

*National Council of Women Tasmania Inc.*

*Affiliated with the National Council of Women of Australia and the International Council of Women through the National Councils of Women Coalition of Tasmania*

Motto: "Do unto others as you would they should do to you"

President: Dorothy Kelly, [REDACTED]

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**Submission to the Legislative Council Government Administration  
Committee 'B'  
Inquiry into Tasmanian Adult Imprisonment and Youth Detention Matters**

This submission will focus on Tasmanian corrective services and justice system matters related to **youth detention**.

Underpinning this submission is our belief that the main flaw of the existing Youth Justice system is that it currently functions as an integral part of Tasmania's adult corrective services and justice systems, with a few concessions. Our contention is that Youth Justice needs a totally different approach, one that is child focused and not a super imposed adult model.

We know, on the one hand, that children and young people have less ability to understand the consequences of their decisions and to regulate emotion. We also know that as their brains continue to develop into their 20s, children and young people have a greater ability to change their behaviour.

1. *Factors influencing increases in Tasmania's youths in detention population and associated costs.* There need to be far more intervention and diversionary services that are integrated so that they can work together to support each child and their family or principal carer; this includes ongoing access to appropriate services to address mental health and drug issues. These services need to be able to have some teeth in order to be able to try and engage youths, with alternative service models and/or diversionary practices available as quickly as possible. Youth detention, in Tasmania, comes only at the end of a failed youth justice system.
2. *Use of evidence-based strategies to reduce contact with the justice system and recidivism.* Essentially we need a different youth justice model. Much of the difficulty lies with youths coming into contact with the unwieldy and much more rigid adult justice system that is simply unable to respond to the needs of youths, no matter how well intentioned worker are within the justice system. It appears that the Youth Justice Blueprint 2022 is working on this in order to build a connected and responsive youth justice system.
3. *The provision of, and participation in, services for youths in detention and leaving detention.* At the moment there seem to be more services available to youths who are serving a custodial sentence than to those who are in remand. Yet youths in remand need to be well supported to reduce the likelihood of their reoffending once they are bailed. It is to be hoped that

with the proposed new detention facilities: one for youths who have been sentenced to a custodial sentence, and two for those on remand, that there will be more active involvement in accessing services for all youths while they are being detained and once they have been released.

Moreover, it is to be hoped that if youths are already receiving supports before they are detained then connections with those services can be maintained while they are in detention. Where ever possible it would be most supportive to have services continued by the staff who are already involved, such as psychology services. This may not always be practical but there really needs to be active communication between services that have been offered outside and those that are offered inside to ensure continuity for the youths concerned. Moreover there needs to be a team approach between services with regard to any one youth. The current patchy provision of services combined with a turnover of service providers leaves a lot of gaps, and does not offer much security let alone clear direction to young people. Youth Justice officers try to provide continuity and to act as a conduit between individual youths and the services they receive but there are simply not enough services for them adequately support youths, and they are far too stretched to be able to ensure a team approach by the services to any particular youth.

Furthermore, if the youths have come from remand, there is often little notice as to their release date so the YJ officer is behind from the start. Also, it needs to be understood that, in being released from detention, be it from remand or having served their sentence, youths go from a highly structured environment where rules are enforced to an environment that gives them much more freedom. It is much more difficult for any youth's carer to provide a solid structure of support to any youth if the youth resists that support without the assistance of bars, walls, locks and security officers. In so many cases, youth detainees are from trauma backgrounds and have simply not developed impulse control. It is too big a jump to expect them to be able to go from detention into the community without a lot of support.

The Blueprint seems to be suggesting a child focused multidisciplinary and systematic response across community, specialist and statutory services. This is what is required.

4. *Training and support initiatives for corrective service staff related to increasing individual well-being, professionalism, resilience and reduced absenteeism.* Bad press has likely been responsible for a lot of stress and absenteeism with Tasmania's youth corrective service in recent months. Any vulnerable youth is going to be a typical target for abuse by someone intent on abusing youths. So predators are going to be attracted to an institution where vulnerable youths are actually captive, Clearly there need to be lots of checks and balances, firstly to try and ensure that potential predators are not employed; secondly there is a need to ensure that there is no opportunity for abuse if predators do enter the system. Most of the Ashley officers are kind and extremely tolerant of a lot of abuse from the youths. They need to be recognised for the work they do. They also need to be well supported if a colleague turns out to have done the wrong thing. They also need to be supported if there is bad media

press be it historical or current. The bad press that Ashley has received in recent months must surely have weakened the resilience of staff members and been a major factor in their absenteeism.

5. *Innovations and improvements to the management and delivery of corrective services that may be applied in Tasmania, including to future prison/detention centre design.*

It is not so much the physical structure of a centre for youth detention that needs to be addressed, it is the way it is actually managed. There needs to be a restructuring of youth detention, be it for custodial sentence or remand. The fact is that the structure within detention is very limited at present. That is not the fault of staff; they are operating within the structure that employs them. For example consequences for poor choices include earlier bed times and being removed from Foods or woodwork. These are lazy, counter productive sanctions. Certainly there may be call for an early bed time if an incident has just occurred and the offender needs to be removed from the situation, but not early bed times for a week. Also the withdrawal of involvement in popular courses such as woodwork should be temporary and only occur if there is an incident in the class. If that class actually provides the youth to usually produce some positive outcomes, then attendance should not be withdrawn for any length of time. Rather strategies need to be put in place to minimise the risk of another incident occurring. Furthermore, removal from these classes should not be used as a sanction for something that was quite unrelated to the classes.

The Blueprint certainly suggests itself as a way forward but it is important that it is constantly under review. During detention there is a need to bring out much more positive and pro social behaviour, and opportunities to allow the youths to achieve something positive and develop a self worth. It should also be linked with supportive and appropriate services tailored to each youth.

*Conclusion:* The management and delivery of corrective services within Youth Justice, is very clumsy with lots of holes. A much more integrated approach is required. The Blueprint has recognised many of the shortcomings of the existing system and proposed a way forward. Every effort is needed to enable this to happen as effectively as possible, but this will also require constant review. The system needs to be child focused as it deals with individual children and it needs to be able to respond to each individual's situation.

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Hon. Secretary  
National Council of Women of Tasmania  
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