

Alternatives to Ashley

Giving Young Offenders a Second Chance



A Tasmanian Greens' Policy Initiative

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Alternatives to Ashley

Giving Young Offenders a Second Chance

The Greens will deliver a more effective, compassionate response to young Tasmanians who find themselves on the wrong side of the law. This will lead to better outcomes for young people, a more productive economy and create a safer Tasmanian community.

The Ashley Youth Detention Centre represents a manifestly failed model for dealing with juvenile offenders. We can and must do better.

For a young Tasmanian who ends up in Ashley, the prospects are bleak. A significant number of detainees in the State's adult prisons began their sorry journey through the justice system at Ashley.

Too often, these young people are the product of home environments beset by poverty, low educational attainment, unemployment, lack of access to services and poor mental and physical health.

As a society, we are failing these young people and their families, and in turn, failing our entire community. We compound that failure by adhering to the old model of youth justice that Ashley represents.

The Centre is a place of frustration, boredom, occasional violence and missed opportunity.

Investing in the rehabilitation of young offenders has multiple benefits. We cannot afford to create future victims for the sake of satisfying a natural human desire for retribution when a crime has been committed. Make no mistake, all the research and evidence tells us that this is what "tough on crime" policies achieve – repeat offenders, a less safe society and more victims of crime in the future.

As a society instead of our immediate question being "what level of punishment does this person deserve?", perhaps our question should be, "how can we best ensure that the individual does not reoffend?" We need to make sure that when we talk about justice policy, rehabilitation is our focus. This not only delivers better outcomes for the offenders, but also better public safety outcomes.

We can lower crime recidivism rates and create fewer victims of juvenile offenders if we take a more strategic, responsive approach, investing in the rehabilitation of young offenders through a well-funded, therapeutically focused juvenile justice system.

The Greens believe Tasmania can do better by the damaged young people who are currently sent to Ashley and those who would be in future. A more intensive therapeutic approach will create multiple individual, community and economic benefits.

This is restorative justice. The evidence tells us it works and it's worth the investment.

> The Issue

The Ashley Youth Detention Centre is an antiquated model with a history of violence, bullying, harassment and intimidation.¹

Despite being labeled as “Youth Workers”, Ashley staff have limited training and essentially operate as security personnel. Of particular concern is the fact that physical methods of dealing with young people appear to be preferred over de-escalation techniques emphasized in the training.²

This staffing model has led to some violent interactions between staff and residents.³ This is of particular concern given that residents can be as young as 10 years of age.⁴

There is an acknowledged lack of emphasis on therapeutic supports and interventions that engender a stronger sense of self, responsibility and purpose among young offenders detained at Ashley.

The result is a youth detention model that is failing to give young offenders the chance they deserve to exit the system more confident, resilient and better equipped to make something positive of their lives and contribute to the wider community.

Although no specific statistics for reoffending appear to exist,⁵ the recidivism rate for Ashley has been acknowledged by ministers and experts as high.⁶ With some groups suggesting it could be as high as 80%.⁷ Too often, detention at Ashley is a pathway to Risdon Prison.

> A Successful Alternative

The Greens will move to adapt the highly successful model from the US State of Missouri, which focuses on a therapeutic alternative to punitive incarceration for youth.

Operational for over 30 years,⁸ the Missouri Model has been widely supported as the best practice model for youth detention,⁹ showing outstanding effect in reducing recidivism, minimising violence in detention as well as creating better educational and employment outcomes for young offenders post-release.¹⁰

Key features of this model include¹¹:

- Long term recidivism into the adult system of just 6.6%.¹²
- Small, secure non-prison like facilities that are more like a home environment.
- Appropriately trained youth specialists rather than security staff.
- Residents are always supervised by staff who participate in the same activities as residents. This creates a positive culture based on relationship building and supervision, rather than coercion.
- Trust, respect and active positive engagement as an alternative to the intimidation and fear that are too often the hallmarks of youth detention.
- Regular, supervised community engagement as well as education, with opportunities for volunteer placements for well progressing residents.
- Ongoing family outreach, engagement and therapy.
- Strong after care models that support transitions back into the community.
- Child and Youth Services have flexibility to determine periods of detainment based on rehabilitation progress, rather than the courts.
- Young people can be moved in and out of care in events of relapse into negative patterns of behaviour.

> Our Plan

- The Greens will close Ashley Youth Detention Centre and replace it with two smaller centres, one in the North and one in the South, based on the Missouri Model.

The centres will have 12 beds each based on the medium security facility design, with an on-site high security four bed facility.

These facilities will be welcoming environments that are well maintained and have a range of qualified staff, including psychologists and social workers, rather than predominantly security and administrative staff as is the case with Ashley.

- When suitable, residents in the high security facilities will be allowed limited engagement in

activities with other residents if it is felt they are able to interact in a positive way.

Transition between medium and high security facilities will be allowed based on individual progress.

- The Greens plan will link new facilities to existing therapeutic and training programs with a proven track record of positive outcomes for disadvantaged young people.

Included in the new youth justice model will be the highly successful Tasmanian Wilderness therapy program¹³ as well as connection to Country programs for young Aboriginal offenders.

These programs encourage young offenders to learn life skills, resilience, team work and a sense of responsibility to others.

Organisations such as the Tasmanian Aboriginal Centre, Tasmanian Regional Aboriginal Communities Association (TRACA), Whitelion, Save the Children and the Australian Childhood Foundation will also be involved in a collaborative approach and, wherever possible, these existing resources and services will be utilised to provide the services necessary to support the model.

- The sentencing model in Missouri will be reviewed and considered in a possible Tasmanian context, with the intent of establishing a similar approach of rehabilitative, progress-based detention, whilst ensuring that appropriate maximum sentences determined by the judiciary still apply.

> References

1. See [Commissioner for Children Tasmania \(2005\)](#), page 31.
2. See [Commissioner for Children Tasmania \(2005\)](#), page 39, and [Department of Health and Human Services \(2015\)](#) pages 9-10, 16-17.
3. See [ABC News \(2016\)](#).
4. See [Department of Health and Human Services \(n.d.\)](#).
5. See [Parliament of Tasmania \(2015\)](#), page 7.
6. See [Parliament of Tasmania \(2012\)](#), page 28 and [ABC News \(2016\)](#).
7. See [The Examiner \(2014\)](#).
8. See [The Annie. E. Casey Foundation \(2010\)](#), page 2.
9. See [The Annie. E. Casey Foundation \(2010\)](#), pages 5-6, [Anna Gioconda Jara \(2013\)](#), and [American Educator \(2012\)](#).
10. See [The Annie. E. Casey Foundation \(2010\)](#), pages 6-10 and [American Educator \(2012\)](#).
11. See [The Annie. E. Casey Foundation \(2010\)](#).
12. See [Missouri Approach \(2010\)](#).
13. See [Keith C. Russell, John C. Hendee, and Dianne Phillips-Miller \(1999\)](#) and [Anita Pryor, Cathryn Carpenter, Mardie Townsend \(2005\)](#).

> TABLE 1: Initiative Expenditure/Investment

	1 st Year	2 nd Year	3 rd Year	4 th Year
	\$M	\$M	\$M	\$M
Closing Ashley	-	-	-8.80	-8.80
Additional staffing and facility costs	-	-	9.98	10.18
Establishment Costs	11.8	11.8	-	-
Total	11.8	11.8	1.18	1.38