

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

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Queensland Program of Assistance to Survivors of Torture and Trauma (QPASTT) Submission to Youth Justice Reform Select Committee

January 2024

The Queensland Program of Assistance to Survivors of Torture and Trauma (QPASTT) welcomes the opportunity to contribute to the Queensland Government's Youth Justice Reform Select Committee's review of the youth justice system and support for victims of crime. Aligned with QPASTT's specialist expertise in refugee related trauma recovery and settlement this submission focuses on the ongoing reforms to the youth justice system and will address the following terms of the Inquiry:

- 2a. Prevention of entry and diversion of youth offenders from justice system with specific consideration of risk and protective factors that reduce crime
- 2b. Effective ways to stop recidivism and protect community from offending and the opportunity for community controlled organisations with specific reference to the role of First Nations people to provide support solutions and services.
- 2c. (iii) evidence-based early intervention and prevention programs

To prepare this submission consultations were completed with refugee community leaders in Brisbane and Toowoomba including the Arise Women Support Association and the Queensland African Communities Council (QACC). Recent consultations with youth leadership and advocacy group Youth Voice, and with community leaders from Greater Brisbane, Toowoomba, Cairns and Townsville have also informed this submission. Additionally, this submission also reflects the professional expertise of front line QPASTT staff who have decades of experience in working with young people from refugee background.

Due to the collectivist nature of most refugee communities, the experience of children and young people not only impacts their family but impacts the whole community. Conversely, there is broad collective responsibility for the wellbeing of children and young people. All families come to Australia with a clear purpose, which is to establish a good life for their children. As a result, there is enormous potential to improve the strengthen the network of support if services and government can effectively partner with refugee communities.

Our recommendations focus on the untapped opportunity to partner with ethnic communities in the design and delivery of prevention, early intervention and reintegration programs. Our experience is that local communities are well placed to understand and respond to the needs of vulnerable families. We assert that ethnic communities can be powerful allies in transforming the outcomes for youth in our society if they are empowered with equitable access to platforms and resources to share needs and solutions. Successful models of partnership that have been explored with First Nations communities will likely offer positive benefits for cultural communities, particularly those which share collectivist values and support structures.

About QPASTT

QPASTT has been providing trauma recovery services for people of refugee background for over 27 years. For the past 19 years we have delivered family focussed group and counselling interventions within the suite of services we offer. During this time, we have built practice expertise on recovery from trauma and torture that is the result of state based, institutional, or ethnic persecution. We continue to evolve our knowledge and skills through partnership with refugee communities, with the commitment to continuously improve our cultural safety practices and service delivery model.

QPASTT is the Queensland member of the national Forum of Australian Services for Survivors of Torture and Trauma (FASSTT). Proportionally, Queensland welcomes a high number of younger people to our state through the national humanitarian program. This is reflected in our client data as below for the year 2022-2023:

- QPASTT supported 2,409 people through counselling and 5,966 through group programs, from 86 countries of origin.
- 45% of our clients required greater than six-months intervention, signifying the complexity of refugee-trauma recovery and the impact of social and economic stressors on wellbeing.
- 44% of our clients are children and young people aged under 25 years.
- Clients under 18 years of age:
 - 73% report experiencing severe or moderate traumatic stress symptoms
 - 69% report severe or moderate family difficulties
 - 68% report interpersonal difficulties
 - 68% report severe or moderate anxiety symptoms
 - 38% report severe or moderate social isolation
 - 12% report suicide ideation

In the 2022-2023 year, there was a 90% increase in the time spent responding to community and stakeholder requests on the QPASTT Support Line - an advice and support service that operates during business hours.

QPASTT acknowledges that many people from refugee background flourish in Australia, building rich and rewarding lives. However, this is not the case for everyone. The failure to halt the perpetuation of intergenerational trauma and systemic disadvantage continues to impact many families, children and young people. This is the focus of our concern in this submission.



Understanding the Refugee Experience

Children, young people and families from refugee background have distinct survival experiences that can cause ongoing negative impacts on individual life trajectories. The experiences detailed below can come into play from the moment that the family enters Australia and act to exacerbate the stressors on family functioning, and limit thriving. As such it is important contextual knowledge considering the growing proportion of young people from refugee background in the youth justice system. Common refugee experiences include:

- Exposure from a young age to violence, intentional harm, deprivation and fear of danger including witnessing harm or death to primary carers – in many circumstances every family member has trauma memories engraved in their hearts and minds, and trauma symptoms in their body. Separation from significant extended family members can cause ongoing distress and grief.
- The family unit is likely to be skilled at navigating collectivist cultural and social systems that are vastly different to that of Australia. Families often arrive without those cultural social systems as well as limited English language skills and systems literacy to navigate complex finance, health, education and employment systems in Australia. Time limited support is provided by settlement services for the first 6 months after arrival, unless the family meets criteria for complex settlement support which can be extended for 18 months after arrival. However, the learning and community support needs remain.
- Many families and individuals experience racism and discrimination in Australia as repeated micro-aggressions and at times overt abuse and exclusion¹. After multiple rejections or misunderstandings parents lose capacity to repeatedly attempt to access services, particularly if they are single parents and/or have a large number of children.
- Overseas qualifications and employment experience of adults is frequently not recognised, and they are forced to take low paid menial jobs. Additionally, workplace exploitation of workers from migrant backgrounds is increasingly recognised as being widespread in Australia². This gives limited possibility to move out of poverty and parents often work long and extended hours reducing their availability for their children³.
- Intergenerational conflict within households can escalate as children and young people learn skills to negotiate mainstream culture, motivated by common developmental desire to “fit in”. Parents struggle to understand new expectations of family relationships and parenting, and household decision making, while maintaining cultural identity and connection.
- Education, employment and health systems prioritise individualism and frequently do not adapt to the needs of a family unit that is much more strongly embedded in collectivist cultures. This is particularly impactful when extended family obligations are not recognised.

¹ MYAN (2022) [Multicultural Youth Perspective on Racism and the Draft Anti-Racism Framework](#). Ubuntu Project (2022) [Racism in Schools: African Australian Students Speak Up](#).

² Migrant Workers Centre (2023) [Insecure by Design: Australia’s migration system and migrant workers’ job market experience](#).

³ SCOA (2019) [Recognising Overseas Skills and Qualifications](#).



