

Breaking the Cycle Youth Program

Stop an alternative approach to juvenile crime for
Casey and Cranbourne Youth 12 to 15 years of age.

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Introduction

A proposal for a special justice system be established for juveniles, recognising the special vulnerability of children and based on notions of education, reform, community service, parent responsibility, restitution and reintegration. .

At the police level a unique form of diversion be offered to juvenile first time offenders who have committed certain offences: the STOP procedure,(integrated with a Cranbourne one stop, 24 hour youth centre). Juveniles who volunteer for this procedure agree on a project that normally includes damage compensation and/or working or learning up to 20 hours. We propose this be added to the Children's Act as an alternative to the formal justice system because charges are officially dropped after a successful STOP procedure. The juvenile never reaches the level of prosecution and a criminal record is avoided. With or with out legislative change the content of this programme we believe can still be implemented-and incorporated at a local level thru local councils in agreement with police and magistrates. It gives an alternative to what to do with youth apprehended.

The objective is to combat vandalism. The background of the creation of STOP is the steady increase in vandalism and the lack of any viable response to this kind of undesirable behaviour. Undesirable behaviour, which is subject to the same rules as behaviour in general. A warning by the police is seen as a 'too soft' response and also as insufficient in cases where damage had been caused. Current possible responses open to the judicial authorities are limited (reprimand, out-of-court fine). In addition there often is a long waiting period before prosecution and doubts regarding the educational value of this manner of proceeding.

Children and juveniles up to 15 years of age, who have committed an offence, may be referred to STOP by the police for a Stop-reaction. Starting point for the working-method of STOP is that to tolerate undesirable and punishable conduct is really rewarding it. By not taking action, it appears that this type of behaviour is acceptable and it could be repeated or become even worse. The Stop-reaction sends a signal to children and juveniles that punishable conduct will not be tolerated. Consideration to parents being held civilly accountable for damage caused by their children and the youth involved needs to be initiated. Any council adopting this programme could initiate civil action on behalf of ratepayers. The benefits of civil action are the offenders are not saddled with a criminal conviction, and councils acting on behalf of the ratepayer are also entitled to seek financial compensation and accountability on behalf of residents.

Procedure

Juveniles aged 12 to 15 years, who have been taken into custody by the police for instance; destruction, shop lifting (theft) or fireworks nuisances, get the following choices: to the justice system or to STOP. Through STOP they can rectify what they did wrong without having to deal with the local courts.

1. Regulations and Legislation

1.1 Criteria for a STOP arrangement

Age of the juvenile: from 12 to 15 years of age.

The juvenile is guilty of:

- private and public property destruction/graffiti
- shoplifting (theft) and attempts to do so, alone or in groups
- fencing goods
- switching of price tags
- public disorderly conduct
- trespassing;
- disturbing the order, peace, safety or good operation of public transport
- possession of illegal firework,
- offences in local laws, which are related to disorderly conduct.
- The juvenile admits to the offence.
- The juvenile has been to STOP only once before and this had to have been at least one year ago.
- The juvenile agrees with the referral to STOP.

If these criteria are not met, the police may only refer to STOP with the permission of the local magistrate.

2. Contents of the STOP arrangement

2.1 Conference

A juvenile, who is referred to STOP by the police, is invited for a conference by STOP. During this conference he (he/she) will get the opportunity to tell their side of the story, the contents of the arrangement is explained as well as what is expected of him. Then the juvenile may decide if he wants to go through the-arrangement (STOP) or choose to be sent thru the court system. The parents (parents/guardians) also receive in invitation to attend the conference.

2.2 Work

During the rest of the STOP arrangement the juvenile will restore what was damaged for as much as this is possible: he will work from 2 to 20 hours and/or participate in a special learning activity. Besides that apologies are offered to the victim frequently. To confront the juvenile with the results of his actions the arrangement primarily deals with the committed offence. Therefore, the offender primarily does the work; for instance, the juvenile starts cleaning the walls that were painted with graffiti, or help out in the store where he did the shoplifting. This way the juvenile can rectify the damage he has done as much as possible. If the juvenile cannot start working at the victim's (for instance the workplace is too dangerous or the victim does not want to be confronted with what happened), he will be placed at for instance a municipal department to clean public gardens or parks. The work will be done after school and will be attended to by an adult.

2.3 Compensation

Sometimes a juvenile cannot rectify the damage he has done. In that case (a part of) the damages have to be paid to the victim. STOP, in consultation with the victim and the juvenile, draws up a plan for compensation. For juveniles who are not legally responsible for damages, compensation arrangement attempts with the parents will be made outside of the STOP procedure. Local councils who adopt this programme could civilly seek compensation thru the civil courts, on behalf of ratepayers.

2.4 Agreements

All agreements about the content of the STOP-arrangement will be put in writing by STOP and presented to the juvenile. If he agrees with the proposal STOP will organise the activities or the learning project, and check on the possible compensation. For juveniles up to 15 years of age the parents/guardians will have to provide written permission for the execution of the agreements made with STOP.

