



# Evidence-based approaches to child justice

Supplementary paper to 'Help way earlier!':  
How Australia can transform child justice to improve safety and wellbeing

October 2025



## Acknowledgements

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The Commission acknowledges the Traditional Custodians of Country throughout Australia and recognises their continuing connection to land, waters and culture. We pay our respects to their Elders past and present.

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# Support Services

## **Crisis and suicide prevention**

- If you or someone else are in immediate danger, call Triple Zero 000
- Lifeline: 13 11 14 or visit [www.lifeline.org.au](http://www.lifeline.org.au)

## **Mental health support and advice**

- Kids Helpline: 1800 55 1800 or visit [www.kidshelpline.com.au](http://www.kidshelpline.com.au)
- Beyond Blue: 1300 22 4636 or visit [www.beyondblue.org.au](http://www.beyondblue.org.au)
- MensLine Australia: 1300 78 99 78 or visit [www.mensline.org.au](http://www.mensline.org.au)
- 13YARN: 13 92 76 or visit <https://www.13yarn.org.au>
- QLife: 1800 184 527 or visit <https://qlife.org.au/>

## **Family domestic and sexual violence support**

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- BraveHearts Support Line: 1800 272 831 or visit [www.bravehearts.org.au](http://www.bravehearts.org.au)

## **Links and contact details for support services for parents and carers**

- New South Wales: Parentline NSW on 1300 130 052 or visit <https://www.parentline.org.au/>
- Australian Capital Territory: Parentline ACT on (02) 6287 3833 or visit [https://raisingchildren.net.au/\\_media/external-links/p/parentline-act](https://raisingchildren.net.au/_media/external-links/p/parentline-act)
- Northern Territory: FACES Family Support Line on 1800 999 900 or visit <https://tfhc.nt.gov.au/children-and-families/territory-faces>
- Queensland: Parentline Queensland and Northern Territory on 1300 301 300 or visit <https://parentline.com.au/>
- South Australia: Parent Helpline South Australia on 1300 364 100 or visit <http://www.cyh.com/SubContent.aspx?p=102>
- Tasmania: Parentline Tasmania on 1300 808 178 or visit [http://www.health.tas.gov.au/service\\_information/children\\_and\\_families/parentline](http://www.health.tas.gov.au/service_information/children_and_families/parentline)
- Victoria: Parentline Victoria on 132 289 or visit <https://services.dffh.vic.gov.au/parentline>
- Western Australia: Ngala Helpline on (08) 9368 9368 (metropolitan) or 1800 111 546 (regional callers) or visit <https://www.ngala.com.au/service/ngala-parenting-line-2/>

# Contents



<b>Foreword by the National Children’s Commissioner</b> .....	<b>7</b>
<b>Executive summary</b> .....	<b>8</b>
<b>1. Background</b> .....	<b>11</b>
1.1 Initiatives included in this supplement to Help way earlier!.....	12
<b>2. A Whole System Approach (Scotland)</b> .....	<b>13</b>
2.1 Why we selected this initiative .....	14
2.2 Description of the Whole System Approach .....	14
2.3 Evidence of impact.....	17
2.4 Key learnings about this initiative .....	17
2.5 More information .....	18
<b>3. Primary prevention (Pathways to Prevention Project, Queensland, Australia)</b> .....	<b>19</b>
3.1 Why we selected this initiative .....	19
3.2 Description of Pathways to Prevention Project.....	20
3.3 Evidence of impact .....	21
3.4 Key learnings about this initiative .....	21
3.5 More information .....	22
<b>4. Aboriginal-led, community and place-based initiative (Baulaarr Bagay Warruwi Burranba-li-gu, Walgett, NSW, Australia)</b> .....	<b>24</b>
4.1 Why we selected this initiative .....	24
4.2 Description of Baulaarr Bagay Warruwi Burranba-li-gu (Two River Pathway to Change).....	25
4.3 Evidence of impact .....	27
4.4 Key learnings about this initiative.....	28
4.5 More information.....	29
<b>5. Small-scale, community-based and therapeutic alternatives to detention (Netherlands, USA and Spain)</b> .....	<b>31</b>
5.1 Netherlands pilot.....	33
5.2 Missouri model (USA).....	37
5.3 Diagrama model (Spain).....	39
<b>Endnotes</b> .....	<b>42</b>



## ARTIST ATTRIBUTION

**“Moving Forward, Stay on Track”  
by Bernard Lee Singleton with Saltwater People.**

## ABOUT THE ARTWORK

The motifs – including the hands of our people, and both river to beach stone (freshwater) and the fish bone pattern (saltwater) – reflect community and cultural approaches needed to best support children and young people navigating the youth justice system.

The hands represent a community-led approach; acknowledging each community has its own way of supporting young people.

Our cultural way of working is to make sure there is a community approach which emphasises a cohesion of support including Elders guiding and advising; it is never just one voice speaking for other families.

The stones (rocks), from our river systems, represent the strong foundations and pathways we have built, ready for supporting resources to deliver culturally flexible and appropriate care.

The traditional fish bone pattern signifies staying connected and grounded to culture or being open to healing. This reflects our cultural responsibilities to our young people and the healing journey ahead.

## ABOUT THE ARTIST

### **Bernard Lee Singleton**

“I paint, craft and make artefacts to ground myself. Through the process of making a spear or shaping the figure of a spirit, I connect with my ancestors and they help bring my work to life. My work is a way for me to acknowledge and remember the times of my great-grandmothers and great-grandfathers. My designs are inspired by the laws of nature and the forms found in the creation stories around me. Using these basic forms or designs, I work to represent the bond of art and the continuation of culture.”

Bernard Lee Singleton is an accomplished craftsman, curator and designer, born and living in Cairns. Singleton grew up in Coen, Cape York. His mother is a Djabuguy woman born in Mona Mona mission near Kuranda and his father is an Umpila (east coast Cape York)/Yirrkandji man from Yarrabah mission.

# Foreword by the National Children's Commissioner



Our report *'Help way earlier!' How Australia can transform child justice to improve safety and wellbeing* was tabled in the Australian Parliament in August 2024. It has been widely referenced in the media and in key reports in Australia and to the United Nations.

The *'Help way earlier!'* report provides the foundations for an evidence-based roadmap to child justice reform in Australia. The tabling in Parliament of the *'Help way earlier!'* report was closely followed by the Senate Inquiry into Australia's Youth Justice and Incarceration System.

There is a significant level of interest in finding solutions to the prevention of crime by children. This supplementary paper seeks to fill some gaps in knowledge and public understanding by providing examples of approaches from Australia and overseas that are based on evidence.

These 6 case studies are examples of alternative approaches to systems and program reform that can assist governments across the federation in their reform efforts. We recommend investigation of local and international approaches to child justice by a whole-of-federation national taskforce, as highlighted in Recommendation 1 in the *'Help way earlier!'* report.

Thank you to the Children's Rights Team at the Australian Human Rights Commission (AHRC) for their dedication to protecting the human rights of children. Thank you to the many other colleagues around Australia who are calling for government leaders to make child safety and wellbeing a national priority and to act on decades of evidence to end the chronic crises in our child protection and justice systems.

During my time as National Children's Commissioner, I have had the immense privilege to speak with many hundreds of children in vulnerable circumstances, including 150 children whose voices are at the heart of the *'Help way earlier!'* report. It's these conversations with children that will stay with me forever.

Australia is a rich, developed and smart country, a country not hampered by war or government corruption. We have the capability to make communities safer by using approaches based on evidence and human rights, and to address the unmet needs of our youngest citizens who are being left behind every day.

It has been the greatest privilege of my career to have these children trust me with their experiences and their wise advice to governments. It is my sincere hope that governments are listening and have the courage to act.

**Anne Hollonds**

**National Children's Commissioner**



# Executive summary



This is a supplementary paper to the Australian Human Rights Commission's report *'Help way earlier!': How Australia can transform child justice to improve safety and wellbeing (Help way earlier!)*.

It supports the implementation of the recommendations made in *Help way earlier!* by providing information on alternative, evidence-based approaches to child offending, that can improve children's life chances, reduce crime and keep the community safe.

Since the tabling of *Help way earlier!* in August 2024, there has been great interest in the report and its recommendations. There has been variable progress across state and territory governments, and unfortunately regressive steps in the Northern Territory, Queensland, Victoria and New South Wales that increase punitive approaches to offending by children.

Data on the reoffending of children who have been detained shows that incarceration is not working and is not making the community safer.<sup>1</sup> The Victorian Sentencing Advisory Council states that 'contact with the justice system is not only a predictor of ongoing contact with the system but also an indirect contributor to it'.<sup>2</sup> This is reinforced by the Law Council of Australia which states that 'being arrested, remanded or sentenced to detention all increase the risk that a child will commit further offences and become involved further with the criminal justice system'.<sup>3</sup>

Of all children and young people aged 10–17 who were under sentenced youth justice supervision at some time between 2000–2001 and 2023–2024, 41% returned to sentenced supervision before turning 18.<sup>4</sup> Of children and young people aged 10–16 in 2022–2023 and released from sentenced detention, 70% returned within 6 months, and 84% within 12 months.<sup>5</sup>

Research conducted in South Australia has shown that 'if a child has their first contact with youth justice between the ages of 10–13, 91% will experience at least one night in detention, 83% will experience 3 or more supervision orders, and 75% of those will return to sentenced supervision

at least once by age 18'.<sup>6</sup> Research in Victoria also found that more than 80% of children and young people on a custodial order reoffended.<sup>7</sup>

Clearly, locking up children is not working and goes against the evidence of what we know improves outcomes for children who are offending. Yet, in Australia, we continue to invest in building conventional 'prison-like' institutions to lock up children and pass legislation that permits the use of spit hoods, force and restraint devices. These measures are unnecessary and counterproductive.

This paper highlights 6 initiatives, in Australia and internationally, that demonstrate holistic and evidence-based approaches to child justice reform. The initiatives reflect long-term commitments, collaboration and coordination with partners, and a systemic approach to effecting change. This is exemplified most clearly in **Scotland's Whole System Approach**.

A key feature of the initiatives is a child-centred focus on prevention, such as primary prevention in the **Pathways to Prevention project** and **Bulaarr Bagay Warruwi Burranba-li-gu model**, and the prevention of reoffending through diversion, rehabilitation and reintegration in the small-scale, community-based and therapeutic alternatives to detention in the **Netherlands, Missouri and Diagrama models**.

Many children in contact with the criminal justice system are dealing with multiple and complex issues in their lives, including neurological disabilities, cognitive and learning problems and mental health disorders. Poverty, intergenerational trauma, violence and abuse, racism, homelessness and inadequate healthcare are also contributing factors in their contact with the justice system.

These social determinants of child justice involvement limit how children can enjoy their rights on a non-discriminatory basis, including the right to education, health, and an adequate standard of living, as well as the right to live in safety and to fully enjoy their culture.<sup>8</sup>

Making the child justice system more punitive through longer sentences, harsher bail laws and building more children's detention centres is the wrong approach to crime committed by children. To prevent crime and make communities safe, we must apply the evidence about what works to support children's wellbeing.

One of the essential features of any initiative is to ensure practice is informed by evidence, including data.<sup>9</sup> Without an agreed set of outcomes or data from the start, it is difficult to compare like-for-like programs, evaluate 'success', and improve practice overall. Evaluation is necessary for 'both quantitative and qualitative insights into 'what works', when and for whom', with the information used to drive continuous quality improvement.<sup>10</sup>

While data and evidence have been collected in all the initiatives highlighted in this paper, consistency of approach has varied, depending on availability of data, resourcing and scale of the initiative. The Pathways to Prevention project most

clearly demonstrates the benefits of longitudinal evaluation, and the rigorous measurement of inputs and outcomes. In Walgett, research and evaluation is embedded in the Yuwaya Ngarra-li partnership activities, including the implementation of the Baulaarr Bagay Warruwi Burranba-li-gu model.<sup>11</sup> This collaboration between researchers and communities is a key strength of effective models of child justice reform.<sup>12</sup>

The results of the initiatives included in this paper show evidence-based improvements in children's wellbeing and decreased offending. Reductions in offending are evident in the primary prevention initiatives and in the diversion, rehabilitation and reintegration initiatives.

Table 1 provides a summary of the evidence-based practices in the 6 initiatives which can facilitate improvements in children's wellbeing and a reduction in offending by children, both of which help to keep the community safe.

### **Table 1: Evidence-based practices highlighted in the 6 initiatives include:**

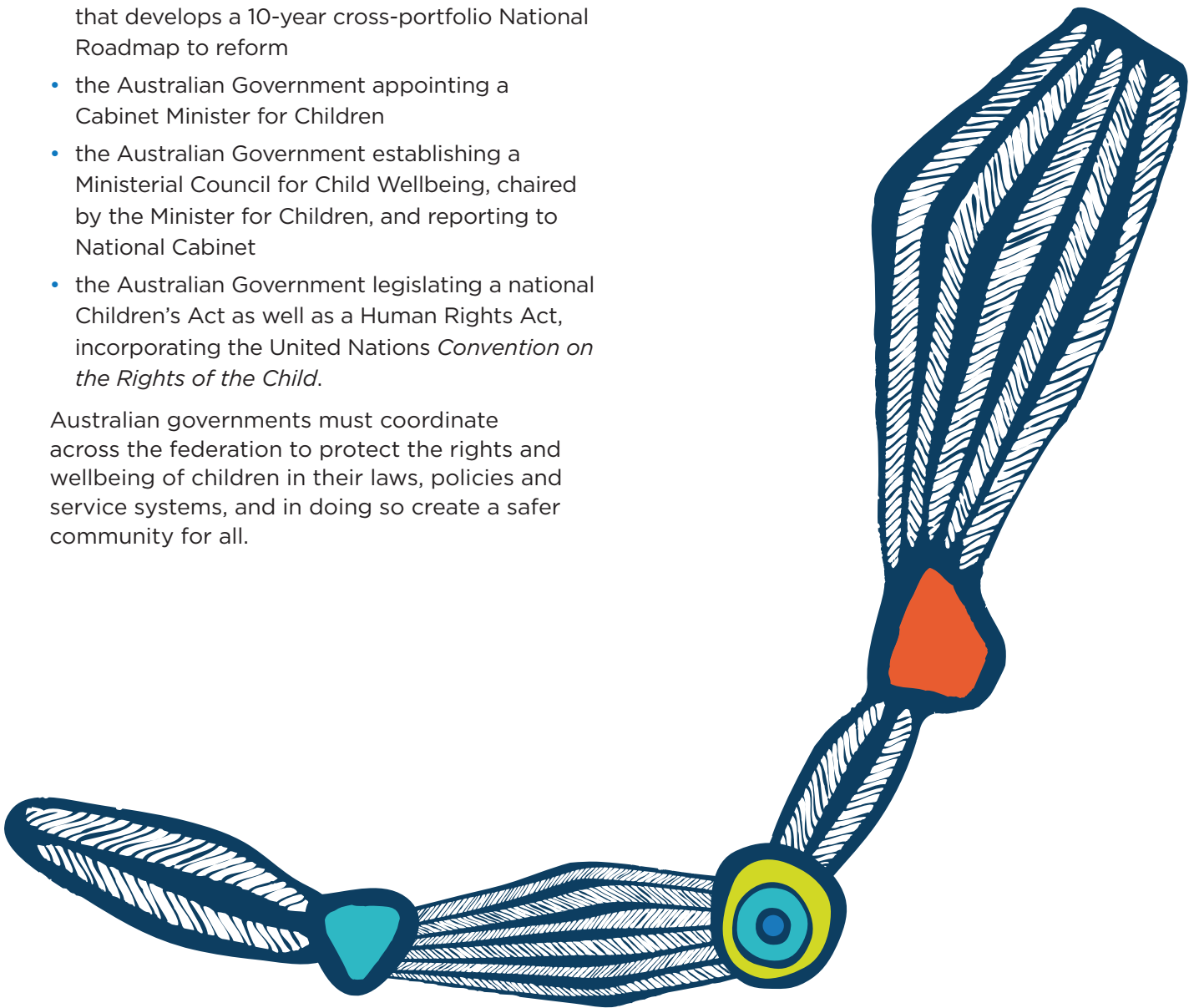
- positioning children and families at the centre of decision-making in policy and service design and delivery
- investing in reform of upstream service systems for primary prevention and early intervention
- using community-led and place-based knowledge to empower local communities, especially First Peoples communities, to lead initiatives tailored to local needs
- embedding culturally safe practices for First Peoples children and families
- integrating multi-agency collaboration across health, education, justice, and social services to meet the needs of children and their families
- using holistic and therapeutic responses to address underlying causes of offending (trauma, poverty, disability) through integrated services
- identifying the competencies and skills of individuals and organisations involved to ensure their readiness and willingness for implementing reform
- building capability and a skilled, child-specialised workforce with training in trauma-informed and relational practices
- prioritising alternatives to detention by using small-scale facilities, locally sited, and integrated with communities, designed to promote relational and differentiated security and encompassing therapeutic design characteristics
- ensuring robust data collection and evaluation frameworks to generate quantitative and qualitative insights into 'what works, when and for whom' and using this information to engage in continuous quality improvement
- aligning legislation and government policies with a human rights framework, with the best interests of children the primary consideration
- commitment to longer-term reform, recognising that systems reform takes place in stages and over time.

While this paper encourages governments to examine and implement a range of evidence-based initiatives, such initiatives will only be effective when they are implemented as part of a whole-of-government, systemic and holistic approach to child justice reform.

As made clear in *Help way earlier!*, despite decades of recommendations from inquiries, our child justice systems remain inadequate. Efforts to reform these systems have been piecemeal and uncoordinated. Holistic, cross-portfolio, systemic reform of Australia's child justice systems is required to address the root causes of offending by children and reduce crime. Child justice reform must be a national concern, driven by:

- Australian governments establishing a National Taskforce for Reform of Child Justice Systems, that develops a 10-year cross-portfolio National Roadmap to reform
- the Australian Government appointing a Cabinet Minister for Children
- the Australian Government establishing a Ministerial Council for Child Wellbeing, chaired by the Minister for Children, and reporting to National Cabinet
- the Australian Government legislating a national Children's Act as well as a Human Rights Act, incorporating the United Nations *Convention on the Rights of the Child*.

Australian governments must coordinate across the federation to protect the rights and wellbeing of children in their laws, policies and service systems, and in doing so create a safer community for all.



# 1. Background



In August 2024, the *Help way earlier!* report was tabled in the federal parliament in accordance with section 46MB of the *Australian Human Rights Commission Act 1986* (Cth).

The *Help way earlier!* report investigated opportunities for reform of child justice and related systems across Australia, based on evidence and the protection of human rights. It placed children and young people, families, and communities at its centre, including their views on why children come in contact with the criminal justice system and what needs to be done to prevent their involvement in that system. It also drew on written submissions and stakeholder consultations.

*Help way earlier!* examined why Australia is failing to implement evidence-based reforms to protect child rights and reduce offending. It made recommendations for a national approach to reform of child justice and related systems across Australia.

While the *Help way earlier!* report and its recommendations have received widespread support and have highlighted the breaches of children's rights that are occurring across Australia, the Australian Government has not responded to its recommendations.

On 11 September 2024, the Senate referred 'Australia's youth justice and incarceration system' to the Legal and Constitutional Affairs References Committee (Senate Committee) for inquiry and report. The Senate Committee Interim Report on 28 February 2025 cited *Help way earlier!* 29 times, with the Committee noting:

the high regard with which Ms Hollonds' *'Help way earlier!': How Australia can transform child justice to improve safety and wellbeing* report was received, including its 24 recommendations for reform.<sup>13</sup>

The Interim Report included two recommendations, both of which referred to the *Help way earlier!* report. It called for the Senate to continue pursuing its inquiry, including in relation to the issues raised in *Help way earlier!* It also

recommended that the Australian Government respond to the recommendations made in *Help way earlier!*<sup>14</sup>

The Senate Committee was unable to further progress its inquiry as the 2025 Federal Election was called for 3 May 2025 and the 47th Parliament was prorogued. Its final report was released in June 2025 and was consistent with the recommendations in its interim report. The Senate Committee urged the Senate to re-refer an inquiry into the incarceration of children in Australia in the 48th Parliament.

The *Close the Gap Campaign Report 2025* also included *Help way earlier!* in its recommendations, calling on governments to 'fully implement the recommendations from the National Children's Commissioner's report, *'Help Way Earlier!'*<sup>15</sup>

In April 2025, an urgent complaint was made to the United Nations Committee on the Elimination of Racial Discrimination about Australia's discriminatory child justice systems and how they seriously violate the human rights of Aboriginal and Torres Strait Islander children.<sup>16</sup> The complaint was submitted under the Committee's Early Warning and Urgent Action procedure, which is reserved for serious violations of the Convention on the Elimination of Racial Discrimination that are escalating and/or require immediate attention.

In response to this, Mr Michal Balcerzak, Chair of the Committee on the Elimination of Racial Discrimination wrote to Her Excellency, Mrs. Emily Roper, Deputy Permanent Representative of Australia to the United Nations Office in Geneva. He raised the:

lack of response and action taken by the Commonwealth Government following the release in August 2024 of the National Children's Commissioner report on transforming the youth justice system, that included concerns regarding the situation of Indigenous children in the justice system and made recommendations to address the situation.<sup>17</sup>

On 26 May 2025, Human Rights Watch wrote a public letter to Attorney-General Rowland requesting that she ‘implement the recommendations of the National Children’s Commissioner report ‘Help Way Earlier’’.<sup>18</sup>

The Policy Statement of the Law Council of Australia on Child Justice Reform also supported the recommendations made in *Help way earlier!*<sup>19</sup>

## 1.1 Initiatives included in this supplement to *Help way earlier!*

The initiatives in this supplementary paper were chosen because they reflect the key principles for evidence-based action identified in the *Help way earlier!* report. These principles were developed from research, written submissions and stakeholder consultations for the *Help way earlier!* project. A number of initiatives included here were also cited by stakeholders as examples or models of what works to support child wellbeing and address offending by children.<sup>20</sup>

These initiatives show that child rights and evidence-based principles can be implemented successfully in a variety of locations and contexts.

Initiatives included in this supplementary paper are:

- **Scotland’s Whole System Approach** aiming to divert children away from the justice system through multi-agency coordinated work to address children’s needs early.<sup>21</sup> Additionally, since June 2018, Scotland has appointed a Minister responsible for children and young people and has fully incorporated the *Convention on the Rights of the Child* (CRC) into its legislation (finalised in August 2024), as well as having a Children’s Act.
- **Pathways to Prevention Project** a pilot project conducted in Queensland, Australia, based on primary prevention of child offending by supporting children’s positive development in early childhood.

- **Baulaarr Bagay Warruwi Burranba-li-gu** (Two River Pathway to Change), an Aboriginal-led, community and place-based initiative in Walgett, NSW, Australia.
- Small-scale, community based and therapeutic alternatives to detention, as modelled in three initiatives in the **Netherlands, Missouri (USA) and Spain** (Diagrama model).

The Scottish example highlights a whole-of-government system approach to reform. However, all the initiatives highlighted are systemic in nature and are about moving beyond ‘quick fixes’, embracing a more holistic and transformative approach to reform. They include initiatives that aim to prevent children from having any involvement with the justice system, as well as those sensitively responding to children already within the system.

A particularly challenging task was to locate evidence-based and evaluated initiatives with built-in research and evaluation components. As pointed out in a submission made to the *Help way earlier!* project by Dr Catia Malvaso:

It is also critical that YJ agencies (and other agencies involved in prevention efforts) not only implement evidence-informed services and interventions, but also that these initiatives are evaluated in order to generate both quantitative and qualitative insights into ‘what works’, when and for whom and to use this information to achieve continuous quality improvement.<sup>22</sup>

The Pathways to Prevention Project is an excellent example of how longitudinal evaluation of a project can inform policy decision-making based on evidence. Baulaarr Bagay Warruwi Burranba-li-gu will also be able to achieve this through its data linkage work.

The three international small-scale, community based and therapeutic models included in this paper are often cited as effective alternatives to large-scale, punitive detention models that risk violating children’s rights and have failed to improve children’s life chances and reduce offending.<sup>23</sup>

## 2. A Whole System Approach (Scotland)



The Whole System Approach in Scotland was introduced in 2011, in the context of broader reforms to improve the wellbeing and rights of all children. It is an example of how a holistic and human rights-based approach to child justice can transform a child justice system.

In 2006, the Scottish Government committed 'to provide all children, young people, and families with the right support at the right time, so that every child and young person in Scotland can reach their full potential'.<sup>24</sup> This was called 'Getting it Right for Every Child'. This commitment was included in the *Children and Young People (Scotland) Act 2014* recognising it as the national approach to improving the wellbeing of all children and young people in Scotland. The 'Getting it Right for Every Child' approach:

is intended to provide a coherent strategy and program of action to strengthen universal service provision, coordinate multiagency professional practice, and embed early stage/age intervention and prevention within everyday working practices of all agencies and practitioners supporting children and young people, to ensure that children and families get the help they need when they need it.<sup>25</sup>

It promotes a rights-based approach.<sup>26</sup> The latest update and refresh of 'Getting it Right for Every Child' occurred in 2022.<sup>27</sup>

In 2011, in the context of 'Getting it Right for Every Child', the Scottish Government introduced the uptake of a Whole System Approach to child offending across Scottish local authorities. The strategy aimed to divert children from the justice system through multi-agency coordinated work to address children's needs early.<sup>28</sup> This coordination includes services across all systems such as out-of-home care, education, health, and justice.<sup>29</sup>

This new approach signified a change from the early to mid-2000s when the *Antisocial Behaviour etc. (Scotland) Act 2004* introduced a

range of harsh and punitive measures, resulting in the criminalisation of children.<sup>30</sup> A key driver of this change was the *Edinburgh Study on Youth Crime and Transitions*, a longitudinal study of pathways into and out of offending, which commenced in 1998.

Findings from this study showed that the longer children stayed involved in the justice system, the higher the likelihood of involvement over longer periods. The study also showed that factors such as victimisation and disadvantage are associated with repeated serious offending.<sup>31</sup> This study has now been ongoing for 27 years. Based on its findings in 2010, researchers advocated that child justice policy should be focused on prevention and early intervention, 'holistic in orientation' whilst also maximising diversion from criminal justice.<sup>32</sup>

The implementation of the Whole System Approach has been and is strongly reinforced by supporting child justice policies, including:

- *Preventing Offending: Getting it right for children and young people (2015-2020)* which had three priorities: advancing the Whole System Approach, improving life chances, and developing capacity and improvement.<sup>33</sup>
- *The Promise* - a commitment made by the Scottish Government to ensure all children and young people grow up loved, safe and respected - has a key action for youth justice which centres on avoiding and stopping the criminalisation of children in the out-of-home care system.<sup>34</sup> The Promise identifies a 10-year program for change through a 2021-2024 plan and 2024-2030 plan.<sup>35</sup>
- *A Rights-Respecting Approach to Justice for Children and Young People: Scotland's Vision and Priorities 2021-2024*.<sup>36</sup>
- *A Rights-Respecting Approach to Justice for Children and Young People: Scotland's Vision and Priorities 2024-26* which is an update on the *Youth Justice Vision and Priorities* published in 2021.<sup>37</sup>

Another broader national policy that assists in this approach is *Tackling Child Poverty - Best Start, Bright Futures (2022-2026)*, which provides actions focused on increasing family incomes from work, social security and reducing living costs. The *Child Poverty Act 2017* sets statutory child poverty reduction targets to be met by 2030.

It is in this context that positive change in Scotland has been and continues to be possible:

A child's journey through the justice system takes place within the wider context of child and adult support and protection. *Getting it Right for Every Child*, the *Whole System Approach to children in conflict with the law*, and a *Rights-Respecting Approach to Justice for Children and Young People: Scotland's Vision and Priorities* provide the overarching policy framework, while Multi-Agency Public Protection Arrangements and diversity are also relevant. All professionals, regardless of their organisation, have roles and responsibilities in respect of child protection and respecting, protecting and fulfilling children's rights.<sup>38</sup>

## 2.1 Why we selected this initiative

In *Help way earlier!*, stakeholders frequently raised fragmentation and siloing of government departments, within and between jurisdictions, as a systemic barrier to protecting the rights and wellbeing of children and young people,<sup>39</sup> and as a barrier to reforming laws, policies and practice. To date, reform efforts in Australia have focused primarily on what can be done within the existing child justice systems — to apprehend, divert, prosecute, sentence, detain and release — rather than looking at what other departments and service systems can do to address the multiple and intersecting needs of children and to prevent offending and reoffending.

