

## **COMMUNITY SAFETY IN REGIONAL AND RURAL COMMUNITIES**

**Organisation:** Shellharbour City Council

**Date Received:** 31 May 2024

Council Reference: ECM#12250796

31 May 2024

Legislative Assembly  
Committee on Law and Safety  
Parliament of New South Wales

### **Parliamentary inquiry into community safety in regional and rural communities**

Dear Committee on Law and Safety,

Shellharbour City Council welcomes the opportunity to provide a submission to the Parliament of New South Wales to inform the parliamentary inquiry into community safety in regional and rural communities. Council's information below provides some insights specific for the Shellharbour Local Government Area (LGA) as well as comments on the Draft Terms of Reference. This submission is informed by Council's experience and input from a range of key organisations and stakeholders.

#### **Context**

Shellharbour City is defined as a regional LGA given it is located outside the metropolitan areas of Greater Sydney, Newcastle and Wollongong, however, it does have many characteristics of a metropolitan area due to its proximity to Wollongong and the level of embellishment and services available in Shellharbour itself.

#### **Demographics**

The Shellharbour LGA has an estimated resident population of 78,332<sup>1</sup> and this is forecast to increase to 101,809 by 2046<sup>2</sup>. The Shellharbour LGA has areas of advantage (including Shell Cove, Calderwood, Shellharbour-Barrack Point and Flinders) and areas of disadvantage (including Barrack Heights, Warilla, Lake Illawarra, Mount Warrigal and Albion Park Rail). Amongst the majority of these disadvantaged areas, there is a higher rate of crime, including assault, theft, sexual offences, malicious damage and drug offences<sup>3</sup>. People living in these disadvantaged areas are also vulnerable in a range of other areas, including, they have a higher proportion of: people unemployed; disengaged youths; people with below Year 11 schooling; low household income and low car ownership<sup>1</sup>. These areas also have higher proportions of Aboriginal or Torres Strait Islander people and people who are homeless<sup>1</sup>. A number of these disadvantaged areas also have poorer physical health conditions and have the highest proportion of people with a mental health condition<sup>1</sup>.

<sup>1</sup> Australian Bureau of Statistics Census, 2021

<sup>2</sup> Informed Decisions, Population Forecast 2022

<sup>3</sup> Bureau of Crime, Statistics and Research, 2023

Shellharbour LGA has a slightly higher proportion of 12–17-year-olds at 7.9% when compared to New South Wales at 7.2%<sup>1</sup>. The suburbs with the highest proportion of 12–17-year-olds is Shell Cove (10.3%), Flinders (9.4%) and Albion Park (8.6%)<sup>1</sup>. The percentage of disengaged youth (aged 15-24 not employed or in education) is higher than the state average, with proportions of 12% for Shellharbour and 9.5% for NSW<sup>1</sup>. Some of Shellharbour's disadvantaged areas have extremely high proportions, including Warilla at 21.7% and Mount Warrigal at 20.1%<sup>1</sup>. It has been well documented that there is a link between youth disengagement from education and employment and youth crime<sup>4</sup>.

Safe and secure housing is fundamental to a young person's health and wellbeing. Both people experiencing homelessness and those at risk of homelessness are supported by specialist homelessness services (SHS)<sup>5</sup>. Youth homelessness is increasing across all areas, including New South Wales and Australia. In 2022-2023, 38,300 young people aged 15-25 years presented along to specialist homelessness services with 47% needing long-term housing and only 4.3% receiving it<sup>5</sup>. The need for housing were due to: housing crisis; family and domestic violence; and relationship/family breakdown<sup>5</sup>. The vulnerabilities of young users of specialist homelessness services are found to be due to: current mental health issues; experience of family and domestic violence; problematic drug or alcohol use; not enrolled in education or training; and child protection issues<sup>6</sup>.

