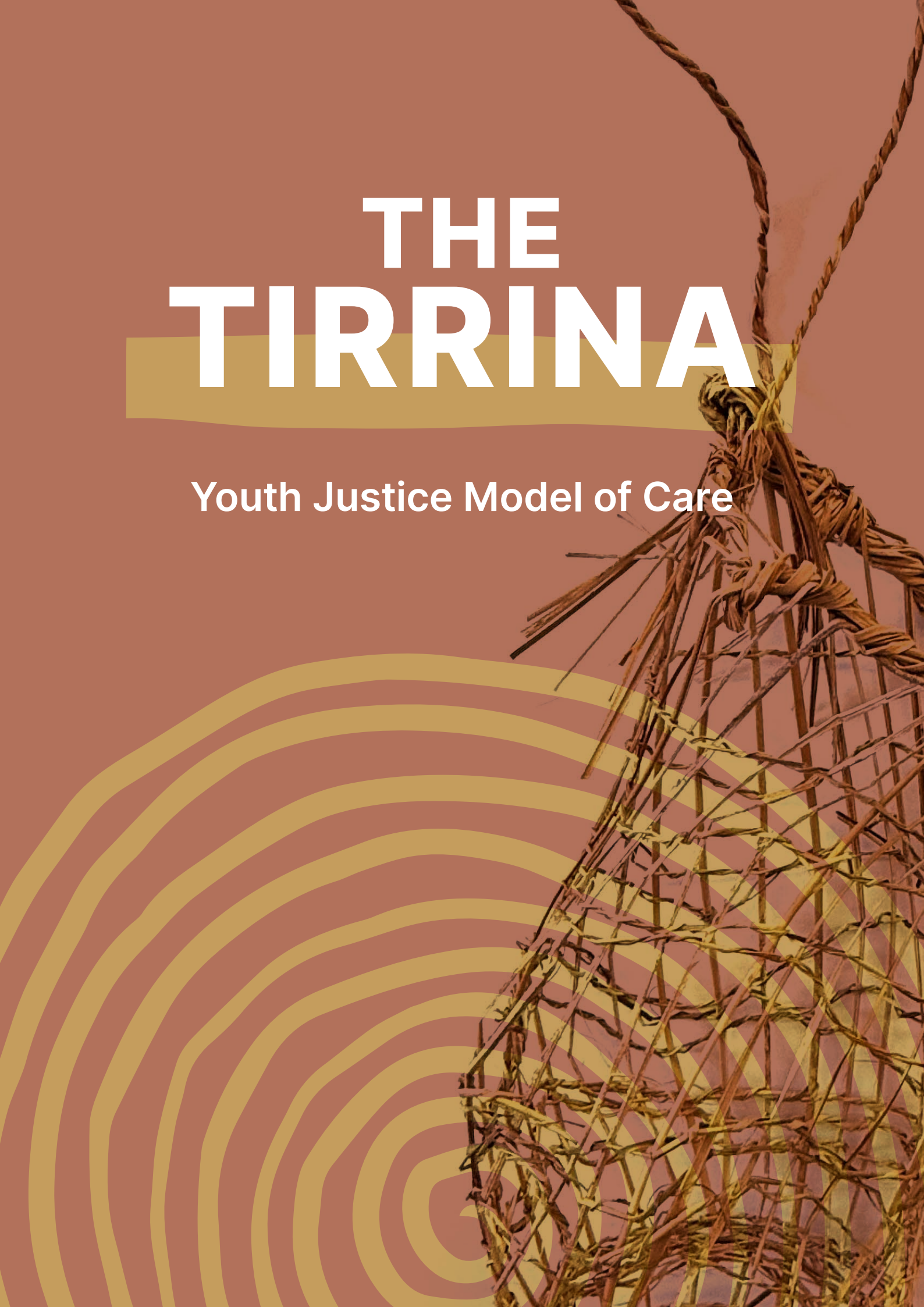


THE TIRRINA

Youth Justice Model of Care





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Executive summary

Aboriginal children and young people in Tasmania/Lutruwita are consistently overrepresented in youth justice detention and community supervision and underrepresented among those diverted from the system, compared to non-Aboriginal children (Productivity Commission, Report on Government Services 2024; AIHW, Youth Justice in Australia 2023–24). This reflects systemic failure that demands urgent, Aboriginal-led reform.

In response, the Tasmanian Aboriginal Centre (TAC) developed *Makuminya-nanya* (mah ku mee nyah - nah nyah), meaning *your path*, a culturally grounded youth justice strategy supported by the Department for Education, Children and Young People through the Palawa Youth Justice Futures Project. The approach provides a practical framework to reduce systemic inequities in youth justice and ensure Aboriginal children grow up safe, strong, and deeply connected to family, culture, community, and country.

Strategic Direction

The strategy provides a foundation for Aboriginal led reform, guiding TAC in delivering supports across the continuum of youth justice, shaped by the *Tirrina* model. *Makuminya-nanya* is led by Aboriginal knowledge and authority, builds strong cultural pathways, and delivers coordinated support for children, young people, and families through prevention, early support, and youth justice involvement.

TAC will deliver five key programs across every stage of youth justice involvement, with four building from the foundations established in [*Nukara*](#).

- **Kani Pama** – a culturally safe and accessible early contact point for Aboriginal families, supporting children and young people at the earliest stages of risk or involvement with the youth justice pathways.
- **Ningina** – provides family centred, culturally grounded support, building capacity, promoting healing, and diverting children and young people from the youth justice system.
- **Palawa Partnership Team** – draws on the cultural authority of Aboriginal Elders and leaders in decision making, diversion, and advocacy, strengthening family and community trust.
- **Bail and Post-Detention Support** – offers culturally safe, therapeutic support at critical points of justice system involvement, ensuring continuity of care and reintegration.
- **Takariliya Taypani** – delivers intensive case management and cultural connection for children in out of home care and youth justice, including crossover children, to reduce system involvement and improve outcomes.

The approach sets out how governance and funding measures will be implemented, monitored, and evaluated to ensure culturally safe and sustainable youth justice reform. TAC will advocate for secure, ongoing funding and embed Aboriginal led governance and accountability across policy, law, workforce, and funding.

Why a new approach is needed

Aboriginal children and young people in Luruwita have been consistently let down by the mainstream youth justice system. This is the moment for genuine structural change, not superficial adjustments, but deep reform with strong Aboriginal leadership, grounded in lived experience and cultural knowledge. Such reform requires meaningful and measurable targets, timelines and sustained resourcing that reflects the seriousness of the harm caused and the genuine commitment to supporting this opportunity for transformation.

Transformative and lasting reform requires action across all stages of youth justice - from prevention and early intervention, diversion, bail and remand to alternative sentencing, custodial orders, and transition from detention. But genuine reform must also extend beyond the justice system itself. This means building a foundation of early support, safe housing, strong family connections, and equitable access to education, cultural care and healthcare as equal drivers and contributors of change in the system.

The scale of over representation in Luruwita is not inevitable. Aboriginal-led, culturally governed approaches have been proven to reduce youth justice contact, strengthen family and community connections, and support long term wellbeing. By shifting control of resources and decision making to Aboriginal community, Luruwita can replace punitive, short-term responses with sustained, therapeutic pathways that keep children safe, connected, and thriving on country. This project provides a clear, actionable plan to deliver such a change.



Introducing the *Tirrina* Youth Justice model

The *Tirrina* Youth Justice Model of Care is built on the concept of a *tirrina*, the *palawa kani* word for basket. A *tirrina* is woven to be strong and protective, holding what is placed within it. Similarly, this model provides safety, support, and care for Aboriginal children, families, and communities. Developed by Aboriginal people in Lutruwita, it is culturally governed, community led, and it was first applied to *Nukara*, the Palawa Child Safety Strategy.

Current youth programs delivered by the TAC resemble a dilly bag — a loosely woven *tirrina* with long handles for wearing around the neck, across the body, or over the shoulder. The dilly bag is close to the body and useful but limited in size and strength. These programs have carried our children and young people with culture, safety, and connection, but remain under resourced and stretched thin.

The next stage is to strengthen the dilly bag. Through *Makuminya-nanya*, Aboriginal leadership and community voice will weave the *tirrina* tighter, building skills, relationships, and system capacity so it can hold children and families with care. Over time, the reinforced dilly bag will be transformed into *Tirrina Rrala* — a strong, fully woven basket with a shortened handle and a tight weave, capable of holding all that is needed. *Tirrina Rrala* represents a culturally grounded, culturally governed, community led system that protects and nurtures Aboriginal children, families, and future generations.

The model is dynamic and relational. Every part of the basket — the handle, fibres, pattern, and weavers — must work together, guided by culture and community, to hold young people safely and help them grow strong in identity, connection, and culture.



The Tirrina

The Handle

The handle is the leadership of the TAC and the guidance of Aboriginal community members, ensuring the model is culturally governed, community led, child centred, and developed in line with the strategy – *Makuminya-nanya*.

The Fibres – voices and drivers

Palawa Voice

To ensure *Makuminya nanya* was built on community voices, knowledge and lived experience, extensive consultations were held with Aboriginal young people, families, Elders and TAC staff across Lutruwita. More than one hundred voices were heard and consultations included one-on-one conversations, small and large group discussions, in the bush, around campfires, and with young people both in custody and in community, often at a crossroad, navigating complex challenges and uncertainty. These conversations, grounded in trust and cultural safety, revealed the realities young people face — from housing insecurity, trauma and disconnection from culture to the strength they find in family, country and community-led support.

Consultations also involved a range of services and programs outside the TAC. These organisations described their work with young people but acknowledged they do not have the cultural skills, knowledge, or authority to meet the needs of Aboriginal young people. They emphasised that Aboriginal-led organisations such as the TAC must take the lead, with other providers offering support where appropriate, reinforcing the message that Aboriginal leadership is not optional but essential for genuine reform.

Consultations revealed a clear and consistent message across all groups. Aboriginal leadership and cultural governance are essential to meaningful reform, with healing and connection to country recognised as central to strengthening outcomes. Stable relationships and the provision of safe housing were identified as foundational to positive change, while Aboriginal led approaches, particularly through early intervention, were viewed as the most effective and sustainable means of preventing harm. Achieving these outcomes requires genuine community control, supported by government funding that enables Aboriginal organisations to lead in culturally safe and effective ways.

The voices of community are carried throughout *Makuminya nanya*, represented in direct quotes and in the evidence gathered. These perspectives shape the *Tirrina* Youth Justice Model of Care and are honoured as the foundation for change.



The table below summarises the key contributions, voices and shared priorities across groups involved in consultations:

Group	Main Messages / Contributions	Themes
Elders and community members	- Hold kids close with love, not shame - Culture is healing, not an add-on - Aboriginal community must lead youth justice - End over-reliance on removal and detention - Establish a Commission office for Aboriginal Children - Need on country programs	- Cultural connection and Aboriginal-led care - Early, relational support - Systemic reform and collaboration - Accountability and oversight
Youth Voices and Lived Experience	- Need stable, trusted workers who “stick” - Housing and safe spaces are critical - Boredom, drugs, and trauma drive offending - Want to be consulted, listened to and respected - Desire cultural connection and belonging - Need support for drug use - Would like another chance at school - AYDC is tolerable, it has good food, but desperate for visitors	- Stable, trusted adults and workers - Cultural connection and Aboriginal-led care - Safe spaces and housing - Participation and youth voice - Support for at-risk youth needs
Families and Carers	- Advocacy for our children - Need respite, without feeling shame - Desperate for mentors and stable youth workers - Early, relational support rather than reactive services - Safe, culturally appropriate spaces and shelters/hostels - On country healing, detox, and rehabilitation programs - Need a 24/7 support service from TAC	- Stable, trusted adults and workers - Cultural connection and Aboriginal-led care - Safe spaces and housing - Early, relational support - Support for at-risk youth needs
TAC Staff	- Need funding and training to better support at-risk young people across all programs - Need a hostel type accommodation to help our families and youth - Lungtalanana/Clarke Island needs to be run again	- Stable, trusted adults and workers - Safe spaces and housing - Support for at-risk youth needs - Early, relational support
Government/ Non-Government Services	- Collaboration necessary with TAC across the justice continuum - Need processes to share information better - Acknowledgement they do not have the cultural skills and knowledge to support Aboriginal youth - Aboriginal community organisations need to be funded to support their youth	- Systemic reform and collaboration - Cultural connection and Aboriginal-led care - Early, relational support

The Commission of Inquiry

The Tasmanian Commission of Inquiry (2023)¹ made several recommendations across the youth justice continuum for Aboriginal young people. Below is a summary of recommendations:

Continuum Stage	Recommended Actions	Relevant Recommendations
Prevention & Early Intervention	Invest in Aboriginal-led early supports-such as mentoring, housing, family engagement, and cultural connection-to reduce the risk of bail breach and prevent police or court contact. Establish Aboriginal governance.	12.1, 12.3, 12.27
Diversion	Expand Aboriginal-led diversion programs that prevent remand. Establish a Diversionary Services Framework with Aboriginal governance to formalise culturally safe alternatives.	12.4, 12.5, 12.27
Bail Support	Establish a 24-hour bail decision-making system with culturally competent staff. Fund culturally safe accommodation and supervision, including on country programs. Bail laws must consider Aboriginal status and circumstances.	12.14, 12.6, 12.27
Court & Legal Process	Mandate cultural safety training for judicial officers and embed Aboriginal cultural advisors in courts. Ensure culturally responsive legal representation for Aboriginal children. ACCO's to participate in youth justice decision making.	12.10, 12.11, 12.27
Detention & Remand	Reform legislation to prohibit remand due to lack of housing. Make remand a last resort. Ensure remand environments are culturally safe, therapeutic, and co-governed with Aboriginal communities.	12.14, 12.15, 12.27
Reintegration	Fund Aboriginal-led throughcare and transition supports. Ensure stable housing, cultural connection, and mentorship after court or custody. Reintegration must be governed by Aboriginal leadership.	12.8, 12.9, 12.27

¹ Commission of Inquiry into the Tasmanian Government's Responses to Child Sexual Abuse in Institutional Settings. (2023, August). *The report*. <https://www.commissionofinquiry.tas.gov.au/report>

The Blueprint

In December 2023, The Tasmanian Government released its overarching strategic plan for the youth justice service continuum, the Youth Justice Blueprint², 2024–2034. In the years that followed this strategic plan and several other key documents were developed:

Youth Justice Diversionary Framework

The Tasmanian Government's Youth Justice Diversionary Framework³ is the first step towards implementing a number of the Commission of Inquiry recommendations. It outlines expectations relating to the key elements, ways of working, and priority areas for service providers delivering diversionary services for children and young people.

The Framework applies to all organisations, individuals or agencies delivering or seeking to deliver diversionary services with Tasmanian Government funding and is to be used in conjunction with the Youth Justice Model of Care (2024)⁴.

Tasmanian Aboriginal Youth Justice Strategy

The Tasmanian Government's draft Aboriginal Youth Justice Strategy⁵, released in April 2025, highlights calls for:

- Aboriginal-led, place-based decision-making
- Early and sustained diversion from the justice system and healing-focused approaches
- Investment in Aboriginal Community-Controlled Organisations (ACCOs) to deliver supports
- Accountability and long-term government commitment

This strategy centres Aboriginal children, families, and communities as leaders in shaping justice responses that promote healing, connection, and self-determination. The *Tirrina* Youth Justice Model builds from, and delivers on, the Aboriginal Youth Justice Strategy (2025).

Youth Justice Model of Care

The Tasmanian Government's Youth Justice Model of Care 2024 responds to the Youth Justice Blueprint 2023, by outlining a therapeutic, trauma informed and culturally safe approach designed to address unmet needs and improve wellbeing for children and young people. As the first of five actions in the Youth Justice Reform Taskforce Action Plan 2024–2025, it sets out nine principles that reflect national and international best practice for supporting children and young people who are in, or at risk of entering, the youth justice system.

The TAC recognises the intent and value of these principles. The *Tirrina* model not only aligns with the Youth Justice Principles, but strengthens them through Aboriginal governance, cultural authority and more than five decades of community leadership. *Tirrina* brings these principles to life through relationships, cultural safety and a whole of family and whole of community approach, providing a pathway for translating system commitments into accountable, community led action.

The following table outlines how each Youth Justice Principle is embedded and strengthened through *Tirrina* and TAC practice, demonstrating the connection between policy intent and Aboriginal designed and delivered implementation.

2 Tasmanian Government. (2023, December 6). Youth Justice Blueprint 2024–2034. Department of Education, Children and Young People. <https://publicdocumentcentre.education.tas.gov.au/library/Shared%20Documents/Youth-Justice-Blueprint.pdf>

3 Department for Education, Children and Young People. (n.d.). Youth Justice Diversionary Services Framework Implementation Plan. Retrieved from https://keepingchildrensafe.tas.gov.au/documents/91/Diversionary_Services_Framework_Implementation_Plan_accessible.pdf

4 Tasmanian Government. (2024, December 4). Youth Justice Model of Care released. <https://www.premier.tas.gov.au/latest-news/2024/december/youth-justice-model-of-care-released>

5 Keeping Children Safe. (2025). Tasmanian Aboriginal Youth Justice Strategy: Information pamphlet. Tasmanian Government. https://keepingchildrensafe.tas.gov.au/documents/86/Aboriginal_Youth_Justice_pamphlets.pdf

Strengthening Youth Justice Principles through *Tirrina* and TAC's Practice and Leadership:

Youth Justice Principle	How the <i>Tirrina</i> Model Strengthens the Principle	How TAC's Practice and Programs Align and Lead
Child, Young Person and Family-Centred	Centres Aboriginal children within families, with healing and wellbeing shared across family networks.	Applies a whole-of-family approach, including mentoring, youth and family services, early years programs, advocacy, housing, education, health and cultural supports.
Participation, Agency and Voice	Supports young people to speak, participate and shape decisions, enabled by trust and cultural safety.	Provides safe spaces for leadership and learning through programs, with staff building long-term relationships to enable voice and agency.
Therapeutic and Strengths-Based	Focuses on healing, cultural connection and building strengths rather than punitive responses.	Promotes pride, identity and relationships through cultural programs, camps and mentoring, keeping young people connected to family and community.
Trauma-Informed	Recognises intergenerational trauma and provides safe, respectful, culturally aware support.	Supports families through grief, loss, violence and harm, with staff trained in trauma informed care and services reflecting cultural healing and accountability.
Social and Community-Based Approaches	Provides local, flexible, community-grounded responses rather than institution-focused approaches.	Delivers place-based services across Luruwita, including homes, schools, bush and community spaces, with outreach to regional and rural areas.
Throughcare and Collaboration	Ensures continuous support from early intervention to reintegration, with services coordinated around each young person.	Coordinates health, housing, education, legal and family supports, with staff collaborating across systems to prevent young people being lost between services.
Aboriginal Culturally Responsive and Safe	Culture shapes design and delivery, with community control over care and leadership.	Aboriginal governed, led and delivered. Programs guided by Elders, mentors and staff, embedding cultural authority, land, language and trust.
Safety and Wellbeing	Builds safe, stable environments through community-led design, trusted workers and familiar spaces.	Operates hubs in key regions, offering culturally safe spaces with consistent support through home visits, mentoring and advocacy.
Evidence-Informed	Guided by data, community knowledge and experience of what works for Aboriginal young people.	Uses over 50 years of experience and service data, contributing to reforms including Closing the Gap and evaluating programs through data and community-informed processes.

