64 The UCCYPF observed:

For young people who come from a disadvantaged background or who have had few safe places in their lives, school represents a place where they feel safe and can be protected and supported.⁵⁶

- 4.65 Several submissions and witness statements raised concerns about the value of punitive measures such as school suspensions and expulsions,

53 Mr Harry Hukin, Submission No 72.2, p 1. See also: Hume City Council, Submission No 43, p 2; Mission Australia, Submission No 59, p 18; Ms Linda Chiodo et al, Submission No 78, p 6.

54 Commissioner for Children and Young People (WA), Submission No 33, p 4.

55 See for example: The Smith Family, Submission No 14, p 5; Mission Australia, Submission No 59, p 18; Youthlaw & Frontyard Youth Services, Submission No 35, p 8.

56 UCCYPF, Submission No 45, p 17.

suggesting that children are likely disengage further from education and become more marginalised.⁵⁷ As argued by ARACY:

While punitive approaches to violent and antisocial behaviour among young people (including school suspension or incarceration in juvenile justice facilities) may have short-term political and public appeal, we submit that policies and programs which have the effect of further alienating young people from constructive social engagement are likely to be counter-productive in the long term.⁵⁸

4.66 Based on the outcomes of their own research, the University of Melbourne's Centre for Adolescent Health reported:

We found that students who had been suspended from school were 70% more likely to engage in antisocial behaviour 12 months later. This effect was found even after examining the role of established influences such as family conflict and association with violent peers. Finding less punitive ways of dealing with challenging student behaviour may be one way to reduce violence in our young people.⁵⁹

4.67 UCCYPF suggested investigating alternatives to suspension and expulsion as strategies for managing anti-social and violent behaviours in schools, including implementing solutions that focus on effecting behavioural change.⁶⁰

4.68 Evidence to the inquiry, including statements made during informal discussions with young people and youth workers in Perth, suggests that young people are not always effectively supported during periods of suspension. Explaining that suspension and expulsion were sometimes seen as a reward or 'badge of honour' for violent behaviour, Jakob, a participant of the inquiry's Youth Forum told the Committee:

We agreed that schools are far too lenient in their deterrents. Suspension is virtually a reward. Who wouldn't want to sit on the couch for a week and watch TV?⁶¹

57 See for example: Youthlaw & Frontyard Youth Services, Submission No 35, pp 8-9; UCCYPF, Submission No 45, pp 16-17; Mission Australia, Submission No 59, p 23.

58 ARACY, Submission No 55, p 34. See also: Nosrat, Transcript of Evidence, 15 February 2010, p 13.

59 Centre for Adolescent Health, Submission No 24, p 2.

60 UCCYPF, Submission No 45, pp 16-17.

61 Jakob, Transcript of Evidence, 15 February 2010, p 4.

4.69 The importance of useful occupation during periods of suspension and for those young people who have disengaged completely from mainstream education was raised by the Centre for Multicultural Youth (CMY) which suggested that there is a need for:

Targeted and relevant alternative programs for those students who have been expelled or otherwise 'let go' from mainstream education.⁶²

Committee Comment

4.70 The Committee is aware of evidence showing that strong engagement with school reduces the risk of involvement in violence for a young person, while disengagement increases the risk of involvement. Low academic achievement and school failure were both factors associated with increased risks of disengagement from school. In this regard, and in accordance with the identified preference for early intervention, the Committee notes the introduction of the *Early Years Learning Framework* (EYLF). The EYLF is part of COAG's broader reform agenda for early childhood education and care. The EYLF is a key component of the *National Quality Framework* which will put in place new *National Quality Standards* to ensure high quality and consistent early childhood education and care across Australia.⁶³ In brief, the EYLF:

... describes the principles, practice and outcomes essential to support and enhance young children's learning from birth to five years of age, as well as their transition to school. The Framework has a strong emphasis on play-based learning as play is the best vehicle for young children's learning providing the most appropriate stimulus for brain development. The Framework also recognises the importance of communication and language (including early literacy and numeracy) and social and emotional development.⁶⁴

4.71 The EYLF is to be progressively implemented starting from July 2010, with full implementation commencing in 2012. The Committee believes that the EYLF will provide a nationally available mechanism to assist children

62 Centre for Multicultural Youth (CMY), Submission No 44, p 9.

63 Australian Government – DEEWR website, viewed on 21 May 2010 at http://www.deewr.gov.au/EarlyChildhood/Policy_Agenda/Quality/Pages/EarlyYearsLearningFramework.aspx.

64 Australian Government – DEEWR website, viewed on 21 May 2010 at http://www.deewr.gov.au/EarlyChildhood/Policy_Agenda/Quality/Pages/EarlyYearsLearningFramework.aspx. See also: Ms Kathryn Shugg, Transcript of Evidence, 12 May 2010, p 14.

from an early age to maximise their engagement with education and to manage the sometimes difficult transition to school.

- 4.72 An area of concern for the Committee, however, remains the widespread use of school suspension and expulsion. While recognising that schools need to have strategies for dealing with students who are disruptive, the Committee is concerned by evidence that suggests suspension and expulsion, particularly in the absence of adequate supports, is likely to increase student disengagement further.
- 4.73 In this regard the Committee notes information provided by the ACT Government relating to the trial of a pilot program which provides access for suspended students and their families to a suspension support team (SST) comprising a psychologist, a social worker and a school management consultant. Through the program the SST will provide advice and support for families and schools for addressing the issues responsible for the suspension. The pilot is due to be evaluated at the end of 2010.⁶⁵
- 4.74 Although school suspension and expulsion policies are the responsibility of state and territory government departments of education the Committee urges jurisdictions to review the policies with a particular focus on providing support for suspended students to assist them to reengage with education.

