



Community & Public Sector Union
Civil Service Association of WA

Youth Justice and Child Wellbeing Reform Across Australia Submission



June 2023

Authorised by Rikki Hendon
CPSU/CSA Hay Street, Perth

Acknowledgement of Country

The CPSU/CSA acknowledges that we work on Aboriginal land, with the CSA Centre based on the traditional lands of the Whadjuk people of the Noongar Nation. We pay deep respect to elders past and present.

About the Community and Public Sector Union/Civil Service Association (CPSU/CSA)

Our Purpose

The CPSU/CSA is a union of members working to deliver public services in Western Australia. The purpose of our union is to develop the capacity and confidence of members to collectively build and maintain power in their workplaces. We exercise this power to win improved industrial and workplace rights, fairness and dignity. Strong union workplaces deliver better public services for WA.

Our Values

Equity

We acknowledge the imbalances of power within our society and seek for all people to be able to access the opportunities and support they need to reach their full potential and lead their lives with dignity.

Justice

We pursue fair and just treatment for people in and beyond the workplace.

Respect

We celebrate diversity, genuinely listen to each individual voice, and treat all people with respect and dignity.

Solidarity

We support and stand with others in their struggle for justice.

Integrity

We act with transparency and accountability, and always in the interests of members.

Thank You and Acknowledgements

The CPSU/CSA would like to thank the delegates and members of the union, particularly those at the Department of Communities and Department of Justice, who work with some of our state's most vulnerable children and young people under challenging circumstances. Their lived experiences, professional input and deep knowledge of the workings of the juvenile justice and child protection systems in Western Australia have made this submission possible.

Contents

Acknowledgement of Country.....	1
About the Community and Public Sector Union/Civil Service Association (CPSU/CSA)	1
Thank You and Acknowledgements	1
Foreword from the Branch/General Secretary	3
Summary of Document and Recommendations	4
Detailed Recommendations	6
What factors contribute to children’s and young people’s involvement in youth justice systems in Western Australia?	6
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?	10
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?	13

Foreword from the Branch/General Secretary

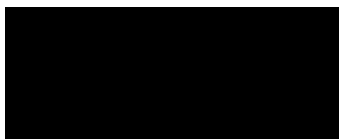
The CPSU/CSA is proud to represent the dedicated public sector workers - ranging from Student Support Officers, to Child Protection Workers, to Youth Justice Officers and Youth Custodial Officers - who work with children and young people who are in contact with, or are at risk of contact with, Western Australia's youth justice system.

Their points of interaction are many and varied; sometimes starting with vulnerable families as early as pre-birth and infancy, and extending right through childhood to time spent in the youth custodial estate. The insights gleaned from our members' experiences uniquely place our Union to make observations about the lost opportunities to prevent contact with our criminal justice system. The impact of underfunding on the efficacy of service delivery and the flow on effects of cutbacks to government-run early intervention and prevention programs are particularly apparent to us and our members.

Right now, after years of neglect, Western Australia's child protection and youth justice systems are in crisis. Over the past 18 months, our members in both systems have taken significant industrial action, desperately seeking that the WA state government take the action required to enable safe, sustainable, best-practice work that makes a real difference in the lives of vulnerable young people.

Every child in Western Australia should receive the support they need to reach their full potential, live happy, healthy lives, and contribute to their community. Proper Government investment in public service delivery areas that interact with children and young people at risk must occur for this to be realised.

In Unity,



Rikki Hendon
Branch/General Secretary



Summary of Document and Recommendations

Summary

The CPSU/CSA sits in a unique position within the youth justice space. Our members are responsible for the service delivery of publicly provided Government services and are the ones who are ultimately required to enact the decisions of Governments. The CPSU/CSA notes that our submission will speak to the workforce challenges that face the relevant Government agencies and employees who are tasked with supporting vulnerable Western Australians, including those who are involved or may potentially be on the path to being involved with the youth justice system. To that end, it will be important to note that this submission should be considered in conjunction with advocates and organisations who have evidenced solutions and reflect the lived experiences of those who have experienced the failures and successes of Australia's youth justice system. As we are a Western Australian-based union, we are only qualified to comment on the systems in Western Australia. We are a state branch of the CPSU, which has made a submission from a national perspective. The CPSU/CSA commends that submission and supports its recommendations.

