

[YACSA BUTTON INTRODUCTION SLIDE]

## **Protecting the Vulnerable: Integrated Responses to the Victimisation of Young People**

[TITLE SLIDE]

Hello. My name is Jennifer Duncan and I am the Executive Director of the Youth Affairs Council of South Australia.

The Youth Affairs Council, commonly known as YACSA, was established in 1980 and is the peak body representing the youth sector and young people in South Australia.

Our mission is that young people be seen as vital and valued members of their communities; it's a mission that, at the current time at least, looks to be something of a challenge.

In the middle of this year, YACSA was successful in obtaining some funding through the Attorney-General's Department to fund a project looking at the issue of young people as victims of crime – and how we might work to prevent their re-victimisation by ensuring that they access the supports to aid their resilience and safety.

This presentation is based on the early work undertaken by YACSA in support of this project.

[OFFENCES AGAINST THE PERSON STATISTICS SLIDE 0-24]

## Young people as victims of crime – the experiences of young people as victims of crime in South Australia

There is a popular view circulating nationally that young people are predisposed towards anti-social and criminal activity and that statistics relating to young people and crime must necessarily be about the rates of young people as *offenders*.

The area of youth offending has been thoroughly researched and documented.

In fact there are more books and research reports addressing this area than there are looking at the area of adult offending.

However, whilst it is without doubt both a fascinating and vital area of work, this preference for looking at young people as offenders has resulted in the issue of young people as victims of crime being left virtually untouched by researchers and practitioners in the justice field.

It is clear from the statistics that young people are disproportionately represented amongst victims of crime, particularly crimes against the person.

What research that does exist around this in Australia is somewhat dated, with much of it harking back to the 1999 Australian Institute of Criminology's *Children and Crime: Victims and Offenders Conference*.

The most comprehensive Australian research that I can find on the topic of young people as victims of crime, specifically violence, dates back to a 1992 report by the National Youth Affairs Research Scheme.

Clearly, there is an urgent need to update our research into this area.

There is also an urgent need to do more detailed work than I will be able to do today, looking at the inter-relationship between young people's victimisation and offending behaviour.

The issues around youth offending are complex and not the topic of my talk today ... but it is certain that we cannot only talk about one side of the coin when it is so inexorably melded to its flip-side.

But getting back to my purpose today .... according to statistics issued by the Office of Crime Statistics and Research, in 2006 children and young people constituted:

- Over 45% of victims of murder, attempted murder or conspiracy to murder
- Over 18% of victims of manslaughter and driving causing death
- Over 37% of victims of assault causing bodily harm
- Over 40% of victims of other forms of assault
- Over 54% of victims of kidnapping or abduction
- Over 30% of victims of stalking
- And, over 27% of victims of other forms of crime against the person

For the same period, children and young people aged 0 to 24 constituted 32% of South Australia's population.

Accordingly, we can see that in the areas of assault, kidnapping or abduction, as well as murder, young people are disproportionately represented in the statistics relating to victims of crime.

## [OFFENCES AGAINST THE PERSON STATISTICS SLIDE 10-24]

When we further refine these figures, looking at statistics relating specifically to the 12 to 24 inclusive age group (or, to be more accurate, the 10 to 24 age group as this is what the OCSAR statistics permit), the issue of disproportionate representation of young people is thrown into very stark relief.

In 2006, the 10 to 24 age group represented:

- Over 36% of victims of murder, attempted murder or conspiracy to murder
- Over 18% of victims of manslaughter and driving causing death
- Over 36% of victims of assault causing bodily harm
- Over 38% of victims of other forms of assault
- Over 57% of victims of kidnapping or abduction
- Over 30% of victims of stalking
- And, over 25% of victims of other forms of crime against the person

For the same period, young people aged 10 to 24 comprised only 20% of the state's population.

How is it, then, that in some categories of offences young people are represented at almost, or well over, double the rate of the rest of the population?

And what measures are being taken to tackle this?

And just in case anybody might be thinking, 'Hey, that's not too bad – in fact, young people do quite 'well' in the manslaughter category' .... have a look at this slide which, for my money, is the most devastating of all.

[ROBBERY AND SEXUAL OFFENCES SLIDE]

If we needed it, here is all the demonstration required that we must do a better job at protecting our young people and ensuring their ability to protect themselves.

In saying this, I note that *none* of these statistics specifically relates to child abuse and neglect, another form of crime against children and young people.

There is growing research that highlights that victimisation is not randomly distributed throughout the population.

Rather, repeat victimisation studies suggest that certain individuals are at elevated risk of ongoing or repeat victimisation.

In many instances, these individuals are drawn from a pre-existing group of the vulnerable and disadvantaged, with their victimisation constituting both a consequence, and compounding, of that prior disadvantage.

Young people who might fall into this category are young people in the care system and young people living in areas of high crime which, the work of Dr Tony Vinson

tells us in *Dropping Off the Edge*, are also areas of high socio-economic disadvantage and low social cohesion.