## **Crime Rates**

In the Shellharbour LGA, the highest offences are: against justice procedures; steal from motor vehicle; steal from retail store; malicious damage to property; fraud; domestic violence; and assault<sup>3</sup>. The gap between urban and regional crime rates is growing over time. Up to 90% of crimes including vehicle thefts, breaking and entering, sexual assault and domestic assault are happening in regional communities Error! Bookmark not defined.

Certain types of offences (such as graffiti, vandalism, shoplifting and fare evasion) are committed disproportionately by young people<sup>3</sup>. Conversely, very serious offences (such as homicide) are rarely perpetrated by young people<sup>3</sup>. On the whole, young people are more frequently apprehended by police in relation to offences against property than offences against the person<sup>3</sup>. In New South Wales, there has been a two per cent increase in offenders from 2021-22 to 2022-23<sup>3</sup>.

## **Comments on the Draft Terms of Reference**

The below section provides commentary and recommendations in relation to the Draft Terms of Reference.

*a) the drivers of youth crime across regional and rural NSW, particularly since the COVID pandemic*

<sup>4</sup> Jha, 2020, No time for crime? The effect of compulsory engagement on youth crime, Papers in Regional Science.

<sup>5</sup> Australian Institute of Health and Welfare, 2023, Specialist homelessness services annual report 2022-2023.

<sup>6</sup> Campo M and Commerford J, 2016, Supporting young people leaving out-of-home care, CFCA Paper No. 41, Melbourne: Child Family Community Australia information exchange, Australian Institute of Family Studies.

## **Effects of COVID-19 on Young People**

- While some effects of COVID-19 on young people are emerging, it is important to note that the full impact is complex and not yet fully understood. The effect of COVID-19 can also be dynamic, outcomes change quickly (for instance, mental wellbeing and social connectedness) when conditions change (such as introducing or easing restrictions). Many of the effects of COVID-19 will be interrelated and could take some time to become apparent.

Many life trajectories are set in place during adolescence and young adulthood. Hence, there is a need for ongoing comprehensive monitoring of the impact of COVID-19 on young peoples' wellbeing. Areas of particular interest for monitoring include:

- wellbeing, including mental wellbeing and participation in organised sports and/or social activities.
  - access to educational choices after secondary school, education attainment, achievement and outcomes.
  - longer term outcomes for young people; for example, the potential consequences of unemployment on their long-term employment prospects and finances, their access to secure housing, and their mental health.
  - the longer-term impact of COVID-19 on child protection services.
  - experience of domestic violence.
  - variation in outcomes for different population groups.
- The COVID-19 pandemic harmed health, social and material wellbeing of children and young people, with the most disadvantaged hit the hardest <sup>7</sup>. This has further widened the divide between children and young people who are thriving and children and young people who are struggling in terms of positive and healthy development. Evidence has shown that the kids who were disadvantaged or at risk have fallen even further behind, and the kids who are well supported have been able to show resilience <sup>8</sup>. This has presented in further lack of reaching developmental milestones (physically, mentally, socially and academically), increase in school refusal and truancy, and on overall drop in the protective factors for healthy development <sup>9</sup>.

## **Crime Rates and Trends as a Result of COVID-19**

- During the COVID pandemic (2020 and 2021) crime fell significantly in regional NSW (and in Sydney) <sup>10</sup>. In regional NSW in 2023 most major offences remained lower than in 2019 (prior to the pandemic)<sup>10</sup>. This is true of break and enter dwelling, break and enter non-dwelling, steal from motor vehicle, steal from dwelling, steal from person, other theft, sexual touching, and robbery<sup>10</sup>. Four major offences, however, significantly increased in regional NSW over the five years from 2019 to 2023: motor vehicle theft; non-domestic assault; sexual assault; and domestic related assault <sup>10</sup>.

<sup>7</sup> OECD, 2020, Combatting COVID-19's effect on children.

<sup>8</sup> Australian Institute of Health and Welfare, 2021, COVID-19 and the impact on young people, Australian Government.

