

# NOBODY IS LISTENING.



## **WA YOUTH JUSTICE INNOVATION ADVISORY COUNCIL**

Phase 1 Outcomes Report

**HELLO INITIATIVE  
OCTOBER 2024**

# TABLE OF CONTENTS

<b>CONTENT WARNING AND EXECUTIVE SUMMARY</b>	<b>1</b>
<b>LETTERS FROM THE HI TEAM</b>	<b>2</b>
<b>INTRODUCTION TO YOUTH JUSTICE IN WA</b>	<b>3</b>
<b>PURPOSE &amp; DESIGN CONSIDERATIONS</b>	<b>5</b>
<b>KEY THEMES</b>	<b>8</b>
<b>COUNCIL FINDINGS</b>	<b>9</b>
<b>REFLECTIONS</b>	<b>18</b>
<b>NEXT STEPS AND CONCLUSION</b>	<b>19</b>

## **Acknowledgement of Country**

Hello Initiative acknowledges the Whadjuk people of the Noongar nation as the Traditional Custodians of the land on which we live and work, and that sovereignty has never been ceded. We pay our respects to Elders past and present, and to all First Nations peoples. Hello Initiative acknowledges that historical, present and ongoing systemic, institutional and individual racism disproportionately impacts the lives of First Nations young peoples, who are mass incarcerated by the youth criminal legal system.

## **Acknowledgement of Young People and Lived Experience**

Hello Initiative acknowledges with immense gratitude the 18 young people whose voices and lived experiences are represented in this report. Thank you for your openness, insight, reflections, and hopes for change. We honour and listen to your contributions, which guide both our day-to-day operations at Hello Initiative and our future strategic goals where we envision a youth justice system that gives children and young people respect, dignity, and the chance to grow. We wish for this report to have greater influence on the broader legal and community sectors to motivate urgent positive change including a total overhaul and reform of the youth justice system.

Please note that all images within this document are stock images and are not of individuals involved within YJIAC.



# CONTENT WARNING.

Aboriginal and Torres Strait Islander readers are advised that this report discusses the death of First Nations children in custody, as well as the name of a First Nations young person who has passed away.

This report discusses suicide and self harm in WA child prisons, including the death of two children inside of WA's child prison system within the last year. Hello Initiative pays respect and condolences to the families and communities of these children whose lives were lost in preventable tragedies when failed by the State.

This report contains young people's lived experiences of contact with the WA criminal legal system. This may be confronting and cause distress for readers. Please take care when reading. If you need to talk to someone after reading this report please contact Lifeline 13 11 14 or 13 YARN (13 92 76) for Aboriginal and Torres Strait Islander people. For immediate or urgent help please call 000 for emergency services.

## EXECUTIVE SUMMARY.

This report outlines the outcomes of Hello Initiative's (HI) first round of consultations (referred to in this report as "Phase One") for the Youth Justice Innovation Advisory Council (YJIAC) pilot project. Phase One was conducted in collaboration with independent secondary school Port School in Hamilton Hill, Western Australia, alongside a team of researchers at Curtin University. The YJIAC consults young people (aged 10-18) with lived experiences of the youth justice system (both direct and indirect) on issues within the sector to shine a light on what this experience entails, and what can be done to better support young people. Outcomes of this project include greater visibility over the youth justice experience, recommendations to the broader youth justice sector, and actionable recommendations for HI's existing and future programs.

## KEY ACRONYMS.

BHDC	Banksia Hill Detention Centre
CARE	Curriculum and Re-Engagement in Education
DOJ	WA Department of Justice
HI	Hello Initiative
YJIAC	Youth Justice Innovation Advisory Council
YJS	Youth Justice System

# 18

Young people on the council.

# 4

Council sessions delivered



# LETTERS FROM THE HI TEAM.



It is my pleasure to deliver the HI Youth Justice Innovation Advisory Council (Phase 1) Report.

Delivering YJIAC has been a long road for HI, including exploring diverse delivery avenues, referral pathways, and funding mechanisms. Young people in the youth justice system can be difficult to access, and getting the design of this project right was tricky. Nonetheless, young people within the WA youth justice system deserve to have their voices heard, and so I am proud of how HI has persisted to deliver this project, and as a result, uncover the fundings detailed in this report. There is much work to do to improve the WA youth justice system, but by listening to young people's experiences, we can start to make traction in the right direction.

As the YJIAC project lead, I am honoured to share our Phase 1 outcomes report. This project emerged from a deep commitment to confronting the challenges young people are facing within the youth justice system, and from the belief that real change begins by listening to those directly impacted. Our ultimate goal throughout this project has been to amplify the voices of young people to ensure that their stories and experiences guide meaningful reform.