The Built Environment and Infrastructure

- 4.75 A number of submissions emphasised the importance of the built environment and infrastructure in developing connectedness with the neighbourhood and reducing crime and violence. Problem behaviours are most likely to occur in areas that suffer from overcrowding and where rapid population growth means that the needs of the community exceed the capacity of available services. For example, the Gold Coast City Council (GCCC) observed:

High rates of population growth have placed pressure upon the planning, provision and management of social infrastructure. There are major short falls in community facilities and services across the [Gold Coast], particularly in the north, where there is a high need for community facilities, affordable housing, sport and

65 ACT Government, Exhibit No 9.

recreation facilities, community development services, public transport services, and individual and family support services. The lack of social facilities and services, increases young people's vulnerability to crime and violence.⁶⁶

- 4.76 To address this the GCCC recommended an expansion of the Regional Local Community Infrastructure Program (RLCIP), an Australian Government program administered by the Department of Infrastructure, Transport, Regional Development and Local Government (DITRD LG) which provides funding to local government authorities to assist with building and modernising of community infrastructure.⁶⁷
- 4.77 Several submissions identified the need for young people to have access to appropriately located and well designed 'youth friendly' spaces, including public spaces, where young people can congregate safely and also feel part of the wider community.⁶⁸ The following comment was made by a respondent to the inquiry's online youth survey:

In neighbourhoods that are known for trouble, (e.g. drugs, violence, gangs etc), there needs to be places where youth can go, hang out and play games such as billiards or playstation, and there can also be information about schools, cafes and uni's and jobs that they can do after school. Also details of voluntary work that is available. Female, under 18 years, regional city

- 4.78 Research shows that young people frequently report feeling unsafe in public areas. While many young people congregate in groups for social reasons, some also report doing so for their own safety. However, groups of young people in public places are generally viewed with suspicion by the community and may be perceived as intimidating or threatening. The Commissioner for Children and Young People (WA) noted the outcome of a recent survey which reported that more than 50% of children surveyed felt that they were not made to feel welcome in public spaces.⁶⁹
- 4.79 According to the submission from Youthlaw & Frontyard Youth Services, research shows that the use of 'move on' powers to disperse groups from public areas have not been successful in reducing crime.⁷⁰ Rather, several

66 Gold Coast City Council (GCCC), Submission No 68, p 1.

67 GCCC, Submission No 68, p 2.

68 Nepean Domestic Violent Network, Submission No 18, p 1; CMY, Submission No 44, p 3; Mr Chris Chappel, Submission No 63, p 3.

69 Commissioner for Children and Young People (WA), Submission No 33, p 4.

70 Youthlaw & Frontyard Youth Services, Submission No 35, p 10.

submissions recommended more active engagement with children and young people in designing youth friendly public spaces and facilities.⁷¹

- 4.80 Access to reliable and safe public transport emerged as a significant infrastructure issue for young people. Young people are reliant on public transport and many have identified public transport, including train stations, bus interchanges and taxi-ranks, as high risk areas.⁷² Shortages of public transport at night and in the vicinity of entertainment precincts when venues close was raised as particular issues.⁷³ Commenting on this, Step Back Think observed:

Taxi ranks are rare and patrons are often refused service because their fare is apparently insufficient. Thousands of people are forced to squabble over taxis and mill around in the city late at night, sometimes for hours.

Public transport is limited after midnight and as a result, train stations become isolated places. A cycle ensues as stations have a reputation for being unsafe places. This drives the number of commuters down, meaning transport companies cannot justify running late night services.⁷⁴

- 4.81 In addition to increasing the availability of public transport, suggestions for improvements to public transport safety included better lighting, increased surveillance and monitoring and an increased security presence.⁷⁵ The following comments were made by respondents to the inquiry's online youth survey:

Definitely need more night time public transport to keep people off the street at late hours. Male, under 18 years, capital city

Bus interchanges in Canberra are a no-go zone after dark, and I worry a lot about assaults on campus at night too. Public transport should be a

71 See for example: Nepean Domestic Violence Network, Submission No 18, pp 5-6; Commissioner for Children and Young People (WA), Submission No 33, p 4; CMY, Submission No 44, p 3.

72 See for example: ACT Government, Submission No 37, p 2; Youthlaw & Frontyard Youth Services, Submission No 35, p 11; Queensland Commission for Children and Young People and Child Guardian, Submission No 66, p 8; Heba, Transcript of Evidence, 15 February 2010, p 6.

73 Step Back Think, Submission No 27, p 3.

74 Step Back Think, Submission No 27, p 3.

75 See for example: AIFS, Submission No 39, p 6; Queensland Commission for Children and Young People and Child Guardian, Submission No 66, p 8; Heba, Transcript of Evidence, 15 February 2010, p 6.

lot more frequent at night so people aren't left stranded or forced to walk home. Female, 18-24 years, capital city

Have better guards and police on public transport. It's really unsafe at night and I know people talk about gangs and drunk people on trains having fights. Male, under 18 years, capital city

Committee Comment

- 4.82 The Committee recognises the important influence of the built environment and infrastructure to developing cohesive and strong communities. Access to a range of services for families and individuals, particularly in areas of high population density or experiencing rapid population growth, is critical. For young people specifically, who often do not have access to their own 'private space', youth friendly public spaces and facilities are important realms in which to socialise. The dependence of young people on public transport also makes them particularly vulnerable to deficiencies and risks in public transport infrastructure.
- 4.83 While responsibility for infrastructure generally lies with state/territory governments and/or local government authorities, the Committee notes the support that has been provided to local government authorities for community infrastructure under the RLCIP. Two rounds of RLCIP funding totalling \$1.2 billion have been provided to support a diverse range of infrastructure projects. Funded projects have included development and improvement of social and cultural infrastructure (e.g. sports grounds and recreations facilities), youth facilities (e.g. community and youth centres) and public transport infrastructure. The RLCIP was part of the Australian Government's Nation Building Economic Stimulus Plan.
- 4.84 The Committee believes that additional strategic funding to develop community infrastructure, specifically youth friendly public spaces, youth facilities and improved public transport infrastructure will help to develop and support connectedness of young people with their communities. Therefore, the Committee recommends that the DITRD LG provide additional strategic funding for the development of community infrastructure to assist communities to become more 'youth friendly'. The funding should be awarded on a competitive basis to local government authorities that can demonstrate communities with the greatest need for additional social/cultural facilities and/or infrastructure to support youth. These could include communities experiencing rapid population growth, or more established communities with inadequate or ageing infrastructure.