Responding to these concerns, the *Help way earlier!* report recommended that the Australian Government incorporate the CRC into Australian law through a national Children's Act as well as a Human Rights Act and appoint a Cabinet Minister for Children with responsibility for the human rights and wellbeing of children in Australia. It

recommended that all Australian governments provide integrated, place-based health, education and social services for children and their families.

Scotland provides an example of how the *Help way earlier!* recommendations can be implemented in practice.

From the beginning of its reform process, the Scottish Government recognised that:

It is clear that Scotland must not aim to fix a broken system but set a higher collective ambition that enables loving, supportive and nurturing relationships as a basis on which to thrive.<sup>40</sup>

Scotland has done this through its 'Getting It Right for Every Child' framework, and a Whole System Approach to child offending, combined with legislative changes and strong supporting policies and strategies.<sup>41</sup>

Scotland has also incorporated the CRC into its domestic legislation. Professor Ann Skelton, Chair of the United Nations Committee on the Rights of the Child, has stated that the *United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024* is one of the most impressive pieces of domestic legislation on children's rights in the world.<sup>42</sup>

## 2.2 Description of the Whole System Approach

Scotland's Whole System Approach to child offending aims to strengthen the coordination across services for children and families to prevent and minimise children's contact with the criminal justice system.<sup>43</sup> The Whole System Approach focuses on children and young people aged 12 to 17 years, although it aims to extend the approach to include young people up to the age of 26 years, where appropriate.<sup>44</sup>

Since 2011, the Whole System Approach has had a clear focus on early and effective intervention; opportunities to divert young people from prosecution; court support; community alternatives to secure care and custody; managing young people who present a risk of harm; and improving integration back into the community.

## The Whole System Approach:

responds to complexity through an ongoing, dynamic and flexible way of working. It enables local stakeholders, including communities, to come together, share an understanding of the reality of the challenge, consider how the local system is operating and where there are the greatest opportunities for change. Stakeholders agree actions and decide as a network how to work together in an integrated way to bring about sustainable, long-term systems change.<sup>45</sup>

It involves local authorities establishing strong partnerships between key agencies involved in youth justice, including the police, social work, education, and health services. They need to ensure that the Whole System Approach is embedded into local planning arrangements and practice, with a focus on long-term sustainability. Fundamental to the success of the Whole System Approach is building strong, trusting relationships between all involved agencies and the children and families involved.

While the Whole System Approach is widely promoted and encouraged, it is not mandated that all local authorities or agencies participate. Local authorities are encouraged to embed the principles of the Whole System Approach into their practice, and as part of the implementation of the *Rights-Respecting Approach to Justice for Children and Young People: Scotland's Vision and Priorities*.

The Scottish Government provided seed funding to support local authorities in adopting the Whole System Approach. After this initial funding, local authorities became responsible for allocating funds to the services required by their communities, with the Whole System Approach being implemented flexibly based on specific community needs, albeit funding being a barrier in some localities.<sup>46</sup>

In 2012, with funding from the Scottish Government, a qualitative evaluation was conducted to determine the extent to which local authorities across Scotland were implementing the principles of the Whole System Approach after its roll out.<sup>47</sup> Data were collected from 25 of the 32 local authorities. Most were

positive and supportive of the approach. However, implementation was mixed across the local authorities. Six had not commenced implementation, 10 were at the preliminary stage of implementation, 4 were moving towards full implementation and 4 were fully implementing the approach. Challenges included staff capacity to deliver the process; lack of and difficulty in accessing services; difficulty in filling gaps with existing resources; and securing 'sign up' and participation from all the relevant agencies. Where local authorities were moving forward in their implementation of the Whole System Approach, it appeared that existing multi-agency strategic groups were providing the key vehicle for doing so.<sup>48</sup>

Given the short time span between commencement of the Whole System Approach and the evaluation, it was not possible to complete an in-depth examination of the implementation processes in any one local authority at that time.

In 2015, the Whole System Approach was evaluated in 3 Scottish local authorities, each with a significantly varied geographical, demographic and organisational backdrop. The overall finding was that while there was room for improvement, particularly in terms of flexibility in implementing the approach across local authority areas, the Whole System Approach achieved many of its aims and has been fundamental in driving significant improvements in partnership working, including information-sharing and shared learning across agencies. The evaluation also found that practitioners expressed a clear commitment to the principles, goals, and values of the Whole System Approach.<sup>49</sup>

To assist in future evaluations, one of the key recommendations in this evaluation was to put in place a robust evaluative framework for the Whole System Approach across all local authorities to ensure consistent data collection.<sup>50</sup> Lack of appropriate data makes it difficult to establish baselines, trends and shifts at local or national levels which are needed to identify gaps in effective practice.

For over 20 years, Scotland has recognised that:

A whole system approach works with communities and stakeholders to both understand the problem and to support identification and testing of solutions. System change is a long-term project, often delivered through small steps and in collaboration with many partners.<sup>51</sup>

The fundamental goal of the Scottish Whole System Approach is to prevent the unnecessary use of custody and secure accommodation by putting in place more streamlined and consistent responses that work across all systems and agencies (a ‘whole system’ approach) to achieve better outcomes for children, young people and their communities.<sup>52</sup> To achieve this, wider national legislative reforms were necessary. Since the mid-2000s, such reforms have occurred incrementally through successive national youth justice policies, visions and priorities.

Examples include:

- ‘Getting it Right for Every Child’ was included in the *Children and Young People (Scotland) Act 2014* and was recognised as the national approach to improving the wellbeing of children and young people.
- The age of criminal responsibility was increased to 12 years in 2019.
- The *United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024* was enacted, incorporating the CRC into domestic legislation.
- The *Children (Care and Justice) (Scotland) Act 2024* was enacted, enabling improvements to youth justice, secure care, some aspects of the children’s hearings system, victims services and the criminal justice system.<sup>53</sup>

Further, on 28 August 2024, the *Children (Care and Justice) (Scotland) Act 2024* (Commencement No.1 and Transitional Provision) Regulations 2024 came into force. This resulted in no children being remanded or sentenced to young offender institutions. Children in those institutions were moved to smaller, trauma-informed and child-friendly secure accommodation facilities by 30 August 2024.<sup>54</sup> Paragraph 6 of schedule 12 of the *Public Services Reform (Scotland) Act 2010* defines a secure accommodation service as:

a service which— (a) provides accommodation for the purpose of restricting the liberty of children in residential premises where care services are provided; and (b) is approved by the Scottish Ministers for that purpose.<sup>55</sup>

From then on, while children and young people can still be deprived of their liberty, this can no longer be in young offenders institutions or prisons.<sup>56</sup>

The Scottish Government has welcomed this reform stating that ‘this move will ensure children in conflict with the law are placed in safe suitable accommodation which will ensure their wellbeing and rehabilitation is at the heart of their care, while also keeping communities safe’.<sup>57</sup> This is consistent with its view that public protection:

requires a balanced approach that upholds both the rights and freedoms of individuals whilst ensuring the safety of others and the wider community. This is not a choice between either child’s rights or public protection but understanding that these outcomes are interdependent. By addressing and reducing harmful behaviour through strengths-based approaches that build capacity and the ability of children to meet their needs in less harmful and more positive ways the community is protected from further harm. Providing children with the opportunity for positive development in a safe manner and promoting a child’s wellbeing is essential to achieving long-term public safety.<sup>58</sup>

Work continues in Scotland to establish how secure accommodation needs to be reconfigured to meet the needs of children. This includes understanding the current profile of children and young people in secure care accommodation, how current or alternative services can meet that need, and where there are gaps.<sup>59</sup> Consultation with children and young people with lived experience of secure accommodation, and their families and carers, is an important component of this work.<sup>60</sup>

Since its launch, the Whole System Approach continues to be one of the Scottish Government’s main strategies to address child offending across Scottish local authorities.

## 2.3 Evidence of impact

As Scotland has been moving forward with its progressive reforms, it has incrementally reported data on offending by children. It is important to look at these chronologically as they are reported at times when different legislation was in place. For example, some data are reported at a time when the age of criminal responsibility was 10 years (up to 2019), and in periods when 16-17-year-old-children were incarcerated in adult prisons due to the *Adult Support and Protection (Scotland) Act 2007* defining an adult as someone over the age of the 16.<sup>61</sup>

Reports on numbers of children and young people in contact with the youth justice system include:

- Between 2007-2014, there was a 70% reduction in the number of under 18s in custody - down from 222 in 2007 to 66 in 2014. There was also an 83% reduction in children referred to the Children's Hearings System on offence grounds - from 16,229 in 2006-2007 to 2,764 in 2013-2014.<sup>62</sup>
- Between 2008-2009 to 2021-2022, there was a 92% reduction in the number of children and young people prosecuted in Scotland's courts and a 97% reduction in 16-17-year-olds being sentenced to custody.<sup>63</sup>
- In 2009-2010, the average number of 16-24 years olds in prison on the average day in Scotland was 2,318. By 2019-2020, this figure more than halved to 1,011 young people aged 16-24 in prison on the average day. By 2022-2023, this figure fell to 668. The number of 16-17-year-olds in prison in Scotland on the average day in 2022-2023 was nearly 20 times lower than in 2009-2010. Regulations to end the detention of under 18s in young offender institutions came into force on 28 August 2024.<sup>64</sup>

Scottish Children's Reporter Administration data across 2005-2006 to 2022-2023<sup>65</sup> shows that there has been a significant reduction in the number of cases against children under the age of 16, as well as 16-17-year-olds resulting in custodial sentences.<sup>66</sup>

The most recent data on violent crimes committed by children and young people, published by the Scottish Police Authority, for the first quarter of 2025-2026 showed:

- A decrease in the level of violence from 2,301 violent crimes last year to 1,914 violent crimes this year. The proportion of violent crimes was 17.5% compared to 19.5% for the same period last year.
- A decrease in weapons offences with 436 offences recorded compared to 475 last year.
- A decrease of 40.9% in serious assaults. There were 55 serious assaults recorded compared to 93 in the same period last year. The 55 crimes involved 57 children, while last year the 93 crimes involved 149 children. The proportion of serious assaults involving under 18s was 17.7% this year compared to 19.5% last year.
- The proportion of total offenders that were under 18 was 19.3% (down from 22.1%) last year.<sup>67</sup>

These reductions have occurred in the context of the shift to a preventative approach to child offending in Scotland, including 'Getting it Right for Every Child', the Whole System Approach and supportive child justice policies.<sup>68</sup> This has also occurred over a period of nearly 20 years.

The Scottish Government recognises that:

These positive reductions, with their benefits for children and their communities, are the results of a sustained collective commitment by local authorities and key partners across a range of sectors, professions and disciplines.<sup>69</sup>



## 2.4 Key learnings about this initiative

Some key learnings from the Whole System Approach as a model for system change include:

- The flexibility to adopt the Whole System Approach in different ways helps address the focused needs in specific communities.<sup>70</sup>
- The long-term sustainability of the Whole System Approach in any given authority is predicated upon staff expertise and their dedication to the Whole System Approach ethos, as well as diversifying its sources of influence. 'Buy-in' to Whole System Approach policy and practice cannot be assumed. Ongoing work is required to sustain Whole System Approach values across and within partner agencies at all levels.<sup>71</sup>
- The Whole System Approach is resource heavy, specifically in terms of sustaining ongoing (often face to-face) communication between a wide range of partners, the need for ongoing training, and the management of large amounts of information.<sup>72</sup>
- Ensuring sufficient funding and the availability of resources, both currently and in the future, is challenging. This is exacerbated by the multi-agency nature of the approach, which means that financial pressure experienced by one partner can have a knock-on effect on others.<sup>73</sup>
- There must be clear goals articulated at each stage, with regular review, supported by wider government policies, and legislative reform.
- There is a need to develop a strong and robust data framework for the ongoing evaluation of the Whole System Approach, that will allow the flow of individuals through the system to be followed, and the outcomes for children and young people to be meaningfully captured.<sup>74</sup>

## 2.5 More information

With the full incorporation of the CRC into legislation in August 2024, and with children and young people no longer allowed to be deprived of their liberty in young offender institutions or prisons, it is a critical time for Scotland to continue moving forward with its progressive reform agenda.

Ongoing work is required to ensure all areas of the child justice system reflect the CRC and respond to children's lived experience. This includes police custody. Children have advised that police custody is the most traumatising aspect of their justice journey, impacting on their mental health, wellbeing and overall development.<sup>75</sup> However, while Police Scotland has acknowledged that police cells are not suitable places of safety for children to be detained, high numbers of children continue to be detained by police.<sup>76</sup>

The significance of full CRC incorporation is that the law can be used in Scottish courts. In addition to this legal change, it encourages greater respect for children's rights by policy makers.<sup>77</sup> Children and young people themselves were at the forefront of the campaign for incorporation of the CRC in Scotland.<sup>78</sup>

For example, children and young people told the Scottish Children and Young People's Commissioner:

Incorporation of the UNCRC is so important because we need to show children and young people in Scotland today that their rights are serious, they are meaningful, and they are set out in law.

Knowing that our rights are coming into law, knowing we are being listened to, and knowing we are being taken seriously by the people in charge, gives more power to young people.<sup>79</sup>

# 3. Primary prevention

## (Pathways to Prevention Project, Queensland, Australia)



Stakeholders in interviews and submissions in *Help way earlier!* repeatedly called for a focus on prevention, early intervention and the need to address the drivers of offending by children. They cautioned that unless there is systemic investment in preventative efforts upstream, we will fail ‘to reduce the flow of children into the carceral system’.<sup>80</sup> Children and young people themselves called for earlier supports, stating ‘don’t wait until there is a crisis or it is too late’.

A submission to the *Help way earlier!* project by Emeritus Professor Ross Homel highlighted the importance of primary prevention and early intervention initiatives directed at a whole population or at all members of a specified collective, such as a local community or a cluster of schools.<sup>81</sup>

Homel argues that:

Primary prevention ... involves acting as early in children’s developmental pathways as is appropriate in light of the local data, with control vested in the local partnerships, to promote the positive development of ALL children in the community.

A more precise term for this approach is developmental crime prevention since it involves acting early to foster positive developmental pathways. Because of the need for early action, developmental prevention is also sometimes called early prevention. Developmental or early prevention often means acting early in life, before children go to school, since it is in these early years that the foundations for positive development are laid.<sup>82</sup>

Homel, Branch and Frieberg point out that:

it is sobering to observe that very few community-based initiatives in Australia that have aimed to stop youth crime before it starts (that is, are designed to achieve primary prevention) have published scientifically persuasive evidence for their effectiveness.<sup>83</sup>

### 3.1 Why we selected this initiative

The Pathways to Prevention Project is consistent with key principles identified in the *Help way earlier!* report, including positioning children and families at the centre of all decision-making in policy and service delivery; empowering First Peoples children, families, and communities; optimising community-based action; building a capable and child-specialised workforce; and basing systems reform on data and evidence.

The project represents a triad partnership/ collaboration between 7 public schools, a community agency and a university. Public schools engage with families, identifying needs at a school community level. Community agencies contribute with ongoing knowledge of family needs and skills to work closely with them. Universities provide technical and specialist support related to the implementation of evidence-based programs, using evaluation strategies to monitor the extent to which needs are addressed, and the impacts of addressing them. Universities can also work in respectful partnership with local organisations and coalitions to build the capability of disadvantaged communities and the organisations serving them to act more effectively on behalf of local children.

Homel and colleagues initiated the Pathways to Prevention Project in partnership with Mission Australia and the Queensland Department of Education.<sup>84</sup> The project operated for ten years

(2002-2011) in the most disadvantaged area of Brisbane where the youth crime rate in the 1990s was more than eight times higher than the Brisbane average, targeting children aged 4-6 transitioning to school, aiming to improve communication and social skills and to empower families and communities.<sup>85</sup>

On the basis that system-wide improvements in child wellbeing can only be achieved when effective early prevention strategies are part of everyday practice, the university team worked closely with specialist Education Department teachers as well as with the regular preschool teachers and the community-based Mission Australia team. The role of the university research team was to help build the capabilities of those engaged in community-based family support and preschool teaching.<sup>86</sup>

Data was collected on 4,858 children who participated in the project between 2002-2011. A total of 1,077 distinct families participated between January 2002 and 30 June 2011, and 1,467 children from these families (30% of all enrolled children) participated over the 10 years (nearly always with a parent). Of these, 16% were Aboriginal and Torres Strait Islander, 26% Vietnamese, 15% Pacific Islander, 27% 'Anglo-Celtic' Australian and 16% other ethnicities.<sup>87</sup>

This has provided for the longitudinal evaluation of outcomes. This database not only contains data collected with children and families, but also administrative data provided by the Queensland Department of Education and the Queensland Department of Justice and Attorney-General.<sup>88</sup>

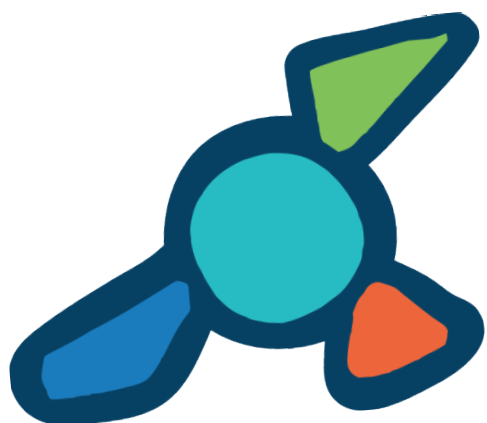
## 3.2 Description of Pathways to Prevention Project

In brief, the Pathways to Prevention Project consisted of two components.

One component, *Pathways Family Support*, comprised a suite of comprehensive support programs offered to families in schools. Mission Australia provided support, with families able to decide to participate in programs that best suited their needs, including parenting classes such as Triple-P Positive Parenting Program, counselling, mediation, life skills (e.g., cooking), English as a second language classes, home visiting and practical in-home assistance, family therapy, playgroups, crisis care and material relief, referral to facilitate access to specialised professional services, advocacy and a variety of school-based programs.<sup>89</sup> Depending on the program and needs of families, the mode of delivery was individual or at group level. After the preschool intervention concluded at the end of 2003, family support remained available for all families with children enrolled in one of the 7 Pathways schools.

The second component, *Preschool Intervention Program*, included a communications program and a social skills program delivered directly to children.<sup>90</sup>

The communication program was based on the premise that better language and communication skills can impact the likelihood of positive behaviour and healthy development overall. The specialist teachers designed and implemented a 30-week communication program in close partnership with the preschool teachers from 2 of the 7 local primary schools, as well as the 4-year-old children's parents. The communication program enriched the normal high quality preschool curriculum and was fully integrated with it. In addition, the community-based Mission Australia team, working in partnership with the specialist and other teachers, provided open-ended and holistic support to families with children in any one of the 7 preschools.



The social skills program incorporated strategies from an Australian program called *Preschool PALS* and an international program called *Incredible Years Child Training Program*. The aim was to improve children's skills to engage in prosocial behaviour and positive peer-relationships. This program was delivered by a supervised psychologist from Griffith University with children over 14 sessions during 2 school terms.

Specifics of *Pathways Family Support* and the *Preschool Intervention Program* can be found in numerous papers,<sup>91</sup> including Homel, Freiberg, Lamb, Leech, Carr, Hampshire, Hay, Elias, Manning, Teague and Batchelor (2006);<sup>92</sup> and Allen, Homel, Vasco, and Freiberg (2024).<sup>93</sup>

### 3.3 Evidence of impact

There are many encouraging evaluations of the Pathways to Prevention Project over nearly 20 years, showing improved levels of children's communication skills and reduced levels of difficult behaviour, over and above the effect of the regular preschool curriculum; improved connectedness within families and increased parent-child attachment; increased connectedness of families to agencies and institutions where resources can be accessed;<sup>94</sup> improved attachment to school, and improved home relationships.<sup>95</sup>

Evaluations using quantitative analyses have consistently reported the combined effect of the *Pathways Family Support Program* and the *Preschool Intervention Program* on children's behaviour was greater than either program on its own.<sup>96</sup>

For the purposes of this paper, the focus is on the most recent longitudinal evaluation of Pathways to Prevention Project which considers its impact on offending by children.

This most recent evaluation was made possible through assembling and linking the data on court-adjudicated youth offending (2010-2016) for 616 children in the 2002 and 2003 preschool cohort.<sup>97</sup> It specifically looked at the impact of the Pathways family support services between 2002 and 2011 on crime committed by children, as well as the impact of the preschool interventions in 2002 and 2003.<sup>98</sup>

Evaluation of the effects of participating in Pathways to Prevention Project involved comparing participating children with a comparable control group from the database records of non-Pathways children.<sup>99</sup> Thirty-seven of the 616 children (6%) had a record for court-adjudicated offending up to age 17, which was then the age of adult criminal responsibility in Queensland.

It should be noted that, in the absence of a randomised design, the attribution of causality must be made with caution. However, causal attribution in these circumstances is strengthened by the fact that the children attending the two groups of preschools (intervention and control) were comparable at the beginning of preschool in terms of gender ratio and the proportion of Aboriginal and Torres Strait Islander children as well as classroom behaviour.<sup>100</sup>

The evaluation concluded:

We find persuasive evidence for the impact of an enriched preschool program, the communication program, in reducing by more than 50 percent the number of young people becoming involved in court-adjudicated youth crime by age 17. We find equally strong evidence that comprehensive family support increased the efficacy and sense of empowerment of parents receiving family support. No children offended in the communication program if their parents also received family support, but family support on its own did not reduce youth crime. The rate of youth offending between 2008 and 2016 in the Pathways region was at least 20 percent lower than in other Queensland regions at the same low socio-economic level, consistent with (but not proving) the hypothesis that the Pathways Project reduced youth crime at the aggregate community level.<sup>101</sup>

The economic impact (cost-effectiveness) of the preschool communication program (2002-2003) has also been examined and reported in a 2025 pre-print paper.<sup>102</sup> The main finding (subject to peer review) is that for every dollar spent, the communication program generated an average return of \$7.65 from avoided court-adjudicated youth offending.

## 3.4 Key learnings about this initiative

The findings from the Pathways to Prevention Project when correlated with the youth offending data offer ways to move forward based on longitudinal data and evidence.

Key learnings include:

- Evidence that family support can play a critical role in combination with data-guided, evidence-based preschool or (by implication) school programs that are integrated with the standard curriculum, that strengthen the capabilities of classroom teachers and that are delivered by skilled specialists—preferably already working in the education system.<sup>103</sup>
- These programs, combined with family participation, practical assistance and evidence-based parenting support, can provide a boost for all children living in disadvantaged communities, not just the most vulnerable.<sup>104</sup>
- Such initiatives will be both scalable and sustainable if they are provided from within the community services and education systems and are supported by respectful partnerships with experts in universities, government and civil society.<sup>105</sup>

Key learnings also lend themselves to identifying future research. Allen, Homel, Vasco, and Freiberg identify future research from this longitudinal data as:

- the role of family support, in combination with the communication program<sup>106</sup>
- gender interactions given the early evaluations of the communication program showed that the behavioural effects were mostly restricted to boys<sup>107</sup>
- exploration of more complex mediation pathways, using school suspensions and measures of child impulsivity in addition to the Rowe Behavioural Rating Inventory<sup>108</sup>
- moderating role of changes in Parent Empowerment and Efficacy Measure in relation to child behaviour<sup>109</sup>
- changes in Parent Empowerment and Efficacy Measure in relation to different types and amounts of family support that families may receive<sup>110</sup>

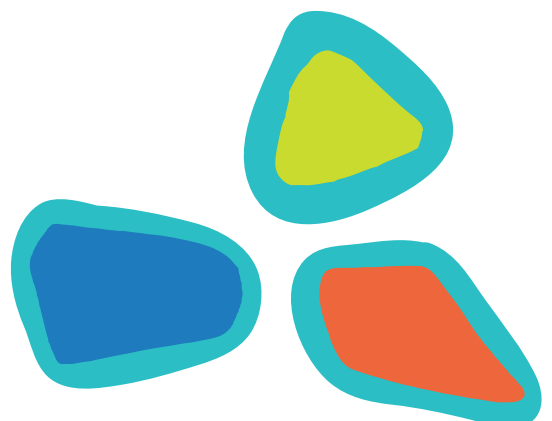
- refined analysis of aggregate crime data exploring the feasibility of obtaining offence data for Queensland SLAs in 2001, to identify areas that were comparable to the Pathways SA2s in offending prior to the start of Pathways<sup>111</sup>
- seeking other community-level indicators of child outcomes that may have been influenced by Pathways over the years, such as paediatric hospital admissions.<sup>112</sup>

## 3.5 More information

The learnings from the Pathways to Prevention Project influenced the design of the Australian Government funded program, *Communities for Children*. Since 2005, *Communities for Children* has operated in 52 disadvantaged communities, delivering services for children aged 0-12 years and their families (and can include children up to 18 years of age). It has done this through local agency partnerships coordinated by an independent non-government organisation (the Facilitating Partner). Homel maintains that ‘the evidence for the impact of *Communities for Children* on child or parent outcomes is weak and equivocal’.<sup>113</sup>

In 2013, under Homel’s leadership, the *Creating Pathways to Child Wellbeing in Disadvantaged Communities Project (CREATE)* was initiated. Homel maintains that:

What we attempted in the CREATE phase had its genesis in our successes, failures, and frustrations in Pathways to Prevention. For us, it involved building capability at all five stages of the iterative change cycle, Coming Together, Deciding Together, Planning Together, Doing Together, and Reviewing Together.<sup>114</sup>



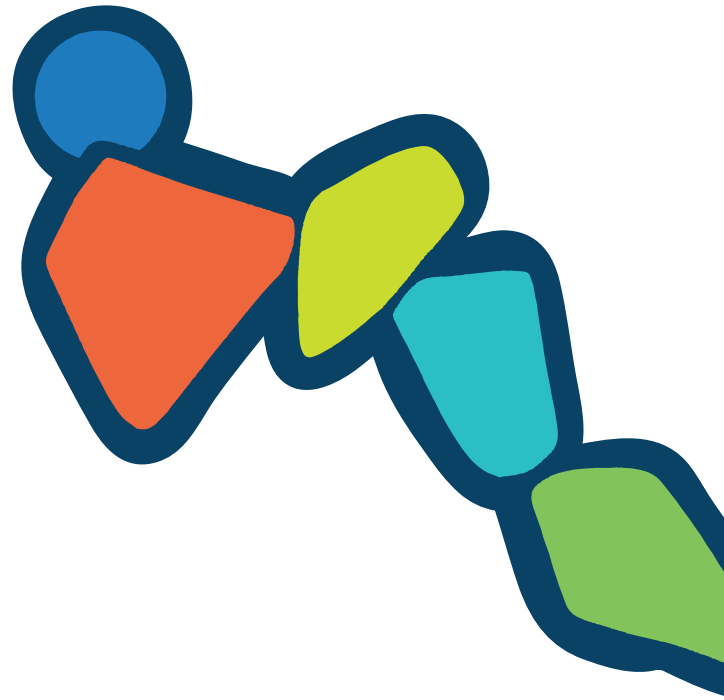
*CREATE* stands for **c**ollaborative, **r**elationships-driven, **e**arly in the pathway, **a**ccountable, **t**raining-focused, and **e**vidence-driven.<sup>115</sup> The aim of this project was to:

build the capacity for schools and community agencies to transcend system silos; foster ethical practices and respectful relationships; and deliver goal-directed, quantitatively evaluated, evidence-based resources that address the needs of families with complex needs, promote child wellbeing, and prevent antisocial and criminal behaviours.<sup>116</sup>

*CREATE* operated for 8 years and operated within the framework of *Communities for Children* and was funded by the Australian Research Council, the Department of Social Services, 5 non-government organisations and 5 government departments in NSW and Queensland.<sup>117</sup> The resources developed through the *CREATE* project remain largely unused since the end of the project in 2020.<sup>118</sup>

One goal of *CREATE* was to adapt the methods and resources of the *Communities That Care* model to the *Communities for Children* environment to maximise the chances of success in improving child wellbeing.<sup>119</sup> The *Communities That Care* model focuses on crime and antisocial behaviour and a range of other adolescent behavioural health outcomes and has been implemented in Australia over the past quarter century.<sup>120</sup>

Allen, Homel and colleagues<sup>121</sup> have recently completed an international systematic review of the scientific literature on prevention models that have strong scientific evidence for success in the primary prevention of youth crime and related problems like drug and alcohol misuse and school dropout.<sup>122</sup> In preliminary analyses they located only two models at the whole of community level that had evidence for sustained impact. These are the *Communities That Care* model and *PROSPER* (Promoting School-Community-University Partnerships to Enhance Resilience).<sup>123</sup>



*PROSPER* has a strong USA evidence base, but its focus is primarily on the prevention of substance use. Homel argues that the only other model (apart from Pathways to Prevention) for youth crime prevention at the whole of community level that has very strong evidence for sustained impact at scale in Australia is the *Communities That Care* model.<sup>124</sup>

The *Communities That Care* model is currently supported in Australia through Communities That Care Ltd, a not-for-profit affiliated with Deakin University. It has been implemented and evaluated in local government areas in southern Australia, showing positive outcomes.<sup>125</sup> Further consideration should be given to the *Communities That Care* model.<sup>126</sup>

Consistent with *Help way earlier!*, Homel strongly argues that:

The goal in each community should be to work toward the development of a coherent set of community-controlled practices grounded in scientific research on what works and why, and directed at sustained community-wide impact within a framework of continuous quality improvement and iterative learning based on rigorous measurement of inputs and outcomes.<sup>127</sup>

## 4. Aboriginal-led, community and place-based initiative

(Baulaarr Bagay Warruwi Burranba-li-gu, Walgett, NSW, Australia)

In 2016, the Dharriwaa Elders Group in Walgett, New South Wales, invited researchers from the University of New South Wales (UNSW) to collaborate on their long-term vision for positive social change in their community. A partnership called Yuwaya Ngarra-li was formed ('vision' in the Yuwaalaraay/Gamilaraay languages). Its purpose is to work together to improve the wellbeing, social, built and physical environment and life pathways of Aboriginal people in Walgett.<sup>128</sup>

The long-term partnership focuses on the needs of local Aboriginal community members, in particular children and young people, in Walgett, a remote town in north-western New South Wales.<sup>129</sup> The collaboration develops and applies evidence-based initiatives, engages in research combined with building local community capabilities and control.

