



Mission Australia's submission to the Review of the YOA and the CCPA

December 2011

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Mission Australia's Submission to the Review of the *Young Offenders Act 1997* and the *Children (Criminal Proceedings) Act 1987*

Summary of Recommendations

Recommendations - Offending and Young People

Mission Australia recommends that the YOA continue to allow Police and the Children's Court to use warnings and cautions, and to refer young people to restorative conferencing, as an alternative to court proceedings for young people who commit certain offences. In doing so the NSW State Government should also commit to:

- ♦ the view of detention as a last resort,
- ♦ reducing the number and rate of young people in detention and on remand; and
- ♦ setting targets to enable this to be annually monitored.

This commitment is particularly relevant for Aboriginal and Torres Strait Islander young people and young people from other minority community groups in view of their gross overrepresentation in the criminal justice system. It is also particularly relevant given the reversal of trend resulting in increased numbers of young people in custody. (The issue of over-representation is discussed in the next section).

- the use of remand as a way to address the welfare needs of young people should be avoided as this approach runs contrary to the notion of detention as a last resort. Remand should be used as a last resort as it represents a missed opportunity to appropriately and effectively intervene in a young person's life.
- as a general rule, engagement in programs and services to address welfare needs should not be facilitated through court orders, and should be divorced from the sentencing hierarchy.

In relation to specific provisions of the legislation Mission Australia recommends:

- no change should be made to the age of criminal responsibility at this point in time. Any proposed future change should be based on scientific and medical research, and example how the doctrine of *doli incapax* is administered at the time of the proposed change.
- the insertion of a provision within the CCPA that bail be dispensed with for children and young people or where bail is ordered that it is done so with associated support to enable young people to meet the conditions imposed.
- the Youth Justice Advisory Committee should be reinstated, with representatives from agencies such as the NSW Department of Attorney General and Justice, NSW Police, Juvenile Justice and the Legal Aid Commission, to oversee the implementation of the YOA.
- the YOA should be amended to provide that all offences are covered by the Act, except serious children's indictable offences (such as those defined in s3 of the CCPA).

Recommendations - Over-representation

Mission Australia recommends that:

- the NSW Government maintains a commitment to reducing the over-representation of Indigenous young people in the youth justice system and recognises that differing responses are required to respond to their needs.
- The Government should invest in ongoing promotional and educational activities to ensure that police officers, government funded children’s lawyers and magistrates understand the philosophical underpinnings and practical applications of the YOA.
- the NSW Government implement the National Indigenous Law and Justice Framework.
- the importance that young people place on their family relationships and friendships be considered when considering what type of responses to develop to address issues for vulnerable young people who come into contact with the youth justice system.
- the uniqueness of the social context in which programs are to be delivered is taken into consideration when developing programs to address the needs of the vulnerable groups of young people in NSW.

Recommendations - What Works with Young People

Mission Australia recommends:

- programs need to be tailored to meet the needs of the participant given there is no ‘one size fits all’ approach exists to deal effectively with young people who offend.
- any program designed to reduce offending among young people includes family support and counselling.
- any program adopted or adapted for use with young people who offend includes an element of aftercare.
- a collaborative approach to addressing the issue of youth offending a no single agency can deliver all outcomes for young people who offend.
- effective diversion requires an increase in Government funding for diversionary programs run by non-government organisations.
- that a provision be inserted in the CCPA requiring the court, as a matter of first principle and throughout the course of a matter, to consider the application of diversionary options under the YOA.
- that current provisions regarding the recording of a conviction and evidence of prior offences should remain unchanged as they are consistent with the rehabilitative aims of juvenile justice.
- sentencing options should be consistently reviewed to ensure the policy aims of the CCPA are maintained and to identify areas of the State in which the full range of sentencing options are not being used.

Recommendations – Program Overview

Mission Australia recommends that:

- consideration be given to adopting the successful elements of the programs outlined in this section when funding or developing services to prevent young people from becoming entrenched in the justice system.

Recommendations – Youth Justice Conferences

Recommendations:

Mission Australia recommends that:

- ♦ ‘best practice’ approaches to youth justice conferences should be identified and adopted for use in NSW as they have the potential to address both youth offending and youth justice issues when implemented correctly.
- ♦ conference convenors should consistently receive both formal and informal training to ensure effective implementation of the YOA.
- ♦ the reasons for Indigenous young people being less likely to be diverted via restorative measures than their non-Indigenous contemporaries be identified and addressed.
- ♦ welfare considerations not be used as the trigger for ordering youth justice conferences given this may represent a potentially more onerous sentencing outcome than they may otherwise have experienced.
- ♦ consideration be given to identifying sustainable sources of funding to ensure ‘best practice’ approaches extend to the services used to implement and deliver against outcome plans, particularly given the longer term savings associated with diversionary measures.
- ♦ programs be sufficiently funded to enable providers to explore the unique context and circumstances of their clients, and provide differentiated responses as required. (This includes developing a better understanding of the unique situation of minority populations that are overrepresented in the youth justice system and developing appropriate preventative and early intervention responses).

Recommendations –Justice Reinvestment

Mission Australia recommends that:

- ♦ the NSW Government considers applying the principles underpinning justice reinvestment, and the funds associated with it, to the development and provision of sustainable early intervention, prevention and diversionary services to improve the outcomes for young people, reduce offending and re-offending rates and reduce the overall costs associated with the youth justice system.

Section 1 - Background

Mission Australia

Mission Australia is a national, not for profit organisation that has been transforming the lives of Australians in need for more than 150 years. We are motivated by a vision for a fairer Australia where all young people feel included and valued and enjoy the support of their families and communities to realise their potential. In 2010-11 our Community Services delivered some 349 services¹, assisted 133,807 individuals and 8,568 families and provided a total of 103,728 instances of service².

Our services work with a diverse range of young people in a variety of settings. During 2010-11 Mission Australia specifically supported young people through our 94 youth services located throughout Australia. Through these 94 services we helped 24,779 individuals and provided 18,214 occasions of support. In addition, we supported a significant number of young people through our homeless, employment and training services, and worked with families in disadvantaged communities to build their skills and resilience.

