



Youth Coalition of the ACT

Submission to the Legislative Assembly
Standing Committee on
Education, Training and Young People
Inquiry into Restorative Justice in the ACT

May 2005

The Youth Coalition of the ACT

The Youth Coalition of the ACT is the peak youth affairs body in the Australian Capital Territory and is responsible for representing the interests of people aged between 12 and 25 years of age and those who work with them. The Youth Coalition works to actively promote the well being and aspirations of young people in the ACT with particular respect to their political, cultural, economic and social development.

The Youth Coalition is represented on many ACT advisory structures and provides advice to the ACT Government on a range of issues related to young people and youth services.

The Youth Coalition works collaboratively with a range of other service providers and organisations, a key role being the provision of coordination and analysis of the implications of ACT policy and program decisions for young people and youth services.

As the peak body for the youth sector, the Youth Coalition facilitates the development of strong linkages and promotes collaboration between the community, government and private sectors to achieve better outcomes for young people in the ACT.

The Youth Coalition has a history of experience and broad range of knowledge upon which we have drawn to prepare this submission. The Youth Coalition maintains networks and runs forums for our members, young people and interested organisations and individuals. During our monthly forum we discuss current issues, listen to guest speakers, participate in limited consultative processes (and learn about other opportunities to participate), and share information. We also hold a bi-annual Policy Forum and Conference and other forums and working parties as issues arise. We aim to inform our members of new developments, funding opportunities, reform processes and other issues through our regular E-Bulletin service, website, fax stream services and other avenues.

As well as its usual activities, during 2004 the Youth Coalition conducted a number of consultations with young people to inform: the ACT Homelessness Strategy, the ACT Graffiti Strategy, the Alcohol and Other Drugs Project and a response to the ACT Government Position Paper for a Commissioner for children and young people. These consultations were undertaken using a pathfinders (peer research) model. The Youth Consultation has also consulted with youth and community services to inform our ACT Government Budget Submissions, our Policy Forum and bi-annual Conference, and our Policy Platform.

For the purposes of this submission, the Youth Coalition consulted with a range of school personnel, including student welfare officers; alternative education providers; and youth and other community services. We also drew upon previous Youth Coalition consultations, including one involving young people affected by homelessness, and one involving young carers.

Summary of Recommendations

Bullying - a significant issue for young people

Recommendation 1

That the committee notes that:

- bullying can present itself as a cycle: young people can be both the ‘bully’ and the ‘victim’;
- incidences of bullying behaviour can be the result of lack of supports for young people dealing with stressful home situations;
- school cultures and teaching staff can contribute to harmful behaviours by sustaining negative sentiments and not protecting young people from incidences of bullying;
- although schools currently operate programs to build resilience and promote protective factors for their students, other mechanisms need to be in place to support young people who are facing bullying.

School support and awareness for young people

Recommendation 2

That the committee notes that young people have reported that some school personnel demonstrate a lack of understanding and awareness of the issues that they are facing outside of school.

That training be developed and implemented holistically across schools, including students, teachers, welfare staff, counsellors and youth workers, to combat harassment and to identify and access appropriate support.

Does Restorative Conferencing work?

Recommendation 3

That restorative justice training is subsidised for schools in terms of direct training costs and relief hours. This will allow schools to implement restorative justice holistically, by sending more staff to training rather than placing the burden on a few key personnel. This in turn will avoid staff burn out and will ensure that more consistent practices are adopted across whole schools.

Evaluation and Monitoring

Recommendation 4

That policies and practices for monitoring and an evaluation framework be developed for the implementation of restorative justice practices in schools. Evaluation information collected should be available publicly to ensure open and transparent processes, to promote information sharing, and perhaps reduce school personnel having to reinvent the wheel.

That the evaluation framework does not discourage schools from making available restorative conferencing to all young people, including those who may be considered to be ‘too hard’.

That it is recognised by government, the community and schools that the implementation of restorative justice principles is a long and complicated process, and that schools are not expected to deliver ‘good results’ instantaneously.

Eligibility criteria for participation in restorative conferences should be consistent across all schools.

Evaluation and Monitoring (continued)

Recommendation 5

That the ACT Department of Education and Training consider funding the development of a restorative justice kit for schools across Canberra, which includes an evaluation framework and other resources to aid in the implementation of restorative justice in the education setting. This kit would include resources to promote restorative justice principles in families and the school community.

That research into best practice is conducted to inform the development of this kit.

Holistic Approaches

Recommendation 6

That training emphasises the fact that implementation of restorative justice in schools has to be a whole-school approach and adopted by all in the school community, including school personnel and parents. A consistent approach to restorative justice practices in schools is dependent upon subsidised training.

Changing school cultures

Recommendation 7

That training encourages schools to review how they are operating as a community and implement informal processes in order to promote a more supportive and informed school environment which supports all young people including those at risk.

That schools develop life-skill programs (which are not solely curriculum based) which aim to equip young people with broad skills to deal with complex behavioural/social issues through problem solving. All school personnel and parents should be encouraged to model the behaviour being encouraged by these programs.