As the YJIAC team progresses into the next phase, we remain committed to advocating for a system that listens, responds, and adapts to the realities faced by the young people it serves.

I give my deepest appreciation to those who have shared their experiences. This report is truly a testament to their resilience and essential role in reshaping a system that has too often overlooked their needs. It is through their voices that we see a path forward.







# INTRODUCTION TO YOUTH JUSTICE IN WA.

In this report, youth justice refers to the system where young people aged 10-18 who have or have allegedly committed a criminal act are managed by the state. This includes both custodial and non-custodial arrangements. In WA, youth justice is a fully public system administered by the WA Department of Justice (DOJ).

## URGENT YOUTH JUSTICE REFORM NEEDED.

Addressing the socio-economic underlying causes of crime instead of continuing with harsh punitive responses can prevent and reduce youth offending, improve the wellbeing of families, and facilitates safer and better futures for young people (Social Reinvestment Western Australia [SRWA], 2022). The WA youth justice system currently does not allow young people this opportunity. Systemic failings contribute and perpetuate to the mass incarceration in the YJS of First Nations young people, young people with disabilities, and young people who have been involved with child protection services. SRWA describes five pathways to youth justice reform in their 2022 'Blueprint for a Better Future' report (the Blueprint). These include thriving and equipped communities, responsive support, prioritised diversion, rehabilitation-focused justice, and therapeutic care focused on reintegration.

## CRIMINAL AGE OF RESPONSIBILITY REMAINS A CRITICAL ISSUE.

Tangible and evidence-based reforms within the Blueprint include 'Raise the Age', an ongoing advocacy campaign to raise the age children can be held liable for criminal acts from the current age of 10 to 14. The WA legislation as it currently stands contradicts the United Nations Convention of the Rights of the Child (SRWA, 2022; United Nations Convention on the Rights of the Child, 2019).

HI is a firm supporter of the Raise the Age campaign.

# THE STATE OF YOUTH DETENTION IN WA: CLOSE UNIT 18 IMMEDIATELY.



The DOJ has been heavily criticised for the conditions young people face inside BHDC, which is the only youth detention centre in WA. When a young person enters a detention facility in WA, their age can be anywhere from 10 to 18 years old. The evidence shows us that the condition of young people in BHDC are dehumanising, breaches human rights and exposes young people to further harm (SRWA, 2022). HI opposes the current approach to BHDC and is disappointed by the State Government's lack of decisive action on this matter. Hello Initiative will actively and enthusiastically participate in any projects to improve BHDC and youth incarceration in WA.

In 2022, the State Government moved a group of children out of BHDC and inside 'Unit 18', a unit within Casuarina, a maximum-security adult prison. Experts (including First Nations leaders, justice, youth and mental health experts) warned the State Government about the dangers of Unit 18, and its use has been widely protested since 2022, but no action has been taken (SRWA, 2022). In October 2023, an entirely preventable tragedy occurred when 16-year old Cleveland Dodd passed away in hospital one week after attempting to take his own life in Unit 18.

## ONGOING CALLS FOR CHANGE.

A 2024 Coronial Inquest into Cleveland Dodd's death revealed damning evidence exposing the extreme failures of the youth justice system. Statements of evidence admitted that Unit 18 was founded on a "series of grievous lies" that this unit would be safe for children, and that the conditions in WA's youth detention facilities were a form of "institutional abuse of children". Evidence revealed that young people were locked down for more than 22 hours a day, in dehumanising conditions including filthy cells, soiled clothes, without basic care and access to services and education (Torre, 2024). HI stands in firm support of the immediate closure of Unit 18, is a signatory on the recent Open Letter to Premier Cook demanding immediate action, and will be closely following the outcomes of this Inquest.

We recommend visiting <https://www.socialreinvestmentwa.org.au> to learn more, support one of the strongest voices in WA's youth justice sector, and to add your voice to the call to close Unit 18 and the 'Raise the Age' WA campaign. HI is a member of SRWA's coalition.

## A TRAGIC UPDATE.

As this report was being finalised in August 2024, a second young person died by suicide in custody. HI wishes to pay our utmost respects to the both young people who have lost their lives while under the supervision of DOJ, as well our respects to their family and community.

# PURPOSE & DESIGN CONSIDERATIONS.

Founded in 2019, HI has become a major supplier of support services in youth justice across WA, driven by a mission to improve the social and judicial outcomes for young people involved in criminal justice.

HI recognised the need for meaningful engagement with young people in the design and delivery of the social impact pilots and programs that affect them, and in 2023 established the YJIAC as a direct response to this need. The first of its kind within this sector, this project has been designed to provide consumer insight and feedback on the system, identify key challenges experienced by young people in the justice system, and support the delivery of high-impact social change programs.