The Pattern of the Weave – *Makuminya-nanya*

The TAC was not involved in the development of the Government's Blueprint for Youth Justice (2023), Youth Justice Model of Care (2024), or Draft Aboriginal Youth Justice Strategy (2025). While these documents provide useful foundations, the Palawa community has not been meaningfully engaged in their design.

In response, the Palawa community created the Tirrina Youth Justice Model and the implementation strategy *Makuminya-nanya*, to guide culturally governed and connected support for Aboriginal children and young people across the youth justice system.

The Weavers

The weavers bring the Tirrina to life. They symbolise the role of families, Elders, young people and community members in shaping and guiding the basket. They carry knowledge, provide care, and hold young people through culture and relationship. Their work ensures the model is continually strengthened, responsive, and led by community. They include:

- Elders who lead cultural healing and accountability
- Aboriginal youth workers and practitioners delivering daily
- Carers and families holding young people within community
- Cultural mentors supporting reconnection and identity
- TAC staff working across health, legal, and family support
- Community members involved in co-design and evaluation



Tirrina Model

The *Tirrina* model will provide the framework for how change happens, built on Aboriginal ways of being, caring and healing, and adaptable across different sectors including youth justice and child safety.

The *Tirrina* model supports *Nukara*⁶ – the Aboriginal designed child safety implementation strategy; and the *Tirrina* model of care supports *Makuminya-nanya* – the Aboriginal designed youth justice implementation strategy. Both strategies align in driving systemic reform across the life course. Together they represent a broader movement that recognises Aboriginal community control as self-determining, with the *Tirrina* model guiding stronger outcomes for Aboriginal children, young people and families

Who the Model will Support

The *Tirrina* Youth Justice Model of Care is designed for Aboriginal children and young people in Lutruwita who are at risk of, or involved in, the youth justice system. It will also support their families, kin and communities, recognising that individual wellbeing is inseparable from collective strength.

How the *Tirrina* Youth Justice Model of Care will work

Mirroring the Tasmanian Government's Youth Justice Model of Care (2024), *Tirrina* will operate across the youth justice continuum.

A dedicated Aboriginal workforce of Elders, youth workers, mentors, cultural practitioners and social workers will provide consistent, relational care. They will not be transactional service providers, but trusted people who walk alongside young people and families over time.

The *Tirrina* Youth Justice Model of Care will respond directly to the real issues faced by families, including poverty, housing instability, past child removal and experiences of family violence. Rather than punishing or blaming parents and children, the model will wrap practical, emotional and cultural support around families.

A Culturally Distinct Alternative

Mainstream youth justice in Lutruwita will continue to rely on punitive, compliance-based approaches that pathologise trauma, disconnect young people from community, and ignore systemic violence.

The *Tirrina* Youth Justice Model of Care will offer a culturally governed alternative. It will not criminalise distress but will meet young people with understanding and accountability. It will strengthen cultural identity as a protective force and position family as the first place of healing. Where government systems remove children from community, *Tirrina* will keep them connected, held and supported.

6 Tasmanian Aboriginal Centre. (2025). *Nukara: Strengthening the Dilly Bag – Action Plan*. Tasmanian Aboriginal Centre. <https://tacinc.com.au/wp-content/uploads/2025/07/Action-Plan-1.pdf>

Replacing System-Driven Responses with Aboriginal-Led Solutions

The Tasmanian Government's Youth Justice Model of Care (2024) outlines prevention, diversion and sentencing strategies, but it remains anchored in a service delivery framework designed by government rather than community.

The *Tirrina* Youth Justice Model of Care will provide what government does not: a practical and cultural roadmap for embedding Aboriginal-led approaches into every stage of youth justice. Grounded in Aboriginal governance and cultural logic, it will ensure decisions are made with, by, and for Aboriginal communities.

Proven success comes from Aboriginal designed and led programs such the TAC Aboriginal Youth Programs and the Lungtalanana/Clarke Island program. Guided by Elders on returned Aboriginal land, these programs evidence that healing, accountability and reduced offending can be achieved when young people are reconnected to culture, family and community. These programs show that deep cultural immersion, community authority and genuine belonging deliver outcomes mainstream systems cannot.



Tasmanian Aboriginal Centre Strengths in Youth justice

Leadership and Capability

The TAC has over 50 years of experience supporting Aboriginal children, young people and families in Lutruwita. The TAC delivers culturally governed services that focus on prevention, early support and maintaining strong cultural connection. These efforts help keep families together, protect identity and reduce contact with harmful systems, despite limited youth justice funding. Built on decades of trusted relationships and knowledge, the TAC is well placed to lead the development and implementation of a statewide Aboriginal Youth Justice Model of Care that aligns with Government reform priorities and responds to the real needs of community

As the most established ACCO in Lutruwita, the TAC operates across all major regions, holds representation on state and national advisory bodies and plays a central role in Closing the Gap policy⁷ and implementation. It is positioned to lead system reform with government support and investment.

Cultural Authority and Community Trust

The TAC's legitimacy comes from its long-term presence and deep connections with Aboriginal families and communities across Lutruwita. Recognised and trusted as a provider of cultural and family support, the organisation engages strongly across urban, rural and remote areas and has a history of supporting families through complex systems, including child safety, education, health issues, housing and justice. This includes working with families involved in these systems and working proactively with children who are beginning to disengage or showing signs of being at risk, recognising that much more support is needed than current resources allow.

Services are delivered in ways that reflect Aboriginal family structures, kinship responsibilities and cultural obligations. Staff are drawn from the communities they serve, which builds trust, strengthens relationships and improves outcomes for children, young people and families.

⁷ Australian Government 2020, Closing the Gap Report 2020, viewed June 2025, <https://ctgreport.niaa.gov.au/sites/default/files/pdf/closing-the-gap-report-2020.pdf>.

Youth Justice Capability

The TAC currently works directly with children and young people through school holiday programs, family support services, cultural mentoring, youth activities, and programs such as the *mylatina milaythina* Program. This program connects children to culture, land and sea, and strengthens identity through guidance from Aboriginal rangers and Elders.

Aboriginal family workers and mentors provide daily support for young people who are disengaging from school, experiencing crisis, or involved with child safety and police, spanning prevention, early intervention, and post-release stages. These efforts are vital but under-resourced. Without long-term investment, the TAC cannot deliver the comprehensive, culturally grounded reforms and programs that *Tirrina* proposes.

The former Aboriginal Legal Service, which the TAC operated for over forty years, played a critical role in representing and advocating for Aboriginal young people in the justice system. Returning this service to the TAC is a priority, as it is most effective when delivered by Aboriginal people who understand the cultural and relational needs of the children they support.

The TAC aims to build on the successful Lungtalanana program, which supported young people through cultural knowledge and safe learning spaces. Its core principles—place-based learning, time on country, community mentoring, and cultural reconnection—remain central. Building on these foundations, the TAC is committed to developing a refreshed program, potentially integrated with *Tirrina*, that will give young people culturally grounded support, strong relationships, and learning opportunities beyond what is currently available.

Holistic and Culturally Governed Services

The TAC delivers coordinated supports across health, education, family support, NDIS support, employment and training support, child safety, mental health, alcohol and drug use, and housing. These services are provided by Aboriginal staff who understand the lived experiences of families and the impacts of systems on children's wellbeing and stability.

The TAC workers assist with school disengagement, family violence, homelessness, grief, mental health challenges and system involvement. Young people are regularly supported through these programs, even when they are not formally identified as youth justice clients. This provides early intervention and stability before issues escalate.

The TAC's statewide presence ensures services are accessible across all major regions and many smaller communities. This reach is critical to ensuring Aboriginal children and families are not excluded from support, due to geography or system gaps.

Proven Capability in Cultural Governance

The TAC has been a leading voice in Aboriginal rights, land return, legislative reform and service delivery for more than five decades. It is governed by an Aboriginal board, has senior executive leadership, and operates strong systems for quality assurance, compliance, financial management and program accountability.

The organisation manages complex funding arrangements and delivers services at scale across Lutruwita. It owns land and infrastructure statewide, which is used for service delivery, cultural gatherings and program activities. These places are culturally safe, where children, families and communities come together.

The TAC is the only Aboriginal organisation in Lutruwita with the capacity to meet the expectations of a formal Closing the Gap partnership. It contributes to policy, data and reform processes at both state and national levels and plays a central role in holding systems accountable to Aboriginal people.

The Table below outlines many of the services, programs and support offered by the TAC:

DOMAIN	DESCRIPTION
Health	• The Aboriginal Health Service provides a range of integrated health services operating across Lutruwita, with health clinics located in major population areas: Nipaluna / Hobart, Pataway / Burnie and Launceston. There are also several outreach clinics in other areas. Services include: - Aboriginal Health practitioners - General Practice medicine (doctors and nurses) - Paediatric medicine - Antenatal care - Immunisation and clinics - Physiotherapy - Speech therapy - Occupational therapy - Diabetes management and specialist care - Ear health screening for children - NDIS advisory services for health-related needs - Alcohol and other drug support and counselling - Smoking cessation support and advice - Integrated care coordination for people with chronic health conditions.
Children and families	• TAC's Families Team currently works with children and families through Family Support, Intensive Family Engagement Services and Takariliya Taypani. Current funding levels limit the amount of support that can be provided. • Other services for children and families include school holiday programs, parenting groups, family gathering days, puppetry, playgroups, early learning, early home visits and preparing for success at school. • Connected Beginnings works with children 0-5 years to improve readiness for school.
Social and emotional wellbeing	• Rana Payngana Paliti Rrala is designed to meet the community's social, emotional and spiritual wellbeing needs, employing qualified counsellors and community-based workers, with services ranging from one-on-one counselling to group creative arts therapy. • Takamuna Pakana supports community members of all ages with equitable access to participation in club and representative sport through financial assistance with memberships and sporting equipment. • Culture Care Connect is a program that aims to improve mental health and suicide prevention outcomes.

DOMAIN	DESCRIPTION
<i>Culture</i>	• Rrala Milaythina-ti is a project for helping community members spend time on country to improve their social, emotional and spiritual wellbeing. • Pakana Rangers and fire practitioners focus on the management of Aboriginal country and the cultural environment, including land and water. • Children may join the Muylatina Milaythina Junior Rangers program. • Palawa Kani and Palawa Kipli continue to revive traditional languages, food, culture and knowledge. • Regular cultural events include camps, festivals and rallies.
<i>Employment</i>	• Palawa Employment Service is a statewide program that focuses on skill acquisition and wellbeing support for Aboriginal people 15 and over.
<i>Skills and training</i>	• TAC is a Registered Training Organisation (RTO), offering a limited range of occupation-based training courses and qualifications.
<i>Aged care</i>	• The Aged Care Program supports independent living for older people.



Makuminya-nanya: Implementing the Foundations of Change

A Path for Transformation

Implementing the *Tirrina* Youth Justice Model of Care is not a matter of small adjustments. It requires a complete redesign of how governments and services understand and respond to Aboriginal children and young people.

Makuminya-nanya, is the strategy that drives this transformation. It reflects each young person's journey and the shared responsibility of families, communities and services to walk beside them. Support is delivered through culture, family and connection, not control or management.

This strategy calls for deep and lasting change through a realignment of power, responsibility and relationships. It places Aboriginal leadership at the centre of youth justice reform and requires government to work in partnership with Aboriginal families and communities, who hold the knowledge and authority to keep young people strong.

At its core, *Makuminya-nanya* recognises that every child has a unique path. Systems must walk with them in ways that are consistent, culturally grounded and caring. Reform means replacing punishment with relationship; surveillance with support; and token consultation with genuine self-determination.

Justice is redefined through connection, strength and belonging. It is found not in courts or custodial centres alone but in the words of Elders; the guidance of families; and the steady presence of those who walk beside young people.



Systemic Accountability and Aboriginal Governance

Accountability is an essential component of *Makuminya-nanya* as a mechanism for embedding reform and protecting cultural safety. The TAC is accountable to the Palawa community, represented in the *Tirrina* model as the *handle* that carries and sustains the basket. This requires strong governance and management throughout and beyond implementation.

The TAC has consistently called for accountability mechanisms that prevent harm while empowering Aboriginal communities to lead reform. This includes:

- community-led oversight of programs and services
- transparent reporting of diversion and detention data
- legislative and policy redesign that embeds Aboriginal law, values, and governance.

Across Australia, formal agreements have promised shared responsibility, but too often sidelined Aboriginal voices. As Wallace (2024)⁸ and Ransley and Marchetti (2001)⁹ note, the challenge is not the written agreements but the cultural lens through which they are enacted. Anglo systems continue to frame Aboriginal people as deficient. Overcoming this requires a racially conscious workforce, sustained cultural learning, and the embedding of Aboriginal legal and cultural perspectives in youth justice.

International examples show reform is possible. In Aotearoa New Zealand, Māori voices have been elevated in justice leadership, with Māori judges now comprising around ten percent of the judiciary¹⁰. The creation of Oranga Tamariki in 2019 embedded Māori values into child protection and governance¹¹, demonstrating that structural reform can shift outcomes.

A New Architecture of Accountability

Makuminya-nanya supports a total systems shift, ensuring that accountability is embedded, lived, and tangible across every layer of youth justice. In this context, accountability extends far beyond compliance with government reporting frameworks. It is a responsibility to Aboriginal children, families, and communities, and a commitment to uphold the rights enshrined in the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)¹² and the United Nations Convention on the Rights of the Child¹³.

This new architecture of accountability positions Aboriginal worldviews and knowledge systems at the centre of reform. Self-determination is the foundation for meaningful change, and it must guide every part of the youth justice continuum, from prevention and diversion through to custodial sentences and transition from detention. Consistent with the Tasmanian Youth Justice Blueprint 2022–2032 (2023), *Makuminya-nanya* calls for the establishment of a Commissioner for Aboriginal Children and Young People. This independent statutory role would provide oversight, ensure compliance with cultural safety standards, and strengthen the accountability of governments to Aboriginal communities.

8 Wallace, A. (2024) 'Why Do We Fail to Deliver Justice to Indigenous Populations?' 15(3) International Journal for Court Administration 5. DOI: <https://doi.org/10.36745/ijca.639>

9 Ransley, J., & Marchetti, E. (2001). *The hidden whiteness of Australian law: A case study*. Griffith Law Review 1 (1). https://ro.uow.edu.au/articles/journal_contribution/The_hidden_whiteness_of_Australian_law_a_case_study/27716685?file=50467158

10 Jesuit Social Services (2019) #JusticeSolutions New Zealand Tour. <https://jss.org.au/wp-content/uploads/2019/09/JusticeSolutions-New-Zealand-Tour.pdf>

11 Oranga Tamariki—Ministry for Children. (2019). *Embedding Māori values and worldviews in child protection*. <https://www.orangatamariki.govt.nz/about-us/our-approach/our-values>

12 UN General Assembly, *United Nations Declaration on the Rights of Indigenous Peoples : resolution / adopted by the General Assembly, A/RES/61/295*, 2 October 2007, <https://www.refworld.org/legal/resolution/unga/2007/en/49353>

13 United Nations. (1989). *Convention on the Rights of the Child*. <https://www.unicef.org/child-rights-convention/convention-text>

A new architecture of accountability also requires legislative reform. The current legal framework does not reflect international human rights obligations or national commitments such as Closing the Gap Target 11, which aims to reduce the overrepresentation of Aboriginal young people in detention. *Makuminya-nanya* calls for raising the age of criminal responsibility to 14 and the minimum age of detention to 16 and maximising the use of bail to reduce unnecessary remand. These measures align with recommendations from the United Nations Committee on the Rights of the Child and with evidence showing that early exposure to criminal justice systems causes long-term harm rather than rehabilitation (Ogilvie et al. 2024)¹⁴.

Transforming the workforce is equally critical. Accountability cannot be achieved without addressing systemic racism and bias. Judicial officers, police, and service providers must develop racial consciousness and acknowledge the shaping force of Anglo culture on law, policy, and practice. This requires sustained investment in cultural development, training, and reflective practice, guided by Aboriginal educators and leaders. Such efforts will benefit all children, regardless of background, have equal access to justice, safety, and opportunity.

Families and communities are central to the wellbeing of children. Justice processes that exclude them, undermine accountability and remove children from their strongest supports. *Makuminya-nanya* insists on family and community involvement from the very first point of contact, ensuring that young people remain connected to guidance, healing, and culture.

Knowledge governance is another pillar of a new architecture of accountability. Aboriginal-led data collection, analysis, and oversight—guided by Indigenous Data Sovereignty Principles (Maiam nayri Wingara, 2018)¹⁵ is essential to ensure that data reflects community realities rather than external assumptions. This builds genuine transparency and allows Aboriginal communities to hold systems to account using evidence grounded in lived experience.

Finally, accountability requires sustained investment. Too often, programs for Aboriginal young people are delivered through short-term projects or externally controlled initiatives. A new architecture of accountability must prioritise long-term funding of Aboriginal community-controlled services, ensuring continuity, cultural authority, and trust. This responds directly to recommendations from international human rights conventions and declarations, national inquiries, and the Closing the Gap framework, which all call for systemic reform grounded in Aboriginal governance.

