



Youth Justice and Child Wellbeing Reform across Australia

ARACY Submission

June 2023

About ARACY

ARACY – Australian Research Alliance for Children and Youth seeks to catalyse change by bringing people and knowledge together for the benefit of children and young people in Australia. We strive to achieve this by advocating for evidence-based policy and practice, focusing on prevention and early intervention.

Our consultations with over 4000 children and young people, their families, and experts have shown us what wellbeing means to them: to be loved, valued, and safe; to have material basics; to be physically and mentally healthy; to be learning; to be participating; and to have a positive sense of identity and culture. These six domains are reflected in ARACY's wellbeing framework for children and young people — [the Nest](#). We believe that the Nest should be the foundation of wellbeing reform for Australian children.

Australian children and young people involved with the youth justice system have the same rights as every other child, as specified in the Convention on the Rights of Child. We have outlined our contributions to supporting the rights and wellbeing of children and young people involved in the youth justice system and point to additional sources of information.



Key points and recommendations

- Risk factors for youth offending should be conceptualised through an ecological model and across the life-course to facilitate a systematic approach to addressing the complex, multi-factorial drivers of youth offending.
- Children and young people are experts in their own experience and should be consulted throughout the reform process, including the development of policies and interventions.
- Youth justice reform should take a primary health approach that incorporates primary, secondary, and tertiary prevention strategies with appropriate allocation of resources to each level of prevention.
- Hearing impairment is a preventable and treatable issue with a very strong association with adult incarceration in Aboriginal and Torres Strait Islander adults that should not be overlooked as a potential contributor to youth offending in children.
- Children and young people should be screened for Foetal Alcohol Spectrum Disorder and other neurodevelopmental impairments at first contact with the youth justice system and supported according to the best available evidence.
- The known associations between early childhood experiences such as poor maternal mental health, hostile parenting practices, child maltreatment, and subsequent development of antisocial behaviours in children - a strong predictive factor of youth offending – present an opportunity to help prevent youth justice by mitigating these factors in early childhood through parenting and other evidence-based supports.
- A well-evidenced intervention is the right@home sustained nurse home visiting program, which increases maternal warmth, reduces maternal hostility, maternal depression, and maternal experience of emotional abuse, and shows a tendency towards improved social, emotional, behavioural and language outcomes in children. We recommend right@home or a similarly-evidenced intervention as one part of a life-course approach to reducing youth offending.
- Bail and adequate supports to facilitate bail (such as adequate accommodation) are key opportunities to prevent cyclical contact with the youth justice system.
- Racial prejudice and discrimination at a systemic and front-line level must be addressed to reduce inequities in juvenile justice for Aboriginal and Torres Strait Islander children and young people.
- Children and young people in contact with the youth justice system have complex needs that can be exacerbated by time in custody.
- We recommend the minimum age of criminal responsibility should be raised to 14 years without exception nationally and detention should be an option of last resort.



- The Guiding principles for child justice as set out by the United Nations should be used to guide youth justice reform in Australia.
- The Common Approach (ARACY), Youth on Track (NSW), and Scotland’s Whole System Approach are examples of local and international programs with promising outcomes for supporting child and youth wellbeing in youth justice and related systems.

1. What factors contribute to children's and young people's involvement in youth justice systems in Australia?

Risk factors for involvement in the youth justice system should be considered across the life-course and through an ecological lens.

A useful model for examining drivers of youth offending is the ecological model which conceptualises individuals within their contexts and allows for an analysis of influencing factors within each domainⁱ:

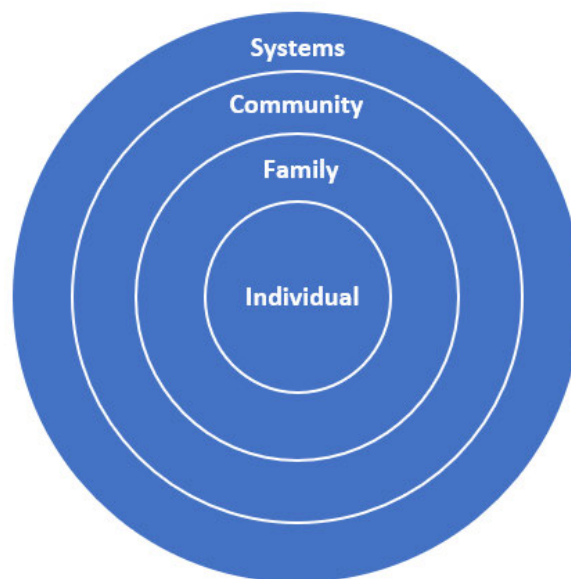


Figure 1: An ecological model of youth offending.

