



Failure in Youth Justice: Linking to their Reality with Technology



6th Juvenile Justice Summit 4-5 May 2017

The failure of youth justice is best expressed by this image. It shows the disempowerment of the consumer, short term intervention exacerbating a problem, deployment of intensive resources, lack of oversight, and the disconnect between what the public expects and what is actually happening.

This Summit and the field of Youth Justice have the same problem.

Of the twenty speakers at this Summit, eight represent the government sector, six represent non-governmental organisations and six are academics. None speak directly on behalf of the consumers; the juvenile offenders themselves. This is equivalent to a group of men discussing issues that directly affect women without reference to their experiences or views.

The speakers are discussing issues directly related to the experiences of young persons. There is an opportunity here for dialogue between youth representatives and representatives of the government, NGOs and academics.

Engagement

We suggest that acknowledgement of those living together in custody, as a community in its own right is essential. They have a common experience and common background. Engagement with them as part of the solution is the first part of change. Listening to them, allowing them to do and direct their own research is basic. Expression of their concerns allows them to take more control of their lives, as a community and individually. Surveys by them, videos and music are all part of their entitlement to expression and we need to encourage that. They should have representatives here and engage by audio visual link.

Justice Action has continually raised this issue of involvement, yet it has been ignored, as the youth sector doesn't recognize the authority of the consumers. It is easier to take control, try to dictate terms for change, and to blame the individual child for failure. But motivation to change theory says it clearly: no change happens without the process of engagement and adoption of the ideas by the consumer.

The failures of the current system can be directly attributed to the lack of the voice of juvenile offenders in discussions concerning their diversion, incarceration and rehabilitation. People talk about them and never with them. With the stated aim of the juvenile justice system being to rehabilitate offenders and with individual empowerment being linked to rehabilitation, this lack of consumer voice is dishonest. The money is spent for others in the industry and not for them.

Failure

Juvenile justice is an area of immense failure, expense and national concern. The rate of reoffending is twice as high as adult offenders.¹ Nationally, 794 young people are in detention on average per day.² It costs an average of \$1,391 per child per day federally - over \$½million a year.

Considering that it costs taxpayers so much, the current failures of the juvenile justice system are unacceptable. The overrepresentation of minority groups further demonstrates the inadequacy of the current system, as Indigenous youths are 25 times more likely to end up in a detention centre.³

Computers in cells.

While all jurisdictions officially mention the importance of education for youth offenders in detention, no jurisdiction has implemented computers in cells that would allow it to effectively happen. But it is much more than that. It lessens the social isolation using modern technology. Education is mandatory and teens are digital natives. It replaces passive TV watching. It gives them access to family, peers, external authorities, and counselling in a safe efficient way.

The lack of access to technology for juveniles in detention centres has been said to be a “significant shortfall” in relation to prisoner education.

⁴Furthermore, “more use needs to be made of diagnostically detailed individual learning plans linked to rehabilitation plans.”⁵

Counselling using computers in cells allow the detainees to 1) properly use the up to eighteen hours a day they spend in bored isolation; 2) external providers of therapies generate greater trust and choice; 3) stability of service providers through the detention and after release; 4) some empowerment and self-management; 5) research indicates that online is actually more effective than face to face counselling; and it is 6) relatively cheap.

The ACT adult system has had computers in cells with access to the internet through a safe server for the past nine years.

The aim of the juvenile detention is supposed to be the rehabilitation of the juvenile offenders.⁶ A key part of this rehabilitation is education,⁷ which can be facilitated by the provision of computers into the cells of prisoners. Education of youth offenders also works to reduce rates of recidivism.⁸ It is now commonplace that most educational courses require access to a computer and this provides a significant barrier to education for detainees.⁹

Our proposal is that providing detainees with computers in their cells would allow them easy access to education, counselling, legal resources and communication with family members and will decrease rates of recidivism.¹⁰ Access to computers is the “natural tool in relation to expanding access to various educational options outside prisons.”¹¹ A safe server system costs only \$230,000 for installation in a large prison.

Mentoring.

The restorative justice approach, which focuses on empowering youth offenders is essential. Linked to that is peer mentoring, which allows offenders to develop a beneficial relationship with someone who has a similar background and experiences to them.¹² Role models and employment of young people who have transcended their problems is key.

The [Women’s Justice Network](#) mentoring scheme has a success rate of 93% of women not returning to prison. The mentors would provide juvenile justice detainees with support and guidance, working within the system and outside.¹³ This support empowers the individual to take control of their own rehabilitation by providing them with a positive and realistic expectation of what they could achieve.



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¹ Australian Institute of Criminology, Juvenile Offenders (2007) < <http://www.aic.gov.au/statistics/criminaljustice/juveniles.html> >.

² Ibid.

³ Australian Institute of Health and Welfare, Youth Justice in Australia 2015-16 (March 2017) < <http://www.aihw.gov.au/WorkArea/DownloadAsset.aspx?id=60129559053> >.

⁴ Jim Dellit and Jillian Dellit, Development of an Effective Services Delivery Model for Victoria's Youth Justice Custodial Clients (15 July 2011)

< <http://www.education.vic.gov.au/Documents/about/programs/pathways/youthpartnerships/Development%20of%20an%20Effective%20Delivery%20Model%20for%20Victoria's%20Youth%20Justice%20Custodial%20Clients.pdf> > .

⁵ Ibid.

⁶ Australian Law Reform Commission, Seen and Heard: Priority for Children in the Legal Process (1997) Report 84, [20.22].

⁷ Report for the Minister for Juvenile Justice, Review of Effective Practice in Juvenile Justice (2010) < <http://www.juvenilejustice.nsw.gov.au/Documents/Juvenile%20Justice%20Effective%20Practice%20Review%20FINAL.pdf> > .

⁸ NDTAC, Fact Sheet: Juvenile Justice Education (2011) < <http://www.neglected-delinquent.org/sites/default/files/NDFactSheet.pdf> >.

⁹ Justice Action, Computers in Cells (2012) < <http://www.justiceaction.org.au/images/JusticeReformPapers/computers%20in%20cells%20pdf.pdf> > , 2.

¹⁰ Ibid 11.

¹¹ NCVER, Vocational Education and Training for Adult Prisoners and Offenders in Australia: Research Readings (2007), 20.

¹² Justice Action, Investing in Youth (2011) < <http://www.justiceaction.org.au/images/Youth/JForumMtoringReinvest.pdf> > , 7.

¹³ Ibid, 8.