

Youth Justice Reform Select Committee inquiry into youth justice reform in Queensland

Submission No: 85
Submitted by: Beyond DV
Publication: Making the submission and your name public
Attachments: See attachment
Submitter Comments:

Committee Secretary
Youth Justice Reform Select Committee
Parliament House
George Street
Brisbane, QLD, 4000

Submission via email: youthjustice@parliament.qld.gov.au

Dear Committee Secretary,

Regarding: Preliminary Submission to Youth Justice Reform Select Committee

Beyond DV welcome the opportunity to lodge this submission and participate in important discussion specific to reforms to the youth justice system and support for victims of crime.

Introduction and Overview of Beyond DV

Beyond DV was founded based on the lived experience of supporting a loved one through an abusive relationship. Witnessing the process of recovery from abuse while experiencing the compounding trauma of going through the Court system ignited a desire to support families to rebuild their lives from the impacts of domestic, family, and sexual violence (DFSV).

The Beyond DV mission:

*To support women and children as they rebuild their lives after domestic and family violence.
To actively encourage collaboration between organisations to raise awareness about DFSV
and to provide the most effective support to survivors.*

Beyond DV programs and services are all grounded in our Five Pillars of Recovery: Social Connection, Legal Support, Health Support, Housing Support, Financial Rebuilding. Beyond DV views the five pillars identified as interconnecting areas of need in supporting the recovery process. Working across these domains enables a holistic and person-centred response to recovery and ensures that our services have built-in adaptability for individual need, safety, and risk management to prioritise healing.

While these five pillars apply to our work with women and families, through feedback mechanisms and experience, Beyond DV established three pillars of support that informs our service delivery specific to working with children and young people to best support their unique needs.

These pillars are:

- 1) Social Connections and Support
- 2) Education and Training
- 3) Health and Wellbeing.

Beyond DV and Our Work with Young People

Beyond DV is committed to empowering those engaged in our services to play an active role in decisions that impact on their lives and ensuring that services are delivered in a manner that is least intrusive whilst maintaining the safety, wellbeing, and dignity of clients.

This extends to our commitment to supporting the rights of the child and children. In our interactions and delivery of services, Beyond DV are guided by the four core principles of the United Nations Convention on the Rights of the Child:

- We commit to non-discriminatory practices that recognise the experience of children and their right to access services that support their healing, recovery, and provide opportunities to reach their full potential.
- We endeavour to always act in the best interests of the child.
- We believe and act in accordance with the principle that children have the right to survival and development, including access to trauma-informed recovery services that can enable them to thrive.
- We will apply the perspective of the child into decision-making and program development, empowering children to take an active role in decisions that apply to their recovery journey, development, safety, and lives.

We apply these principles to our work with children and young people in the following program areas that are available to Beyond DV clients and the community:

1) Hope 4 Life: Young Person's Program

The Beyond DV Founder self-funded travel to the United States in 2019 to investigate models of working and best practice interventions in working with young people impacted by adverse childhood experiences. Seeking ways to minimise the impacts of trauma and leveraging off existing successful models, Hope 4 Life was implemented in 2019 for 8 – 16-year-olds. Now, in 2024, Hope 4 Life has been funded by Youth Justice to work specifically with 10 – 15-year-olds.

Hope 4 Life is an evidence and curriculum-based program that consists of an intensive 3-day camp each year, followed by monthly activity-based catchups, with a focus on the rebuilding of hope as a major pathway to future success and evaluated by Griffith University. Hope 4 Life works with young people aged 10 – 15 years old who have been impacted by DFSV and who are at risk of engaging in the criminal system.

2) Homework Club

A combination of staff and volunteers with backgrounds in education work as mentors to assist in weekly homework clubs conducted across the school term from several of our Recovery Centres across Brisbane. In addition to having the support of our mentors, children can revisit concepts such as SMART goal setting, Respectful Relationships and Regulating Emotions.

3) Community Playgroup

A community-based playgroup supported by Beyond DV staff, 2 mornings a week and free to Beyond DV clients.

4) Healthy Relationships Workshop for Young People and Parents

A program that has previously been run by Beyond DV and in partnership with Small Steps for Hannah and the Vulnerable Person's Unit (VPU). This program featured

voluntary attendance at workshops attended by young women and their mum's (or primary caregiver) and young men and their fathers (or primary caregiver) to look at healthy relationships, identify coercive control, facilitate discussions with experts to increase understanding of DFSV and open opportunities for dialogue between parents and children.