This can then be overlaid with a life-course approach, examining risk factors for youth offending from the antenatal period through to childhood and adolescence.

Risk factors for involvement with youth justice systems in literature include involvement with the child protection systemⁱⁱ, poverty, parental conflict, harsh parenting, and problems at schoolⁱⁱⁱ. A well-researched model (risk-need-responsibility or RNR model) of youth offending identifies 8 criminogenic risk factors for youth offending known as the Central Eight^{iv}:

1. Antisocial personality patterns
2. Pro-criminal attitudes
3. Social supports for crime
4. History of antisocial behaviour
5. Problematic family relationships or circumstances,
6. Problems at school or work
7. Lack of prosocial recreational activities
8. Substance abuse

While this model tends to place emphasis on individual responsibility (an approach not necessarily supported by ARACY) this research helps identify modified drivers of youth offending. Antisocial personality traits and behaviour are particularly linked to experiences in early childhood^v:

*“Several cross-sectional and longitudinal studies have found **family conflicts, coercive or hostile parenting, inconsistent discipline and poor supervision, parental strain, as well as unhealthy family functioning to be associated with antisocial behaviour in children and adolescents. Further, living in disrupted families, meaning that the child is permanently or temporarily separated from a biological parent, may contribute to the development of antisocial behaviour.***

*On the other hand, **positive parenting behaviours that are characterised by involvement, support and guidance have been related to prosocial behaviours through anger regulation in adolescents. Previous studies have further revealed that a family history of mental health problems as well as a parental chronic disease are associated with the development of childhood antisocial behaviour and delinquency.***^{vi}

This presents a key opportunity for primary prevention through the provision of supports to vulnerable families from the point of conception of their children. Clear identification of key risk factors leading to youth justice involvement across the life-course is required. This should be addressed through evidence-based, child-rights informed interventions provided to individuals and families from the antenatal period through to childhood and adolescence, coupled with compatible policies and programs across NGOs and local, state, and federal governments.

One well-researched intervention is the right@home sustained nurse home visiting model, which recruits mothers with specific risk factors for adverse child outcomes during the antenatal period and provides intensive supports until the child is 2 years of age^{vii}. A randomised controlled trial of this intervention demonstrates significantly reduced parental hostility and increased parental warmth that is sustained beyond the intervention period^{viii}. The study also demonstrates a significant reduction in maternal mental health symptoms as well as a reduction in the mother’s experience of emotional abuse, both risk factors for child maltreatment. The study has followed children up until school entry and found sustained improvements in maternal warmth as well as a trend to improved social and emotional outcomes for children. Implementation of this or an equally evidenced intervention during the antenatal period among women whose children are at risk of maltreatment is a first step in addressing wellbeing reform for Australian children and young people.

Children are experts in their own experiences and should be consulted.

We support the Commissioner’s ongoing commitment to consult children and young people, especially children and young people who have less opportunity to have their voices heard including those in contact with the youth justice and/or child protection systems.

We also point to prior consultation undertaken in Victoria with over 1000 young people aged 13-25 years involved with youth support services.

- Armytage, P., & Ogloff, J. (2017). Youth justice review and strategy: Meeting needs and reducing offending. <https://apo.org.au/node/101051>

Workshops conducted with young people with high levels of involvement with youth services identified the following drivers of youth offending:

- associating with the wrong crowd
- the family environment and normalised antisocial behaviour
- a lack of social connection and identity, and exclusion
- material gain and benefit
- notoriety among peers
- labelling young people
- lack of other options – crime and incarceration are inevitable
- drugs and alcohol
- anger and violence
- social media, grooming and exploitation

The workshops also found that drivers of youth offending affected different demographics of young people to varying degrees. For example:

- Young people with CALD background were more strongly affected by isolation, exclusion and labelling.
- Stereotyping was particularly significant among Pacific Islander young people
- Aboriginal young people felt that normalisation of criminal activity from an early age and were not offered or could even perceive alternatives to offending.