Traditionally, young people interacting with the justice system have not had a platform to share their thoughts, experiences and ideas for change. As service leaders in the youth justice space and with a robust background in Human-Centred Design approaches, HI was well placed to undertake this work and recognised the need to create pathways for advocacy to ultimately deliver services that meet the needs of young people. This program is critically important as young people interacting with the justice system have a right to speak up on issues that affect them, as well as ensure services meet the needs of the affected communities.

## PROJECT OBJECTIVES.

- Elevate the importance of **listening to young people's views and lived experiences** on the challenges of the youth justice journey and raise community awareness of these challenges.
- Identify **key intervention points** where programs could improve social or judicial outcomes and better support young people.
- Implement **co-design principles for development of new projects** through HI's pilot project pathway and through any continuous improvement opportunities for other major projects.
- Provide an opportunity for **professional development for young people** in a space to self-advocate and create a greater dialogue between 'the system', the community of service providers, and the young people involved in the youth justice sector.



## PROJECT DELIVERY METHOD.

YJIAC sessions were designed to facilitate discussion with young people on the challenges of interacting with the justice system, while identifying key intervention points where programs could improve social or judicial outcomes. Two sessions with two groups of young people were held in person over a 2-3 hour period, using a combination of semi-structured questions and open discussion in November and December 2023. Initial sessions were primarily centred on rapport building and becoming comfortable with the program, while follow-up sessions unpacked key themes and recommendations.

All raw data findings were approved by the young people during the session, with the data capture written on a whiteboard in earlier sessions, which then evolved to findings being written directly into a slide deck on a big screen for all participants to see data written up in real time.

HI is mindful that the young people consulted for this project have particular experience where adults in power roles have 'put words in their mouth'. This report has strived to capture and present young people's thoughts and ideas as truly and with as little filter as possible. In the future, HI plans to explore completing the majority of the reporting process of this project during sessions with the young people, so that young people have increased agency and visibility of the report.



## COLLABORATIVE PARTNERS.

For the first phase of the YJIAC, HI collaborated with Port School and Curtin University to facilitate and evaluate the YJIAC program. Port School is a CARE school that focuses on re-engaging young people between 13 and 20 years old in education and training who have been unable to access mainstream education. They have extensive experience working with young people who have lived experience in the justice system. Port School provided support with venue provision, participant referrals and on-site staff, with at least two HI representatives in attendance to facilitate.

## RESEARCH & ADVOCACY IN ACTION.

This partnership was established whereby Port School could disperse Commonwealth funding brokered via Curtin University for the purpose of funding an action-based research project seeking to improve outcomes for young people currently involved in or at risk of engagement with youth justice services in WA. The project design was ultimately founded on the principle that the young people's involvement in this consultative forum would provide them with the valuable experience of being involved in community consultation, allowing them to develop a better sense of self-agency in the contexts of civics and citizenship engagement, while also delivering powerful youth advocacy.

# PARTICIPANTS.

A total of 18 young people were consulted during YJIAC Phase One. The breakdown of participants across the two groups consulted and the two sessions is contained in the table below.

	Group 1	Group 2
Session 1	7 participants	7 participants
Session 2	7 participants (6 returning, 1 new)	6 participants (3 returning , 3 new)
Total	8 participants	10 participants

Young people who participated in the program had a diverse level of experiences of the youth justice system (YJS) and the broader justice system.

Experiences ranged from indirect contact (for example via family) to direct contact for example with the police, the courts, and youth detention. Lived experiences of the justice system also varied, including from perspective of a young person directly involved in the system, to a victim-survivor perspective, to young people's experience as friends and family went through the system.

Each session was fully catered and during school hours to maximise attendance and minimise impact on young people's time. HI thanks Port School for facilitating the participants to attend during school hours.

Participants were compensated for their time via the provision of gift cards (as recommended by the Youth Affairs Council of Western Australia as best-practice for casual engagement).



# KEY THEMES.

What young people told us in the YJIAC council sessions.

## YOUNG PEOPLE ARE INTRODUCED TO THE JUSTICE SYSTEM AT A YOUNG AGE.

Young people were asked 'When did you first learn about the youth justice system?'

## BANKSIA HILL - "YOUNG PEOPLE COME OUT WORSE"

Young people were asked 'What are the biggest issues in the YJS?', 'Youth Detention (what needs to change?)', 'What do you know about the YJS and how it works/runs?' and 'Support services offered in the YJS: What is needed?'

## SYSTEM NAVIGATION IS COMPLEX.

Young people were asked: 'What information is given when you enter the YJS?', 'What do you know about the support services in the system?' 'What do you wish you were told?'.

## GOING TO COURT.

Young people were asked about the court experience (including attending both youth and adult courts sites). Young people were asked: 'Do you know what it's like to go to court?' 'What does it feel like?' 'What information, if any, is given when you go to court?' 'What should the support in court look like?' 'Was there an opportunity to ask questions, and if no, what would you ask?'