Flexible delivery options

Recommendation 8

That alternative education settings are not seen to be a place just for young people who are 'too hard' for mainstream schools.

That the committee inquires as to whether subsidised restorative justice training will be extended to alternative education settings. If the ACT Government is serious about the implementation of restorative justice principles, then this should include their implementation in alternative education settings.

That stand-alone alternative education programs be developed to support young people who do not 'fit' into mainstream schooling, including those young people who require more flexible delivery, such as young parents, young carers, young people experiencing homelessness, and young people in families affected by alcohol and other drugs. Young people participating in these programs should not necessarily be expected to

Recommendation 8 (continued)

re-integrate back into their base school, but should have the option and be supported to do so if they choose.

That these programs are well funded and supported by qualified staff.

That schools be supported to develop more responsive and flexible education programs for young parents and those young people in families affected by mental illness, disability and alcohol and other drug issues, and homelessness.

Making links with the Community**Recommendation 9**

That school staff are given training to raise their awareness of the community services/programs available to young people, so they can refer young people to those services/programs if necessary.

That schools are supported to make links with community services and programs to support young people both inside and outside of their school day.

That a community focused strategy be developed to target the myths, phobias and harassment of people with an illness, disability, mental health or alcohol or other drug issue and their families.

That sector viability is addressed as a significant and important issue which affects the ability of the sector to deliver programs and support all young people.

Getting young people involved in making links with the community and developing school programs will encourage successful collaborations**Recommendation 10**

That community/school programs encourage the participation of young people in their development, delivery and evaluation.

We would like to resubmit the recommendations arising out of consultations with young carers (Youth Coalition, 2005), as they are pertinent to the issues outlined in this submission. While they are specific to young carers, we believe that the issues addressed are common to many young people including those experiencing homelessness, young parents.

That the ACT Department of Education and Training (DET) fund a flexible brokerage model to be provided through regional community services and made available to young carers to cover the costs of education including school fees, uniforms, excursions and extra-curricular activities.

That ACT DET develops protocols with DDHCS and ACTH to ensure adequate levels of support to young carers' families during key periods in their education to ensure success.

That schools, with support from DET, develop flexible guidelines for working with young carers.

Inquiry into the practice of restorative justice principles in youth settings

The Youth Coalition welcomes the opportunity to contribute to the Standing Committee on Education, Training and Young People's inquiry into the practice of restorative justice principles in youth settings. In this document, we will focus on the ways in which restorative justice principles can be implemented in schools to better support young carers, young parents and young people in families affected by mental illness, alcohol and other drug and disability issues, or homelessness.

In December 1990, the Australian Government ratified the United Nations Convention on the Rights of the Child (UNCROC). According to Article 28 of the UNCROC, children have the right to education. Article 29(1)(d) of the Convention states that education should prepare children for responsible living in a free society in a spirit of understanding, peace and tolerance. Further, education should foster respect for the child's parents, his or her own cultural identity, language and values, and for the cultural background and values of others.

The ACT Government Commitment to Young People 2004-08 specifies key actions in relation to young people's completion of schooling, the provision of effective training opportunities and the commitment to:

developing practical ways to increase the social, educational and employment outcomes of Australia's young people including those who are at risk, disconnected or in vulnerable circumstances. (p5)

Despite these policies, schools can present a range of negative experiences for young people, including bullying; the stigmatisation of disability, illness, alcohol or other drug use and mental illness; and exclusion, not being listened to, believed or treated with respect (Youth Coalition, 2004).

We are particularly concerned about the current situation in schools for many young people including young carers, young parents and young people in families affected by mental illness; alcohol, other drug and disability issues; and homelessness. We believe that schools have the responsibility to act as a support mechanism for these young people and the ACT Government has the responsibility to adequately resource schools to do this.

The Youth Coalition agrees that restorative justice principles are a more appropriate mechanism for dealing with individual incidences of harmful behaviour than more traditional punitive approaches. However, there is a risk that restorative justice has the potential to be viewed by schools, government and the community as a 'quick fix' to lower bullying and suspension rates. We are also concerned about lack of resources for schools to implement restorative justice principles as this impacts upon their ability to implement principles comprehensively and holistically. The Youth Coalition believes that evaluation is imperative to this process.

The implementation of restorative justice principles will be most successful in schools which use the opportunity to look holistically at how they are operating as a community, revisit principles of democracy and justice and commit to teaching young people valuable life skills.

We also maintain that for many young people, mainstream schooling may not be an appropriate form of education, and that other more flexible education options should be made available for them in the ACT.

Bullying – a significant issue for young people

Bullying has recently been the subject of much media attention, with reports of severe bullying in some schools, and of legal action being taken by young people who have experienced bullying during their time at school.

Incidences of bullying are usually ongoing and involve harmful verbal, physical, social and psychological behaviours which can have serious and far-reaching physical and emotional affects (Rigby K, 2003). It has been reported that in Australia, nearly one in six children at school are bullied on a weekly basis.