Young participants agreed that incarceration reinforces offending, and emphasised the need for holistic services and supports, educational engagement, and stable accommodation as key ways to reduce offending.

Hearing impairment has been implicated in the significant over-representation of First Nations adults in the criminal justice system and may be a contributing factor for young people.

Severe and recurrent otitis media (or the common ear infection) is the most common cause of hearing impairment in Australian Aboriginal people. The World Health Organisation has identified Australian Aboriginal children as having among the highest rates of severe otitis media in both the developed and developing world^{ix}.

The association between hearing impairment in Aboriginal adults in contact with the criminal justice system is well-established: a study in the Northern Territory found that 94% of First Nations inmates has significant hearing loss, with most unaware of their impairment^x. A submission by Deafness Forum Australia notes that hearing impairment may present communication difficulties that compound difficulties interacting with the justice system by causing an individual to “appear confused or defiant, speak too loudly or at the wrong time, respond inappropriately to questions, appear to be non-compliant or withdraw into themselves”^{xi}.

Children and young people should be screened for Foetal Alcohol Spectrum Disorder and other neurodevelopmental impairments at first contact with the youth justice system and supported according to the best available evidence.

Foetal alcohol spectrum disorder along with other neurodevelopmental impairments are prevalent in people in contact with the youth justice system.

The UN Convention on the Rights of the Child (General Comment Number 24) states that:

“Children with developmental delays or neurodevelopmental disorders or disabilities (for example, autism spectrum disorders, fetal alcohol spectrum disorders or acquired brain injuries) should not be in the child justice system at all, even if they have reached the minimum age of criminal responsibility. If not automatically excluded, such children should be individually assessed.”^{xii}

A recent study of children aged 10-17 years in detention in Western Australia found that 36% met the diagnostic criteria for Foetal Alcohol Spectrum Disorder (FASD) with 89% having at least one domain of severe neurodevelopmental impairment the majority of which had not been previously identified^{xiii}. Features of FASD include impairment with brain function involved with associating cause and effect, so that children with FASD tend to have more challenges around education, employment, substance use, and involvement with the justice system^{xiv}.

This Australian article examines recommendations for people diagnosed with FASD in contact with the youth justice system^{xv}:

- Russell, N. K., Yee Tan, K., Pestell, C. F., Connor, S., & Fitzpatrick, J. P. (2023). Therapeutic Recommendations in the Youth Justice System Cohort Diagnosed with Foetal Alcohol Spectrum Disorder. *Youth Justice*, 23(1), 6-28.

2. What needs to be changed so that youth justice and related systems protect the rights and wellbeing of children and young people? What are the barriers to change, and how can these be overcome?

Move towards a public health approach to youth justice.

A ‘public health approach’ to societal challenges involves the application of a prevention framework aimed at systematically addressing the underlying drivers of the disease or behaviour. One article conceptualises a public health approach as:

“Primarily focussing on the context and social determinants of violence within communities...premised on the understanding that young people’s well-being exists on a continuum, and that the best response is to draw on co-operative efforts from diverse sectors, including health, education, social services, criminal justice and policy”^{xvi}

This entails the implementation of three tiers of prevention:

Primary prevention: Universal strategies or interventions that target whole populations before the problematic behaviour or disease occurs. This includes addressing cultural norms and quality and accessibility of universal services such as early childhood education or healthcare. An example of primary prevention relevant to youth justice is the National campaign to reduce violence against women and children.

Secondary preventions: This involves the provision of targeted interventions at families with vulnerabilities or risk factors for the disease or behaviour. An example of a secondary prevention strategy relevant to youth justice is nurse home visiting for children born into families with vulnerabilities for child maltreatment, such as poverty, family violence, or parental mental health. Social welfare systems such as parenting payments and income supports for low-income families can also be considered secondary prevention strategies.

Tertiary preventions: Tertiary prevention is a response system to prevent recurrence or increase in severity of a disease or behaviour after it has occurred. An example of tertiary prevention is government intervention following a substantiation of child maltreatment, such as family support or child removal.

A public health approach to child maltreatment has long been advocated^{xviii} and the strong links between child maltreatment and engagement with youth justice is well-evidenced^{xix}.