Reducing Aboriginal children and young people's contact with the child justice system was identified as an urgent priority by the Dharriwaa Elders Group early in the partnership, leading to the development of a diversion model for children known as Baulaarr Bagay Warruwi Burranba-li-gu (Two River Pathway to Change).<sup>130</sup>

### 4.1 Why we selected this initiative

#### (a) Aboriginal Community-Controlled Organisations (ACCOs) and self-determination

Self-determination and empowerment play a critical role in improving outcomes for children in the child justice system. In *Help way earlier!*, stakeholders emphasised that First Peoples communities must be empowered to leverage the protective characteristics of connection to culture to support the wellbeing of First Peoples children.<sup>131</sup>

The most effective and holistic services for First Peoples are those provided by Aboriginal-led organisations, who are more equipped to harness the strengths of First Peoples cultural and

community knowledges to improve outcomes. Community-led and place-based initiatives, tailored to the needs and strengths of communities, are central to improving wellbeing outcomes and reducing child justice involvement.<sup>132</sup> The leadership and commitment of the Dharriwaa Elders Group in Walgett is a key pillar sustaining Yuwaya Ngarra-li and the Baulaarr Bagay Warruwi Burranba-li-gu (Two River Pathway to Change) model. The model centres the leadership of ACCOs and has enabled a community-led approach that responds to the Walgett context to effect change.<sup>133</sup>

#### (b) Research, data and evaluation

A particular focus of the Yuwaya Ngarra-li partnership is on increasing the understanding and strategic use of administrative data, enabling communities to access government data in order to enhance opportunities for community-led initiatives and to advocate for systemic changes.<sup>134</sup> Yuwaya Ngarra-li's data linkage project consists of analysing data collected by multiple governmental agencies to generate evidence about local needs and inform responses led by the community.<sup>135</sup>

Yuwaya Ngarra-li also exemplifies the importance of basing system changes with the aim of improving community outcomes on data and evidence, as highlighted in the *Help way earlier!* report.<sup>136</sup> Research and evaluation is embedded in the partnership activities.<sup>137</sup> In the Baulaarr Bagay Warruwi Burranba-li-gu (Two River Pathway to Change) model, the Yuwaya Ngarra-li research and evaluation team works together with the Dharriwaa Elders Group to access data and identify systemic barriers and opportunities to support positive change in the community. This type of collaboration between researchers and communities is a key strength of effective models of child justice reform.

It also supports Indigenous Data Sovereignty, an essential aspect of self-determination, and an opportunity to improve transparency and accountability for the way governments fund initiatives and services in First Peoples communities.<sup>138</sup>

### (c) Holistic and rights-based

Yuwaya Ngarra-li projects have been developed and led by the Dharriwaa Elders Group directly in community. They have focused on reducing Aboriginal children and young people's contact with the child justice system, improving food and water security and care for Country, building Aboriginal community capabilities and control, developing new housing models and reducing fine debt.<sup>139</sup>

Yuwaya Ngarra-li centres children in policy and service delivery by responding holistically to their needs. The Dharriwaa Elders Group's vision for Aboriginal children and young people in Walgett includes identifying their needs across multiple systems such as child justice, education, health, and care. The model aims to influence all the systems that serve young people and their families, under the premise that child justice outcomes can improve if other systems in the community are strong.<sup>140</sup>

Further, the model embodies a commitment to children's rights, exemplified by its focus on diversion and advocacy for detention to be used only as a last resort.

The views and perspectives of children and young people were also included in the development of strategies, through surveys and direct engagement.<sup>141</sup>

Growing up Aboriginal means it is pretty much inevitable that you will come under police scrutiny at some time in your life, whether you are actually in trouble, assisting them with an inquiry or seeking support yourself...

There are a monumental amount of barriers facing our youth today upon entering the cycle of the justice system and a lot them are attached to stigma and stereotypes associated with Aboriginal people.

I don't have solutions to these problems but I do believe that building rapport by forging and strengthening community relationships is a great place to start, especially where young people are concerned.<sup>142</sup>

**Young person involved in the Yuwaya Ngarra-li Walgett Youth Justice Forum**

## 4.2 Description of Baulaarr Bagay Warruwi Burranba-li-gu (Two River Pathway to Change)

Reducing Aboriginal children and young people's contact with the child justice system was identified as an urgent priority by the Dharriwaa Elders Group early in the Yuwaya Ngarra-li partnership. A Youth Justice Forum was held in Walgett in 2018, followed by an Action Plan for Children and Young People that was developed in collaboration with Aboriginal children and young people, key stakeholders and agency representatives from across Walgett.<sup>143</sup>

The Dharriwaa Elders Group deeply values working with young people in their community and holds grave concerns about the risk of them ending up in the justice system rather than in education and employment and thriving in their community. The Dharriwaa Elders Group identified this as an urgent priority for Yuwaya Ngarra-li.<sup>144</sup>

Following this, a youth diversion model called Baulaarr Bagay Warruwi Burranba-li-gu (Two River Pathway to Change) was developed.<sup>145</sup>

The Baulaarr Bagay Warruwi Burranba-li-gu model is aimed upstream, providing early intervention and support for children and young people at risk of contact with the criminal justice system. The model also focuses downstream, working intensively with young people already enmeshed in the youth justice system. Families and ACCOs are the healthy and strong riverbanks, supported by the model to reach young people getting swept the wrong way. Community, Culture and Country can ground and connect children and young people and help them to thrive. The connecting groundwater beneath nurtures healthy rivers and Community.<sup>146</sup>

The Baulaarr Bagay Warruwi Burranba-li-gu (Two River Pathway to Change) model is described as holistic, community-led, and culturally connected.<sup>147</sup> It recognises that children and young people's wellbeing must be addressed if child justice outcomes are to be improved. This requires effective functioning of agencies and services involved in the diversion of children and young people, including the justice system and other areas such as education, health, and care.<sup>148</sup>

The model has 3 interlinked strategies which provide guidance for all stakeholders in the community to design their services and interventions to meet the needs of children and young people. Provided governments, ACCOs and other organisations are aligning their priorities, initiatives, services and overall investment with one or all these strategic priorities, they will be capable of positive impact at a community-level:

1. influence the practices and services and improve the accountability of responsible agencies to support better outcomes for Aboriginal children and young people
2. support engagement and leadership by Aboriginal Community Controlled Organisations, parents and carers to support better outcomes for Aboriginal children and young people
3. work intensively with Aboriginal children and young people in Walgett to increase their rates of belonging, safety and wellbeing and reduce or prevent ongoing contact with the child justice system.<sup>149</sup>

The Baulaarr Bagay Warruwi Burranba-li-gu (Two River Pathway to Change) model has evolved over time. The Dharriwaa Elders Group has implemented different approaches to both respond to emerging needs, such as coordinating responses for children and young people at a community level during COVID, as well as longer-term solutions which require deep and ongoing relationship building between stakeholders in Walgett and across the state. The model allows for mechanisms and initiatives to be practiced and refined over time, enabling collective efforts to grow and build towards longer-term change.

Examples of past Yuwaya Ngarrali initiatives guided by the Baulaarr Bagay Warruwi Burranba-li-gu (Two River Pathway to Change) model strategies include:

- *Walgett Holistic Working Group (2018-2023)*: state and local legal, health and education agencies met once a month, convened by the Dharriwaa Elders Group and Yuwaya Ngarrali. Activities included responding to systemic issues around child wellbeing in Walgett and advocating for the efficient provision of services and resources.<sup>150</sup> One of the key strengths of the working group was that local Walgett Aboriginal Community members and organisations led and shaped its focus, which is a clear point of distinction from other government and police-led approaches.
- The Dharriwaa Elders Group's *Youth Team (2020-2022)*: the Youth Team included a Youth Coordinator, Youth Worker and Project Officer. The Team worked together to support children and young people living in Walgett who needed support and assistance with matters relating to their criminal justice system contact at different stages, for example in police custody at time of arrest or cell support, court and youth conferencing support. The team also designed a Walgett specific engagement it called 'youth wellbeing checks' conducted at the child's or young person's home or accommodation, troubleshooting, working with families and carers and ensuring this connection was maintained and supported along with the child or young person. The outcomes and lessons from the work of the Youth Team have then informed current initiatives guided by the Baulaarr Bagay Warruwi Burranba-li-gu (Two River Pathway to Change) model strategies, including the *Walgett Youth Wellbeing Service* and the *Galuma-li Women's Group*.
- *Walgett Youth Wellbeing Service (YWS)*: the design of the YWS is informed by years of Dharriwaa Elders Group-led community consultation and collaboration with stakeholders in Walgett. The YWS is based at the Dharriwaa Elders Group's new site, Galumali ('care for' in Gamilaraay), on the main street of Walgett. The staff working in the service aim to improve the sense of belonging, safety, support and wellbeing of children and young people through the activities of the YWS.

With existing staff and resources, the YWS has delivered 4–8-week blocks of group-based recreational and educational activities targeting children and young people in the 9–14 age group, as well as adults including grandparents and young mothers accompanied by children under 9 years.

So far, the Dharriwaa Elders Group has received extremely positive feedback from children, young people and parents/carers about the YWS. They will continue to build on this momentum with the ideas that the young people and their parents/carers have provided.

- *Galuma-li: a holistic approach to delivering community care in Walgett:* the Dharriwaa Elders Group have also recently started the Galuma-li Women’s Group. The aims of the group are to bring women together, strengthen relationships and create a safe space for sharing and support, empowering women and learning what they would like to see come out of the Galuma-li space. Local women ranging in age from 17–70 years have participated in activities and the feedback provided in anonymous surveys was overwhelmingly positive. Extensive plans for increasing engagement with new cohorts and embedding and refining activities are in place for 2025–2026.

The Baulaarr Bagay Warruwi Burranba-li-gu (Two River Pathway to Change) model recognises that addressing the criminalisation of children and young people cannot focus solely on changes to the justice system. It also needs to focus on:

broader conditions for children and young people’s wellbeing. While policing practice must change, there are many other areas that require significant shifts to support children and young people including trauma-informed education, access to flexible learning and education, access to appropriate trauma-informed mental health care, and youth services and support that build trusting relationships and recognise the inherent protective factors of family, Community, ACCOs and Culture.<sup>151</sup>

## 4.3 Evidence of impact

Since its inception, research and evaluation has been central to the partnership, with ongoing development, testing, documenting and refining in its approach which has been concurrently informed by relevant national and international evidence and local priorities.<sup>152</sup>

In 2022, the Yuwaya Ngarra-li partnership used de-identified unit record data provided by the NSW Bureau of Crime Statistics and Research (BOSCAR) to measure changes over time in child justice outcomes in Walgett before and after the Baulaarr Bagay Warruwi Burranba-li-gu (Two River Pathway to Change) model commenced in 2018.<sup>153</sup> The study examined diversions, charges, court appearances, court outcomes and youth custody for children and young people in Walgett between 2016 and 2021. The study’s findings include:

- Most youth contact with the justice system in Walgett is by Aboriginal children and young people.
- Between 2016 and 2018 there was a decrease in the use of diversion for children and young people. This was attributed to many non-violent offences (public order offences, property damage and theft) being finalised in the Children’s Court rather than through diversion by police. Further, more referrals to youth justice conferences were issued by the courts rather than the police. This shows missed opportunities for diversion by police.
- Since 2018 there have been overall reductions in charges and court cases (taking into consideration lag time from charge to court finalisation).

Since 2018 there has been a decrease in custodial episodes, with increased proportions of charges withdrawn or where the child or young person is found not guilty in court. Many of these custodial episodes were for children who are in remand, as opposed to serving a sentence.<sup>154</sup>

Most importantly, data showed that the goal of the Walgett Action Plan for Children and Young People (to have less than 10% of Aboriginal children and young people from Walgett appearing in the Children’s Court) was met. It showed that 7.8% of Aboriginal children and young people aged 10–17 appeared in the Children’s Court in 2021,<sup>155</sup> equating to a 32%

decrease since 2016.<sup>156</sup> This estimate relied on Census data in the denominator, which is unreliable and was adjusted for undercounting of the Aboriginal population in Walgett. However, Yuwaya Ngarra-li's data linkage project will enable more accurate calculations in the partnership's future research.

Data will be collected through Yuwaya Ngarra-li's data linkage project which will include police, court, custody, youth justice, fines, education, health, public housing, out-of-home care and child protection data for children and young people from Walgett and their immediate family members. Analysis of these data will enhance understanding of the relationships between different experiences and outcomes for children and young people in Walgett and what works to help Aboriginal children and young people to thrive, including in relation to this new service. It will enable evaluation on the progress and impact of the *Walgett Youth Wellbeing Service* and other factors on outcomes and pathways for Aboriginal children and young people in Walgett.<sup>157</sup>

Between 2020 and 2023, Yuwaya Ngarra-li contributed to 101 outcomes in the youth justice and wellbeing area.<sup>158</sup> These outcomes included:

- Aboriginal community outcomes such as support to 17 young people and their families to navigate processes to achieve diversion from the criminal justice system and/or enable a return to school<sup>159</sup>
- place-based outcomes such as increased use of diversionary options under the Young Offenders Act by police in Walgett<sup>160</sup>
- systemic outcomes such as NSW Police ceasing to use STMP (a predictive AI model of identifying likely offenders) on young people ahead of a Law Enforcement Conduct Commission finding of maladministration based on the evidence of over-policing of Aboriginal children and young people from NSW Police data, including in Walgett.<sup>161</sup>

During this time, Yuwaya Ngarra-li developed a new *Dealing with Fines* program, in response to Walgett having the highest rates of COVID fines in NSW. It has achieved significant outcomes since it was established in 2022.<sup>162</sup>

Overall, the Yuwaya Ngarra-li partnership contributed to more than 460 outcomes (the actions by, or changes for, individuals, organisations or groups influenced by Yuwaya Ngarra-li) between January 2020 and December 2023.<sup>163</sup> In relation to the Baulaarr Bagay Warruwi Burranba-li-gu (Two River Pathway to Change) model, these outcomes have included:

- influencing and ensuring accountability of services and agencies, for example monthly Walgett Holistic Working Group involving justice and non-justice actors
- building and supporting community leadership and family engagement, for example working with Walgett Medical Service and the Aboriginal Legal Service to build ACCO collaboration
- working directly with children and young people through outreach by community troubleshooters, workshops, wellbeing checks and intensive support provided by the Yuwaya Ngarra-li Youth Team in 2021-2022.<sup>164</sup>

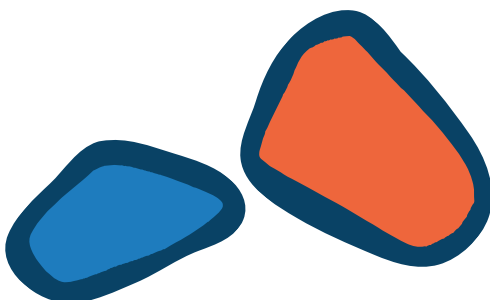
Yuwaya Ngarra-li has also used other methods to monitor the progress and impact of the model, including surveys with young people.<sup>165</sup>

## 4.4 Key learnings about this initiative

Sharing their learnings with other communities has been central to the aim of Yuwaya Ngarra-li. Some key learnings from the Baulaarr Bagay Warruwi Burranba-li-gu (Two River Pathway to Change) model and the Yuwaya Ngarra-li partnership more broadly include:

- **Vision and shared values:** being led by the Dharriwaa Elders Group's vision for change and underpinned by shared values and working 'at the speed of trust' has meant Yuwaya Ngarra li has been able to adapt and respond to changing conditions and community priorities as needed, bringing demonstrated and sustained impact.
- **Sustained and flexible philanthropic funding:** having a philanthropic partner supportive of learning and taking a community-led approach since 2018 has been a critical success factor.

- **Reflective practice:** the Dharriwaa Elders Group and UNSW teams developed regular processes of reflecting together, in person and online. These reflection sessions have been important for building capability amongst team members to reflect on progress against goals and on documented outcomes, allowing the team to examine where progress is being made and why, and where approaches might need to shift – for example, identifying the need to build a new youth wellbeing service in Walgett.
- **Working holistically across policy domains:** working holistically as part of a long-term community-university partnership has enabled Yuwaya Ngarra-li to understand the systemic nature of local challenges and barriers to change. Evidence of place-based impact has been tracked across all areas and reinforced just how connected those areas are.
- **Local Aboriginal staff:** building a local workforce of Aboriginal staff is critical to embedding and building progress successfully in community-led initiatives, but this requires appropriate long-term commitment.
- **Addressing ongoing racism and remoteness:** vigilance and persistence in addressing racism and remoteness has been critical to achieving and sustaining progress.
- **University capability to work in a genuinely community-led way:** from the outset, a long-term commitment and capacity building on the university side was identified as a core focus for Yuwaya Ngarra-li, leading to a significant increase in the capability to work in a genuinely community-led way at UNSW since partnering with the Dharriwaa Elders Group. This has resulted in developing practical knowledge around working as an effective intermediary and contributing to impact in key areas.<sup>166</sup>



## 4.5 More information

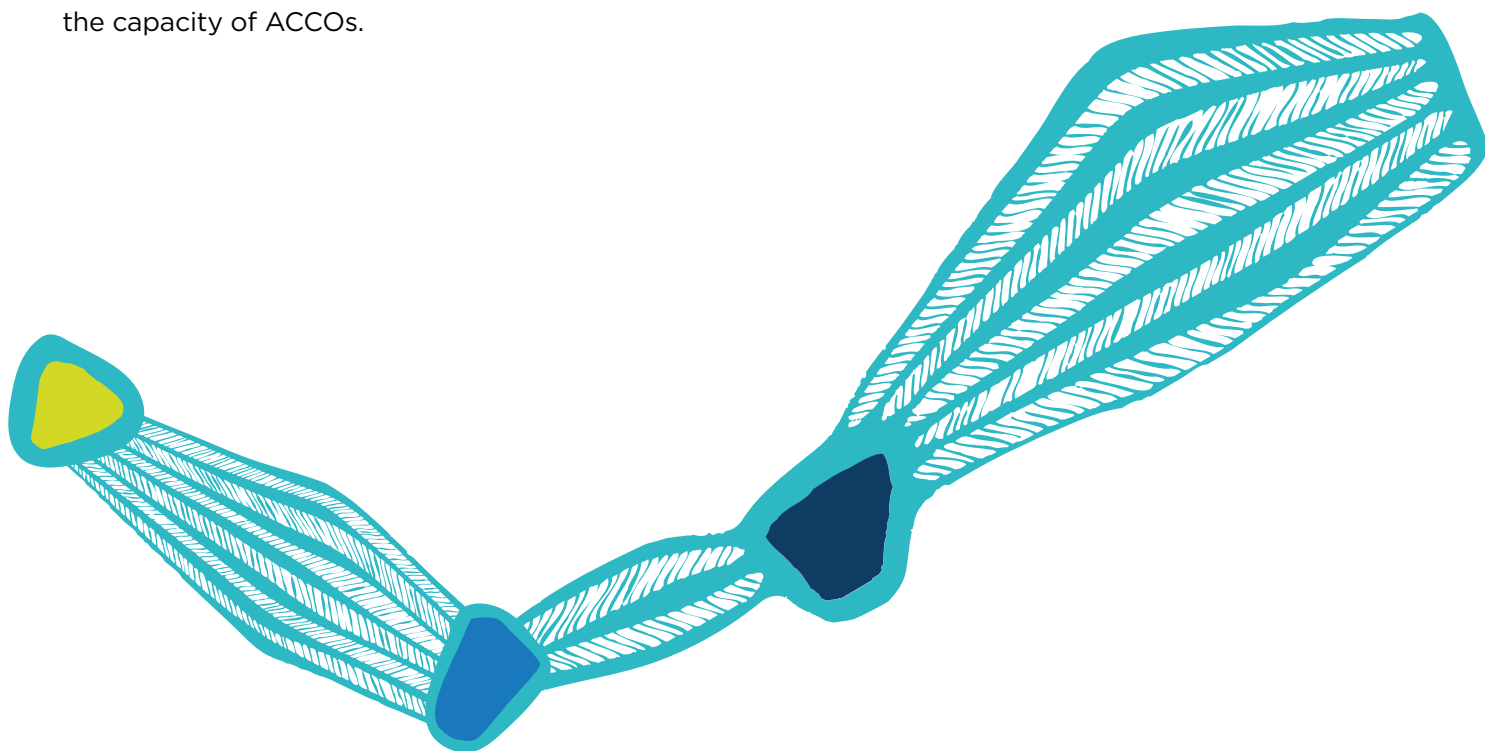
Early intervention and prevention are crucial components in addressing offending by children. Community-led options enable therapeutic pathways that can support children and young people before they become entangled in the criminal law system. Therapeutic pathways can be understood as the law, policies and practices which ensure access to support and care for all children and young people to enable them to thrive, especially those who are impacted by criminal law systems. These pathways focus on addressing underlying factors such as trauma, social disadvantage, racial discrimination, and disconnection from culture, and providing holistic and culturally appropriate alternatives to traditional punitive responses.

The Baulaarr Bagay Warruwi Burranba-li-gu (Two River Pathway to Change) model is an example of building the conditions for therapeutic pathways for children and young people at a whole-of-community level. Its interlinked strategies include roles for all critical stakeholders with responsibility to act to improve the outcomes for children and young people, including government, NGOs, ACCOs, families and carers. The overarching strategy is focused on improving the accountability of government agencies for their system responsibilities, for example, the police appropriately using formal diversions. The strategies operate at 3 different system-levels. At the community level, ACCOs are working directly with children and young people, and collaborating with other ACCOs in a place-based approach to engage with families and carers. At a service-level, there is the design, delivery and practice of ACCO-led therapeutic and culturally focused models. At the government engagement level, mechanisms to ensure accountability and coordination of all agencies to align with these aims and for all to achieve improved outcomes for First Peoples children and young people, especially those with criminal law system contact. The model provides a way for all critical stakeholders to work together to deliver therapeutic pathways and genuine alternatives to the criminal law system. Importantly, the meaningful engagement of government ensures accountability is a shared responsibility, not solely borne by ACCOs.

The Baulaarr Bagay Warruwi Burranba-li-gu (Two River Pathway to Change) model could be scaled across place-based or community-led initiatives. It provides guidance for all stakeholders in the community to design their services and interventions to meet the needs of children and young people. Governments, ACCOs and other organisations aligning their priorities, initiatives, services and overall resources with these strategic priorities will enable the greatest chance of positive impact at community and systems levels.

ACCOs are indispensable partners in delivering these services, given their deep understanding of community needs, cultural practices, and trusted relationships within First Peoples communities. By integrating ACCOs into early intervention and prevention strategies, more effective, culturally safe, and strengths-based approaches can be embedded that not only mitigate offending but also foster resilience and positive development for First Peoples children and young people. The initiatives of the Baulaarr Bagay Warruwi Burranba-li-gu (Two River Pathway to Change) model, such as such as the Walgett Holistic Working Group, provides an approach for communities to hold government agencies such as the police to account, while also strengthening the capacity of ACCOs.

ACCOs play a vital role in fostering sustainable and culturally safe responses to child offending through place-based initiatives. By grounding initiatives within the values, knowledge, and priorities of First Peoples communities, ACCOs not only enhance the relevance and effectiveness of interventions but also empower community members to take ownership of their own community-building efforts. Their holistic approach, which integrates cultural-connectedness, social support, and each community's context, is essential for addressing the root causes of offending by children and promoting long-term positive outcomes. Recognising and strengthening the capacity of ACCOs is fundamental to creating equitable, effective, and respectful justice and therapeutic strategies that truly serve First Peoples children and young people and their communities.



# 5. Small-scale, community-based and therapeutic alternatives to detention

(Netherlands, USA and Spain)



The previous sections in this paper have explored options for system change, and the need for preventative and early intervention measures. This is consistent with the view that ‘it’s much better to stop youth crime before it starts by supporting children’s positive development in early childhood’.<sup>167</sup>

However, there are also those children and young people who are already remanded or sentenced to time in detention facilities.

On an average day in 2023–24, 20% (827) of children and young people aged 10 and over who were under youth justice supervision were in detention. Of all children and young people in detention on an average day aged 10 and over, 80% were on remand (detained waiting their trial or sentence).<sup>168</sup>

About 65% of the children and young people aged 10–17 in detention on an average day in 2023–24 were First Peoples children and young people.<sup>169</sup> First Peoples children and young people aged 10–17 were about 27 times as likely as their non-Indigenous counterparts to be in detention on an average day.<sup>170</sup> This is despite First Peoples children and young people making up only 5.7% of the Australian population aged 10–17.<sup>171</sup>

As discussed in the *Help way earlier!* report, children are also being detained inappropriately in adult watch houses in Queensland, some for extended periods of time.<sup>172</sup> In a 2023 review of the increasing use of watch houses, the Queensland Family and Child Commission showed that the length of detention of children in watch houses was increasing significantly.<sup>173</sup>

Across Australian jurisdictions, evidence is also indicating that it is often a small number of children and young people who are responsible for a large proportion of all crime committed by children and young people. For example, in South Australia, in 2023–24, 20 young people were responsible for 11% of all charges in the Youth Court.<sup>174</sup> In 2022–23, 457 serious repeat offenders (average daily number) committed 55% of all crime by children in Queensland.<sup>175</sup>

There is a high likelihood of children returning to custody after completing previous custodial sentences.<sup>176</sup> The high probability of re-offending shows that incarcerating children is not working in their best interests and equally does not act to keep the community safer in the longer term.

UN studies have highlighted the potentially harmful effects of detention on children, especially their health, mental health and development.<sup>177</sup> Although there is a need for more research on the impacts of detention,<sup>178</sup> it is clear that many children enter detention with existing health conditions, and that these may be exacerbated by being in detention, with some health conditions developing as a result of deprivation of liberty.<sup>179</sup> *The Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability* found that detention settings exacerbate the vulnerabilities of children with disability who often lack access to therapeutic support and trauma-informed care.<sup>180</sup>

Recognising this potential for harm, the UN Committee on the Rights of the Child urges nations to immediately embark on a process to reduce reliance on detention to a minimum.<sup>181</sup> This requires the development of effective and responsive community-based alternatives to detention.