2.5 Conclusion

When the juvenile has kept all of the agreements, the STOP arrangement will be declared a success. STOP will send a positive message to the police and the case will be dismissed. However, if a juvenile does not keep all the agreements, STOP will advise the police to send the official report to the Public Prosecutor. The Public Prosecutor will determine further how to deal with the case. A note will be made in the judicial register regarding the juvenile and he will run the risk of having to appear before the juvenile court magistrate.

2.6. Effects

Important advantages to the STOP procedure are:

- an educationally responsible alternative for traditional prosecution through the Law;
- effective because of the fast conclusion after the offence ('immediate retribution');
- a 'conclusion outside the judicial system': the juvenile can avoid a note in the judicial documentation;
- compensation to the victim is included in the procedure

2.7. Signals

With juveniles it is important to find out at an early stage whether or not there is an underlying problem. Punishable conduct may be an indication that something is wrong. By looking for a solution together with the juvenile and the parents, continuance of further (more serious) juvenile offences may be prevented. Drawing attention to a problem is an important task, but is expressly limited to determining the underlying problem (requests for help) and is not an actual assistance. STOP can bring parents and juveniles into contact with specialised agencies as well.

3. The Stop reaction

Many, who have been taken into custody by the police, cannot be prosecuted because of their age. However, if they have committed a STOP worthy offence (see the offences in 'Criteria arrangement'), both they and their parents are offered a Stop reaction. The Stop-reaction will change the behaviour of children early on so they will not come in contact with the police again. The Stop reaction helps parents react to what has happened in a clear and effective manner. The

child learns what it did wrong in the Stop reaction and how he can make sure something like that will not happen again. Participation in the programme only occurs if the parents give their permission and are willing to actively participate.

3.1 Stop reaction in practice

The child and his parents are invited for a conference by STOP. Stop councillors will talk to the child about what has happened and how the mistake that was made can be rectified. The Stop-reaction can then be combined with this very well. Councillors may suggest a learning assignment to the parents and the child; for instance by doing a Stop lesson or homework assignment, write an essay and/or apologise to the victim. In the Stop reaction attention can be given to norms and values, laws and regulations, and how to deal with peer pressure as well. All activities of a Stop reaction take place after the regular school hours of the child

3.2. Prevention

Besides the execution of the STOP arrangement (Stop-reaction) a second important task can be the prevention of juvenile crime. This prevention task is interpreted in different ways.

3.3. Information

First of all information is provided at schools on a large scale. This information is primarily targeted to youngsters from 10 to 14 years of age and is adjusted to the level of the class or group. For instance topics such as peer pressure and violation of the law will be discussed. To support this, different materials are used such as videos, lesson packets, brochures and posters. The information could take up one or more lesson periods and can be taken care of by STOP alone or in cooperation with the police and/or other partners.

3.4. Prevention projects

STOP could be involved in projects that have as their goal, for instance, the improvement of the safety in and around schools and railway stations or the quality of life in neighbourhoods.

3.5. Advising and participation

STOP could advise, amongst others, communities, shopkeepers and sports organisations about the approach of frequently occurring juvenile crimes, for instance in the field of vandalism, theft and nuisance situations. Within communities STOP could participate in safety policy.

3.6. Financing

The costs of executing the STOP arrangement , the Stop reaction (FOR YOUTH 12-15) and the Cranbourne Youth Traineeship Program (for youth 15-18) could be accessed through the Federal Governments National Crime Prevention Programme or thru The State Victorian Govt. Ideally these 2 programmes could be adopted by local municipalities into their existing youth programmes and budget.

This program (STOP) is modelled on the successful Halt programme run in the Netherlands.

CRANBOURNE YOUTH TRAINEESHIP PROGRAMME

“Breaking the Cycle”

Policy document proposal for 15 to 18 year old youth.

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Preliminary

Introduction

There is a need to look at introducing in Cranbourne, and then throughout our municipality of Casey, a mentoring programme through local businesses, i.e. panel shops - which there are plenty of in Cranbourne, Bunnings, K-Mart, Safeway etc, to take on troublesome and unemployed youth on a temporary employment basis, (ranging from 1 week up to 12) so as to give these young adults the opportunity to learn some skills, and through attendance, receive a reference which would assist and put them in good stead to find more stable work. Not only this, these trainees would be exposed to the work environment, taking the scare factor out of it, instilling confidence and self esteem in them. Even as an adult you only have to be out of work a couple of weeks before you start to lose your own confidence, so I can imagine how difficult it is for those who haven't even got through the door of their first job.

If we don't help young adults, we only bring problems upon ourselves as a society through isolating these youth, who quickly become disenfranchised from society and turn to gangs, with the follow- on affect of an escalation into further antisocial behaviour and a possible life of crime. The bottom line is we want penalties handed out for every crime, but also want to give first time offenders every opportunity to get to stay on track.