The CPSU/CSA's list of recommendations are:

1. Adopting the CPSU - SPSF recommendation for a National Child Protection Workforce Plan.
2. The Federal Government incentivises the take up of social work and similar degrees to build the child protection workforce of the nation.
3. State and Territory Governments, in consultation with the relevant CPSU branch, establish or update their "cost and demand" funding models for child protection to genuinely address unmet need and ensure safe and sustainable workloads that enable best-practice child protection work.
4. State and Territory Governments, with the support of the Federal Government, improve the financial incentives on offer to attract and retain their child protection workforces. Levers to deliver this should include, but not be limited to, better wage increases negotiated in collective agreements.
5. State and Territory Governments, with the national coordination of the Federal Government and in conjunction with workplace unions, ensure a child protection workload cap is built into a binding regulatory mechanism to ensure positive outcomes for vulnerable young people.
6. State and Territory Governments expand the delivery of Government-delivered early intervention services.
7. State and Territory Governments, with Federal Government support if necessary, ensure that youth custodial estates have workplace health and safety embedded into their culture to ensure centres are safer for staff and young people.
8. State and Territory Governments implement and fully resource therapeutic models of care in youth custodial settings, and ensure staff are adequately trained to deliver such models.
9. Youth custodial estates separate remanded and sentenced detainees, in line with international best practice, and allow for on-country solutions to be available so that detained young people can both access their local and family support networks and that First Nations detainees remain connected to their country.
10. State and Territory Governments implement attraction and retention measures, including but not limited to financial incentives, to ensure youth custodial facilities are fully staffed to facilitate their safe operation and allow for the best possible rehabilitative environment for detainees.

11. State and Territory Governments increase the number of staff in youth custodial estates to enable safe staffing ratios and practices, limit disruptive incidents and ensure rehabilitation of young people can take place.
12. Real and meaningful consultations with stakeholders and an end to Governments doing policy by media comment on difficult and detailed policy areas.
13. State and Territory Governments, with Federal Government intervention if necessary, increase the minimum age of criminal responsibility to at least 14 years of age, without expectation.
14. The Federal Government utilises the levers presently available to lead and have a positive impact on youth justice and child wellbeing, such as national workforce planning and development.
15. Priority standardised data be identified and collected from states and territories to inform any national planning and coordination.
16. A national approach to youth justice and child wellbeing reform that provides a framework to each state and territory government on best-practice policy and legislative reform that reduces recidivism rates.
17. Federal, State and Territory Governments consult with relevant stakeholders, including unions, on proposals for reform.

Detailed Recommendations

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

An under-resourced child protection system

Children and young people who have had contact with WA's child protection system are over-represented in its youth justice system. According to a report released by the Australian Institute of Health and Welfare late last year, 50% of young people under youth justice supervision in WA during 2020 - 21 had an interaction with the child protection system in the 5 years from 1 July 2016 to 30 June 2021.¹

Western Australia's Department of Communities is the public sector entity responsible for child protection. Its vision includes to *"focus on the needs and aspirations of the individuals, children and families we serve. We support people to be the best they can be, to live a meaningful life, with opportunity."*² Sadly, the Department's capacity to realise this vision has been undermined by years of underfunding and understaffing.

Budget allocations have not enabled the employment of the numbers of case-carrying staff required to meet the demand for child protection and family support services. This is evidenced by both the excessive, unsafe workloads held by staff and the number of open child protection cases that are not able to be allocated to a dedicated case worker.

Surveys conducted by the CPSU/CSA reveal the extent to which staff in child protection roles experience work overload. 79.62% of respondents to a statewide survey held in May 2022 answered "No" to the question "Do you believe your current workload can reasonably be undertaken within your ordinary hours of paid work?" Further, 83.33% strongly disagreed or disagreed with the statement "I have the time and resources to undertake best practice work with children and families."³