Makuminya-nanya is both a path and a commitment. It builds a system that holds – rather than harms; listens – rather than silences; and acts with – rather than for Aboriginal children and young people. Culture, belonging, and Aboriginal authority sit at the centre of justice, ensuring that every child in Lutruwita can walk their path in safety, strength, and connection.

14 Ogilvie, J. M., Thompson, C., Lockwood, K., Little, S., Allard, T., Thomsen, L., & Dennison, S. (2024). Examining the characteristics of children who experience contact with the youth justice system in Queensland: implications for the minimum age of criminal responsibility. *Current Issues in Criminal Justice*, 36(4), 408–432. <https://doi.org/10.1080/10345329.2024.2383155>

15 Maiam nayri Wingara. (2018). *Indigenous Data Sovereignty Principles*. <https://maiamnayriwingara.org>

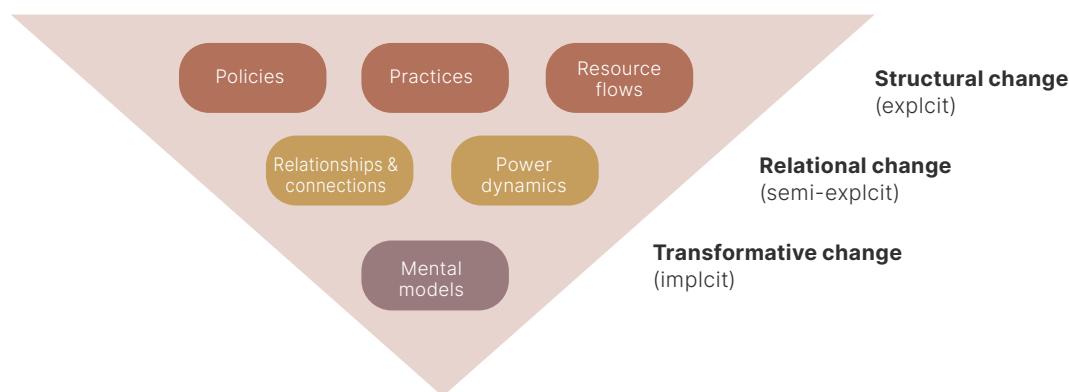
Embedding Systemic Transformation: The Water of Systems Change

To ensure transformation is real and lasting, *Makuminya-nanya* uses the Water of Systems Change framework, which explains how to achieve deep systemic change by addressing the six interdependent conditions that hold systems in place: mental models, power dynamics, relationships and connections, practices, policies, and resource flows.

The framework identifies three levels of change—structural, relational, and transformative—moving from visible policies and practices to deeper relationships and underlying beliefs. It provides a mechanism for embedding cultural and community values in practice by dismantling barriers such as ingrained deficit views, unequal power, and rigid funding controls. Through this approach, *Makuminya-nanya* transforms systems, redistributes power to community governance, and rebuilds relationships on reciprocity and respect, ensuring change is tangible, measurable, and accountable.

The diagram below depicts the six conditions of systems change that *Makuminya-nanya*, through a Water of Systems Change framework, seeks to apply:

Six conditions of systems change



Defining The Six Conditions of Change under *Makuminya-nanya*

Mental Models

Makuminya-nanya challenges deficit thinking by shifting how Aboriginal children and young people are seen. Narratives of risk and dysfunction are replaced with recognition of strength, cultural identity, and belonging. Children are not problems to be fixed but young people with potential, relational ties, and cultural authority. This reframing changes how services are designed, how decisions are made, and how success is measured.

Power Dynamics

Authority is returned to Aboriginal communities. Aboriginal people are not participants in someone else's system; they are the architects of reform. Aboriginal governance moves from the margins to the foundation, ensuring decisions reflect cultural responsibility and community priorities.

Relationships and Connections

Trust is built through culturally grounded, accountable relationships. Governments and services must show up as partners in healing, not as agents of control. Relationships and connections are continuously built upon through respect, based on and guided by cultural protocols and shared purpose, not simply the byproduct of transactional service delivery.

Practices

Everyday practice is reshaped to be culturally governed and trauma informed. These are not optional features but central to design, delivery, and evaluation. Compliance-driven and punitive practices are rejected in favour of approaches that strengthen cultural identity, promote dignity, and support healing.

Policies

Reform requires laws and policies that enable Aboriginal-led solutions. Policy must not entrench institutional control but instead protect children, enable local governance, and create space for cultural authority. Policies must be flexible and responsive to community-defined needs and strengths.

Resource Flows

Resources are redirected from short-term programs to long-term investment in Aboriginal community-controlled solutions. Funding must support continuity, workforce development, and cultural authority. Without the redirection of resources, decision-making power and systemic reform cannot be sustained.

The six conditions of system change under *Makuminya-nanya*:

Systems Change Condition	Under <i>Makuminya-nanya</i>
Mental Models	Move beyond monocultural deficit narratives. Judicial workforce cultural development fosters racial consciousness and understanding of how Anglo culture shapes law and practice.
Power Dynamics	Aboriginal self-determination is the guiding principle across youth justice. Aboriginal-led data collection, analysis, and oversight ensures decision-making authority remains with communities.
Relationships & Connections	Families and communities are involved from the first point of contact with the justice system, ensuring ongoing connection, guidance, and support.
Practices	Raise the minimum age of criminal responsibility to 14 and detention to 16. Maximise bail to reduce remand. Embed culturally governed, trauma informed, and relationship-based practices at all levels of service.
Policies	Position Aboriginal worldviews, knowledge, and values at the centre of youth justice policy reform. Remove barriers to community-led decision making and cultural authority.
Resource Flows	Ensure sustained, long-term investment in Aboriginal-led prevention, early intervention, diversion, and custodial alternatives. Prioritise community-controlled services, workforce development, and data sovereignty initiatives.

Applying *The Six Conditions of System Change*

Makuminya-nanya is built on the understanding that meaningful youth justice reform must address the full continuum of need. This extends across prevention and early intervention, diversion, bail and remand, alternative sentencing, custodial sentences, and transitioning young people from detention. Across each of these stages, there is an urgent need to shift from punitive responses to approaches that are grounded in care, connection, and cultural strength.

Despite landmark inquiries, Lutruwita continues to lack cultural safe, Aboriginal led youth justice processes and supports. Aboriginal young people are detained at significantly higher rates, held in facilities such as Ashley Youth Detention Centre which has been declared unfit for purpose, and often exit the system without meaningful pathways to healing or reintegration (Commission of Inquiry into the Tasmanian Government's Responses to Child Sexual Abuse in Institutional Settings 2023)¹⁶. The consequences of these failures are intergenerational and continue cycles of harm and trauma.

There is a clear and growing body of evidence that shows what works. The most effective strategies in youth justice for Aboriginal children and young people are those led by Aboriginal communities, designed in partnership with Elders, and centred on identity, family, and country. These approaches do not isolate young people from their culture and support systems. Instead, they strengthen connection and restore belonging. Programs that are culturally grounded and community driven have been shown to reduce offending, improve mental health, and promote stronger outcomes in education, employment, and family relationships.

Where contact with the youth justice system cannot be avoided, culturally governed models of bail support, community-based supervision, and alternative sentencing have proven effective in reducing detention and improving outcomes. Jurisdictions such as Aotearoa/New Zealand, Canada, and the United States provide examples of Indigenous leadership embedded across all levels of the justice system. In Lutruwita, however, these pathways remain under-developed and under-utilised, to the detriment of our people.

Makuminya-nanya responds to this gap. It presents a community-led roadmap for structural change across the youth justice system. It recognises that real reform must be grounded in Aboriginal self-determination, long term investment, and the understanding that justice cannot be separated from care.

The following section shows how the six conditions of system change come to life under *Makuminya-nanya*. Each of the six stages along the youth justice continuum is examined to demonstrate how the conditions of system change are activated. This analysis represents how *Makuminya-nanya* reimagines and delivers a youth justice system that is genuinely Aboriginal led, community governed and culturally strong. Replacing a reactive, crisis driven system with a holistic, place-based, and culturally safe system of care.

¹⁶ Commission of Inquiry into the Tasmanian Government's Responses to Child Sexual Abuse in Institutional Settings (Report, August 2023). <https://www.commissionofinquiry.tas.gov.au/report>

Prevention and Early Intervention

Current Context

Prevention is the critical stage before a young person enters regular contact with the justice system. For Aboriginal youth in Lutruwita, this is urgent—though they comprise only 11 % of the 10–17 year old population, they accounted for 36 % of those under youth justice supervision in 2023–24 and were four times more likely than non-Indigenous youth to be supervised in community or detention (AIHW, 2024)¹⁷.

Early intervention begins at the first signs of concerning behaviour, redirecting young people before offending patterns take hold. Both approaches rely on community-led, culturally governed programs that address root causes such as trauma, poverty, and cultural disconnection, with healing embedded as a shared responsibility of families and communities.

The *Royal Commission into Aboriginal Deaths in Custody* (1991)¹⁸, and reports such as *Bringing Them Home* (1997)¹⁹, the *National Indigenous Law and Justice Framework* (2009–2015)²⁰, and the *Closing the Gap* (2020) have all consistently called for Aboriginal community-led preventative action. These findings have been echoed in the Tasmania Commission of Inquiry.

Various national frameworks underpin Tasmania's *Youth Justice Blueprint 2024–2034* (2024), which recognises the value of early intervention. While the Government's Youth Justice Blueprint (2024) promotes integrated support and early intervention, investment and political attention have largely favoured punitive measures and expanded policing. This contradiction has raised concern among experts and advocates. Former Commissioner for Children, Leanne McLean (2022)²¹, warned that without investment in early intervention—especially for vulnerable Aboriginal families, Lutruwita will continue to see more arrests, trauma, and cycles of disadvantage.

Systemic challenges persist. The closure of Ashley Youth Detention Centre has been delayed until at least 2028 due to infrastructure setbacks (National Indigenous Times, 2025)²². A 2025 Custodial Inspector's report exposed serious failings, including the detention of children in adult watch-houses, breaches of safety laws, and disproportionate impacts of Aboriginal young people²³. These gaps between reform ambitions and practice underscore the need for sustained investment, Aboriginal led initiatives that enshrine cultural safety, cultural governance, and accountability.

17 Australian Institute of Health and Welfare. (2024). *Youth justice in Australia 2023–24: Tasmania*. Australian Government. <https://www.aihw.gov.au/reports/youth-justice/youth-justice-in-australia-2023-24/contents/state-and-territory-overviews/tasmania>

18 Royal Commission into Aboriginal Deaths in Custody. (1991). *Royal Commission into Aboriginal Deaths in Custody: National report* (Vols. 1–5). Australian Government Publishing Service. <https://www.naa.gov.au/explore-collection/first-australians/royal-commission-aboriginal-deaths-custody>

19 National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from Their Families (Australia). (1997). *Bringing them home : report of the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from their Families*. [Sydney] :[Human Rights and Equal Opportunity Commission].

20 Standing Committee of Attorneys-General. (2009). *National Indigenous Law and Justice Framework 2009–2015*. Australian Government, Attorney-General's Department. <https://www.ag.gov.au/legal-system/indigenous-law-and-justice/national-indigenous-law-and-justice-framework>

21 McLean, L. (2022). *Statement on the importance of early intervention for vulnerable Aboriginal families in Tasmania*. Office of the Commissioner for Children Tasmania.

22 National Indigenous Times. (2025, June 9). Calls to address systemic failures leading to Tasmanian children being held in adult prisons. *National Indigenous Times*. <https://nit.com.au/09-06-2025/18435/calls-to-address-systemic-failures-leading-to-tasmanian-children-being-held-in-adult-prisons>

23 Tasmanian Times. (2025, June 10). Government slammed for endangering children in adult prisons. *Tasmanian Times*. https://www.custodialinspector.tas.gov.au/_data/assets/pdf_file/0005/814073/Children-in-Tasmanias-prisons-review-report-2025.pdf

Evidence for Change

State, national and international research shows that the most effective prevention and early intervention strategies are Aboriginal-led. These initiatives go beyond service delivery, providing consistent, culturally safe and culturally governed support that centres family, community, and connection to country in the wellbeing and healing of Aboriginal children and young people.

Aboriginal-led programs build identity, restore belonging, and walk alongside children through challenges. They focus on long-term, relationship-based care that strengthens the child, their families and their community support network. Guided by culture, Elders, and Aboriginal workers with lived experience, these programs offer a safe, responsive alternative to systems that have historically caused harm.

They take a strengths-based approach, seeing children and young people as more than their behaviours, and address root causes of offending, such as trauma, disconnection, housing instability, and the intergenerational impacts of removal.

Key characteristics of effective Aboriginal-led prevention and early intervention programs include:

- Aboriginal community leadership and program design
- embedded cultural identity and strong connection to country
- support for families and carers alongside the child
- stable, trusted relationships with youth workers and Elders
- a focus on long-term healing over short-term compliance.

The following table outlines existing and proven programs, their guiding principles, and measurable outcomes. The table evidences how culturally strong, community-led approaches can transform young people's pathways and build safer, stronger futures.

Evidence for Aboriginal Led, Culturally Grounded Early Intervention and Prevention Youth Justice Models:

Program	Location	Key Features	Outcomes
Mt Theo Program ²⁴	Northern Territory	On country healing, community led support, youth diversion	Reduced substance use, strengthened cultural identity, lower reoffending
Marlamanu Initiative ²⁵	Kimberley WA	Intensive cultural re engagement in remote locations	Improved youth wellbeing, community trust, sustainable alternatives to detention
Wirkara Kulpa Strategy ²⁶	Victoria	Youth authored strategy for Culturally safe diversion and support	Centred youth voice, promoted identity and holistic, community led reform
International Examples ²⁷	United States, New Zealand	Culturally embedded mentoring by trusted community members	Lower reoffending, improved youth resilience, stronger community ties

²⁴ See Appendix 1

²⁵ See Appendix 1

²⁶ See Appendix 1

²⁷ See Appendix 2

Prevention and Early Intervention through *Makuminya-nanya*

Makuminya-nanya is a long-term reform strategy that transforms how prevention and early intervention are designed and delivered with Aboriginal children, families, and communities in Luruwita. It shifts power to Aboriginal leadership, embedding cultural governance, on country practice, and sustained investment in Aboriginal community-controlled services.

The strategy is *child, young person and family-centred*, building stability through family networks and kinship care. It strengthens belonging and ensures that healing and wellbeing are shared responsibilities. It also supports *participation, agency and voice*, enabling children, families, and Elders to shape decisions and guide pathways.

Makuminya-nanya is *therapeutic and strengths-based*, focusing on identity, pride, and leadership through mentoring, cultural camps, and community connection. It is also *trauma-informed*, providing safe, culturally aware responses to grief, loss, and systemic racism without pathologising children or families.

Support is *social and community-based*, delivered in homes, schools, bush, and community spaces across Luruwita, including rural and regional areas. Through *collaboration and throughcare*, services are coordinated across health, housing, education, and family support to provide continuity and prevent children from being lost between systems.

Above all, prevention is *Aboriginal culturally responsive and safe*. Programs are governed by Aboriginal organisations, guided by Elders, and grounded in country and kinship. It is also *evidence-informed*, drawing on the TAC's experience, service data, and Closing the Gap commitments to secure long-term change.

Makuminya-nanya reframes prevention and early intervention as cultural, community-driven reform that addresses root causes and builds stronger futures.

*"Sometimes it feels like no one was listening until it was way too late.
A bit of support earlier might have made a bit of difference."
– Young Person*

*"Services often don't reach the families that need them most. Aboriginal-led
approaches are the only way we'll see real change."
– Service provider*



The following table outlines how the six conditions of systems change are approached by *Makuminya nanya* when considering prevention and early intervention strategies:

Systems Change Condition	Prevention and Early Intervention through <i>Makuminya-nanya</i>
Mental Models	Reframe Aboriginal children as strong and capable; promoting cultural pride and healing.
Power Dynamics	Aboriginal communities make decisions about programs, funding and service priorities.
Relationships and Connections	Trusted workers build long term relationships; services provide wraparound support to families over time.
Practices	Culturally grounded, culturally governed, on country trauma informed and embedded praxis – practice thinking and action. Practices accountable to community.
Policies	Guidelines and rules enable flexible, Aboriginal-led responses that meet local needs.
Resource Flows	Long term, direct funding supports Aboriginal organisations to lead prevention and early intervention supports.



Diversion

Current Context

While diversion is recognised as a key strategy to reduce recidivism and break the cycle of incarceration for Aboriginal children and youth, Lutruwita lags behind other jurisdictions in equitable implementation. Despite commitments in the Tasmanian Youth Justice Blueprint (2024) supporting community-based, Aboriginal-led diversion (including Section 11 of the Youth Justice Act²⁸ enabling Elders to issue cautions), the proportion of Aboriginal young people diverted has sharply declined from 45.8% in 2015-2016 to just 20.6% in 2023-2024 (SCRGSP 2025)²⁹. The underuse and under-resourcing of culturally grounded practices like Elders' cautions hinder transparency and accountability, masking ongoing inequities.

The Royal Commission and the Australian Law Reform Commission (Seen and Heard 1997)³⁰ emphasise the importance of diversion, and the TAC calls for a review of police discretion to ensure Aboriginal-led diversion options are maximised and effectively used.

The rethink around diversion needs to also consider increase in the number of children that will be required by law to be diverted away from the system. The Commission of Inquiry recommended raising the minimum age of criminal responsibility to 14 years and the minimum age of detention to 16 years, changes strongly supported by the Australian Medical Association³¹ and the United Nations Committee on the Rights of the Child. Extensive neuroscientific and psychological research confirms that children under 14 do not have the developmental maturity to form criminal intent or meaningfully engage with complex legal systems³². Raising the age would prevent the criminalisation and incarceration of very young children, many of whom are Aboriginal who are at a formative stage of life, where detention only deepens trauma and disconnection.

Current diversion programs in Tasmania include REBOOT³³, a mentoring program supporting young people on bail or in detention to build skills, education, and employment pathways over 18 months to two years; and JCP Youth's Youth Reform Programs Australia³⁴, which provides a 24/7 community-based response. Both programs aim to strengthen support networks, engage high-risk youth, and reduce contact with the youth justice system.