Youth who are constantly targeted by police congregating around parks drinking, discharging fireworks, scrawling graffiti, would be suited for this scheme. The age group predominantly would be between 15 and 18. These are the percentage that have dropped out of school and would be targeted for such a scheme. As you know many of these young adults are not seeking professional careers, but certainly enjoy lifting a car bonnet and working with their hands.

Difficult as it seems - it shouldn't be, and propose that payment of this traineeship / mentoring programme be directly the shared cost of Local, State and Federal Governments, ensuring that all three utilise and pour their resources into a combined effort. During the initial traineeship, we do not want to burden the employer with any direct financial cost.. Issues such as Work Cover and Super could easily be covered by the Council and would equate to less than \$16 a week per individual with the remainder being paid through State and Federal governments. (We have been advised federally-the national community crime prevention program has funding for projects such as the one we are proposing). Payment to the trainees is crucial in order to give them dignity and pride for the hours they will be attending. Ideally, as many are possibly already receiving unemployment benefits, we would be seeking an increase in that level for the period of this traineeship, more in line with a sustainable wage. It is recognised that many of these youth may, or will have deficiencies in reading and writing, as well as the disciplines required of a work environment. These issues will be assessed before placement, and ongoing assistance provided in co-operation with the employer.

Background

Having visited and researched HAND BRAKE TURN in Dandenong, we are proposing to replicate their success in assisting youth, including young offenders, achieve full time employment. Our model and proposition would differ from HAND BRAKE TURN by placing these youth directly into local businesses, cutting the need for expensive building rent, equipment, staff and associated overheads, bypassing as much red tape as possible. This would allow for a more one on one approach ensuring maximum resources and dollars are spent on the participant instead of on the bureaucracy.

We are proposing a strategy of direct access to the work environment. One of the problems Cranbourne youth face is a lack of public transport which not only puts employment opportunities at a disadvantage but does add to the youth crime rate and boredom within our town - hence the need to base the programme where it can be accessed-locally.

Proposal-Breaking the cycle

The "3 Strikes and You're In" policy

1. **Identifying**
2. **Training**
3. **Employment**

Strike One! Identifying

Identifying means that we will work with local schools and the courts, to find young people who may qualify for this programme. Courts and police could direct Cranbourne offenders through diversion programmes.

Strike two! Training

The training module will begin with a pre-employment course to address matters such as:

- 1) **Timekeeping/punctuality**
- 2) **Basic literacy**
- 3) **Interview skills/presentation**
- 4) **Conflict management**
- 5) **Teamwork**
- 6) **Money management**
- 7) **Travel**
- 8) **Finding job opportunities**
- 9) **Job expectations**

The intention of this pre-employment programme is to prepare the candidate for future employment.

Training will continue during the employment phase with students being required to spend, if required, one day a week at the training facility. (existing training facilities or Churches in Cranbourne could be used as training facilities). At the successful completion of the training module the trainee will be given a certificate of completion. At the completion of the pre-employment course the student will be required to sign a contract with the employer. This will ensure that the trainee undertaking employment training will be aware of the expectations of employment, and that the employment trainer will be aware of the learning competencies that the trainee needs to learn/fulfill in order to complete the second phase of the programme.

Strike three! Employment

The employment phase will be a set period of time (1 - 12 weeks) with ongoing support. Both employer and trainee will be given skill criteria that must be met in order for the trainee to receive a certificate of competency. At the one-day per week return to the training centre, we will discuss the new working environment and the learning process that has been undertaken, and counselling and learning assistance will be available. The coordinators of the programme will meet with employment trainers in order to ensure that competency outcomes are being fulfilled and discuss the progress of the trainee.

Outcomes

At the completion of all three modules, trainees will be required to attend the training centre to review the learning process and to assess outcomes. At the successful completion of the course trainees will receive three certificates;

1) Certificate of learning completion

2) Certificate of learning competencies

3) Certificate of completion

Objectives for the programme to provide training that leads to long-term employment, or alternatively, a return to school or learning facility. To provide skills and competencies for future employment. To prepare trainees with basic understanding of requirements of future employers. To give experience to trainees of a work environment. To provide local industries with potential employees or apprentices who understand the basic requirements of the industry they have chosen. To provide young people with hope, and direction. To help young people become productive and contributing members of the local community. To identify local trainee providers and industry specific skilling. To provide a diversity of trainee experiences. Skilled shortages in our area are vast with shortages in trade based businesses, hospitality, and service industries. In the long term we would like to see a southern industry plan embraced and supported by all levels of Government, focusing on the benefits a future Port of Hastings will offer. Currently here in Cranbourne, we have one of Victoria's highest school drop out rates. We stress the need to develop and encourage industry, trade schools and even the establishment of community colleges to our region.

Administration of funds for the Cranbourne Youth Traineeship Program could be administered through a 24 hour youth centre in Cranbourne, and /or any Registered Training Organisation or similar.