<sup>9</sup> Australian Curriculum, Assessment and Reporting Authority (ACARA) 2022 National Report on Schooling in Australia 2020. Available from [national-report-on-schooling-in-australia2020a9662f404c94637ead88ff00003e0139.pdf](https://national-report-on-schooling-in-australia2020a9662f404c94637ead88ff00003e0139.pdf) (acara.edu.au).

<sup>10</sup> Cook and Fitzgerald, Crime in Regional and Rural NSW in 2023: Trends and Patterns, NSW Bureau of Crime Statistics and Research 2024.

- According to authorised organisations, offences that are on the rise for young people in Shellharbour are stealing motor vehicles and accompanying break and enter in order to access motor vehicle keys. Anecdotally, there has been an increase in drug and alcohol addiction in youths, which is also linked to criminal behaviour and taking risks to commit a crime. A large proportion of young people committing crimes are disengaged youth (not in education or employment) <sup>4</sup>. Those young people not in education have been shown to be far more likely to be involved in the criminal justice system <sup>4</sup>.

### **Drivers of Youth Crime**

- Social media has had an impact on youth behaviour, including the way young people connect socially. 'Post and boast' behaviour has also become prominent among youth, with young offenders looking for reactions from peers via social media channels. This has led to an increase in the proportion of offences being committed by a group of youth. In addition, it has become evident that young people are also filming reactions from Police or teachers and posting this on social media.

The NSW Government will look to introduce new consequences for posting and boasting offences. The government has created a 'performance crime' offence in the *Crimes Act 1900 (NSW)* imposing an additional penalty of two years' imprisonment for people who commit motor vehicle theft or break and enter offences and share material to advertise their involvement in the criminal behaviour. A statutory review will take place two years after it commences, which is positive. Council will review the crime rates and outcomes of this legislation, in liaison with Police, to determine whether this has improved community safety and resulted in a reduction in crime.

Governments across Australia have embraced a push to raise age minimums on social media platforms to 16 to protect young people from the negative impacts of excessive time spent online, including exposure to inappropriate, illegal and restricted content, cyber bullying and negative impacts on children's mental health and development. A survey by Australian mental health service ReachOut this year found social media is the number one issue of concern among parents and carers of children, with 59 per cent saying they were concerned about their child's use of social media and 55 per cent saying social media had a significant impact on their child's wellbeing <sup>11</sup>. Council supports raising the age minimums on social media platforms as well as providing further free education and support for parents and carers in this area.

- Young people have become very savvy when it comes to committing crimes and they have little fear of Police. Young people under the age of 14 years somewhat try to hide their crimes but appear to commit crimes for fun and very few are for financial gain. Under *doli incapax*, the Police have to prove that the young person knew what they were doing was criminal. It is understood this is often more difficult for Police when a young person in this demographic has been educated or sought information and comprehends the nuances of how to effectively demonstrate ignorance to fulfil the *doli incapax* criteria.

<sup>11</sup> ReachOut, 2023, Parenting in the digital age: Navigating concerns about the online world of young people.

*Related legislation: [Section 5 of the Children \(Criminal Proceedings\) Act 1987 \(NSW\)](#) states that no child under the age of 10 can ever be found guilty of an offence. However, there is a common law rule which states that a child between the ages of 10 and 14 also cannot commit a crime unless the Prosecution can prove that the child knew the difference between right and wrong. This rule is known as the common law doctrine of **doli incapax**.*

- The cost-of-living crisis has had a huge impact on children and young people being engaged in extracurricular activities, including sport. The changes to the NSW Government's Active Kids Program have made it harder for families to access vouchers to assist with paying for structured physical activities.
- The COVID pandemic has led to an increase in young people being diagnosed with mental health conditions, including psychological distress and anxiety<sup>12</sup>. This is having an impact of the number and types of crimes being committed<sup>13</sup>.