Community-based alternatives rather than large-scale, punitive detention facilities, are being used internationally. For example:

Several jurisdictions around the world have recognised that meaningful youth justice reform is more likely to be achieved when moving away from the reliance on large-scale conventional youth justice detention institutions. Small-scale, community-integrated, therapeutic facilities (referred to as “community-integrated facilities”) are more likely to provide an opportunity to facilitate systemic reforms that are necessary to improve outcomes for justice-involved young people, reduce institutional violence, and ultimately improve public safety.<sup>182</sup>

It is argued that ‘the size of a facility affects the quality of outcomes. Small-scale facilities better promote the approaches known to have the greatest impact in reducing the risk of reoffending’.<sup>183</sup>

Key principles of good practice include small-scale facilities, locally sited, and integrated with communities, designed to promote relational and differentiated security and encompassing therapeutic design characteristics.<sup>184</sup>

Relational security is conceptualised as ‘the role of interpersonal relationships between staff and residents in the provision of a safe and secure environment’.<sup>185</sup> It is characterised as ‘not only a way of working, but also a way of being. It encompasses a vision about security and mentality towards justice-involved youth that sees them not merely as ‘risks to be managed’, but as ‘resources to be developed’.<sup>186</sup>

Current definitions of relational security tend to include the following elements: constructive, trusting and respectful relationships between staff and young people; staffs’ knowledge and detailed understanding of young people in detention and how this informs their management and de-escalation of incidents; staffing numbers and the time and space available for face-to-face contact.<sup>187</sup>

A scoping review on the definition of relational security acknowledged its value and its positive benefits but pointed out that further research was required ‘to avoid more ideologically based ways of practising which, potentially, are dependent on individual characteristics and intuition’.<sup>188</sup>

Common across small-scale models is the importance placed on their physical architecture and ‘home-like’ features. It is argued that this ‘should be considered as one aspect in a holistic approach which incorporates a cultural and philosophical orientation towards promoting children’s and young people’s health and wellbeing’.<sup>189</sup> The *Royal Commission into the Protection and Detention of Children in the Northern Territory* pointed out that:

The physical environment of a youth detention facility – the architecture, buildings, spaces, surroundings, furniture and ambience – greatly affects a young person’s experience of detention and therefore their prospects of rehabilitation.<sup>190</sup>

The following sections discuss small-scale community-based alternatives. The initiatives were selected because they incorporate key principles identified in *Help way earlier!* and their nature suggests adaptability to the Australian context. However, as noted by the Law Council of Australia to the Senate Legal and Constitutional Affairs References Committee in October 2024:

Any pilots or responses adopted must have the backing of First Nations leaders and build on their existing expertise in responding to the needs of the children and young people in their communities.<sup>191</sup>

Some submissions made to the *Help way earlier!* project and the Senate Legal and Constitutional Affairs References Committee in October 2024 referenced the initiatives that are presented in the following sections.<sup>192</sup>

Additionally, some states and territories have already indicated interest in these models but, at the current time, have not progressed towards implementing them. For example, the Northern Territory has explored using the Diagrama model.

However, as pointed out by the Law Council of Australia:

Despite ample research into alternative pathways for vulnerable offenders (some directly commissioned by the Commonwealth or states/territories), there has been no coordinated national effort to promote these pathways and demonstrate that they are likely to be both more effective and more consistent with Australia’s human rights obligations.<sup>193</sup>

The initiatives in this paper are discussed at a high level, focusing on the overall concepts and, where available, longitudinal outcomes.

## 5.1 Netherlands pilot

In 2015, the Dutch Ministry of Justice examined the feasibility and potential efficacy of implementing small-scale, community-embedded youth justice facilities.<sup>194</sup> As part of this, all local and national stakeholders were brought together, utilising existing knowledge and experience in the field to draw out the appropriate and desired objectives for change.<sup>195</sup> Practitioners, along with local and national policymakers, formulated a shared vision and 5 guiding principles for sustainable and robust youth justice reforms.<sup>196</sup> These included:

- the appropriate placement of justice-involved youth tailored to individual needs
- high-quality interventions aimed at making our societies a safe place for all
- a continuous trajectory of care
- a solid network of services providers
- flexibility in size and capacity.<sup>197</sup>

In 2016, 3 pilot small-scale youth justice facilities were opened in Amsterdam, Nijmegen and Groningen. Each pilot facility involved local and regional stakeholders in the design, implementation and operationalisation of the facility.<sup>198</sup> The goal of each facility was ‘to maintain and utilise any protective factors present and to provide support and treatment in close proximity to young people’s home environment’.<sup>199</sup>

It should be noted that the model is only available to a sub-group of children and young people in custody through a screening process prior to placement. Additionally, depending on their behaviour, they can be transferred to a large-scale facility (e.g. use of severe violence or absconding). This happens in about 14% of all placements.<sup>200</sup>

As one young person at the Amsterdam facility said:

It [violence] has not happened here. Because everyone is focused on themselves. I can’t be bothered to focus on other people’s business.<sup>201</sup>

A three-year mixed-method evaluation study, initiated by the Dutch Ministry of Justice, was conducted involving action research, using both qualitative and quantitative data, and engaging all stakeholders in a cyclic process of action, research and critical reflection.<sup>202</sup> During the evaluation period, 204 young people were remanded or sentenced to one of the three facilities (20 in Nijmegen, 28 in Groningen, and 156 in Amsterdam).<sup>203</sup> The duration of the pilot varied across facilities, with the Amsterdam facility running for the longest, and therefore being monitored more intensively.<sup>204</sup> As part of this, individual studies were undertaken in the Amsterdam facility.<sup>205</sup>

In 2019, the Government passed legislation to implement small-scale community-integrated youth custodial facilities throughout the Netherlands, forming part of a continuum of approaches for justice-involved young people.<sup>206</sup> There are currently 5 operational facilities in the Netherlands.

### (a) Description of the pilot

The vision and 5 guiding principles discussed above were translated into a practice framework which encompassed a small-scale, community-embedded custodial model grounded in relational security with an integrated process of screening and indication before and during placement to promote a tailored approach.<sup>207</sup>

Staff were selected to work in the facilities based on their skills, rather than on professional qualifications:

Most important was the ability to genuinely connect with young people, which was thought to be a natural, innate ability rather than a learned skill. It was deemed equally important that staff values and work ethics were in line with the underlying values of the model (that is a strengths-based, rather than a punitive risk-averse approach, emphasizing young people’s perspectives within a tailored and collaborative way of working and promoting young people’s autonomy through relational security).<sup>208</sup>

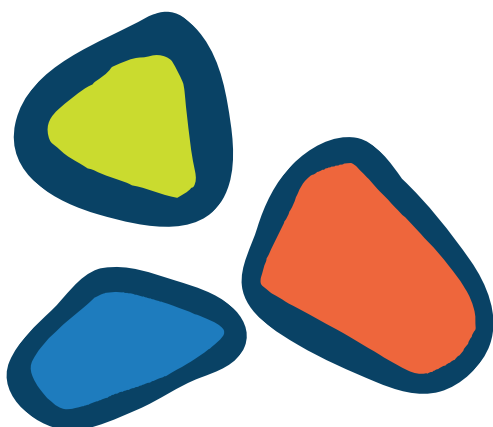
Local placements were provided for up to 8 children and young people, either on remand or sentenced. Their ages ranged from 13-18 years. This contrasted with the usual large-scale and conventional facilities that could accommodate 72-105 children and young people.<sup>209</sup> The age of criminal responsibility is 12 years in the Netherlands.<sup>210</sup>

The facilities were close to the child's or young person's home environment (maximum 1.5 hours travel time) and actively utilised resources within the community, such as the local school, employment, counselling and health care.<sup>211</sup>

## (b) Evidence of impact

The results of the Evaluation Study (2016-2019) across the three pilots found:

- The majority of children and young people were able to continue (70%) and/or successfully start (37%) school or work activities.<sup>212</sup>
- Children and young people were able to continue (78%) and/or start engaging (57%) with healthcare and youth support services.<sup>213</sup>
- A total of 6 absences without leave were registered across all facilities, of which 4 young people voluntarily returned within one day.<sup>214</sup>
- A total of 18% of young people were transferred to a large-scale facility because of non-compliant behaviour or involvement in an incident, of which 2% of cases involved physical violence.<sup>215</sup>
- Qualitative results indicated wide support for the facilities among professional key stakeholders, as well as children and young people and their families.<sup>216</sup>



In the Amsterdam facility, a follow-up study showed that generally the protective factors remained a year after participating in the program.<sup>217</sup>

Overall, the Evaluation Study concluded that:

these facilities provide justice-involved young people with a valuable opportunity to be supported and get their lives “back on track”. It should be noted that although promising, more research is needed to study the efficacy and effectiveness of such facilities compared to other types of interventions.<sup>218</sup>

The Evaluation Study also highlighted:

the importance of monitoring and evaluation by independent researchers as an essential component of building support for, and confidence in, the youth justice reforms among stakeholders, politicians, and the community. It provided transparency and contributed to the optimal development and implementation of working processes.<sup>219</sup>

It would be beneficial for future work to use linkage datasets to identify the longitudinal outcomes for those children and young people participating in the pilots.

More focused research was conducted in the Amsterdam facility, including in-depth analyses of young people placed in it. In this facility between 2016 and 2019, the children and young people were aged between 13 and 18 years and were remanded for either a violent or property crime, or a violent property offence, which reflected the most prevalent offences among the total sample (18% violent, 22% property, 55% violent property offence).<sup>220</sup> The research concentrated on their lives before, during and a year after their participation in the program.<sup>221</sup> This included professional and family support, educational attainment, work, leisure time activities and the experiences of professionals, young people and their families.<sup>222</sup>

The research in the Amsterdam facility ‘deliberately did not include recidivism rates as an indication of success given the explorative phase of the project. The evaluation focused on the efficiency of the model rather than its effectiveness’.<sup>223</sup> It is for this reason that the

findings of the Amsterdam research are reported in the key learnings section below. These findings drive the quality of the model and identify ways to continually improve implementation.

Some research was also undertaken in relation to the suitability of the model for children and young people with disability, specifically those with an intellectual disability. The study compared the numbers of transfers, the number, type, and rate of change in incidents, and the possible mediating effect of resilience, between 40 children and young people with intellectual disabilities and 19 without. There were no differences in the number of transfers, the number, type, and rate of change in incidents, and no mediating effect of resilience was found.<sup>224</sup>

### **(c) Key learnings from research in the Amsterdam facility**

Research in the Amsterdam facility included the perspectives of professionals (those involved in the screening process, unit staff and management), children and young people, and their parents. Research focused on:

- the operational elements and conditions for implementation of the small-scale community-embedded facility
- the factors related to successful placements in the small-scale community-embedded facility; and the factors related to premature termination of placement and transfer to a youth justice facility with higher levels of physical and procedural security
- how relational security is conceptualised in the facilities and how it contributes to safety
- examination of the conditions that are conducive to effective relational security; investigating how relational security, as the core of the security framework, relates to other security measures; and the factors that contribute or hinder effective relational security at different organisational levels.<sup>225</sup>

Some of the key findings from the research include:

- 7 key operational elements of the small-scale model that contribute to positive outcomes for children and young people are:
  - screening and indication (suitability for placement)
  - small-scale and individually tailored intervention planning and service delivery with active involvement of children, young people, and their support networks in the planning and decision making throughout the trajectory, with their input reflected in case management plans<sup>226</sup>
  - relational security
  - community-embedded
  - integrated and multidisciplinary assessment, planning and service delivery
  - active collaboration with young people and their social network
  - selection, guidance and supervision of staff.<sup>227</sup>
- The conditions necessary for the successful implementation of the 7 key operational elements include:
  - an appetite for reform in local and national political contexts
  - shared guiding structure
  - appropriate time, space and resources
  - stakeholder engagement and collaboration
  - structured monitoring and evaluation
  - a local context with a large size and small regional spread of the target population.<sup>228</sup>
- Barriers to the implementation of the key operational elements include structures and policies for information sharing not providing a sufficient base for integrated working processes; difficulties in aligning different, and sometimes conflicting, roles, responsibilities and visions of stakeholders; and a local context with a small size and large geographical dispersion of children and young people.<sup>229</sup>

- 6 distinct domains needed to guide screening and indication for placement are:
  - appropriate matching to the level of security of the facility and motivation to benefit from it
  - positive outlook on their short- and long-term prospects with sufficient protective factors or at least the potential to develop these, and the desire to be in the community and participate in the opportunities offered in the community
  - offence severity and circumstances
  - offence history
  - support network
  - mental health and intellectual abilities.

These were weighted for an integrated indication of the needs and strengths of the child or young person.<sup>230</sup>

- Relational security is grounded in 3 distinct, but interrelated, elements:
  - basic attitude of staff—the way staff are present and shape interactions with children and young people
  - constructive collaboration between staff and children and young people where children’s and young people’s autonomy and responsibility are explicitly promoted with children and young people having the space to learn through trial and error with staff members acting as coaches to motivate and support them wherever necessary
  - the presence of staff to deter rule-breaking behaviour, and intervening and de-escalating when necessary.

Also, staff spending most working hours in communal areas where they can engage with children and young people and are available if they seek (emotional) support. Relational security is the core of the security framework.<sup>231</sup>

- Relational security, physical security and procedural security must all be in place and appropriately balanced. In situations where safety is potentially jeopardised, staff should first aim to rely on relational security before seeking support from other security measures. Physical and procedural security measures should always reflect the principles of relational security and be used as little as possible.<sup>232</sup>

Further details can be found in Dr Souverein’s papers.<sup>233</sup>

Key learnings also lend themselves to identifying future research. Dr Souverein identifies these as:

- Exploration of how to use the model with different subgroups of the youth justice population in order to construct a broad spectrum of youth justice facilities on differential dimensions of security and care.<sup>234</sup>
- How to address barriers for implementation. For example, in the Netherlands, there are currently 5 small scale facilities which are vacant for the most part. Except for the Amsterdam facility, the others have not met all of the conditions for successful implementation. Their future is at risk if they do not reach full capacity.<sup>235</sup> The inability to use them in part lies in a disagreement between local partners and the custodial institutions agency of the national Government. This disagreement centres around the question of which authority should decide if a child or young person is placed in a small-scale or large-scale facility. Should it be the national Government (currently this is the case) or a judge (the preference of local partners). Local partners argue that it is the judge who is in direct contact with the child/ young person, parents and local professionals and therefore has all the information needed to indicate placement in a local, small-scale facility while the Ministry of Justice officials make this judgment from a paper case file. This reaffirms the need for consensus among stakeholders about the underlying vision and having established working processes.<sup>236</sup>
- How to reform overly restrictive security frameworks in conventional detention facilities for children and young people and apply relational security as the core of the security framework.<sup>237</sup>
- How to define, assess and apply differentiations of physical, procedural and relational security appropriately tailored to each individual child or young person.<sup>238</sup>
- How to define the influence of the micro-, meso- and macro-level context on security and care in youth justice facilities and create optimal circumstances for staff to promote a therapeutic and safe environment.<sup>239</sup>

## (d) More information

Academics Oostermeijer, Souverein, Popma, Ross, Johns, van Domburgh, and Mulder hypothetically applied the key operational elements of the model to the Victorian context, concluding that while it seems feasible to implement small-scale, community-integrated facilities across Victoria,<sup>240</sup> Victoria would have to make significant reforms to enable this, such as:

- implementing effective screening, risk and needs assessment to guide appropriate custodial placement. Such information should be transparent and made available to young people, their families, and the professionals involved
- ensuring policymakers and practitioners address the high and sensationalised volume of media attention on youth crime in Victoria and allaying community concerns through genuine consultation and involvement
- shifting the focus towards young people's autonomy and agency, facilitated by more positive and informal interactions between staff and young people
- supporting staff to enact cultural change
- establishing a shared vision and more integrated services by strengthening multi-stakeholder involvement and collaboration.<sup>241</sup>

They also emphasised that current evidence and guidance:

are built upon scientific knowledge that comes predominantly from Western countries and cohorts and, therefore, it cannot automatically be assumed to be relevant or appropriate for First Nations (and other non-western) communities or young people in Australia. This further highlights the need to actively collaborate with young people and their local support network in order to provide meaningful and culturally appropriate support.<sup>242</sup>

## 5.2 Missouri model (USA)

The Missouri model emerged in the 1970s as part of the movement towards rehabilitative approaches to child offending. This was a departure from previously punitive measures. As reported in an editorial in the *New York Times* 'Missouri has abandoned mass kiddie prisons in favour of small community-based centres that stress therapy, not punishment'.<sup>243</sup> The age of criminal responsibility is 12 years in Missouri.

However, in the 1980s, the 'get tough' approach took hold with 'the perception that the juveniles were more violent than ever, and the criminal justice system was too lenient on juvenile offenders'.<sup>244</sup> During the 1990s, harsh legislation was proposed in relation to child offending.<sup>245</sup> This is similar to what is currently happening in Australia, specifically in Queensland and the Northern Territory. In response to these 'get tough' circumstances in the 1990s in Missouri:

The Missouri Juvenile Justice Association, working in conjunction with then-Governor Mel Carnahan, conducted a comprehensive analysis of the juvenile justice system. Instead of yielding to the pressure of legislators, the Division of Youth Services (DYS) and the governor worked together to educate the community and governmental stakeholders on the cost-effectiveness and success of the Missouri model. In addition, Governor Carnahan signed legislation in 1995 that created the juvenile and family court division within the Office of State Courts Administrator. This division was charged with collecting data on the juvenile courts and developing a standardized training and educational protocol for DHS staff. It is through this evidence-based lens that Missouri continues today.<sup>246</sup>

Missouri's Division of Youth Services (DYS) publishes an annual report. The report is an overview of agency operations, statistics regarding the children and young people and families served, and outcomes achieved during the period of 1 July to 30 June of each year.<sup>247</sup>

In 2024 (fiscal year), almost 75% of DHS children and young people were aged 15, 16 or 17. The average age was 15.6. On average, children and

young people had attained 9.7 years of schooling. 31% of all children and young people receiving DYS educational services during the year were identified as having an educational disability. 53% had a history of prior contact with mental health services. 59% had a history of substance abuse. 24% were committed for the most serious felonies. 56% were committed for less serious felonies. 15% were committed for misdemeanours and other non-felonies.<sup>248</sup>

DYS operated 21 residential facilities (8x20 beds, 5x10 beds, 5x30 beds, 1x40 beds and 1x50 beds) with a total of 500 beds and accommodating 1,243 children and young people during 2024.<sup>249</sup> The use of smaller facilities with an average of 20 beds has been described as a 'crucial factor' in this model, especially in terms of relational security.<sup>250</sup>

There are 4 key elements for developing and sustaining the Missouri model. These include:

- strong organisational leadership
- organisational culture change with training and staffing as key components to this change
- highly effective treatment strategies and approaches
- constituency building and buy-in, including groundwork with community agencies.<sup>251</sup>

This model is often cited as a promising way forward, and one that other USA states wish to emulate.<sup>252</sup> This is predominately based on Missouri's reduced re-offending rates and improved educational attainment.<sup>253</sup>

## (a) Description of the model

The model uses small-scale, decentralised facilities which provide case management and peer-led services within a therapeutic treatment environment.<sup>254</sup>

The model has 6 components:

- small and non-prisonlike facilities, close to home
- individual care within a group treatment model
- safety through relationships and supervision, not correctional coercion
- building skills for success (education)
- families as partners
- focus on aftercare.<sup>255</sup>

Further details of each component can be found in papers by Mendel<sup>256</sup> and Huebner.<sup>257</sup>

## (b) Evidence of impact

The model has reported reduced re-offending rates and improved educational attainments consistently over many years.

During 2024 (fiscal year), a total of 647 young people were discharged from the DYS. Of these, 588 were categorised as satisfactory discharges and 9% were considered unsatisfactory (absconded, reoffended while in aftercare).<sup>258</sup>

Of the 423 discharged in 2021, 73% were law-abiding 3 years later. For the 389 discharged in 2022, 71% were law-abiding 2 years later. For the 512 discharged in 2023, 74% were law-abiding one year later. This has remained constant over the past 5 years.<sup>259</sup> The law-abiding rate refers to the percentage of youth released from DYS custody that do not return to DYS or become imprisoned.<sup>260</sup>

The lack of common or standard definitions for data collection in the USA makes it difficult to compare Missouri data with data from other states, especially in terms of how recidivism is defined and measured.

In 2024, 191 DYS students (aged 17 years or older) achieved their high school diploma or High School Equivalency prior to discharge. 122 youth aged 17 or older who were discharged continued to receive education services after discharge. The majority enrolled in local public-school districts in secondary, alternative, or vocational programs, but some enrolled in a trade school, two-year college, or four-year college.<sup>261</sup>

'Productive Involvement' in the community is also assessed at time of discharge from DYS. Productive involvement assesses involvement in educational and employment opportunities, which may include apprenticeships or internships as well as full- or part-time employment. Of all youth discharged during 2024, 91% were productively involved at the time of discharge.<sup>262</sup>

It is reported that there are very few assaults on children and young people or staff in these facilities and young people are rarely subjected to mechanical restraints and isolation.<sup>263</sup>

Much of the perceived success of the model comes from Missouri's relatively low reoffending rates and educational attainments.<sup>264</sup> However, little empirical research has been undertaken on the operational components of the model.

This was of concern in 2013,<sup>265</sup> and remains a concern in 2025.<sup>266</sup> This is not to diminish the achievements of the Missouri model, but much is still to be learned about how the model works and how it affects the long-term trajectories of children and young people and for whom this model is most applicable.<sup>267</sup>

### (c) Key learnings about this model

Part of the key messaging of the Missouri Model is that ‘the answer lies not in any single reform, but rather a long-term commitment to continuous improvement.’<sup>268</sup> It is necessary for the Missouri model to overcome:

difficulties in disentangling the specific factors behind outcomes, especially in programs with multiple goals. A related problem is a failure to specify precise aspects of programs in evaluation studies, making it impossible to clarify how specific components combine to lead to outcomes.<sup>269</sup>

Continuous improvement in terms of this model could focus on establishing the efficacy and effectiveness of its 6 components. This could include:

- assessing the effectiveness of the key components of the Missouri model. For example, assessing the effectiveness of its case management approach or its educational component. This would inform the understanding of important aspects of the model<sup>270</sup>
- quantitative and qualitative insights into ‘what works’, when and for whom and how to use this information<sup>271</sup>
- analyses on reoffending patterns by gender, educational status, and criminal history profile<sup>272</sup>
- collecting data on implementation and outcome measures to ensure that effective programming is continued and ineffective programming is eliminated or modified.<sup>273</sup>

Some work has been done on the ‘families as partners’ component and the ‘aftercare’ component of the model. This work shows that it is imperative that proactive steps are put in place to strengthen parental and familial bonds. Both children and parents need to receive services so that both parties are equally involved in the rehabilitation process. Families require services

so that children are not returning to the same environment where they originally engaged in offending behaviour. Where this happens, it is difficult for children and young people to sustain the gains they have made.<sup>274</sup>

### (d) More information

The Missouri Model has been widely considered as a leader in child justice reforms in the USA, providing a blueprint for policymakers in other USA jurisdictions,<sup>275</sup> including New York City, Washington DC and Virginia.<sup>276</sup>

In New York City, for example, the ‘Close to Home’ initiative in 2012 replaced sentencing to remote state-operated facilities with small-scale local facilities (6–18 beds), which was part of a broader set of youth justice-related reforms in New York. This included reducing the number of young people in secure detention overall and developing and expanding community-based supervision options.<sup>277</sup>



## 5.3 Diagrama model (Spain)

The rights of children and a child-specific approach to the child justice system are enshrined in Spain's national law, the *Organic Law for Regulating the Penal Responsibility of the Minor 5/2000*.<sup>278</sup> While amendments have been introduced for more punitive measures for serious offences,<sup>279</sup> the system seeks to maintain flexibility to ensure interventions are educative and focused on resocialisation.<sup>280</sup> The age of criminal responsibility in Spain is 14 years.

The Diagrama Foundation (Diagrama) is a non-profit organisation, established in Spain in 1991. It has pioneered an alternative youth detention model, operating smaller scale 're-education centres' for children and young people on remand or sentenced in its justice system.<sup>281</sup>

Currently, Diagrama runs 36 'youth educational centres' across Spain. Approximately 80% of children and young people in these facilities are sentenced.<sup>282</sup> They are aged between 14-23 years and 'typically convicted for violent offences'.<sup>283</sup> A young person who commits a crime under the age of 18 will finish their sentence at Diagrama if they are making progress. Diagrama focuses on education and successful re-integration into community.

### (a) Description of the model

The size of Diagrama facilities vary with some able to accommodate up to around 100 children and young people.<sup>284</sup> However, the size of individual units within the facilities range from 5 to 12 beds.<sup>285</sup> Diagrama has stated that it has supported more than 40,000 young people in detention since 1991.<sup>286</sup>

Each facility has closed, semi-open, and open units. Children and young people progress through different stages from 'Induction' to 'Autonomy' based on their behaviour within the facility, with living units specific to each stage.<sup>287</sup> There is a decreasing need for structure and supervision as children and young people move through these stages.<sup>288</sup> Diagrama is not always able to choose facility sites, but when facilities are local and integrated into the community, support can extend beyond the facility. This grows in importance as the child or young person

approaches the end of their time in custody and prepares to navigate their own way to resources in the community.<sup>289</sup>

Diagrama describes its model of care as being 'centred around the themes of relationships and emotions, cognition, behaviour and progression'.<sup>290</sup>

A full day of education and activities are provided for the young people every day. This includes formal education, vocational training, daily sports and leisure activities (music, art, gardening, animal husbandry and cultural activities). Outside of formal activities, young people are supported in everyday learning such as developing routines to prepare for the day, sharing meals, and caring for their environment.<sup>291</sup>

The model encourages engagement with family, carers or other significant people, where appropriate.<sup>292</sup> The location of the facility significantly influences its accessibility for families and carers.<sup>293</sup> Where possible, families are integrated into the rehabilitation process, involving them in goal setting, group therapy, and reintegration planning.<sup>294</sup> Diagrama reports some success in engaging marginalised families who might otherwise avoid contact with government services, fostering stronger support networks for children and young people post-release.<sup>295</sup> Where distance is a barrier, Diagrama works with local organisations to help support video visits, and provides accommodation close to its facilities for young people to spend time with families.<sup>296</sup>



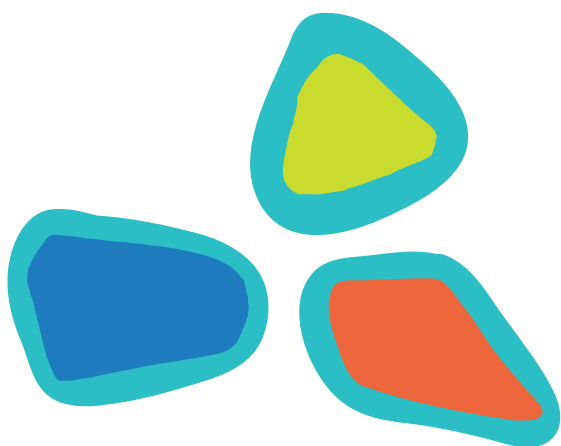


Diagrama specifically focuses on healthy living through education, sport and healthy eating, and through working with health care providers. For many children and young people, this may be the first opportunity for them to have sustained and meaningful contact with health services.<sup>297</sup> Again, the location of the facility can influence access to health resources within the community.

Diagrama attempts to provide a normal engaging environment.<sup>298</sup>

Key components critical to its model include:

- strong relationships between staff members and children and young people. Great importance is placed on each staff member being familiar with each individual child/young person across the whole facility, focusing on an individualised and relational approach.<sup>299</sup> There are highly developed procedures to facilitate this.<sup>300</sup>
- degree qualified social educators work with the children and young people throughout every day, from getting up in the morning to when they go to bed. This includes school, vocational training and leisure activities.<sup>301</sup> They play a central role in mentoring and motivating change.<sup>302</sup> The social educators are guided by a technical team of qualified psychologists, social workers, teachers and reintegration workers (who support planning for release - housing, education, jobs), working alongside healthcare staff. They plan and deliver assessments, integrated case management, interventions and reintegration programs.<sup>303</sup>

While relational security is the core of the Diagrama security framework, there are also security staff who act as a last resort in incident management. Security personnel are present only in small numbers with a clear separation between therapeutic and security roles to ensure that day-to-day care remains focused on rehabilitation and personal development.<sup>304</sup>

As one young person at a Diagrama Education Centre said:

I'm happy to have the opportunity to be here. I've learned how to do many things so I can get a job, and how to talk about what I'm feeling. I'm better than when I came in.<sup>305</sup>

## (b) Evidence of impact

In Spain, all juvenile records are expunged when the young person turns 18 years. Diagrama has indicated that this makes it difficult if not near impossible to monitor long-term outcomes of the model.<sup>306</sup>

The only publicly available data on the impact of Diagrama appears to be a 2019 study conducted by the University of Murcia. This study followed 757 young people who started their custody order during 2011 and attended a Diagrama re-education centre in the Murcia region. The study tracked young people following release until December 2017 and looked at how many had received a further custodial sentence. They found only 13.6% (103) had been placed back in custody by the end of the study period.<sup>307</sup>

In 2018, Diagrama indicated that only 9.51% of young people across its centres were restrained and only 6.85% committed a serious incident beyond their first 2 months in custody.<sup>308</sup>

More comprehensive data is required to fully evaluate the effectiveness of the Diagrama Model, particularly in terms of long-term outcomes for children and young people. Ongoing evaluation is a fundamental part of model implementation and program delivery. While this appears to have been lacking in the Diagrama model, the model has been highlighted as promising for child justice system reform<sup>309</sup> with its core principles similar to those of the Netherlands model.