Child Protection staff are stretched thin, yet the Department remains unable to allocate all its open child protection cases. According to figures reported to the Union by the Department via a monthly report, the number of unallocated cases has ranged from 751 to 1034.5 over the past 12 months, representing between 9% and 14% of total open cases. In regional Western Australia, unallocated cases as a percentage of total open cases sit notably higher, reaching as high as 20% in June 2022.⁴ CPSU/CSA members hold grave fears for children and families whose cases are unallocated, with 73.06% of respondents to our May 2022 survey strongly disagreeing or disagreeing that "Cases on the NLO (Nominated Liaison Officer)* list are all stable and carry minimal risk."⁵

Unsustainable workloads are driving high levels of stress, fatigue, burnout and, ultimately, resignation of employment amongst child protection workers. 65.05% of respondents to our May 2022 survey indicated

¹ Australian Institute of Health and Welfare (2022) [Young people under youth justice supervision and their interaction with the child protection system 2020–21](#), catalogue number CSI 29, AIHW, Australian Government.

² Department of Communities (2021) [Department of Communities - Strategic Plan 2019 - 2023](#), 1 June 2021, Government of Western Australia 2017 - 2023

³ Breakthrough Campaigns Team (2022) [CPFS 2022 Workload Survey](#), May 2022, Community and Public Sector Union/Civil Service Association

⁴ Department of Communities (2023) [Allocated and Monitored Report 5 May 23](#), Government of Western Australia.

⁵ Breakthrough Campaigns Team (2022) [CPFS 2022 Workload Survey](#), May 2022, Community and Public Sector Union/Civil Service Association

that in the 6 months prior they had considered, or they were currently considering, leaving their employment with the Department. Local surveys conducted in the metropolitan districts of Midland and Armadale in May/June 2023 indicate this is worsening, with results of 76% and 74% respectively to the question “Have you considered leaving the Department in the past 6 months due to workplace-related issues and/or stress?”⁶

Stubborn vacancies arising from constant high levels of staff resignation are now a feature of child protection offices across WA, exacerbating pre-existing workload issues for those who remain. The WA State Government’s recent announcement of an Attraction and Retention Incentive package for frontline child protection staff in specified regional districts is a confirmation of the existence of this problem and its impact on service delivery.⁷

Given its struggles with under-resourcing, it is little wonder that WA’s child protection system does not meet its own performance benchmarks. The Department of Communities has a performance benchmark for Child Safety Investigations (CSIs) of 50% or more completed within 30 days. CSIs are initial assessments required to determine whether a child is likely to be at harm as a result of abuse or neglect, and whether they require Departmental protection. In the April 2023 ‘Critical Priorities Report’ provided to the Union by the Department, the average rate for completion within 30 days was 26%, with only two child protection district offices reaching their 50% benchmark in that month. The average number of days for Child Safety Investigations to be completed in April was 79 days.⁸

Cuts to, and underinvestment in, Government-delivered early intervention

In 2016, under the WA Liberal Government, led by former Premier Colin Barnett, several Government-delivered early intervention programs run by the then-Department of Child Protection and Family Support (DCPFS) were significantly cut back or ceased. These included Strong Families and the Responsible Parenting Service.

The **Responsible Parenting Service** (RPS) comprised two programs: Best Beginnings and Parent Support. **Best Beginnings** was an early-intervention home visiting service, jointly delivered by the DCPFS and the Department of Health. It aimed to improve infant/ parent attachment, health and wellbeing; parenting skills and positive behaviour; family functioning; social connectedness and linkages with the community. Best Beginnings participants received support via intensive home visits over the first two years of a child’s life, starting on a weekly basis, then gradually reducing to fortnightly, monthly, and then bi-monthly. Families did not need to have an open child protection case to participate in the program.

Best Beginnings was considered to be a successful program. PricewaterhouseCoopers (PwC) produced a report in 2014 that stated “a reasonable estimate is that every dollar spent on Best Beginnings may

⁶ Breakthrough Campaigns Team (2022) [CPFS 2022 Workload Survey](#), May 2022, Community and Public Sector Union/Civil Service Association

⁷ Winton, S (Minister for Early Childhood Education; Child Protection; Prevention of Family and Domestic Violence; Community Services) 2023, [Incentives to boost child protection workers in five regions](#), media release, 22 June 2023, Government of Western Australia 2017 - 2023.

⁸ Department of Communities (2023) *Critical Priorities Report for the month of April 2023*, Government of Western Australia.

generate a saving of up to \$7.22 for regional Western Australia”.⁹ In spite of this, significant cuts were made in 2016 that effectively saw it cease.