All of this occurs within a global context: The world is becoming more dangerous with a rise in extremist thinking and flares in political and ethnic conflict. Those that settle in Australia via humanitarian pathways are a minority of those forcibly displaced or at intractable risk of harm. Parents and older siblings are frequently in contact with family members remaining in dangerous situations, with constant exposure to dangers of life in their “home country”, fear for the safety of loved ones, and grief over those who have died. Adults live with their hearts and minds in two places at once, with a moral obligation to protect and provide for extended family members with minimal resources to do so. This can create substantial stress and ongoing trauma within households, significantly impacting parents’ emotional and cognitive capacity to manage acculturation stressors of life in Australia without assistance.

Over the past decades, QPASTT has observed a trend of young people from refugee background with a history of school exclusion and complex family relationships, entering the youth justice system and then progressing to adult corrections. This is detailed in the infographic below and indicates two focal points of prevention: trauma informed, culturally safe education and supporting family functioning.



Risk of Intergenerational Trauma on Young People from Refugee Backgrounds (three common pathways)

ARRIVAL TO AUSTRALIA

- Children born overseas or born in Australia after family arrives
- Often in large family with a number of siblings, extended family in country of origin, third country or refugee camp
- Exposure to violence, conflict and camp trauma either directly or intergenerational trauma in family



FAMILY AND COMMUNITY LIFE

- Large families, frequently single adult headed households
- DFV and AOD misuse can be common
- Living in poverty, in low socio-economic areas with limited services and poor housing
- Continuing trauma: Moral obligation to protect/provide for extended family remaining without means or power to support
- Mistrustful of police, school, legal system, child safety - causing tension, conflict and distress in family functioning

PRIMARY SCHOOL

- Low EALD support, quickly transitioned to large mainstream classrooms
- School limited engagement with families, no interpreters to speak with parents
- Trauma presentation in classroom from multiple students
- Exclusion and expulsion due to "behavioural problems"
- Graduate primary school low levels of literacy or functionally illiterate
- Children seeking love, belonging, attention

children presenting with depression, anxiety, self harm and suicide ideation

child safety concerns, violence high mental health/trauma stigma, low trust in QPASTT, parenting challenges

young people bored, sick of poverty, no future prospects, mistrustful of systems and service

HIGH SCHOOL

- Exclusion, expulsion and moving between schools
- Unaware of or stigma/resistant to flexible education options
- Very bright but functionally illiterate and failing academically
- No whole of family engagement, high level of family/community suspicion of authorities and services from years of exclusion
- No education or decent employment prospects after school

YOUTH CRIME

- Groomed into complex organised crime networks
- Well paid, illegal/criminal work enticing to have access to money or resources not otherwise be possible.
- Experienced racial profiling from police/justice authorities - further reinforces sense of exclusion
- From youth detention, frequently engage in further criminal activity - no effective transition pathways
- Limited access to effective court support/legal assistance

once charged with adult criminal offence - risk of indefinite detention or deportation

SERIOUS MENTAL ILLNESS

- Exclusion, low self worth, complex and intrusive intergenerational trauma, insecure attachment undetected and untreated
- In girls and young women because are "quiet and compliant" more likely to be unnoticed until chronic and severe illness
- Family and community pressure to succeed causes young people to cover up symptoms
- Highly avoidance of mental health system
- High suicide risk

ALCOHOL AND DRUG USE

- Self medicating to cope with trauma and life stressors
- Maladaptive coping strategy that impacts on functioning: mental health, study and employment prospects, relational health
- High suicide risk
- Risk of engagement in justice system

Responding to Terms of Reference

2a. Prevention of entry and diversion of youth offenders from justice system with specific consideration of risk and protective factors that reduce crime

As detailed above, there are two significant systems in children and young people’s lives: families and school. When either or both are not functioning well – that is, able to attend to the unique developmental and wellbeing needs of children and young people – there is significant risk of adverse health, economic and social outcomes. This can perpetuate intergenerational trauma, cycles of poverty and marginalisation, as without attachment to primary carers, stable and safe home environment, and education that enables growth and development, children cannot thrive. And in this vacuum, opportunistic purveyors of anti-social criminal activity offer delusions of inclusion, belonging and the only possibility of a life free from poverty.

Community members and frontline workers advise that education and family support systems are failing for those who are at risk, and preventative government interventions are ineffective or absent. Therefore, prevention strategies should be focussed on (i) improving trauma informed, culturally safe education experiences and (ii) building stronger family.

(i) Improving trauma informed, culturally safe education experiences

The Department of Education Queensland Equity and Excellence strategy has three pillars of focus: educational achievement; wellbeing and engagement; culture and inclusion⁴. QPASTT welcomes the combined focus on academic outcomes, wellbeing and inclusion, as children and young people learn best when they feel well, they belong and they are physically and psychosocially safe. However, there are no specific performance measures related to wellbeing and no regard for the specific needs of students from refugee background and their families in the strategy⁵. There is no dedicated action plan or strategy to address the needs of students of refugee background despite significant work to a revised Education CALD Strategy in 2022. Without dedicated resources and partnership with refugee led organisations and specialist services as exists in New South Wales and Victoria⁶, the unique engagement, wellbeing and educational needs of families from refugee background are unlikely to be realised.

⁴ Released March 2023. See <https://education.qld.gov.au/initiatives-and-strategies/strategies-and-programs/equity-and-excellence>

⁵ Children and young people from refugee background are recognised by the Productivity Commission (2022) as at high risk of experiencing education disadvantage. See Productivity Commission (2022) *Review of the National School Reform Agreement*. Study report December 2022.

⁶ See Foundation House [Schools in for Refugees](#) and [Early Years](#) programs in Victoria or the [STARTTS Schools Program](#) in New South Wales as examples of wholistic trauma informed education support.

In Queensland, the lack of strategy for students from refugee background is compounded by the Inclusive Education Policy that was implemented in 2020. This saw dissolution of dedicated English as an Additional Language or Dialect (EAL/D) Units within most schools with high refugee populations, and has resulted in a loss of specialised teaching support tailored to the needs of refugee background students. Limited EAL/D support has reduced an overall capability in understanding and meeting the learning and wellbeing needs for students from refugee backgrounds and their families in schools. Schools need an embedded approach to inclusion addressing the language, learning development and adjustment to new education system impacts with families.