28 Youth Justice Act 1997 <https://www.legislation.tas.gov.au/view/whole/html/asmade/act-1997-081#:~:text=Authorisation,Their%20Families%20Act%201997%20commences.>

29 SCRGSP (Steering Committee for the Review of Government Service Provision) 2025. Report on Government Services 2025, Productivity Commission, Canberra.

30 Australian Law Reform Commission. (1997). Seen and heard: priority for children in the legal process (ALRC Report No. 84). <https://www.alrc.gov.au/publication/seen-and-heard-priority-for-children-in-the-legal-process-alrc-report-84/>

31 Australian Medical Association. (2019, October 21). AMA calls for age of criminal responsibility to be raised to 14 years of age [Media release]. Australian Medical Association. <https://www.ama.com.au/media/ama-calls-age-criminal-responsibility-be-raised-14-years-age>

32 Laird, R. (2021). Regional international juvenile incarceration models as a blueprint for rehabilitation reform of juvenile criminal justice systems in the United States. *Journal of Criminal Law and Criminology*, 111(2), 571–604.

33 REBOOT – Youth Justice Program 54 Reasons <https://www.findhelptas.org.au/program/reboot-youth-justice-program/>

34 JCP Youth. (n.d.). Youth reform programs Australia. JCP Youth. <https://www.icpyouth.com.au/>

Evidence for Change

Therapeutic and culturally grounded programs that prioritise connection over control have been shown to deter young people from crime, improve mental health, and lead to stronger outcomes in education and employment (Wilson and Hoge 2013)³⁵. Culturally governed diversionary programs are among the most effective strategies for reducing youth justice involvement, particularly when they are designed and led by Aboriginal communities. Both international and domestic evidence confirms that these approaches foster stronger outcomes by prioritising cultural connection, community accountability, and healing over punishment. Programs in New South Wales and the Northern Territory show that when Elders lead, outcomes improve.

The following table displays successful models across different contexts and jurisdictions where community leadership and cultural strength have been central to effective diversion:

Location	Program/Study	Key Features and Outcomes
Aotearoa New Zealand	Oranga Tamariki (2019) ³⁶	Māori youth were best supported by Māori designed, led, and evaluated programs focused on reconnection to culture and community.
United States	Mendel (2022) ³⁷	Community-based diversion programs for African American youth significantly reduced reoffending when young people were connected to their community early in the process.
New South Wales	Cautioning Aboriginal Young People (CAYP) ³⁸	Enables Elders to deliver culturally relevant support during the cautioning process.
Victoria	Aboriginal Youth Cautioning Program (AYCP) ³⁹	Partners police with Aboriginal communities to support youth in culturally safe ways that address the root causes of contact with the justice system.
Northern Territory (Yuendumu)⁴⁰	Community-Led Initiatives by Elders	Elders have developed alternatives to detention that prioritise healing over punishment.

35 Wilson, H. A., & Hoge, R. D. (2013). The effect of youth diversion programs on recidivism: A meta-analytic review. *Criminal Justice and Behavior*, 40(5), 497–518. <https://doi.org/10.1177/0093854812451089>

36 See Appendix 2

37 Mendel, R. (2023). Effective Alternatives to Youth Incarceration. The Sentencing project. <https://www.sentencingproject.org/reports/effective-alternatives-to-youth-incarceration/>

38 See Appendix 1

39 See Appendix 1

40 See Appendix 1

Lungtalanana: A Local Example of successful Diversion programs

The Lungtalanana program represented a holistic, community-led response to diversion. Over many years, Aboriginal-led initiatives, coordinated largely by the TAC, have used Lungtalanana island to deliver healing retreats, youth diversion activities, and skill-building programs.

The island's remoteness from urban centres, its cultural significance, and its strong foundation of community leadership offered a transformative alternative to detention. The program never focused on punishment. Instead, they restore, re-centre, and reconnect young people to culture, kin, and country.

While community support for Lungtalanana remains strong, these initiatives have struggled with unstable funding, limited staffing, and lack of systemic integration. With the right investment and support, Lungtalanana could serve as a model for culturally governed diversion in Tasmania.

The Benefits of Lungtalanana for Youth Diversion:

Domain	Strength	Impact
Cultural Significance	Deep cultural and historical importance to Tasmanian Aboriginal people	Fosters identity, belonging, and intergenerational healing
Geographic Remoteness	Distance from urban centres and systemic stressors	Provides respite, reflection, and safety
Community Leadership	Longstanding stewardship by the TAC and community	Ensures governance, trust, and cultural alignment
Aboriginal-Led Programs	Healing retreats, cultural camps, on country learning	Demonstrates behavioural transformation and resilience
Youth-Centred Approach	Emphasis on care, not punishment	Promotes restorative alternatives to detention
Scalable Potential	Suitable for bail support, alternative sentencing, and remand diversion	Ready for broader integration within youth justice
Aligned with International Best Practice	Self-determined, culturally governed model	Embodies what justice looks like when it is relational and healing

Diversion through *Makuminya-nanya*

Aligned with *Makuminya-nanya*, diversion becomes a place of cultural strength, not punishment — a circuit breaker that restores identity, belonging, and hope. Section 11 of the *Youth Justice Act 1997* (Tas)⁴¹ allows Elders to issue culturally grounded cautions as an alternative to court, supporting healing and accountability. In practice, its use needs to be actively monitored and supported. Data on Aboriginal young people affected should be routinely collected, Elders must be empowered as decision makers, and resources allocated to ensure diversion is consistently available. Strengthening these mechanisms would improve transparency, accountability, and outcomes.

41 Youth Justice Act 1997 <https://www.legislation.tas.gov.au/view/whole/html/asmade/act-1997-081#:~:text=Authorisation,Their%20Families%20Act%201997%20commences.>

Diversion works best when it is voluntary, transparent, and respectful. Diversion through *Makuminya-nanya* requires young people to be engaged through *participation, agency and voice*. They need to be involved in decisions, not treated as passive subjects.

Makuminya-nanya also requires that diversion efforts be *child, young person and family-centred*. Meaning families and kin are included and kept informed and not isolated from the young people during, for example, community conferencing and cultural mentoring.

Diversion must also be *social and community-based*, led by those who know the local context. Evidence from Aotearoa New Zealand, the United States, and across Australia⁴² confirms that culturally grounded, community-led diversion is more successful than punitive responses.

Finally, diversion should include *continued care and collaboration*. Diversion is not a one-off event but part of a longer journey. Continued support, cultural programs, and mentoring help keep young people strong and connected.

“If culture and family are part of your plan, you actually feel like you have a future.”

– Elder, Aboriginal community

“Walking alongside young people doesn't stop at the gate. That's what matters.”

– Adult, Aboriginal community

The following table outlines how the six conditions of systems change are approached by *Makuminya nanya* when considering diversion:

Systems of Change Condition	Diversion through Makuminya-nanya
Mental Models	Recognise young people as capable agents of healing and change through culture and community connection.
Power Dynamics	Aboriginal governance guides diversion program design and implementation.
Relationships & Connections	Strong ties with Elders, families, and service providers ensure culturally relevant, and culturally governed diversion pathways.
Practices	Culturally appropriate cautioning shaped by culturally governed processes, such as mentoring, and therapeutic interventions replace punitive responses. Family and kin are kept informed and included.
Policies	Frameworks enable formal recognition of Aboriginal Elders in diversion decisions and support structures.
Resource Flows	Sustainable funding supports Aboriginal-led diversion services across regions and communities.

42 See Appendix 1 & 2

Bail and Remand

Current Context

In Lutruwita, Aboriginal children are nearly four times more likely to be held on remand than to be serving a custodial sentence (AIHW 2021)⁴³. This reflects national patterns, and points to deep systemic barriers, including a lack of safe and culturally relevant bail options, over-policing, court delays, the criminalisation of poverty and trauma, and the absence of timely, therapeutic responses. Often, young people are remanded not because of the seriousness of their offence, but because they have nowhere safe to go, or cannot meet bail conditions that are not suited to their lives.

There are currently no Aboriginal community-controlled bail or remand youth support programs in Lutruwita. This is despite over a decade of advocacy, including the 2014 *luwutina mana-mapali krakani waranta – Keeping Our Children With Us* report by the TAC⁴⁴. Supervised bail is often promoted as an alternative to detention, but in practice, it can involve restrictive conditions such as curfews, location bans, and mandatory programs that are culturally inappropriate or impractical. These constraints can increase the risk of breach and result in children being detained not for new offences, but for technical breaches of bail.

Tasmanian's draft *Bail Bill 2024*⁴⁵, developed in response to the Commission of Inquiry, includes positive provisions — such as preventing refusal of bail based solely on a lack of housing. However, without Aboriginal-led programs and sustained resourcing, legislative reform alone will not reduce the overrepresentation of Aboriginal children on remand. Reform must be embedded across the youth justice continuum.

Evidence for Change

Conditions such as lack of safe accommodation and support options were continuously identified within the research, as key reasons for denying bail to Aboriginal youth.

The Victorian *Our Youth Our Way* report (2021) found that these conditions often increase the likelihood of remand, particularly when culturally safe options are unavailable outside standard business hours. In response, Victoria introduced the Youth Justice Bail After Hours Service (YJBAS), which has significantly reduced overnight remand by ensuring access to culturally governed support around the clock. In Lutruwita, a similar model is currently being trialled through the Youth After-hours Diversion Service (YADS). While this is a positive step, the program is not yet grounded in culture. Its design and operation remain primarily government and system focused, rather than being led by Aboriginal community authority and cultural governance.

Across Australia and internationally, successful bail and remand programs demonstrate the value of culturally grounded alternatives:

- *Victoria's Youth Justice Bail After Hours Service (YJBAS)*⁴⁶ ensures young people can access culturally safe support during bail decisions—no matter the time of day. This model increases access to non-custodial options and ensures equitable treatment across regions.
- *Banana Well Bail Facility*⁴⁷, West Kimberley (WA) provide supervised bail with cultural activities and community mentors, increased compliance with bail, reduced remand, positive youth outcomes

43 Australian Institute of Health and Welfare. (2021). *Youth detention population in Australia 2020* (Cat. no. JUV 135). AIHW.

44 Tasmanian Aboriginal Centre. (2014). *Luwutina mana-mapali krakani waranta – Keeping our children with us*. Tasmanian Aboriginal Centre.

45 *Bail Bill 2024 (Tas) (Draft)*. (2024). Parliament of Tasmania. <https://www.parliament.tas.gov.au/>

46 See Appendix 1

47 See Appendix 1

- *NSW's Ngarrimili Bail Program*⁴⁸ partners Aboriginal caseworkers with young people, providing wraparound supports such as family liaison, housing assistance, and cultural reconnection to improve bail compliance.
- *Queensland's My Family, Our Decisions, Our Way*⁴⁹ and the *East Arnhem Youth Model*⁵⁰ (NT) implement Family-Led Decision Making in bail processes. These models involve families and Elders in designing supervision plans that prioritise community-based solutions over remand.
- *Aotearoa New Zealand's Rangatahi Courts* are held on marae (meeting grounds) and involve Elders in deciding bail conditions. These culturally governed practices increase accountability through connection, not punishment. *Pasifika Youth Courts* offer similar tailored models for Pacific Islander youth⁵¹.
- In *Canada*, the *Indigenous Bail Verification and Supervision Program (IBVSP)* supports Indigenous youth with culturally responsive caseworkers who help secure housing, advocate for services, and liaise with courts. In some regions, *Community Justice Committees* empower Elders to help shape and monitor bail conditions⁵².

The table below provides the characteristics of effective bail and remand programs, as highlighted in the research:

Characteristic	Description
Aboriginal Governance	Programs are designed, delivered and monitored by Aboriginal communities.
Wraparound Support	Housing, mentoring, legal aid, family engagement and cultural reconnection provided as integrated services.
Family-Led Decision Making	Elders, families, and young people shape bail and supervision plans tailored to each individual's needs.
Culturally governed & thus Safe Alternatives	Options such as on country programs, cultural mentoring and supervised care avoid the harms of remand.
24/7 Accessibility	Bail decisions supported at all times of day, reducing unnecessary overnight remand.
Legislative Support	Bail laws are adapted to explicitly account for cultural background, systemic disadvantage and community ties.

48 See Appendix 1

49 See Appendix 1

50 See Appendix 1

51 See Appendix 2

52 See Appendix 2

Bail and Remand through *Makuminya-nanya*

Bail programs must offer strong, culturally governed supports and genuine community-based alternatives to incarcerated, ensuring Aboriginal children are not detained unnecessarily. *Makuminya-nanya* shifts the focus from managing risk to strengthening children, families, and communities — a shift that bail and remand reform must reflect at every level.

Grounded in a *child, young person, and family-centred* approach, the strategy prioritises culturally governed bail supports that keep children connected to culture, kin, and place. Families and young people are actively involved in shaping bail plans and decisions, ensuring they are *culturally safe*, practical, and grounded in *participation, agency, and voice*.

Programs are *therapeutic and strengths-based*, working with young people to support healing, identity, and reconnection, rather than control or punishment. The approach is also *trauma-informed*, recognising that many Aboriginal young people have experienced systemic harms and require safe, respectful support.

Makuminya-nanya calls for *social and community-based* supports delivered by Aboriginal organisations, governed by local knowledge and embedded in cultural settings, challenging reliance on surveillance or court-driven processes. In practice, this means:

- Aboriginal-led teams coordinate care with families, Elders, and local services.
- Wraparound supports including housing, education, and cultural reconnection are activated immediately.
- Bail plans are regularly monitored, with timely intervention if needed.
- Culturally safe spaces are available for children and young people during bail periods.
- Collaborative case reviews strengthen accountability and responsiveness.

Through these measures, services provide continuous, wraparound support, walking alongside young people over time, including after court or remand periods. *Makuminya-nanya* reshapes bail and remand practice by placing Aboriginal children and communities at the centre, ensuring that support, culture, and connection are prioritised over detention.

“Being in Ashleys is scary and isolating. It makes you feel like no one trusts your family or community.”

– Young person

“Children should not be locked up just because there is nowhere else for them to go. Bail support needs to be real and strong.”

– Adult



The table below shows how the six conditions of systems change are approached by *Makuminya-nanya* when considering bail and remand:

Systems of Change Condition	Bail and Remand through Makuminya-nanya
Mental Models	The assumption that Aboriginal children are risky or non-compliant is replaced with an understanding of trauma, disconnection and systemic bias. Bail and remand are seen not as a test of compliance, but a time for cultural healing, safety and re-engagement.
Power Dynamics	Aboriginal communities have authority to design and deliver bail and remand supports. Children and families have a voice in what supports they need. Courts recognise Aboriginal cultural authority as a source of accountability.
Relationships & Connections	Programs are built on consistent, trusting relationships with Aboriginal youth, families and communities. Workers walk alongside young people through the court process and build bridges between the child, family, services, and the legal system.
Practices	Police and court practices shift to support culturally governed diversion and reduce over-policing.
Polices	Legislation and court processes are reformed to reduce remand for minor offences, ensure access to culturally governed bail support, and avoid detention for welfare or accommodation reasons. System accountability mechanisms are strengthened to monitor equity in bail decisions.
Resource Flows	Bail programs are resourced to operate outside government systems and embedded in Aboriginal organisations. Resources flow to localised, community-based services instead of default detention.



Alternative Sentencing

Current Context

In 2023–24, Aboriginal children and young people were four times more likely to be in detention than non-Aboriginal youth (AIHW 2025). This is a clear indicator of systemic failure that demands urgent, Aboriginal-led reform.

Alternative sentencing creates vital non-custodial, community-based pathways that support rehabilitation and reduce reliance on detention. For Aboriginal young people, these approaches are most effective when they are community-led, culturally governed, culturally grounded, and trauma-informed — principles recognised in landmark research, policy frameworks, and human rights commitments, including the Tasmanian Aboriginal Youth Justice Strategy (2025). Yet in Lutruwita, there still lacks robust, culturally governed alternatives to detention, with little investment in community-based sentencing and supervision options for Aboriginal youth. This gap persists despite the proven benefits of diversion and non-custodial pathways.

The Tasmanian Aboriginal community has long called for justice alternatives grounded in Aboriginal cultural authority, including the urgent closure of the unfit and unsafe Ashley Youth Detention Centre. For decades, Aboriginal leaders have advocated for community-controlled responses that are locally driven, family-inclusive, and focused on healing rather than punishment. Yet progress has been slow, and Aboriginal youth remain disproportionately detained. Establishing culturally governed, trauma-informed, community-led sentencing and supervision alternatives remains an urgent priority.



Evidence for Change

Alternative sentencing options are not new, nor can they be an afterthought or a last-minute option for diversion. When delivered through Aboriginal community control, alternative community-based sentencing options are central to disrupting cycles of incarceration and creating safer, stronger pathways for Aboriginal young people. Many of these options exist in legislation and are supported in policy but have not been implemented in ways that are accessible or appropriate for Aboriginal young people in Lutruwita.

Models that prioritise detention as a last resort and instead centre Elders, family, and Aboriginal community leadership offer promising directions. These include:

- *Youth Koori Court*⁵³ (Victoria) – a culturally guided court that involves Elders and family in the sentencing process to strengthen cultural identity and reduce reoffending.
- *Circle Sentencing*⁵⁴ (NSW) – a restorative justice practice involving community members and Elders in sentencing decisions, with a focus on accountability, healing, and support.
- *Aboriginal Sentencing Conferences*⁵⁵ (South Australia) – facilitated under the Nunga Court model, these provide culturally relevant alternatives to mainstream courts by including community voice and responsibility in sentencing.

Internationally, there is also a strong evidence base. In Aotearoa New Zealand, Rangatahi Courts and Pasifika Youth Courts operate within the mainstream system but are held in culturally governed and affirming spaces, led by Māori judges, and deeply involve family, culture, and spirituality⁵⁶. These courts have achieved positive outcomes in reducing recidivism and improving family engagement. In the United States, Native Youth Peer Courts empower young people to be sentenced and supported by peers under guidance from tribal leadership, integrating restitution, cultural teachings, and youth governance⁵⁷.

At the heart of each of these models is a powerful truth: healing and justice cannot be separated. This aligns with Indigenous law and epistemologies and reflects the inherent need for justice process to embed cultural strength, family responsibility, and community authority into every step of the continuum.