The Youth Coalition would like to suggest that the terms ‘bully’ and ‘victim’ are inherently problematic. Labelling people can create problems – it can result in a self-fulfilling prophecy so that when a person is labelled a ‘bully’ they come to think that this is the behaviour that is expected of them. We also note that ‘bullies’ themselves have often been the ‘victim’ of previous bullying incidents, and that rather than being an isolated incident, bullying itself has a cyclical nature whereby the ‘victim’ becomes the ‘bully’ who becomes the ‘victim’ and so on.

Of particular concern to the Youth Coalition are incidences of bullying involving young people in families affected by mental illness; alcohol, other drug and disability issues; or homelessness. Incidences of bullying against these and other young people exclude them from their school community and may trigger harmful behaviour. In a 2003 study involving 242 young people in custody, 20% of those surveyed had been a victim of bullying at school (Allerton et al, 2003). Thirteen percent were both the victim and the perpetrator of bullying.

I was quiet at school – I couldn’t talk to people, put my hand up in class. It was hard to be in a big group. I took up drugs to cope with it – and that stuffed me around (Youth Coalition, 2005).

Incidences of bullying can be attributed to lack of social support for young people trying to cope with difficult and stressful home situations. In 2003, Create reported that 43% of all children and young people in care had been suspended or excluded from either a primary or high school that they have attended. This includes for bullying.

At first I was swearing at teachers and chucking psychos when Dad first had a stroke.

I was suspended as I was a bit of a bully. Not any longer as things have settled down at home

Bullying can also be attributed to sentiments which are not challenged, but rather sustained by school cultures and teaching staff. Many young people report being bullied about their home situation:

I wasn't invited places because they said I had a 'retarded' brother and people thought I was retarded myself. (Youth Coalition, 2005)

I was too scared that I'd get bullied about it... Its not fair that they can't see what its really like. (ibid.)

The Create Foundation (2003) reported that 50% of the children and young people surveyed, when asked what they would most like to change about school answered 'the bullies' or 'bullying'. Create also reported that a number of children and young people felt very hurt and angry that the school was not doing more to protect them from bullying:

Getting picked on. I got picked on every single day, by any kid, even new ones. The Education Department didn't do anything.

Recommendation 1

That the committee notes that:

- bullying can present itself as a cycle: young people can be both the 'bully' and the 'victim';
- incidences of bullying behaviour can be the result of lack of supports for young people dealing with stressful home situations;
- school cultures and teaching staff can contribute to harmful behaviours by sustaining negative sentiments and not protecting young people from incidences of bullying;
- although schools currently operate programs to build resilience and promote protective factors for their students, other mechanisms need to be in place to support young people who are facing bullying.

School support and awareness for young people

Bullying is not the only negative school experience affecting young people. In our consultations, young people also reported that there is a lack of support and understanding of their issues from school staff, which may affect their school attendance and achievement.

My teacher told everyone about what was going on and that sucked cos it made it worse for me. (Youth Coalition, 2005)

A young carer reported:

[My teacher] said 'all families have problems stop hiding behind your [mum's illness]. She thought I was making it up to get out of homework... That hit me hard. (ibid.)

Further, it has been reported that some school cultures allow, and sometimes even support, discrimination towards those dealing with an illness, disability, drug or alcohol problem or mental health issue (Create, 2003; Youth Coalition, 2005; Youth Coalition, 2004):

The teachers let the other kids pick on people with disabilities which made it hard to talk about. (Youth Coalition, 2005)

Some teachers talk about spastics and retards so if they do it how's things gonna change? I told one teacher and she said that I was being over-sensitive and that I shouldn't go "schiz... She said that! (ibid.)

Recommendation 2

That the committee notes that young people have reported that some school personnel demonstrate a lack of understanding and awareness of the issues that they are facing outside of school.

That training be developed and implemented holistically across schools, including students, teachers, welfare staff, counsellors and youth workers, to combat harassment and to identify and access appropriate support.

Restorative justice – a solution to bullying?

In *Looking at the health of school-age children in the ACT* (April 2003) the Legislative Assembly of the ACT Standing Committee on Health recommended that the Government undertake a review of all anti-bullying programs used in schools, and in consultation with students, teachers, parents and experts in the field, develop and/or implement an existing program based on the principle of restorative justice in all schools. **ACT Government's response?**

Restorative justice is a form of conflict resolution and seeks to make it clear that harmful behaviour is not condoned, at the same time as being supportive and respectful to the individual displaying this behaviour (Morrison, B). Proponents of restorative justice believe that its practices fit within the context of a school environment in that they are opportunities for the individual to learn from their experiences *in a meaningful and supported environment* (Strang, Braithwaite 2001).

Restorative justice often involves the implementation of restorative conferences in response to incidents of harmful behaviour. These conferences take the place of more traditional punitive measures being taken against individuals, and involve bringing all parties involved together through an external facilitator to discuss what happened, the impact of the behaviour and how to make amends for the behaviour.