Following the cuts, the Department (now Communities) adopted a new Earlier Intervention and Family Support Strategy (EIFS Strategy). Under this strategy, the threshold for the Department’s engagement was raised to active child protection cases in which there is a likelihood of harm or significant harm, or substantiated harm, but no child removal. Members advised that the threshold increase led to the Department of Health’s withdrawal from the program.

An adaptation of Best Beginnings called Best Beginnings Plus is now run solely through the Department of Communities via Intensive Family Support (IFS) teams. However, engagement with families is significantly truncated, now lasting 3 - 6 months or for the duration the case remains with the IFS team. According to one CPSU/CSA member, the intensive support of Best Beginnings has been replaced with an approach of “Do what you can, get in and get out”.

Parent Support, the other program run within RPS, was a six-month home visiting service designed to engage and assist parents of school-aged children (up to 18 years old) who were involved in criminal and/or antisocial activities, in conjunction with truanting behaviour. The service was developed to address community concern about children displaying these behaviours, as the need was identified for parents to be supported to take responsibility for and respond to their children’s behaviour. Like Best Beginnings, families did not need to have an open child protection case to participate.

The Parent Support program was carried out by employees in specific Parent Support roles and were distinct from Child Protection Worker positions. Becoming a Parent Support Officer required a week of specialised training.

PwC stated in its 2014 report that the Parent Support program “reduced the risk of criminal and anti-social behaviour, improved school attendance, enhanced collaboration between agencies based in the communities in which RPS operates and created employment opportunities for Aboriginal and non-Aboriginal community members”¹⁰ A direct impact of the service was a reduction in interaction with the justice sector and a decrease in supervision orders. Anticipated savings from the reduced requirement for supervision orders attributed to the Parent Support program was estimated at \$1.1 million per year. The evaluated saving per dollar for Government for Parent Support was \$3.85.¹¹

Parent Support received a significant amount of funding through Royalties for Regions. Funding for the service was dramatically reduced in the 2016 budget, with all funding from Royalties for Regions being removed by 2018. Stand-alone Parent Support roles ceased, and the program was rolled into IFS. Child Protection Workers in IFS teams received a half-day training module to run Parent Support cases. Members advise that where Parent Support referrals were received, they were typically deprioritised for cases with greater statutory obligations, so agencies ultimately stopped referring them. While IFS Teams can still technically deliver Parent Support, the lack of referrals means the program has effectively ceased.

⁹ PricewaterhouseCoopers (2014) [*Empowered parents and families: Evaluation of the Royalties for Regions Responsible Parenting Service Expansion Project*](#), September 2014

¹⁰ PricewaterhouseCoopers (2014) [*Empowered parents and families: Evaluation of the Royalties for Regions Responsible Parenting Service Expansion Project*](#), September 2014

¹¹ Ibid

On the subject of the continuation of the RPS, the PwC Report observed:

“Cessation of RPS services in the expansion districts would be anticipated to lead to a deterioration of client outcomes in areas including family function, child development, child and adult health and child education, with attendant increases in costs to both the public and the families involved. Workloads for child protection and juvenile justice teams would be expected to increase as family outcomes would deteriorate without the support RPS can provide.”¹²

The CPSU/CSA sought a full restoration of funding for RPS in 2017 following the election of the McGowan Labor Government. Unfortunately, we were unsuccessful despite the new Government’s support whilst in opposition.

Strong Families began as a pilot program in 2000 and was extended following the recommendation of the 2002 Gordon Inquiry. While the Department for Child Protection was responsible for its overall administration, it was conducted as an interagency initiative to bring about the “coordinated and collaborative services for families with complex needs” through the “integration of case management planning and service delivery to families... experiencing complex social problems and receiving service from multiple agencies.”¹³

The Department employed Strong Families Coordinators in each district to lead multi-agency planning and engage directly with participating families. These positions did not require a degree qualification and were classified at a Level 6 salary level under the General Division of the *Public Service and Government Officers General Agreement*. Members advise many of the occupants of these roles were Aboriginal women who brought significant cultural and lived experience to their work with children, families and stakeholders.