### **Changes in Legislation and Funding to Address Youth Crime**

- An amendment to the *Bail Act 2013* will be introduced to include a temporary additional bail test for young people between 14 and 18 charged with committing certain serious break and enter offences or motor vehicle theft offences while on bail for similar offences. Under the change, a bail authority such as police, magistrates and judges will need to have a high degree of confidence that the young offender will not commit another serious indictable offence while on bail before granting bail. In order to provide a multifaceted response to regional crime, it is imperative, that if the relevant authorities have confidence that the young offender will not reoffend while on bail, that they work with other agencies to reduce the risk of reoffending, including schools, TAFE, employers, PCYC and mental health service providers.
- There are concerns in the community around young people carrying knives given incidents in other areas of the state. The NSW Government has announced legislation which will give Police powers to "wand" or "scan" people for knives without a warrant in designated areas. The legislation is part of a package of reforms to target possession of knives, particularly among young people, reduce knife crime and boost community safety. Under the new legislation, a senior police officer of the rank of Assistant Commissioner or above can turn on wand powers to be used in a designated areas. This will aim to reduce knife-related crimes, enhance community safety and perception of safety.
- The government has announced a place-based response in Moree, a pilot program to address crime, support young people and improve community safety. An investment of \$13.4 million for a targeted response is being provided. If the approach is successful, it will inform actions to address similar concerns in regional communities. It is unclear how this will be funded in other communities. As it currently stands, more than half the recently announced government funding is addressing issues in one community and essentially not addressing issues in other communities.

<sup>12</sup> Bell IH et al, 2023, The impact of COVID-19 on youth mental health: A mixed methods survey. *Psychiatry Res*;321:115082.

<sup>13</sup> Forsythe L & Gaffney A 2012, Mental disorder prevalence at the gateway to the criminal justice system. *Trends & issues in crime and criminal justice* no. 438. Canberra: Australian Institute of Criminology

In addition, the government announced broader regional crime prevention initiatives. The NSW Government will invest \$12.9 million to fund a range of state-wide regional crime prevention initiatives including: expansion of Youth Action meetings in nine Police districts, expansion of the Safe Aboriginal Youth Patrol Program to an additional five closing the gap locations and the government will roll out \$7.5 million in Justice Reinvestment grants with grant funding available around June. Council recommends that a pre-requisite of this funding is collaboration and working across partnerships, including Police, schools, mental health, community leaders, Aboriginal organisations, non-government organisations and local government.

*(b) how a whole of government approach can reduce the drivers and root causes of youth crime in regional and rural NSW.*

Crime prevention work, both in Australia and overseas, has long been distinctive for its strong commitment to the use of “whole of government” approaches to the development of policies and the implementation of programs. A whole of government approach is imperative in tackling the drivers and root causes of youth crime given the complexity of the issue. Every layer of government provides a different area of responsibility and scope.

**Role of Local Government**

- Local government is a key player in community-based crime prevention. Councils are responsible for a range of services related to crime prevention, including managing public space and building design, providing a range of community services and developing policies that affect local businesses. More recently, there has been increasing pressure on local government to contribute to the delivery of a variety of social services and to engage in social planning.
- Local government is often involved in developing and implementing a range of crime prevention initiatives, frequently in partnership with other stakeholders such as police and non-government organisations. Local government are also a lead agency in the development of local crime prevention and community safety plans, which identify and prioritise concerns about community safety and crime prevention in a local government area, and identify key action areas and responsibility for these actions.
- Local government sometimes work in an early intervention space, but typically to identify the children, young people and families who need support, and referring them onto the appropriate, skilled, qualified, support services. On occasion, local government work with key service providers to deliver opportunities for community to start their connections with the key services, councils can similarly help to educate the community about avenues for support. Council's role is also to provide ample opportunities for children and young people to be actively engaged in positive social and recreational opportunities. The Planet Youth model provides a great framework for this that recognises part of the role councils can play, especially in the 'leisure' and 'peer group' domains.