53 See Appendix 1

54 See Appendix 1

55 See Appendix 1

56 Oranga Tamariki—Ministry for Children. (2019). Embedding Māori values and worldviews in child protection. <https://www.orangatamariki.govt.nz/about-us/our-approach/our-values>

57 See Appendix 2

Alternative Sentencing Through *Makuminya-nanya*

Makuminya-nanya supports community-based sentencing that keeps young people connected to family, culture, and community. This approach promotes rehabilitation and accountability through culturally governed processes that strengthen identity, restore relationships, and uphold the role of Aboriginal communities in youth justice responses. It creates the conditions—legal, cultural, relational, and systemic—for alternatives to sentencing to be designed, led, and sustained by Aboriginal communities.

Community-based sentencing directly reflects *culturally responsive and safe* principles by embedding Aboriginal law, values, and community authority in decision-making. It exemplifies *child, young person and family-centred* practice by recognising the centrality of kin, community, and identity to a young person's rehabilitation, and is inherently *therapeutic and strengths-based*, viewing each sentence as an opportunity for healing, growth, and reconnection.

By supporting young people to take part in decisions that shape their futures, these approaches promote *participation, agency and voice*. Relationships with Elders, cultural mentors, and family members are actively supported through culturally governed supervision. Practical implementation involves Aboriginal-led teams designing sentence plans that integrate culturally grounded programs, on country activities, and family reconnection. Wraparound supports such as education, housing, health, and therapeutic services are embedded in the sentence, and supervision occurs in community and cultural settings rather than institutional environments. Ongoing monitoring by Aboriginal governance groups ensures accountability, transparency, and responsiveness to local needs, embedding alternative sentencing within *social and community-based* approaches that place justice firmly within Aboriginal communities.

“Courts should be supportive of sentences that allows our kids to stay in their own communities and be connected to support – not sit in Ashleys with a PlayStation.”
– Elder



The table below shows how the six conditions of systems change are approached by *Makuminya-nanya* when considering alternative community-based sentencing options:

Systems of change condition	Alternative Sentencing through Makuminya-nanya
Mental Models	Frames sentencing as opportunity for healing and cultural reconnection rather than punishment.
Power Dynamics	Aboriginal courts and community decision-making structures guide sentencing processes.
Relationships & Connections	Elders, family, and community participate actively in restorative justice and supervision.
Practices	Implements circle sentencing, youth courts, probation with cultural supports, and restorative justice methods.
Policies	Legislative frameworks enable culturally governed sentencing options and community participation.
Resource Flows	Funding allocated for culturally governed sentencing programs and community supervision resources.



Custodial Orders

Current Context

The Commission of Inquiry's final report concluded that Tasmania's use of custody, particularly for children and young people, is not just harmful on an individual level, but is embedded in systemic failures of governance, oversight and culturally unsafe practices. This report detailed institutional abuses and made comprehensive recommendations to overhaul how the state prevents, responds to and, where necessary, confines children. The report emphasised that custody in Tasmania has been used in ways that retraumatise victim-survivors and fail to protect vulnerable young people.

Independent reviews by the Office of the Custodial Inspector (2023)⁵⁸ have also echoed the findings of the Commission's critique that custodial responses in Tasmania are unsafe and systemically flawed for Aboriginal young people.

These documented failures reflect longstanding systemic breakdowns, the features of these breakdowns in Tasmanian custodial settings include limited access to culturally grounded community-based alternatives, biased decision making, and an absence of trauma-informed responses. The consequences for Aboriginal children and young people are profound, including but not limited to, disconnection from family, community and culture, interrupted education, and long-term impacts on social and emotional wellbeing.

Despite the above and the call to shut down Ashley Youth Detention Centre, which was found to be unfit for purpose due to widespread abuse, harmful conditions, and a culture of systemic neglect, the centre remains operational.

Any future facilities or custodial responses must emerge from genuine co-design processes that respect the rights, perspectives and authority of Aboriginal community in Lutruwita/Tasmania.

Evidence for Change

The Commission of Inquiry recommended raising the minimum age of criminal responsibility to 14 years and the minimum age for detention to 16 years. This matches the advice of the Australian Medical Association (2019)⁵⁹ and the United Nations Committee on the Rights of the Child (2019), both of which say young children should not be criminalised because they do not fully understand or take part in legal processes.

Research shows that children under 14 do not have the brain development needed to form criminal intent like adults do. They also lack the emotional control and decision-making skills to handle legal systems, especially when those systems are not culturally safe (Laird 2021)⁶⁰. This is especially important for Aboriginal young people, who often face systems that do not reflect or connect with their culture or community.

58 Office of the Custodial Inspector, Tasmania. (2023). *Custodial Inspector annual report 2022–23*. https://www.custodialinspector.tas.gov.au/_data/assets/pdf_file/0020/729101/Custodial-Inspector-Annual-Report-2022-23.pdf

59 Australian Medical Association. (2019, October 21). *AMA calls for age of criminal responsibility to be raised to 14 years of age* [Media release]. Australian Medical Association. <https://www.ama.com.au/media/ama-calls-age-criminal-responsibility-be-raised-14-years-age>

60 Laird, R. (2021). Regional international juvenile incarceration models as a blueprint for rehabilitation reform of juvenile criminal justice systems in the United States. *Journal of Criminal Law and Criminology*, 111(2), 571–604.

International examples confirm that raising the age for criminal responsibility and detention are both achievable and effective. Countries such as Germany (Dünkel 2016)⁶¹ and Spain (Clinks 2018)⁶² already operate with higher minimum ages of criminal responsibility, and their youth justice systems are oriented towards diversion, rehabilitation, and family involvement. These jurisdictions demonstrate that safer, more constructive approaches to youth offending are not only possible, but practical and successful.

In Aotearoa NZ Māori Pathways Programs exist within custodial settings for Māori young people (Collaborative Trust 2020)⁶³. These programs are trauma informed services that support young Māori offenders in custody. They are culturally governed programs within custodial settings that focus on providing young Māori culturally embedded rehabilitation and educational upskilling (Stanley 2019⁶⁴, Department of Corrections n.d.⁶⁵, Te Pae Oranga 2024⁶⁶). These programs also offer the corrections workforce a chance to learn how to better respond to the needs of Māori in care.

Custodial Orders through *Makuminya-nanya*

The *Makuminya-nanya* strategy addresses the failures of the current custodial system by calling for a transformative shift from punitive detention to culturally governed community care, healing, and rehabilitation. This requires legislative reform, broader insights, and strong leadership from Aboriginal organisations and communities. Where detention is unavoidable, custodial environments must be *Aboriginal culturally responsive and safe, trauma-informed*.

Culturally governed custodial alternatives under *Makuminya-nanya* are not similar versions of Ashley Detention Centre, but therapeutic environments rooted in Aboriginal worldviews of care, accountability, and connection. These alternatives prioritise *therapeutic and strengths-based responses* integrated with family and community, focused on restoring wellbeing and belonging. Their success depends on throughcare and collaboration, genuine government Aboriginal partnerships, adequate investment, local workforce development, and an unwavering commitment to *evidenced informed trauma-informed practice*.

Central to the strategy is the principle that children cannot heal in isolation. Custodial settings must be *child, young person and family-centred*, supporting ongoing family and community involvement. Young people must maintain strong cultural and relational connections through regular engagement with Elders, cultural mentors, and Aboriginal staff. Facilities should be culturally responsive and safe, co designed and governed by Aboriginal leadership, and feel familiar rather than institutional. They must be small scale and locally based, keeping young people close to their families, communities, and country.

61 Dünkel, F. (2016). Youth justice in Germany. In B. Goldson & J. Muncie (Eds.), *International handbook of juvenile justice* (pp. 305–326). Springer. https://doi.org/10.1007/978-3-319-45090-2_15

62 Clinks. (2018, November 8). *Two different countries, two different approaches*. Clinks. <https://www.clinks.org/community/blog-posts/two-different-countries-two-different-approaches>

63 Collaborative Trust. (2020, February 14). *Te Kōti Rangatahi: The way forward for Māori youth offending*. Collaborative Trust. <https://www.collaborative.org.nz/post/te-kooti-rangatahi-the-way-forward-for-m%C4%81ori-youth-offending>

64 Stanley, K. (2019). Whakamana Tangata: Restorative approaches in a youth justice residence. *Aotearoa New Zealand Social Work*, 31(4), 70–83. <https://anzswjournal.nz/anzsw/article/view/1219>

65 Department of Corrections. (n.d.). Māori Pathways projects. Ara Poutama Aotearoa. https://www.corrections.govt.nz/news/maori_pathways/projects

66 Te Pae Oranga. (2024). Youth justice intervention outcomes 2023–2024. ICM – Improving Criminal Justice Outcomes. <https://www.icm.govt.nz/reports/outcomes-23-24/yj-intervention>

Trauma-informed care is essential throughout custodial practice, requiring skilled, culturally safe staff who can build trust and support healing. Programs must be *therapeutic and strengths-based*, offering education, life skills, cultural learning, and mental health support embedded in cultural knowledge to foster identity and belonging. *Participation, agency, and voice* of young people should be prioritised in decision-making, program design, and daily activities. *Safety and wellbeing* must guide policy and practice, protecting young people’s rights with clear oversight. Detention must be a last resort, never used for children under 14, and always embedded in wraparound care supporting safe reintegration.

Through these integrated principles, *Makuminya-nanya* transforms custodial care from punitive isolation into a place of care, restoration of culture, wellbeing, identity, and belonging, ensuring that custodial practice consistently reflects *child, young person and family-centred, therapeutic, trauma-informed, culturally safe, community-based, collaborative, participatory, safety-focused, and evidence-informed approaches*.

“Culturally safe alternatives aren’t optional, they are essential.”
– Community Member

“Because of my surname, they knew who my family were
– I definitely experienced racism in juvie.”
– Young Person

“I had no idea about what was happening for my boy when
he went into custody, nobody told us anything.”
– Community Member

The table below shows how the six conditions of systems change are approached by *Makuminya-nanya* when considering custodial orders:

Systems of change condition	Custodial Orders through <i>Makuminya-nanya</i>
Mental Models	The model of care shifts from punishment to healing. This means custody is not about “serving time” but about restoring wellbeing, identity, and belonging.
Power Dynamics	Custodial settings are co-designed and overseen by Aboriginal communities. Governance boards include Elders and Aboriginal leaders with real authority.
Relationships & Connections	Families and communities are welcomed into the custodial space. Elders regularly visit. Children stay on or near Country to maintain connections.
Practices	Daily routines include yarning circles, on-Country programs, cultural mentoring, and trauma recovery supports. All staff are culturally trained.
Policies	Legislation raises the minimum age of detention and mandates that all custodial settings for Aboriginal children meet cultural safety standards.
Resource Flows	Funding supports the development of Aboriginal-run therapeutic facilities — not just smaller versions of Ashley, but community-owned places of care.

Transition from Detention

Current Context

Young Aboriginal people in Lutruwita who exit detention are often left to navigate their transition alone. Most are released without secure housing, without access to therapeutic services, phones, transport, or income, and without structured links to culture, education or employment. This lack of coordinated support significantly increases the likelihood of reoffending and entrenches cycles of harm. These failures have been repeatedly identified, including through the Commission of Inquiry, yet Aboriginal-led post-release programs remain scarce.

Young people and communities have consistently called for supports that respond to individual circumstances and also address the structural and relational factors that lead to repeated justice system contact. Without sustained, community-based transition planning, the risk of recidivism increases, and young people lose opportunities to heal, reconnect and thrive.

Evidence for Change

Makuminya-nanya embeds a transition model that draws on one of the TAC's Aboriginal Youth Program proposals (2023)⁶⁷. The model includes access to stable housing, education and training pathways, therapeutic and counselling services, family reunification and meaningful cultural reconnection. The design and delivery of these supports must be led by Aboriginal organisations and embedded in community.

National data reinforces why strong, culturally governed transition supports are essential. In 2023–2024, over half (55 percent) of First Nations young people received an additional supervised sentence before turning eighteen, and 44 percent returned to sentenced supervision within six months—rising to 63 percent within twelve months (AIHW, Tables S1 and S9)⁶⁸. These high rates reflect the consequences of inadequate post-release support and show that without stable housing, cultural connection and trusted relationships, young people are drawn back into the system rather than supported out of it.

Evidence from Tasmania further demonstrates the impact of culturally grounded transition supports. Hinton (2023)⁶⁹ evaluated a creative arts initiative and found reductions in reoffending, improved compliance with court orders and long-term gains in housing and education outcomes. Combined with national and international examples, this evidence reinforces that transition programs which are holistic, culturally safe and community driven are the most effective. These programs support Aboriginal young people in the context of their relationships with family, community and country, grounded in the belief that healing is collective, and that each young person has value, identity and potential.

Transition from Detention through *Makuminya-nanya*

Makuminya-nanya supports young people leaving detention with stable housing, education, cultural reconnection, and therapeutic supports that reduce recidivism and restore wellbeing.

It is *child, young person and family-centred*, recognising that successful reintegration depends on restoring relationships, not isolating individuals. *Makuminya-nanya* promotes programs that prioritise family reunification, the role of kin, and the importance of cultural belonging.

The strategy relies on a model of reintegration practice that is *therapeutic and strengths-based*, offering consistent access to housing, education, health, counselling, and healing services that support young people to rebuild their lives. These supports are not one-off interventions but part of a long-term commitment to walking alongside young people as they grow and heal.

67 See Appendix 3

68 Australian Institute of Health and Welfare (2024). Youth Justice in Australia 2023–24: Supplementary Data Tables. Tables S1 and S9. <https://www.aihw.gov.au/reports/youth-justice/youth-justice-in-australia-2023-24/data>

69 Hinton, T. (2023). Freedom Arts: An evaluation of a pilot arts-justice program. Anglicare Tasmania. <https://www.anglicare-tas.org.au/wp-content/uploads/2023/03/Freedom-Arts-Evaluation-Report-FINAL.pdf>

The strategy is also culturally responsive, embedding cultural governance, *guiding reconnection and identity development as core components of transition* rather than optional extras. Support, under this strategy, is delivered by Aboriginal-led organisations with deep cultural knowledge and trusted relationships, ensuring that every young person’s path home is grounded in who they are and where they come from.

The strategy is also trauma-informed, promoting the creation of safe, stable spaces for young people *to process their experiences and restore wellbeing*. At every stage, the strategy *supports participation, agency and voice*, with Aboriginal young people involved in planning their own transition and encouraged to express their needs, goals, and hopes in environments of trust and respect.

The strategy is implicitly supportive of approaches that privilege *throughcare and collaboration*, ensuring that planning for transition begins early in detention and is sustained after release. These approaches involve coordinated partnerships between community organisations, families, education providers, housing services, and health professionals. The bridge between custody and community is not left to chance—it is a deliberate, intentional feature of transitional supports, that also enable shared leadership and make clear responsibilities.

Importantly, transition through *Makuminya-nanya* is *social and community-based*. It is embedded in the places, people, and practices that matter most to Aboriginal young people. Elders, mentors, country, and community are part of the support system that holds young people in care and accountability. It is through these relationships that healing becomes possible.

Makuminya-nanya reshapes the approach to transition from custody by placing Aboriginal young people at the centre of a coordinated, culturally governed, culturally safe return home.

“Culture and family connection are the only things that can keep you on track after you leave.”
– Elder, Aboriginal community

“No one told us how to get back into life. You just get dumped on the street.”
– Young Person, Aboriginal community

The table below shows how the six conditions of systems change are approached by *Makuminya-nanya* when considering transition from detention:

Systems of change condition	Transition from Care through <i>Makuminya-nanya</i>
Mental Models	Sees transition as critical opportunity for healing, growth, and community reconnection.
Power Dynamics	Aboriginal leadership in reintegration planning and service delivery.
Relationships & Connections	Strong family and community involvement and support ensure sustained care after release.
Practices	Wraparound, throughcare and collaborative services integrate housing, education, culture, and wellbeing supports tailored to individuals.
Policies	Policies mandate continuity of care and culturally governed reintegration planning.
Resource Flows	Dedicated funding for Aboriginal-led transition services and aftercare supports.

Weaving the Turrina Basket: Five Programs to Hold Our Young People Strong

In June 2023, the TAC received a Closing the Gap Capacity Building Grant to design a community led approach to Aboriginal child safety. Stage one produced The *Turrina* model for child safety which holds the *Nukara* (2025) strategy. The implementation of this strategy will occur during stage two of the project and will depend on government redirecting resources, increasing funding, and renewing partnership commitments with the TAC.

Nukara recommends strengthening the TAC's *Takariliya Taypani* (bringing families together) program and creating new initiatives, such as *Kani Pama* (talk first), *Ningina* (to bring, to get, to give), and the *Palawa Partnership Team*, to better support Aboriginal children in out-of-home care. These programs will proceed once funding and approvals are secured.

Makuminya-nanya will expand these programs to respond to:

- uncoordinated and insufficient prevention and early intervention (lose the program)
- limited culturally safe entry points for youth to access supports
- insufficient early intensive family and youth support
- minimal cultural advocacy in decision making
- unstable care for young people on bail, in detention, or leaving detention

Nukara and *Makuminya-nanya* both aim to strengthen Aboriginal leadership, create sustainable cultural pathways, and provide integrated support for children, young people, and families.

Makuminya-nanya aligns its recommended programs with *Nukara* initiatives and extends its reach into youth justice.

Kani Pama – Aboriginal Cultural Prevention, Triaging and Early Support

Connection to *Nukara*

Kani Pama, meaning *talk first*, is a *Nukara* recommended program and will be the first contact point for child safety, providing family support, child-safe assessments, early intervention, and warm referrals (e.g. Ningina).

Youth Justice Functions

Building on *Nukara*'s foundations, Kani Pama will include a culturally governed and safe and accessible early contact point for Aboriginal families navigating youth justice. This will provide a trusted entry for children and young people at the early stages of risk or involvement.