International evidence emerging from Scotland indicates a public health approach to youth violence has been effective^{xx}. We refer to the following paper which examines lessons learned from the success in Scotland and examines the application of a public health approach to youth justice in Australia using the Victorian youth justice system as a case study:

- Klose, H., & Gordon, F. (2023). Public health approaches to youth involvement in violence: Examining stakeholders' perspectives in Australia and the United Kingdom. *Journal of Criminology*, 56(1), 98-115. <https://www.researchgate.net/publication/365857666>

We support a public-health approach to youth justice given the attention given to the holistic wellbeing and determinants of wellbeing applied to young people and the reframing of youth justice towards a supports-based, societal challenge rather than a punitive-based individual problem.

Addressing risk factors for youth offending holistically, through an ecological model, and across the life-course.

Risk factors for youth offending occur across the life-course and from a variety of personal, family, community, and systems factors. ARACY's *The Nest* forms a framework for an holistic approach to wellbeing through 6 evidence-based domains: to be loved, valued, and safe; have access to material basics; to be learning, to be physically and mentally health; to be able to participate, and to have a positive sense of identity and culture. Interventions should equally occur holistically, include personal, family, community, and systems factors, and be applied and adapted across the life-course to continually disrupt trajectories leading to youth offending.

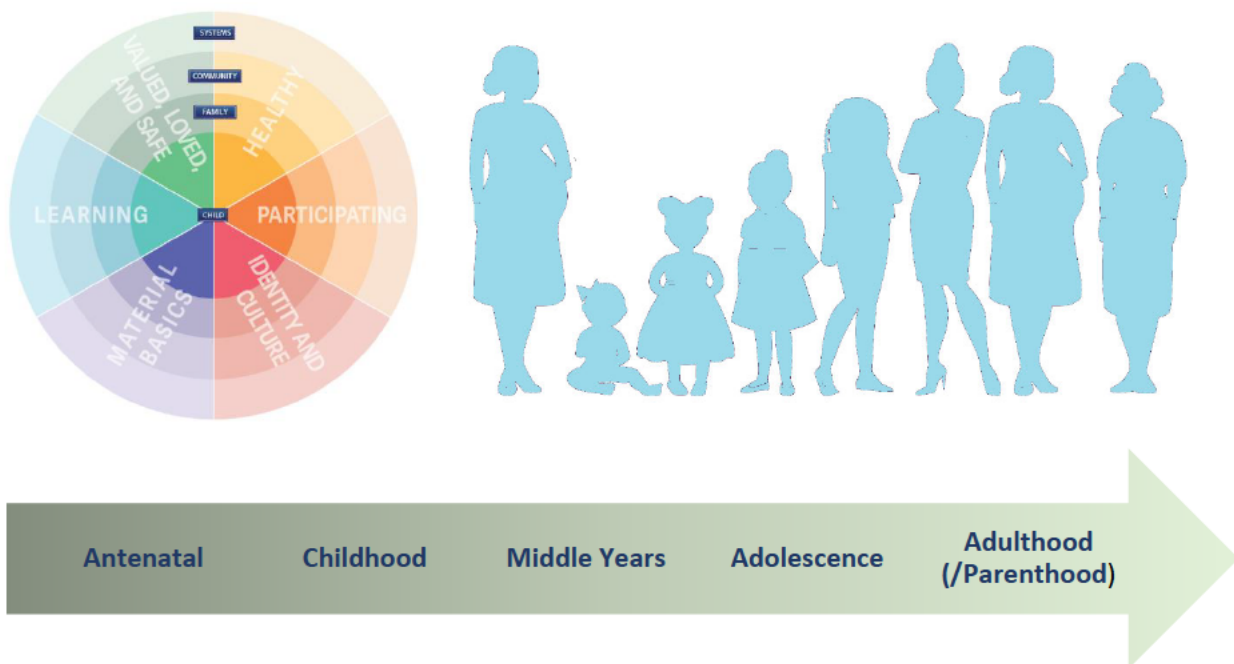


Figure 2: A holistic, ecological approach to youth justice across the life-course.

Prevention of cyclical contact with the justice system is a key tertiary prevention strategy.

Emphasis should be given to the importance of prevention of cyclical contact young people have with the justice system. Most young people that offend do not re-offend as they age.