The Youth Coalition notes that restorative conferencing has been implemented in numerous schools throughout Australia and the ACT, with varying levels of success. While the implementation of these principles has been shown to bring about change to the way schools *think* about managing behaviours, this does not always lead to systematic changes to *practice* (ie actually adopting principles of restorative justice and improving outcomes for young people) (Morrison B, 2001). However, when appropriately implemented, conferencing can be an effective strategy for dealing with incidents of serious harm in schools in terms of participant satisfaction with the process (Cameron and Thorsborne, 2001).

Does restorative conferencing work?

The Youth Coalition understands that approximately one in five government schools, including primary schools, secondary schools and colleges, are implementing restorative justice principles and that an external consultant has been offering restorative justice training. The school personnel selected to attend are trained to facilitate conferences in response to incidences of harmful behaviour.

According to research, comprehensive training is absolutely essential for the successful implementation of restorative conferencing, as good facilitation is a vital component of the conferencing process (Rigby K, 2003; Cameron and Thorsborne, 2001). However, this training is expensive for schools, both in terms of direct training costs and in terms of funding 'relief' teaching while the teacher is away. *The Youth Coalition would like to inquire whether there are plans to subsidise this training or whether relief hours will be funded for schools?*

From our consultations, we understand that individual school personnel (ie principals, deputy principals and/or student welfare officers) take the lead in deciding whether to undertake training and in determining how restorative justice principles, including conferencing, are applied in their schools. For example, in some schools conferencing may be used in response to property damage and never for bullying, in others for incidences of bullying. Also, the determination of whether a young person (bully or victim) is suitable for conferencing is applied differently across schools, and some schools have had a positive response when involving parents in conferencing, while others will not undertake conferencing for bullying due to expected parental reactions. There have been no reports of external monitoring or evaluation of restorative justice principles, including conferences in schools.

As reported in *Looking at the health of school-age children in the ACT* (2003), 'the current way that services are offered in schools seems to be fragmented, largely relying on the goodwill and energy of individual teachers'. The Youth Coalition suggests that there are limits to how successfully restorative justice principles can be applied in schools when schools can only afford for one or two teachers to receive training due to the resource burden. The responsibilities of conferencing and the implementation of other restorative justice principles then falls on a few key personnel, who already are experiencing time and other pressures in their positions, leading to staff burnout and risking less effective conference facilitation and follow-up. This undermines best practice and the effectiveness of the implementation of restorative justice, which can only be effective when implemented holistically and involving all school personnel. Also, the message going out to young people in the school can be confusing with a few teachers implementing the principles of restorative justice, while others continue to use more traditional punitive approaches. The Youth Coalition stresses that schools require the appropriate resources and expertise to implement restorative justice principles *across* their school, rather than relying on the efforts of a few trained staff.

Recommendation 3

That restorative justice training is subsidised for schools in terms of direct training costs and relief hours. This will allow schools to implement restorative justice holistically, by sending more staff to training rather than placing the burden on a few key personnel. This in turn will avoid staff burn out and will ensure that more consistent practices are adopted across whole schools.

Evaluation and monitoring

The Youth Coalition strongly suggests that policies and principles for monitoring and an evaluation framework need to be developed in order to be able to determine the success or otherwise of restorative justice principles in schools across Canberra, and to demonstrate accountability and transparency in processes. In our budget submissions for 2004/05 and 2005/06, we stated that a consolidated approach to evaluation assists in the analysis of project gaps and the establishment of future priorities. The *Pathways to prevention – Developmental and early intervention approaches to crime in Australia* (National Crime Prevention, 2002) outlines that:

Evaluation is an often neglected and misunderstood aspect of intervention, but one that is essential for decisions about initial or continued support.

Evaluation promotes reflective practice and in this case, would improve outcomes for both young people and school personnel and the ACT community. Also, it would be extremely useful to build upon data available on the affects of restorative practices in schools, given that most data concerning restorative justice comes from the justice setting. If information collection is open and transparent and findings made available publicly, it would facilitate information sharing, reduce the need for each school to reinvent the wheel, and promote a continuum of practices across primary and secondary schools.

It is important that any frameworks developed allow schools to maintain flexibility in their evaluation and that they take into consideration any factors or contexts that may affect reporting (for example, staff turnover, high/low achieving year group). Evaluation should be seen as a long-term activity which recognises that school years will fluctuate in behaviours, academic achievement and attendance.

It is here that the Youth Coalition would like to note that restorative conferencing should be made available to all young people in schools, including those young people who may be seen as being 'too hard'. This is particularly important when we consider that different schools have different criteria for involving young people in restorative justice conferencing, and that in our consultations, young people 'at risk' were specifically mentioned as a group that might not be suitable. It is not effective to deal with these young people's behaviours solely through suspension or by using alternative education as a way of removing them from schools. It is important for *all* young people to have the opportunity to participate in restorative conferencing and other restorative justice principles, otherwise the implementation of restorative justice principles cannot be seen as a whole-school approach.