The holistic nature of our work is reflected in our *Outcomes Hierarchy for Pathways through a Successful Youth*³. This hierarchy provides an overview of the foundations necessary for young people to engage with learning opportunities and participate fully in the social and economic life of their communities, and to negotiate safe and successful transitions into adulthood. Community capacity, in terms of communities' problem-solving capabilities and their ability to create safe, vibrant and inclusive environments, is also critical to engaging young people and promoting their overall wellbeing. Accordingly, Mission Australia works not only at the individual level with young people, but also with their families, their peers, and a range of institutions, and also works at the community level.

Rehabilitation and support programs for young people who are in contact with the justice system are among the many programs provided by Mission Australia. Our prevention, rehabilitation and reintegration programs include: *Youth Assist*, a program that targets young people who have come to the attention of police as either first-time offenders, victims of crime or are displaying anti-social behaviour and helps them address these issues, as well as contributing problems; *U-Turn*, a diversionary program underpinned by restorative justice principles, designed for young people aged 15-20 years with a history of motor theft or at risk of becoming involved in motor theft; a range of Post-Release Support Programs (strengths-based, intensive case management support for young people who have been released from juvenile justice centres to assist them to overcome barriers to re-integration so that they can address the underlying causes of their offending behaviour and establish positive connections with their communities); and *Youth Futures*, a program for young people in contact with the youth justice system with a particular focus on building young people's strengths and supporting them into sustainable and meaningful employments.

Mission Australia also delivers culturally-responsive programs. While many of these programs do not directly support young people who are in contact with the justice system, they do provide an

¹ This figure excludes 29 Early Learning Services operated by Mission Australia.

² Mission Australia (2011) *Annual Report 2011; Towards 2020*. Mission Australia; Sydney.

³ A copy of our *Outcomes Hierarchy for Pathways through a Successful Youth* is available for download from: <http://www.missionaustralia.com.au/downloads/annual-reports/2009/file/8-outcomes-hierarchy>



opportunity to prevent contact or for early intervention where contact has occurred. These programs include: the *Koori Leaps Project*, which supports Aboriginal and Torres Strait Islander families to access the services available through the Miller Community (NSW) Pre-School and Early Intervention Service; the *Dubbo Leadership and Cultural Development Program*, which assists young Aboriginal students to deepen their awareness and understanding of their culture, gain leadership skills and stay connected to the education and training system; Indigenous Youth Mobility Programs, which enhance Aboriginal and Torres Strait Islander young people's access to training and employment opportunities; *Charcoal Lane*, a Social Enterprise which provides Aboriginal young people with supported opportunities to build their vocational skills and obtain careers within the hospitality industry; the *Aboriginal Driver Education Program* which addresses difficulties experienced by Aboriginal young people accessing the required 120 hours of driver education, and consequently reduces risk-taking behaviours and over-representation in the court system; and the *No Opportunity Wasted* program, a program which provides individualised case management support for Aboriginal young people and their families to develop their employability skills by linking them into appropriate education, training and employment opportunities.

The NSW context

In NSW⁴, as with other jurisdictions, Mission Australia has developed a reputation for delivering a range of high quality, youth friendly support services including: outreach, early intervention, counselling and case management; education and skills development; mentoring; and residential programs. Given this breadth of experience Mission Australia has contact with young people and the respective government agencies and service providers along the entire pathway from prevention to exit.

In 2009-10 a total of 167 community services operated in NSW, of which 43 were specifically in our youth pathway. This included a range of specific pre and post release programs, such as:

- ♦ South West Sydney Youth Hub, - SW Sydney;
- ♦ Juvenile Justice Homelessness Action Plan – Riverina / Murray region and SE NSW;
- ♦ Newcastle Breakaway – Newcastle and North Coast;
- ♦ Post Release Support Program – SW Sydney, North Coast and Dubbo;
- ♦ Employment Skills Program – North Coast;
- ♦ MAC River Residential Rehabilitation Program – Dubbo;
- ♦ Junaa Buwa – Coffs Harbour;
- ♦ Triple Care Farm⁵ – Robertson; and
- ♦ Youth Crime Prevention program – SW Sydney.

Guiding approach for this submission

Much of Mission Australia's experience is in working with young people in community settings. Our experience in the youth justice sector has, to date, focused on the delivery of preventative, early intervention and post-release services.

Our submission is therefore informed by the following:

- Practice wisdom derived from Mission Australia's work with young people and their families over the course of many years.
- The synthesis of practice wisdom with primary and secondary research.

⁴ In 2010-11 a total of 3551 people were employed by Mission Australia, 1966 of these were based in NSW.

⁵ Both *Triple Care Farm* and the *Youth Crime Prevention* program will be discussed in more detail later in this submission

- Externally evaluated success in working with young people in contact with the justice system.
- A desire to share what 'works' in the rehabilitation of young people involved in the justice system.
- A critical but solution-focused approach to policy analysis informed by experience in direct service delivery.
- An understanding that offending behaviour is, by and large, a complex social problem and therefore requires a response that addresses not only the risk factors associated with offending, but the social structures that contribute to these factors.

Section 2 – Offending and Young People

The consultation paper acknowledges that although offending by children is extremely common, most children simply grow out of crime and that involvement in crime tends to wane after a peak during adolescence. It is therefore important to minimise the impact that involvement in offending has on adolescents. We know that young people who get caught up in a persistent cycle of offending and re-offending face a bleak future. Detention, in particular, is a critical event in a young person's life that makes the transition to adulthood especially difficult⁶. The long-term implications of being caught up in a persistent cycle of offending include increased and compounded social disadvantage, reduced employability and reduced social inclusion.

The *United Nations Convention on the Rights of the Child* (1989) (CROC) and the *United Nations Standard Minimum Rules for the Administration of Juvenile Justice* (Beijing Rules) outline underpinning human rights principles in relation to young people and detention, including that detention should be seen as a last resort, that it should be free from arbitrariness, and that it should be for the shortest appropriate time. There are also principles of best practice in relation to bail⁷, including:

- voluntary participation;
- the provision of support and intervention (not just supervision and monitoring) that is holistic and guided by a broad needs assessment; and
- that the response be coordinated and interdepartmental, and adaptable and responsive to local conditions.

Mission Australia's experience also indicates that the best interests of children and young people are not served through detention, especially if detention is not coupled with the provision of holistic services that address underlying social issues, build resilience, assist young people to take responsibility for their actions, and enhance their prospects for the future.