Entry points: Advice and Referral Line (ARL), community, police, Department for Education, Children and Young People (DECYP) youth justice, legal, schools and external services

Key functions:

- Prevention outreach and early crisis support
- Deliver triage and warm referrals to the TAC and external services
- Provide youth justice prevention outreach
- Early engagement and assessment
- Community and family healing support
- Long term culturally grounded care
- Cultural mentoring and service partnerships
- Wraparound supports and referrals
- Detention, re-entry, and reintegration support

Pathways:

- Referral to Ningina for broader child welfare matters
- Support referral to legal support
- Connect to TAC programs

Youth and Family Support Program via *Ningina*

Connection to *Nukara*

Ningina plans to expand TAC current family support services which provides Aboriginal designed and led prevention and early intervention supports, reducing Aboriginal children's entry into child safety and out of home care

Youth Justice Functions

Building on *Nukara's* foundations, *Ningina* will also support Aboriginal children and young people at risk of or engaged in youth justice. This program will build family capacity and provide culturally grounded support across broader child welfare concerns and youth justice. It will deliver therapeutic long-term care, centred on relationships, cultural mentoring, and system collaboration to divert young people from justice, strengthen families, promote healing, and reduce reoffending.

Entry points: Kani Pama, ARL, community, police, DECYP youth justice, legal, schools and external services

Key functions:

- Delivering intensive healing centred casework
- Providing wraparound support for children and families
- Prevention outreach and early crisis support
- Ongoing family support to strengthen resilience and stability
- Support transitions between services and home/care placements

Pathways:

- Collaboration with *Kani Pama* and external services to coordinate holistic care
- Long term engagement to reduce crossover into youth justice and child protection

Bringing a youth justice lens into *Ningina* addresses the overrepresentation of Aboriginal children in both child safety and youth justice, ensuring culturally grounded support that maintains safety, stability, and family and community connection (Malvaso et al., 2017)⁷⁰.

⁷⁰ Malvaso, C. G., Delfabbro, P. H., & Day, A. (2017). The child protection and juvenile justice nexus in Australia: A longitudinal examination of the relationship between maltreatment and offending. *Child Abuse & Neglect*, 64, 32–46.

Palawa Partnership Team – Cultural Advocacy and Decision-Making Influence Program

Connection to *Nukara*

The Palawa Partnership Team is a *Nukara* recommended program that ensures Aboriginal led, culturally governed decision making guided by the Placement Principle (SNAICC 2017)⁷¹. It engages with Child Safety Services, is supported by Aboriginal legal services, and applies a strong cultural lens to all decisions.

Youth Justice Functions

Strengthening and extending the Palawa Partnership Team in the youth justice space builds on the Commission of Inquiry's recommendations to support Aboriginal organisations to lead culturally safe decision-making. Bringing a youth justice lens ensures that Aboriginal Elders and leaders are central to diversion, decision making, advocacy and culturally grounded processes, reinforcing family and community trust.

Entry points: Kani Pama, Ningina and Takariliya Taypani

Key functions will include:

- Elders to issue culturally grounded cautions under Section 11 of the *Youth Justice Act 1997* (Tas)
- Providing cultural advocacy and advice to courts to support diversion and non-custodial options
- Embedding Aboriginal perspectives across youth justice conferences, bail, and court proceedings
- Ensuring access to culturally safe legal representation
- Strengthening family trust and community-led decision making
- Building relationships with police, magistrates, and services
- Supporting families to navigate court processes and ensure their voices are heard
- Reinforcing reforms through judicial cultural training

Pathways:

- Embed in court, conference, and caution processes
- Connect with Ningina, Kani Pama, and Takariliya Taypani for holistic support.

This approach centres Aboriginal leadership and perspectives in both child safety and youth justice, improving outcomes through culturally safe, community-led decisions

⁷¹ Secretariat of National Aboriginal and Islander Child Care (SNAICC) – National Voice for our Children (2017). *The Aboriginal and Torres Strait Islander Child Placement Principle: A guide to support implementation*. Melbourne: SNAICC. <https://www.snaicc.org.au>

Bail and Post-Detention Support Program – embedded across Ningina and Takariliya Taypani

Connection to Existing Programs

The *Makuminya-nanya* Bail and Post-Detention Support Program extends TAC-led services to provide culturally grounded support during key justice system transitions, complementing family and community supports and addressing gaps in bail and post-detention care.

Youth Justice Functions

The program will provide culturally safe, family-centred, and therapeutic support to Aboriginal young people at critical points of justice system involvement.

Entry points: Kani Pama, Ningina, Takariliya Taypani and AYDC

Functions include:

- Support during key transitions, including detention and re-entry into the justice system
- Cultural mentoring and collaborative care across education, health, and other systems
- Therapeutic accommodation and post-release support for young people without stable care
- Reintegration planning and family reconnection, building on the TAC's Bringing Families Together program
- Preventing unnecessary remand due to lack of safe housing

Pathways:

- Integration with Kani Pama for early contact and transition support
- Collaboration across Ningina and Takariliya Taypani to ensure continuity of care

This approach will ensure there is continuity of care across both child safety and youth justice pathways, strengthens family and community connections, and supports healing and stability for Aboriginal young people during and after justice system involvement.

Takariliya Taypani

Connection to Existing Programs

Takariliya Taypani identifies Aboriginal children in out-of-home care and supports their goals, family, and cultural connections. Under *Nukara*, it will be strengthened and expanded to enhance support for children on orders and promote positive outcomes through family, community, cultural, and country connections.

Youth Justice Functions

This program will provide supports to children who are involved with the youth justice system, as well as being on orders under the *Children, Young Persons and Their Families Act 1997* (Tas). Expanding the scope of *Takariliya Taypani* to include youth justice will improve the supports being offered to 'crossover' children, as well as help reduce the number of Aboriginal children in both the child safety and youth justice systems.

Entry points: Internal referrals and service links

Key functions:

- Coordinated planning across systems
- Intensive case management for children in child safety and youth justice systems
- Consistent case management with youth workers and child safety case managers
- Culturally safe and holistic therapeutic care

Pathways:

- Coordinated case management and referrals across child protection and youth justice
- Work alongside Ningina, to ensure there are coordinated support approaches
- Seeks guidance and support from the Palawa partnership team to ensure cultural governance

This focus is particularly important because Aboriginal and Torres Strait Islander children are 26 times more likely to be in the youth justice system if they have prior involvement with child protection (SNAICC 2024)⁷². Expanding *Takariliya Taypani* to encompass youth justice ensures culturally grounded, coordinated, and continuous support across systems, strengthening the program's ability to meet the needs of 'crossover' children.

⁷² Secretariat of National Aboriginal and Islander Child Care (SNAICC) – National Voice for our Children. (2024, October 25). *Child protection systems not keeping our children safe* [Media release]. <https://www.snaicc.org.au/child-protection-systems-not-keeping-our-children-safe-media-release>

Roadmap for Embedding the Foundations of *Makuminya-nanya*

Embedding the foundations is the first stage of the *Makuminya-nanya* strategy. The strategy will evolve through identifying emerging opportunities for resourcing and funding, identified successes and challenges and ongoing evaluation. *Makuminya-nanya* will maintain alignment with other Aboriginal-led initiatives and strategic drivers, particularly *Nukura*, ensuring coherence, efficiencies and cultural integrity across efforts.

Strengthening the Dilly Bag

Stage 1: Prevention, Early Intervention and Diversion

Initial focus: Align with strategies 1–5 of the Youth Justice Blueprint and the Draft Tasmanian Aboriginal Youth Justice Strategy (Keeping Children Safe 2025)⁷³.

Overview:

- *Ningina* and *Kani pama* to be established and expanded to include youth justice prevention, early intervention, and diversion support streams.
- Prevention and early intervention will be delivered broadly across the community, using a public health approach that strengthens protective factors and reduces risks before problems escalate.
- Youth justice outreach will address the systemic causes of justice involvement while strengthening the cultural, family, and community supports that protect Aboriginal children and young people.
- Targeted (secondary) interventions will support young people who require individualised strategies to reduce antisocial behaviours and offending.

Diversion supports will be applied when:

- A young person has contact with the youth justice system, but police take no statutory action
- A young person is informally cautioned (section 8 of the *Youth Justice Act 1997*)
- Formal processes under the *Youth Justice Act 1997*, cautioning or conferencing, have commenced

Service Delivery:

- Youth workers will initially operate across all four TAC programs
- If concerns are solely youth justice-related, support will be delivered through *Pani Kama*, ensuring timely access to cultural and therapeutic supports
- If concerns extend into wellbeing, youth workers will operate within a multidisciplinary team, providing holistic support addressing cultural, emotional, and practical needs
- For Aboriginal young people on child protection orders, and who touch the youth justice system, youth workers will operate as part of a multidisciplinary team within *Takariliya Taypani*
- Workforce integration will be reviewed over time, considering operational requirements, funding, and resourcing

73 Keeping Children Safe. (2025). Youth Justice. Tasmanian Government. [Youth Justice | Keeping Children Safe](#)

Initial Actions:

- Engage courts, police, legal services, education, youth justice, and child protection to:
 - explore participation in Aboriginal-led models
 - clarify referral pathways and decision-making points
 - create information-sharing protocols
- Identify system barriers via the *Makuminya-nanya* strategy for structural, relational, and transformational change
- Appoint at least one Aboriginal youth workers per region, in both *Kani Pama* and *Ningina* programs.
 - Focus on direct support for Aboriginal young people and their families
- Appoint an Aboriginal project officer to lead the establishment of a TAC Bail Program. This role will work with the youth workers and be responsible for:
 - Designing and establishing culturally safe diversion processes, services and programs for Aboriginal youth
 - Support Aboriginal young people to access bail ensuring 24-hour culturally governed pathways that draw on the relational knowledge of Takariliya Taypani, including awareness of children on protection orders and their family and community connections.
- Appoint at least one Aboriginal Youth Justice Primary Prevention Workers per region. These roles will work with the youth workers and will be responsible for:
 - Designing and establishing culturally safe early intervention and prevention services and programs
- Map TAC program alignment (health, education, family support, cultural programs) to support:
 - Prevention and early intervention
 - Diversion services addressing holistic needs and supporting engagement or re-engagement in education and training
- Develop a plan to resource growth in prevention, early support, and diversion services, considering:
 - Partnerships with other providers
 - Transfer of existing resources
 - Lungtalanana for diversion programs

Stage 1: Bail, Sentence, Detention and Throughcare

Initial Focus: Align with strategies 3–5 of the Youth Justice Blueprint and the Aboriginal draft strategy.

Overview:

- Support Aboriginal children culturally through the processes of arrest, bail, sentencing, detention, and release.
- Services will follow the same holistic approach used in prevention and early intervention.
- Continuity across service streams ensures young people experience consistent support whether engaging with prevention, diversion, or statutory systems.

Actions:

- Engage courts, police, legal services, education, youth justice, and child safety to:
 - Explore and integrate Aboriginal-led models
 - Clarify referral pathways and decision points
 - Secure information-sharing protocols
- Appoint at least one Aboriginal youth worker per region for Bail and Post-Detention Support
- Map TAC program alignment – across health, education, family support, and cultural programs – with a focus on:
 - Avoiding unnecessary detention of Aboriginal young people
 - Exploring all community-based sentencing options before detention
 - Maintaining connection to country, community, and culture during detention
 - Planning individualised, culturally grounded exit strategies that promote engagement in education, training, healing, and community connection

Develop a resourcing plan considering:

- Partnerships
- Transfer of existing resources
- Lungtalanana for bail and community sentencing

Initial Actions:

- Appoint a Lead Program Manager or State Coordinator to:
 - Drive alignment with youth justice reform alongside TAC leadership
 - Develop Aboriginal-led tertiary pathways and workforce opportunities
 - Co-design service protocols and training pathways with staff and regions
 - Share learnings nationally to inform Aboriginal youth justice reform
 - Oversee the TAC's youth justice strategy and implementation
 - Secure long-term funding
 - Deliver statewide evaluation using community-defined measures and Aboriginal data sovereignty principles to guide Stage 2 of *Makuminya-nanya*

Stage 2: Actions

Embedding *Makuminya-nanya* in Youth Justice Systems

- Embed *Makuminya-nanya* programs and principles in formal youth justice planning frameworks, policies, and legislation, ensuring statutory recognition of Aboriginal-led diversion, bail, and culturally grounded practices
- Establish the TAC's own legal services to provide culturally governed representation and advocacy to Aboriginal young people and their families

Monitoring, Evaluation, and Community Feedback

- Develop a statewide evaluation framework using community-defined measures and Aboriginal data sovereignty principles
- Regularly review and report outcomes to Aboriginal communities, Elders, and stakeholders to inform ongoing program refinement
- Identify and document successes, challenges, and emerging opportunities for resource allocation and funding

Workforce Development and Capacity Building

- Deliver ongoing cultural safety, trauma-informed practice, and *Makuminya-nanya* training for TAC youth justice staff, police, courts, and child safety personnel
- Develop mentoring, leadership, and career pathways for Aboriginal youth workers
- Support cross-program workforce integration across *Ningina*, *Kani Pama*, and *Takariliya Taypani*

Youth Participation and Voice

- Continue strengthening mechanisms for Aboriginal young people to actively participate in diversion, bail, and court processes
- Evaluate youth input in program design, evaluation, and service planning
- Promote young people's agency in decisions affecting their cultural, educational, and social wellbeing

Cross-System Collaboration and Information Sharing

- Strengthen secure information-sharing protocols across TAC programs and external agencies (police, courts, child safety, education, and health)
- Formalise partnerships and referral pathways to ensure coordinated, culturally safe support for Aboriginal youth
- Embed Aboriginal leadership in decision-making across all participating agencies

Sustainability and Resourcing

- Develop a long-term resourcing and funding plan for Stage 2 programs, including partnerships, resource transfers, and innovative program delivery (e.g., Lungtalanana initiatives)
- Secure long-term funding to maintain and expand culturally safe diversion, bail, and post-detention support programs
- Plan for sustainable growth of prevention, early support, and diversion services
- Embed Aboriginal led governance

Funding and Resourcing

Funding and Resourcing Stage 1 of *Makuminya-nanya*: Embedding the Foundations of Change

Makuminya-nanya strengthens the operational capacity of the TAC's *Nukara* team by embedding youth workers within the existing structures.

The table below outlines funding and resourcing for Stage 1, framed within a three-year commitment to support staff attraction and retention. CPI indexing has been applied to Years 2 and 3 as an estimate to reflect inflationary adjustments. These figures do not account for potential changes of wages (e.g. awards, inflation), workforce expansion, or service delivery scaling. Detailed and accurate funding proposals for each year will be submitted through the standard government budget process.

Funding and resourcing table for stage 1

Action item / priority	Year 1	Year 2 (+3%)	Year 3 (+3%)
Youth worker			
- Provide culturally safe case support - Support young people on bail or supervision - Assist transitions from detention to community - Strengthen family and cultural connections - Advocate within justice and court systems - Coordinate wraparound community services	1 x FTE in 3 regions	\$309,250	\$ 318,528
	\$300,243		
Youth Justice Primary Prevention Worker			
- Strengthen cultural identity and belonging - Build trust with families and community - Support positive youth development pathways - Promote early intervention and prevention - Collaborate with schools and service	1 x FTE \$110,082	\$113,384	\$116,786
Youth Justice Program Development Worker – Bail Program			
- Develop culturally safe bail programs - Support staff in program delivery - Monitor and evaluate program outcomes - Engage families and community in programs - Coordinate with justice and service partners - Aboriginal YAD worker (24 hours roster 4 FTE – youth workers)	1 x FTE \$110,082	\$113,384	\$116,786
	Additional load \$100,000 plus vehicle \$ x	Add 3%	

Lead Coordinator / Manager			
• Provide team leadership and guidance			
• Oversee program implementation and quality			
• Ensure culturally safe practice across team	1 x FTE		
• Build partnerships with community and services	\$147,036	\$151,447	\$155,990
• Monitor outcomes and report on impact			
• Support staff development and supervision			
Salary on-costs			
• Travel, food, accommodation			
• Consultancy	\$50,000	\$51,500	\$53,045
• Materials and services			
• Administration (operations and salary)			
Review and evaluation of Stage 1 culturally governed evaluation and review processes that generate an evidence base for Stage 2 refinements and inform funding decision-making for future reform phases			\$30,000
Total: \$2,277,570 over three years (estimate)	\$747,470	\$738,965	\$791,135

Leveraging Nukura

While the Stage 1 funding proposal is independent of *Nukura*, the embedding of Youth workers in existing TAC family teams to work across *Nukura*'s four programs ensures *Makuminya-nanya* 's impact will be amplified during implementation of *Nukura*'s Stage 2 action plan, by:

- **Leveraging *Nukura* funding** in shared domains such as establishment, Aboriginal workforce capacity and capability building, and development of a TAC practice framework
- **Generating shared momentum** across both initiatives to support a holistic, integrated care approach
- **Embedding Aboriginal governance** via *Nukura*'s community-led decision-making structures
- **Aligning funding streams** to enable strategic investment from Closing the Gap and other sources, supporting sustained, community-led reform
- **Breaking down siloed approaches** across government, fostering cross-agency collaboration and accountability

Conclusion and Reflections

Conclusion: A Vision for a Stronger Future

Makuminya-nanya is more than a reform plan — it is a call to action grounded in the voices, wisdom and strength of the Aboriginal community across Luruwita. For too long, Aboriginal children and young people have been marginalised, misunderstood and harmed by systems that fail to recognise their culture, identity and rights.

This vision offers a pathway rooted in Aboriginal self determination, cultural safety and holistic care, a way to support our young people as they journey along their own paths. The *Tirrina* model guides it, ensuring care is relational, strengths based and culturally governed.

This work presents a staged approach to transform systems, programs and services, building on existing strengths while creating culturally safe pathways for Aboriginal children, young people and their families. It recognises the complexity of the task, requiring sustained commitment, resources and cross sector partnerships.

Reflections on Community Voices and Lessons Learned

Consultations in 2024–25 highlighted consistent themes shaping this strategy.

The Power of Culture: Aboriginal culture is not an add-on; it is the foundation of wellbeing and healing. Without culture at the centre, efforts will fail.

Urgency and Hope: While frustrations with systemic failures run deep, there is a strong desire and readiness for change led by Aboriginal people themselves.

Whole-of-Community Care: Young people thrive when supported by family, Elders, peers, and community workers — not siloed services.

Systemic Barriers: Racism, trauma, and fragmented systems must be dismantled alongside building new models.

Sustainable Investment: Short-term funding cycles and inconsistent support undermine progress and trust.