There is a disturbing trend of young people from refugee background (including those born in Australia), who after years of schooling in Australia remain illiterate, with limited employment or education opportunities. Schools are not sufficiently meeting the language and inclusion needs for these students and they report persistent exclusion, discrimination and racism⁷. This communicates overt and subtle messages that they are not welcome, do not belong, their needs are not important or recognised, and they do not have the potential to learn and thrive⁸.

There is significant need for consistent proactive inclusion of families from refugee background into the school community so they can collaborate in the shared responsibility of their children's learning. Parents report they are consistently underinformed by schools: Schools rarely provide information about student/parent meetings, school-based events or announcements in non-digital formats or in languages other than English. Interpreters are not offered for meetings with school staff which makes interactions ineffective. This is more acute in high schools where the expectation is that parents and guardians proactively engage with the school independently.

To address these deficits, schools need to build capacity to effectively engage with students, parents, guardians and wider cultural community, creating genuine welcome and invitation for families to collaborate in their children's education⁹. In practical terms this means:

- reinstating or creating on campus bi-cultural liaison roles and specialised teaching support roles
- targeting students and their parents/guardians at risk of disengagement with bi-cultural system navigation support and consultation
- offering school based and after hours support at times that suit families' multiple commitments
- offering communication in multiple languages and formats, and using interpreters as required for all interactions with parents and caregivers¹⁰

⁷ MYAN (2022) [Multicultural Youth Perspective on Racism and the Draft Anti-Racism Framework](#). Ubuntu Project (2022) [Racism in Schools: African Australian Students Speak Up](#).

⁸ QPASTT staff report that almost all clients who have interacted with youth justice system have been expelled from at least one school.

⁹ See the documented benefits of schools proactively engaging with families in Hammond et al (2018) *Classrooms of Possibility: Working with students from refugee backgrounds in mainstream classes*. UTS.

¹⁰ The advice to parents of EAL/D students is communicated on the Department of Education website in English with a broken audio link. see <https://education.qld.gov.au/curriculum/learning-at-home/advice-to-parents/eald>



- training for classroom staff to recognise when a student is struggling with trauma symptoms, and provide collaboration pathways for specialist services to support students and give practical guidance for teachers to create trauma safe classrooms.

At their best, schools are places of belonging, where children and young people can obtain skills to engage with society and navigate adult systems while also developing sense of identity and place. When schools exclude young people, their prospects are extremely bleak and criminal activity may seem the only way out of poverty ¹¹.

(ii) Building strong families

QPASTT believes that family is a key context for healing and is identified by clients as a key protective factor, but potentially can also be a barrier to healing when at times parents are also struggling against barriers for participation and elevation from poverty. At times of stress, conflict and harm can occur. Family relationships, patterns, and health are impacted by trauma and grief, and can be a site for the transmission of trauma. Issues of gambling and financial mismanagement, domestic and family violence, parenting, sexual and reproductive health, mental illness and disability can be highly stigmatised topics. Mainstream services often do not effectively engage with refugee community members, due to a lack of trauma awareness and cultural safety, or failure to effectively communicate through use of interpreters. As children and young people master language more quickly, the authority of parents is frequently undermined when services find communicating with them “too difficult”. This fuels intergenerational tension and conflict which increases risk factors. Families can be reluctant to seek assistance from mainstream services, and when they do, can quickly become fatigued by being misunderstood, and by experiencing communication and language breakdowns, time and financial costs.

Due to repeated experiences of culturally incompetent services compounding shame/stigma, it is not uncommon for the issues and challenges families are facing to be at crisis point before they are willing to seek assistance. When there is sufficient trust established to broker referral to Intensive Family Support services, such services are frequently at capacity and not accepting new referrals. At points of acute distress or with severe mental health presentations, QPASTT staff have also attempted to refer children and young people to Child and Youth Mental Health Services (CYMHS). At this point a number of referrals in South East Queensland and regional locations have been declined the child or young person is diagnosed with oppositional defiance disorder, reactive attachment disorder or attention deficit hyperactivity disorder (ADHD) with CYMHS practitioners deeming these as behavioural or parenting issues rather than mental health issues. This is despite such disorders recognised within the American Psychiatric Association’s Diagnostic and Statistical Manual (DSM) which is used as an international reference point for mental health conditions¹². This renders many children and young people (and their families) with severe mental health presentations without clinical service options and is a service gap that must be addressed.

¹¹ See also Sheperd et al (2018) Pathways to offending for young Sudanese Australians. *Australian and New Zealand Journal of Criminology* Vol 51(4) 481-501.

¹² See <https://www.psychiatry.org/psychiatrists/practice/dsm>



Community members report that police rarely use interpreters when communicating with guardians of young people from refugee background. Additionally, people from refugee background may have previously had harmful experiences of police, immigration, or law enforcement in their country of origin or countries of transit. Interactions with police can be regarded with suspicion through fear that this may trigger removal of children, visa or residency cancellation, or risk of deportation. This cumulates in parents from refugee background frequently being uninformed about the legal offences their children are charged with, legal proceedings or how to respond. Parents have then reached out to community leaders to assist them to locate their child (who has been detained), the parent only realising something has occurred when their child does not return home. This indicates an absence of engagement with family in early intervention, rehabilitation and postvention strategies.

Proactive wrap around family support and capacity building services that are embedded in communities or designed and delivered in partnership with communities can enhance protective factors and reduce risk factors of intergenerational family conflict and inaccessible service support. Community initiative can provide additional support for families to relieve the pressure to provide all the social and emotional needs for children and young people. These initiatives require access to social infrastructure. There is particular benefit of community led pro-social and sporting activities, however long standing barriers to accessing sports fields to play soccer or basketball remain. Without income to access sports via Clubs or organised programs, young people often can't access sport which has social status as well as strong wellbeing benefits. Groups such as the African Lions Soccer group in Toowoomba are challenged to access fields with lights on weekends and after hours yet are providing a valuable social diversion for young people in the region.

QPASTT has a number of programs aimed at increasing strengths of families including:

- Building Stronger Families program which comprises cultural strengths-based, lived expertise family focussed workshops, delivered to ethnic specific communities.
- Communities Healing to Thrive program facilitates conversations on trauma and mental wellbeing and is designed and co-delivered with community members themselves to reduce stigma and encourage collective healing.