We acknowledge that detention is required for some offenders and offences; however we would argue that it is over-utilised, costly, does not act as a deterrent, and leads to poorer long term outcomes both for the individual and the community⁸. "Incarceration has, at best, a modest effect in reducing crime" and this effect diminishes over time⁹. Young people who are incarcerated are likely to lose links with their families, suffer violence at the hands of other inmates, and experience unstable living conditions on release¹⁰. Detention has a significant negative effect on future employment prospects of young people¹¹. Incarceration is also likely to have a crime-producing effect in the long term among particular communities and groups¹².

⁶ Mission Australia (2009) *Young people and the criminal justice system: New insights and promising responses*. Mission Australia, Sydney.

⁷ Denning-Cotter, G. (2008) *Bail support in Australia*. Indigenous Justice Clearinghouse, Brief 2, April. Australian Institute of Criminology and Standing Committee of Attorneys-General, Canberra.

⁸ Noetic Solutions (2010). *A Strategic Review of the New South Wales Juvenile Justice System. Report for the Minister for Juvenile Justice*. Noetic Solutions Pty Limited, Sydney.

⁹ Brown, D. (2010) The limited benefit of prison in controlling crime. *Current Issues in Criminal Justice*, 22(1): p.142.

¹⁰ New Economics Foundation (2009). *Punishing costs: How locking up children is making Britain less safe*. NEF, London.

¹¹ Weatherburn, D., Vignaendra, S. & McGrath, A. (2009). *The specific deterrent effect of custodial penalties on juvenile reoffending*. Australian Institute of Criminology, Canberra.

¹² Brown, D. (2010) The limited benefit of prison in controlling crime. *Current Issues in Criminal Justice*, 22(1): p.142.



Of particular concern therefore is the steady increase in both the number and rate of young people in detention that has been observed in Australia since 2004¹³. In 2009-10 there were almost 0.4 per 1000 young people aged 10-17 years in detention on an average day. However, young people were more likely to be detained in New South Wales and Tasmania (0.5 per 1,000) and least likely to be detained in Victoria (0.2 per 1,000)¹⁴.

The consequences of remanding young people in custody are also serious and manifold. Placing young people on remand contributes to their disengagement from society and places the goals of social and economic participation further from their reach. It is in the best interests of society that decisions regarding remand (and also detention) are made in the best interest of the child. This requires the impacts and effects of detention on young people's social, emotional and psychological wellbeing to be taken into account and an exploration of all opportunities that set young people on a pathway away from the juvenile system. Decisions should also include the establishment of treatment-oriented programs which comprehensively address the barriers to accessing bail as addressing offenders' circumstances and is an integral dimension of restorative justice.

As with the increase in detention rates, there has also been an increase in the proportion of remanded individuals within juvenile detention, with juveniles now remanded at a far higher proportion than their adult counterparts. This increase is particularly evident for male detainees, and similar rates of increase were observed for both Indigenous and non-Indigenous juveniles¹⁵. What is of concern to Mission Australia is that the trend to remand reflects an approach that is inconsistent with the principle of detention as a last resort. Additionally the use of remand represents a missed opportunity to appropriately and effectively intervene in a young person's life, especially as research suggests young people, by virtue of their age, can be particularly receptive to intervention¹⁶.

Recommendations:

Mission Australia recommends that the YOA continue to allow Police and the Children's Court to use warnings and cautions, and to refer young people to restorative conferencing, as an alternative to court proceedings for young people who commit certain offences. In doing so the NSW State Government should also commit to:

- ♦ the view of detention as a last resort,
- ♦ reducing the number and rate of young people in detention and on remand; and
- ♦ setting targets to enable this to be annually monitored.

This commitment is particularly relevant for Aboriginal and Torres Strait Islander young people and young people from other minority community groups in view of their gross overrepresentation in the criminal justice system. It is also particularly relevant given the reversal of trend resulting in increased numbers of young people in custody. (The issue of over-representation is discussed in the next section).

¹³ Richards, K. & Lyneham, M. (2010) *Juveniles in detention in Australia, 1981–2008*. Australian Institute of Criminology, Canberra.

¹⁴ AIHW (2011) *Juvenile Justice in Australia 2009-10: Juvenile Justice Series No. 8*. Australian Institute of Health and Welfare, Canberra.

¹⁵ Richards, K. (2011) Trends in juvenile detention in Australia. *Trends & issues in crime and criminal justice no. 416*. Australian Institute of Criminology, Canberra.: <http://www.aic.gov.au/publications/current%20series/tandi/401-420/tandi416.aspx>

¹⁶ Richards, K. (2011) What makes juvenile offenders different from adult offenders? *Trends & issues in crime and criminal justice no. 409*. Australian Institute of Criminology, Canberra. <http://aic.gov.au/publications/current%20series/tandi/401-420/tandi409.aspx>

- the use of remand as a way to address the welfare needs of young people should be avoided as this approach runs contrary to the notion of detention as a last resort. Remand should be used as a last resort as it represents a missed opportunity to appropriately and effectively intervene in a young person's life.
- as a general rule, engagement in programs and services to address welfare needs should not be facilitated through court orders, and should be divorced from the sentencing hierarchy.

In relation to specific provisions of the legislation Mission Australia recommends:

- no change should be made to the age of criminal responsibility at this point in time. Any proposed future change should be based on scientific and medical research, and example how the doctrine of *doli incapax* is administered at the time of the proposed change.
- the insertion of a provision within the CCPA that bail be dispensed with for children and young people or where bail is ordered that it is done so with associated support to enable young people to meet the conditions imposed.
- the Youth Justice Advisory Committee should be reinstated, with representatives from agencies such as the NSW Department of Attorney General and Justice, NSW Police, Juvenile Justice and the Legal Aid Commission, to oversee the implementation of the YOA.
- the YOA should be amended to provide that all offences are covered by the Act, except serious children's indictable offences (such as those defined in s3 of the CCPA).

Section 3 – Over-representation

Some groups of young people are over-represented in the youth justice system namely: young people from some CALD communities, young people with history of child abuse, parent incarceration, and out-of-home care, and young people with cognitive disabilities and/or mental health problems. It is important to acknowledge however, that socio-demographic factors, social exclusion and social disadvantage can better explain anti-social behaviour than membership to a particular group¹⁷. Addressing social exclusion and disadvantage is a priority if we want to prevent the over-representation of particular groups of young people in the youth justice system.