## SYSTEM IMPACTS.

Young people were asked: 'How has the system impacted your relationships?' 'What makes you feel sad, angry or unsafe about the system?' 'What is the hardest part of the youth justice system?' and 'What do you think is important to consider before a young person is returned to the community?'.

## IDEAS FOR CHANGE.

The following section contains ideas for change when asked 'What should be improved in the youth justice system?'. Young people had lots of ideas for change.





# COUNCIL FINDINGS.

## YOUNG PEOPLE ARE INTRODUCED TO THE JUSTICE SYSTEM AT A YOUNG AGE.

When did you first learn about the youth justice system?

- Common amongst both groups was an introduction to the justice system at an early age both through family and personal experience.
- Both groups said that age 5-11 was the range when they first learned about the youth justice system.
- Young people noted that until their first experience, they *“didn’t realise kids could go to jail”*.

### Overall Theme Summary

Consistent amongst both groups was the early introduction to the justice system, either through personal experience or through the experiences of family members.

## BANKSIA HILL DETENTION CENTRE YOUNG PEOPLE “COME OUT WORSE”.

### Young People in Prison

- Young people told us that there should be no young people in adult prisons (in reference to Unit 18).
- These young people told us that they felt the age of criminal responsibility should be raised from 10 years old.

What are the biggest issues in the YJS?  
Youth detention - what needs to change?  
What do you know about the YJS and how it works/runs?  
Support services offered in the YJS: What is needed?

### Rehabilitation v Punishment

- Young people told us the system is focused on punishment and not rehabilitation. While in the system, *“kids learn more violence”*.
- Young people told us that they are not being taught what other options are available to them (*“not learning what else they can do”*) while they’re in BHDC.
- They feel like the environment at BHDC makes them comfortable with the idea of being at rock bottom, that young people *“get comfortable with nowhere to go”*.
- Young people reflected on justice systems in other countries where people are supported to leave prison better than when they entered.
- Young people commented that *“being locked up shouldn’t be the answer”* and more should be done to keep young people out of BHDC.
- Young people said the *“jail system doesn’t work”*, that punishment equals *“not learning anything”*.

INSIDE BHDC, YOUNG PEOPLE  
“GET COMFORTABLE WITH  
NOWHERE TO GO”.

### Conditions in Banksia Hill

- While in BHDC young people told us that they are *“treated like nothing”... [which] “reinforces negative self esteem”*.
- Young people, some of whom were young parents, noted the **disconnect between acceptable childcare practices in the community and at BHDC**. They highlighted that you wouldn’t leave your child alone at home for many hours, and asked why this happens at BHDC.
- The young people stated that human rights exist for a reason, referencing lengthy in-cell hours at BHDC.
- There were comments on how actions such as riots and burnings are cries for help that result from a lack of support inside BHDC.

## BANKSIA HILL DETENTION CENTRE (CONTINUED).

Young people highlighted the need for;

- Empathetic people working in justice roles
- More time out of cells
- Proactive suicide prevention
- Mental health support
- Physical health support
- Wellbeing supports such as authorised leave to build trust between young people and BHDC

**THE POOR PHYSICAL CONDITIONS AT BHDC WERE ALSO NOTED, INCLUDING THIN PILLOWS AND POOR HYGIENE (INCLUDING MOULD).**

### Location of Banksia Hill

- Young people noted the location of BHDC is a concern with no facility closer to home. Many young people have to travel thousands of kilometres to attend BHDC.
- Young people also highlighted the need for transport support “for kids to get home”, including cost and travel for remote communities due to these large distances.

### Overall Theme Summary

The young people we spoke to felt that BHDC is not a suitable place for young people to rehabilitate. Young people said that it is used to punish when it should be used to rehabilitate. Primary concerns included the staffing, physical conditions, and physical location of BHDC.

## SYSTEM NAVIGATION IS COMPLEX.

What information is given when you enter the YJS?

What do you know about the support services in the system?

What do you wish you were told?

### Visibility of and Access to Services in the YJS

- Young people wished they were told they had support. Young people highlighted that their perception is often that support services are unknown or non-existent in and out of detention.
- Young people want **education to address the ethics/morality** of what they're doing, and “*how to not do what you're doing*”.
- Young people said there are no allies, support people, or mentors present in the YJS
- Young people said there is more support for adults than young people.
- Young people told us that support services that listened to young people, followed up with them, and gave advice were helpful. Young people mentioned that they often were doing substantial research to find these services.
- Barriers that stop young people accessing support include not having a phone or money, issues with transport, time management challenges, and having children of their own.
- Young people noted that service expectations for young people are too high, and people don't listen when you explain this.
- When asked if the YJS is supportive of culture, the overall consensus of the group was negative. Young people also said many services were “*not actually sensitive*”.