Recommendation 5

- 4.85 **The Committee recommends that the Department of Infrastructure, Transport, Regional Development and Local Government provide additional strategic funding for the development of community infrastructure to support communities to become more ‘youth friendly’. The funding should be awarded on a competitive basis to local government authorities that can demonstrate communities with the greatest need for social/cultural facilities and/or infrastructure to support youth.**
- 4.86 Bearing in mind that urban planning and infrastructure are primarily responsibilities of state and territory governments and local authorities rather than of Australian Government, the Committee also strongly encourages the responsible authorities to actively engage with young people when planning youth friendly public spaces, youth specific facilities and in the planning the provision of adequate and safe public transport options.

Alcohol and Violence

- 4.87 Availability and access to alcohol and other drugs, as well as tolerant attitudes towards alcohol consumption and drug use at family, local and community levels are factors known to increase the risk of becoming involved in violence. As noted in Chapter 3, although use of illegal drugs is believed to contribute to youth violence, consumption of alcohol is the most concerning issue due to levels of drinking in the community and the well established association between alcohol and violence. A number of inquiry participants also observed that drinking alcohol is part of Australia’s social and cultural fabric. As such, alcohol and alcohol-related violence is not only a ‘youth’ issue, but part of a wider social issue.
- 4.88 While using social marketing to change community attitudes towards alcohol is considered in Chapter 5 of the report, this Chapter addresses issues associated with control and regulation. There was widespread support in evidence for governments to explore and implement a diverse

range of measures to reduce the harmful consumption of alcohol and associated alcohol-fuelled violence.⁷⁶ Common suggestions include:

- enacting nationally consistent liquor licensing legislative reforms to restrict access to alcohol by decreasing the physical and economic availability of alcohol (e.g. by raising the minimum legal drinking age, increasing taxes on alcohol, restricting the density of alcohol outlets and restricting outlet opening times, mandatory responsible service of alcohol (RSA) training for staff at licensed venues);⁷⁷
- enacting nationally consistent liquor licensing legislative reforms to mitigate against the risks of alcohol-fuelled violence by improving the physical environment in licensed premises (e.g. reducing overcrowding by establishing national standards for occupancy loading, reducing ‘vertical drinking’⁷⁸ environments by requiring floor plans to include dance floors, seating areas and quiet areas etc);⁷⁹
- improved policing and enforcement of liquor control laws and regulations;⁸⁰
- limiting the way alcohol is advertised and served to young people and raising awareness of the linkages between consumption of alcohol and increased levels of violence;⁸¹ and
- developing nationally consistent principles and practices regarding supply of alcohol to minors (secondary supply), including legislation around the service of alcohol to minors on private premises.⁸²

4.89 One of the challenges identified with regard to increasing and enforcing stronger liquor control measures relates to the deregulation of the liquor industry. Specifically, it was noted that the National Competition Policy

76 See for example: Mr Kelvin Thomson MP, Submission No 10, pp 1-2; Community Legal Centre Inc, Submission No 23, p 7; Queensland Government, Submission No 46, p 9.

77 See for example: VicHealth, Submission No 26, pp 5-7; Alcohol and other Drugs Council of Australia (ADCA), Submission No 28, pp 5-6, 12; Australian Drug Foundation (ADF), Submission No 29, p 5; UCCYPF, Submission No 45, p 9; Queensland Government, Submission No 46, pp 9-10; ARACY, Submission No 55, p 23.

78 Vertical drinking environments are those which ‘encourage’ the consumption of alcohol by providing limited spaces to sit, limited surface on which to rest a drink and limited options for engaging in non-drinking activities such as eating, dancing or conversation.

79 See for example: ADCA, Submission No 28, pp 10-11; Mr Jono Chase, Transcript of Evidence, 15 February 2010, pp 20-21.

80 See for example: ADCA, Submission No 28, p 14; ADF Submission No 29, p 8; ARACY, Submission No 55, p 24.

81 See for example: ADCA, Submission No 28, pp 5-6; UCCYPF, Submission No 45, p 9;

82 See for example: ADF, Submission No 29, p 11.

(NCP) which requires states/territories to remove regulatory obstacles to competition in all industries, including the liquor industry, has contributed to the ready availability and accessibility of alcohol.⁸³ Although it is possible for an industry to be exempted from NCP on the basis of the 'public interest', according to Step Back Think:

... minimising of harm has come off second-best in the pursuit of a competitive, alcohol-fuelled market.⁸⁴

4.90 Although support for increased controls and restrictions to be applied to the liquor industry was widespread in evidence to the inquiry, it was not universal. The submission from the Australian Hotels Association (AHA) argued that no further controls are needed, noting that the liquor industry is already subject to extensive regulation.⁸⁵

4.91 A number of submissions commented favourably on voluntary participation in local liquor accords, which bring together a range of stakeholders to reduce harmful drinking, including representatives of the liquor industry and community representatives.⁸⁶ To complement this form of self-regulation, Step Back Think proposed establishing an interactive website called *Rate Your Venue*. Step Back Think described their proposal as follows:

Marketed as a gig guide this website would provide information about live music, good food, events and promotions, while also offering a safety rating based primarily on patron feedback but also on Victorian police statistics. The website would tackle, amongst other things, information about whether bouncers are 'male friendly' or unnecessarily violent at a particular venue, the street lighting, how long queues tend to be and whether it's easy to get transport (particularly taxis) to and from a venue.⁸⁷

4.92 Also in support of a collaborative approach with the liquor industry, Mr Adair Donaldson of Province Promotions noted the potential for unintended consequences with over-regulation, observing:

83 ADF, Submission No 29, 7. See also: Step Back Think, Supplementary Submission No 27.1, pp 1-5; GCCC, Submission No 68, p 2.