Indigenous young people are another group who are markedly over-represented in detention compared to their non-Indigenous counterparts. In 2009-10, Indigenous young people were detained at 24 times the rate for non-Indigenous young people. This over-representation existed in all age groups from 12 years upwards¹⁸. Interestingly the percentage decreases to 23% among those aged 18 years or older. In 2009-10 the rate of Indigenous young people aged 10-17 years in detention on an average day (per 1,000 Indigenous young people) was highest in the ACT and NSW (6.27 and 6.06 respectively)¹⁹. In Australia, about half of the Indigenous young people in detention on an average day are on remand, and a high number do not receive a custodial sentence²⁰. Often a lack of suitable accommodation for juveniles, particularly Indigenous young people, is an important contributing factor for the increase in the number of juveniles on remand²¹.

We would therefore urge the NSW State Government to implement the National Indigenous Law and Justice Framework 2009–2015, endorsed by the Standing Committee of Attorney’s General Working Group on Indigenous Justice.²² The Framework provides strategies that aim to close the gap in law and justice outcomes between Indigenous and non-Indigenous Australians. Increased investment in asset-based community development services should also be considered. Such services must be designed and driven by the communities themselves and supported with sufficient and appropriate resources and adequate time frames.

We would also suggest that another way to reduce the issue of over-representation, particularly for Indigenous youth, would be to improve the quality and consistency of policing practices in relation to young people. This would include: enhanced training programs for police officers in dealing with young people (e.g. cultural awareness; impact of the justice system on young people, particularly Indigenous and CALD youth; increased knowledge of cognitive disabilities and mental health issues); greater involvement of Aboriginal and CALD Community and Youth Liaison Officers; increased use of alternatives to arrest; increased use of diversion; and realistic and appropriate bail conditions. Importantly, research has shown that, compared to non-Indigenous youth, Indigenous young people are less likely to be cautioned than appear in court, less likely to

¹⁷ Baur, J. (2006) Future migration and policing: Examining assumptions. *Australasian Centre for Policing Research Issues No. 5*. Australasian Centre for Policing Research, Canberra.

¹⁸ Indigenous young people represented 63% of 12 year olds in detention, 55% of those aged 13, 60% of those aged 14, and 51% of those aged 15.

¹⁹ AIHW (2011) Juvenile Justice in Australia 2009-10: *Juvenile Justice Series No. 8*. Australian Institute of Health and Welfare, Canberra.

²⁰ House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs (2011) *Doing Time – Time for Doing: Indigenous youth in the criminal justice system*. Commonwealth of Australia, Canberra.

²¹ *Doing Time – Time for Doing*.

²² Standing Committee of Attorney’s General (2010). *National Indigenous Law and Justice Framework 2009–2015*. Commonwealth of Australia, Canberra

have a police conference than appear in court, and less likely to be cautioned than attend a conference for their first contact with the justice system²³.

Much of the theory that informs Mission Australia's approach to working with non-Indigenous offenders also holds true for Indigenous young people, with the important proviso that respecting culture is a matter of human rights and social justice. Further, as primary research has recently shown, a strong sense of cultural identity is an important developmental protective factor and "effective responses are [therefore] those that are mindful of a young person's background and culture and how this permeates their lives. Imposing 'standard' programs and practices on all young people when their individual life experiences are materially diverse can potentially do more harm than good"²⁴. Enabling Aboriginal communities to fully realise and enjoy their cultural freedom demands, first and foremost, respect for culture.

Recommendations:

Mission Australia recommends that:

- the NSW Government maintains a commitment to reducing the over-representation of Indigenous young people in the youth justice system and recognises that differing responses are required to respond to their needs.
- The Government should invest in ongoing promotional and educational activities to ensure that police officers, government funded children's lawyers and magistrates understand the philosophical underpinnings and practical applications of the YOA.
- the NSW Government implement the National Indigenous Law and Justice Framework.
- the importance that young people place on their family relationships and friendships be considered when considering what type of responses to develop to address issues for vulnerable young people who come into contact with the youth justice system.
- the uniqueness of the social context in which programs are to be delivered is taken into consideration when developing programs to address the needs of the vulnerable groups of young people in NSW.

²³ Allard, T., Stewart, A., Chrzanowski, A. *et al.* (2010). Police diversion of young offenders and Indigenous over-representation. *Trends and issues in crime and criminal justice* No. 390. Australian Institute of Criminology, Canberra

²⁴ Mission Australia (2009) *Young people and the criminal justice system: New insights and promising responses*. Mission Australia, Sydney. (p.7)

Section 4 – What Works with Young People

Offending behaviour can be averted. There are ‘pathways to desistance’²⁵ which different people take at different stages of their lives. Some people find their way through these in a relatively independent fashion, whilst others need support to proceed down a more constructive path. Some factors such as lower levels of substance use and greater stability in living arrangements, work and school attendance “appear to distinguish high-end desisters from persisters”²⁶. Basically the more problems young people experience in these areas, the more likely it is that they will have involvement with the criminal justice system and that their involvement will be sustained. Obviously there is an opportunity to address these issues and help young people become ‘desisters’ rather than ‘persisters’.

We firmly believe there is a need to work collaboratively with young people and their families across the developmental life stages so that young people can function successfully within a family context. It is important to develop intervention strategies that build strengths among young people in contact with the justice system and their families to support diversionary and early intervention programs.

Mission Australia endorses many of the principles identified in the ‘what works’ section of the consultation paper. We also acknowledge the importance of knowing ‘what works’ given youth justice interventions can positively impact on outcomes for young people and help foster their desistance to further offending. Unfortunately ineffective and unsuitable interventions can cause considerable harm²⁷.

Our general approach to working with young offenders is to work with the young person, their families and on some occasions their peers and to do so across all life domains (such as education, health, daily living, personal and social skills etc). The rationale being that offending behaviour is almost invariably associated with poor outcomes in one or more of these areas. A significant focus of our work is on early intervention, in order to provide pathways to more positive outcomes and to break the cycle of offending or poor outcomes for young people. Underpinning this approach is our intent to work directly with young people, their friends and families to build upon their strengths, and also to build the capacity of influential others to better support and enable these young people to envisage and lead flourishing lives. To assist with this, Mission Australia has significant involvement in early childhood learning and development, which includes the provision of childcare, given that a good start in life serves as a protective factor against offending behaviour; is critical to long-term wellbeing; and is also a matter of social justice.