Programs such as these recognise the cultural strengths and values, and further build capacity of families to be sites of nurturing and healing. To be most effective, partnership with community members in the design and delivery of interventions is ideal. This takes trust and time to build the necessary relationships – resources that are often not recognised or accounted for in short term project funding. Additionally, program criteria must prioritise the needs of community, as identified by community.



2b. Effective ways to stop recidivism and protect community from offending and the opportunity for community controlled organisations with specific reference to the role of First Nations people to provide support solutions and services.

The cultural-political history of First Nations peoples and people from refugee background are distinctly different. However, there are shared characteristics of living within two cultural paradigms, history of intentional harm, surviving systemic racism and frequently experience of racial profiling¹³. Following lessons learnt from First Nations initiatives, cultural support of young people from refugee background should be a fundamental component in early intervention and of rehabilitation. This should include initiatives such as court based cultural elders and advisors, wrap around community based supports for families, cultural conferences/restorative practices, and pro-social programs led by cultural leaders and community members to role model culturally aware problem solving behaviours. The lack of culturally safe and trauma informed pro-social support and relationships perpetuates the vacuum where anti-social identity and behaviour can proliferate.

Anecdotal evidence indicates the most prevalent criminal activity amongst young people from refugee background is drug running, theft/fraud or handling stolen goods. QPASTT and QACC staff reported the following:

- Dealers and criminal leads wait for the young person to be released from youth detention and threaten to harm family members if young people do not continue to work for them
- Police fail to protect young people who are willing to disclose the identity of dealers or criminal leads within the community; instead, police request more evidence without any protection offered to the young people or their families
- Young people are acutely aware of the risk of family members becoming known by criminal networks, so they withhold information from family members and have been known choose to move interstate to get away from this risk of violent retribution
- However, when some members of the community have advocated directly to a responsive local Member of Parliament, protective action is quickly put in place which demonstrates that the resources are there but not offered until forced to do so.

Once engagement in the youth justice system commences, frequently young people and their families do not have the knowledge to navigate these systems and are unaware of support services available. When young people and their families do not proactively engage with the justice system this is interpreted as a lack of interest or care rather than indication of unresolved barriers to engagement such as communication breakdown, lack of accessible information and no systems navigation support. Initiatives to address legal awareness within refugee background communities have been piecemeal and temporary:

¹³ Young people from African, Middle Eastern and Asian backgrounds describe being pulled up by police on the street on a weekly basis. Racial profiling is similarly documented in the 2022 [End of Mission Statement](#) by United Nations Working Group of Experts on People of African Descent.

- In 2016-17, QPASTT was able to collaborate with the Youth Advocacy Centre (YAC) and QACC on a community legal education project that utilised law students and graduate lawyers to run a series of consultations to create education resources and workshops aimed at increasing young people from African backgrounds knowledge of their legal rights and responsibilities. The resources were designed based on young people’s current experiences and interactions with law enforcement to ensure topics had real life applicability.
- In 2021, QPASTT ran a pilot project providing tailored practical education sessions on legal and youth justice systems, as well as individual case management support for young people and their families, assisting them to connect with duty lawyers, gain pre-court advice, and prepare supporting materials for court. To demonstrate the failure of justice systems to adequately engage with families, on more than one occasion, the QPASTT program worker reconnected young people with their parent, after their parent was unable to locate them within the justice system. This program was meaningful and successful in responding to a very basic justice navigation need, however could not continue due to lack of funds.

QPASTT staff work with young adults who have transitioned through youth justice and into adult corrections. These clients consistently express that as young people they felt lost, unable to find their way and as teenagers they were trying to get through every day without the guidance which would have allowed them to consider the long term consequences of actions. None of these clients can identify any interventions offered to them that would have redirected them to a pro-social life path, or meaningful rehabilitation programs while in the youth justice system. They are young adults who have uncertain future prospects - they continue to struggle with addictions that proliferated while in immigration detention, they have limited experience of employment, and rudimentary literacy skills. This is a tragedy for the refugee community who have fled to Australia seeking a life free from persecution. These young adults recommended supported education and vocational training programs as essential components of recidivism prevention, as well as support for reintegration to community and family networks.

2c. (iii) evidence-based early intervention and prevention programs

Whole of School Engagement

Multi-layered culturally safe and trauma informed education programs such as New South Wales based STARTTS in Schools have demonstrated increased family engagement in school life, academic performance and wellbeing for students, and teaching staff confidence and satisfaction¹⁴. The program evaluation documents that 87% of teachers reported academic improvement of students who engaged in STARTTS programs. Additionally, students

¹⁴ STARTTS (2021) [STARTTS in Schools Evaluation Report](#).



themselves indicated that their wellbeing (mood, stress level, sleep) and confidence improved as a result of participating in STARTT's schools based programs.

The Victorian project Refugee Education Support Program ("Schools in for Refugees" and "Early Years" programs) have been found to increase engagement between staff, community and family, contributing to stronger learning environments for students; build teacher skills and awareness and provide practical benefit on day-to-day school life¹⁵.