A key intervention point here is bail: A young person that has secure housing, access to education, is healthy and has a supportive family may still have contact with the police/be charged with an offence, but they are then less at risk of being refused bail or let out on bail and breaching its conditions – hence entrenchment in the system and continued contact. A report commissioned by the Australian Institute of Criminology explores^{xxi}:

- Lack of resourcing of bail support programs
- Lack of wrap-around support for young people on bail (housing, family/community support)
- Legislation that criminalises bail breaches.

Young people can be remanded in custody for lengthy periods but often do not have access to the same programs and support services while in detention as sentenced detainees

More information can be found in the following report:

- Richards, K., Renshaw, L. (2013). *Bail and remand for young people in Australia: A national research project*. Research and public policy series no. 125. Canberra: Australian Institute of Criminology. <https://www.aic.gov.au/publications/rpp/rpp125>

Another key element of cyclical contact with the justice system is transition planning following exit from youth detention. Positive educational engagement alongside parent engagement in education is a protective factor for preventing offending, as well as an important part of rehabilitation. Evidence from the US, where there is a federal mandate for individual transition planning, shows that transition support can lead to higher rates of education and training and lower rates of recidivism^{xxii}. An Australian study identified barriers to achieving transition outcomes included return of children and young people into families and/or communities that were conducive to recidivism, and a lack of transport options especially in rural and remote regions which contributed to exiting employment or school^{xxiii}. The same study found significant barriers to young people contributing to their own transition plans for a variety of reasons, including feeling disempowered to speak up in “a room full of adults” and having no say in the meeting agendas.

The minimum age of criminal responsibility should be raised to 14 years without exception.

Note our submission to the ACT stating our position that: “ARACY supports raising the minimum age of criminal responsibility without exception on neurodevelopmental and human rights grounds but emphasises the need for this legislative change to be coupled with evidence-based services and supports to children who fall below the minimum age, and not inadvertently deprive these children of effective programs and supports.” The Royal Australian and New Zealand College of Physicians also advocate for an increase in the minimum age of criminal responsibility to 14 years arguing this is “in line with neurodevelopmental research and international human rights standards”^{xxiv}. ACT have now changed their minimum age of criminal to 14 years.

Detention should be an option of last resort.

We point to a recent article^{xxv} collating key themes arising from the recent state and territory reviews of youth justice systems across Australia as an important source of information for this review:

- Lin, B., Clancey, G., & Wang, S. (2020). Youth justice in Australia: Themes from recent inquiries. *Trends and Issues in Crime and Criminal Justice [electronic resource]*, (605), 1-19. <https://www.ayja.org.au/wp-content/uploads/2020/10/AIC-Report-Youth-Justice-in-Australia-Themes-from-Recent-Inquiries-October-2020.pdf>

This article notes that young people in contact with the youth justice system frequently have complex needs contributing to their risk of offending. Aside from neurodevelopmental impairment (such as FASD, discussed above), a survey of NSW young people in custody indicated 83% of which have a psychological disorder and 68% experience child maltreatment^{xxvi}.

These complex needs can be exacerbated by time in custody, especially through practices such as seclusion^{xxvii}. Furthermore, contact with the youth justice system does not improve youth outcomes. A review of the Victorian youth justice system found that once children have been in contact with the system, offending patterns remain the same and life outcomes are poor^{xxviii}. A study of recidivism among young offenders in Victoria found younger age of first offence and a higher number of prior offences had a higher rate of reoffending. Of those who served a custodial term, over 80% reoffended^{xxix}. This suggests that the current youth justice system is not only failing to address underlying causes of youth offending, and indeed may be an exacerbating factor.

Key recommendation from this article subsequently include:

- Increased utilisation of diversion
- Increased utilisation of alternatives to being remanded in custody
- When detention is necessary, including appropriate support programs and education to detainees and adequate training and supervision of staff, and systems which maintain operational integrity.

The United Nations guiding principles for youth justice should inform system reform.

The United Nations has developed a document outlining the approach to justice for children which includes a set of guiding principles^{xxx} which should inform a reform of the youth justice system. The guiding principles are attached in Appendix 1.

Systemic racism should be addressed.