The Strong Families Program and Coordinator roles were abolished in 2016. The FTE allocated to the program was approximately halved and repurposed to form Intensive Family Support (IFS) teams. The new IFS teams required degree qualifications, which created a significant barrier for entry for the ex-Strong Families Coordinators. The understanding of the Union is that these experience-qualified women were largely unsuccessful in securing the new degree-qualified roles in the IFS teams, and subsequently moved on from the Department, resulting in a loss of institutional and cultural knowledge for child protection early intervention.

Members reflect that the cessation of the Responsible Parenting Service and the Strong Families program, and the establishment of a higher threshold for Department-delivered early intervention, created a gap in the provision of early intervention services for children and families at risk in Western Australia. In particular, they observe that families presenting with complex dysfunction but without an open child protection case do not meet the threshold for IFS, but have needs that exceed the service offerings and capacity of the NGO sector. Members observe that restoring the delivery of effective early intervention services to these families could prevent a deterioration of their circumstances that might trigger statutory child protection involvement and increase their risk of interaction with the youth justice system.

¹² Ibid

¹³ Department for Child Protection (2008) [Submission to the Inquiry into Collaborative Approaches in Government](#), 20 April 2008, Legislative Assembly Community Development and Justice Committee (2005 - 2008), Parliament of Western Australia.

Crisis in WA's youth custodial facilities

The Western Australian youth custodial estate is presently in crisis. Banksia Hill Detention Centre has been the state's only designated youth custodial facility since 2012, and it has been the site of repeated, significant unrest over recent years. In July 2022, "following persistent destruction of cells and other infrastructure, Unit 18 within Casuarina Prison was gazetted as a youth detention centre to temporarily house disruptive male detainees."¹⁴ "Between 2020 and 2022, there were 943 critical incidents" across both facilities, including "attempted suicides, serious self-harm events, assaults on staff, property damage, disturbances and riotous behaviour".¹⁵ Questions in the Western Australian Parliament suggest that serious events such as attempted suicide, serious self-harm and minor self-harm events have increased in frequency throughout 2023 as well, with zero suicide attempts in March 2023¹⁶, three attempts in April 2023¹⁷ and five attempts in May 2023¹⁸.

Failure to implement safe staffing ratios and practices has contributed to a lack of safety at Banksia Hill and consequently high rates of staff absence, workers' compensation and employee attrition. Youth Custodial Officer (YCO) staffing shortages, detainee lockdowns and increasingly frequent incidents resulting in infrastructure damage and disruption have impacted the operability of the Centre. In turn, this has impeded the capacity to deliver the rehabilitative programs, education and mental health support the young people in the Centre require to achieve better life outcomes and prevent further offending behaviour.

Chronic and dangerous understaffing has precipitated a vicious cycle of lockdowns and incidents, creating an unsafe working environment for staff which in turn drives understaffing and failed delivery of services for detained young people. We observe that regular exposure to traumatic events at Banksia Hill and Unit 18 is affecting both young people and staff, further compounding the complex issues at the Centres.

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?

Resource our child protection system for success and support staff to engage in best practice work with children and families in crisis

If we want the vulnerable children and families who interact with our child protection system to thrive and avoid future contact with youth justice, the system needs to be resourced to succeed. Best practice work with children and families in crisis requires time and focus. State and territory child protection departments

¹⁴ Office of the Inspector of Custodial Services (2023) [Background - 148: Inspection of Banksia Hill Detention Centre and Unit 18 at Casuarina Prison \(Part One\)](#), Page Last Updated June 2023, Government of Western Australia.

¹⁵ Office of the Inspector of Custodial Services (2023) [148: 2023 Inspection of Banksia Hill Detention Centre and Unit 18 at Casuarina Prison \(Part One\)](#), May 2023, Government of Western Australia.

¹⁶ Legislative Council of Western Australia (2023) [Extract from Hansard \[COUNCIL — Thursday, 15 June 2023\] p2897d-2898a](#), June, 2023, Parliament of Western Australia.

¹⁷ Legislative Council of Western Australia (2023) [Extract from Hansard \[COUNCIL — Tuesday, 9 May 2023\] p1824b-1824b](#), May 2023, Parliament of Western Australia.