### **Role of Federal and State Government**

- Federal and state government are responsible for police development, priorities, reforms and initiatives to support community safety and wellbeing. Long term government funding is required from state and federal governments to provide consistency in support and program delivery and in order to recruit quality staff. This should focus on the 10–14-year age group. Many organisations are competing against each other for the same funding. Effective models such as “Boost” program have missed out on funding, despite the pilot program being successful and resulting in a drop in offences and reoffending. Other successful strategies require additional funding to support the increasing number of disengaged young people, including PCYC’s “Rise Up”. This is a strategy developed by the NSW Police Commissioner, connecting disengaged young people to workplace opportunities. It incorporates job ready programs, mentoring and vocational training for at risk youth between the ages 15 to 18 build their engagement with education, employment opportunities and the community.
- Government reforms, initiatives and funding need to be driven by evidence and need. For example, at June 2023 33% of people in custody identify as Aboriginal or Torres Strait Islander <sup>14</sup> and only represent a small proportion of the population. There needs to be a shift in government decision making. In addition, capacity building of these community organisations is imperative in achieving the best outcomes and a consistent and evidence-based approach with flexibility to address individual needs.
- To deliver on community safety, the NSW government should:
  - Resource and support Aboriginal organisations to work with First Nations children, families and communities.
  - Invest in services that prevent crime from the start like public health, public education from early childhood and beyond, and community-based child, youth and family services.
  - Fund targeted services and interventions that help kids learn to be accountable, and do better, when they go off track.
  - Investigate the drivers of youth crime and the need for better diversion programs.
  - Provide financial assistance for youth to engage in recreational services to support social cohesion and peer to peer relationships.

### **Cohesive Approach**

- All layers of government need to share their resources and access to data in order to make evidence-based decisions around funding initiatives and policy directions that will assist all communities, including urban, regional and rural communities. Sharing of information has been identified as a priority under the closing the gap reform.
- Ensure there are community representatives at the decision-making table at all levels of government.

<sup>14</sup> Australian Bureau of Statistics, 2023, Prisoners in Australia.



*(c) the wraparound and diversionary services available for youth and families in the regions and rural areas and how they can be better matched to individuals, measured, improved and integrated into a coordinated approach to divert youth from crime, having regard to the NSW Government's commitment to working in partnership with Aboriginal people.*

### **Wrap Around and One Stop Shop**

- Wrap around and diversionary services are an imperative approach, a one stop shop aiming to provide support in meeting the needs of children, young people and families. One example of this is the Child and Family Hubs model. National Child and Family Hubs Network (the Network) is a national, multidisciplinary group dedicated to strengthening child and family hubs across Australia. The network unites service providers, community-based organisations, advocates, researchers and policymakers to build the capacity of Hubs and enable more children and families to access the care they need to thrive.
- There is a need for a one stop shop as a hub for information around services available. A funded coordinator of this hub would be beneficial to assist in the establishment of a service directory that is updated and maintained. This requires long term funding to ensure it is managed so it is current and relevant. It is recommended that this includes a member section where you can log in and make referrals to the relevant organisations or programs, then a customer facing side where it is a central source of information. This central hub and referral service will assist in examining what supports currently exist for this cohort and to identify where the gaps are to inform the effective implementation of diversionary services. Local government Youth Network meetings need to be run on a regular basis with attendance from this funded hub position as well as other service providers.
- The diversion model must prioritise wrap-around support for the families of children and young people rather than solely individual support. This is crucial to addressing the root causes of the issues which are often linked to family challenges as well. Solely working with a young person who have experienced trauma, will not create lasting change without providing the support to broader family and carer networks.

### **Public Transport and Place Based**

- There is a reluctance in youth accessing services if they need to use public transport or provide their own transport to and from the programs/services. There is a gap in providing transport as many of these young people are from vulnerable communities in which there is either a low proportion of households owning a car or complex family dynamics leading to an inability to transport their children. Programs or services either need to be outreach based or provide transport options to improve access, attendance and engagement. A central hub of services would assist in allowing a young person to access a number of services or programs in the one physical place.