**YOUNG PEOPLE WANTED TO KNOW “HOW TO NOT DO WHAT YOU ARE DOING”.**

## SYSTEM NAVIGATION (CONTINUED).

### Treatment of Young People in the YJS

- Young people said “*They [professionals or support staff] put words in your mouth*”.
- Young people told us it feels like the system treats young people in justice like they were adults. Young people felt that they were “*getting treated like 30 year olds*”. Young people said that kids are still learning, but are expected to know things
- Young people reported judgement and stigma, including general stereotyping and stigma and shame perpetuated by police and court officials & juvenile justice team employees. Young people said opinions were made up before you’re even there. They described **being made to feel like they were “bad apples.”**
- Young people identified a big issue in not being able to advocate for themselves. They noted situations of not being told the charge/procedure or what was going on.
- Young people said they wish they were told that young people can be taken advantage of as well (e.g. crime on behalf of others). Young people said they wish someone told them they don’t have to speak about topics if they make them uncomfortable.
- Young people stated a lack of support (including mental and physical support), communication and an inconsistent experience.

**YOUNG PEOPLE SAID THERE IS A COLD, HOSTILE, SHAMEFUL, IMPERSONAL FEELING TO YOUTH JUSTICE PROCESSES, AND THAT “NO ONE’S LISTENING”.**

**THEY NOTED A LACK OF EMPATHY WITH NO CONSIDERATION OF A PERSON’S EXPERIENCE OR JOURNEY.**



### Legal Assistance and Police Interactions

- When asked about how the system works, young people described “*confusion*”.
- Young people want people to explain their rights in the justice system. Young people stressed that very little procedural information was provided and they were often unaware of their individual rights (such as consenting to a police search). Young people said when interacting with police they weren’t told the charge/procedure/what was going on.
- Young people highlighted that lawyers with dedicated time to communicate with them were supportive. However, they told us that this was uncommon.
- When it came to legal aid services, young people expressed concern about the long wait times, difficulty contacting, and lack of knowledge about service availability.
- When asked about interacting with professionals (including police and lawyers), young people said “*just tell them what they want to hear*”.
- Young people described communication issues with police. Notably, **police calling young people with no caller ID, no voice messages, and no way for young people to call back**. Young people mentioned that they often complied with whatever they were told by police for fear of getting in trouble.
- Young people stated access to a counsellor or a mentor could be offered in these situations, and noted advocating for self as one of the biggest issues in the youth justice system

### Overall Theme Summary

Young people expressed confusion for how to navigate the youth justice system, including at the level of being educated on why they had been engaged in the system in the first place. When support services were able to be accessed the experience was often underwhelming or not catered to young people’s needs. Young people often spoke about feeling like they had to agree with everything out of fear of negative consequences, and the wish for an advocate to explain procedures and ensure they are listened to and their rights are respected.



# THE EXPERIENCE OF COURT.

Do you know what it's like to go to court?

What does it feel like?

What information, if any, is given when you go to court?

What should the support in court look like?

Was there an opportunity to ask questions, and if no, what would you ask?

## Accessibility

- Young people said there's no support for young mums and children such as daycare.
- There are many transport restraints. Public transport costs too much and is too slow, and there is no affordable parking around the court.
- Court appearance times often change which is inconvenient for childcare, work and other reasons.
- Legal language is confusing and sometimes it's hard to understand what's going on.
- There are no food options except vending machines that are expensive. Young people mentioned they were often hungry.
- If you have poor mental health, learning difficulties or disabilities you are more vulnerable but there are no accommodations.
- There is limited seating so sometimes you have to stand all day.

## THE COURT PROCESS IS A "ONE SHOE FITS ALL" MODEL



## Psychosocial Safety

- Young people mentioned that in court they felt intimidated by other people including staff and other young people/their families.
- Young people mentioned that there's a lack of security at court. Young people said they sometimes felt unsafe and confronted or traumatised with no separate areas for people involved in the same case.
- The court process can be very overwhelming and increase anxiety for young people who are travelling from rural communities.
- Young people discussed the **fear of public speaking**, but still being made to speak during their case.
- Young people said going to court is embarrassing. They noted there are a lot of people around who you might know and lots of strangers in court hear personal information about your case.
- Young people reported they were not able to speak to their family and their family were worried where they were.