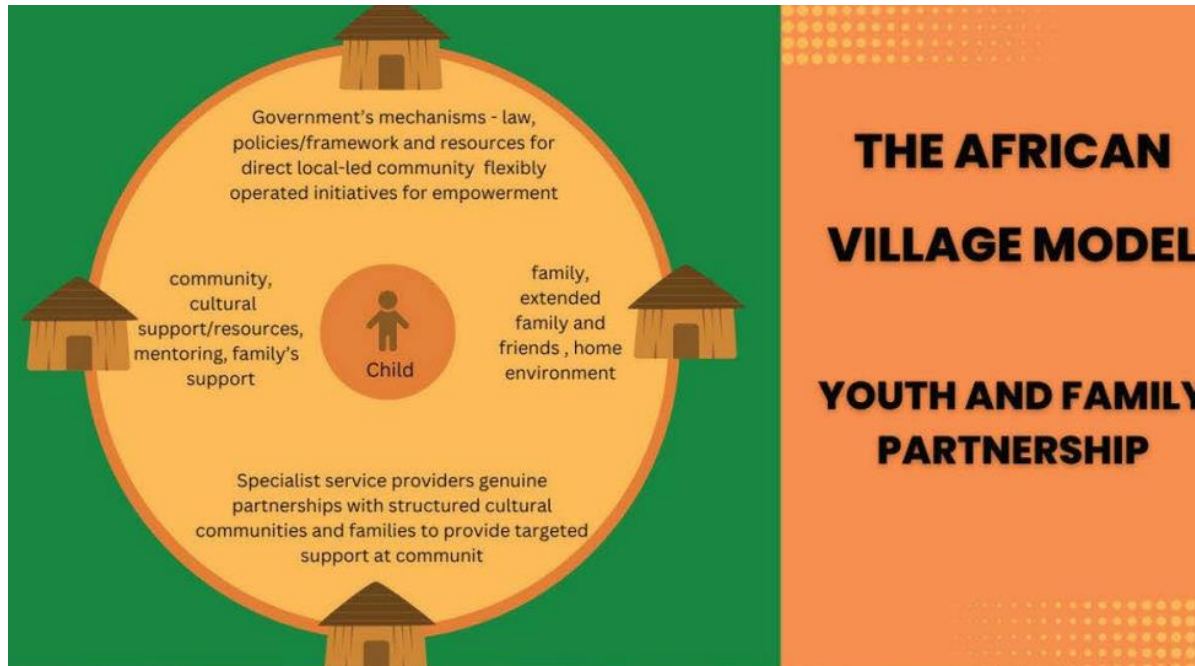
Learning from the success of Victorian and New South Wales programs, Queensland would greatly benefit from implementing similar programs. Based on interstate evidence, a dedicated education program tailored to meet the needs of students from refugee background and their families is an early intervention and prevention program that addressed educational inequities would reduce education exclusion and subsequent risk of engagement in youth justice system in Queensland. QPASTT proposes that such an education program should include the element of a whole of school environment, trauma aware education approach detailed in the infographic here.

¹⁵ Nous group (2015) [Refugee Education Support Program: Evaluation Report](#). December 2015





Place-based community partnerships



QPASTT acknowledges the African Village Model (left) created by the Queensland African Communities Council. The model is depicted here and identifies four interconnected loci of responsibility for the care and wellbeing of a child: family, community, services and government. Based on the concept *it takes a village to raise a child*, all four have a clear role to play in young people's inclusion, wellbeing and thriving future in Queensland. QACC believes that this can be realised through genuine partnership between ethno-specific communities, services and government.

QACC African Village Model 2023

African Youth Support Council (AYSC) is a service arm of QACC. AYSC was established over 3 years ago and has been scaling up the scope of work with young people from African backgrounds, from the establishment of Africa Youth Drop-In Centres, school-based programs to Youth Mentoring support for young people in Brisbane Youth Detention Centre (BYDC) and West Moreton Youth Detention Centre (WMYDC)¹⁶. The approach undertaken with young people in detention centres is to encourage connection and pro-social collectivist values between individuals to keep each other responsible and accountable, and to assist each other to co-regulate their behaviour to positively manage distress. In essence, AYSC is enacting the components of the African Village Model by

¹⁶ See <https://www.qacc.com.au/african-youth-support-council/>

brokering relationships with detention staff, building relationships and organising activities for young people, liaising with families and building transition plans as best they can to support young people when they are released from detention. Independent evaluation of AYSC's program demonstrates its positive impact¹⁷.

In the context of limited access to culturally safe trauma recovery or mental health services within youth detention for young people from refugee background, this program could be readily expanded, particularly to support the transition of young people from detention back into the community and build more effective networks of support and opportunity for the young person's continued rehabilitation in collaboration with families, community and local services. Given the successful impact of the AYSC program, similar initiatives could be expanded across Queensland and encouraged from Middle Eastern and Asian community organisations to ensure that young people from diverse cultural backgrounds are similarly supported.

Lived-expertise refugee led programs, such the work of the ARISE Women Support Association¹⁸ can be more effective as experienced community members understand the initial excitement on arrival and have experienced the range of settlement challenges that people face. They are well placed to provide guidance and advice with support of services and facilitate interactions with systems and services. By coming together as women building social connection with each other and learning together they also have the benefit of the collective encouragement that comes from being together. This also builds the experience and capacity within communities themselves rather than increasing and maintaining dependence on external services. Community leaders and active members have mobilised community supports for young people in detention or prison, overcoming stigma and barriers of access to visit with young people in the youth justice system. ARISE Women Support Association are determined to provide support and connection for youth at risk and support their reintegration with family and community. Similar initiatives are the ambition of the newly formed Darling Downs African Communities Council, with the adjunct aim of sharing settlement experience between African and Middle Eastern community members in the Darling Downs region.

Multicultural Police Liaison Officers (PLOs) are an invaluable resource to the police force at large, the court/justice system and community members themselves. Within the constraints of their capacity, they are able to broker relationships between community members and the police force, build understanding in the community about the justice system including court, prison system and legal supports. PLOs are also a useful resource to assist community members in navigating police processes. It would be beneficial to assess expansion of the Multicultural PLO team across the state.

¹⁷ Correa-Velez, I and Coulibaly, S. (2022) *AYSC Youth Mentoring and Family Support Programs: First Year Evaluation Report*. Queensland University of Technology. Available from the Queensland African Communities Council (QACC).

¹⁸ See [Arise Womens Support Association](#) website for further details



Additional Key Factor: Meaningful diversity data

Available data of young people engaged in the youth justice system does not adequately identify diversity and is limited to gender, age and First Nations identifiers¹⁹. This is despite the requirement within the Queensland Government's *Multicultural Action Plan* (Key Action 4) to "collect, analyse, and use cultural diversity data to improve service delivery and better meet customer needs."²⁰ Eighteen (18) agencies have signed up to this key action including the now Department of Youth Justice, Employment, Small Business and Training. However, Youth Justice has no initiatives in response to this key action.

Anecdotal reports provided by refugee community members and leaders is that there is a disproportionately high and growing representation of young people from refugee background in the youth justice system. It is essential that justice systems collect accurate data on the ethnic identity of young people, including those born in Australia to recently arrived refugee background parents. In Queensland, there is a pervasive and deeply unhelpful lack of understanding of ethnic identity, which is leading to an unrecognised increase in representation of young people from culturally diverse backgrounds in youth detention. Accurate data with reliable analysis of types of offending, family and community circumstances and pathways to offending will help families and communities as well as services to understand and coordinate support and responses in partnership. It would inform tailored prevention, early intervention and transition approaches and strategies.