Aboriginal and Torres Strait Islander children are vastly overrepresented in the juvenile justice system. 54% of young people aged 10-17 years in Australia under juvenile justice supervision are of First Nations heritage despite making up only 5% of young people nationally^{xxxi}. This gross overrepresentation is evidence of institutional racism, in that political structures and practices are significantly disadvantaging a marginalised group. The Royal Commission into Aboriginal Deaths in Custody noted that “systemic bias contributed significantly” to high incarceration rates among First Nations people^{xxxii}.

Policing powers are also a contributing factor, with police officers having discretionary powers over cautioning versus being charged as well as via their surveillance behaviours. A study of police behaviour in Queensland found that police were photographing and profiling First Nations children without permission, which the paper concluded was in breach of the UN Convention on the Rights of the Child. Of the children stopped and photographed, just 4% had been involved in any offence. First Nations young people are twice as likely to be arrested or issued a warrant compared to non-indigenous young people (49.6% vs 24.6%), who are more likely to receive a caution (39.1% versus 20.3%)^{xxxiii}.



Racial prejudice and discrimination as a systemic and front-line level must be addressed to reduce inequities in juvenile justice for Aboriginal and Torres Strait Islander children and young people.

3. Can you identify reforms that show evidence of positive outcomes, including reductions in children's and young people's involvement in youth justice and child protection systems, either in Australia or internationally?

The Common Approach

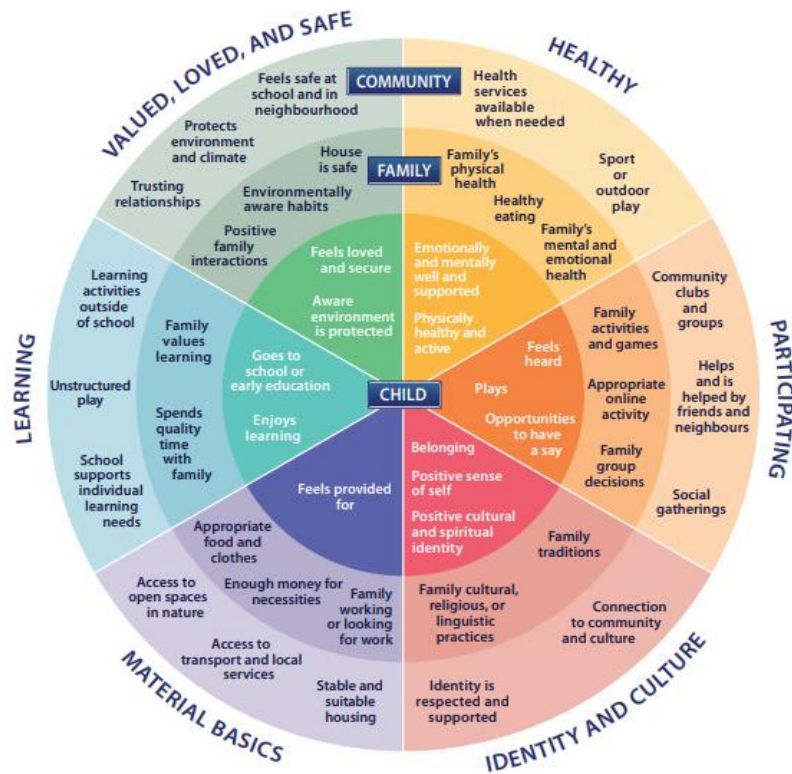
The Common Approach® is an evidence-based training program equipping practitioners to have quality conversations with young people and their families about all aspects of their wellbeing. It is based on ARACY's *The Nest Wellbeing Framework for Children*, which – in consultation with children, young people, families, and experts – identified the following 6 elements of wellbeing:

1. Loved, valued, and safe
2. Material basics
3. Healthy
4. Learning
5. Participating
6. Positive sense of Identity and Culture

The Common Approach® is an ARACY initiative originally funded under the Australian Government's National Framework for Protecting Australia's Children 2009-2020. It was developed as a mechanism to strengthen the capacity of the service system to identify problems early. Evaluation has demonstrated the following:

- Earlier identification of needs of children and families
- Improved outcomes and relationships between families and services
- Increased awareness of working in a preventative way
- Increased referrals to informal services and supports in the community.

The NSW Department of Communities and Justice has recently commissioned ARACY to implement The Common Approach to 2000 practitioners within the South West Sydney district. National commitment to widespread uptake of the Common Approach® throughout the youth justice and related services would improve workforce capability to identify needs of children and families earlier.