Young people reported the following feelings at court:

- |                 |                   |
|-----------------|-------------------|
| • cold          | • inconvenient    |
| • trapped       | • demanding       |
| • impersonal    | • unreasonable    |
| • disrespectful | • exhausting      |
| • confusing     | • confrontational |
| • hostile       | • not believed    |
| • shameful      | • frightening     |
| • scary         | • daunting.       |

**"LIKE NOBODY IS LISTENING."**

## THE EXPERIENCE OF COURT (CONTINUED).

### Feelings about Court

- Young people felt like going to court was frustrating, where they might have to wait all day just to be told to return the next day for their case to be heard.
- Young people felt like going to court was nerve wracking and made them feel vulnerable.
- Young people felt anxious, especially about missing their name because if you don't hear them call your name, they'll move on to the next person.
- Young people felt court staff could be dismissive, and that they were *"clearly doing their job for their jobs' sake and not for us"*.

### QUESTIONS YOUNG PEOPLE HAD ABOUT COURT

- What is going to happen to me from this point on?
- Who can I turn to for help with getting prepared for court - what to say and wear, contacting my youth justice officer, avoiding breaching orders?
- How can I get support with meeting travel costs?
- What will happen in court / what do I say?

### Information Provided for Court

- Young people considered the information provided before going to court as the bare minimum.
- Young people noted no information was usually provided about **dress codes**, except instructions to wear formal clothes. This information comes from a letter that is not always received and **sometimes people don't know what formal means**.
- What information you receive is dependent on the legal aid or support worker you are appointed.
- There is no information given on how to act in court, what to say, and what is going to happen. Many young people don't know what to expect and it increases anxiety.
- Young people reported being misled by lawyers/courts around outcomes and what is going to happen to them.
- Young people wanted to ensure truth telling and reported what was told to them ended up not being true



### Overall Theme Summary

Young people reported an overwhelming lack of support to complete court obligations, and that this experience was not catered to young people, describing an experience that is cold, shameful, and anxiety inducing amongst other negative associations. Young people want support that is more than the bare minimum, with more 'heart', and for courts not to put unreasonable expectations on young people and to understand that young people don't always know what's going on.

# SYSTEM IMPACTS.

How has the system impacted your relationships?  
 What makes you feel sad, angry or unsafe about the system?  
 What is the hardest part of the youth justice system?  
 What do you think is important to consider before a young person is returned to the community?

## Distrust of the System

[YOUNG PEOPLE ARE]  
***“GOING THROUGH A LOT OF PAIN  
 AND SUFFERING TO NOT GET A  
 RESULT.”***

- Young people spoke of a fear of the police and authority and a lack of trust, finding it triggering to even report things. Young people said authorities didn't listen to them, ignored them, and didn't guide them to navigate the system. They felt that authorities are intimidating and use scare tactics.
- Young people said staff didn't protect them or do their job. Young people reported a lack of support, confusion and not being believed.
- Young people spoke of police abusing their power and that police *“don't always know if you are youth”* when handling situations. Young people said the police were not understanding, and that *“you can't explain to them why you did it”*.
- When asked what makes you feel sad, angry, or unsafe, young people said *“everything”* and *“racism”*.
- Young people identified experiences with inadequate communication mechanisms, including a sense of trickery and entrapment around statement giving and recording. This included misleading young people and changing words around: *“They put words in your mouth”*.
- Young people noted a lack of trust in the system when there is no change and outcomes aren't fair: *“they take forever to give you justice”*, and *“sometimes you don't get justice”*.
- Young people said police and first responders take too long to respond to situations, especially when there's violence.
- Young people said the system creates more hardship and is more of a burden rather than helping young people on both sides - the system fails to protect, victim-survivors feel unsafe and there is no closure; and that there is no rehabilitation through jail or the court.

**POLICE GO “FULL FORCE EACH TIME... NO MATTER THE REASON.”**

## Impact on Relationships

- Young people said the system impacts family, the behaviours of the person who has gone through the justice system changes, and families stress about them and their mental health
- Young people said if there's a history of family members involved with the justice system, there's no reason to stop going back and repeating cycles.
- There needs to be more communication with families when in detention so you can get help - ***“if you have a good family, they're gonna want to help you”*** so young people can avoid being completely cut off.
- Young people said the system impacts relationships both emotionally and physically, that everything is impacted by detention and the disconnect from family and community



## SYSTEM IMPACTS (CONTINUED).

### Issues with Reintegration

- There are limited support systems with young people vulnerable to repeating cycles, especially if returning to the same environment. Young people said there is a lot of confusion and no support to return to school, family and community life.
- There needs to be a consideration of mental health, addiction, work, money, home life and safety before being released from detention.
- Young people said whether a young person's home life is suitable should be considered and *"if they actually have a home to go to"*.
- Young people said it should be considered what support exists outside of detention like **sport, music, job searching, and technology**. Young people asked for a mentor to provide access to electronic devices and **help with resume writing** so that they can *"fend for themselves"*.