QPASTT would recommend a five factor minimum data set to accurately identify ethnic diversity:

1. Country of Birth
2. Interpreter required
3. Language spoken
4. Cultural background/ethnicity
5. Date of arrival in Australia

Use of all five factors would enable further understanding of cultural identity and understanding that refugee related trauma and experience may be a presenting factor of disadvantage and support need. Comprehensive cultural data collection would provide a richer and more nuanced understanding of the diversity within the CALD population of Queensland. The five factor data set has been strongly advocated within health data collection²¹. A near

¹⁹ See Australian Institute of Health and Welfare (2023) [Youth Justice in Australia 2021-22](#).

²⁰ <https://www.des.qld.gov.au/multicultural-affairs/policy-governance/policy-plan>

²¹ Kay, M. (2021) *Measurement is the key to delivering culturally responsive care*. Medical journal of Australia 215 (9).

identical data set (period of residence in Australia rather than date of arrival in Australia) has been assessed by the Australian Institute of Health Welfare across health data collections²².

QPASTT recognises that accurate and comprehensive data collection is a significant investment in infrastructure, collection training and implementation. However, diversity data is a critical component in understanding needs and trends, and in designing cost-effective responses. Without accurate data, systems remain blind to unique needs and are unable to report meaningful outcomes.

²² Australian Institute of Health and Welfare (2018) [Supplementary tables for Australia's Health 2018: Table C5.3.4 CALD measure in AIHW health data collections](#). See also extensive discussion in FECCA (2021) [If we don't count it... It doesn't count! Towards Consistent National Data Collection and Reporting on Cultural, Ethnic and Linguistic Diversity](#).



SUMMARY AND RECOMMENDATIONS

QPASTT believes that preventative actions are required to address the drivers of youth crime, particularly systems of support and culturally led resourcing for families and transforming education in Queensland to be culturally safe, trauma informed and responsive to needs of refugee background students (see appendix one). QPASTT believes culturally informed early intervention action within the justice system is essential. Furthermore, addressing systemic barriers to equity and cohesion are fundamental building a Queensland that can realise the thriving potential of our population.

Respond to root causes of youth crime – trauma inducing education and complex family conflict/instability:

1. Collection and reporting of robust data to ensure that programs can be informed by need – consistent with Queensland Multicultural Action Plan
2. Support community led case management, prevention, early intervention, diversion and transition programs
3. Resource place based, targeted initiatives to address and resolve intergenerational conflict within refugee background families
4. Adequate resourcing of effective culturally safe and trauma informed family support programs
5. Proactive resourcing of 3 levels of nested engagement for (i) children and young people, (ii) their families (iii) faith/cultural community
6. Fundamental provision of cultural supports for all young people from diverse backgrounds engaged in the youth justice system
7. Multilayered culturally safe and trauma informed education policy, including collaboration with refugee led organisations/cultural community and specialist services to prevent school disengagement
8. Increase the minimum age of criminal responsibility to 14 years and provide wrap around resources for youth services, with a priority for services that engage in genuine collaborative partnerships with community/refugee led organisations.

Proactively address systemic barriers to social cohesion:

1. Resource and mandate the use of interpreters at all stages of education, social service provision and justice systems
2. Anti-racism and cultural safety training for all staff within the education and justice systems
3. Provide culturally safe opportunities for families and communities to co-collaborate in the care and support of children and young people – pivot from a shame, fear and punishment approach that fuels disconnection and exclusion
4. Resource settlement support responding to needs at key life milestones, and particularly focussed on family members that may not be able to fully participate in initial arrival orientation programs, or who encounter new issues after a length of time in Australia
5. Resource long term community legal education and bi-cultural legal system navigation, tailored to the needs and experiences of refugee background communities.

Opportunity for Intergenerational Healing and Thriving of Young People from Refugee Backgrounds

ARRIVAL TO AUSTRALIA

The physical, mental, emotional, and material stressors of forced displacement, refugee status recognition and transit to Australia has a significant impact on wellbeing:

- 23% of client have experienced torture; 76% experience trauma
- young people statistically significant higher levels of psychological distress



FAMILY AND COMMUNITY LIFE

Opportunity for early intervention to address high prevalence of Adverse Childhood Experiences:

- Collective, wrap-around family and community support in collaboration between settlement, trauma recovery, allied health and education providers, using the systems and strengths already existing in community
- Community co-created early intervention and prevention family systems work to encourage relational and attachment skills of parents
- Safe and secure housing, adult education and employment opportunities, understanding of rights and responsibilities and confidence to self-advocate



Proactive culturally safe service response to indicators of vulnerability: cycles of crisis, reliance on emergency services.



PRIMARY SCHOOL

- Enhanced access to Early Childhood Education and Care (ECEC) to support transition to school.
- Trauma informed classrooms to support children communication, social skill, cognitive and sensory development.
- Early intervention access to group and individual play and expressive therapy programs in school (QACC, QPASTT and HEAL)
- Culturally informed engagement between schools, communities and families
- EALD support to recover from interrupted schooling and adjustment to Australian education

schools are environment to address racism, bullying, foster safe and respectful relationships



HIGH SCHOOL

- Trauma informed training and development of classroom staff - evidence based resource hubs and supports
- External services collaborate with schools to create a wellbeing culture on school campus (QACC, QPASTT etc)
- Continued access to group and individual expressive therapy programs (QPASTT and HEAL)
- Bi-cultural supports and liaison officers within schools to build partnership between school and family
- Flexible learning models to offer differentiated teaching and learning strategies
- Wrap-around after hours school supports such as homework clubs, mentoring, school holiday programs to support learning and engagement.

YOUTH LEADERSHIP AND DEVELOPMENT

- Transition programs to vocational and education pathways such as Ucan2 (youth AMEP program)
- Opportunities and support for emerging community leaders to address issues of priority
- Young people inform social service and program development for future generations



vocational learning opportunities as well as supported academic pathways

young peoples' healing and belonging fuels thriving of the wider community



INTERGENERATIONAL COMMUNITY HEALING

Possibility of breaking cycles of intergenerational trauma through safe respectful relationships

Opportunities and capacity to name, challenge and dismantle systemic disadvantage

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

Submission No: 86 - supplementary submission

Submitted by: Queensland Program of Assistance to Survivors of Torture and Trauma - QPASTT

Publication: Making the submission and your name public

Attachments: See attachment

Submitter Comments:



QPASTT response to Priority areas for Phase 2 of the Inquiry into Youth Justice Reform in Queensland endorsed by the Youth Justice Reform Select Committee in December 2023

1 March 2024

The Queensland Program of Assistance for Survivors of Torture and Trauma (QPASTT) has been providing trauma recovery services for people of refugee background for over 27 years. We deliver a suite of programs tailored to individual, family, group and community recovery. We continue to evolve our knowledge and skills through partnership with refugee communities and trauma survivors, with the commitment to continuously improve our cultural safety practices and service delivery model.