### (c) Key learnings about this model

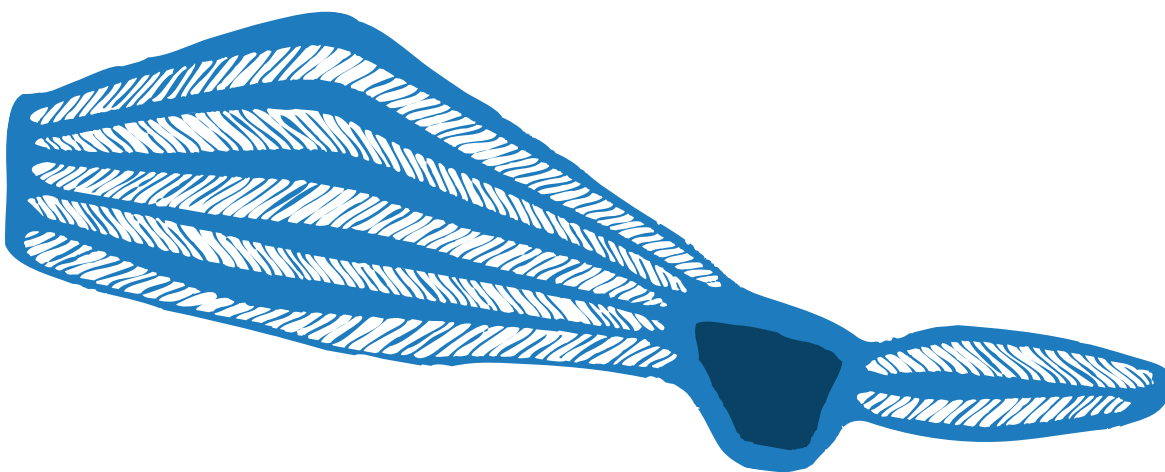
Key areas for future research on the Diagrama model include evaluating the long-term impacts of the model and exploring the effectiveness of its interventions and their implementation.

For example:

- examine the efficacy and effectiveness of the components of its model, including relationships and emotions, cognition, behaviour and progression, education, and family engagement
- analyse how these components interact with each other and impact on outcomes for children and young people
- examine the implications for the model where location of the facility is not close to the communities where children and young people originate from
- establish data collection methods to monitor the reoffending of all children and young people in Diagrama under the age of 18 years, using this data to analyse how the model could be adapted to better meet their needs and those with similar profiles
- analyse the data collected in the study conducted by the University of Murcia to identify what worked well and for whom
- examine how well interventions are implemented and whether the principle of program integrity is observed across all its facilities, including across the stages from 'Induction' to 'Autonomy'.

### (d) More information

In October 2019, the Northern Territory Department of Territory Families funded the Aboriginal Medical Services Alliance NT to host a visit by representatives from the Diagrama Foundation. Diagrama provided a written report on this visit.<sup>310</sup> The report concluded that the model is 'applicable' to the Northern Territory.<sup>311</sup> However, it was acknowledged that 'in the time available for our visit, we have not carried out a detailed feasibility study'.<sup>312</sup> The Northern Territory Government has not implemented the Diagrama model.<sup>313</sup>



## Endnotes

- 1 Australian Institute of Health and Welfare, *Young People Returning to Sentenced Youth Justice Supervision 2023-24* (Web Report, 2 October 2025) <<https://www.aihw.gov.au/reports/youth-justice/young-people-returning-to-youth-justice-2023-24/contents/about>>
- 2 Sentencing Advisory Council, *Children Held on Remand in Victoria: A Report on Sentencing Outcomes* (Report, September 2020) 5 <<https://www.sentencingcouncil.vic.gov.au/publications/children-held-on-remand-in-victoria>>.
- 3 Law Council of Australia, Submission 195 to the Senate Legal and Constitutional Affairs References Committee, *Australia's Youth Justice and Incarceration System* (22 October 2024) 17 <[https://www.aph.gov.au/Parliamentary\\_Business/Committees/Senate/Legal\\_and\\_Constitutional\\_Affairs/Incarceration47/Submissions](https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Legal_and_Constitutional_Affairs/Incarceration47/Submissions)>.
- 4 The Australian Institute of Health and Welfare (AIHW) notes that 'returns to sentenced youth justice supervision' does not equate to recidivism. Accurately measuring recidivism requires information on all criminal acts committed by a child, including acts that did not come to the attention of authorities and acts that did not result in a return to justice sentenced supervision. Note also that Northern Territory orders data was not available for young people who were under youth justice supervision in 2023-24. This means that Northern Territory data was not available for young people who had a sentence start in 2023-24. As a result, the Northern Territory is not included in national and state/territory totals for 2023-24 for the birth cohort.  
  
Australian Institute of Health and Welfare, *Young People Returning to Sentenced Youth Justice Supervision 2023-24* (Web Report, 4 September 2025) <<https://www.aihw.gov.au/reports/youth-justice/young-people-returning-to-youth-justice-2023-24/contents/summary>>.
- 5 Australian Institute of Health and Welfare, *Young People Returning to Sentenced Youth Justice Supervision 2023-24* (Web Report, 4 September 2025) <<https://www.aihw.gov.au/reports/youth-justice/young-people-returning-to-youth-justice-2023-24/contents/summary>>.
- 6 Catia Malvaso, University of Adelaide, Submission No 53 to the Australian Human Rights Commission, *Youth Justice and Child Wellbeing Reform Project* (18 June 2023) 6 <<https://humanrights.gov.au/our-work/childrens-rights/publications/help-way-earlier/submissions>>.
- 7 Law Council of Australia, Submission 195 to the Senate Legal and Constitutional Affairs References Committee, *Australia's Youth Justice and Incarceration System* (22 October 2024) 17 <[https://www.aph.gov.au/Parliamentary\\_Business/Committees/Senate/Legal\\_and\\_Constitutional\\_Affairs/Incarceration47/Submissions](https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Legal_and_Constitutional_Affairs/Incarceration47/Submissions)>.
- 8 Australian Human Rights Commission, *'Help Way Earlier!': How Australia can Transform Child Justice to Improve Safety and Wellbeing* (Report, 2024) 8 <<https://humanrights.gov.au/our-work/childrens-rights/publications/help-way-earlier>>.
- 9 Australian Human Rights Commission, *'Help Way Earlier!': How Australia can Transform Child Justice to Improve Safety and Wellbeing* (Report, 2024) 84-87 <<https://humanrights.gov.au/our-work/childrens-rights/publications/help-way-earlier>>.
- 10 Catia Malvaso, University of Adelaide, Submission No 53 to the Australian Human Rights Commission, *Youth Justice and Child Wellbeing Reform Project* (18 June 2023) 6 <<https://humanrights.gov.au/our-work/childrens-rights/publications/help-way-earlier/submissions>>.
- 11 Rebecca Reeve et al, 'Community-Led Diversion of Indigenous Young People from the Justice System: The Role of Government Administrative Data' (2024) 76 *International Journal of Law, Crime and Justice* 5 <<https://www.sciencedirect.com/science/article/pii/S1756061624000028>>.
- 12 Australian Human Rights Commission, *'Help Way Earlier!': How Australia can Transform Child Justice to Improve Safety and Wellbeing* (Report, 2024) 69 <<https://humanrights.gov.au/our-work/childrens-rights/publications/help-way-earlier>>.
- 13 The Senate Legal and Constitutional Affairs References Committee, *Australia's Youth Justice and Incarceration System* (Interim Report, February 2025) 127 <[https://parlinfo.aph.gov.au/parlInfo/download/committees/reportsen/RB000499/toc\\_pdf/Australia%e2%80%99syouthjusticeandincarcerationsystem.pdf](https://parlinfo.aph.gov.au/parlInfo/download/committees/reportsen/RB000499/toc_pdf/Australia%e2%80%99syouthjusticeandincarcerationsystem.pdf)>.
- 14 The Senate Legal and Constitutional Affairs References Committee, *Australia's Youth Justice and Incarceration System*, (Interim Report, February 2025) xi <[https://parlinfo.aph.gov.au/parlInfo/download/committees/reportsen/RB000499/toc\\_pdf/Australia%e2%80%99syouthjusticeandincarcerationsystem.pdf](https://parlinfo.aph.gov.au/parlInfo/download/committees/reportsen/RB000499/toc_pdf/Australia%e2%80%99syouthjusticeandincarcerationsystem.pdf)>.
- 15 Close the Gap Campaign Alliance Group, *Close the Gap Campaign Report 2025* (March 2025) 10 <[https://closethegap.org.au/wp-content/uploads/2025/03/ONLINE-Close-the-Gap-Report-2025\\_v5-final.pdf](https://closethegap.org.au/wp-content/uploads/2025/03/ONLINE-Close-the-Gap-Report-2025_v5-final.pdf)>.
- 16 Hannah McGlade and Megan Davis, Submission to the International Convention on the Elimination of All Forms of Racial Discrimination, *Early Warning and Urgent Action Submission* (1 April 2025) 1 <<https://apo.org.au/node/330469>>.
- 17 Michal Balcerzak, Chair of the Committee on the Elimination of Racial Discrimination, *Letter to Australia under Early Warning and Urgent Measures Procedures*, UN Doc CERD/EWUAP/115thsession/2025/CS/BJ/ks (9 May 2025) [3] <<https://www.ohchr.org/en/treaty-bodies/cerd/decisions-statements-and-letters#c>>.
- 18 Annabel Hennessy, 'Letter to Australian Attorney-General Michelle Rowland', *Human Rights Watch* (Web Page, 26 May 2025) [17] <<https://www.hrw.org/news/2025/05/26/letter-australian-attorney-general-michelle-rowland>>.
- 19 Law Council of Australia, *Policy Statement on Child Justice Reform* (Report, March 2025) 7 <[https://lawcouncil.au/publicassets/a085b977-e02e-f011-94b3-005056be13b5/2025%20-%20Policy%20Statement%20on%20Child%20Justice%20Reform\\_Final.pdf](https://lawcouncil.au/publicassets/a085b977-e02e-f011-94b3-005056be13b5/2025%20-%20Policy%20Statement%20on%20Child%20Justice%20Reform_Final.pdf)>.

- 20 Ross Homel, Submission No 70 to the Australian Human Rights Commission, *Youth Justice and Child Wellbeing Reform Project* (28 June 2023) <<https://humanrights.gov.au/our-work/childrens-rights/publications/help-way-earlier/submissions>>; Yuwaya Ngarrali Partnership, Submission 122 to the Australian Human Rights Commission, *Youth Justice and Child Wellbeing Reform Project* (19 June 2023) <<https://humanrights.gov.au/our-work/childrens-rights/publications/help-way-earlier/submissions>>; Local Time, Submission 35 – Attachment 1 to the Australian Human Rights Commission, *Youth Justice and Child Wellbeing Reform Project* (31 January 2023) <<https://humanrights.gov.au/our-work/childrens-rights/publications/help-way-earlier/submissions>>.
- 21 Scottish Government, 'Whole system approach to young offending', *Youth Justice* (Web Page) <<https://www.gov.scot/policies/youth-justice/whole-system-approach>>.
- 22 Catia Malvaso, University of Adelaide, Submission No 53 to the Australian Human Rights Commission, *Youth Justice and Child Wellbeing Reform Project* (18 June 2023) 6 <<https://humanrights.gov.au/our-work/childrens-rights/publications/help-way-earlier/submissions>>.
- 23 Anglicare Victoria, Submission No 74 to the Australian Human Rights Commission, *Youth Justice and Child Wellbeing Reform Project* (16 June 2023) 17 <<https://humanrights.gov.au/our-work/childrens-rights/publications/help-way-earlier/submissions>>; Northern Territory Legal Aid Commission, Submission No 86 to the Australian Human Rights Commission, *Youth Justice and Child Wellbeing Reform Project* (June 2023) 10 <<https://humanrights.gov.au/our-work/childrens-rights/publications/help-way-earlier/submissions>>; Local Time, Submission 35 to the Australian Human Rights Commission, *Youth Justice and Child Wellbeing Reform Project* (16 June 2023) 4–5 <<https://humanrights.gov.au/our-work/childrens-rights/publications/help-way-earlier/submissions>>; Local Time, Submission 35 – Attachment 1 to the Australian Human Rights Commission, *Youth Justice and Child Wellbeing Reform Project* (16 June 2023) <<https://humanrights.gov.au/our-work/childrens-rights/publications/help-way-earlier/submissions>>; Justice Reform Initiative, Submission No 25 to the Australian Human Rights Commission, *Youth Justice and Child Wellbeing Reform Project* (June 2023) 19 <<https://humanrights.gov.au/our-work/childrens-rights/publications/help-way-earlier/submissions>>; Aboriginal Medical Services Alliance Northern Territory, Submission No 84 to the Australian Human Rights Commission, *Youth Justice and Child Wellbeing Reform Project* (29 June 2023) 5 <<https://humanrights.gov.au/our-work/childrens-rights/publications/help-way-earlier/submissions>>; Aboriginal Medical Services Alliance Northern Territory, Submission No 84 – Attachment 1 to the Australian Human Rights Commission, *Youth Justice and Child Wellbeing Reform Project* (29 June 2023) 42 <<https://humanrights.gov.au/our-work/childrens-rights/publications/help-way-earlier/submissions>>; Aboriginal Medical Services Alliance Northern Territory, Submission No 84 – Attachment 2 to the Australian Human Rights Commission, *Youth Justice and Child Wellbeing Reform Project* (29 June 2023) <<https://humanrights.gov.au/our-work/childrens-rights/publications/help-way-earlier/submissions>>; Office of the Inspector of Custodial Services WA, Submission 113 to the Australian Human Rights Commission, *Youth Justice and Child Wellbeing Reform Project* (June 2023) 8 <<https://humanrights.gov.au/our-work/childrens-rights/publications/help-way-earlier/submissions>>; The Victorian Aboriginal Child Care Agency, Submission 65 to the Australian Human Rights Commission, *Youth Justice and Child Wellbeing Reform Project* (30 June 2023) 4 <<https://humanrights.gov.au/our-work/childrens-rights/publications/help-way-earlier/submissions>>; Queensland Youth Policy Collective, Submission 78 to the Australian Human Rights Commission, *Youth Justice and Child Wellbeing Reform Project* (29 June 2023) <<https://humanrights.gov.au/our-work/childrens-rights/publications/help-way-earlier/submissions>>; Professor Kitty te Riele, Submission 121 – Attachment 2 to the Australian Human Rights Commission, *Youth Justice and Child Wellbeing Reform Project* (June 2023) 54 <<https://humanrights.gov.au/our-work/childrens-rights/publications/help-way-earlier/submissions>>; Professor Kitty te Riele, Submission 121 – Attachment 3 to the Australian Human Rights Commission, *Youth Justice and Child Wellbeing Reform Project* (June 2023) 86 <<https://humanrights.gov.au/our-work/childrens-rights/publications/help-way-earlier/submissions>>.
- 24 Children in Scotland, *Getting it Right for Every Child Refreshed Policy Statement Summary* (2023) 1 <<https://childreninscotland.org.uk/stts-policies/>>.
- 25 Emma Coles et al, 'Getting It Right for Every Child: A National Policy Framework to Promote Children's Well-being in Scotland, United Kingdom' (2016) 94(2) *The Milbank Quarterly* 334–365 <<https://pmc.ncbi.nlm.nih.gov/articles/PMC4911714/>>.
- 26 Emma Coles et al, 'Getting It Right for Every Child: A National Policy Framework to Promote Children's Well-being in Scotland, United Kingdom' (2016) 94(2) *The Milbank Quarterly* 340 <<https://pmc.ncbi.nlm.nih.gov/articles/PMC4911714/>>.
- 27 Children in Scotland, *Getting it Right for Every Child Refreshed Policy Statement Summary* (2023) 1 <<https://childreninscotland.org.uk/stts-policies/>>.
- 28 Scottish Government, 'Whole system approach to young offending', *Youth Justice* (Web Page) <<https://www.gov.scot/policies/youth-justice/whole-system-approach/>>.
- 29 Laura Robertson, 'A Practice-Based Approach to Youth Justice: The Whole System Approach in Scotland' (PhD Thesis, University of Glasgow, 2017) 17 <<https://theses.gla.ac.uk/8493/>>.
- 30 Laura Robertson, 'A Practice-Based Approach to Youth Justice: The Whole System Approach in Scotland' (PhD Thesis, University of Glasgow, 2017) 15 <<https://theses.gla.ac.uk/8493/>>.
- 31 Sarah MacQueen and Susan McVie, 'The Whole System Approach for Children and Young People who Offend: An Evaluation of Early Stage Implementation' (2013) *Scottish Centre for Crime and Justice Research* 1 <<https://www.research.ed.ac.uk/en/publications/the-whole-system-approach-for-children-and-young-people-who-offen>>.
- 32 Laura Robertson, 'A Practice-Based Approach to Youth Justice: The Whole System Approach in Scotland' (PhD Thesis, University of Glasgow, 2017) 15 <<https://theses.gla.ac.uk/8493/>>.
- 33 The Scottish Centre for Crime & Justice Research, *Youth Justice* (Report, 2023) <<https://www.sccjr.ac.uk/wp-content/uploads/2023/10/SCCJR-Youth-Justice.pdf>>.

- 34 Scottish Government, *A Rights-Respecting Approach to Justice for Children and Young People: Scotland's vision and priorities* (Report, June 2024) 6 <<https://www.gov.scot/binaries/content/documents/govscot/publications/strategy-plan/2024/06/justice-children-young-people-vision-priorities-2024-26/documents/justice-children-young-people-vision-priorities-2024-26/justice-children-young-people-vision-priorities-2024-26/govscot%3Adocument/justice-children-young-people-vision-priorities-2024-26.pdf>>.
- 35 Scottish Government, *Keeping The Promise to our Children, Young People and Families* (Report, March 2022) 3 <<https://www.gov.scot/binaries/content/documents/govscot/publications/strategy-plan/2022/03/keeping-promise-implementation-plan/documents/keeping-promise-children-young-people-families/keeping-promise-children-young-people-families/govscot%3Adocument/keeping-promise-children-young-people-families.pdf>>.
- 36 Scottish Government, *A Rights-Respecting Approach to Justice for Children and Young People: Scotland's Vision and Priorities* (Report, June 2021) <<https://www.gov.scot/binaries/content/documents/govscot/publications/strategy-plan/2021/06/rights-respecting-approach-justice-children-young-people-scotlands-vision-priorities/documents/rights-respecting-approach-justice-children-young-people-scotlands-vision-priorities/govscot%3Adocument/rights-respecting-approach-justice-children-young-people-scotlands-vision-priorities.pdf>>.
- 37 Scottish Government, *A Rights-Respecting Approach to Justice for Children and Young People: Scotland's Vision and Priorities* (Report, June 2024) <<https://www.gov.scot/binaries/content/documents/govscot/publications/strategy-plan/2024/06/justice-children-young-people-vision-priorities-2024-26/documents/justice-children-young-people-vision-priorities-2024-26/justice-children-young-people-vision-priorities-2024-26/govscot%3Adocument/justice-children-young-people-vision-priorities-2024-26.pdf>>.
- 38 Iriss, 'Appendix', *The Child's Journey A Guide to the Scottish Justice System* (Web Page, September 2021) [1] <<https://content.iriss.org.uk/youthjustice/em-appendix.html>>.
- 39 Sankhaja Polwaththa Gallage, Submission No 126 to the Australian Human Rights Commission, *Youth Justice and Child Wellbeing Reform Project* (3 July 2023) 4 <<https://humanrights.gov.au/our-work/childrens-rights/publications/help-way-earlier/submissions>>; Anne Hollonds, *Academic Roundtable: Consultation for the Youth Justice and Child Wellbeing Reform Project* (Australian Human Rights Commission, November 2023); Anne Hollonds, *Interview with Non-Government Organisation or Independent Advocate: Consultation for the Youth Justice and Child Wellbeing Reform Project* (Australian Human Rights Commission, August 2023); Engage Pasefika Inc., Submission No 26 to the Australian Human Rights Commission, *Youth Justice and Child Wellbeing Reform Project* (16 June 2023) <<https://humanrights.gov.au/our-work/childrens-rights/publications/help-way-earlier/submissions>>; Catia Malvaso, University of Adelaide, Submission No 53 to the Australian Human Rights Commission, *Youth Justice and Child Wellbeing Reform Project* (18 June 2023) 8 <<https://humanrights.gov.au/our-work/childrens-rights/publications/help-way-earlier/submissions>>; Anglicare Victoria, Submission No 74 to the Australian Human Rights Commission, *Youth Justice and Child Wellbeing Reform Project* 9 (16 June 2023) <<https://humanrights.gov.au/our-work/childrens-rights/publications/help-way-earlier/submissions>>; Queensland Youth Policy Collective, Submission No 78 to the Australian Human Rights Commission, *Youth Justice and Child Wellbeing Reform Project* (18 June 2023) <<https://humanrights.gov.au/our-work/childrens-rights/publications/help-way-earlier/submissions>>; Smart Justice for Young People, Submission No 133 to the Australian Human Rights Commission, *Youth Justice and Child Wellbeing Reform Project* (3 July 2023) 4 <<https://humanrights.gov.au/our-work/childrens-rights/publications/help-way-earlier/submissions>>.
- 40 Independent Care Review, *The Promise* (Report, 2020) 6 <<https://www.carereview.scot/wp-content/uploads/2020/02/The-Promise.pdf>>.
- 41 Iriss, 'Appendix', *The Child's Journey A Guide to the Scottish Justice System* (Web Page, September 2021) <<https://content.iriss.org.uk/youthjustice/em-appendix.html>>.
- 42 Bruce Adamson, *Incorporating the United Nations Convention on the Rights of the Child in Scotland: One Hundred Years in the Making* (Report, 2025) 217 <<https://www.okaju.lu/en/100-joer-kannerrechter/incorporating-the-united-nations-convention-on-the-rights-of-the-child-in-scotland-one-hundred-years-in-the-making/>>.
- 43 Fiona Dyer, 'Reimagining Custody For Children in Scotland' (2025) 278 *Prison Service Journal* 39 <<https://www.crimeandjustice.org.uk/reimagining-custody-children-scotland>>; Fiona Dyer and Kevin Carter, *Supporting Young People Involved in Offending Up to 21 Years Old: Extending the Whole System Approach* (Report, 1 March 2017) 4 <<https://www.cycj.org.uk/resource/youth-offending-perceptions-of-the-problem-399/>>.
- 44 Scottish Government, *A Rights-Respecting Approach to Justice for Children and Young People: Scotland's vision and priorities* (Report, June 2024) 6 <<https://www.gov.scot/binaries/content/documents/govscot/publications/strategy-plan/2021/06/rights-respecting-approach-justice-children-young-people-scotlands-vision-priorities/documents/rights-respecting-approach-justice-children-young-people-scotlands-vision-priorities/govscot%3Adocument/rights-respecting-approach-justice-children-young-people-scotlands-vision-priorities.pdf>>.
- 45 'What is WSA? How can it be defined?', *Obesity Action Scotland* (Web Page, 2025) [3] <<https://www.obesityactionsotland.org/wsa/introduction-to-whole-system-approaches-wsa/what-is-wsa-how-can-it-be-defined/>>.
- 46 Sarah MacQueen and Susan McVie, 'The Whole System Approach for Children and Young People who Offend: An Evaluation of Early Stage Implementation' (2013) *Scottish Centre for Crime and Justice Research* 8 <<https://www.research.ed.ac.uk/en/publications/the-whole-system-approach-for-children-and-young-people-who-offen>>.
- 47 Sarah MacQueen and Susan McVie, 'The Whole System Approach for Children and Young People who Offend: An Evaluation of Early Stage Implementation' (2013) *Scottish Centre for Crime and Justice Research* 2 <<https://www.research.ed.ac.uk/en/publications/the-whole-system-approach-for-children-and-young-people-who-offen>>.

- 48 Sarah MacQueen and Susan McVie, 'The Whole System Approach for Children and Young People Who Offend: An Evaluation of Early Stage Implementation' (2013) *Scottish Centre for Crime and Justice Research* 8 <<https://www.research.ed.ac.uk/en/publications/the-whole-system-approach-for-children-and-young-people-who-offen>>.
- 49 Kath Murray et al, *Evaluation of the Whole System Approach to Young People Who Offend in Scotland* 7 (Report, April 2015) <<https://www.gov.scot/binaries/content/documents/govscot/publications/research-and-analysis/2015/06/evaluation-whole-system-approach-young-people-offend-scotland/documents/00479272-pdf/00479272-pdf/govscot%3Adocument/00479272.pdf>>.
- 50 Kath Murray et al, *Evaluation of the Whole System Approach to Young People Who Offend in Scotland* 65 (Report, April 2015) <<https://www.gov.scot/binaries/content/documents/govscot/publications/research-and-analysis/2015/06/evaluation-whole-system-approach-young-people-offend-scotland/documents/00479272-pdf/00479272-pdf/govscot%3Adocument/00479272.pdf>>.
- 51 'Background on the Whole System Approach', *Public Health Scotland* (Web Page, 22 October 2024) [5] <<https://publichealthscotland.scot/about-us/what-we-do-and-how-we-work/supporting-whole-system-approaches/background-on-the-whole-system-approach/>>.
- 52 Scottish Government, *Whole System Approach To Young People Who Offend: Evaluation* (Report, 17 June 2015) 6 <<https://www.gov.scot/publications/evaluation-whole-system-approach-young-people-offend-scotland/pages/2/>>.
- 53 Scottish Government, *Keeping the Promise to Our Children, Young People and Families: Update on Progress 2024* (Report, June 2024) 180 <<https://www.gov.scot/publications/keeping-promise-children-young-people-families-update-progress-2024/documents/>>.
- 54 Children and Young People's Centre for Justice, *Reimagining Secure Care Final Report: A Vision for the Re-imagined/Future World* (Final Report, September 2024) 47 <<https://www.cycj.org.uk/what-we-do/reimagining-secure-care/>>.
- 55 Scottish Government, *Keeping the Promise to Our Children, Young People and Families: Update on Progress 2024* (Report, June 2024) 71 <<https://www.gov.scot/publications/keeping-promise-children-young-people-families-update-progress-2024/documents/>>.
- 56 Scottish Prison Service, *Vision for Young People in Custody* (Report, 2021) 13 <<https://www.sps.gov.uk/sites/default/files/2024-10/Vision%20for%20Young%20People%20in%20Custody%20-%20Updated%202024.pdf>>.
- 57 'No under 18s in Young Offenders Institutions', *Scottish Government* (Web Page, 2 September 2024) [6] <<https://www.gov.scot/news/no-under-18s-in-young-offenders-institutions/>>.
- 58 Children and Young People's Centre for Justice, *Reimagining Secure Care Final Report: A Vision for the Re-imagined/Future World* (Final Report, September 2024) 18 <<https://www.cycj.org.uk/what-we-do/reimagining-secure-care/>>.
- 59 Scottish Government, *Keeping the Promise to our Children, Young People and Families: Update on Progress 2024* (Report, June 2024) 62 <<https://www.gov.scot/publications/keeping-promise-children-young-people-families-update-progress-2024/documents/>>.
- 60 Children and Young People's Centre for Justice, *Reimagining Secure Care Final Report: A Vision for the Re-imagined/Future World* (Final Report, September 2024) 11-12 <<https://www.cycj.org.uk/what-we-do/reimagining-secure-care/>>.
- 61 Scottish Government, *Reintegration and Transitions for Young Offenders: Guidance*, (Report, September 2011) 5 <<https://www.gov.scot/publications/reintegration-transitions-guidance-local-authorities-community-planning-partnerships-service-providers/documents/>>.
- 62 Scottish Government, *Preventing Offending: Getting It Right for Children and Young People* (Report, June 2015) 3 <<https://www.gov.scot/publications/preventing-offending-getting-right-children-young-people/>>.
- 63 Scottish Government, *Keeping the Promise to Our Children, Young People and Families: Update on Progress 2024* (Report, June 2024) 5 <<https://www.gov.scot/publications/keeping-promise-children-young-people-families-update-progress-2024/documents/>>.
- 64 Scottish Government, *Keeping the Promise to Our Children, Young People and Families: Update on Progress 2024* (Report, June 2024) 62 <<https://www.gov.scot/publications/keeping-promise-children-young-people-families-update-progress-2024/documents/>>.
- 65 Kirsty Deacon and Frazer McCallum, *SPICe Briefing: Children and the Scottish Criminal Justice System* (Report, 8 October 2024) 5 <<https://digitalpublications.parliament.scot/ResearchBriefings/Report/2024/6/10/5cfa3d35-81c0-4a2f-8544-b75519f56815-5#Executive-Summary>>.
- 66 Kirsty Deacon and Frazer McCallum, *SPICe Briefing: Children and the Scottish Criminal Justice System* (Report, 8 October 2024) 5 <<https://digitalpublications.parliament.scot/ResearchBriefings/Report/2024/6/10/5cfa3d35-81c0-4a2f-8544-b75519f56815-5#Executive-Summary>>.
- 67 Scottish Police Authority, *Policing Performance Committee Violence Affecting Children & Young People*, 16 September 2025, (Paper, 2 October 2025) 3-4 <<https://www.spa.police.uk/spa-media/gvuaddrp/item-3-4-violence-affecting-children-young-people.pdf>>.
- 68 The Scottish Centre for Crime & Justice Research, *Youth Justice* (Report, August 2019) 10 <<https://www.sccjr.ac.uk/wp-content/uploads/2019/10/5-Youth-Justice.pdf>>.
- 69 Scottish Government, *A Rights-Respecting Approach to Justice for Children and Young People: Scotland's Vision and Priorities* (Report, June 2021) 4 <<https://www.gov.scot/publications/rights-respecting-approach-justice-children-young-people-scotlands-vision-priorities/documents/>>.

