

AUSTRALIA NEEDS URGENT YOUTH JUSTICE REFORM

Authors:

Fiona J Robards¹, Elizabeth J Elliott^{1,2}

¹ Child and Adolescent Health, Faculty of Medicine and Health, The University of Sydney, Westmead, Sydney, Australia

² CICADA Centre, Sydney Children's Hospital Network, Westmead, Sydney, Australia

Background/Purpose:

Australia needs urgent youth justice reform. In 2022–23, 4,542 young people aged 10-17 years were under youth justice supervision in Australia, with 3,743 (82%) supervised in the community and 828 (18%) in detention. In NSW, young people with disability have higher rates of contact with the youth justice system than those without disability. There is a clear intersection between Fetal Alcohol Spectrum Disorder (FASD), child protection, out-of-home care and incarceration. National data show 75% of children and young people with FASD are in contact with the child protection system. In a youth detention centre in WA, 36% of young people had FASD.

Approach:

We reviewed literature on actions to improve health outcomes for adolescents with FASD in contact with the youth justice system. This work has been published in the *Justice Review Quarterly* journal and has now been republished as part of the *Children's Court of NSW Resource Handbook*.

Outcomes/Impact:

Prevention of FASD and contact with the justice system benefits society by minimising economic, personal and social costs. Trifold action is proposed:

1. Ongoing investment in the prevention of harm from prenatal alcohol exposure, screening and early identification of FASD in young people, and early intervention to decrease their risk of contact with the justice system.
2. The justice system needs reform to minimise the incarceration of youth, particularly those with disability, via diversion programs that provide treatment for underlying disorders as alternatives to incarceration and raising the age of incarceration in Australia.
3. The justice system must invest in staff training to increase awareness of FASD.

Innovation and Significance:

Community-based support for young people with FASD can mitigate behavioural issues by promoting social inclusion. Substantive action at multiple levels is urgently required to address the challenges faced by young people with FASD within the Australian justice system.

Disclosure of Interest Statement:

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