Our approach is based on the evidence which clearly indicates that the earlier the first point of contact with the justice system occurs, the poorer the short and medium-term re-offending outcomes are²⁸. These outcomes adversely affect an individual’s long-term wellbeing. Preventing initial and repeated contacts with the justice system therefore provides an opportunity to help young people desist from crime and as such represents a critical policy issue. This is particularly

²⁵ Mulvey, EP. (2004) Introduction: Pathways to desistance study. *Youth Violence and Juvenile Justice*, 2, 211-212.

²⁶ Mulvey, EP. (2011) *Highlights from Pathways to Desistance: A longitudinal study of serious adolescent offenders*. Office of Juvenile Justice and Delinquency Prevention – Fact Sheet March 2011, Washington DC

²⁷ Richards, K. (2011) What makes juvenile offenders different from adult offenders? *Trends and issues in crime and criminal justice*. No. 409. Australian Institute of Criminology, Canberra

²⁸ AIHW (2008) *Juvenile justice in Australia 2006-07*. Australian Institute of Health and Welfare, Canberra.



important given the number of young people in the youth justice system who report high rates of homelessness, child abuse and trauma, family breakdown, mental illness and cognitive impairment; all of which contribute towards their involvement in the system²⁹.

Mission Australia has also successfully worked with young people convicted of serious offences caught up in a persistent cycle of re-offending. As a result of this experience we have observed the benefits of a more expansive, optimistic and ambitious view of, and vision for, Australia's children and young people and their capacity to realise their potential. We consider that a more positive orientation toward youth justice and the young people who come into contact with this system is justified. This view is supported by the literature which suggests that change is possible in adolescence and is in fact a common occurrence. Experts have noted that "when the worker [sees] the client's potential and the client [sees] the worker's potential to help, the outcomes [are] good... A pessimistic view about the client's capacity to change, a focus on what clients are doing wrong, and a reluctance to encourage and reward positive behaviours are all related to poorer outcomes³⁰".

We recognise that there is no 'one size fits all' approach to effectively dealing with young people who offend and as such services need to be tailored to meet the needs of the participants. A strong sense of attachment to a community is a known protective factor that reduces the likelihood of anti-social and offending behaviour and supports the development of self-esteem and positive social norms and behaviours.

We also acknowledge that no single agency can deliver all outcomes for both young people and the broader community; therefore collaboration between organisations is essential. Youth justice requires a whole-of-government and whole-of-community approach. We would call upon the NSW Government to work in partnership with the community and private sectors, and with other relevant sectors such as education, to develop a coordinated strategy focused on prevention, early intervention and rehabilitation to support better outcomes for both young people and the broader community. This 'joined up' service delivery can better respond to the multiple causes and effects of social exclusion³¹ and provide improved assistance to children and young people with complex support needs such as those who are leaving out-of-home care.

The fostering of such partnerships and integration of sectors should also involve maximising the effectiveness of referral processes that connect young people to evidence-based programs and services. This strategy should be cognisant of the diverse multiple risk domains at the individual, family and community levels that have been shown to significantly increase an individual's chance of serious social disconnection. Programs and services should attend to not only cognitive and behavioural issues, but also underlying social and economic issues such as family functioning, interpersonal and intrapersonal communications skills, building capacity in communities to support their own young people, accommodation issues, financial matters, future capacity to engage in the workforce and so on.

A Restorative Justice Framework

²⁹ Indig, D., Vechiatto, C., Haysom, L. et al. (2011). *2009 NSW Young People in Custody Health Survey: Full Report*. Justice Health and Juvenile Justice, Sydney.

³⁰ Trotter, C. (2006) *Working with Involuntary Clients: A Guide to Practice*. Sage, London [p.52 & 54]

³¹ Cappel, D. (2002). *Social inclusion initiative: social inclusion, participation and empowerment*. Address to Australian Council of Social Services National Congress, 28 November 2002.

Mission Australia supports the view of the Council of Europe Commissioner for Human Rights³² that there is no place for retribution in the youth justice system. However, Mission Australia does not advocate for the relinquishment of all personal responsibility and acknowledges the challenge and importance of keeping the community safe. As previously stated, we agree that young people who offend be encouraged and supported to take responsibility for their actions. We therefore support a restorative model of justice that attempts to balance the welfare needs of young offenders (acknowledging the need to hold individuals accountable and for them to take responsibility for their actions) with the needs of the victims. Involvement of victims helps to ensure that young offenders have the chance to reflect on their actions and the consequences of those actions. Recognition of the needs of the individual in the model also enables them to get assistance to a range of interventions to address those needs. We therefore endorse the underlying principle of restorative justice reflected in the NSW legislation and highlighted in the consultation paper.

We suggest that an effective restorative framework should include a referral process that connects the young person to an appropriate case management support service. Case management should be understood as an intensive and holistic strengths-based approach rather than another exercise in monitoring a limited number of an individual's life domains. The approach should also provide an opportunity for the involvement of victims in the process. This provides a way to ensure that young people in the criminal justice system have the chance to reflect on their actions and the consequences of those actions while gaining assistance to a range of interventions to address their needs. A restorative model should also involve greater access to culturally appropriate convenors and alternative sentencing tools which directly involves (and empowers) Aboriginal communities in the sentencing process³³.

It is also critical that young offenders are aware of the workings of the justice system and how to negotiate it as this knowledge can enable young people to meet the requirements of court orders for example. In addition, raising families' awareness of the system can result in the young person being more likely to meet the eligibility requirements of diversion and support programs that require the presence of a parent, guardian or responsible adult given those individuals would then have an awareness of the requirement. The design of programs must also give consideration to factors that may exclude Aboriginal participants (for e.g. diversion programs that exclude people with a prior history of violent offending) who would otherwise stand to benefit enormously from participation.

Diversion

There is now little doubt that programs designed to divert young people from offending and entering juvenile detention can be more effective than putting a young person in custody. Contact with the youth justice system can increase the likelihood of a young person's involvement with adult judicial intervention. There is a correlation observed between the restrictive and intensiveness of an intervention and a negative impact on future offending with youth detention being found to have the most profound criminogenic effect³⁴.

³² Hammarberg, T. (2008) A Juvenile Justice Approach Built on Human Rights Principles. *Youth Justice*. 8(3), 193-196.

³³ CIRCA (2008) NSW Attorney General's Department: *Evaluation of Circle Sentencing Program Report*. Cultural and Indigenous Research Centre Australia, Sydney.

³⁴ Richards, K. (2011b) What makes juvenile offenders different from adult offenders? *Trends & issues in crime and criminal justice no. 409*. Australian Institute of Criminology, Canberra.