Educating young people about how to protect themselves from becoming a victim and intervening soon after victimisation are critical to preventing repeat victimisation.

As an aside, according to the Human Rights Commission there is no national data on the extent to which Indigenous peoples are victims of crime. However, a 2001 study in New South Wales stated that Indigenous people are:

- 3.4 times more likely to be the victim of assault (rising to 5.2 times for females);
- 2.8 times more likely to be the victim of sexual assault (2.9 time for females); and
- 2.5 times more likely to be the victim of murder.

These figures, considered in company with the statistics relating to children and young people, indicate that further research is desperately required around the compounding effect of being of Aboriginal or Torres Strait Islander descent for young South Australians, with respect to their vulnerability to being victims of crime.

[OVERCOMING THE BARRIERS TO REPORTING  
CRIME TITLE SLIDE]

The barriers to reporting crime amongst young people

In South Australia and, I'm going to hazard a wild and crazy guess, nationally we operate a justice system that is not friendly, welcoming or comforting to young people.

This is so much the case that Commissioner Ted Mullighan's recent report, addressing child sex abuse of children and young people in the care system, contained more than one recommendation relating to the need to improve supports for victims and change the approach of the justice system to ensure that it does not further traumatise victims of crime.

The manner in which the criminal justice system and its associated agencies respond to the needs of young people as victims of crime is paramount to engendering trust in the system and further encouraging young people to report crime.

Whilst young people are highly represented amongst the victims of crime they are often reluctant to report crimes to police.

Anecdotally, we are advised that this can relate to a range of issues:

[BARRIERS TO REPORTING CRIME SLIDE]

*Young people may be silenced by a culture of not 'dobbing' or 'dogging'.*

Commonly, there will be a dominant view within young people's peer groups regarding 'telling', 'dobbing' on or 'dogging' friends or people within their peer group.

Clearly, there is a likely result of low incidence of reporting crime in this context.

*Young people may have little faith in the likelihood of action being taken.*

Many young people harbour the belief that the police will do little to respond to offending against them or that matters will not be taken seriously.

In some instances, this will have been borne out by earlier experiences and young people will have little motivation or reason for believing that this response might have changed, even though the offence may be different.

As a small aside, when discussing my presentation with a young staff member of mine he recounted a story that involved an attempted assault on him whilst on Jetty Road at Glenelg, when he was 19 years of age.

Following the attempted assault, this young man immediately sought out a police officer and started recounting the incident.

In doing so, and being somewhat flustered at the time, he combined in his recounting a description of what the man who had attempted to assault him had been wearing, with some vague idea that this might assist the police in identifying the man, who had only recently left the scene.

I understand that the man was none too clean or well-kempt, and this came through in the young person's description of him.

The response to this young person from the pair of police officers he approached was, and I quote, "Mate, we're the police, not the *fashion* police."

It's a put-down worthy of Paul Keating but it was an entirely inappropriate response to a young person, whom someone had attempted to assault and who was turning to these officers for assistance.

More importantly, it was a response that taught this young person a very salient lesson about the interest, and willingness, of the police to respond to a request for help from a young person.

Further, it was a lesson that this young person needed to learn only once.

Now, the purpose of this story is not to criticise the police force in South Australia, which includes some extraordinary dedicated community development officers and others with a strong commitment to working with and in the interests of young people.

It is, however, a small anecdote that both demonstrates and, at least within this young person's peer group, justifies a prevalent view amongst young people, that *our* police force is not *their* police force.

*Many young people will be willing to take action themselves.*

As an extension of a lack of faith that the police will respond to their requests for help, some young people will have a willingness to manage the situation personally, such as through direct response, including retribution.

Again, the significant risk of this outside of vigilantism, is that through taking matters into their own hands young people will heighten the risk of their own re-victimisation.

*Many young people have experience of the justice system and don't like what they've seen.*

A pre-existing relationship with the justice system, either through family members or personally, will act as an active disincentive for young people to seek help.

Particularly for those most vulnerable and disadvantaged young people, there is a likelihood that they may wish to avoid the justice system because:

- They've seen what it can do and, despite being the victim, don't want to bring those consequences down on the head of the person who has offended against them.
- If there are family members with a record in the system, they may not wish to reinstate the justice system back into their lives for their own or someone else's reasons.
- In some cases, their past experience of the justice system has proven ... *proven* ... that it is ill-equipped to help improve their lives (and I am thinking here of young people in particular disadvantage who may have sought help before, and found their families broken up or people taken away or, worse, that nothing changed at all).

*And lastly, on this brief list at least, some young people may fear consequences to themselves.*

There is no value in denying that some young people who are victims of crime may have been made vulnerable to that offending through engagement in illegal activity themselves.

Again, this will serve as a powerful disincentive for young people not to report crime if they fear that that might also shine a light on their own illegal or poor behaviour.

