

16 June 2023

National Children's Commissioner
GPO Box 5218
Sydney NSW 2001
Via email youthjusticereform@humanrights.gov.au.

Dear Commissioner,

Re: Youth Justice and Child Wellbeing Reform across Australia

I am writing on behalf of the Alcohol and Drug Foundation (ADF) regarding the consultation into Youth Justice and Child Wellbeing Reform across Australia. The ADF is a national organisation that delivers evidence-based approaches to minimise alcohol and other drug harm. We recognise the power of strong and empowered communities and the important role they play in preventing problems occurring in the first place. A community-centric approach is at the heart of everything we do.

The evidence is clear that substance use harms are best approached as a health issue, emphasising prevention, harm reduction, and access to treatment and support services. A health-centred approach acknowledges that individuals struggling with substance use require assistance rather than punishment. By focusing on early intervention, education, and evidence-based treatment, it is possible to address the root causes of drug and alcohol harm and support young people in making healthier choices.

In the context of youth justice reform in Australia, it is similarly crucial to recognise the potential harms caused by criminalisation. The harm caused by involvement in the criminal justice system often outweighs the potential harms associated with offending or drug use, especially for young people who may face long-term consequences such as limited education and employment prospects. The ADF has significant experience working in communities to prevent drug and alcohol related harms. This experience has demonstrated that criminalisation can erode protective factors by isolating individuals from community and meaningful activities, while potentially increasing risk factors for further harm.

These concerns are particularly pertinent for young people, especially those in marginalised communities who may already be facing challenges related to their social, emotional, and physical environment. The high preponderance of young people with diagnosed FASD who are involved in the justice system, particularly from an Indigenous background, demonstrates how substance use harms and health needs can overlap with involvement in the justice system. Prioritising programs that aim to bolster

Level 12
607 Bourke Street
Melbourne VIC 3000

PO Box 818
North Melbourne
VIC 3051

-
 03 9611 6100
 adf@adf.org.au
adf.org.au ABN 66 057 731 192

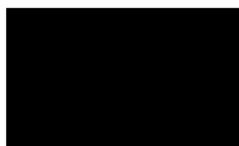
protective factors and mitigate risk factors, we can effectively reduce the harms associated with substance use in young people.

Research demonstrates that many of the risk and protective factors for substance use harms and offending overlap¹⁻⁴. Examples of risk factors include exclusion from school and meaningful activities, mental health challenges, family disruption, and social isolation. Examples of protective factors include supportive family environments, strong external support systems, individual problem-solving skills, and engagement in meaningful activities. The ADF currently runs a number of programs that target risk and protective factors in communities. These include the Good Sports program that works with sporting clubs across Australia to strengthen their practices and policies around alcohol and substance use in clubs and communities, and the Local Drug Action Team program that works with community stakeholders to identify areas of community need, and to implement evidence-based interventions to improve community resilience to alcohol and drug related harms.

The ADF is leading further innovation in this space through the Stronger through Sport (STS) program that engages young people who are at risk of disengagement and involvement in the justice system by facilitating their involvement in sporting clubs. Young people are supported with small grants or transport to join local community sporting clubs where club leaders are provided with training and support in engaging young people. Young people are therefore engaged in a meaningful activity that improves their physical and emotional wellbeing, reducing isolation, and improving their confidence to address challenges. This program demonstrates the potential to address both youth offending and substance use harms through evidence-based prevention approaches that respond in a non-punitive and non-stigmatising manner.

Punitive responses have been demonstrated to be ineffective and as potentially leading to greater harm. The ADF therefore calls for greater investment in responses to youth offending and substance use that respond to the underlying drivers of offending and alcohol and other drug harms.

Sincerely,



Dr. Erin Lalor
CEO

-

E

-

References

1. Lloyd C. Risk Factors for Problem Drug Use: Identifying vulnerable groups. *Drugs: Education, Prevention and Policy*. 1998;5(3):217-32; Available from: <https://doi.org/10.3109/09687639809034084>.
2. Rhodes T, Lilly R, Fernández C, Giorgino E, Kemmesis UE, Ossebaard HC, et al. Risk factors associated with drug use: the importance of 'risk environment'. *Drugs: Education, Prevention and Policy*. 2003;10(4):303-29; Available from: <https://doi.org/10.1080/0968763031000077733>.
3. Hawkins JD, Catalano RF, Miller JY. Risk and protective factors for alcohol and other drug problems in adolescence and early adulthood: implications for substance abuse prevention. *Psychological bulletin*. 1992;112(1):64.
4. Beyers JM, Toumbourou JW, Catalano RF, Arthur MW, Hawkins JD. A cross-national comparison of risk and protective factors for adolescent substance use: the United States and Australia. *Journal of Adolescent Health*. 2004;35(1):3-16.