Further, evaluations would be skewed if conferences were only conducted for those students who would have stopped their behaviour anyway. For restorative justice principles to be transparent, open and for them to be used as a practice to improve outcomes for young people, there needs to be consistency on how eligibility criteria are applied in schools and to ensure that all young people are included. Evaluation should reflect this and schools should not feel that they are expected to deliver 'good results'.

Recommendation 4

That policies and practices for monitoring and an evaluation framework be developed for the implementation of restorative justice practices in schools. Evaluation information collected should be available publicly to ensure open and transparent processes, to promote information sharing, and perhaps reduce school personnel having to reinvent the wheel.

That the evaluation framework does not discourage schools from making available restorative conferencing to all young people, including those who may be considered to be 'too hard'.

That it is recognised by government, the community and schools that the implementation of restorative justice principles is a long and complicated process, and that schools are not expected to deliver 'good results' instantaneously.

Eligibility criteria for participation in restorative conferences should be consistent across all schools.

In our consultations, we heard about a 'restorative justice kit', which was produced for schools in NSW. While we could not find any information about this kit in the time it took to prepare this response, we believe that a 'restorative justice kit' for ACT schools would be a valuable resource, and could include an evaluation framework and other information/templates/resources. These could be used when implementing restorative justice practices in the school setting and to educate families and the community. This would facilitate consistent and open practices and would reduce duplication of effort in schools. If such a kit is to be developed, there would need to be research into 'best practice' for the implementation of restorative justice in schools – we recommend researching models from the USA, as there are many examples of successes and changes in the school setting as a result of restorative justice principles.

Recommendation 5

That the ACT Department of Education and Training consider funding the development of a restorative justice kit for schools across Canberra, which includes an evaluation framework and other resources to aid in the implementation of restorative justice in the education setting. This kit would include resources to promote restorative justice principles in families and the school community.

That research into best practice is conducted to inform the development of this kit.

Holistic approaches

The Youth Coalition would like to bring to the Committee's attention that the successful implementation of restorative justice has been shown to be a difficult process, which can be hindered by issues of time in a busy and stressful environment, lack of support from the school community and perception of teachers that parents will not react positively to restorative justice principles. It is therefore important that the implementation of restorative justice in schools is undertaken as a collaborative process with parents, students and school personnel. All adult members of the school community, including parents, should be introduced to the principles of restorative justice – this will help to ensure that they 'practice what they preach' by modelling appropriate behaviour and that personnel avoid spur of the moment punitive approaches.

Here we would like to note that bullying behaviour is not limited to young people in schools.

The financial costs of workplace bullying to employers and the economy have been estimated to be between \$6 billion and \$13 billion a year, using the assumption that 3.5 per cent of the working population is bullied. (Sheehan at al, as reported by Davidson Trahaire)

It is unrealistic to expect young people to change their behaviours when adult members of their community are displaying bullying behaviour.

Recommendation 6

That training emphasises the fact that implementation of restorative justice in schools has to be a whole-school approach and adopted by all in the school community, including school personnel and parents. A consistent approach to restorative justice practices in schools is dependent upon subsidised training.

Changing school cultures

It is only in a supportive, inclusive and open school environment that restorative justice conferences can act as a further (rather than a stand-alone) strategy to reduce instances of bullying and harmful behaviour.

The Youth Coalition believes that while restorative justice conferencing offers itself as an alternative solution to dealing with serious incidents of misbehaviour, it is not appropriate as a 'quick fix'. Restorative justice should not be seen as just a solution to school incidents of bullying, rather as an integral process of changing school cultures to establish an environment of understanding and awareness, where young people feel comfortable, where they can build a rapport with staff and ask for help. It has been reported that a restorative school climate requires more than just formal restorative processes like conferencing, and that schools need to employ informal restorative practices as well—integrated systematically as part of everyday school life.

Rather than focussing solely on dealing with individual incidences of harmful behaviours, the process of implementing restorative justice principles provides schools with a valuable opportunity to look holistically at how they are operating as a community, to

revisit principles of democracy and justice and teach young people valuable life skills schools. In particular, schools have an opportunity to create a community where young people are not subjected to bullying and harassment and instead supported by flexible delivery options, understanding and awareness of the issues they are facing and access to appropriate community services.

The Youth Coalition believes that there is a need for schools to teach young people:

- about their rights;
- that violence is unacceptable;
- how to deal with anger and to sort out conflicts; and
- on building and keeping relationships.

Schools have the opportunity to equip young people with the skills to deal with complex/behavioural situations including those at school so that they do not become an incidence of bullying. This cannot only be achieved solely through the school curriculum (ie in a class held once a week/fortnight), but rather through a continuous school program, modelled by school staff and incorporated into the day-to-day operations of the school.