<http://aic.gov.au/publications/current%20series/tandi/401-420/tandi409.aspx>

Diversionary programs can, therefore, not only produce a better outcome for young people but can also be significantly cheaper to run given the substantial financial and other costs associated with detaining an individual in custody. Juvenile justice supervision is also highly resource intensive given the requirement for a higher duty of care than that required for adult offenders³⁵. Costs associated with detention are further increased given the high levels of recidivism observed among young people and therefore need to recognise the additional resultant costs of both the initial and subsequent detentions. These costs are further exacerbated by the greater need for support post-release.

Effective diversionary programs can therefore reduce the seriousness of offending, the rates at which young people offend and also have a preventative effect against offending into adulthood. We do acknowledge that during a transition from the existing system to one more focused on diversion (particularly diversion provided outside the justice system) there would be a short term increase in costs given the need to establish services and the associated infrastructure. Once these systems are in place, however, and there is a greater focus is on prevention and diversion, substantial savings can be made.

Mission Australia has previously had discussions with Government about our view of appropriate youth justice models and post release support programs. Our discussions and recommendations are informed by both research and practice. Key elements of programs we have discussed share the following traits:

- ♦ the ability to provide supported accommodation, training and employment pathways;
- ♦ provide between 3-6 months of case management;
- ♦ are based on early intervention;
- ♦ are often located where young people are (at least those services that make initial assessment or referral to other services); and
- ♦ provide alternative activities to divert young people from poor or risky choices that may lead to contact with authority and the juvenile justice system.

Recommendations:

Mission Australia recommends:

- programs need to be tailored to meet the needs of the participant given there is no 'one size fits all' approach exists to deal effectively with young people who offend.
- any program designed to reduce offending among young people includes family support and counselling.
- any program adopted or adapted for use with young people who offend includes an element of aftercare.
- a collaborative approach to addressing the issue of youth offending a no single agency can deliver all outcomes for young people who offend.
- effective diversion requires an increase in Government funding for diversionary programs run by non-government organisations.

³⁵ Richards, K. (2011b) What makes juvenile offenders different from adult offenders? *Trends & issues in crime and criminal justice no. 409*. Australian Institute of Criminology, Canberra.
<http://aic.gov.au/publications/current%20series/tandi/401-420/tandi409.aspx>

- that a provision be inserted in the CCPA requiring the court, as a matter of first principle and throughout the course of a matter, to consider the application of diversionary options under the YOA.
- that current provisions regarding the recording of a conviction and evidence of prior offences should remain unchanged as they are consistent with the rehabilitative aims of juvenile justice.
- sentencing options should be consistently reviewed to ensure the policy aims of the CCPA are maintained and to identify areas of the State in which the full range of sentencing options are not being used.

Section 5 – Program Overview

Mission Australia runs programs around the country that have achieved significant reductions in young people's offending and recidivism. These outcomes have been achieved while also increasing young people's participation in education, enhancing their personal and social skills, assisting them to find work and improving their financial literacy. Furthermore, the outcomes have been achieved among a population who generally conform to the typical profile of young people who engage in anti-social behaviour and should therefore achieve similar success if utilised elsewhere. A number of these programs are highlighted below.

Pasifika

The Pasifika project operated in NSW from June 2005 until June 2009. During this period the project supported more than 250 Pacific Island young people who voluntarily participated in the program. An external evaluation³⁶ found that the program achieved impressive reductions in re-offending with some 65% of participants not re-offending within 12 months of the program. Other important outcomes achieved included family reconnection, re-engagement with school, and other training and employment outcomes. A measure of the program's success was its 'community access' component, which saw the peers and siblings of young people referred to the service actively seek to participate, without formal referrals from police. A critical success factor of the project was the initial connection with an experienced case worker who engaged with the client about their goals and objectives. This case worker also assisted participants to 'reframe' their approach to, and their participation in, programs and services if this was considered necessary.

The program proved to be cost effective at approximately \$2500 per individual for the duration of their three to six month involvement with the project (representing a cost of \$13.75 to \$27.50 per day³⁷). This compares very favourably to the average real operating expenditure per prisoner per day around that time (2007-08) nationally of \$220 per day and \$224 per day for NSW³⁸.

U Turn

The *U-Turn* program which operates in Tasmania has also been the subject of external evaluation³⁹. This program is delivered via a case-management model which coordinates a range of services, including: structured automotive training; personal development; links to employment and further education; recreational activities; literacy and numeracy education; road safety education; and post-course support. Also included is a supported accommodation service to enable young people from the northern part of the state to participate in the program. The evaluation found that the program had achieved "positive changes in: anti-social behaviour; life and personal skills; practical vocational training and experience in the automotive industry; workplace skills; self-esteem and confidence; social skills and self-awareness; interview and job skills; and awareness of others and the broader community"⁴⁰.

³⁶ ARTD Consultants (2007) *Evaluation of the NSW youth partnership with pacific communities 2005–2007*. Final report to the Implementation Committee. ARTD, Sydney
<http://www.sydneyr.det.nsw.edu.au/Equity/documents/TSandR/FinalReportYPPCEvaluationARTD310707.pdf>

³⁷ Calculation based upon an average daily cost for a 26 and a 13 week stay with the cheaper rate associated with the longer stay.

³⁸ Table 8A.9, Real net operating expenditure, per prisoner per day (2009-10 dollars). Chapter 8 – Corrective Services – in SCRGSP - Steering Committee for the Review of Government Service Provision (2011) *Report on Government Services 2011*. Productivity Commission, Canberra.

³⁹ TILES - Tasmanian Institute of Law Enforcement Studies (2005) *Evaluation of U-Turn Project in Tasmania - Final Report*. Hobart: University of Tasmania

⁴⁰ p4 – Executive Summary – TILES report

In addition, the program demonstrated a significant impact on recidivism rates and a reduction in anti-social behaviour. Most (92%) program participants at the time of the evaluation had not committed any offences during the program. This is a significant change given the majority of the graduates (94%) had a prior conviction for a serious offence before they entered the program. Half (52%) had also not committed any offences since completing the program. One of the strengths of the program is the post-course support which involves the provision of case-management for up to 2 years after an individual has completed the course.