QPASTT acknowledges that many people from refugee background flourish in Australia, building rich and rewarding lives. However, this is not the case for everyone. The failure to halt the perpetuation of intergenerational trauma and systemic disadvantage continues to impact many families, children and young people. This is the focus of our concern in this submission.

We warmly appreciate for the opportunity to provide further input and feedback to the Inquiry into Youth Justice Reform in Queensland. We urge the Youth Justice Reform Select Committee to centre trauma informed and trauma reducing approaches in reformation of systems for children, young people and their families, in action to build community safety and in response to victims of crime. We urge the Youth Justice Reformed Select Committee to recognition that no family or community wants their children to be caught up in the justice system.

Following is our response to a number priority areas for phase two of the Inquiry into Youth Justice Reform.

For further information regarding this submission please contact Stephanie Long, Systemic Advocacy and Strategic Projects Lead at QPASTT [REDACTED]

Priority Area 1: A 10-year strategy for youth justice in Queensland that engages all government agencies and community organisations which deliver services along the youth justice service continuum.

QPASTT supports the priority to create a strategy for youth justice if such a strategy commits to enacting principles of **culturally safety, trauma informed and trauma reducing practice**. This requires recognition of and action to reduce risk factors and enhance protective factors – notably education and family supports - with tailored and specific action for children and young people from vulnerable cohorts, including children and young people from refugee background.

- The strategy must be accompanied by a **clear implementation plan and measurable, reportable outcomes** to build community trust and willingness to collaborate in our shared responsibility for the wellbeing of children and young people in Queensland.
- The strategy must be informed by **robust data collection**, that records ethnicity in a manner that accurately identifies diverse cohorts of young people that are at risk of entering the youth justice system¹. It is fundamental that this data reflect young people from diverse backgrounds who have contact with police or who are disengaged from school as two key indicators of risk. Current youth justice, youth crime, policing and education data available does not distinguish ethnic diversity beyond First Nations. Cultural diversity data collection improvements must be consistent with the Queensland Government [Multicultural Policy and Action Plan](#).
- The strategy must include **clear definitions of prevention and early intervention** to enable coherent shared understanding of the aims and objectives of interventions, and the opportunities for collaborative partnerships. While the need for early action is clearly required, the terms prevention and early intervention are currently used widely and broadly which can impede effective systemic reform. QPASTT believes that youth justice prevention must focus on the environment surround children and young people’s development with focus on school, family and community. Recognising the primary aim of preventing disengagement from systems of pro-social development, early intervention must focus on actions required to maintain effective and culturally safe engagement with education and family support systems.
- The strategy must include a **commitment to cultural safety** across the youth justice continuum and effective engagement with all cultural communities. This necessitates a youth justice strategy that moves beyond reliance on Queensland Police Services and other government services, and requires effective partnership with diverse cultural communities. If there is disproportionate representation of young people from diverse cultural backgrounds in the youth justice system this is an indicator of the lack of cultural safety in systems of prevention and early intervention. Education

¹ As stated in our submission to the Youth Justice reform Selection Committee in January 2024, QPASTT would recommend a five factor minimum data set to accurately identify ethnic diversity:

1. Country of Birth
2. Interpreter required
3. Language spoken
4. Cultural background/ethnicity
5. Date of arrival in Australia

and family support systems, and community engagement approaches must be transformed to address this failing.

- In recognition of impact of intergenerational trauma and continued impact of complex trauma on family systems, we encourage consideration of the **refugee trauma recovery goals** articulated by Victorian based trauma specialist service [Foundation House](#) as a guide for interventions across all elements of a youth justice strategy, and for all prevention and early intervention work. Foundation House refugee trauma recovery goals are attached in appendix to this submission.
- The strategy must endorse **long term community led programs** across the youth justice continuum of prevention, early intervention, case management, diversion and transition programs rather than predominant reliance on government agencies of Queensland Police Service and Youth Justice, to be the first and frequently only responder. To ensure that these interventions are fit for purpose, culturally safe and trauma informed, the strategy must prioritise place based, targeted initiatives to address and resolve intergenerational trauma and conflict through genuine community partnership.
- It is fundamental to ensure that a youth justice strategy mandates provision **of family, elder and peer based cultural supports** for all young people from diverse backgrounds engaged in the youth justice system.
- The strategy must **mandate the use of interpreters** when engaging with children, young people and their families from culturally diverse backgrounds at all stages of education, social service, policing and justice systems. It is also essential to provide **culturally informed legal system navigation** for families to ensure they are informed and able to participate as necessary to support the wellbeing of children and young people.
- The strategy must include resourcing of **three levels of nested engagement for (i) children and young people, (ii) their families (iii) faith/cultural community**. This recognises the role of families, cultural and faith communities in nurturing and raising children and young people from diverse backgrounds. Effective service delivery must centre culturally safe opportunities for families and communities to co-collaborate in the care and support of children and young people. This requires current systems and interventions pivot from a shame, fear and punishment approach that fuels disconnection and exclusion.
- The strategy must contribute to the aim of **keeping children under the age of 14 out of the youth justice system** with culturally safe diversion initiatives and alternative to detention programs, that can prevent the risk progression of serious repeat offenders.

Priority Area 2: How to instigate earlier assessment, intervention and prevention strategies that support children and their families to access health, education, housing and other services.

QPASTT endorses the Youth Justice Select Committee's recognition of that health, education, housing and family services are crucial components of a wholistic response to wellbeing of children and young people, and their families, with the intention of reducing young people entering the justice system. We urge priority of action to increase and improve supports within education systems, family support systems and commitment to embedding systems within communities.