A case study: schooling with an emphasis on relationships and sense of community

A study of Japanese Primary and Secondary Schools found that teachers were very supportive of young people and became very involved with their students who were displaying harmful behaviour. There was a general mindset of teachers to never give up on a student, with 'troublemakers' consistently and repeatedly labelled as having the potential to achieve anything and given many chances to learn from their mistakes. In rare cases when suspensions were used, the teacher undertook multiple visits to the student to establish positive relationships, continue dialogue to encourage reflection and discover factors in the life of the students that may be influencing their behaviour. (Cameron and Thorsborne, 2001)

Recommendation 7

That training encourages schools to review how they are operating as a community and implement informal processes in order to promote a more supportive and informed school environment which supports all young people including those at risk.

That schools develop life-skill programs (which are not solely curriculum based) which aim to equip young people with broad skills to deal with complex behavioural/social issues through problem solving. All school personnel and parents should be encouraged to model the behaviour being encouraged by these programs.

Flexible delivery options

The ACT Government, through its Social Plan (2004), has made a commitment to increase education participation, engagement, and achievement of children and young

people. Therefore it has the obligation to provide flexible delivery options in the education settings to meet the needs of those young people who cannot sustain schooling in a mainstream education setting.

I get stressed at test time and often just write down any answer so I get marks. I would do better if I could do the tests at another time by myself. (Youth Coalition, 2005)

The Youth Coalition has heard of many instances where schools and the community have taken positive steps towards engaging with young people and we applaud their efforts in developing innovative approaches to flexible delivery.

We also recognise that the ACT Government has also made a concerted effort to link schools with the community by placing youth support workers in all ACT Government high schools. While we see this to be a very positive step, our consultations have indicated that there has been a high turnover of workers in schools, and that some workers are not receiving adequate supports and feel conflicted between the Department of Education and their schools. It is essential that these workers become part of the school community and that they are adequately supported and resourced, as they are an important support for young people. We understand that there is an independent evaluation currently being conducted regarding youth support workers in schools. *We would like to inquire whether this evaluation will be made public?*

Some schools work very closely with their local youth centres and youth services, which provide outreach to work with young people. Activities may include health promotion, life skills, social and recreational activities, service promotion etc. This may involve taking students out of the school environment for one day/morning a week to do activities that teach certain skills in a more flexible way (for example, IT programs, mechanics etc).

There are also alternative education programs including (but not limited to) the Northside and Southside High School Support Centres, ECLIPSE, SPICE and YARDS, all of which aim to work with young people who are having difficulty in mainstream schools. For example, YARDS assists young people aged 15 to 25 to improve their vocational and education future through supported integration or re-integration into areas of their interest. SPICE arranges work placements for students aged 12-15 to encourage them to continue their formal schooling until they have at least completed their Year 10 certificates. SPICE targets young people who are having difficulty coping within their school environment.

Those young people who are accessing community based alternative education settings should have opportunities on par with young people in mainstream settings. This is true of restorative justice principles - young people in these settings should be taught broad life skills and problem solving skills, and should be given the chance to undertake restorative conferences. Further, restorative justice principles should not just be available for those young people in which it is guaranteed 'to work'. If the ACT Government is serious about the implementation of restorative justice principles in education settings, this process must be extended to all young people, including young people in alternative education settings. *We would like to inquire whether there is any intention to rollout restorative justice principles in alternative education settings, and whether training will be subsidised?*

Despite alternative education programs being available, there are no programs that offer a complete alternative to mainstream schooling - in all existing programs, the students are required to be based at schools, and most aim to 'reintegrate' young people into the base school. While many young people would choose to return to their base school, they should be provided with the choice to do so, as many would prefer to remain in the alternative setting. There are limited options for young people who cannot engage with the mainstream education system, especially for Years 7-9 and primary aged children.

The Youth Coalition maintains that flexible delivery education programs, based outside of the school environment, are essential for those young people who have unstable home environments and cannot 'fit' into the structures of mainstream schools. These programs require adequate funding and staffing to be successful. We would like to note that there are many reasons for young people not being able to engage with the mainstream system, and it is not limited to behavioural difficulties. Alternative education should not be limited to young people with behavioural problems, or those who are 'too difficult' for schools to handle. Alternative education has the potential to offer flexibility for young carers, young parents, young people experiencing homelessness, and young people in families affected by alcohol and other drugs.

Has to be more flexible. I needed time out and now I am having trouble getting back in. (Create, 2003)

Until these programs are in place, we suggest that many young people, including young people in families affected by mental illness, alcohol and other drug and disability issues, or homelessness, require more flexible and responsive education that recognises the difficulties that young people face when trying to attend and achieve in school. This might include a review of homework requirements, assessment processes, the delivery of flexible modules, a mixture of on-campus and off-line programs, the development of Recognition of Prior Learning accreditation and for young carers and young parents greater co-ordination of respite and in-home support services during peak periods of the school year (Youth Coalition, 2005).

Recommendation 8

That alternative education settings are not seen to be a place just for young people who are 'too hard' for mainstream schools.