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Figure 3: ARACY's Common Approach wellbeing wheel

Whole System Approach to Youth Justice in Scotland, UK

This is an early intervention strategy implemented in Scotland for young people who have offended to keep them out of the criminal justice system. Key elements include an emphasis on diversion and collaboration between agencies. Evaluations show impressive outcomes including a 70% reduction in under-18s in custody and a 74% reduction in young people appearing in court^{xxxiv}.

Youth on Track

This is a NSW Department of Communities and Justice program which aims to identify and respond to children aged 10-17 years who are at risk of long-term criminal justice involvement. The program is based on early intervention with an emphasis on risk and needs and offers multidisciplinary evidence-informed interventions to address underlying drivers of offending^{xxxv}. The program is currently being evaluated via a randomised controlled trial conducted by the NSW Bureau of Crime Statistics and Research (BOSCAR). The 2021 snapshot indicates promising results including^{xxxvi}:

- 62% of participants reduced their risk of re-offending after 3 months in the program.
- 79% of participants reduced their risk of re-offending after 6 months in the program.
- 100% of participants reduced their risk of re-offending after completing the program.

4. From your perspective, are there benefits in taking a national approach to youth justice and child wellbeing reform in Australia? If so, what are the next steps?

ARACY has published two key documents that inform child wellbeing reform in Australia from a systems perspective. While these reports are written through a child maltreatment lens, many of the key elements would be relevant.

Better Systems, Better Chances

- Fox, S., Southwell, A., Stafford, N., Goodhue, R., Jackson, D., & Smith, C. (2015). *Better Systems, Better Chances: A Review of Research and Practice for Prevention and Early Intervention*. (ARACY: Canberra, ACT, Australia). https://www.aracy.org.au/publications-resources/command/download_file/id/274/filename/Better-systems-better-chances.pdf

This report synthesises the factors enabling effective prevention and early intervention at a system level. Relevant sections include:

- *Chapter 5: Features of a prevention-focused service system*. This chapter outlines key messages from a literature review regarding shared practice models, governance approaches, utilising implementation science, and capacity building of systems.
- *Chapter 7: Models and approaches to collaboration and integration*. This chapter outlines several evidence-based integrated service models including examples and summarises the key mechanisms that promote effective collaborative governance.
- *Chapter 11: Shared practice frameworks*. Shared practice frameworks are one element of effective systems change; this chapter outlines examples and key features of effective shared practice frameworks.

Inverting the pyramid: Enhancing systems for protecting children

- ARACY. (2008). *Inverting the pyramid: Enhancing systems for protecting children*. <https://apo.org.au/sites/default/files/resource-files/2008-05/apo-nid14301.pdf>

This details how to move to a collaborative system which uses a public health model to reduce child maltreatment prevalence. Key elements of a collaborative model as well as levers of change are identified and described in detail in the report such as:

- Articulation of a shared vision, including defining roles and responsibilities of systems players to improve accountability
- Building a supportive culture, such as through liaison officers, joint training between professionals, common assessment frameworks, and co-located and integrated services.
- Integrated governance arrangements, including effective leadership and examples of funding and accountability arrangements
- Legislative support



- Culture and values within the child protection system
 - Information and data sharing arrangements
 - Governance and funding arrangements
-

For further information please contact:

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Appendix

The Guiding principles for child justice as set out by the United Nations, adapted from their publication *Guidance Note of the Secretary-General: UN Approach to Justice for Children (2008)*

The following principles, based on international legal norms and standards, should guide all justice for children interventions, from policy development to direct work with children:

- 1. Ensuring that the best interests of the child is given primary consideration.** In all actions concerning children, whether undertaken by courts of law, administrative or other authorities, including non-state, the best interests of the child must be a primary consideration.
- 2. Guaranteeing fair and equal treatment of every child, free from all kinds of discrimination.** The of non-discrimination underpins the development of justice for children programming and support programmes for all children's access to justice. A gender sensitive approach should be taken in all interventions.
- 3. Advancing the right of the child to express his or her views freely and to be heard.** Children have a particular right to be heard in any judicial/administrative proceedings, either directly or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law. It implies, for example, that the child receives adequate information about the process; the options and possible consequences of these options; and that the methodology used to question children and the context (e.g., where children are interviewed, by whom and how) be child-friendly and adapted to the particular child. In conflict and post conflict contexts, it is also important to involve children in transitional justice processes.
- 4. Protecting every child from abuse, exploitation and violence.** Children in contact with the law should be protected from any form of hardship while going through state and non-state justice processes and thereafter. Procedures have to be adapted, and appropriate protective measures against abuse, exploitation and violence, including sexual and gender-based violence put in place, taking into account that the risks faced by boys and girls will differ. Torture or other cruel, inhuman or degrading treatment or punishment (including corporal punishment) must be prohibited. Also, capital punishment and life imprisonment without possibility of release shall not be imposed for offences committed by children.
- 5. Treating every child with dignity and compassion.** Every child has to be treated as a unique and valuable human being and as such his or her individual dignity, special needs, interests and privacy should be respected and protected.
- 6. Respecting legal guarantees and safeguards in all processes.** Basic procedural safeguards as set forth in relevant national and international norms and standards shall be guaranteed at all stages of proceedings in state and non-state systems, as well as in international justice. This includes, for example, the right to privacy, the right to legal aid and other types of assistance and the right to challenge decisions with a higher judicial authority.
- 7. Preventing conflict with the law as a crucial element of any juvenile justice policy.** Within juvenile justice policies, emphasis should be placed on prevention strategies facilitating the successful socialization and integration of all children, in particular through the family, the community, peer groups, schools, vocational training and the world of work. Prevention programmes should focus especially on support for particularly vulnerable children and families.
- 8. Using deprivation of liberty of children only as a measure of last resort and for the shortest appropriate period of time.** Provisions should be made for restorative justice, diversion mechanisms and alternatives to deprivation of liberty. For the same reason, programming on justice for children needs to build on informal and traditional justice systems as long as they respect basic human rights principles and standards, such as gender equality.
- 9. Mainstreaming children's issues in all rule of law efforts.** Justice for children issues should be systematically integrated in national planning processes, such as national development plans, CCA/UNDAF, justice sector wide approaches (SWAPs), poverty assessments/Poverty Reduction Strategies, and policies or plans of action developed as a follow up to the UN Global Study on Violence against Children; in national budget and international aid allocation and fundraising; and in the UN's approach to justice and security initiatives in peace operations and country teams, in particular through joint and thorough assessments, development of a comprehensive rule of law strategy based on the results of the assessment, and establishment of a joint UN rule of law programme in country.

References

- ⁱ <https://www.cdc.gov/violenceprevention/about/social-ecologicalmodel.html>
- ⁱⁱ <https://www.sciencedirect.com/science/article/abs/pii/S0145213416302927#preview-section-references>
- ⁱⁱⁱ <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5708553/>
- ^{iv} <https://www.ayja.org.au/wp-content/uploads/2020/10/AIC-Report-Youth-Justice-in-Australia-Themes-from-Recent-Inquiries-October-2020.pdf>
- ^v <https://www.sciencedirect.com/science/article/pii/S0145213422000291>
- ^{vi} <https://capmh.biomedcentral.com/articles/10.1186/s13034-021-00412-3>
- ^{vii} <https://bmjopen.bmj.com/content/7/3/e013307>
- ^{viii} Goldfeld, S., Bryson, H., Mensah, F., Gold, L., Orsini, F., Perlen, S., ... & Kemp, L. (2021). Nurse home visiting and maternal mental health: 3-year follow-up of a randomized trial. *Pediatrics*, 147(2). [10.1542/peds.2020-025361](https://doi.org/10.1542/peds.2020-025361)
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- ^{ix} <https://apps.who.int/iris/bitstream/handle/10665/42941/9241591587.pdf;jsessionid=1D5FE422CBB61B82C4D73114307990B4?sequence=1>
- ^x <https://www.indigenousjustice.gov.au/resources/massive-prevalence-of-hearing-loss-among-aboriginal-inmates-in-the-northern-territory/>
- ^{xi} <https://www.deafnessforum.org.au/wp-content/uploads/2022/11/Addressing-the-Hearing-Health-of-Aboriginal-and-Torres-Strait-Islander-Peoples-in-the-criminal-justice-system.pdf>
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