84 Step Back Think, Supplementary Submission No 27.1, p 3.

85 Australian Hotels Association (AHA), Submission No 49, pp 10-11.

86 See for example: Queensland Government, Submission No 46, p 7; AHA, Submission No 49, pp 8-9; Matthew Stanley Foundation, Submission No 52, pp 13-14; NSW Government, Submission No 76, p 5.

87 Step Back Think, Submission No 27, pp 6-7.

I also think we need to adopt a collaborative approach with the alcohol industry, rather than an adversarial approach ... Here in Queensland, the government was naming and shaming venues and putting further licensing controls on them. In the past the publicans had been cooperating with the police. If somebody was acting up in their hotel they would hold them until the police arrived and then pass them over to the police and provide all the imagery to ensure the most successful chance of a prosecution. But, of course, as soon as that started counting against them, they thought, 'Bugger this, what's the point in doing that? We might as well grab him, put him outside and then ban him from coming into the venue.' There was no benefit for them to do the right thing.⁸⁸

- 4.93 The possibility of other unintended consequences of restricting access to alcohol was raised by a number of inquiry participants. For example, with regard to raising the legal drinking age, Simon, a participant of the Melbourne Youth Forum noted:

We looked at the drinking age and how it has been talked about being raised to 21. We thought that would not help; it would only encourage people to go and drink in public places such as public transport, in the park and wherever else. As we know, underage drinking does occur. It is hard to stop. Raising the drinking age would create less safe environments for people to go and drink, so would only increase the violence.⁸⁹

- 4.94 Similarly the AHA also commented as follows:

If you make it harder for licensed premises, which are subject to stringent regulatory behaviour requirements, to operate and you push drinking behaviour out into the parks, the backyards and all of that, you are actually going to create an environment where drinking will be less regulated and the potential for uncontrolled violence will be more evident.⁹⁰

- 4.95 The risk of alcohol price increases simply shifting activity from one problem behaviour to another was also raised. As Mr Thomas McGuire of the AHA told the Committee:

88 Mr Adair Donaldson, Transcript of Evidence, 30 March 2010, p 50.

89 Simon, Transcript of Evidence, 15 February 2010, p 8.

90 Mr William Healey, Transcript of Evidence, 3 February 2010, pp 2-3.

The problem we can see is that, the more expensive our drinks become, the more attractive the [illegal] drug is.⁹¹

4.96 Similarly the National Council of Single Mothers and their Children (NCSMC) observed:

One of the difficulties of drug and alcohol policies is that restricting supply of one drug or form of supply can lead users to change to more harmful substances which may be cheaper or more readily available. The 'alcopop' tax, for example, lead many young people to purchase spirits to mix themselves, rather than use the more expensive, but dosage controlled, pre-mixed drink. Policymakers in this area need to research the views and behaviours of substance abusers to identify the impacts of proposed policies and ensure that the planned policy will not shift users to more harmful behaviour.⁹²

4.97 In relation to underage drinking specifically, evidence shows that this tends to occur away from licensed premises taking place most frequently in public spaces (parks, public transport etc) and on private premises (parties at private residences etc), creating a different set of risks.⁹³ As explained by Mr Donaldson:

If, for one moment we have a look at the hotel as a drinking environment, we know that every one of those people working there have to be trained in the responsible service of alcohol and they have to have proper security because they know that if they do not do those things there are going to be tough penalties for them. However, when you look at drinking at private premises, particularly at underage parties, invariably there is no security and no monitoring of how much alcohol is being consumed. I believe there is far greater risk for patrons in private premises than there is in licensed premises.⁹⁴

4.98 On a number of occasions inquiry participants noted the role of family members (including parents and siblings) and older friends in supplying alcohol to people under the age of 18 years. The Australian Drug Foundation (ADF) described the extent of 'secondary supply' of alcohol to under 18s noting:

91 Mr Thomas McGuire, Transcript of Evidence, 3 February 2010, p 8.

92 NCSMC, Submission No 2, p 8.

93 See for example: AHA, Transcript of Evidence, 3 February 2010, p 2; Mr Adair Donaldson, Transcript of Evidence, 30 March 2010, p 51.

94 Mr Adair Donaldson, Transcript of Evidence, 30 March 2010, p 51.

Studies on how and where young drinkers acquire alcohol reveal young people find it easy to obtain. Parents are the most common source of alcohol for secondary school students, with 37% of 12- to 17-year-olds indicating their parents gave them their last drink. The proportion of students whose parents supplied them with alcohol was significantly greater among younger students (39%) than older students (35%). The three main locations in which current student drinkers consumed alcohol were the family home, a friend's home or at a party.⁹⁵

- 4.99 The following comments were made by respondents to the inquiry's online youth survey:

Alcohol isn't just a problem when sold straight from the store to young people, but many of them actually get it from their parents or an older friend. Female, under 18 years, regional city

Make the people responsible for supplying alcohol to under 18s have greater penalties. Female, under 18 years, rural/remote

- 4.100 Some evidence noted that there are jurisdictional differences in relation to the regulation of secondary supply of alcohol to minors on private premises. Only three states (Queensland, NSW and Tasmania), have legislation which places limits on the circumstances under which adults can supply alcohol to minors on private premises. The ADF and others have recommended the introduction of nationally consistent legislation based on the Queensland model which:

