

## Justice and Legal Matters

Many young people get involved in the justice system through their peers or through generational crime. For some, offending behaviour provides them with the means of living independently; they may commit crimes to survive or as an outlet from other aspects of their lives. Once a young person enters into the justice system it can be difficult to get out of it and make positive choices. However, young offenders have the time and opportunity to make positive changes in their lives and the Australian Institute of Criminology suggests that the majority of young people will discontinue criminal behaviour as they mature. Once a young person becomes involved in the justice system the opportunities to become engaged in education, community life and employment become extremely limited. Aboriginal young people continue to be overrepresented in the youth justice system with figures showing, on a national scale, that Aboriginal young people aged 10-17 are almost 18 times more likely to be in a youth detention centre than non Aboriginal young people the same age. In Tasmania, young Aboriginal people make up 10% of the young people in detention.

There is a growing amount of evidence suggesting that detention does not, on its own, reduce reoffending behaviours of young people. Incarceration may act as a deterrent for future criminal activity in some cases, but not all cases. Youth detention centres are still needed in the justice system, however, in the cases of effective detention in reducing reoffending, there are typically other influencing factors. Tasmania needs to take the lead of reducing youth offending and the number of young people in detention by investing resources into diversionary programs. The Australian Institute of Criminology have suggested that the majority of criminal offending done by young people is transitory and the majority of these young people will discontinue criminal behaviour as they mature. This suggests that instead of taking the 'tough love' approach, efforts would be better placed into education and information programs, especially for those young people at a higher risk of criminal behaviour.

*YNOT is committed to:*



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ynot is the peak body representing the voice of Tasmanian youth

- Promoting legal understanding and responsibility in the Tasmanian youth sector.
- Advocating for early intervention through education and training.
- Advocating for an affordable legal service for young people to ensure their advocacy needs are met.
- Promoting education programs for Tasmanian Police on how to most effectively engage with young people in a justice context.
- Ensuring young people are given the opportunity to contribute to decision making processes in determining the consequences of offending behaviour through a restorative justice approach.
- Advocating for increased assistance for young Aboriginal offenders who are continuously overrepresented in youth justice statistics.
- Seeing engagement of young people in policy creation and amendments on youth justice related issues.
- Advocating for increased funding for diversionary programs for young people at risk of offending or reoffending.

### *Future Vision*

Diversionary and rehabilitation strategies are put in place for young people in Tasmania where young people are not harshly judged for their offending history and have access to resources they need to either avoid the justice system, navigate it when involved and support services in place upon release to assist with transitioning back into the community.

### *References*

Australian Institute of Health and Welfare (2010), *Indigenous Young People in the Juvenile Justice System*, Australian Government, <http://www.aihw.gov.au/WorkArea/DownloadAsset.aspx?id=60129542188>.

Australian Institute of Health and Welfare (2011), *Tasmania: overview of youth justice supervision 2011-12*, Youth Justice Factsheet, Australian Government, retrieved from <http://www.aihw.gov.au/WorkArea/DownloadAsset.aspx?id=60129544512>.

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