5) Regular Speaking Engagements at Schools

State and private schools frequently request Beyond DV as a guest speaker at assembly's and other school-based events to highlight the importance of healthy relationships and assist young people and Educators to better understand and recognise the signs of domestic and family violence.

6) Love & Learn

This app was developed with expert advice and in line with a child participation model to provide an educational resource for young people who might be concerned that they were being impacted by domestic and family violence.

In addition to the above child and young person specific activities that Beyond DV provides, we also have the position of a Founding Member of the Australian Domestic, Family and Sexual Violence Recovery Alliance. One of the Alliance priorities is "Centring Children and Young People" in our response to recovery from DFSV. As identified by the Alliance:

"Children are just as greatly impacted by domestic, family and sexual violence as adults. Recovery services are needed to support children and disrupt intergenerational patterns of violence. Women and children should have access to recovery services wherever they are, when they need them, for as long as they need them".

The position outlined above has guided parts of our submission, specifically, that with meaningful and child-centred supports in place, we can disrupt intergenerational patterns of violence, including violence associated with youth crime.

Our Motivation for Lodging This Submission

Within our small team of staff, we have over a century of combined years of experience working as Educators and Leaders within the education system. This strong background of working with children in some of the lower socio-economic schools within South-East QLD has contributed to our keen understanding of what helps and what hinders children to thrive. Our organisational experience in education combined with DFSV expertise, trauma-informed counselling, disability support for young people, and youth residential settings are fields our team have specialised in, contributing to our child-centred approach and the success of our child-centred programs. We recognise that children need care, protection, support, and access to recovery-based services.

Our understanding of neurobiology and trauma in terms of impacts of trauma on developmental milestones and understanding the meaning behind the behaviour guides how we establish and implement services so that our programs empower and enable recovery from trauma for children and young people. We believe that systemic responses to children impacted by trauma and victims of crime should draw on these same evidence-based models to ensure meaningful change and intentional recovery. Through our experience and through contemporary research on applying trauma-responsive frameworks to interventions, we know that as a society we can do better. This knowledge, and the concern that the cohort of young people being discussed have increased likelihood of being impacted by or using violence as adults, motivates us in submitting this application.

Beyond DV Submission

We draw on our organisations experience, collective-wisdom, human rights frameworks, and best-practice research and evidence to lodge this submission. Ultimately, we believe that the research into best practice and our experience in working with children and vulnerable families supports the following key recommendations:

- 1) For there to be an investment in diversionary programs for children rather than emphasise punitive measures and early engagement in the criminal justice system.

We need to prioritise trauma-responsive initiatives for children.

We know that children who engage in criminal activity and high-risk behaviours are more likely to have had exposure to adverse childhood experiences and be impacted by trauma. We also know that all children are capable of healing, and, if given the right supports, can go on to live a meaningful and engaged life.

Diverting children engaged in criminal activity away from the criminal justice system can provide increased opportunity to intervene through alternative, trauma-responsive pathways of support. Facilitating engagement in meaningful recovery programs and supporting healthy decision-making skills can contribute towards breaking the cycle of reoffending, however, this requires funding. A commitment to funding and supporting alternative pathways to detention not only demonstrate to young people that they are worthy of investment but also has the potential to instill a sense of hope. Hope, we know, is a critical element underlying growth and development. Isolation, on the other hand, is known to increase risk of further disengagement and recidivism.

- 2) We strongly urge consideration of trauma-responsive and healing oriented programs and interventions that **provide opportunities for young people to flourish**.

The Wiyi Yani U Thangani Implementation Framework articulates this message with the following statement: *“We must retune how our systems respond to people in need and situations of crisis. Across all policy settings, the narrative is one of burden and blame on the individual, with little to no regard for the structural forces at play. The response punishes individual behaviours instead of providing the necessary resources and supports to guarantee the welfare and wellbeing of individuals for the benefit of society. Through a First Nations gender lens and embedding the principle of ‘do no harm’, we can create a system where all children are born into vibrant communities, surrounded by kin, culture and Country, where all families are equipped with adequate resources”*.

It is important to note that suggesting trauma-responsive programs does not imply a lack of accountability for children engaged in criminal activity. On the contrary, children must be held accountable for their actions and understand the consequence of making poor choices. The difference here is that trauma-responsive interventions understand that harsher penalties do not deter children from crime, and in some cases, incentivise it.