**THE SYSTEM NEEDS TO CONSIDER HOME LIFE FOR YOUNG PEOPLE**  
***"IF THEY ACTUALLY HAVE A HOME TO GO TO"***

### Overall Theme Summary

Young people detailed many ways experiences with the justice system have impacted their lives, including negative experiences with police, staff who used scare tactics, and a valid distrust of the system. Young people also told us that the system impacts their personal relationships, including family dynamics, and that the limited support offered after justice engagement and consideration of each young person's personal circumstances leaves young people vulnerable to repeating cycles.



## IDEAS FOR CHANGE AND RECOMMENDATIONS.

What should be improved in the youth justice system?

### Cultural, Familial and Social Support

- Reintegration support with families is important. Safe places for families to communicate, meet, and receive counselling. Activities to support trust building within families, and with authorities/the system.
- Young people identified a need for support around preventing shame, especially if you're trying to do better but your family might not be.
- Address that the YJS is not supportive of culture, leading to anger and frustration.
- Simplified access to legal aid for First Nations people.
- Simplified and increased access to interpreters.
- Increased access to social supports like Medicare and Centrelink.
- Support linking young people with specialised services.
- Support linking young people to services that address physical health, emotional support and mental health management needs.
- Pathways out of detention and housing support if the home environment isn't safe or supportive.
- **Mentorship programs from older people** who have *"gone through the same stuff but can show you better"*.
- Services need to appeal to young people – to look fun, with food and games, and workers who genuinely care and aren't just there to get paid.

## IDEAS AND RECOMMENDATIONS (CONTINUED).

### Support at Court

- Young people identified an urgent need for more support around speaking in court – *“how can you speak, if you physically can’t?”*
- Courts need to provide more compassion, empathy, and *“heart”*, and support that doesn’t assume young people know what’s going on.
- There needs to be more recognition of background circumstances, motivations, the young person’s side of the story, and *“truth telling”* on both sides of a case.
- Young people asked to have clothes available at court if they need to change into something more formal.
- Young people asked for consideration of **safe rooms and sensory toys** for people who need them.
- Young people asked for the court to give people reasonable time and resources to prepare for court appearances.
- Young people noted challenges in parking and transport, and noted a beneficial support could be free parking around courts.
- Reducing judgement for physical appearance in court such as tattoos.
- Young people would like to see more options in sentencing for specific circumstances instead of BHDC (e.g. mental health facility or drug rehabilitation facilities)

**YOUNG PEOPLE TOLD US SOME OF THEM WOULD RATHER HAVE A SENTENCE IMPOSED THAN HAVE TO PUBLIC SPEAK.**

### Procedural Support

- Support to walk young people through procedures including court processes, their rights, expectations, dress code, and language used.
- Courts should speak in a way young people understand and legal language translated for young people (e.g. language level taught in schools), especially if English is not their first language.
- Transparency over processes and personal rights to ensure they are not taken advantage of and are respected.
- Youth advocates to help with police interactions and justice processes.
- Clear outcomes and links to services during the court process.
- Reducing the need to repeat traumatic stories during justice processes.
- Give reasonable time and help to prepare for court.
- Separate young people in court to stop them from influencing each other.

**LETTERS ARE A BAD WAY OF COMMUNICATING COURT INFORMATION... YOU CAN LOSE THE PAPER, FAMILY MEMBERS TAKE THEM, OTHER PEOPLE CAN READ, AND LETTERS CAN BE MISSED IF YOU ARE NOT STAYING AT THE SAME HOME/PLACE.**

### Material Support

- Financial support especially with the rising cost of living
- Clothing for court appearances.
- Hygiene products in court and a place to shower and clean up.
- Transport options and support especially for young people and families from remote communities.
- Free parking and smartriders to access court and other youth justice services.
- Healthier and more food in court.
- Free access to sporting activities e.g. team sports, rock climbing.

## IDEAS AND RECOMMENDATIONS (CONTINUED).

***“TREAT THE CAUSE AND NOT THE SYMPTOMS”.***

### Prevention

- Consider the reasons behind behaviour. Early intervention to stop young people progressing to adult detention.
- Provide pathways to a better future through study, skill building to help with qualifications and education.
- More free activities including sports to keep young people **busy and engaged in meaningful activities**.
- Reform including changing the age that young people can be locked up.
- More resources for families. For example, young people noted financial support would help in a preventative aspect (needing to steal to eat).