¹⁸ Legislative Council of Western Australia (2023) [Extract from Hansard \[COUNCIL — Tuesday, 13 June 2023\] p2604b-2605a](#), June 2023, Parliament of Western Australia.

must therefore be funded to employ the number of skilled workers necessary to facilitate this and deliver the conditions that support them to remain in the workforce.

Funding and staffing models that are geared to meet community needs are critical. In WA, a “cost and demand” model exists to determine the budget allocations for child protection, but it is demonstrably inadequate. A reconfigured model should be developed in consultation with the CPSU/CSA which genuinely accounts for the current unmet demand for service, likely growth in demand, and safe and sustainable workloads for child protection workers. It should also factor in the need to grow non-case carrying roles that deliver and support services to children and families, including, but not limited to; Psychologists, Aboriginal Practice Leaders, Placement Officers, Family Support Officers, Business Managers, and Human Resources Officers.

Workers need to be supported to work and stay in priority areas, such as regional and remote locations. The CPSU/CSA advocates improving the supply, quality and accessibility of Government Regional Officers Housing; the payment of additional financial incentives to attract and retain; the provision of in-house, tailored mental health supports; and extending the presumption of work-related PTSD coverage to this group of workers.

Supporting a properly resourced child protection system requires a sufficient supply of workers to meet demand. High levels of vacancy in child protection departments across Australia indicate that the current supply needs to be bolstered. Building a child protection workforce supply that meets demand requires conscious planning and development. To this end, the CPSU/CSA recently joined other CPSU state and territory branches in Canberra to advocate for the Federal Government to develop a National Child Protection Workforce Action plan. Such a plan should:

- Prioritise skilled migration for qualified social workers and psychologists and facilitate their access to permanent residency to address immediate workforce shortfalls;
- Promote study pathways that lead to careers in Child Protection through measures such as course fee reductions, increased Commonwealth Supported Places, better recognition of prior learning and the provision of bursaries;
- Incentivise skilled, experienced workers to remain in Child Protection through a range of tax incentives; and
- Establish a data-driven national picture of the current and projected demand for Child Protection services and workforce supply to inform ongoing workforce development and planning.

Extend investment in the Government-delivery of early intervention programs

As previously highlighted, cuts to Government-delivered programs and the raising of the Government’s threshold for early intervention engagement have resulted in the emergence of significant gaps in the assistance available to families experiencing multiple complex issues and dysfunction. The CPSU/CSA advocates restoring the Government-delivery of early intervention services to scaffold the offerings of the NGO sector, close gaps in service and work effectively with families to prevent statutory child protection involvement and lower the risk of contact with the youth justice system.

Invest in youth custodial infrastructure, staff and programs to reduce recidivism

For youth custodial settings to work, they require significant investment in infrastructure, custodial staff, support staff and programs that ensure the environment is truly rehabilitative and enables detained young people to address offending behaviour.

The CPSU/CSA has long been a critic of the 2012 decision to cut back the WA's youth custodial estate to just one Detention facility.¹⁹ A mix of infrastructure that enables more nuanced approaches that better meet the diverse needs of young people in detention should be established. On-country solutions should be part of this picture, and the separation of young people who are on remand from those who are sentenced is particularly critical.

The CPSU/CSA supports initiatives, programs and legislative change that support vulnerable young people in detention and advocates that service delivery is publicly provided. Our members have actively sought and publicly called for the development and implementation of a therapeutic model of care to ensure all aspects of their work at Banksia Hill Detention Centre are rehabilitative and reduce rates of recidivism.

Western Australia should be consistent with the international standards, as recommended in 2019 by the UN Committee on the Rights of the Child, which recommended all countries increase the minimum age of criminal responsibility to at least 14 years of age.²⁰ The same committee specifically urged the Australian Government to raise the age to the internationally accepted level of 14, to ensure it conformed with the upper age at which *doli incapax* applies.²¹ These decisions are made elsewhere, outside of the realm of politics to ensure the rights of children are upheld, and so should be upheld.