- 70 Kath Murray et al, *Evaluation of the Whole System Approach to Young People Who Offend in Scotland* (Report, April 2015) 7 <<https://tobias-lib.uni-tuebingen.de/xmlui/handle/10900/82026>>.
- 71 Kath Murray et al, *Evaluation of the Whole System Approach to Young People Who Offend in Scotland* (Report, April 2015) 64 <<https://tobias-lib.uni-tuebingen.de/xmlui/handle/10900/82026>>.
- 72 Kath Murray et al, *Evaluation of the Whole System Approach to Young People Who Offend in Scotland* (Report, April 2015) 56 <<https://tobias-lib.uni-tuebingen.de/xmlui/handle/10900/82026>>.
- 73 Kath Murray et al, *Evaluation of the Whole System Approach to Young People Who Offend in Scotland* (Report, April 2015) 56 <<https://tobias-lib.uni-tuebingen.de/xmlui/handle/10900/82026>>.
- 74 Kath Murray et al, *Evaluation of the Whole System Approach to Young People Who Offend in Scotland* (Report, April 2015) 65 <<https://tobias-lib.uni-tuebingen.de/xmlui/handle/10900/82026>>.
- 75 Fiona Dyer, 'Reimagining Custody for Children in Scotland' (2025) 278 *Prison Service Journal* 36 <<https://www.crimeandjustice.org.uk/reimagining-custody-children-scotland>>.
- 76 Nina Vaswani, Kristina Moodie and Donna McEwan, 'Children's Experience of Police Custody and the Implications for Trauma-Informed Policing' 25(1) *Youth Justice* 109 <<https://journals.sagepub.com/doi/10.1177/14732254241282503>>.
- 77 Ursula Kilkelly and Laura Lundy, 'Does legal incorporation of the UNCRC matter?', *School of Law* (Web Page, 7 September 2020) <<https://www.ucc.ie/en/law/news/does-legal-incorporation-of-the-uncrc-matter.html>>.
- 78 Ursula Kilkelly and Laura Lundy, 'Does Legal Incorporation of the UNCRC Matter?'; *School of Law* (Web Page, 7 September 2020) [7] <<https://www.ucc.ie/en/law/news/does-legal-incorporation-of-the-uncrc-matter.html>>; 'Incorporation of the UNCRC', *Children and Young People's Commissioner Scotland* (Web Page, 2025) [6] <<https://www.cypcs.org.uk/work-on-uncrc-incorporation/>>; Scottish Government, *Consultation on Incorporating the United Nations Convention on the Rights of the Child into Our Domestic Law in Scotland* (Analysis Report, 20 November 2019) <<https://www.gov.scot/publications/uncrc-consultation-analysis-report/pages/5/>>.
- 79 'Incorporation of the UNCRC', *Children and Young People's Commissioner Scotland* (Web Page, 2025) [8-10] <<https://www.cypcs.org.uk/incorporationuncrc/>>.
- 80 Ross Homel, Submission No 70 to the Australian Human Rights Commission, *Youth Justice and Child Wellbeing Reform Project* (28 June 2023) 1 <<https://humanrights.gov.au/our-work/childrens-rights/publications/help-way-earlier/submissions>>.
- 81 Ross Homel, Submission No 70 to the Australian Human Rights Commission, *Youth Justice and Child Wellbeing Reform Project* (28 June 2023) 4 <<https://humanrights.gov.au/our-work/childrens-rights/publications/help-way-earlier/submissions>>.
- 82 Ross Homel, Submission No 172 to Legislative Assembly Committee on Law and Safety, *Community Safety in Regional and Rural Communities* (29 May 2024) 5 <<https://www.parliament.nsw.gov.au/committees/inquiries/Pages/inquiry-details.aspx?pk=3042#tab-submissions>>.
- 83 Jacqueline Allen et al, *The Impact of a Preschool Communication Program and Comprehensive Family Support on Serious Youth Offending: New Findings from the Pathways to Prevention Project* (Final Report 1, 31 October 2024) 2 <<https://www.aic.gov.au/crg/reports/crg-26-19-20>>.
- 84 Ross Homel et al, *The Pathways to Prevention Project: The First Five Years, 1999-2004* (Report, 2006) vii <<https://research-repository.griffith.edu.au/items/30523591-f8af-521d-bf91-e84609931968>>.
- 85 Jacqueline Allen et al, *The Impact of a Preschool Communication Program and Comprehensive Family Support on Serious Youth Offending: New Findings from the Pathways to Prevention Project* (Final Report 1, 31 October 2024) 1 <<https://www.aic.gov.au/crg/reports/crg-26-19-20>>.
- 86 Jacqueline Allen et al, *The Impact of a Preschool Communication Program and Comprehensive Family Support on Serious Youth Offending: New Findings from the Pathways to Prevention Project* (Final Report 1, 31 October 2024) 2 <<https://www.aic.gov.au/crg/reports/crg-26-19-20>>.
- 87 Jacqueline Allen et al, *The Impact of a Preschool Communication Program and Comprehensive Family Support on Serious Youth Offending: New Findings from the Pathways to Prevention Project* (Final Report 1, 31 October 2024) 5 <<https://www.aic.gov.au/crg/reports/crg-26-19-20>>.
- 88 Ross Homel et al, 'Preventing the Onset of Youth Offending: The Impact of the Pathways to Prevention Project on Child Behaviour And Wellbeing' (2015) 481(1) *Trends & Issues in Crime and Criminal Justice* 1-10 <<https://www.aic.gov.au/publications/tandi/tandi481>>; Jacqueline Allen et al, *The Impact of a Preschool Communication Program and Comprehensive Family Support on Serious Youth Offending: New Findings from the Pathways to Prevention Project* (Final Report 1, 31 October 2024) 5 <<https://www.aic.gov.au/crg/reports/crg-26-19-20>>.
- 89 Jacqueline Allen et al, *The Impact of a Preschool Communication Program and Comprehensive Family Support on Serious Youth Offending: New Findings from the Pathways to Prevention Project* (Final Report 1, 31 October 2024) viii <<https://www.aic.gov.au/crg/reports/crg-26-19-20>>.
- 90 Jacqueline Allen et al, *The Impact of a Preschool Communication Program and Comprehensive Family Support on Serious Youth Offending: New Findings from the Pathways to Prevention Project* (Final Report 1, 31 October 2024) 5 <<https://www.aic.gov.au/crg/reports/crg-26-19-20>>.
- 91 Ross Homel, 'Creating Pathways to Child Wellbeing and the Prevention of Crime', Griffith University (Web Page, 2025) <<https://www.griffith.edu.au/research/arts-education-law/criminology-institute/themes/major-projects/creating-pathways-prevention>>.

- 92 Ross Homel et al, *The Pathways to Prevention Project: The First Five Years, 1999-2004* (Report, 2006) <<https://research-repository.griffith.edu.au/items/30523591-f8af-521d-bf91-e84609931968>>.
- 93 Jacqueline Allen et al, *The Impact of a Preschool Communication Program and Comprehensive Family Support on Serious Youth Offending: New Findings from the Pathways to Prevention Project* (Final Report 1, 31 October 2024) <<https://www.aic.gov.au/crg/reports/crg-26-19-20>>.
- 94 Ross Homel et al, *The Pathways to Prevention Project: The First Five Years, 1999-2004* (Report, 2006) vii <<https://research-repository.griffith.edu.au/items/30523591-f8af-521d-bf91-e84609931968>>.
- 95 Ross Homel et al, *Can Family Support Moderate the Relationship Between Disciplinary Suspensions and Child Outcomes?* (Report to the Research Services Branch, Strategic Policy and Intergovernmental Relations, Department of Education and Training, Queensland Government, May 2016) 8 <<http://dx.doi.org/10.13140/RG.2.2.20689.66405>>.
- 96 Ross Homel et al, *The Pathways to Prevention Project: The First Five Years, 1999-2004* (Report, 2006) vii <<https://research-repository.griffith.edu.au/items/30523591-f8af-521d-bf91-e84609931968>>.
- 97 Jacqueline Allen et al, *The Impact of a Preschool Communication Program and Comprehensive Family Support on Serious Youth Offending: New Findings from the Pathways to Prevention Project* (Final Report 1, 31 October 2024) 59 <<https://www.aic.gov.au/crg/reports/crg-26-19-20>>.
- 98 Jacqueline Allen et al, *The Impact of a Preschool Communication Program and Comprehensive Family Support on Serious Youth Offending: New Findings from the Pathways to Prevention Project* (Final Report 1, 31 October 2024) 29 <<https://www.aic.gov.au/crg/reports/crg-26-19-20>>.
- 99 Jacqueline Allen et al, *The Impact of a Preschool Communication Program and Comprehensive Family Support on Serious Youth Offending: New Findings from the Pathways to Prevention Project* (Final Report 1, 31 October 2024) 18 <<https://www.aic.gov.au/crg/reports/crg-26-19-20>>.
- 100 Jacqueline Allen et al, *The Impact of a Preschool Communication Program and Comprehensive Family Support on Serious Youth Offending: New Findings from the Pathways to Prevention Project* (Final Report 1, 31 October 2024) 35 <<https://www.aic.gov.au/crg/reports/crg-26-19-20>>.
- 101 Jacqueline Allen et al, *The Impact of a Preschool Communication Program and Comprehensive Family Support on Serious Youth Offending: New Findings from the Pathways to Prevention Project* (Final Report 1, 31 October 2024) vii <<https://www.aic.gov.au/crg/reports/crg-26-19-20>>.
- 102 Matthew Manning et al, *The Rate of Return to the Pathways to Prevention Project from the Reduced Probability of the Onset of Serious Youth Offending* (Research Paper, SSRN, 12 April 2025) <<https://dx.doi.org/10.2139/ssrn.5208830>>.
- 103 Jacqueline Allen et al, *The Impact of a Preschool Communication Program and Comprehensive Family Support on Serious Youth Offending: New Findings from the Pathways to Prevention Project* (Final Report 1, 31 October 2024) 12 <<https://www.aic.gov.au/crg/reports/crg-26-19-20>>.
- 104 Jacqueline Allen et al, *The Impact of a Preschool Communication Program and Comprehensive Family Support on Serious Youth Offending: New Findings from the Pathways to Prevention Project* (Final Report 1, 31 October 2024) 12 <<https://www.aic.gov.au/crg/reports/crg-26-19-20>>.
- 105 Jacqueline Allen et al, *The Impact of a Preschool Communication Program and Comprehensive Family Support on Serious Youth Offending: New Findings from the Pathways to Prevention Project* (Final Report 1, 31 October 2024) 12 <<https://www.aic.gov.au/crg/reports/crg-26-19-20>>.
- 106 Jacqueline Allen et al, *The Impact of a Preschool Communication Program and Comprehensive Family Support on Serious Youth Offending: New Findings from the Pathways to Prevention Project* (Final Report 1, 31 October 2024) 65 <<https://www.aic.gov.au/crg/reports/crg-26-19-20>>.
- 107 Jacqueline Allen et al, *The Impact of a Preschool Communication Program and Comprehensive Family Support on Serious Youth Offending: New Findings from the Pathways to Prevention Project*(Final Report 1, 31 October 2024) 65 <<https://www.aic.gov.au/crg/reports/crg-26-19-20>>.
- 108 Jacqueline Allen et al, *The Impact of a Preschool Communication Program and Comprehensive Family Support on Serious Youth Offending: New Findings from the Pathways to Prevention Project* (Final Report 1, 31 October 2024) 65 <<https://www.aic.gov.au/crg/reports/crg-26-19-20>>.
- 109 Jacqueline Allen et al, *Family Support, Parent Empowerment, and Children's Classroom Behaviour in the Pathways to Prevention Project'* (Working Paper 1, Griffith Criminology Institute, 2023).
- 110 Jacqueline Allen et al, *The Impact of a Preschool Communication Program and Comprehensive Family Support on Serious Youth Offending: New Findings from the Pathways to Prevention Project* (Final Report 1, 31 October 2024) 65 <<https://www.aic.gov.au/crg/reports/crg-26-19-20>>.
- 111 Jacqueline Allen et al, *The Impact of a Preschool Communication Program and Comprehensive Family Support on Serious Youth Offending: New Findings from the Pathways to Prevention Project* (Final Report 1, 31 October 2024) 65 <<https://www.aic.gov.au/crg/reports/crg-26-19-20>>.
- 112 Jacqueline Allen et al, *The Impact of a Preschool Communication Program and Comprehensive Family Support on Serious Youth Offending: New Findings from the Pathways to Prevention Project* (Final Report 1, 31 October 2024) 65 <<https://www.aic.gov.au/crg/reports/crg-26-19-20>>.
- 113 Ross Homel, Submission No 172 to Legislative Assembly Committee on Law and Safety, *Community Safety in Regional and Rural Communities* (29 May 2024) 3 <<https://www.parliament.nsw.gov.au/committees/inquiries/Pages/inquiry-details.aspx?pk=3042#tab-submissions>>.

- 114 Conversation between Ross Homel and the Australian Human Rights Commission (July 2025).
- 115 Ross Homel, Kate Freiberg and Sara Branch, 'CREATE-Ing Capacity to Take Developmental Crime Prevention to Scale: A Community-Based Approach within a National Framework' (2015) 48(3) *Australian & New Zealand Journal of Criminology* 367 <<https://research-repository.griffith.edu.au/items/1523b6d3-8b01-4f37-999b-b9c48ae19f7e>>.
- 116 Ross Homel, Kate Freiberg and Sara Branch, 'CREATE-Ing Capacity to Take Developmental Crime Prevention to Scale: A Community-Based Approach within a National Framework' (2015) 48(3) *Australian & New Zealand Journal of Criminology* 367 <<https://research-repository.griffith.edu.au/items/1523b6d3-8b01-4f37-999b-b9c48ae19f7e>>.
- 117 Ross Homel, Submission No 70 to the Australian Human Rights Commission, *Youth Justice and Child Wellbeing Reform Project* (28 June 2023) 2 <<https://humanrights.gov.au/our-work/childrens-rights/publications/help-way-earlier/submissions>>.
- 118 Ross Homel, Submission No 70 to the Australian Human Rights Commission, *Youth Justice and Child Wellbeing Reform Project* (28 June 2023) 7 <<https://humanrights.gov.au/our-work/childrens-rights/publications/help-way-earlier/submissions>>.
- 119 Ross Homel, Submission No 70 to the Australian Human Rights Commission, *Youth Justice and Child Wellbeing Reform Project* (28 June 2023) 6 <<https://humanrights.gov.au/our-work/childrens-rights/publications/help-way-earlier/submissions>>.
- 120 Ross Homel, Submission No 172 to Legislative Assembly Committee on Law and Safety, *Community Safety in Regional and Rural Communities* (29 May 2024) 3 <<https://www.parliament.nsw.gov.au/committees/inquiries/Pages/inquiry-details.aspx?pk=3042#tab-submissions>>.
- 121 Ross Homel, Submission No 172 to Legislative Assembly Committee on Law and Safety, *Community Safety in Regional and Rural Communities* (29 May 2024) 3 <<https://www.parliament.nsw.gov.au/committees/inquiries/Pages/inquiry-details.aspx?pk=3042#tab-submissions>>.
- 122 Jacqueline Allen et al, *A Living Scoping Review of Universal Interventions for Promoting Relational Health in Childhood, Adolescence and Young Adulthood* (Research Paper, Griffith Criminology Institute, 17 June 2025) <[https://osf.io/preprints/psf/pysg2\\_v1](https://osf.io/preprints/psf/pysg2_v1)>.
- 123 Ross Homel, Submission No 172 to Legislative Assembly Committee on Law and Safety, *Community Safety in Regional and Rural Communities* (29 May 2024) 3 <<https://www.parliament.nsw.gov.au/committees/inquiries/Pages/inquiry-details.aspx?pk=3042#tab-submissions>>.
- 124 Ross Homel, Submission No 70 to the Australian Human Rights Commission, *Youth Justice and Child Wellbeing Reform Project* (28 June 2023) 6 <<https://humanrights.gov.au/our-work/childrens-rights/publications/help-way-earlier/submissions>>.
- 125 Ross Homel, Submission No 172 to Legislative Assembly Committee on Law and Safety, *Community Safety in Regional and Rural Communities* (29 May 2024) 4 <<https://www.parliament.nsw.gov.au/committees/inquiries/Pages/inquiry-details.aspx?pk=3042#tab-submissions>>.
- 126 Ross Homel, Submission No 172 to Legislative Assembly Committee on Law and Safety, *Community Safety in Regional and Rural Communities* (29 May 2024) 4 <<https://www.parliament.nsw.gov.au/committees/inquiries/Pages/inquiry-details.aspx?pk=3042#tab-submissions>>.
- 127 Ross Homel, Submission No 172 to Legislative Assembly Committee on Law and Safety, *Community Safety in Regional and Rural Communities* (29 May 2024) 6 <<https://www.parliament.nsw.gov.au/committees/inquiries/Pages/inquiry-details.aspx?pk=3042#tab-submissions>>.
- 128 Ruth McCausland et al, *Yuwaya Ngarra-li 2020-2023 Evaluation and Learning Report* (Report, June 2024) 3 <<https://www.unsw.edu.au/news/2024/07/yuwaya-ngarra-li-2020-2023-evaluation-and-learning-report>>.
- 129 'Welcome to Yuwaya Ngarra-li', *Yuwaya Ngarra-li Partnership* (Web Page, 2025) <<https://www.unsw.edu.au/walgett-partnership>>.
- 130 Yuwaya Ngarra-li Partnership, Submission No 121 to the Australian Human Rights Commission, *Youth Justice and Child Wellbeing Reform Project* (June 2023) 1-3 <<https://humanrights.gov.au/our-work/childrens-rights/publications/help-way-earlier/submissions>>.
- 131 Australian Human Rights Commission, *'Help Way Earlier!': How Australia can Transform Child Justice to Improve Safety and Wellbeing* (Report, 2024) 65 <<https://humanrights.gov.au/our-work/childrens-rights/publications/help-way-earlier>>.
- 132 Australian Human Rights Commission, *'Help Way Earlier!': How Australia can Transform Child Justice to Improve Safety and Wellbeing* (Report, 2024) 75 <<https://humanrights.gov.au/our-work/childrens-rights/publications/help-way-earlier>>.
- 133 Yuwaya Ngarra-li Partnership, Submission No 121 to the Australian Human Rights Commission, *Youth Justice and Child Wellbeing Reform Project* (June 2023) 5 <<https://humanrights.gov.au/our-work/childrens-rights/publications/help-way-earlier/submissions>>.
- 134 'Data Linkage Project', *Yuwaya Ngarra-li Partnership* (Web Page) [1] <<https://www.unsw.edu.au/walgett-partnership/current-programs/data-linkage-project>>.
- 135 Rebecca Reeve et al, 'Community-Led Diversion of Indigenous Young People from the Justice System: The Role of Government Administrative Data' (2024) 76 *International Journal of Law, Crime and Justice* 1-14 <<https://doi.org/10.1016/j.ijlci.2024.100650>>.

- 136 Australian Human Rights Commission, *'Help Way Earlier!': How Australia can Transform Child Justice to Improve Safety and Wellbeing* (Report, 2024) 69 <<https://humanrights.gov.au/our-work/childrens-rights/publications/help-way-earlier>>.
- 137 Rebecca Reeve et al, 'Community-Led Diversion of Indigenous Young People from the Justice System: The Role of Government Administrative Data' (2024) 76 *International Journal of Law, Crime and Justice* 1-14 <<https://doi.org/10.1016/j.ijlci.2024.100650>>.
- 138 Australian Human Rights Commission, *'Help Way Earlier!': How Australia can Transform Child Justice to Improve Safety and Wellbeing* (Report, 2024) 69 <<https://humanrights.gov.au/our-work/childrens-rights/publications/help-way-earlier>>.
- 139 Rebecca Reeve et al, 'Community-Led Diversion of Indigenous Young People from the Justice System: The Role of Government Administrative Data' (2024) 76 *International Journal of Law, Crime and Justice* 3 <<https://doi.org/10.1016/j.ijlci.2024.100650>>.
- 140 Peta MacGillivray et al, *Yuwaya Ngarrali Briefing Paper: Lessons from the Two River Pathway to Change Diversion Model 2018-2023* (Briefing Paper, Dharriwaa Elders Group & UNSW Sydney, 29 February 2024) <<https://www.unsw.edu.au/news/2024/02/new-briefing-paper-lessons-from-two-river-pathway>>.
- 141 Peta MacGillivray et al, *Yuwaya Ngarrali Briefing Paper: Lessons from the Two River Pathway to Change Diversion Model 2018-2023* (Briefing Paper, Dharriwaa Elders Group & UNSW Sydney, 29 February 2024) 19 <<https://www.unsw.edu.au/news/2024/02/new-briefing-paper-lessons-from-two-river-pathway>>; Yuwaya Ngarrali Partnership, *Yuwaya Ngarrali Walgett Youth Justice Forum* (Forum Report, Dharriwaa Elders Group & UNSW Sydney, 14 March 2018) 3 <<https://www.unsw.edu.au/walgett-partnership/current-programs/children-and-young-people>>; Yuwaya Ngarrali Partnership, *Yuwaya Ngarrali Action Plan for Children and Young People - Walgett* (Report, Dharriwaa Elders Group & UNSW Sydney, 2018) <<https://www.dharriwaaeldersgroup.org.au/images/downloads/Walgett-Action-Plan-for-Children-and-Young-People-June18.pdf>>.
- 142 Yuwaya Ngarrali Partnership, *Yuwaya Ngarrali Walgett Youth Justice Forum* (Forum Report, Dharriwaa Elders Group & UNSW Sydney, 14 March 2018) 6 <<https://www.unsw.edu.au/walgett-partnership/current-programs/children-and-young-people>>.
- 143 Yuwaya Ngarrali Partnership, Submission No 121 to the Australian Human Rights Commission, *Youth Justice and Child Wellbeing Reform Project* (June 2023) 1 <<https://humanrights.gov.au/our-work/childrens-rights/publications/help-way-earlier/submissions>>.
- 144 Yuwaya Ngarrali Partnership, *Yuwaya Ngarrali Walgett Youth Justice Forum* (Forum Report, Dharriwaa Elders Group & UNSW Sydney, 14 March 2018) 2 <<https://www.unsw.edu.au/walgett-partnership/current-programs/children-and-young-people>>.
- 145 Peta MacGillivray et al, *Yuwaya Ngarrali Briefing Paper: Lessons from the Two River Pathway to Change Diversion Model 2018-2023* (Briefing Paper, Dharriwaa Elders Group & UNSW Sydney, 29 February 2024) 3 <<https://www.unsw.edu.au/news/2024/02/new-briefing-paper-lessons-from-two-river-pathway>>.
- 146 Peta MacGillivray et al, *Yuwaya Ngarrali Briefing Paper: Lessons from the Two River Pathway to Change Diversion Model 2018-2023* (Briefing Paper, Dharriwaa Elders Group & UNSW Sydney, 29 February 2024) 9 <<https://www.unsw.edu.au/news/2024/02/new-briefing-paper-lessons-from-two-river-pathway>>.
- 147 Ruth McCausland et al, *Yuwaya Ngarrali 2020-2023 Evaluation and Learning Report* (Report, June 2024) 20 <<https://www.unsw.edu.au/news/2024/07/yuwaya-ngarrali-2020-2023-evaluation-and-learning-report>>.
- 148 Rebecca Reeve et al, 'Community-Led Diversion of Indigenous Young People from the Justice System: The Role of Government Administrative Data' (2024) 76 *International Journal of Law, Crime and Justice* 1-14 <<https://doi.org/10.1016/j.ijlci.2024.100650>>.
- 149 Yuwaya Ngarrali Partnership, Submission No 121 to the Australian Human Rights Commission, *Youth Justice and Child Wellbeing Reform Project* (June 2023) 1-3 <<https://humanrights.gov.au/our-work/childrens-rights/publications/help-way-earlier/submissions>>.
- 150 Peta MacGillivray et al, *Yuwaya Ngarrali Briefing Paper: Lessons from the Two River Pathway to Change Diversion Model 2018-2023* (Briefing Paper, Dharriwaa Elders Group & UNSW Sydney, 29 February 2024) 10-11 <<https://www.unsw.edu.au/news/2024/02/new-briefing-paper-lessons-from-two-river-pathway>>.
- 151 Peta MacGillivray et al, *Yuwaya Ngarrali Briefing Paper: Lessons from the Two River Pathway to Change Diversion Model 2018-2023* (Briefing Paper, Dharriwaa Elders Group & UNSW Sydney, 29 February 2024) 21 <<https://www.unsw.edu.au/news/2024/02/new-briefing-paper-lessons-from-two-river-pathway>>.
- 152 Peta MacGillivray et al, *Yuwaya Ngarrali Briefing Paper: Lessons from the Two River Pathway to Change Diversion Model 2018-2023* (Briefing Paper, Dharriwaa Elders Group & UNSW Sydney, 29 February 2024) 21 <<https://www.unsw.edu.au/news/2024/02/new-briefing-paper-lessons-from-two-river-pathway>>.
- 153 Rebecca Reeve, Ruth McCausland and Peta MacGillivray, *Yuwaya Ngarrali Research Report: Has Criminal Justice Contact for Young People in Walgett Changed Over Time? Analysis of Diversions, Charges, Court and Custody Outcomes 2016-2021* (Dharriwaa Elders Group & UNSW Sydney, June 2022) <<https://research.unsw.edu.au/people/dr-rebecca-reeve/publications?type=workingpapers>>.
- 154 Rebecca Reeve, Ruth McCausland and Peta MacGillivray, *Yuwaya Ngarrali Research Report: Has Criminal Justice Contact for Young People in Walgett Changed Over Time? Analysis of Diversions, Charges, Court and Custody Outcomes 2016-2021* (Dharriwaa Elders Group & UNSW Sydney, June 2022) 4 <<https://research.unsw.edu.au/people/dr-rebecca-reeve/publications?type=workingpapers>>.