Triple Care Farm

Triple Care Farm (TCF) has also achieved significant successes. TCF is our world-leading residential youth rehabilitation program located near Wollongong, NSW, which accepts approximately 100 young people each year from all over Australia. It offers four distinct programs - a residential living skills program; counselling and case management program; vocational training education program; and sport and recreation program. Upon completion of these components the students are provided with the Stepping Out aftercare program which supports students for six months.

Outcomes for participants include an observed reduction in substance use; increased participation in employment, education and training; improved stability in housing; and improved psychological health. It is indicated that the after care program further helped to reduce the risk of relapse. Specific results achieved among the graduates within the 2009 cohort include: all graduates living in stable accommodation; all moving from 'clinically significant' to 'not clinically significant' in relation to psychological health scores; a move from hazardous, harmful and chronic substance misuse to low risk levels of use as measured by dependency assessment tools; and 75% of the group having commenced formal education, training or employment.

The average costs per participant in the TCF are provided in the final report⁴¹ and indicate an approximate cost of \$232 per student per day. It should be noted that this cost includes accommodation; utilities; groceries; medication; intensive case management; legal and welfare assistance; education and training; sport and recreational activities; and access to clinical and non-clinical supports both on-site and in the community. An average cost per client of \$1611 was given for the provision of the after care service and it is indicated that even up to six months after completion of the residential program the majority of graduates had avoided relapse into chronic patterns of use.

Mission Australia are aware that this model was developed specifically for dealing with individuals who are addressing issues in relation to their mental health and addiction issues. We do however suggest that it is a model that is worthy of consideration in relation to effectively dealing with young people who offend. The rationale for this proposition is two-fold, namely that substance use is a strong predictor of recidivism and young people in detention have higher rates of mental illness than their counterparts in the community⁴².

Youth Crime Prevention program

The Youth Crime Prevention (YCP) program provides crime intervention/prevention strategies and welfare services to at risk youth and their families. YCP provides educational, training and employment opportunities, whilst promoting pro-social behaviours within the community to

⁴¹ Mission Australia (2011) Triple Care Farm: A Safe Place for Change 1989-2009. Mission Australia, Sydney.

<http://www.missionaustralia.com.au/downloads/fact-sheets/documents/file/60-triple-care-farm>

⁴² Richards, K. (2011b) What makes juvenile offenders different from adult offenders? *Trends & issues in crime and criminal justice no. 409*. Australian Institute of Criminology, Canberra.

<http://aic.gov.au/publications/current%20series/tandi/401-420/tandi409.aspx>

young people aged between 10 and 18 years who are risk of developing further criminal behaviours. The program also supports family members of referred individuals by providing remediation work between the young person and their parents/guardians.

A key focus of YCP is the empowerment of young people; their families and communities, through the development of understanding, knowledge and pride. This contributes to a sense of self esteem, self worth, self value, self awareness and self identity; and is a necessary precursor to making positive choices and having the capacity to re-engage with education and employment.

Referrals to the program are primarily made by the respective NSW Police Local Area Command but can also be made by the Department of Community Services and Department of Education and Training. Eligibility is restricted to young people from specific suburbs in the Campbelltown and Liverpool Local Government Areas. YCP does however provide information, support and referral to other young people who are affiliated with eligible young people.

Some of the successes of YCP are highlighted in the two case studies presented below:

Case Study One

(Referred from adolescent mental health)

Shelly first came to the attention of the YCP program with some complex needs. She was struggling to remain in the schooling system, had exhausted all her cautions with the police, had an AVO out against her, was dependant upon cannabis and was using methamphetamine (ice) on a regular basis. Shelly had been admitted to the adolescent mental health unit for a suicide attempt and had a relaxed attitude about her sexual health. Since engaging with the program Shelly has remained drug free for over 3 weeks, is actively looking for part-time work and is interested in beginning a traineeship upon the completion of her Year 10 certificate. She has been managing her mental health and for the first time in over a year is off all medications. Shelly now participates regularly in kick boxing and is making positive life choices.

Case Study Two

(Referred from Youth Justice Conferencing)

The YCP program is often given the opportunity to be part of Youth Justice Conferencing and it was at one these conferences we were fortunate to meet Luke. While Luke was at first hesitant to receive assistance, he was ready to engage once he acknowledged he could benefit from further support. Part of the YCP role in this case was to assist Luke to complete his outcome plan. In order to do this Luke was required to fulfil some tasks which he was able to do with the support of the program. Luke was also in a position where he could no longer remain at home, but has relocated and is being assisted in obtaining further education and employment. As a result of Luke's involvement with the program it is foreseeable that he will be able to set and reach goals, and ultimately be empowered to create change in his life.

Recommendations:

Mission Australia recommends that:

- consideration be given to adopting the successful elements of the programs outlined above when funding or developing services to prevent young people from becoming entrenched in the justice system.

Section 6 – Youth Justice Conferences

In line with the principles of restorative justice, youth justice conferences are designed to bring the offender(s), their family and support people face-to-face with their victim(s). Police and others who have been harmed by the offence are also included. In addition the young person can be accompanied by support people and it is in this capacity that Mission Australia is often involved in the youth justice conferences.

While we acknowledge the utility and importance of conferencing, we would caution against using welfare needs as the trigger for ordering conferences, given they can be arguably a more onerous sentencing outcome than an individual might otherwise receive. Of particular concern is the potential net-widening effect that restorative measures appear to have had on young females⁴³. We suggest there other mechanisms that can connect young people to case management services should exist and be utilised. Our suggested approaches are outlined elsewhere in this submission.

Mission Australia has concerns about mandating a young person's involvement in a service through completion of the case management cycle even though such agreement to engage with a case management service might represent an outcome plan of a conference. This concern stems from the likely introduction of additional compliance requirements which would result in further sanctions for the young person if unmet, further entrenching the young person in the justice system.

This view is based on research and experience that demonstrates young people's rehabilitation is not on a linear trajectory. Young people are likely to have a halting engagement with services often marked by several unsuccessful 'attempts' before completing a program. Important progress is made with each attempt made and the young person often voluntarily returns when they themselves feel ready to reconnect with the service. This approach means they gradually reach important program and developmental milestones. Consequently a system which punishes a young person for 'dropping out' of a program would likely act as a disincentive for the young person to engage or re-engage with programs in the future and would therefore be counterproductive to their rehabilitation⁴⁴.