***“THE JUSTICE SYSTEM ISN’T EQUAL FOR PEOPLE WHO CAN’T AFFORD IT”.***

### System Improvements

- Young people understood that everyone should have a lawyer/legal aid that is of equal quality.
- Young people identified the need for better police training, especially around dealing with young people.
- Young people said trust in the police increased when they would interact meaningfully with the community, such as protecting children, or play with them when visiting daycares. This helped change perspectives as community police were putting in effort.
- Young people wanted better understanding and respect of children’s rights from the system, for example this could be taught in schools.
- Not having unreasonable expectations like punishment for a lack of communication with youth officers (you might not have a phone), or not being able to appear in court when there’s no transport.
- More ‘heart’, compassion and empathy in dealing with young offenders. Employee practice should have more lived experience and trauma-informed practice.
- Remove the shame of public appearances at court, make the court process less unwelcoming, and address power imbalances that can cause exploitation/neglect of vulnerable young people.
- Support for young people **around the holidays – this time is triggering** and young people said that shoplifting/**stealing increases around that time to get presents and food for family**. Have more free community events around the holidays and support families to see their children if they are incarcerated.
- Make relevant support services more like a “fun area not a work area” and encourage young people to attend. This could be by providing games and food to encourage young people to access support services.
- ‘Get more guards’ to improve the care of young people, and introduce separation in BHDC and Unit 18 based on the severity of charges to reduce criminalisation of young people
- *“Support systems in jail that actually help”.*

**ASKED ‘WHAT DO YOU THINK WILL HAPPEN IF NOTHING CHANGES?’, YOUNG PEOPLE SAID MORE SUICIDE, CRIME, ADDICTION, MISTRUST IN POLICE, RACISM, STEREOTYPING, AND YOUNGER GENERATIONS BEING TAUGHT CYCLES OF CRIME ARE NORMAL.**



# REFLECTIONS.



The YJIAC project was the first of its kind in WA. While the project was fruitful, there are some key lessons learned in the design and delivery of this project that may be useful for broader lived experience with vulnerable young people in WA, especially those engaged in the criminal justice system. This includes:

Theme	Lesson Learned
Council format in partnership with education providers	Before this YJIAC Phase One, HI had attempted to engage YP through self-referred group sessions and 1-1 sessions. While we received a number of referrals, sessions were usually not attended. The partnership with Port School resulted in a much more successful attendance rate.
Feedback from young people on the council itself	Young people were offered the opportunity to provide feedback on their YJIAC experience after the session however uptake on the online form was very low. In the future, young people should be provided the opportunity to provide real-time feedback within the session itself. Young people provided anecdotal feedback during sessions, which allowed HI facilitators to adjust in the moment depending on young people’s needs, and also adjust for future sessions to improve young people’s experience next time.
Enhancing feelings of safety and accessibility	Sitting down while talking to participants to create a ‘level playing field’ and reduce any real or perceived power imbalances. Dedicating time, and presenting clear visual information before discussions on important topics such as our child protection duty of care, non-mandatory participation, and safe-space expectations with a focus on cultural safety. Balancing participant empowerment while validating clear issues with the justice system. Increased positive reinforcement for participants, acknowledging the difficulties in discussing often traumatic experiences.
Communication with young people	HI to develop a FAQ document that can be accessed by participants, support staff and any other relevant stakeholders.
Reporting	Management of complex verbatim data is complex and took significantly longer than originally anticipated. Appropriate time and resources should be dedicated to synthesising council outcomes and developing final reporting mechanisms.

# NEXT STEPS.

The YJIAC project was designed with performance criteria and impact measurements directly related to feedback received from young people in sessions. Impact measurement for this pilot included the following criteria:

- Reform(s) implemented locally within HI;
- Reform(s) recommended to the sector, based on data collected within the YJIAC program; and
- Potential pilot projects identified by YJIAC and implemented using a Human Centred Design approach.

## YJIAC ACTION PLAN

HI is commencing activity to translate the findings of YJIAC into tangible outputs to improve services for young people. This will include:

- Proposed collaborations within the youth justice sector.
- Proposed advocacy platforms to highlight key areas of change required as identified by young people.
- Resources to be developed that add value for young people in understanding the system.

If you or your organisation would be interested to collaborate on any projects or reforms / actions that might address the challenges identified in this report, please contact Ashleigh Dickson, HI CEO at [ashleigh@helloinitiative.org.au](mailto:ashleigh@helloinitiative.org.au).

# CONCLUSION AND THANKS.

The Youth Justice Innovation Advisory Council is the first program of its kind, designed to elevate the voice of young people interacting with the justice system, and identify key intervention points to improve social and/or judicial outcomes for young people. Through our consultations, we found key recommendations to be centred on navigating court processes, conditions within Banksia Hill Detention Centre, and early-prevention support for at-risk young people. These recommendations and actions will help guide HI's internal development while providing critical feedback to community services more broadly, with the intention of reforming the sector to genuinely offer therapeutic, compassionate and sustainable support for young people interacting with the justice system.

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- Our funding partner Santa Maria College's Old Girl's Association.

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