### **Funding and Partnerships**

- In order to provide consistency in service provision, funded organisation needs long term funding for a minimum five years in order to attract and retain quality staff and allow longer-term outcomes to be measured.
- Long term funding is critical as young people need to be able to easily afford access to services and mentors. Young people want consistency through a service or a mentor on a long-term basis to build rapport and for mentors and organisations to show a commitment to the individual.
- The changes to the NSW Department of Communities and Justice – Targeted Early Intervention funding may have an impact on service delivery, which has a focus on children and families 0-5. An expansion into long term funding for targeted youth programs would be beneficial.
- Agencies need to work in partnership and play to their strengths to get the best outcomes for individuals and the broader communities.

### **Individualised Approach**

- Referrals need to be individualised and address the needs and opportunities for each young person. Young people need to see their potential in thriving in their communities, have their cultural backgrounds and family circumstances understood and be client focused and client led. Programs need to have enough flexibility to tailor it individually to each young person. Programs may include transitional work programs, cultural programs (such as Koori Youth Aboriginal Kultcha Konnection – KYAKK), tutoring, breakfast programs and education and training pathways. Barnardos is a local community organisation who fund a range of programs through Department of Social Services funding. Greater certainty and security in receiving ongoing funding is required to attract and retain highly skilled staff and allow for reliability in the programs they offer based on community need.
- A person-centred approach for young offenders is imperative, for example a high proportion of young offenders identify as Aboriginal <sup>15</sup>. There is, therefore, a need to work in a culturally appropriate manner to be more effective.

### **Social Impact and Procurement**

- Social impacts should be a priority for larger organisations and developments, through inclusion in policies. This may include education and training or employment in large developments such as shopping centres and hospitals. These organisations need to have the ability to work with a range of different individuals, some with complex needs.

<sup>15</sup> Bureau of Crime Statistics and Research, 2022, NSW Criminal Justice Aboriginal over-representation.

*(d) staffing levels and workforce issues, including police staffing, in regional and rural areas and how services can be improved to reduce youth crime in these areas.*

### **Police Staffing**

- Regional areas have significantly fewer police than city areas and, as a whole, New South Wales has less police per head of population than Queensland, Victoria and South Australia. Our police officers are already facing an incredible workload, with only one police officer per 467 NSW residents <sup>16</sup>. There is a need to increase police officers in NSW, especially in regional areas.
- Youth crime is high on the agenda for Lake Illawarra Police. Lake Illawarra Police is unique in that it has two dedicated Youth Officers and they also have a dedicated supervisor position. This supervisor's position is only unique to Lake Illawarra and there are no other commands in NSW that has this position, which shows the commitment that Lake Illawarra has in relation to youth engagement and reduction in youth crime. This may be impacted at different times for requirements to fill police shifts in first response. In addition, there are four additional Youth Engagement Officers under the Youth Command working from the PCYC. It is imperative that these positions remain filled and these officers are appropriately trained and upskilled in order to have the ability to work with local government and other services in the community safety and crime prevention space.

### **Programs Run by Police**

- Police programs have shown that they do have a positive impact in the community. Programs run through the PCYC such as Fit for Life have good attendance.
- Transport is an issue for young people getting to programs and, subsequently, Police have to run programs on site and, therefore, they are running more programs. In addition, Youth Officers have requirements to run programs at each of the high schools on topics such as cyberbullying and harassment.

*(e) recidivism rates in regional and rural areas, and related impacts on the community, services and law enforcement.*

### **Age of a Child and Contact with the Criminal Justice System**

- The younger a child encounters the police and the criminal system, the more likely it is that this contact will continue through their lifetimes <sup>17</sup>. By the time a child gets into serious trouble, it is often the case that a lot has already gone wrong in other parts of their life. Policing and locking up children causes more damage <sup>17</sup>. It does not address the reasons why young kids are getting in trouble and means kids get their life lessons from lock-up not from positive people and school.