***“This is our time to lead and heal. We have waited too long
for others to fix what they broke.”
– Elder, 2025***

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Appendix 1

Review of National Youth Justice Programs, Approaches, Initiatives and Strategies.

Across Australia, states and territories are adopting distinct yet culturally grounded strategies to reduce the over-representation of Aboriginal and Torres Strait Islander young people in the youth justice system. These efforts are driven by principles of self-determination, cultural connection, and community leadership, underpinned by the recognition that culturally responsive, early interventions are key to disrupting pathways into the youth justice system. Victoria has led national reform through policy-driven initiatives that embed Aboriginal leadership, cultural safety, and systemic change across the youth justice continuum. Similarly, New South Wales, Queensland, Western Australia, and the Northern Territory are implementing innovative, community-led programs that prioritise prevention, diversion, healing, and rehabilitation, each tailored to the unique needs and strengths of local communities. From on country healing and mentoring to culturally safe court programs and family-led decision making, these initiatives reflect a broader national shift towards enabling Aboriginal communities to lead solutions that keep young people connected to culture, family, and community, while building safer futures.

Victoria

Victoria has led the way by creating policy driven initiatives that drive system reform and inform practice approaches across the youth justice continuum that strengthen Aboriginal Self-Determination & Cultural Connection. Across their efforts initiatives set out to:

- Elevate Aboriginal leadership and decision-making.
- Embed cultural supports and healing-led initiatives to every facet of youth justice reform.
- Address systemic biases and legislative over-representation.
- Build culturally competent services within Youth Justice.
- Create stronger pathways through mentoring, Elders-involved programs, and community engagement.

Examples of initiatives include:

- Expansion of the Aboriginal Justice Agreement ([Burra Lotjpa Dunguludja](#)) to include an Aboriginal Youth Justice Strategy 2022-2032 ([Wirkara kulpa](#)) developed *by and for* Aboriginal youth.
- Expansion of the [Aboriginal Youth Justice Mentoring Program](#), designed to strengthen cultural identity and connection through community leadership.
- Introduction of an [Elders In-Reach Support Program](#), offering cultural mentoring and leadership development for Aboriginal girls and young women in custody.
- Enhancement of the [Indigenous Garden](#) at Parkville Youth Justice Centre, fostering cultural activities and cultural safety.
- *“Our Youth Our Way”* (2020) *Inquiry into the over-representation of Aboriginal children and young people in the Victorian youth justice system* examined root causes of over-representation and informed the [Aboriginal Youth Justice Strategy](#) 2022-2032. This report shifted Victoria’s focus

to early interventions and offered a reimagined system with greater Aboriginal control over the structure, design and delivery of the youth justice system.

- Culturally safe frontline services offer [Aboriginal Liaison officers](#) (24/7 availability) guide custodial staff in culturally responsive care and decision-making.
- Mandatory [cultural awareness training](#) for all staff working with Aboriginal youth ensures a culturally safe environment.
- Active recruitment of [Aboriginal staff](#) in Youth Justice roles, improving cultural representation and trust within the system.
- [Local community and Elders](#) are embedded in governance and rehabilitation programs, reinforcing community and cultural support.
- Programs such as [mentoring](#), [case-management](#) including legal representation, and restorative justice are tailored to Aboriginal Youth to provide advice, assistance, Aboriginal cultural perspectives and active community involvement.
- [Aboriginal Youth Cautioning Program \(AYCP\)](#) is a Victoria Police initiative designed to reduce the number of Aboriginal young people entering the criminal justice system. Developed in partnership with Aboriginal communities, the program offers an enhanced police caution that connects young people with local Aboriginal Elders and culturally relevant support services to address underlying issues contributing to police contact.

Targeted at Aboriginal and Torres Strait Islander youth aged 10–17, participation is consent-based and serves as a formal alternative to court, avoiding criminal charges or convictions. The program is grounded in principles of self-determination, early intervention, and harm reduction, ensuring culturally appropriate, community-led responses to youth offending while maintaining community safety.

- [Youth Justice Bail After-hours Service \(YJBAS\)](#) is a state-wide, after-hours service in Victoria that provides bail assessments and advice when police seek to remand a young person outside regular court hours. Launched in April 2023, YJBAS replaced the previous Central After-Hours Assessment and Bail Placement Service (CAHABPS).

Operating during evenings, weekends, and public holidays, YJBAS conducts bail assessments either in person or remotely and advises bail decision makers, such as bail justices and magistrates. It supports the Children's Court Weekend Online Remand Court (WORC) process, which handles bail applications statewide via online hearings. YJBAS aligns with principles of diversion and minimal intervention, ensuring young people have access to fair bail decisions and support outside standard court hours.

New South Wales

Successful approaches in NSW highlight the benefits of initiatives led by local ACCOs, elders, and young people. Early and targeted interventions through restorative court processes, mentoring and a culturally competent youth justice workforce focusing on prevention, diversion and trauma responsiveness. Initiatives include:

Youth Koori Court

- Offering culturally-grounded court system within the Children's Court (Parramatta, Surry Hills, Dubbo), they involve Aboriginal elders and Aboriginal support workers who then develop and implement an action and support plan with and for the young person engaging with the youth justice system.

- [Evaluation of these courts](#) demonstrates about a 40 % lower imprisonment rate compared to standard courts, with 60 % of participants completing a rehabilitative “curriculum”.
- [Deferred sentencing processes within these courts](#) gives Aboriginal youth the opportunity to undertake education, cultural programs, and mental-health support.

Safe Aboriginal Youth (SAY) Program

- Provides supervised after-hours transport and outreach to keep Aboriginal youth safe late at night in regional towns (e.g., Kempsey, Dubbo, Moree, Orange).
- Acts as an early diversion by reducing risk of offending and victimisation, guided by local ACCOs.

Circle Sentencing

- Community-led sentencing circles in local courts (Nowra, Narooma, Moruya) where elders and officers co-decide outcomes.
- Shown to reduce reoffending by approximately 9.6 % compared to standard sentencing.

Justice Reinvestment Community-led systems change approach

- Justice reinvestment puts funding and decision-making into local Aboriginal-led Working Parties.
- Features proactive measures like night patrols, dispute resolution, youth engagement, and local services— linked to reduced offending and improved school retention.

Holistic Early Intervention & Casework

- **Youth on Track** introduced by the NSW government in 2013, has since been evaluated and found to contribute to a significant reduction in reoffending after just 3 months of participation in the program. The program offers early intervention for young people at risk of long-term involvement with the justice system. Specialist caseworkers support youth across education, family, behaviour, and mental health. The program works holistically with the young person, their family, non-government organizations, caseworkers, and Youth Justice representatives to provide a comprehensive support network. The program’s primary goal is to help young people make better decisions, reduce the risk of re-offending, and prevent them from committing more serious crimes.

Queensland

By developing the [Better Justice Together strategy](#) 2024-2031 the Queensland Government has committed to the National Agreement and its justice targets, aiming to reduce the rate of Aboriginal and Torres Strait Islander young people (10 to 17 years) in detention by at least 30 per cent by 2031. The commitment made via this strategy is to develop and embed strong and accountable partnerships with Aboriginal and Torres Strait Islander peoples. The strategy provides 4 key focus areas for reform: improving relationships and partnerships with Aboriginal people, supporting culturally informed early interventions and prevention initiatives with local decision making, ensuring a more equitable, accessible, and culturally responsive justice system, and addressing offending and reoffending via holistic, healing focused and culturally safe approaches and interventions. The Queensland Government acknowledges Better Justice Together alone will not address the disproportionate representation of Aboriginal and Torres Strait Islander peoples in the criminal justice system but the strategy is critical to address drivers of overrepresentation external to the criminal justice

system, including health, disability, violence prevention, employment, housing and early childhood development.

Mithangkaya Nguli (Myth-ang-ky-ya Noo-goo-lee) – Young People Ahead Youth and Community Services Indigenous Corporation On country model focuses on providing intensive cultural and residential experiences, family supports, education and training opportunities and connection to employment to young people who have had engagement with the youth justice system. Provides wraparound supports to young people and their families, to deal with issues including mental and physical health, substance misuse, and social media. As young people return home the new initiative will support re-connection with education, family/kin, and employment opportunities.

My Family, Our Decisions, Our Way Youth Justice Aboriginal and Torres Strait Islander Family Led Decision Making (YJFLDM) approach designed to support young people aged 10 to 14 who have had contact with police, courts, or are already engaged in the youth justice system — as well as those at risk of entering it. The program also assists young people who are disengaged, or at risk of disengaging, from education and learning pathways. Grounded in cultural practices such as yarning, the approach creates a culturally safe and supportive space where young people, their families, and networks can openly explore challenges and concerns. This ensures that families are central in shaping solutions and decisions that affect their children's futures.

Importantly, the program is delivered by Aboriginal and Torres Strait Islander Community Controlled Organisations (CCOs), independent of the Department of Children, Youth Justice and Multicultural Affairs. These CCOs provide deep community connections and access to a broad range of culturally appropriate services and supports. Trained YJFLDM facilitators work alongside the young person and their family to co-design a tailored plan and continue to walk with them, offering guidance and support to help them achieve their goals.

The Lighthouse operated by Townsville Aboriginal and Islander Health Service (TAIHS), offers youth aged 10–17 a safe place at night, with meals, showers, activities, crisis support, and shelter.

Murri Courts integrate the guidance of Elders, respect for cultural protocols, and a more collaborative, less adversarial approach to sentencing Aboriginal and Torres Strait Islander young people. Originally established in Brisbane in 2002 and later expanded across Queensland, the courts were reinstated in 2016 after a period of closure. Research has demonstrated that this culturally responsive model strengthens community engagement and contributes to reduced reoffending rates among participating Indigenous youth.

Palm Island Community Justice Group & Cultural Camp continues to auspice the Community Justice Group (CJG), which is dedicated to reducing the over-representation of Aboriginal and Torres Strait Islander people as both offenders and victims within the criminal justice system. The CJG provides culturally informed support to Aboriginal and Torres Strait Islander individuals throughout the legal process, including preparing sentencing submissions, attending court proceedings, and visiting prisons and youth detention centres. The group also facilitates mediation and connects community members with relevant services on Palm Island.

The CJG Coordinator plays a key role in fostering partnerships with service providers to collectively address justice-related challenges on Palm Island, with a strong focus on developing and supporting local intervention programs.

Additionally, the CJG operates a Family and Domestic Violence (FDV) Enhancement Program, which strengthens its support for community members affected by domestic and family violence. Through this program, both male and female DFV Court Support Officers are employed to assist Aboriginal

and Torres Strait Islander victims, offenders, and their families and children in navigating the justice system and accessing appropriate support.

Western Australia

The Yiriman Youth Diversion Program (Kimberley region) established in 2000 and based in Fitzroy Crossing, WA, is an award-winning, Aboriginal-led cultural initiative developed by Elders from the Nyikina, Mangala, Karajarri, and Walmajarri language groups. Created in response to growing concerns about youth self-harm, substance abuse, and cultural disconnection, the project supports at-risk Aboriginal youth through on country cultural immersion.

Through activities such as language teaching, storytelling, song, dance, bush skills, and preparation for ceremony, the project strengthens cultural identity, resilience, and community connection. Guided by Elders, these experiences provide a culturally safe space for healing, relationship-building, and intergenerational knowledge transfer. Despite ongoing social challenges, the Yiriman Project remains a respected model of community self-governance and cultural empowerment, recognised for its success in improving youth wellbeing and reducing engagement with the justice system.

Indigenous Community Night Patrols In the remote Djarindjin community on Western Australia's Dampier Peninsula, a locally funded community night patrol has led to a 40% reduction in police call-outs related to youth offending. Faced with high juvenile crime and minimal police presence, community volunteers patrol the streets each night, guiding children home and encouraging them to stay out of trouble.

The initiative has strengthened relationships between the community and police, fostered local employment, and built community pride, particularly as it operates without government funding. Police acknowledge that while the patrol has no arrest powers, it commands local respect and serves as an effective, culturally appropriate strategy to address youth crime and anti-social behaviour. This model reflects a broader shift towards community-led, preventative approaches to reducing juvenile offending in the Kimberley region.

"On Track to Thrive" is a pilot program, launched by the WA Government, aims to divert vulnerable children aged 5 to 9 from entering the criminal justice system in Perth and Geraldton. Backed by \$7.8 million, this multi-agency initiative addresses early offending behaviours in children below the minimum age of criminal responsibility by providing therapeutic and practical interventions across justice, education, health, and community services.

Additionally, the government is investing \$2.1 million to expand bail support programs for 10 to 17-year-olds. This includes extending the Youth Engagement Program (YEP), run by the Aboriginal Legal Service WA, to Geraldton, and introducing a parallel program for non-Aboriginal youth via Legal Aid WA. These initiatives aim to prevent reoffending and breaches of bail, providing long-term support to at-risk young people and their families, while also reducing police workload and enhancing community safety.

Northern Territory

The East Arnhem Land Youth Model (Gunga'yunga Djamarrkuliny) is a community-led program operating in four East Arnhem communities, jointly funded by ALPA, the Northern Territory Government, and the NIAA. Each community has a local leadership group of Traditional Owners, clan leaders, and respected community members who guide decisions on a brokerage fund used to support youth through cultural and family connection activities.

More than just a youth program, the model strengthens community capacity and self-determination by restoring decision-making to clans and communities. Activities are designed and managed by

Yolŋu people, ensuring cultural knowledge, kinship, and connection to country are passed to younger generations. The model empowers communities to direct government investment in ways that align with their cultural values and local priorities.

Marlamanu is an Aboriginal-led, on country diversion program in the Kimberley, offering an alternative to conventional youth justice approaches. It aims to rehabilitate young offenders through cultural connection, land-based activities, and mentoring by Aboriginal role models. The program, based on a working pastoral station, combines cultural education, life skills, and practical training such as land management and trades. Marlamanu's vision is to create a safe, transformative space that breaks cycles of crime, empowering youth to build positive futures while strengthening ties to culture and community.

Mt Theo/Warlpiri Youth Development Aboriginal Corporation (WYDAC) Aboriginal Elders from Yuendumu, NT, have urged the Royal Commission into the Protection and Detention of Children to consider their long-running, community-led youth program, the Warlpiri Youth Development Aboriginal Corporation (WYDAC), as an alternative to youth detention. Originally established as the Mt Theo Program in 1994 to combat a petrol sniffing crisis, Elders took young people to remote Warlpiri country to reconnect them with culture, land, and identity through traditional skills and knowledge.

Now expanded, WYDAC offers youth diversion, counselling, and case management for at-risk youth facing substance abuse, family violence, mental health issues, and criminal behaviour. The program has successfully rehabilitated hundreds of young people, some of whom have become community leaders. Elders and program leaders advocate for broader government investment in similar community-driven, culturally grounded rehabilitation models rather than reliance on detention.

Across Mainland Australia – Mentoring & Cultural Engagement Programs

A plethora of mentoring programs run by Aboriginal people and communities for Aboriginal youth. All providing evidence of how valuable it is to engage early with young people in a culturally embedded way, relationally, focusing on young people's strengths, dreams and aspirations away from crime and towards community and culture. These programs nurture leadership potential, build protective factors and provide connection. Some of these programs include:

- **Tribal Warrior**
- **Youth Frontiers**
- **Deadly Youth Mentoring Program**
- **Strong Brother Strong Sister**

Conclusions

Collectively, these diverse and locally-driven initiatives demonstrate that meaningful justice reform for Aboriginal young people must centre culture, community, and self-determination. By investing in early intervention, culturally embedded support, and community-led decision-making, states and territories are laying the groundwork for more equitable and effective youth justice systems. While challenges remain, these programs, approaches and strategies provide clear evidence that when Aboriginal communities are empowered to lead, outcomes improve — not just for young people, but for families, communities, and society. Continued commitment, sustained funding, and genuine partnerships with Aboriginal led organisations such as the TAC are essential to building a youth justice system that heals rather than harms, and that supports young people to thrive within their culture and communities.

Appendix 2

Review of International Youth Justice Programs, Approaches, Initiatives and Strategies.

Across Aotearoa New Zealand, Canada, and the United States, Indigenous-led youth justice initiatives are increasingly being recognised as vital responses to the overrepresentation of Indigenous young people in justice systems. Grounded in cultural identity, collective healing, and self-determination, these initiatives reject punitive, colonial approaches in favour of restorative, community-based methods. Governments and Indigenous communities in these countries are working in partnership to embed culturally safe practices, shift power back to Indigenous leadership, and prioritise connection to land, culture, and kin as key drivers of change. These reforms illustrate how culturally informed, wraparound support systems can lead to reduced recidivism, stronger communities, and more equitable outcomes for Indigenous and First Nations youth.

Aotearoa NZ

In Aotearoa NZ there's been political will and leadership to address the challenges of Māori overrepresentation in the justice system. Firstly, they have committed to a whole of government visibility over the justice system, simplifying the layers of leadership and decision-making and fostering uniformity in approaches. There is also strong Māori representation in Aotearoa NZ's leadership with 10% of judges being of Māori background. An appetite for innovation in the justice system is transforming and making the youth justice system more accountable. Driven by widespread strong connection to Indigenous culture, a consistent respect for Māori culture and a recognition of the importance of relationships and connection for all people Oranga Tamariki (Ministry of Children) was created in 2019. Oranga Tamariki's [Evidence Centre has identified 22 kaupapa-Māori programs](#) offering holistic, family and community inclusive, and culturally grounded methods and approaches across domains like remand, rehabilitation, mental health, substance abuse, and reducing reoffending. These culturally-informed methods and approaches have contributed to a drop in offending rates among Māori youth (e.g., from 1,483 per 10,000 in 2010 to 652 in 2018). Oranga Tamariki also works collaboratively with [Te Puni Kōkiri](#) (the Ministry of Māori Development) to spearhead reform in the juridical system, embedding the Māori worldview, the values, the role of spirituality into the methods of engaging at risk youth.