... deems [supply of alcohol to minors on private premises] illegal unless the young person's parent or responsible adult has given prior approval; the amount of alcohol supplied is not excessive; and the server provides adequate supervision of the young person. Otherwise provision of alcohol to young people is regarded as 'irresponsible supply' and is unlawful.⁹⁶

- 4.101 Proponents of this approach however also stress the need for secondary supply sanctions to be accompanied by a national comprehensive communication and education campaign targeting both parents and teenagers.⁹⁷

95 ADF, Submission No 29, p 11.

96 ADF, Submission No 29, p 11. See also: Leigh Clark Foundation, Submission No 69, p 2.

97 ADF, Submission No 29, p 11; Leigh Clark Foundation, Submission No 69, p 2.

Committee Comment

- 4.102 The Committee acknowledges that the vast majority of Australians consume alcohol at safe levels and behave responsibly. Nevertheless, the evidence regarding the impact of irresponsible and excessive alcohol consumption, including evidence linking alcohol consumption with increased risks of being involved in violence, is compelling. In this environment the Committee understands that reducing the harmful effects of alcohol is an area of active concern for the community and for policy makers at all levels of government.
- 4.103 Of particular relevance, the Committee notes recommendations made in two recent reports that have examined options for minimising the harmful effects of alcohol, including alcohol-related violence. Firstly, in September 2009 the National Preventative Health Taskforce published its *National Preventative Health Strategy: Australia the healthiest country by 2020*.⁹⁸ The Taskforce's report identified a number of key action areas for reducing the harmful effects of alcohol through a range of fiscal, regulatory and social marketing measures.
- 4.104 Then in March 2010 the Law, Justice and Safety Committee of the Queensland Legislative Assembly released the report from its *Inquiry into Alcohol-Related Violence*.⁹⁹ Broadly endorsing the recommendations of the National Preventative Health Taskforce, the Legislative Assembly's report makes a total of 68 recommendations addressing a wide range of issues, and includes recommendations to:
- mitigate risks in licensed venues (e.g. by mandating RSA training for staff, encouraging improved electronic surveillance in and around venues, limiting trading hours, restricting the use glass etc);
 - improve the enforcement of liquor licensing laws by increasing resources to support enforcement by the relevant government officials and by increasing police numbers in entertainment precincts at times of high activity;
 - provide improved access to public transport to assist with the safe and efficient departure of large numbers of patrons from entertainment precincts when venues close;

98 National Preventative Health Taskforce, *National Preventative Health Strategy: Australia the healthiest country by 2020*, viewed on 15 June 2010 at <http://www.preventativehealth.org.au/>.

99 Law, Justice and Safety Committee of the Queensland Legislative Assembly, *Inquiry into Alcohol-Related Violence – Final Report*, viewed on 15 June 2010 at <http://www.parliament.qld.gov.au/view/committees/documents/lcsrc/reports/Report%2074.pdf>.

- restrict alcohol promotional activities, including implementing bans on advertising of discount liquor;
- support the development of local liquor accords; and
- foster positive cultural change in community attitudes towards alcohol.

4.105 In May 2010 the Australian Government released its response to the Taskforce's recommendations, *Taking Preventative Action: A response to Australia the healthiest country by 2020*. Therefore the Committee understands that the Australian Government has already committed to a number of key actions aimed at reducing the harmful effects of alcohol. In this context the Committee particularly adds its support to initiatives being progressed through COAG and the Ministerial Council on Drug Strategy (MCDS) to:

- harmonise liquor control laws and regulations across states and territories;
- to implement best practice policing and enforcement measures; and
- to support community inclusive initiatives such as liquor accords.

4.106 The Committee is also strongly in favour of the Government's support for developing a nationally consistent approach and strengthening legislation relating to secondary supply of alcohol to minors. The Committee will present its views later in the report on the use of social marketing campaigns to effect cultural change in community attitudes to alcohol.

4.107 The Committee notes that a number of submissions to the inquiry have suggested that restrictions to liquor licensing should be linked to reforms to the NCP. However, the Committee feels that it would be inappropriate to utilise the NCP, which is essentially an economic policy framework to support the principles of commercial freedom, to bring about social policy outcomes. Instead, the Committee believes that a national policy approach comprising the suite of initiatives currently being progressed through COAG will have a more direct and significant effect on reducing the harmful effects of alcohol, including alcohol-related violence impacting on young Australians.

Best Practice Policing

4.108 At community level, effective policing and enforcement of laws have been identified as important protective factors against violence. As noted by the Australian Institute of Criminology (AIC):

There is a great deal of evidence that suggests that police practices can also have an impact on crime. It should be noted however that while some police practices can reduce crime, others may have no impact, and still others may actually inadvertently increase crime. Importantly, police often come into contact with at-risk young people before other agencies. As such, they can play a crucial role in reducing youth violence.¹⁰⁰

- 4.109 Highlighting the potential for tensions between young people and the police, particularly in some communities, a participant of the inquiry's Melbourne Youth Forum explained:

The other issue is the police – they are totally against young people. If we are to survive as a society – and we are the future – we need to have the police on our side. We need them to look at us first. If we drink, smoke or do whatever young people do these days, do not look at that – see the young person first. A lot of young people get hurt by the police. A lot of communities are afraid of them, so the police need to do mental health training and to study psychology, sociology, people's cultures and stuff and how to deal with different communities. Some communities can be approached easily, while some communities are very scared of the police.¹⁰¹

- 4.110 Another participant of the Youth Forum observed:

The police can act as a deterrent but there also needs to be rapport between young people and the police so that young people do not feel targeted by the police. They need to feel that the police are people that they can go to. That would maybe enhance the reporting [of crime] because we recognise that for young people it is quite difficult for them to report for various reasons.¹⁰²

- 4.111 Evidence has included a range of suggestions for optimising the effectiveness of policing and law enforcement. Some have indicated that there are demonstrable benefits associated with increasing the police presence in areas of need and in known trouble 'hotspots' as this improves the capacity of the police to respond rapidly to emerging issues and to prevent the escalation of violence.¹⁰³ There was also a significant level of
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100 Australian Institute of Criminology (AIC), Submission No 57, p 11.