QPASTT strongly recommends the development of a **culturally safe and trauma informed education policy** that addresses the needs for students from diverse cultural backgrounds. Drawing on the learnings and success of resourced, tailored specialist programs for students from refugee backgrounds in New South Wales and Victoria², a culturally diverse student policy could greatly enhance the Department of Education Queensland Equity and Excellence strategy. Core components of a culturally diverse student policy include:

- Mandating and resourcing interpreter use across all schools In Queensland
- Reinstating or creating on campus bi-cultural liaison roles to provide welcome and navigation support for families, and expand specialised bi-cultural teaching support within classrooms and administration of schools
- Offering school based and after hours support at times that suit families' multiple commitments, and actively encouraging/enabling family engagement in the school community
- Offering communication in multiple languages and formats as required for all effective engagement with parents and caregivers
- Training for teachers and student wellbeing staff to recognise when a student is struggling with trauma symptoms and provide practical guidance on trauma informed response strategies
- Opening pathways for specialist services to support students and give practical guidance for teachers to create trauma safe classrooms

Increased and improved family support services are also needed scaffold support for families to be nurturing environments for children and young people. Refugee families are likely to be skilled at navigating collectivist cultural and social systems that are vastly different to that of Australia. In humanitarian experience, families are often fragmented with significant family members left in country of origin or separated to different settlement countries. This combined with limited English

² See Foundation House [Schools in for Refugees](#) and [Early Years](#) programs in Victoria or the [STARTTS Schools Program](#) in New South Wales as examples of wholistic trauma informed education support. STARTTS School Program 2021 evaluation found that 87% of teachers reported academic improvement of students who engaged in STARTTS programs.

language skills and systems literacy to navigate complex finance, health, education and employment systems in Australia, creates significant barriers and challenges to building a new life in Australia.

- Many families and individuals experience racism and discrimination in Australia as repeated micro-aggressions and at times overt abuse and exclusion³. After multiple rejections or misunderstandings parents lose capacity to repeatedly attempt to access services, particularly if they are single parents and/or have a large number of children. **It is essential that family and community services across Queensland become culturally safe services**, to avoid repeat adverse experiences of help seeking.
- For families arriving to Australia under humanitarian programs, the initial settlement support provided is time limited. These time limitations do not provide information, system navigation support as key life milestones occur. This is particularly impactful for family members such as women, young people and children that may not be able to fully participate in initial arrival orientation programs due to age or family responsibilities, or who encounter new issues after a length of time in Australia. **Funding support programs led by cultural community**, such the work of the [ARISE Womens Support Association](#) can be more effective as experienced community members understand the initial excitement on arrival and have experienced the range of settlement challenges that people face. This also builds the resources and capacity of natural community supports rather than perpetuating dependence on external services.

Priority Area 4: How to improve:

- children and young people's engagement with positive programs, particularly for those held on remand or released on bail where engagement may be lower compared to those in detention.**
- children and young people's transition back into the community, including consideration of supported accommodation models.**

Notwithstanding QPASTT's continued support to increase the age of criminal responsibility to 14 years, the experience of detention or remand for young people within the justice system is of paramount importance. In addition to comments and recommendations already detailed above, and drawing on the evidence of impact of the African Youth Support Council (AYSC) work in community based programs, schools and youth detention centres QPASTT offers the following recommendations:

³ MYAN (2022) [Multicultural Youth Perspective on Racism and the Draft Anti-Racism Framework](#).
Ubuntu Project (2022) [Racism in Schools: African Australian Students Speak Up](#).

- Invest and expand trauma informed, culturally safe peer based support programs are effective in encouraging connection and pro-social collectivist values of responsibility, accountability and assistance emotional/behavioural co-regulation such as those provided by AYSC⁴.
- Detention and transition planning must effectively encourage (i) engagement education and vocational training and (ii) long term support for reintegration to community and family networks. This work is greatly enhanced when community led services can broker relationships and engagement with community members.
- Provision of legal system navigation and advice for family members of young people in conflict with the law is essential for refugee families. As detailed in our January submission, QPASTT staff have responded to requests to assist parents of young people who are incarcerated, with the parent does not know where their child is or how to contact them. Ongoing culturally informed legal support for families from refugee background is virtually absent.
- Finally, it is essential that mandatory use of accredited interpreters when communicating with families from refugee background. It is practically impossible for families to provide commitment of support for young people in the justice system when they are underinformed. All staff within police and at all points in the justice system need to be trained and resourced to book and effectively use interpreters to communicate with children, young people and their families.

Priority Area 5: The current operation of the Youth Justice Act 1992, including sentencing principles, the criteria for serious repeat offender declarations and traffic offences.

In the absence of informative data, it is currently not possible to understand the trend of young people from refugee background engaged with the youth justice system, nor the proportion of young people from refugee background who are declared serious repeat offenders or indeed the types of offences young people from refugee background are committing. However, concern is increasing within the refugee community that too many young people are entering the justice system. Additionally, within refugee communities with limited understanding of the Youth Justice Act 1992 or the youth justice system.

For meaningful consultation on this priority area, informative data is crucial so that the refugee community and services such as QPASTT that support refugee community wellbeing understand the significance of this priority area. Additionally, legal education is highly crucial to ensure that consultation is well considered.

⁴ Correa-Velez, I and Coulibaly, S. (2022) *AYSC Youth Mentoring and Family Support Programs: First Year Evaluation Report*. Queensland University of Technology. Available from the Queensland African Communities Council (QACC).

Priority area 6: How to strengthen public confidence in the youth justice system, including by:

- a. examining the impact of social media and traditional news media on youth offending and community perceptions of safety**
- b. improving the way data on youth crime is communicated to the public.**

QPASTT supports action to examine the impact of social and traditional news reporting of youth crime and perceptions of safety, as this has a substantial impact on racialised responses to community members of diverse cultural backgrounds. QPASTT would support provision of media guidelines for reporting on cultural identity of young people and community members to reduce the racial abuse across the community that can result from social media and traditional media reporting of crime. Additionally, we would warmly encourage greater media coverage of young people's successful diversion away from the justice system and rehabilitation successes.

We have already made several comments about the need for improved data to inform youth justice strategy, legislation and policy. Currently the public communication of youth crime data is confusing and prone to distortion and politicisation, seemingly with little accountability.

Refugee Trauma Recovery Goals

Victorian Foundation Survivors of Torture

