

# Responses to Failures in Juvenile Detention: Pakistan/Australia

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# Failures in Youth Detention is a Worldwide Challenge

- Adherence to the Child Registered Certificate requires age determination by police
- Rates of incarceration for First Nation people in Australia is 12x higher than non-indigenous people (we still have a long way to go).

## Issues within the Juvenile Justice System Act (2018) and Pakistan's Prison System

1. Contact of pre-trial verdict juveniles with convicted offenders;
2. Unpredictable Trial Dates;
3. Lack of capacity to attend to the individual needs of young people;
4. Vulnerability to Drug Addiction
5. Exposure to Sexual Abuse;
6. Lack of Education services;
7. Lack of counselling and mentorship;

## Issues within the Juvenile Justice System Act (2018) and Pakistan's Prison System

8. Poor Infrastructure and Hygiene;
9. Malnutrition;
10. Social Stigma following release;
11. Absence of joys;
12. Vulnerability to indoctrination into Violent Extremism.
13. Death Penalty
14. Age of Criminal Responsibility

# Remedies for Offences by Youth

1. Investment in early intervention campaigns
2. Restorative and Transformative justice
3. Stronger paths of diversion
4. Creating a positive detention environment
5. Computers in cells
6. Peer mentoring and training using role models

# Early Intervention Processes

Pakistan's poor youth detainee conditions are largely due to overcrowding.

Early intervention strategies are critical to managing these populations by preventing crime from the outset and reducing recidivism. These strategies are critical at all 3 levels of development: primary, secondary, tertiary.

Some effective early intervention strategies which have been implemented in Australia include:

- Parenting and early childhood support
- Health care assistance and home help
- Literacy training
- Anti-bullying initiatives in schools
- Programs addressing violence reduction,
- Self-esteem and self-empowerment training
- Job skills training and development
- Establishment of youth centres for recreation and arts
- Early school leavers' programs

# Restorative and Transformative Justice

Restorative and transformative justice aims to mediate and reconcile tensions between offenders, victims and the community in a humanising way.

- It enables stakeholders to cooperate and come to an agreement on appropriate outcomes at different stages of the criminal process
- It provides an opportunity for offenders to accept responsibility for their actions through working with community mediators, learning new skills and learning to overcome feelings of guilt.
- It aids the process of an offender's acceptance and reintegration into the community

# Paths of Diversion

Incarcerating youth comes at an enormous cost. In Australia, it costs \$1,391 a day to incarcerate a juvenile, adding up to \$500,000 each year. This is compounded by the fact that over 60% of juvenile offenders return within 2 years.

To avoid juvenile detention, governments should instead focus on reintegration and rehabilitation of offending youth.



# Promoting Youth Detainee Positive Engagement

Promoting positive engagement demands that youth detention centres create more transparent and open environments, in order to prioritise rehabilitation rather than retribution.

By improving the conditions of youth detainees whilst they are in the juvenile system, this can lead to reductions in future recidivism and promote positive return into the community.

Potential strategies include:

- Utilising peer mentors as role models
- Training detainees for employment
- Developing community awareness
- Implementing restorative justice processes

# Computers in Cells

In Pakistan approximately 40% of the population has access to the internet.

Ensuring computer access to youth detention centres provides multiple benefits for youth detainees:

1. Reduces boredom and isolation;
2. Gives access to external services, including:
  - a. Therapy
  - b. Schooling
  - c. Resources for self-empowerment
  - d. Counselling
  - e. Familiar Relationships
3. Improves social participation necessary for reduced recidivism.
4. Improves understanding of the Criminal Justice System
5. Enables them to report complaints to relevant authorities

# Peer Mentoring and Training Using Role Models

Mentoring prioritises building a relationship of mutual trust, friendship and support within which help, advice and assistance can be offered as part returning to normal life. For both the Mentor and the Mentee this relationship is voluntarily entered into with the intention of creating a beneficial relationship and resulting in successful outcomes.

Under the implementation of a mentoring program, a mentor assists the mentee by:

- Helping them gain the necessary skills, confidence and direction to overcome life's obstacles
- Determining what unmet needs the clients have that may jeopardise their survival and living conditions on the outside
- Assisting in gaining affordable shelter, appropriate health care and counselling
- Aiding with community re-integration and financial stabilisation
- Providing follow up and ongoing support