101 Nasro, Transcript of Evidence, 15 February 2010, p 12.

102 Heba, Transcript of Evidence, 15 February 2010, p 7.

103 Ms Amanda Beattie, Submission No 6, p 3; Centre for Adolescent Health, Submission No 24, p 3; WA Government, Submission No 75, p 5; Simon, Transcript of Evidence, 15 February 2010, p 8.

support for community policing initiatives to build positive relationships between law enforcement authorities and young people.¹⁰⁴ Programs supported in evidence include the *School Based Police Officers Program*, *Adopt a Cop* and initiatives such as the network of Police and Citizens Youth Clubs (PCYC).¹⁰⁵

- 4.112 The importance of policing strategies which are tailored to address the needs of diverse groups of young people and communities was also raised. For example, the CMY observed:

There is a lack of cultural appropriateness and flexibility within the police and justice system. Often there is a lack of translated material available to a victim, an inadequate use of interpreters and a lack of understanding of how the experience of being a refugee impacts on a young person's settlement in Australia.¹⁰⁶

- 4.113 The CMY described its *Youth Referral and Independent Persons Program (YRIPP)* as an example of a successful strategy to break down communication barriers between culturally and linguistically diverse (CALD) youth and law enforcement officers, stating:

The Victorian Drugs and Crime Prevention Committee endorsed the Youth Referral and Independent Person Program (YRIPP) as 'an excellent example' of a strategy that tries to reduce offending and its effects by breaking down communication and language barriers and providing culturally diverse young people with access to a referral service that may be able to provide further and specialised assistance.¹⁰⁷

- 4.114 In informal discussions with police officers in Perth, the Committee also heard about the important communication role played by designated multicultural liaison officers working within the WA police force. There was additional support in evidence for increased training for police,

104 See for example: Dr Susan George, Submission No 13, p 6; Queensland Government, Submission No 46, pp 3-4; Professor Kerry Carrington, Submission No 47, p 14; Tasmanian Government, Submission No 56, pp 5-6; Queensland Commission for Children and Young People and Child Guardian, Submission No 66, p 8.

105 See for example: Queensland Government, Submission No 46, pp 3-4; Tasmanian Government, Submission No 56, pp 6-7; Northern Territory Government, Submission No 61, p 10; Mr Russell Armstrong, Transcript of Evidence, 10 March 2010, p 12.

106 CMY, Submission No 44, p 6.

107 CMY, Submission No 44, p 9.

including those 'on the front line' in dealing with young people from diverse cultural backgrounds.¹⁰⁸

- 4.115 Some evidence also advocated for a greater focus on crime prevention, and identified the critical role of the police in effecting early intervention and prevention of crime.¹⁰⁹ The Police Federation of Australia (PFA) called for a collaborative approach to crime prevention involving police forces and all levels of government working together effectively to reduce crime impacting on young people.¹¹⁰ Using a US based program as an operational model of collaborative community policing, the PFA proposed the establishment of an innovative crime prevention program in Australia which brings the police and local communities together to address issues of significance at the local level.¹¹¹
- 4.116 Although noting limitations associated with the rigour of evaluations, based on available data the AIC identified nine key principles of best policing practice which apply to reducing levels of youth violence. In brief these principles are:
- targeted approaches – providing a police presence to reduce crime in areas where the need is greatest;
 - tailored approaches – recognising that 'one size does not fit all', and responding to diverse need of different cohorts of young people (e.g. women, Indigenous youth, young people from CALD backgrounds etc);
 - timeliness – approaches that offer immediate responses to young people's offending behaviour are likely to be more successful than those (such as courts) that involve lengthy delays;
 - early intervention and prevention – policing initiatives that target offenders at young ages and/or early in their offending trajectories;
 - trust and relationship building – approaches that increase this trust, and build healthy relationships with communities, are likely to have positive long-term impacts on levels of violence;

108 CMY, Submission No 44, pp5-6, p 8. See also: Farah, Transcript of Evidence, 15 February 2010, p 5.

109 See for example: Police Federation of Australia (PFA), Submission No 41, p 2; Mr Robert Falconer, Transcript of Evidence, 15 February 2010, p 44;

110 PFA, Submission No 41, p 2.

111 PFA, Submission No 41, pp 4-6.

- respectful interactions – evidence has shown that offenders who are treated with respect by criminal justice personnel are less likely to reoffend;
- collaborative approaches – programs that involve extensive inter-agency collaborations frequently involving the police, youth workers, the community sector and young people;
- sending clear messages – initiatives that send clear and immediate responses to violent behaviour; and
- targeting substance misuse – initiatives that seek to address the misuse of alcohol and other drugs.¹¹²

4.117 The following comments on policing and law enforcement were made by respondents to the inquiry's online youth survey:

Provide more police, and in the right places at the right time - Provide police with the POWER (laws) to deal with it and then ENFORCE it (in the courts) - Reinroduce right moral principles into society, which is in serious decline. Male, 18-24 years, regional city

More Police, EXTREME toughness on gangs or gang behaviour, offenders should be punished (not a slap on the wrist) offenders usually get caught and go back to old habits without caring. Male, 18-24 years, regional city

Definitely need more police in 'trouble spots' and greater penalties for those initiating/ participating in violent activities. Female, under 18 years, capital city

Bigger Police presence on the street but we need police who are youth friendly and not just agro to everyone they meet-the causes more aggression! It also makes young people have a fear and hatred of the police force and not use them properly. Female, 18-24 years, capital city