Critically, our work professionally outside of Beyond DV and within Beyond DV’s programs has emphasised the understanding that young people need a sense of security and connection. Promoting the role of education and encouraging ongoing engagement in an educational setting provides purpose for future, opportunity for

positive interaction with adult role models and allows for consistent long-term engagement and linking with specialist services. Adults working with young people in these settings should have the knowledge to support them in their roles, including trauma-informed practices and frameworks to support their approach to aid young people with the opportunity to flourish.

- 3) We support community-led solutions to interventions and acknowledge the value of connection to Country, culture, and community as critical to recovery and supporting children to make positive decisions that impact on their lives and enhance community safety.

Systems and programs should be grounded in Country, Culture and Community.

Fundamentally, we know that recovery from trauma is enabled through relationships. Familial and cultural resources in the context of healing, and safety as an experience understood through relationships and environments are common understandings, well researched, within the field of neurobiology and trauma. Therefore, the removal of children and young people (often who have already been impacted by trauma) from their social connections and supports and forced isolation of these children as a form of punishment, only exacerbate trauma response and hinders cognitive functioning that supports healing and healthy decision-making.

Furthermore, centering the child in how we establish and implement interventions and systemic responses provides pathways to development, immediate safety, and healing from trauma. From this perspective, Beyond DV are in full support of First Nations community-based organisations initiatives that are shown to work for First Nations children and families. On-Country diversionary programs have the potential to work for many young people, if community-controlled organisations are funded to support these forms of interventions without unnecessary red tape and reporting measures resulting in increasing barriers to meaningful engagement with at-risk youth.

Harsh disciplinary measures that have been enforced on vulnerable children (including solitary confinement) create long term damage, further social isolation, and trigger trauma-based responses. These measures are unacceptable in that by nature they are removing children from trauma-responsive environments that can enable co-regulation and model self-regulation, rather, they are quite literally causing developmental harm. Such measures contravene Australia's human rights obligations under the UN Convention on the Rights of the Child, and in the words of Mahatma Gandhi: *"Society will be judged by how we treat our most vulnerable citizens."*

- 4) Likelihood of recidivism can be reduced if interventions are based on the Australian Childhood Foundation's four principles of recovery:
 - Safety
 - Relationships
 - Regulation
 - Trauma-processing.

Again, through a trauma-responsive lens of working with young people, there is a strong focus on understanding the meaning behind the behaviour. In applying this framework to children and young people engaging in youth crime, we can better understand what individualised supports can be put in place that would assist in breaking the cycle of disadvantage and increasing motivation for constructive decision-making that contributes to wider societal safety.

The Australian Childhood Foundation identify four domains that are critical to supporting recovery. Establishing safety, relationships, supporting regulation, and opportunity for trauma-processing are domains that are not conducive to youth detention environments or to interacting with intimidating systems and processes inherent to Court. Working on these domains requires alternative diversionary pathways that can prioritise these areas of recovery and motivate healthy choices.

Education and the role of the education system again is a critical component of supporting these forms of interventions. The relationships and connections established within schools and flexi-education systems can provide the space and opportunity to engage in recovery-based work and goals. Collaborative partnerships with trauma specialists and Educators can enable holistic pathways to heal.

Ensuring that victims of crime have the space, time, and opportunity to be supported through these domains of recovery is equally as valid to their own process in working through and healing from trauma.

5) Victims of crime should receive timely and relevant specialist support.

We know that healing is a journey with no clear finish line, that recovery from trauma is non-linear, and the process is unique to the individuals needs, goals and experiences. Systems and processes need to be available to provide immediate and ongoing support for victims of crime, and available in the post-crisis phases of recovery.

Additionally, emphasising preventative and recovery-based measures for children engaging in crime would impact on enhancing victim safety as the expectation and evidence suggest that there would be less crime as a result.

It is the responsibility of Governments to support the most vulnerable in our society, children, being the most in need of consideration, care and protection. Victims of crime must also be prioritised for support and have access to timely services at different points of their recovery journey. The recovery process of both cohorts is important to ensuring a safe and connected society, especially if we endeavour to reduce the re-offending of children in Queensland.

We strongly encourage the Committee to consider the role of trauma-responsive understandings and frameworks in youth justice systems and we look forward to seeing our government interventions work in compliance with the UN Charter of Children's Rights and in congruence to the Queensland Human Rights Act (2019).

On behalf of Beyond DV,
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