That the committee inquires as to whether subsidised restorative justice training will be extended to alternative education settings. If the ACT Government is serious about the implementation of restorative justice principles, then this should include their implementation in alternative education settings.

That stand-alone alternative education programs be developed to support young people who do not 'fit' into mainstream schooling, including those young people who require more flexible delivery, such as young parents, young carers, young people experiencing homelessness, and young people in families affected by alcohol and other drugs. Young people participating in these programs should not necessarily be expected to re-integrate back into their base school, but should have the option and be supported to do so if they choose.

That these programs are well funded and supported by qualified staff.

Recommendation 8 (continued)

That schools be supported to develop more responsive and flexible education programs for young parents and those young people in families affected by mental illness, disability and alcohol and other drug issues, and homelessness.

Making links with the community

The Youth Coalition understands that schools are unable to effectively respond to the range of complex issues impacting on a young person's life. However, schools can establish collaborative partnerships with youth and other community services, and effectively respond to a range of needs of young people, especially those at risk (Youth Coalition, 2002). The Youth Coalition believes that it is important to adopt a whole school approach when making links with the community to encourage positive and sustainable outcomes and so that relationships and progresses are not lost when individual teachers/school personnel leave.

There needs to be more things to do.

I had nothing to do and then I would get into trouble.

As reported in *Looking at the health of school-age children in the ACT*, (ACT Legislative Assembly Standing Committee on Health, 2003) the lack of 'community connectedness' is a fundamental problem facing the health of young people, particularly in terms of mental health. Further, the Committee reports that growing numbers of young people do not feel connected to mainstream society and its values. The implementation of restorative justice principles in schools has the potential to foster intra- and inter-school communities, and links with the community.

Schools need to make links with community services and other services so that when it becomes evident that a young person is dealing with stressful home issues, it becomes possible to make a referral to an appropriate service.

From our consultations, it has become apparent that there also needs to be follow up and activities in the community outside of the school day. As reported by the National Action Plan for Promotion, Prevention and Early Intervention for Mental Health (2002) communities need to ensure that they:

engage ... young adults within the service systems they use, to understand relevant youth sub-cultures, and to establish links with services that can provide practical support. (p32)

There needs to be building of school communities, inter-school linkages, and importantly, community involvement in the implementation of these principles. It is also vital to promote greater awareness in the community about illness, disability, alcohol and other drug and mental health to reduce the levels of stigma, and through it bullying (Youth Coalition, 2005).

Schools can make links to services that provide extra-curricular leadership, sporting and other activities to promote participation and other life skills. It has been reported that (sport and physical activity program can provide an important vehicle through which

personal and social development may occur (Morris et al, 2003). In isolation these programs cannot impact directly on behaviour, but should be a component of a broader strategy. Sporting activities that are accessible in location and cost have the potential to form part of a broader school/community strategy to facilitate personal and social development of young people.

Services such as RecLink, a service targeted at bringing recreational activities to young people who are disadvantaged, are an invaluable way of providing positive opportunities to develop social connectedness, positive relationships with peers and mentors, develop self-esteem and leadership skills, and to identify and pursue activities of interest.

While community programs and services are vital components to supporting young people, their ability to respond to both increased demand for services for young people is a continuing concern for the Youth Coalition, as outlined in our Budget Submissions for 2004/2005 and 2005/2006. Issues include staff training, recruitment and retention, salary increments and pay rates (Youth Coalition 2004, 2005). These issues are of vital importance to the sector and need to be addressed so that it can continue to develop to become a cohesive and viable community sector in the ACT.

Recommendation 9

That school staff are given training to raise their awareness of the community services/programs available to young people, so they can refer young people to those services/programs if necessary.

That schools are supported to make links with community services and programs to support young people both inside and outside of their school day.

That a community focused strategy be developed to target the myths, phobias and harassment of people with an illness, disability, mental health or alcohol or other drug issue and their families.

That sector viability is addressed as a significant and important issue which affects program delivery and support for all young people.

Getting young people involved in making links with the community and developing school programs will encourage successful collaborations

The ACT Young People's Plan 2004-08 states that communities should *"provide opportunities for young people to be engaged in activities and programs that encourage and develop informed decision making, skills development and leadership abilities"* and that support provided to young people should *"focus on [their] strengths, interests, abilities and competencies."*

Projects are more successful when young people are involved in their development and facilitation, including providing input to the development and facilitation of projects, trained as peer-educators, providing feedback and getting involved in evaluation (Youth Coalition, 2003; Morris et al, 2003).

Recommendation 10

That community/school programs encourage the participation of young people in their development, delivery and evaluation.

We would like to resubmit the following recommendations arising out of consultations with young carers, as they are pertinent to the issues outlined in this submission (Youth Coalition, 2005). While they are specific to young carers, we believe that the issues addressed are common to many young people including those experiencing homelessness and young parents.