Mission Australia acknowledges the importance of providing services that support the young person to address criminogenic and other needs. We also note that referral to a range of services (such as housing, education, recreational and therapeutic) does occur as part of the outcome plan created during the youth justice conferencing process. While we acknowledge the claim in the consultation paper that "such referrals or requirements are aimed at improving a child's future prospects and reducing the risk of further offending" it is clear that there is a risk of further entrenching a young person in the system if additional compliance requirements are inappropriately applied and referrals to conferencing are not made for the 'right reasons'.

Involvement in a youth justice conference and the associated outcome plan could and should provide ample opportunity to effectively and positively influence the outcomes for young people.

⁴³ Richards, K. (2011) Police-referred restorative justice for juveniles in Australia. *Trends & issues in crime and criminal justice* no. 398. Australian Institute of Criminology, Canberra. <http://aic.gov.au/publications/current%20series/tandi/381-400/tandi398.aspx>

⁴⁴ Wilson, M., Saggars, S. & Wildy, H. (2008) *Outcome measures for young people attending substance misuse services for detoxification and residential rehabilitation in Perth, Western Australia*. Unpublished report, Edith Cowan University and Mission Australia, Sydney.



We would therefore argue that the appropriateness of referral both into a youth justice conference and then into services as part of an outcome plan is a vital element of any youth justice conferencing mechanism. Appropriate and equitable referral mechanisms should also help to address the varying rates at which individuals are diverted via a conference, particularly the high proportion of Indigenous young people who are transferred to court rather than to a conference. This trend is also reflected in research that found Indigenous young people were less likely than non-Indigenous young people to be diverted via restorative measures even when factors such as age, gender, offence type and history were taken into consideration⁴⁵.

Of equal importance however is the need to ensure that there are realistic and beneficial outcomes associated with the outcome plans developed as part of conferencing. We are aware that there is often a lack of activity around outcome plans, contrary to the key statistics on successfully finalised outcome plans reported in the consultation paper (p.23). Often this lack of activity relates to a gap in provision of services post conference potentially resulting from the lack of actual services or lack of sustainability of many of the programs provided to support these outcome plans. A lack of sustainable and effective services will potentially compound the issues for many young people, particularly as they might be dealt with in a manner more punitive than conferencing given the limited options available. It could also reduce the beneficial outcomes that are achievable if the services referred to under an outcome plan were well entrenched, long-standing, evaluated and reflected best practice and holistic models of service provision.

We acknowledge that funding programs to ensure their sustainability represents a significant outlay for governments but would argue that the long-term benefits outweigh the initial outlay and will actually recoup money over that longer term period. An option to generate funding is discussed in somewhat more detail in the next section.

Recommendations:

Mission Australia recommends that:

- ♦ 'best practice' approaches to youth justice conferences should be identified and adopted for use in NSW as they have the potential to address both youth offending and youth justice issues when implemented correctly.
- ♦ conference convenors should consistently receive both formal and informal training to ensure effective implementation of the YOA.
- ♦ the reasons for Indigenous young people being less likely to be diverted via restorative measures than their non-Indigenous contemporaries be identified and addressed.
- ♦ welfare considerations not be used as the trigger for ordering youth justice conferences given this may represent a potentially more onerous sentencing outcome than they may otherwise have experienced.
- ♦ consideration be given to identifying sustainable sources of funding to ensure 'best practice' approaches extend to the services used to implement and deliver against outcome plans, particularly given the longer term savings associated with diversionary measures.
- ♦ programs be sufficiently funded to enable providers to explore the unique context and circumstances of their clients, and provide differentiated responses as required. (This includes developing a better understanding of the unique situation of minority populations)

⁴⁵ Snowball, L. (2008) Diversion of Indigenous juvenile offenders. *Trends & issues in crime and criminal justice* no. 355. Australian Institute of Criminology, Canberra.

that are overrepresented in the youth justice system and developing appropriate preventative and early intervention responses).

Section 7 – Justice Reinvestment

An opportunity to provide more meaningful and effective intervention is available through the principle of justice reinvestment. This approach involves the redirection of money that would have been spent on detention, to programs and services that enhance the ability of community and educational sectors to build the capacity of key people and organisations in young people's lives, including families, peers, educational institutions, and social, recreational and cultural associations. In doing so, key people and organisations are better able to identify the various stages and dimensions of social disengagement among young people and take preventative action.

The rationale for justice reinvestment is that diverting human and financial resources to disadvantaged communities and vulnerable people to address the underlying causes of crime will produce better value for money⁴⁶ and long term economic benefits; partly because diversion is more effective in reducing recidivism, which in turn reduces the cost to the community through reduced incarceration costs, reduced damage to property, reduced health care costs, and hopefully increased taxes as these young people move into the workforce.

Mission Australia sees justice reinvestment as an approach that could reduce the imprisonment rates of young people, in particular those who are over-represented in the criminal justice system⁴⁷. We would therefore recommend increased investment in evidence-based diversionary programs that have vastly superior cost and effectiveness and proven outcomes compared to incarceration.

Recommendations:

Mission Australia recommends that:

- ♦ the NSW Government considers applying the principles underpinning justice reinvestment, and the funds associated with it, to the development and provision of sustainable early intervention, prevention and diversionary services to improve the outcomes for young people, reduce offending and re-offending rates and reduce the overall costs associated with the youth justice system.

⁴⁶ McClelland R (2011) Vigilance against injustice in the justice system. 25th Lionel Murphy Lecture, Australian National University, 7 September 2011, Canberra.

⁴⁷ Aboriginal and Torres Strait Islander Social Justice Commissioner. (2009) Social Justice Report 2009. Australian Human Rights Commission, Sydney



Section 8 – Our Vision for a Fairer Youth Justice System.

Mission Australia’s vision for a fairer youth justice system is for a system based on an approach to achieve better outcomes for both young people and the broader community. As outlined in this submission, there are many elements prior to and at the point of contact with the criminal justice system where improved outcomes are available for young people.

Mission Australia believes that a fairer youth justice system should include:

- 1) A preventative approach;
- 2) Preventing the over-representation of particular groups of young people in the criminal justice system;
- 3) Tailored culturally-responsive support services to deal with root causes of offending behaviour;
- 4) Partnerships between governments and the community and private sectors to develop a coordinated strategy focused on early intervention, prevention and rehabilitation;
- 5) Justice reinvestment;
- 6) A restorative justice framework;
- 7) Using detention as a last resort and setting targets for reducing the number and rate of young people incarcerated; and
- 8) Addressing barriers to rehabilitation.