This collaborative ministerial relationship enables:

1. **Shared Goals:** Both agencies aim to improve outcomes for Māori children and whānau (families & Communities), emphasizing whānau ora (cultural identity), and self-determination.
2. **Collaboration to drive and support Māori-Centred Initiatives:** They often work together on initiatives that integrate Māori values into child welfare and youth justice services.
3. **Partnerships and Funding:** Te Puni Kōkiri provides funding and support to Māori organizations working with Oranga Tamariki, enhancing culturally appropriate services and kaupapa Māori initiatives.
4. **Policy Alignment:** Both ministries align their policies to support Māori development, wellbeing, and ensuring that Māori perspectives are embedded in children's services.
5. **Consultation and Engagement:** There is ongoing consultation with iwi (community), hapū (Māori society), and Māori organizations to ensure services meet Māori needs and uphold Māori self-determination.

Some of the unique Māori driven initiatives, programs and approaches that Oranga Tamariki and Te Puni Kōkiri support, enable and oversee in Aotearoa NZ include:

- the Rangatahi Courts (Māori Youth Courts), held on marae (Māori meeting places), involving Elders (kaumātua) in decisions about bail, support conditions, and cultural mentoring. This strengthens connection to culture and accountability. Pasifika Youth Courts are also in place to provide culturally tailored Pacific Islander youth centred support, integrating community leaders and families in remand decision-making and support strategies. These courts operate within existing legislation but are held in culturally affirming spaces, led by Māori judges that involve family and Elders in all decisions. These courts have shown success in reducing reoffending and supporting community-based accountability.
- [Ngāti Whātua Ōrākei](#) hapū formed to uphold identity, wellbeing and aspirations is one of the largest tribes in and around Auckland. They run Youth Justice Program initiative which seek to enable healing processes to reduce reoffending via activities that preserve and revitalise Māori culture and customs. Their function is also to act as guardians of land, resources and Māori values, they provide housing, scholarships and employment opportunities, they manage treaty settlement assets, they partner to advocate for Māori rights. All well-being and development for youth involves Māori marae providing culturally grounded support to youth involved in the justice system.
- [Te Aroha Noa Community Services](#) employs a holistic, community-led multidisciplinary hub model to empower Māori through community development. They create a seamless web of relationships across the community to interconnect local initiatives and enable long term integrated wraparound support. Examples of this support include early childhood education, counselling, family social work, youth and teen-parent programs, adult learning, fitness, and more—delivering comprehensive care that addresses physical, emotional, educational, and spiritual needs of the Māori community.
- [Oranga Rangatahi & Youth Inclusion Programmes \(YIP\)](#) is a neighbourhood-based, holistic programmes managed by Oranga Tamariki in 12 regions. These programmes aim to prevent entry into the youth justice system by engaging at-risk young people in positive development, supported by family and community groups. They prioritise cultural identity and kaupapa Māori principles, promoting self-determination and wellbeing.
- [Tuilaepa Youth Mentoring Service \(TYMS\)](#) is a powerful example of a Māori/Pacific youth justice initiative that effectively blends cultural support, academic mentoring, advocacy, and holistic care. It offers a clear model showing how culturally grounded, relationship-centred programmes can transform the lives, especially those in the youth justice system or at risk of disengagement. Their services are relationship-based and tailored to each young person's needs. They offer:
 - *One-on-One Academic Mentoring*
Personalised mentoring by teachers and youth workers focused on education, life skills, cultural identity, and wellbeing.
 - *Transition to Adulthood Support*
Practical life and independence skills for youth leaving state care, including housing, budgeting, and goal-setting.
 - *Residential Remand Education*
In-home learning and pastoral care for young people in remand, including literacy, job readiness, and cultural learning.

- *Group and In-School Programs*

Culturally based group mentoring, youth leadership, and sports-based life-skills programs.

- *Whānau and Community Engagement*

Support extends to families, strengthening relationships and creating wraparound care for sustainable outcomes.

Canada

The [Tsawwassen First Nation's Community Justice Program \(CJP\)](#) is a community-led restorative justice initiative based on Tsawwassen First Nation (TFN) lands. The program combines Canada's traditional criminal justice elements (police, courts, community corrections and prosecutors) with First Nation's community justice elements (community, elders, culture/ceremony, spirituality and restoration of balance). The CJP effectively blends two justice systems with the goal of diverting First Nations people who have encounter the traditional criminal justice system and providing them with comprehensive wrap-around supports and services.

The program provides wraparound restorative justice plans that integrate First Nation's traditions such as ceremony and collective healing practices in community on First Nation's land. It works in collaboration with local police via cultural champions whose job is to broker the building of trust and the shifting of perspectives towards First Nation people. It has a 100% plan completion rate (as off 2023) and it's proven to have reduced recidivism and youth charges.

[Indigenous Youth-Centred Justice Project \(IYJP\)](#) aims to improve outcomes for First Nations youth involved in both the child welfare and youth criminal justice systems. In partnership with First Nation Court workers across Canada, the project was a pilot community-based initiatives in multiple jurisdictions. It focused on individual casework, reducing recidivism, avoiding youth incarceration, shortening time in the system, and preventing the transition to the adult criminal system.

Indigenous Court worker plays a central role, acting as bridges between justice systems and First Nation youth. The initiative is also part of broader efforts to combat systemic racism and promote healing, reintegration, and culturally appropriate justice.

[The Indigenous Bail Verification and Supervision Program \(IBVSP\)](#) provides caseworkers that provide culturally based supports to Indigenous young people while on a release from custody with bail conditions. These case workers refer to appropriate services, provide advocacy and liaison services, check on and verify the availability of access to basic needs like accommodation to assist in a Bail release. Specialised Community Justice Committees, in some regions of Canada, engage Indigenous Elders to help design and monitor bail conditions, providing culturally relevant accountability.

[The Circle of Change Restorative Justice Program \(CCRJ\)](#) is a culturally informed initiative designed for Black and other racialized youth (ages 12–17) involved in the youth justice system in Canada. It runs for over 6–9 months and focuses on providing:

- Healing Circle Processes that engage with youth, victims, families, and community members in a facilitated circle to develop a reparation plan that promotes accountability, healing, and community support.
- Offers an alternative to court and incarceration, accessible at multiple stages of justice involvement—pre-charge, post-charge, and pre-discharge.
- Connects youth with culturally specific organisations to ensure support systems are reflective of their identities and experiences.

- Addresses underlying causes of offending, reduces systemic costs, and promotes long-term community reintegration.

The program aims to break the cycle of incarceration by empowering youth to reflect on their situation and explore how better decisions can be made.

USA

Navajo Nation Peacemaking Program is a traditional, culturally grounded form of restorative justice that supports conflict resolution, community healing, and youth rehabilitation. It revives Navajo (Diné) customary law and dispute resolution practices that emphasize harmony, respect, consensus, and holistic healing over adversarial or punitive methods. Established formally in 1982, it now operates independently from the Western court system, though it works closely with courts, schools, and other agencies.

Peacemaking serves all Navajo people both on and off the reservation and handles a wide range of disputes—personal, familial, community, and institutional. Participation is voluntary, and the process is led by respected community members (peacemakers) or trained program staff who guide healing sessions using traditional ceremonies, prayers, and shared meals. The aim is not to assign blame but to help all parties restore balance and create a culturally grounded agreement or plan for moving forward.

The program plays a significant role in supporting Navajo youth by:

- Training youth apprentices for peer-to-peer peacemaking in schools.
- Supporting school reintegration for truant and justice-involved youth.
- Teaching traditional values and life skills to help youth reconnect with their culture and thrive both on and off the reservation.

Peacemaking has proven effective in reducing recidivism and strengthening family and community ties. It also contributes to broader policy, program, and curriculum development in the Navajo Nation and beyond, serving over 7,000 people annually. Its success lies in reviving and honouring Indigenous knowledge systems and offering a culturally safe, community-based alternative to incarceration.

Project Venture is a culturally grounded, adventure-based youth development program designed to prevent Native youths' involvement with the justice system. The program blends outdoor adventure, cultural teachings, and service learning to help youth build resilience, leadership, and a strong sense of identity. It has been recognised as an exemplar model of youth crime prevention. It adapts to local customs and landscapes while respecting diverse spiritual and cultural beliefs amongst various Indigenous communities. Its success lies in empowering youth with supportive experiences and mentorship rather than focusing on punitive approaches. Despite being resource-intensive, the program is sustained through public-private partnerships and grant funding, demonstrating the importance of culturally attuned, restorative, and preventive programs in addressing the root causes of Indigenous youth vulnerability.

In the United States, Native youth peer courts—emerging from self-governance over several decades—enable Native youth to be sentenced and supported by their peers within a framework of restitution, culture and community responsibility. The [Tribal Healing to Wellness Courts](#) model focuses on supporting nonviolent youth and adults with substance-related offenses. Participants are referred through court, schools, or community agencies. Participants undergo screening, receive court monitoring (including random drug testing), and engage with a multi-disciplinary team comprising judges, probation officers, counsellors, and cultural mentors. Traditional practices are integrated, such as purification ceremonies, Native medicine, elder-led guidance, mindfulness, and participation in NA/AA. These courts honour tribal sovereignty and traditional practices. They receive strong federal backing and significant qualitative success, they are seen as a blueprint for tribal nations addressing youth and adult substance-related offenses in a holistic, healing-centred way.

[Mendel \(2022\)](#), speaking of the African American Youth context, found that young people diverted early from the justice system via programs that reconnected them to their community were significantly less likely to reoffend compared to those who went through the court process. He discusses six models of youth justice in the USA that consistently prevent youth incarceration:

1. *Credible-messenger mentoring*, where community members with lived experience guide youth at risk of offending.
2. *Advocate/mentor programs*, offering intensive, family-involved support.
3. *Family-focused therapies* like Multisystemic Therapy (MST) and Functional Family Therapy (FFT).
4. *CBT combined with mentoring* for youth at extreme risk.
5. *Restorative justice conferencing*, involving victims and community in crafting reparation plans.
6. *Wraparound care*, with individualised coordination for youth with serious emotional needs.

Alongside these models, Mendel's report underscores the value of community-designed "homegrown" alternatives, which succeed when they include: trusted mentors, cognitive-behavioural approaches, family engagement, and access to education, employment, or service activities. These programs must be tailored to youth needs, trauma-informed, and sufficiently intensive to address underlying causes of delinquency.

The youth justice reforms and initiatives across Aotearoa New Zealand, Canada, and the United States clearly demonstrate the transformative power of Indigenous led, culturally grounded approaches. By centring Indigenous knowledge systems, values, and leadership, these programs not only offer more effective and humane alternatives to incarceration but also work to restore identity, community connection, and long-term wellbeing for Indigenous youth. The success of these models highlights the urgent need for continued investment in culturally responsive youth justice solutions that honour Indigenous sovereignty, build trust, and promote healing. As these examples show, meaningful youth justice reform is only possible when Indigenous communities are not just consulted but empowered to lead.

Appendix 3

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Aboriginal Youth Program – State-wide

Purpose:

The Aboriginal Youth Program will address the over-representation of Aboriginal youth in both the child safety and youth justice systems, by working with a cohort of Aboriginal youth to prevent or minimise their contact with these systems, and to support their reunification with family and/or community.

Rationale:

The over-representation of Aboriginal children and young in the child safety and youth justice systems reflects the continued dominance of government agencies and non-Aboriginal organisations in the lives of Aboriginal families. This dominance has resulted in the inter-generational experience of surveillance, subjugation, resentment and powerlessness of Aboriginal families and the community.

It is probable that Aboriginal people currently in contact with the child safety or justice system will have had a previous family relationship with those systems. This failure to 'break the cycle' and its devastating consequences have been highlighted by the Royal Commission into Aboriginal Deaths in Custody, the Royal Commission into the Separation of Aboriginal Children from Their Families, and other related inquiries. The Tasmanian Aboriginal Centre (TAC) supports the recommendations of these inquiries, which have successively noted the need for Aboriginal community empowerment and self-determination, achievable only by Aboriginal-led decision making, and program design, implementation, and delivery.

Target group:

The Aboriginal Youth Program will target Aboriginal children and youth aged between 9 and 17 from across lutruwita / Tasmania, who are at imminent risk of coming into contact with the child safety or youth justice systems.

The age range is flexible to account for the different environmental and developmental circumstances from clients will come. Careful consideration will be applied to ensure the most appropriate client mix within programs and facilities.

Intake criteria:

The criteria for entry into the Aboriginal Youth Program will be that children/youth and their families are known to the Aboriginal community of lutruwita / Tasmania, and/or an assessment by the Program confirming suitability for participation.

The Program will establish and/or maintain referral pathways between young Aboriginal people and their friends and family members, Aboriginal families, Aboriginal community members, TAC staff, other Aboriginal organisations, and Tasmanian Government agencies including schools, the Child Safety Service, and Youth Justice.

Program description:

The Aboriginal Youth Program would place the individual young person at its centre, reflecting their interests and capacity, and reinforcing the centrality of family in the Aboriginal community. Psychodynamic and social learning theories will inform the Program's therapeutic framework.

The Program would adapt elements from the previously funded lungtalanana Youth Diversion Program, but would operate from two locations on mainland lutruwita while incorporating the benefits of access to lungtalanana and other Furneaux Islands. Aboriginal history and culture will be foundational to the Program's delivery, as will connection to and time on country (including outdoor adventuring).

The Program will promote and uphold a range of critical qualities and values, including:

- Identity	- Pride	- Dignity
- Self-discipline	- Self-worth	- Self-sufficiency
- Respect for self	- Respect for others	- Respect for country
- Cultural knowledge	- Responsibility	- Interdependence
- Routine	- Participation	- Resilience
- Positive choices	- Planning for the future	- Education and employment

Further, the Program will maximise Aboriginal community owned land and infrastructure, including:

- The land and built infrastructure on lungtalanana / Clarke Island;
- Mutton birding islands of Big Dog and Babel;
- Land and environmental rehabilitation on the islands of Chappell and Badger;
- Aboriginal historical and cultural sites at Wybalenna on Flinders Island, putalina / Oyster Cove, piyura kitina / Risdon Cove, wukalina / Mount William, and Irapuna / Bay of Fires;
- Indigenous Protected Area at preminghana / Mount Cameron West; and
- Residential facilities at piyura kitina / Risdon Cove in the south and at Kings Meadows in Launceston.

Program facilities would primarily provide secure accommodation and support for a small number of young Aboriginal people (with expected occupancy of four (4) clients per facility, depending on gender balance) whose living circumstances are not conducive to the type of intensive family support work presently delivered by the TAC, and who badly need stability in their lives. It is also anticipated that the facilities would enable overnight stays for young people needing respite from their home environment.

Additional clients, over and above the six places referred to above, may be accommodated from time to time, with additional costs to be negotiated with the Department of Communities on a case by case basis. It is anticipated that the cost per client, will be in line with the Departments current client costings.

The Aboriginal Youth Program has been conceived to work with the most vulnerable Aboriginal young people. Some of this cohort are likely to have fallen through the cracks in terms of prior access to prevention and/or early intervention supports. The TAC recognises that a long term commitment is required both to and from Program participants, and anticipates that engagement with the Program is likely to be for a minimum of 6-12 months to evidence stability and changed.

Wrap-around services delivered as part of the Program would span the complete range of primary health care, including hearing, eyesight, and sexual health, in addition to allied health care such as speech pathology, occupational therapy, and physiotherapy. The Program would deliver social and emotional wellbeing supports including counselling, in addition to working with participants around educational engagement, pre-employment training, and workforce participation.

It is expected that many Program participants will have experienced disengagement from the education system. The Program scope would therefore include literacy and numeracy, and mentoring to support engagement. The TAC has demonstrated success in supporting children and young people between the ages of 5 and 17, through the Preparing for Success at School component of the *luwutina milangkani* Project. Intensive case management within a strengths-based framework is provided for participants (and their parents/carers when appropriate) from around the state, including the development of Individual Support Plans that reflect individual aspirations and educational goals. A critical aspect of Preparing for Success at School that could be picked up by the Aboriginal Youth Program is building the foundational skills required to visualise and articulate personal goals.

Exit planning would be a crucial element in consolidating Program participants' outcomes. The TAC offers a wide range of social and emotional wellbeing activities (some of which are youth specific) including counselling, community camps and events, and creative expression across lutruwita, and anticipates some crossover participation. There is further scope to explore the delivery of discrete activities expressly targeting Program clients, in addition to those above.

Program staff would maintain and expand current effective relationships with the Child Safety Service and Youth Justice, noting that some participants are likely to transition into the Program from out of home care or youth detention. It is anticipated that a 'handover' or 'transition' period for participants will include extensive collaboration between Program staff and the relevant personnel from the Department of Communities.

The TAC has extensive experience in working with vulnerable children, young people, and their families where traditional (mainstream) services and placements have failed to achieve the desired outcomes. Trauma-informed, integrated therapeutic interventions exemplify TAC service delivery to this cohort of young Aboriginal people.

The TAC further recognises that delivery of the Program will be an iterative process, and supports the principle of critical reflection as essential to rigorous program evaluation and best practice program delivery. Therefore, the proposed budget includes a consultancy line item to address the evaluation component. Planning for evaluation from the outset will have considerable benefits for the Program and its participants, and for the Department of Communities.

Staffing:

The Aboriginal Youth Program would utilise the staffing, office, and financial infrastructure of the TAC, bringing significant efficiencies to its operation. However, the Program would necessitate the recruitment of specialist Youth Workers, and access to other professionals such as the aforementioned counsellors and psychologists. The TAC would be further able to source mentors for Program participants from within the Aboriginal community.

It is anticipated that the Youth Workers would require a Diploma in Youth Work as a minimum qualification. Program staff would also require professional supervision and debriefing.

Budget:

Staffing		Cost
	2.5 FTE Youth Workers	\$250,000
	Support Workers (as required)	\$60,000
	On-call and Call-out allowances	\$28,800
	On-costs	\$55,800
Total Staffing		\$394,600
Operating		
	Hire of premises x 2	\$36,400
	Travel and accommodation	\$5,000
	Vehicle hire and operation	\$32,000
	Consumables	\$62,400
	Mobile phones and phone credit	\$8,640
	Group activities	\$25,000
	Project planning and management	\$56,000
	Consultants (Program Evaluation)	\$20,000
	Professional supervision and debriefing	\$5,000
Total Operating		\$250,440
Other		
	Educational resources	25,000
Current Total		\$655,000

Note: Additional therapeutic supports will be tailored to meet individual client needs and will be negotiated with Children and Youth Services – Department of Communities, on a case by case basis.