That the ACT Department of Education and Training (DET) fund a flexible brokerage model to be provided through regional community services and made available to young carers to cover the costs of education including school fees, uniforms, excursions and extra-curricular activities.

That ACT DET develops protocols with DDHCS and ACTH to ensure adequate levels of support to young carers' families during key periods in their education to ensure success.

That schools, with support from DET, develop flexible guidelines for working with young carers.

Conclusion

Restorative justice is a tool which allows schools to move away from more traditional punitive approaches and towards engaging young people in a process that challenges and discourages harmful behaviour in a supportive and respectful environment. Evaluation of the implementation of restorative justice principles, particularly of conferences, is essential in determining outcomes, satisfaction and changes in behaviour. ACT Schools have the opportunity to add to the evidence base for the success (or otherwise) of restorative justice principles as applied in a school setting.

In order to be successful, restorative justice principles must be implemented holistically in schools, and not rely upon a few key personnel. Training is absolutely crucial to effective facilitation, and should be subsidised (including through the provision of funding for relief hours) in order to encourage schools to send multiple (or all of their) staff.

Restorative justice will not be a 'quick fix'. Nor will it be the all-encompassing solution to reduce bullying. In our consultations it was found that not all young people are considered to be suitable for participation in restorative justice conferences. For the implementation of restorative justice to be seen as fair and equitable, as well as comprehensive and holistic, it is essential that *all* young people are given the opportunity to participate in conferences and other restorative justice principles. It is not appropriate that restorative justice is offered just to young people whose behaviour would change anyway, while other young people continue to be suspended or placed into alternative education as they are 'too hard'. Eligibility criteria for conferences should therefore be made consistent across schools and resources/training made available to promote consistent practices and processes in schools.

It has been reported that bullying can arise from a lack of support for young people, understanding and awareness about the issues that they face, and a general anti-disability, mental illness, alcohol and other drug sentiment sustained in some schools. Therefore it is important that support, training and education about these issues are put in place and extended across the whole school and into the community.

Not all young people can fit into mainstream education. Alternative education models, along with activities and supports in the community are vital for young carers, young parents and young people in families affected by affected by mental illness; alcohol, other drug and disability issues; and homelessness.

Finally, it should be noted that the youth sector is currently facing significant viability issues which need to be addressed in order to ensure vital programs can be continued/developed to support young people, both within and external to their school environment.

References

ACT Government (2004) *Building our Community: The Canberra Social Plan*.

Allerton M, Kenny D, Champion U, Bulter T (2003) *2003 NSW Young People in Custody Health Survey: A Summary of some of the Key Findings*.

Australian Government Attorney General's Department (2001) *Pathways to Prevention – Developmental and Early Intervention Approaches to Crime in Australia*.

Australian Government Department of Health and Ageing (2000) *National Action Plan for Promotion, Prevention and Early Intervention for Mental Health*.

Braithwaite J, Strang H (2001) *Restorative Justice and Civil Society* in Restorative Justice and Civil Society.

Cameron L, Thorsborne (2001) *Restorative justice and School Discipline: Mutually Exclusive?* in Restorative Justice and Civil Society edited by Strang H, Braithwaite J.

CREATE (2003) *CREATE Foundation Education Report Card*.

Davidson Trahaire, HR Connection Volume 1.

Legislative Assembly for the ACT (2003) *Looking at the health of school-age children in the ACT* Report No 4. Standing Committee on Health.

Morris L, Sallybanks Jo, Willis K, and Makkai T (2003) *Sport, Physical Activity and Antisocial Behaviour in Youth* in Australian Institute of Criminology Trends and Issues No. 249.

Morrison B (2002) *Bullying and Victimization in Schools: A Restorative Justice Approach* in Australian Institute of Criminology Trends and Issues No. 219.

National Crime Prevention (2002) *Pathways to prevention – Developmental and early intervention approaches to crime in Australia*.

Office for Children, Youth and Family Support (2004) *The ACT Young People's Plan 2004-2008*.

Office for Children, Youth and Family Support (2004) *ACT Government Commitment to Young People 2004—2008*.

Rigby, K (2003) *Consequences of Bullying in Schools* in 'In Review' Can J Psychiatry, Vol 48, No 9.

Rigby, K (2003) *Addressing Bullying in Schools: Theory and Practice* in Australian Institute of Criminology Trends and Issues No. 259.

United Nations Convention on the Rights of the Child.

Youth Coalition of the ACT (2003) *Building a Bridge (and getting over it) Developing Effective Partnerships Between Schools & Youth Services.*

Youth Coalition of the ACT (2004) *TELLING IT HOW IT IS: Listening to Young People about Youth Homelessness in the ACT and the Services that Support them.*

Youth Coalition of the ACT (2004) Budget Submission.

Youth Coalition of the ACT (2005) Budget Submission.

Youth Coalition of the ACT (2005) *Reading Between the Lines: Listening to Children and Young People about their Experiences of Young Caring.*

Youth Coalition of the ACT (2005) *More than Words: Supporting Young Carers and their Families.*