When looking at the issue of young people as victims, it is important to note that many of the risk factors that can relate to children and young people becoming victims of crime, mirror the risk factors associated with youth offending.

We would of course be dreaming if we thought that these groups didn't overlap to any extent at any point.

We would also be wrong if we thought that a young person's offending makes it only fair that they should cop the consequences of being a victim themselves .... and that such an attitude might make *any* contribution to reducing the rates of youth offending and victimisation across the board.

### Overcoming the barriers and building resilience

Our hypothesis is that overcoming the barriers for young people to report crime and, thereby, having the offending addressed, will also assist young people to access the necessary supports to build their resilience against repeat offending and consequently reduce a) young people's prominence amongst victims of crime, and b) any consequent offending by young people that may stem from offending against them.

As I stated earlier in my presentation, this year YACSA has received a grant from the Attorney-General's Department to develop a resource to promote the need for young people to report offending against them, and also promote the available services that anyone young person who has been a victim of crime might access.

What this resource might look like is currently undetermined – it might be a book or it might be a board game .... if we had the money, it could even be a mobile phone application (*if* we had the money) that could be spread virally from young person to young person.

YACSA is working with CHD Partners from NSW and a group of young people, likely to be sourced through a

collaborating agency, the CREATE Foundation, to design and develop the content and format of this resource to ensure it's appropriate and appealing to young people.

Another exciting component of our project will be to build a peer education component, that skills up interested young people to operate as peer educators to promote direct to other young people the importance of accessing help and support if you have been a victim of crime.

This is likely to be the most challenging but, if we can make it work, most significant and rewarding element of a project that we see as having national significance.

And a small promotional aside – we are currently seeking out partners who might have an interest in contributing resources and obtaining benefit from this project. If this sounds like you, please come up and talk to me at the end of the day.

Outside of this project of ours, there are ways that we can all contribute today towards reducing the barriers that prevent young victims of crime from reporting it and seeking help.

[BREAKING DOWN THE BARRIERS SLIDE]

*Better target services to young people.*

The information and support services provided by victim agencies are frequently directed to older victims.

This can pose a barrier to young people in accessing available services which can help with support, counselling and financial compensation.

Young people need to feel comfortable, services need to be appropriate to their age and context, and services need to be able to engage young people in a manner and at a level that suits their needs.

Imagine the possibility of support services targeted specifically to the needs, tastes and preferences of young people.

Now build it.

### *Address service shortages*

Young people are famous for asking for help precisely when they need it – not before and any delay in making services available will sometimes mean that they come too late.

Victim support services need to be available to young people as, and when, they ask for them.

A key reform required to ensure this is to address service shortages in all relevant areas of the justice system.

A shift in mind-set is also required from service providers towards providing services when they are required, not when someone finally rises to the top of the waiting list.

It's a harsh comment when services are so under-resourced and under the pump ... but time and again young people and those who work with young people tell us that this is an issue.

### *Respond with effectiveness*

When young people report offending, they expect to see a timely response.

Many of us have, of course, become accustomed to the delays involved in many aspects of the justice system; young people deserve better.

### *Focus on building community and family resilience and safety.*

The impact of communities on the lives of young people, and the direct relationship between people's feeling of connection and level of trust with the degree of risk of child abuse and neglect, has significant implications for young people's willingness to report adverse events against them.

It is not rocket science to suggest that a child or young person who generally-speaking feels safe and able to trust those around them, will feel safe and able to trust the authority figures that the police represent.

Accordingly, the likelihood that such young people will report, rather than withhold, information about an offence against them is high.

We all, as citizens as well as workers, family members, friends, parents, aunts and uncles, and siblings, have a vital role to play in cherishing, fostering and protecting our children and young people.

We all have a role to play in making young people feel safe.

We all have a role to play in giving young people someone to trust.

This is one you can take action on in your ordinary, daily life.

*Separate the reporting body from the prosecuting body.*

Who do you go to if you've been a victim of crime but don't want to report to the police? And we explored the possible reasons for this earlier.

We need to consider the possibility of establishing a separate body for reporting crime that is neutral and carries no risk of negative come-back to the reporter.

If we at YACSA are correct, and an unwillingness to approach the police for whatever reason is a driving factor behind the under-reporting of crime by young people, then the establishment of a reporting body separate from the investigating and prosecuting agency would be a significant step forward.

And so to re-cap:

- Young people are grossly over-represented amongst victims of crime.
- There is certain to be a causative link between this and at least some youth offending.
- Accessing supports is vital to the prevention of re-victimisation and the reduction of offending against young people.

- Young people see and experience barriers around getting this access.
- And that is where we come in.
- We need to take a wholistic look at the issue of young people as victims of crime, their reporting of this, and the consistency of this objective with the functioning of the justice system and, for want of a better term, the justice 'sector'.
- Better promotion of information to young people, as we hope will be achieved through our project, will only be part of the answer.