- 155 Ruth McCausland et al, *Yuwaya Ngarra-li 2020-2023 Evaluation and Learning Report* (UNSW Sydney, June 2024) 11 <<https://www.unsw.edu.au/news/2024/07/yuwaya-ngarra-li-2020-2023-evaluation-and-learning-report>>.
- 156 Ruth McCausland et al, *Yuwaya Ngarra-li 2020-2023 Evaluation and Learning Report* (UNSW Sydney, June 2024) 4 <<https://www.unsw.edu.au/news/2024/07/yuwaya-ngarra-li-2020-2023-evaluation-and-learning-report>>.
- 157 Peta MacGillivray et al, *Yuwaya Ngarra-li Briefing Paper: Lessons from the Two River Pathway to Change Diversion Model 2018–2023* (Dharriwaa Elders Group & UNSW Sydney, February 2024) 14 <<https://www.unsw.edu.au/news/2024/02/new-briefing-paper-lessons-from-two-river-pathway>>.
- 158 Ruth McCausland et al, 'Research, Learning and Evaluation in the Yuwaya Ngarra-li Partnership: How UNSW is Enabling Elders' Vision for Change' (2024) 8 *Transform: The Journal of Engaged Scholarship* 34 <<https://www.unsw.edu.au/news/2024/09/new-publication-research-learning-development-yn-partnership>>.
- 159 Ruth McCausland et al, 'Research, Learning and Evaluation in the Yuwaya Ngarra-li Partnership: How UNSW is Enabling Elders' Vision for Change' (2024) 8 *Transform: The Journal of Engaged Scholarship* 34 <<https://www.unsw.edu.au/news/2024/09/new-publication-research-learning-development-yn-partnership>>.
- 160 Ruth McCausland et al, 'Research, Learning and Evaluation in the Yuwaya Ngarra-li Partnership: How UNSW is Enabling Elders' Vision for Change' (2024) 8 *Transform: The Journal of Engaged Scholarship* 34 <<https://www.unsw.edu.au/news/2024/09/new-publication-research-learning-development-yn-partnership>>.
- 161 Ruth McCausland et al, 'Research, Learning and Evaluation in the Yuwaya Ngarra-li Partnership: How UNSW is Enabling Elders' Vision for Change' (2024) 8 *Transform: The Journal of Engaged Scholarship* 34 <<https://www.unsw.edu.au/news/2024/09/new-publication-research-learning-development-yn-partnership>>.
- 162 Ruth McCausland et al, *Yuwaya Ngarra-li 2020-2023 Evaluation and Learning Report* (UNSW Sydney, June 2024) 11 <<https://www.unsw.edu.au/news/2024/07/yuwaya-ngarra-li-2020-2023-evaluation-and-learning-report>>.
- 163 Ruth McCausland et al, *Yuwaya Ngarra-li 2020-2023 Evaluation and Learning Report* (UNSW Sydney, June 2024) 4 <<https://www.unsw.edu.au/news/2024/07/yuwaya-ngarra-li-2020-2023-evaluation-and-learning-report>>.
- 164 Ruth McCausland et al, *Yuwaya Ngarra-li 2020-2023 Evaluation and Learning Report* (UNSW Sydney, June 2024) 11 <<https://www.unsw.edu.au/news/2024/07/yuwaya-ngarra-li-2020-2023-evaluation-and-learning-report>>.
- 165 Ruth McCausland et al, *Yuwaya Ngarra-li 2020-2023 Evaluation and Learning Report* (UNSW Sydney, June 2024) 11 <<https://www.unsw.edu.au/news/2024/07/yuwaya-ngarra-li-2020-2023-evaluation-and-learning-report>>.
- 166 Ruth McCausland et al, *Yuwaya Ngarra-li 2020-2023 Evaluation and Learning Report* (UNSW Sydney, June 2024) 20–22 <<https://www.unsw.edu.au/news/2024/07/yuwaya-ngarra-li-2020-2023-evaluation-and-learning-report>>.
- 167 Jacqueline Allen, Kate Freiberg and Ross Homel, 'Opinion: Preschool Curriculum Program Led to a Reduction in Serious Youth Crime', *NT Independent* (Web Article, 27 October 2024) [4] <<https://ntindependent.com.au/opinion-preschool-curriculum-program-led-to-a-reduction-in-serious-youth-crime/>>
- 168 Australian Institute of Health and Welfare, *Youth Justice in Australia 2023–24* (Web Report, 28 March 2025) <<https://www.aihw.gov.au/reports/youth-justice/youth-justice-in-australia-2023-24/contents/detention>>.
- 169 Australian Institute of Health and Welfare, *Youth Justice in Australia 2023–24* (Web Report, 28 March 2025) <<https://www.aihw.gov.au/reports/youth-justice/youth-justice-in-australia-2023-24/contents/first-nations-young-people-under-supervision/first-nations-young-people-in-detention>>.
- 170 Australian Institute of Health and Welfare, *Youth Justice in Australia 2023–24* (Web Report, 28 March 2025) <<https://www.aihw.gov.au/reports/youth-justice/youth-justice-in-australia-2023-24/contents/first-nations-young-people-under-supervision/first-nations-young-people-in-detention>>.
- 171 Australian Institute of Health and Welfare, *Youth Justice in Australia 2022–23* (Web Report, 28 March 2024) <<https://www.aihw.gov.au/reports/youth-justice/youth-justice-in-australia-annual-report-2022-23/contents/about>>.
- 172 Australian Human Rights Commission, 'Help Way Earlier!': *How Australia can Transform Child Justice to Improve Safety and Wellbeing* (Report, 2024) 89 <<https://humanrights.gov.au/our-work/childrens-rights/publications/help-way-earlier>>.
- 173 'Accountability and Transparency Key to Watch House Solution', *Queensland Family and Child Commission* (Web Page, 12 December 2023) <<https://www.qfcc.qld.gov.au/news-and-media/accountability-and-transparency-key-watch-house-solution#:~:text=The%20review%20made%20five%20recommendations,reporting%2C%20and%20reducing%20unsentenced%20detention.>>.
- 174 Government of South Australia, *Young Offender Plan 2025* (Plan, 2025) 3 <<https://www.agd.sa.gov.au/law-and-justice/young-offenders>>.
- 175 Queensland Audit Office, *Reducing Serious Youth Crime Report 15: 2023–24* (Report, June 2024) 2 <<https://www.gao.qld.gov.au/reports-resources/reports-parliament/reducing-serious-youth-crime>>.
- 176 Australian Institute of Health and Welfare, *Young People Returning to Sentenced Youth Justice Supervision 2023–24* (Web Report, 4 September 2025) <<https://www.aihw.gov.au/reports/youth-justice/young-people-returning-to-youth-justice-2023-24/contents/summary>>.
- 177 Manfred Nowak, Independent Expert leading the UN Global Study on Children Deprived of Liberty, *United Nations Global Study on Children Deprived of Liberty* (11 July 2019) 167, 178 <<https://www.ohchr.org/en/treaty-bodies/crc/united-nations-global-study-children-deprived-liberty>>. ; *Report of the Special Rapporteur on the Right of Everyone to the Enjoyment of the Highest Attainable Standard of Physical and Mental Health*, UN Doc A/HRC/38/36 (10 April 2018), [53]–[55], [60]– [69] <[https://ap.ohchr.org/documents/dpage\\_e.aspx?si=A/HRC/38/36](https://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/38/36)>.

- 178 Tess Kelly et al, *Ensuring the Highest Attainable Standard of Health for Children Deprived of their Liberty* (Report, 2023) 6 <<https://www.mcri.edu.au/news-stories/better-quality-healthcare-needed-children-in-detention>>.
- 179 Tess Kelly et al, *Ensuring the Highest Attainable Standard of Health for Children Deprived of their Liberty* (Report, 2023) 1 <<https://www.mcri.edu.au/news-stories/better-quality-healthcare-needed-children-in-detention>>.
- 180 *Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability* (Final Report, September 2023) vol 8, 81 <<https://disability.royalcommission.gov.au/publications/final-report>>.
- 181 United Nations Committee on the Rights of the Child, *General Comment 24 on Children's Rights in the Child Justice System*, UN Doc CRC/C/GC/24 (18 September 2019) para 83.
- 182 Sanne Oostermeijer et al, 'The Case for Small-Scale, Community-Integrated, Therapeutic Facilities: Utility and Feasibility for Policy Transfer to the Victorian Youth Justice System' (2024) 57 (1) *Journal of Criminology* 101 <<https://journals.sagepub.com/doi/10.1177/26338076231193503>>.
- 183 Matthew Dwyer and Sanne Oostermeijer, *Design Guide for Small-scale Local Facilities* (Local Time, October 2019) 17 <<https://apo.org.au/node/274831>>.
- 184 Sanne Oostermeijer et al, 'The Case for Small-Scale, Community-Integrated, Therapeutic Facilities: Utility and Feasibility for Policy Transfer to the Victorian Youth Justice System' (2024) 57 (1) *Journal of Criminology* 102-103 <<https://journals.sagepub.com/doi/10.1177/26338076231193503>>.
- 185 Sanne Oostermeijer, Poni Tongun and Diana Johns, 'Relational security: Balancing Care and Control in a Youth Justice Detention Setting in Australia' (2024) 156 *Children and Youth Services Review* 2 <[https://www.sciencedirect.com/science/article/pii/S019074092300508X?ref=pdf\\_download&fr=RR-2&rr=9678681d4ec7a352](https://www.sciencedirect.com/science/article/pii/S019074092300508X?ref=pdf_download&fr=RR-2&rr=9678681d4ec7a352)>.
- 186 Fleur Souverein et al, 'Relational Security: Conceptualization and Operationalization in Small-Scaled, Strengths-Based, Community-Embedded Youth Justice Facilities' (2023) 17(1):99 *Child and Adolescent Psychiatry and Mental Health* 1 <<https://pubmed.ncbi.nlm.nih.gov/37592271/>>.
- 187 Sanne Oostermeijer, Poni Tongun and Diana Johns, 'Relational Security: Balancing Care and Control in a Youth Justice Detention Setting in Australia' (2024) 156 *Children and Youth Services Review* 2 <[https://www.sciencedirect.com/science/article/pii/S019074092300508X?ref=pdf\\_download&fr=RR-2&rr=9678681d4ec7a352](https://www.sciencedirect.com/science/article/pii/S019074092300508X?ref=pdf_download&fr=RR-2&rr=9678681d4ec7a352)>.
- 188 Gary Lamph et al, 'Relational Practice in Health, Education, Criminal Justice, and Social Care: A Scoping Review' (2023) 12(1) *Systematic Reviews* 63 <<https://systematicreviewsjournal.biomedcentral.com/articles/10.1186/s13643-023-02344-9>>.
- 189 Sanne Oostermeijer et al, 'The Case for Small-Scale, Community-Integrated, Therapeutic Facilities: Utility and Feasibility for Policy Transfer to the Victorian Youth Justice System' (2024) 57(1) *Journal of Criminology* 103 <<https://journals.sagepub.com/doi/10.1177/26338076231193503>>.
- 190 *Royal Commission into the Protection and Detention of Children in the Northern Territory* (Final Report, 2017) vol 2A, 78 <<https://www.royalcommission.gov.au/child-detention/final-report>>.
- 191 Law Council of Australia, *Australia's Youth Justice and Incarceration System* (Submission to the Senate Legal and Constitutional Affairs References Committee, 22 October 2024) 19 <<https://lawcouncil.au/resources/submissions/australias-youth-justice-and-incarceration-system>>.
- 192 Anglicare Victoria, Submission No 74 to the Australian Human Rights Commission, *Youth Justice and Child Wellbeing Reform Project* (16 June 2023) 17 <<https://humanrights.gov.au/our-work/childrens-rights/publications/help-way-earlier/submissions>>; Northern Territory Legal Aid Commission, Submission No 86 to the Australian Human Rights Commission, *Youth Justice and Child Wellbeing Reform Project* (June 2023) 10 <<https://humanrights.gov.au/our-work/childrens-rights/publications/help-way-earlier/submissions>>; Local Time, Submission 35 to the Australian Human Rights Commission, *Youth Justice and Child Wellbeing Reform Project* (16 June 2023) 4-5 <<https://humanrights.gov.au/our-work/childrens-rights/publications/help-way-earlier/submissions>>; Local Time, Submission 35 - Attachment 1 to the Australian Human Rights Commission, *Youth Justice and Child Wellbeing Reform Project* (16 June 2023) <<https://humanrights.gov.au/our-work/childrens-rights/publications/help-way-earlier/submissions>>; Justice Reform Initiative, Submission No 25 to the Australian Human Rights Commission, *Youth Justice and Child Wellbeing Reform Project* (June 2023) 19 <<https://humanrights.gov.au/our-work/childrens-rights/publications/help-way-earlier/submissions>>; Aboriginal Medical Services Alliance Northern Territory, Submission No 84 to the Australian Human Rights Commission, *Youth Justice and Child Wellbeing Reform Project* (29 June 2023) 5 <<https://humanrights.gov.au/our-work/childrens-rights/publications/help-way-earlier/submissions>>; Aboriginal Medical Services Alliance Northern Territory, Submission No 84 - Attachment 1 to the Australian Human Rights Commission, *Youth Justice and Child Wellbeing Reform Project* (29 June 2023) 42 <<https://humanrights.gov.au/our-work/childrens-rights/publications/help-way-earlier/submissions>>; Aboriginal Medical Services Alliance Northern Territory, Submission No 84 - Attachment 2 to the Australian Human Rights Commission, *Youth Justice and Child Wellbeing Reform Project* (29 June 2023) <<https://humanrights.gov.au/our-work/childrens-rights/publications/help-way-earlier/submissions>>; Office of the Inspector of Custodial Services WA, Submission 113 to the Australian Human Rights Commission, *Youth Justice and Child Wellbeing Reform Project* (June 2023) 8 <<https://humanrights.gov.au/our-work/childrens-rights/publications/help-way-earlier/submissions>>; The Victorian Aboriginal Child Care Agency, Submission 65 to the Australian Human Rights Commission, *Youth Justice and Child Wellbeing Reform Project* (30 June 2023) 4 <<https://humanrights.gov.au/our-work/childrens-rights/publications/help-way-earlier/submissions>>; Queensland Youth Policy Collective, Submission 78 to the Australian Human Rights Commission, *Youth Justice and Child Wellbeing Reform Project* (29 June 2023) <<https://humanrights.gov.au/our-work/childrens-rights/publications/help-way-earlier/submissions>>; Professor Kitty te Riele, Submission 121 - Attachment 2 to the Australian Human Rights Commission, *Youth Justice and Child Wellbeing Reform Project* (June 2023) 54 <<https://humanrights.gov.au/our-work/childrens-rights/publications/help-way-earlier/submissions>>; Professor Kitty te Riele, Submission 121 - Attachment 3 to the Australian Human Rights Commission, *Youth Justice and Child Wellbeing Reform Project* (June 2023) 86 <<https://humanrights.gov.au/our-work/childrens-rights/publications/help-way-earlier/submissions>>; Justice Reform Initiative, Submission No 20 to the Legal and Constitutional

- Affairs References Committee, *Australia's Youth Justice and Incarceration System* (2024) 36 <[https://www.aph.gov.au/Parliamentary\\_Business/Committees/Senate/Legal\\_and\\_Constitutional\\_Affairs/Incarceration47/Submissions](https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Legal_and_Constitutional_Affairs/Incarceration47/Submissions)>; Law Council of Australia, Submission No 195 to the Legal and Constitutional Affairs References Committee, *Australia's Youth Justice and Incarceration System* (2024) 13 <[https://www.aph.gov.au/Parliamentary\\_Business/Committees/Senate/Legal\\_and\\_Constitutional\\_Affairs/Incarceration47/Submissions](https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Legal_and_Constitutional_Affairs/Incarceration47/Submissions)>; Anglicare Victoria, Submission No 33 to the Legal and Constitutional Affairs References Committee, *Australia's Youth Justice and Incarceration System* (2024) 10 <[https://www.aph.gov.au/Parliamentary\\_Business/Committees/Senate/Legal\\_and\\_Constitutional\\_Affairs/Incarceration47/Submissions](https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Legal_and_Constitutional_Affairs/Incarceration47/Submissions)>;
- 193 Law Council of Australia, *Policy Statement on Child Justice Reform* (March 2025) 8 <<https://lawcouncil.au/resources/policies-and-guidelines/policy-statement-on-child-justice-reform>>.
- 194 Sanne Oostermeijer et al, 'The Case for Small-Scale, Community-Integrated, Therapeutic Facilities: Utility and Feasibility for Policy Transfer to the Victorian Youth Justice System' (2024) 57(1) *Journal of Criminology* 104 <<https://journals.sagepub.com/doi/10.1177/26338076231193503>>.
- 195 Fleur Souverein, 'Breaking walls, Building Connections: Relational Security in Small-Scale Community-Embedded Youth Justice Facilities' (PhD Thesis, Vrije Universiteit Amsterdam, 2023) 22 <<https://research.vu.nl/en/publications/breaking-walls-building-connections-relational-security-in-small->>.
- 196 Fleur Souverein, 'Breaking walls, Building Connections: Relational Security in Small-Scale Community-Embedded Youth Justice Facilities' (PhD Thesis, Vrije Universiteit Amsterdam, 2023) 22 <<https://research.vu.nl/en/publications/breaking-walls-building-connections-relational-security-in-small->>.
- 197 Fleur Souverein, 'Breaking walls, Building Connections: Relational Security in Small-Scale Community-Embedded Youth Justice Facilities' (PhD Thesis, Vrije Universiteit Amsterdam, 2023) 22 <<https://research.vu.nl/en/publications/breaking-walls-building-connections-relational-security-in-small->>.
- 198 Sanne Oostermeijer et al, 'The Case for Small-Scale, Community-Integrated, Therapeutic Facilities: Utility and Feasibility for Policy Transfer to the Victorian Youth Justice System' (2024) 57(1) *Journal of Criminology* 104 <<https://journals.sagepub.com/doi/10.1177/26338076231193503>>.
- 199 Sanne Oostermeijer et al, 'The Case for Small-Scale, Community-Integrated, Therapeutic Facilities: Utility and Feasibility for Policy Transfer to the Victorian Youth Justice System' (2024) 57(1) *Journal of Criminology* 104 <<https://journals.sagepub.com/doi/10.1177/26338076231193503>>.
- 200 Fleur Souverein, 'Breaking walls, Building Connections: Relational Security in Small-Scale Community-Embedded Youth Justice Facilities' (PhD Thesis, Vrije Universiteit Amsterdam, 2023) 50 <<https://research.vu.nl/en/publications/breaking-walls-building-connections-relational-security-in-small->>.
- 201 Fleur Souverein, 'Breaking Walls, Building Connections: Relational Security in Small-Scale Community-Embedded Youth Justice Facilities' (PhD Thesis, Vrije Universiteit Amsterdam, 2023) 103 <<https://research.vu.nl/en/publications/breaking-walls-building-connections-relational-security-in-small->>.
- 202 Sanne Oostermeijer et al, 'The Case for Small-Scale, Community-Integrated, Therapeutic Facilities: Utility and Feasibility for Policy Transfer to the Victorian Youth Justice System' (2024) 57(1) *Journal of Criminology* 104 <<https://journals.sagepub.com/doi/10.1177/26338076231193503>>.
- 203 Fleur Souverein, 'Breaking walls, Building Connections: Relational Security in Small-Scale Community-Embedded Youth Justice Facilities' (PhD Thesis, Vrije Universiteit Amsterdam, 2023) 94 <<https://research.vu.nl/en/publications/breaking-walls-building-connections-relational-security-in-small->>.
- 204 Fleur Souverein, 'Breaking walls, Building Connections: Relational Security in Small-Scale Community-Embedded Youth Justice Facilities' (PhD Thesis, Vrije Universiteit Amsterdam, 2023) 23 <<https://research.vu.nl/en/publications/breaking-walls-building-connections-relational-security-in-small->>.
- 205 Fleur Souverein, 'Breaking walls, Building Connections: Relational Security in Small-Scale Community-Embedded Youth Justice Facilities' (PhD Thesis, Vrije Universiteit Amsterdam, 2023) 40 <<https://research.vu.nl/en/publications/breaking-walls-building-connections-relational-security-in-small->>.
- 206 Sanne Oostermeijer et al, 'The Case for Small-Scale, Community-Integrated, Therapeutic Facilities: Utility and Feasibility for Policy Transfer to the Victorian Youth Justice System' (2024) 57(1) *Journal of Criminology* 104 <<https://journals.sagepub.com/doi/10.1177/26338076231193503>>.
- 207 Fleur Souverein, 'Breaking Walls, Building Connections: Relational Security in Small-Scale Community-Embedded Youth Justice Facilities' (PhD Thesis, Vrije Universiteit Amsterdam, 2023) 22 <<https://research.vu.nl/en/publications/breaking-walls-building-connections-relational-security-in-small->>.
- 208 Fleur Souverein, 'Breaking Walls, Building Connections: Relational Security in Small-Scale Community-Embedded Youth Justice Facilities' (PhD Thesis, Vrije Universiteit Amsterdam, 2023) 46 <<https://research.vu.nl/en/publications/breaking-walls-building-connections-relational-security-in-small->>.
- 209 Sanne Oostermeijer et al, 'The Case for Small-Scale, Community-Integrated, Therapeutic Facilities: Utility and Feasibility for Policy Transfer to the Victorian Youth Justice System' (2024) 57(1) *Journal of Criminology* 104 <<https://journals.sagepub.com/doi/10.1177/26338076231193503>>.
- 210 Australian Institute of Health and Welfare, *Youth Justice in Australia 2023-24* (Web Report, 28 March 2025) <<https://www.aihw.gov.au/reports/youth-justice/youth-justice-in-australia-2023-24/contents/youth-justice-in-context/australian-and-international-approaches-to-youth-j>>.

- 211 Sanne Oostermeijer et al, 'The Case for Small-Scale, Community-Integrated, Therapeutic Facilities: Utility and Feasibility for Policy Transfer to the Victorian Youth Justice System' (2024) 57(1) *Journal of Criminology* 112 <<https://journals.sagepub.com/doi/10.1177/26338076231193503>>.
- 212 Sanne Oostermeijer et al, 'The Case for Small-Scale, Community-Integrated, Therapeutic Facilities: Utility and Feasibility for Policy Transfer to the Victorian Youth Justice System' (2024) 57(1) *Journal of Criminology* 104 <<https://journals.sagepub.com/doi/10.1177/26338076231193503>>.
- 213 Sanne Oostermeijer et al, 'The Case for Small-Scale, Community-Integrated, Therapeutic Facilities: Utility and Feasibility for Policy Transfer to the Victorian Youth Justice System' (2024) 57(1) *Journal of Criminology* 104 <<https://journals.sagepub.com/doi/10.1177/26338076231193503>>.
- 214 Sanne Oostermeijer et al, 'The Case for Small-Scale, Community-Integrated, Therapeutic Facilities: Utility and Feasibility for Policy Transfer to the Victorian Youth Justice System' (2024) 57(1) *Journal of Criminology* 104 <<https://journals.sagepub.com/doi/10.1177/26338076231193503>>.
- 215 Sanne Oostermeijer et al, 'The Case for Small-Scale, Community-Integrated, Therapeutic Facilities: Utility and Feasibility for Policy Transfer to the Victorian Youth Justice System' (2024) 57(1) *Journal of Criminology* 104 <<https://journals.sagepub.com/doi/10.1177/26338076231193503>>.
- 216 Sanne Oostermeijer et al, 'The Case for Small-Scale, Community-Integrated, Therapeutic Facilities: Utility and Feasibility for Policy Transfer to the Victorian Youth Justice System' (2024) 57(1) *Journal of Criminology* 104 <<https://journals.sagepub.com/doi/10.1177/26338076231193503>>.
- 217 Fleur Souverein, 'Breaking Walls, Building Connections: Relational Security in Small-Scale Community-Embedded Youth Justice Facilities' (PhD Thesis, Vrije Universiteit Amsterdam, 2023) 48 <<https://research.vu.nl/en/publications/breaking-walls-building-connections-relational-security-in-small->>.
- 218 Sanne Oostermeijer et al, 'The Case for Small-Scale, Community-Integrated, Therapeutic Facilities: Utility and Feasibility for Policy Transfer to the Victorian Youth Justice System' (2024) 57(1) *Journal of Criminology* 104 <<https://journals.sagepub.com/doi/10.1177/26338076231193503>>.
- 219 Sanne Oostermeijer et al, 'The Case for Small-Scale, Community-Integrated, Therapeutic Facilities: Utility and Feasibility for Policy Transfer to the Victorian Youth Justice System' (2024) 57(1) *Journal of Criminology* 115 <<https://journals.sagepub.com/doi/10.1177/26338076231193503>>.
- 220 Fleur Souverein, 'Breaking Walls, Building Connections: Relational Security in Small-Scale Community-Embedded Youth Justice Facilities' (PhD Thesis, Vrije Universiteit Amsterdam, 2023) 37 <<https://research.vu.nl/en/publications/breaking-walls-building-connections-relational-security-in-small->>.
- 221 Fleur Souverein, 'Breaking Walls, Building Connections: Relational Security in Small-Scale Community-Embedded Youth Justice Facilities' (PhD Thesis, Vrije Universiteit Amsterdam, 2023) 23 <<https://research.vu.nl/en/publications/breaking-walls-building-connections-relational-security-in-small->>.
- 222 Fleur Souverein, 'Breaking Walls, Building Connections: Relational Security in Small-Scale Community-Embedded Youth Justice Facilities' (PhD Thesis, Vrije Universiteit Amsterdam, 2023) 23 <<https://research.vu.nl/en/publications/breaking-walls-building-connections-relational-security-in-small->>.
- 223 Fleur Souverein, 'Breaking Walls, Building Connections: Relational Security in Small-Scale Community-Embedded Youth Justice Facilities' (PhD Thesis, Vrije Universiteit Amsterdam, 2023) 23 <<https://research.vu.nl/en/publications/breaking-walls-building-connections-relational-security-in-small->>.
- 224 Julia J Meijer et al, 'A Tailored Approach for Justice Involved Youth with an Intellectual Disability: The Suitability of a Small-Scale Community-Integrated Approach' (2023) *International Journal of Offender Therapy and Comparative Criminology* 1.
- 225 Fleur Souverein, 'Breaking Walls, Building Connections: Relational Security in Small-Scale Community-Embedded Youth Justice Facilities' (PhD Thesis, Vrije Universiteit Amsterdam, 2023) 24 <<https://research.vu.nl/en/publications/breaking-walls-building-connections-relational-security-in-small->>.
- 226 Sanne Oostermeijer et al, 'The Case for Small-Scale, Community-Integrated, Therapeutic Facilities: Utility And Feasibility for Policy Transfer to the Victorian Youth Justice System' (2024) 57 (1) *Journal of Criminology* 114 <<https://journals.sagepub.com/doi/10.1177/26338076231193503>>.
- 227 Sanne Oostermeijer et al, 'The Case for Small-Scale, Community-Integrated, Therapeutic Facilities: Utility and Feasibility For Policy Transfer to the Victorian Youth Justice System' (2024) 57 (1) *Journal of Criminology* 104 <<https://journals.sagepub.com/doi/10.1177/26338076231193503>>.
- 228 Fleur Souverein, 'Breaking Walls, Building Connections: Relational Security in Small-Scale Community-Embedded Youth Justice Facilities' (PhD Thesis, Vrije Universiteit Amsterdam, 2023) 153 <<https://research.vu.nl/en/publications/breaking-walls-building-connections-relational-security-in-small->>.
- 229 Fleur Souverein, 'Breaking Walls, Building Connections: Relational Security in Small-Scale Community-Embedded Youth Justice Facilities' (PhD Thesis, Vrije Universiteit Amsterdam, 2023) 153 <<https://research.vu.nl/en/publications/breaking-walls-building-connections-relational-security-in-small->>.
- 230 Fleur Souverein, 'Breaking Walls, Building Connections: Relational Security in Small-Scale Community-Embedded Youth Justice Facilities' (PhD Thesis, Vrije Universiteit Amsterdam, 2023) 153 <<https://research.vu.nl/en/publications/breaking-walls-building-connections-relational-security-in-small->>.