I do not think more police presence and restriction of opening hours for pubs and clubs is going to work -you will simply create more tension for those youths who hold an anti-authority mentality and they will have less time occupied in places where they can be monitored by security. Female, 18-24 years, capital city

Committee Comment

- 4.118 The Committee notes the potential for best practice policing to build and strengthen communities, and to reduce levels of violence involving young people. During the inquiry the Committee had the opportunity to engage in formal and informal discussions with serving police officers based in the ACT, Queensland and WA. On these occasions the Committee was impressed by the dedication and commitment of police officers to engaging constructively with young people and communities to reduce levels of crime generally, and to address issues of violence involving young people specifically.
- 4.119 In relation to reducing levels of youth offending, the Committee is encouraged to see that the Australian Government and state/territory governments have been working together through COAG to further the development of best practice policing.¹¹³ According to the December 2009 COAG communiqué:

COAG endorsed the work of the Ministerial Council on Police and Emergency Management, noting that best-practice policing is one element of broader, holistic responses to youth offending. COAG asked Police Ministers to work together to further develop best-practice policing, the features of which could include:

- targeted police effort in areas with a history of anti-social and violent behaviour and weapons use;
- restorative justice conferencing, which can require young offenders to face their victims and confront the impact and consequences of their actions and complete community service and other reparations;
- bans to prevent serious and persistent offenders from entering entertainment precincts (containing licensed premises) and reducing access to alcohol through strict enforcement of licensing legislation; and
- ensuring that young people are dealt with by police as soon as possible following criminal incidents when they are still fresh in a young person's mind.

COAG noted that best-practice policing targets areas of greatest need, is developed in consultation with non law-enforcement agencies to address the diverse needs of young people, draws on Australian and international research on best practice, is informed

113 Australian Government – DEEWR et al, Submission No 62, p 46.

by successful programs and is adaptable to jurisdictional circumstances.¹¹⁴

- 4.120 The Committee is also keen where possible to support innovative policing approaches to reduce levels of crime and violence involving young people. In relation to this, the Committee notes the Australian Government's support for crime prevention through the now discontinued National Community Crime Prevention Program (NCCP) administered by the Attorney-General's Department.¹¹⁵ In the context of a growing evidence-base relating to best practice policing, the Committee recommends that the Attorney-General's Department introduce a new crime prevention program to foster a collaborative approach to crime prevention. The Committee suggests establishing partnerships between the police and local communities to enhance community safety and to reduce crime, including violence involving young people, should be a key feature of the program.

Recommendation 6

- 4.121 **The Committee recommends that the Attorney-General's Department introduce a new crime prevention grants scheme requiring partnerships to be established between the police and the local community to support collaborative approaches to enhancing community safety and reducing crime at a local level.**

Tertiary Interventions and Rehabilitation

- 4.122 While support for a 'prevention first' approach is a prominent feature of evidence to the inquiry, some participants have also emphasised the need for tertiary interventions directed at assisting young people who have already experienced violence, including victims of violence and perpetrators of violence. A number of submissions indicated that demand for victim support services exceeds supply, identifying a shortage of

114 COAG Communiqué, 9 December 2009, viewed on 26 May 2010 at http://www.coag.gov.au/coag_meeting_outcomes/2009-12-07/index.cfm#nat_yout_strat.

115 Australian Government – Attorney-General's Department website, viewed on 26 May 2010 at http://offi.gov.au/agd/WWW/ncphome.nsf/Page/National_Community_Crime_Prevention_Programme.

tertiary services to assist young victims of violence, including victims of bullying, family violence and of sexual assault.¹¹⁶ In response to a question regarding supports available to reduce the impact of violence on young victims and to assist victims to build resilience, Professor Mazerolle observed:

What are the supports for young people or anyone who has been victimised? We have something in Queensland – the Homicide Victims Support Group – but a lot of victimisation occurs short of homicide, so I think that is a good question. There is a void in that space.¹¹⁷

- 4.123 Access to tertiary services, including drug and alcohol services, and mental health services for the rehabilitation of perpetrators of violence was also considered by some to be in short supply.¹¹⁸ In broad terms, the aim of tertiary interventions for young perpetrators of violence is to reduce the incidence of recidivism and to assist with reintegration into society. Where possible, evidence suggests that the use of diversionary measures such as police cautions, warnings and restorative justice conferencing for young offenders is preferable.¹¹⁹ As explained by Youthlaw & Frontyard Youth Services:

Youthlaw ... supports strategies that provide access to cautions and diversionary programs as positive ways to reduce re-offending and young people's contact with the criminal justice system. Research indicates that diversionary measures, such as cautions, conferencing, and diversion programs are more effective in reducing re-offending than traditional and more punitive methods of punishment. Whilst statistics show that, once convicted, young offenders are more than likely to re-offend.¹²⁰

- 4.124 Professor Kerry Carrington of the Queensland University of Technology noted that support for restorative justice conferencing is founded on research which indicates that:

116 See for example: VSA, Submission No 1, p 5; NCSMC, Submission No 2, p 9; Ms Nina Funnell, Submission No 4, p 7; National Abuse Free Contact Campaign, Submission No 5, p 11; Royal Women's Hospital, Submission No 17, p 3; ACON, Submission No 30, p 5.

117 Professor Paul Mazerolle, Transcript of Evidence, 20 March 2010, p 24.

118 See for example: Centre for Adolescent Health, Submission No 24, p7; UCCYPF, Submission No 45, pp 18-19.

119 See for example: Hume City Council, Submission No 43, p 3; Professor Kerry Carrington, Submission No 47, p 20; NSW Government, Submission No 76, pp 9-10.