The CPSU/CSA Recommends:

1. Adopting the CPSU - SPSF recommendation for a National Child Protection Workforce Plan.²²
2. The Federal Government incentivises the take up of social work and similar degrees to build the child protection workforce of the nation.
3. State and Territory Governments, in consultation with the relevant CPSU branch, establish or update their "cost and demand" funding models for child protection to genuinely address unmet need and ensure safe and sustainable workloads that enable best-practice child protection work.
4. State and Territory Governments, with the support of the Federal Government, improve the financial incentives on offer to attract and retain their child protection workforces. Levers to deliver this should include, but not be limited to, better wage increases negotiated in collective agreements.
5. State and Territory Governments, with the national coordination of the Federal Government and in conjunction with workplace unions, ensure a child protection workload cap is built into a binding regulatory mechanism to ensure positive outcomes for vulnerable young people.

¹⁹ Community and Public Sector Union/ Civil Service Association of WA (2013) [CPSU/CSA Submission to the Inspector of Custodial Services Banksia Hill Detention Centre Riot of 20 January 2013](#), Office of the Inspector of Custodial Services, Government of Western Australia.

²⁰ Convention on the Rights of the Child (201x) [General Comment No. 24 \(201x\), replacing General Comment No. 10 \(2007\) Children's rights in juvenile justice](#), 201x. United Nations.

²¹ Convention on the Rights of the Child (2019) [Concluding observations on the combined fifth and sixth periodic reports of Australia](#), November 2019, United Nations.

²² Community and Public Sector Union – State Public Service Federation (2023) [CPSU Child Protection Information Brief](#). June 2023, CPSU – SPSF.

6. State and Territory Governments expand the delivery of Government-delivered early intervention services.
7. State and Territory Governments, with Federal Government support if necessary, ensure that youth custodial estates have workplace health and safety embedded into their culture to ensure centres are safer for staff and young people.
8. State and Territory Governments implement and fully resource therapeutic models of care in youth custodial settings, and ensure staff are adequately trained to deliver such models.
9. Youth custodial estates separate remanded and sentenced detainees, in line with international best practice, and allow for on-country solutions to be available so that detained young people can both access their local and family support networks and that First Nations detainees remain connected to their country.
10. State and Territory Governments implement attraction and retention measures, including but not limited to financial incentives, to ensure youth custodial facilities are fully staffed to facilitate their safe operation and allow for the best possible rehabilitative environment for detainees.
11. State and Territory Governments increase the number of staff in youth custodial estates to enable safe staffing ratios and practices, limit disruptive incidents and ensure rehabilitation of young people can take place.
12. Real and meaningful consultations with stakeholders and an end to Governments doing policy by media comment on difficult and detailed policy areas.
13. State and Territory Governments, with Federal Government intervention if necessary, increase the minimum age of criminal responsibility to at least 14 years of age, without expectation.

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?

The CPSU/CSA agrees there needs to be national coordination on youth justice and child wellbeing reform. As previously highlighted, Federal Government is presently able to lead and have a positive impact in spaces such as, but not limited to, national workforce planning and development.

Taking a more national approach will require the Federal Government to undertake evidence-based planning. An important next step must be to identify the standardised data not currently provided but required from states for effective planning to occur. This could provide the foundation for the development of national standards for best practice and model legislation to reduce contact with the youth justice system and recidivism. State Government buy-in and cooperation will be critical to facilitate this.

Federal, State and Territory Governments should consult broadly and meaningfully with relevant stakeholders, including unions, on any proposals for reform to ensure they will deliver improved support and better outcomes for Australia's most vulnerable children and families.

The CPSU/CSA Recommends:

14. The Federal Government utilises the levers presently available to lead and have a positive impact on youth justice and child wellbeing, such as national workforce planning and development.
15. Priority standardised data be identified and collected from states and territories to inform any national planning and coordination.

16. A national approach to youth justice and child wellbeing reform that provides a framework to each state and territory government on best-practice policy and legislative reform that reduces recidivism rates.
17. Federal, State and Territory Governments consult with relevant stakeholders, including unions, on proposals for reform.

Community & Public Sector Union
SPSF Group, WA Branch
Civil Service Association of WA Inc

www.cpsucsa.org

UnionLink: 1300 733 800

Email: help@cpsucsa.org

Reception: 08 9323 3800

Fax: 08 9323 3878



CPSU/CSA
WE MAKE WORK
LIFE BETTER.

Address: 445 Hay St, Perth WA 6000

Mail: PO Box X2252, Perth WA 6847

ABN: 78 678 313 448