- 231 Fleur Souverein, 'Breaking Walls, Building Connections: Relational Security in Small-Scale Community-Embedded Youth Justice Facilities' (PhD Thesis, Vrije Universiteit Amsterdam, 2023) 154 <<https://research.vu.nl/en/publications/breaking-walls-building-connections-relational-security-in-small->>.
- 232 Fleur Souverein, 'Breaking Walls, Building Connections: Relational Security in Small-Scale Community-Embedded Youth Justice Facilities' (PhD Thesis, Vrije Universiteit Amsterdam, 2023) 154-155 <<https://research.vu.nl/en/publications/breaking-walls-building-connections-relational-security-in-small->>.
- 233 Fleur Souverein, 'Breaking Walls, Building Connections: Relational Security in Small-Scale Community-Embedded Youth Justice Facilities' (PhD Thesis, Vrije Universiteit Amsterdam, 2023) 154-155 <<https://research.vu.nl/en/publications/breaking-walls-building-connections-relational-security-in-small->>.
- 234 Fleur Souverein, 'Breaking Walls, Building Connections: Relational Security in Small-Scale Community-Embedded Youth Justice Facilities' (PhD Thesis, Vrije Universiteit Amsterdam, 2023) 174 <<https://research.vu.nl/en/publications/breaking-walls-building-connections-relational-security-in-small->>.
- 235 Fleur Souverein, 'Breaking Walls, Building Connections: Relational Security in Small-Scale Community-Embedded Youth Justice Facilities' (PhD Thesis, Vrije Universiteit Amsterdam, 2023) 49 <<https://research.vu.nl/en/publications/breaking-walls-building-connections-relational-security-in-small->>.
- 236 Fleur Souverein, 'Breaking Walls, Building Connections: Relational Security in Small-Scale Community-Embedded Youth Justice Facilities' (PhD Thesis, Vrije Universiteit Amsterdam, 2023) 49 <<https://research.vu.nl/en/publications/breaking-walls-building-connections-relational-security-in-small->>.
- 237 Fleur Souverein, 'Breaking Walls, Building Connections: Relational Security in Small-Scale Community-Embedded Youth Justice Facilities' (PhD Thesis, Vrije Universiteit Amsterdam, 2023) 174 <<https://research.vu.nl/en/publications/breaking-walls-building-connections-relational-security-in-small->>.
- 238 Fleur Souverein, 'Breaking Walls, Building Connections: Relational Security in Small-Scale Community-Embedded Youth Justice Facilities' (PhD Thesis, Vrije Universiteit Amsterdam, 2023) 174 <<https://research.vu.nl/en/publications/breaking-walls-building-connections-relational-security-in-small->>.
- 239 Fleur Souverein, 'Breaking Walls, Building Connections: Relational Security in Small-Scale Community-Embedded Youth Justice Facilities' (PhD Thesis, Vrije Universiteit Amsterdam, 2023) 174 <<https://research.vu.nl/en/publications/breaking-walls-building-connections-relational-security-in-small->>.
- 240 Sanne Oostermeijer et al, 'The Case for Small-Scale, Community-Integrated, Therapeutic Facilities: Utility and Feasibility for Policy Transfer to the Victorian Youth Justice System' (2024) 57(1) *Journal of Criminology* 116 <<https://journals.sagepub.com/doi/10.1177/26338076231193503>>.
- 241 Sanne Oostermeijer et al, 'The Case for Small-Scale, Community-Integrated, Therapeutic Facilities: Utility and Feasibility for Policy Transfer to the Victorian Youth Justice System' (2024) 57(1) *Journal of Criminology* 116 <<https://journals.sagepub.com/doi/10.1177/26338076231193503>>.
- 242 Sanne Oostermeijer et al, 'The Case for Small-Scale, Community-Integrated, Therapeutic Facilities: Utility and Feasibility for Policy Transfer to the Victorian Youth Justice System' (2024) 57(1) *Journal of Criminology* 114 <<https://journals.sagepub.com/doi/10.1177/26338076231193503>>.
- 243 Richard A Mendel, *The Missouri Model: Reinventing the Practice of Rehabilitating Youthful Offenders* (Report, 2010) 11 <<https://www.aecf.org/resources/the-missouri-model>>.
- 244 Beth M Huebner, 'The Missouri Model: A Critical State of Knowledge' in Richard J Bonnie, Robert L Johnson, Betty M Chemers and Julie A Schuck (eds), *Reforming Juvenile Justice: A Developmental Approach* (National Research Council, 2013) 413-414 <<https://nap.nationalacademies.org/read/14685/chapter/16>>.
- 245 Beth M Huebner, 'The Missouri Model: A Critical State of Knowledge' in Richard J Bonnie, Robert L Johnson, Betty M Chemers and Julie A Schuck (eds), *Reforming Juvenile Justice: A Developmental Approach* (National Research Council, 2013) 413-414 <<https://nap.nationalacademies.org/read/14685/chapter/16>>.
- 246 Beth M Huebner, 'The Missouri Model: A Critical State of Knowledge' in Richard J Bonnie, Robert L Johnson, Betty M Chemers and Julie A Schuck (eds), *Reforming Juvenile Justice: A Developmental Approach* (National Research Council, 2013) 413-414 <<https://nap.nationalacademies.org/read/14685/chapter/16>>.
- 247 Missouri Department of Social Services, Division of Youth Services, *Youth Services Annual Report FY24* (Report, 2024) <<https://dss.mo.gov/re/dysar.htm>>.
- 248 Missouri Department of Social Services, Division of Youth Services, *Youth Services Annual Report FY24* (Report, 2024) 1 <<https://dss.mo.gov/re/dysar.htm>>.
- 249 Missouri Department of Social Services, Division of Youth Services, *Youth Services Annual Report FY24* (Report, 2024) 13 <<https://dss.mo.gov/re/dysar.htm>>.
- 250 Richard A Mendel, *The Missouri Model: Reinventing the Practice of Rehabilitating Youthful Offenders* (Report, 2010) 27 <<https://www.aecf.org/resources/the-missouri-model>>.
- 251 Beth M Huebner, 'The Missouri Model: A Critical State of Knowledge' in Richard J Bonnie, Robert L Johnson, Betty M Chemers and Julie A Schuck (eds), *Reforming Juvenile Justice: A Developmental Approach* (National Research Council, 2013) 420-422 <<https://nap.nationalacademies.org/read/14685/chapter/16>>.
- 252 Sarah Kuborn et al, 'Strengthening the Missouri Model of Juvenile Justice: Missouri Division of Youth Services Staff Perspectives' (2020) 1(10) *Missouri Policy Journal* 3 <<https://digitalcommons.lindenwood.edu/mpj/vol1/iss10/3/>>.

- 253 Sanne Oostermeijer et al, 'The Case for Small-Scale, Community-Integrated, Therapeutic Facilities: Utility and Feasibility for Policy Transfer to the Victorian Youth Justice System' (2024) 57(1) *Journal of Criminology* 103 <<https://journals.sagepub.com/doi/10.1177/26338076231193503>>.
- 254 Sanne Oostermeijer et al, 'The Case for Small-Scale, Community-Integrated, Therapeutic Facilities: Utility and Feasibility for Policy Transfer to the Victorian Youth Justice System' (2024) 57(1) *Journal of Criminology* 103 <<https://journals.sagepub.com/doi/10.1177/26338076231193503>>.
- 255 Richard A Mendel, *The Missouri Model: Reinventing the Practice of Rehabilitating Youthful Offenders* (2010) 15–35 <<https://www.aecf.org/resources/the-missouri-model>>.
- 256 Richard A Mendel, *The Missouri Model: Reinventing the Practice of Rehabilitating Youthful Offenders* (2010) 15–35 <<https://www.aecf.org/resources/the-missouri-model>>.
- 257 Beth M Huebner, 'The Missouri Model: A Critical State of Knowledge' in Richard J Bonnie, Robert L Johnson, Betty M Chemers and Julie A Schuck (eds), *Reforming Juvenile Justice: A Developmental Approach* (National Research Council, 2013) 427 <<https://nap.nationalacademies.org/read/14685/chapter/16>>.
- 258 Missouri Department of Social Services, Division of Youth Services, *Youth Services Annual Report FY24* (2024) 19 <<https://dss.mo.gov/re/dysar.htm>>.
- 259 Missouri Department of Social Services, Division of Youth Services, *Youth Services Annual Report FY24* (2024) 20 <<https://dss.mo.gov/re/dysar.htm>>.
- 260 Missouri Department of Social Services, Division of Youth Services, *Youth Services Annual Report FY24* (2024) 20 <<https://dss.mo.gov/re/dysar.htm>>.
- 261 Missouri Department of Social Services, Division of Youth Services, *Youth Services Annual Report FY24* (2024) 22 <<https://dss.mo.gov/re/dysar.htm>>.
- 262 Missouri Department of Social Services, Division of Youth Services, *Youth Services Annual Report FY24* (2024) 21 <<https://dss.mo.gov/re/dysar.htm>>.
- 263 Sanne Oostermeijer et al, 'The Case for Small-Scale, Community-Integrated, Therapeutic Facilities: Utility and Feasibility for Policy Transfer to the Victorian Youth Justice System' (2024) 57 (1) *Journal of Criminology* 103 <<https://journals.sagepub.com/doi/10.1177/26338076231193503>>.
- 264 Beth M Huebner, 'The Missouri Model: A Critical State of Knowledge' in Richard J Bonnie, Robert L Johnson, Betty M Chemers and Julie A Schuck (eds), *Reforming Juvenile Justice: A Developmental Approach* (National Research Council, 2013) 422 <<https://nap.nationalacademies.org/read/14685/chapter/16>>.
- 265 Beth M Huebner, 'The Missouri Model: A Critical State of Knowledge' in Richard J Bonnie, Robert L Johnson, Betty M Chemers and Julie A Schuck (eds), *Reforming Juvenile Justice: A Developmental Approach* (National Research Council, 2013) 411 <<https://nap.nationalacademies.org/read/14685/chapter/16>>.
- 266 Sanne Oostermeijer et al, 'The Case for Small-Scale, Community-Integrated, Therapeutic Facilities: Utility and Feasibility for Policy Transfer to the Victorian Youth Justice System' (2024) 57 (1) *Journal of Criminology* 103 <<https://journals.sagepub.com/doi/10.1177/26338076231193503>>.
- 267 Beth M Huebner, 'The Missouri Model: A Critical State of Knowledge' in Richard J Bonnie, Robert L Johnson, Betty M Chemers and Julie A Schuck (eds), *Reforming Juvenile Justice: A Developmental Approach* (National Research Council, 2013) 422 <<https://nap.nationalacademies.org/read/14685/chapter/16>>.
- 268 Richard A Mendel, *The Missouri Model: Reinventing the Practice of Rehabilitating Youthful Offenders* (2010) 17 <<https://www.aecf.org/resources/the-missouri-model>>.
- 269 Maria Borzycki, *Interventions for Prisoners Returning to the Community* (Australian Institute of Criminology, 2005) 72 <<https://www.aic.gov.au/publications/archive/archive-123>>.
- 270 Beth M Huebner, 'The Missouri Model: A Critical State of Knowledge' in Richard J Bonnie, Robert L Johnson, Betty M Chemers and Julie A Schuck (eds), *Reforming Juvenile Justice: A Developmental Approach* (National Research Council, 2013) 427 <<https://nap.nationalacademies.org/read/14685/chapter/16>>.
- 271 Beth M Huebner, 'The Missouri Model: A Critical State of Knowledge' in Richard J Bonnie, Robert L Johnson, Betty M Chemers and Julie A Schuck (eds), *Reforming Juvenile Justice: A Developmental Approach* (National Research Council, 2013) 429 <<https://nap.nationalacademies.org/read/14685/chapter/16>>.
- 272 Beth M Huebner, 'The Missouri Model: A Critical State of Knowledge' in Richard J Bonnie, Robert L Johnson, Betty M Chemers and Julie A Schuck (eds), *Reforming Juvenile Justice: A Developmental Approach* (National Research Council, 2013) 427 <<https://nap.nationalacademies.org/read/14685/chapter/16>>.
- 273 Beth M Huebner, 'The Missouri Model: A Critical State of Knowledge' in Richard J Bonnie, Robert L Johnson, Betty M Chemers and Julie A Schuck (eds), *Reforming Juvenile Justice: A Developmental Approach* (National Research Council, 2013) 429 <<https://nap.nationalacademies.org/read/14685/chapter/16>>.
- 274 Sarah Kuborn et al, 'Strengthening the Missouri Model of Juvenile Justice: Missouri Division of Youth Services Staff Perspectives' (2020) 1(10) *Missouri Policy Journal* 11–12 <<https://digitalcommons.lindenwood.edu/mpj/vol1/iss10/3/>>.
- 275 Marsha Weissman, Vidhya Ananthakrishnan and Vincent Schraldi, *Moving Beyond Youth Prisons: Lessons from New York City's Implementation of Close to Home* (Columbia University Justice Lab, 2019) 32 <<https://justicelab.columbia.edu/moving-beyond-youth-prisons>>.

- 276 Patrick McCarthy, Vincent Schiraldi, and Miriam Shark, 'The Future of Youth Justice: A Community-Based Alternative to the Youth Prison Model' (2016) 2 *New Thinking in Community Corrections* 23, 24-26 <<https://nij.ojp.gov/library/publications/future-youth-justice-community-based-alternative-youth-prison-model>>.
- 277 Sanne Oostermeijer et al, 'The Case for Small-Scale, Community-Integrated, Therapeutic Facilities: Utility and Feasibility for Policy Transfer to the Victorian Youth Justice System' (2024) 57(1) *Journal of Criminology* 103 <<https://journals.sagepub.com/doi/10.1177/26338076231193503>>.
- 278 David Romero McGuire, *Perceptions and Experiences of Children and Young People in English Custodial Centres and Spanish Re-Educational Centres: A Comparative Study* (Thesis, University of Bedfordshire, 2018) 120 <<https://uobrep.openrepository.com/handle/10547/624044>>; Cristina Rechea Alberola and Esther Fernández Molina, 'Juvenile justice in Spain: Past and Present' (2003) 19 (4) *Journal of Contemporary Criminal Justice* 1.
- 279 Esther Fernández-Molina et al, 'Juvenile Offenders, Laws and Rights' in Josine Junger-Tas and Scott H Decker (eds), *International Handbook of Juvenile Justice* (Springer, 2017) 423.
- 280 Esther Fernández-Molina et al, 'Juvenile Offenders, Laws and Rights' in Josine Junger-Tas and Scott H Decker (eds), *International Handbook of Juvenile Justice* (Springer, 2017) 438.; José Luis de la Cuesta and Isidoro Blanco Cordero, *The Juvenile Justice System in Spain* (2009) 11 <[https://www.researchgate.net/publication/41653697\\_THE\\_JUVENILE\\_JUSTICE\\_SYSTEM\\_IN\\_SPAIN](https://www.researchgate.net/publication/41653697_THE_JUVENILE_JUSTICE_SYSTEM_IN_SPAIN)>.
- 281 Matthew Dwyer and Sanne Oostermeijer, 'A Model for the Design of Youth Custodial Facilities: Key Characteristics to Promote Effective Treatment' in Dominique Moran, Yvonne Jewkes, Kwan-Lamar Blount-Hill, Victor St. John (eds), *The Palgrave Handbook of Prison Design* (Palgrave Macmillan, 2023) 351-352.
- 282 Matthew Dwyer and Sanne Oostermeijer, 'A Model for the Design of Youth Custodial Facilities: Key Characteristics to Promote Effective Treatment' in Dominique Moran, Yvonne Jewkes, Kwan-Lamar Blount-Hill, Victor St. John (eds), *The Palgrave Handbook of Prison Design* (Palgrave Macmillan, 2023) 351-352.
- 283 Diagrama Foundation, *A Blueprint for Change: Adapting the Lessons of the Spanish Youth Justice System to the Northern Territory* (Report, October 2019) 10 (accessed via Submission 84, Attachment 2 to Australian Human Rights Commission, *Youth Justice and Child Wellbeing Reform Project*) <<https://humanrights.gov.au/our-work/childrens-rights/publications/help-way-earlier/submissions>>.
- 284 Diagrama Foundation, *A Blueprint for Change: Adapting the Lessons of the Spanish Youth Justice System to the Northern Territory* (Report, October 2019) 10 (accessed via Submission 84, Attachment 2 to Australian Human Rights Commission, *Youth Justice and Child Wellbeing Reform Project*) 10 <<https://humanrights.gov.au/our-work/childrens-rights/publications/help-way-earlier/submissions>>.
- 285 Matthew Dwyer and Sanne Oostermeijer, 'A Model for the Design of Youth Custodial Facilities: Key Characteristics to Promote Effective Treatment' in Dominique Moran, Yvonne Jewkes, Kwan-Lamar Blount-Hill, Victor St. John (eds), *The Palgrave Handbook of Prison Design* (Palgrave Macmillan, 2023) 355.
- 286 Diagrama Foundation, *A Blueprint for Change: Adapting the Lessons of the Spanish Youth Justice System to the Northern Territory* (Report, October 2019) 10 (accessed via Submission 84, Attachment 2 to Australian Human Rights Commission, *Youth Justice and Child Wellbeing Reform Project*) <<https://humanrights.gov.au/our-work/childrens-rights/publications/help-way-earlier/submissions>>.
- 287 Matthew Dwyer and Sanne Oostermeijer, 'A Model for the Design of Youth Custodial Facilities: Key Characteristics to Promote Effective Treatment' in Dominique Moran, Yvonne Jewkes, Kwan-Lamar Blount-Hill, Victor St. John (eds), *The Palgrave Handbook of Prison Design* (Palgrave Macmillan, 2023) 351-352.
- 288 Matthew Dwyer and Sanne Oostermeijer, 'A Model for the Design of Youth Custodial Facilities: Key Characteristics to Promote Effective Treatment' in Dominique Moran, Yvonne Jewkes, Kwan-Lamar Blount-Hill, Victor St. John (eds), *The Palgrave Handbook of Prison Design* (Palgrave Macmillan, 2023) 351-352.
- 289 Matthew Dwyer and Sanne Oostermeijer, 'A Model for the Design of Youth Custodial Facilities: Key Characteristics to Promote Effective Treatment' in Dominique Moran, Yvonne Jewkes, Kwan-Lamar Blount-Hill, Victor St. John (eds), *The Palgrave Handbook of Prison Design* (Palgrave Macmillan, 2023) 351-352.
- 290 Diagrama Foundation, *A Blueprint for Change: Adapting the Lessons of the Spanish Youth Justice System to the Northern Territory* (Report, October 2019) 14 (accessed via Submission 84, Attachment 2 to Australian Human Rights Commission, *Youth Justice and Child Wellbeing Reform Project*) <<https://humanrights.gov.au/our-work/childrens-rights/publications/help-way-earlier/submissions>>.
- 291 Diagrama Foundation, *A Blueprint for Change: Adapting the Lessons of the Spanish Youth Justice System to the Northern Territory* (Report, October 2019) 14 (accessed via Submission 84, Attachment 2 to Australian Human Rights Commission, *Youth Justice and Child Wellbeing Reform Project*) <<https://humanrights.gov.au/our-work/childrens-rights/publications/help-way-earlier/submissions>>.
- 292 Diagrama Foundation, *A Blueprint for Change: Adapting the Lessons of the Spanish Youth Justice System to the Northern Territory* (Report, October 2019) 15 (accessed via Submission 84, Attachment 2 to Australian Human Rights Commission, *Youth Justice and Child Wellbeing Reform Project*) <<https://humanrights.gov.au/our-work/childrens-rights/publications/help-way-earlier/submissions>>.
- 293 Matthew Dwyer and Sanne Oostermeijer, 'A Model for the Design of Youth Custodial Facilities: Key Characteristics to Promote Effective Treatment' in Dominique Moran, Yvonne Jewkes, Kwan-Lamar Blount-Hill, Victor St. John (eds), *The Palgrave Handbook of Prison Design* (Palgrave Macmillan, 2023) 359.

- 294 David Romero McGuire, *Perceptions and Experiences of Children and Young People in English Custodial Centres and Spanish Re-Educational Centres: A Comparative Study* (Thesis, University of Bedfordshire, 2018) 263 <<https://uobrep.openrepository.com/handle/10547/624044>>;
- 295 Kate Bjur, *The Donald Mackay Churchill Fellowship to Investigate Effective Responses to Youth Gangs for Use in Youth Detention Centres* (Churchill Trust, 2022) 29 <<https://www.churchilltrust.com.au/qld/project/the-donald-mackay-churchill-fellowship-to-investigate-effective-responses-to-youth-gangs-for-use-in-youth-detention-centres/>>.
- 296 Diagrama Foundation, *A Blueprint for Change: Adapting the Lessons of the Spanish Youth Justice System to the Northern Territory* (Report, October 2019) 15 (accessed via Submission 84, Attachment 2 to Australian Human Rights Commission, *Youth Justice and Child Wellbeing Reform Project*) <<https://humanrights.gov.au/our-work/childrens-rights/publications/help-way-earlier/submissions>>.
- 297 Diagrama Foundation, *A Blueprint for Change: Adapting the Lessons of the Spanish Youth Justice System to the Northern Territory* (Report, October 2019) 15 (accessed via Submission 84, Attachment 2 to Australian Human Rights Commission, *Youth Justice and Child Wellbeing Reform Project*) <<https://humanrights.gov.au/our-work/childrens-rights/publications/help-way-earlier/submissions>>.
- 298 Diagrama Foundation, *A Blueprint for Change: Adapting the Lessons of the Spanish Youth Justice System to the Northern Territory* (Report, October 2019) 15 (accessed via Submission 84, Attachment 2 to Australian Human Rights Commission, *Youth Justice and Child Wellbeing Reform Project*) <<https://humanrights.gov.au/our-work/childrens-rights/publications/help-way-earlier/submissions>>.
- 299 Matthew Dwyer and Sanne Oostermeijer, 'A Model for the Design of Youth Custodial Facilities: Key Characteristics to Promote Effective Treatment' in Dominique Moran, Yvonne Jewkes, Kwan-Lamar Blount-Hill, Victor St. John (eds), *The Palgrave Handbook of Prison Design* (Palgrave Macmillan, 2023) 355.
- 300 Matthew Dwyer and Sanne Oostermeijer, 'A Model for the Design of Youth Custodial Facilities: Key Characteristics to Promote Effective Treatment' in Dominique Moran, Yvonne Jewkes, Kwan-Lamar Blount-Hill, Victor St. John (eds), *The Palgrave Handbook of Prison Design* (Palgrave Macmillan, 2023) 377.
- 301 Diagrama Foundation, *A Blueprint for Change: Adapting the Lessons of the Spanish Youth Justice System to the Northern Territory* (Report, October 2019) 15 (accessed via Submission 84, Attachment 2 to Australian Human Rights Commission, *Youth Justice and Child Wellbeing Reform Project*) <<https://humanrights.gov.au/our-work/childrens-rights/publications/help-way-earlier/submissions>>.
- 302 David Romero McGuire, *Perceptions and Experiences of Children and Young People in English Custodial Centres and Spanish Re-Educational Centres: A Comparative Study* (Thesis, University of Bedfordshire, 2018) 81 <<https://uobrep.openrepository.com/handle/10547/624044>>.
- 303 Diagrama Foundation, *A Blueprint for Change: Adapting the Lessons of the Spanish Youth Justice System to the Northern Territory* (Report, October 2019) 15 (accessed via Submission 84, Attachment 2 to Australian Human Rights Commission, *Youth Justice and Child Wellbeing Reform Project*) <<https://humanrights.gov.au/our-work/childrens-rights/publications/help-way-earlier/submissions>>.
- 304 ACT Custodial Inspector, *Healthy Centre Review of Bimberi Youth Justice Centre* (2024) 38 <<https://www.ics.act.gov.au/reports-and-publications/healthy-prison-reviews/healthy-prison-reviews/healthy-centre-review-of-bimberi-youth-justice-centre-2024>>; Lisa Ewenson, 'Lived Experiences of Youth Justice Detention in Australia: Reframing the Institution in a Decarcerated State' (2024) 30 *Australian Journal of Human Rights* 57 <<https://www.tandfonline.com/doi/full/10.1080/1323238X.2024.2412386>>.
- 305 Kate Bjur, *The Donald Mackay Churchill Fellowship to Investigate Effective Responses to Youth Gangs for Use in Youth Detention Centres* (Churchill Trust, 2022) 25 <<https://www.churchilltrust.com.au/qld/project/the-donald-mackay-churchill-fellowship-to-investigate-effective-responses-to-youth-gangs-for-use-in-youth-detention-centres/>>.
- 306 Diagrama Foundation, *A Blueprint for Change: Adapting the Lessons of the Spanish Youth Justice System to the Northern Territory* (Report, October 2019) 10 (accessed via Submission 84, Attachment 2 to Australian Human Rights Commission, *Youth Justice and Child Wellbeing Reform Project*) <<https://humanrights.gov.au/our-work/childrens-rights/publications/help-way-earlier/submissions>>.
- 307 Antonio Velandrino Nicolás, *Estudio Sobre La Eficacia De La Intervención Educativa Con Menores Sujetos A Medidas Judiciales en La Comunidad Autónoma De La Región De Murcia* (Report, 2019), as cited in Diagrama Foundation, *A Blueprint for Change: Adapting the Lessons of the Spanish Youth Justice System to the Northern Territory* (Report, October 2019) 10 (accessed via Submission 84, Attachment 2 to Australian Human Rights Commission, *Youth Justice and Child Wellbeing Reform Project*) <<https://humanrights.gov.au/our-work/childrens-rights/publications/help-way-earlier/submissions>>.
- 308 Diagrama Foundation, *A Blueprint for Change: Adapting the Lessons of the Spanish Youth Justice System to the Northern Territory* (Report, October 2019) 11 (accessed via Submission 84, Attachment 2 to Australian Human Rights Commission, *Youth Justice and Child Wellbeing Reform Project*) <<https://humanrights.gov.au/our-work/childrens-rights/publications/help-way-earlier/submissions>>.
- 309 ACT Custodial Inspector, *Healthy Centre Review of Bimberi Youth Justice Centre* (2024) 14 <<https://www.ics.act.gov.au/reports-and-publications/healthy-prison-reviews/healthy-prison-reviews/healthy-centre-review-of-bimberi-youth-justice-centre-2024>>; Kate Bjur, *The Donald Mackay Churchill Fellowship to Investigate Effective Responses to Youth Gangs for Use in Youth Detention Centres* (Churchill Trust, 2022) 32 <<https://www.churchilltrust.com.au/qld/project/the-donald-mackay-churchill-fellowship-to-investigate-effective-responses-to-youth-gangs-for-use-in-youth-detention-centres/>>; Law Council of Australia, Submission No 195 to the Legal and Constitutional Affairs References Committee, *Australia's*

- Youth Justice and Incarceration System* (2024) 19 <[https://www.aph.gov.au/Parliamentary\\_Business/Committees/Senate/Legal\\_and\\_Constitutional\\_Affairs/Incarceration47/Submissions](https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Legal_and_Constitutional_Affairs/Incarceration47/Submissions)>; Northern Territory Legal Aid Commission, Submission No 86 to the Australian Human Rights Commission, *Youth Justice and Child Wellbeing Reform Project* (June 2023) 10 <<https://humanrights.gov.au/our-work/childrens-rights/publications/help-way-earlier/submissions>>.
- 310 Diagrama Foundation, *A Blueprint for Change: Adapting the Lessons of the Spanish Youth Justice System to the Northern Territory* (Report, October 2019) (accessed via Submission 84, Attachment 2 to Australian Human Rights Commission, *Youth Justice and Child Wellbeing Reform Project*) <<https://humanrights.gov.au/our-work/childrens-rights/publications/help-way-earlier/submissions>>.
- 311 Diagrama Foundation, *A Blueprint for Change: Adapting the Lessons of the Spanish Youth Justice System to the Northern Territory* (Report, October 2019) 3 (accessed via Submission 84, Attachment 2 to Australian Human Rights Commission, *Youth Justice and Child Wellbeing Reform Project*) <<https://humanrights.gov.au/our-work/childrens-rights/publications/help-way-earlier/submissions>>.
- 312 Diagrama Foundation, *A Blueprint for Change: Adapting the Lessons of the Spanish Youth Justice System to the Northern Territory* (Report, October 2019) 40 (accessed via Submission 84, Attachment 2 to Australian Human Rights Commission, *Youth Justice and Child Wellbeing Reform Project*) <<https://humanrights.gov.au/our-work/childrens-rights/publications/help-way-earlier/submissions>>.
- 313 Northern Territory Legal Aid Commission, Submission No 86 to the Australian Human Rights Commission, *Youth Justice and Child Wellbeing Reform Project* (June 2023) 10 <<https://humanrights.gov.au/our-work/childrens-rights/publications/help-way-earlier/submissions>>.



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