120 Youthlaw & Frontyard Youth Services, Submission No 35, p 12.

... 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 ...¹²¹

- 4.125 Similarly, describing the operation and benefits of restorative justice, the ACT Government observed:

Restorative justice is a private justice transaction that takes place in a safe and carefully managed environment. It gives the people who have been affected by the offence - the victim, offender and their respective supporters - the opportunity to come together to discuss what happened, who has been affected, and what can be done to move forward. It is a voluntary process with the victim and offender able to withdraw their consent at any time during the process.

There is strong evidence to suggest that the most positive application of restorative justice is with violent offences. Further to this are the positive findings around the capacity for restorative justice processes to reduce post-traumatic stress in victims of crime.¹²²

- 4.126 Despite the potential of restorative justice conferencing to reduce violent reoffending, Dr Kelly Richards of the AIC referred to research suggesting that this option is underutilised in some jurisdictions. Specifically Dr Richards noted:

There was a lot of setting up of programs and a lot was invested in those programs, but in New South Wales in particular and also in Queensland – two enormous jurisdictions with lots of young people going through the system – a very small proportion of young people are given the opportunity to go to youth justice conferencing.¹²³

- 4.127 Where the nature of violent offending is serious or where there is a history of repeat offending and diversionary options are not appropriate, then access to more intensive rehabilitation is required.¹²⁴ Intensive approaches focus on:

121 Professor Kerry Carrington, Submission No 47, p 20.

122 ACT Government, Submission No 37, pp 9-10.

123 Dr Kelly Richards, Transcript of Evidence, 10 February 2010, p 12.

124 Life Without Barriers, Submission No 48, pp 2-4; Professor Paul Mazerolle, Transcript of Evidence, 30 March 2010, p 14.

- providing intensive counselling to identify and address underlying factors which increase the risk of violent behaviour; and
- teaching life skills, including constructive and alternative strategies to dealing with anger and developing non-violent conflict resolution skills.

4.128 For example, the *Intensive Supervision Program (ISP)* available for young offenders in NSW:

... addresses some of the factors associated with juvenile re-offending, including substance abuse, financial problems, housing needs, family conflict and negative peer pressure. Ultimately, ISP seeks to promote responsible behaviour and decrease antisocial behaviour amongst juvenile offenders.¹²⁵

4.129 Life Without Barriers described another intensive rehabilitation intervention for young offenders based on a multi-systemic therapy approach, outlined as follows:

... a family and community based treatment approach that has achieved long-term positive outcomes with antisocial youth (aged 10 to 17) by addressing the multiple determinants of serious antisocial behaviour. Positive outcomes include reducing offending, increasing school or vocational attendance and reducing the need for out-of-home placements.¹²⁶

4.130 The Committee also heard evidence about the *Be Real About Violence* program (BRAVE), a state funded cognitive behavioural intervention targeted at young people who have been found guilty by the court of committing a violent offence. BRAVE aims to explore in an interactive way with young offenders their motivations for violent behaviour and the benefits of reducing violent behaviour, as well as to teach strategies to manage anger and provide opportunities to develop and practice pro-social behaviours.¹²⁷ BRAVE, which was set up in 2005, is being evaluated in 2010.

Committee Comment

4.131 The Committee appreciates that tertiary interventions to assist young people who have already experienced violence are a critical component of

125 NSW Government, Submission No 76, p 7.

126 Life Without Barriers, Submission No 48, pp 2-4.

127 Centre for Adolescent Health, Submission No 24, pp 6-7; Ms Lynne Evans, Transcript of Evidence, 15 February 2010, pp 51-52.

a holistic approach to reducing youth violence and its impact. As noted earlier in this Chapter the Committee is encouraged to note that the COAG discussions between the Australian Government and state/territory governments with regard to best practice policing include consideration of restorative justice conferencing for young offenders.

- 4.132 While law enforcement measures are principally the responsibility of state and territory governments, the Committee notes through the Attorney-General's Department the Australian Government supports a number of initiatives specifically to address concerns relating to Indigenous involvement with the juvenile justice system. These initiatives include the development of the *National Indigenous Law and Justice Framework* and support for diversionary, restorative and rehabilitation interventions provided through the *Prevention, Diversion, Rehabilitation and Restorative Justice Program*.¹²⁸
- 4.133 Further, the Committee is aware that the involvement of Indigenous juveniles and young adults in the criminal justice system is currently the subject of an inquiry by the House Standing Committee on Aboriginal and Torres Strait Islander Affairs.¹²⁹ The Committee looks forward to seeing the outcomes of the inquiry, in particular recommendations that relate to best practice examples of programs to support diversion of Indigenous people from juvenile detention centres and crime, and provide support for those returning from such centres.
- 4.134 A common theme raised in the inquiry relates to the limited capacity of services and programs to meet levels of demand.¹³⁰ While this evidence included reference to a large number of tertiary services and programs addressing a range of issues affecting victims and perpetrators of violence, the Committee concludes that insufficient resourcing and inequalities in the distribution and availability of some services, compromises the effectiveness of these interventions. The Committee believes that to some extent these inefficiencies could be addressed through a more strategic and coordinated approach to reducing youth violence and its impact on young Australians. This potential for the Australian Government to provide leadership in this domain is examined in more detail in Chapter 5.

128 Australian Government – DEEWR et al, Submission No 62, pp 25-27.

129 Parliament of Australia website, viewed on 28 May 2010 at <http://www.aph.gov.au/house/committee/atsia/sentencing/tor.htm>.

130 See for example: Royal Women's Hospital, Submission No 21, p 4; Commissioner for Children and Young People (WA), Submission No 33, p 5; NSW Government, Submission No 76, p 2; Associate Professor Sheryl Hemphill, Transcript of Evidence, 15 February 2010, p 50; Ms Lauren Moss, Transcript of Evidence, 17 March 2010, p 3; Mr Adair Donaldson, Transcript of Evidence, 30 March 2010, p 50;