<sup>16</sup> Police Association of NSW, 2024, Joint call for parliamentary inquiry to address crime in regional NSW.

<sup>17</sup> Australian Human Rights Commission, 2020, Review of the age of criminal responsibility.

## **Vulnerable Children and the Criminal Justice System**

- It is often the most vulnerable and disadvantaged children who come to the attention of the justice system at a young age <sup>18</sup>.
- Recent research found that early contact with the justice system increases the likelihood of poorer outcomes including being held on remand (in custody prior to trial or sentencing) rather than bailed, further offending and potential life-long involvement with the justice system <sup>17</sup>. On the other hand, the Northern Territory Royal Commission identified that the vast majority of children who are dealt with outside of the formal criminal justice system do not reoffend whereas those young people who are before the courts are more likely to re-offend <sup>19</sup>. To be dealt with under caution or conference the young offender has to make an admission. Sometimes offenders tend to get advice to not make admission so would be referred to the courts <sup>19</sup>.
- Aboriginal and Torres Strait Islander children are over-imprisoned, making up a large proportion of the young children in youth jails <sup>20</sup>. Outcome 11 of the *National Agreement on Closing the Gap* is that Aboriginal and Torres Strait Islander young people are not over-represented in the criminal justice system.

## **Recidivism Rates**

- On a state-wide basis, if a person goes into custody over 60% will be likely to go back in custody within 12 months <sup>21</sup>. In addition, the younger a child was at their first sentence, the more likely they were to reoffend (with any offence), to reoffend violently, to continue offending into the adult criminal jurisdiction, and to be imprisoned in an adult prison <sup>21</sup>.
- If they are dealt with under the *Young Offenders Act*, they are less likely to reoffend. While Council understands that the *Young Offenders Act* does work, this was developed in 1997 and there is a need to review the legislation to ensure its currency.
- Imprisonment disconnects individuals from social structures and obligations, work, family, and housing, and leads to the development of damaging habits and social connections. These factors contribute to higher rates of recidivism <sup>22</sup>. Council recommends that any changes in legislation should work alongside complementary reforms that target education, family violence and other social services for children. There is also a need to provide assistance to ensure that people who have been in the criminal justice system, are able to reintegrate into society.

<sup>18</sup> Australian Institute of Health and Welfare 2016, Young people in child protection and under youth justice supervision 2014–15.

<sup>19</sup> Commonwealth, Royal Commission into the Protection and Detention of Children in the Northern Territory, 2017, Final Report, Volume 1, Chapter 27, p. 413

<sup>20</sup> Australian Institute of Health and Welfare, 2022, Youth detention population in Australia.

<sup>21</sup> Sentencing Advisory Council, 2020, Research, statistics and education about sentencing.

<sup>22</sup> Gregor Ubas, 2000, The Age of Criminal Responsibility, 181 Australian Institute of Criminology.

*(f) the range of functions being performed by NSW police officers, including mental health assistance and youth welfare, on behalf of other agencies in regional and rural areas, and the supports required to assist police.*

### **Response to mental health crisis**

- One of the greatest flaws in the service system is with mental health. There are inadequate services available, especially at the level when someone has acute mental health. They often slip between the cracks and have to have an acute, high-risk episode before they will be scheduled, and when they are released, they are left to make their own decisions and seek their own support, which can be difficult to navigate. It is also problematic given the demand on the mental health sector and the associated lengthy wait times for appointments.
- Many jobs that Police attend that are mental health related, may be better attended to by mental health professionals. This would allow Police to respond to general police work and conducting urgent core policing work, like responding to calls for assistance, detecting and preventing crime<sup>23</sup>. For the health and safety of people with mental illness, and police, there needs to be a transition away from police, and to a degree away from ambulances going into these cases, and to have a properly funded health-led response, which involves CATT [crisis assessment and treatment teams], mental health workers, psychologists and psychiatrists to work alongside emergency services, being able to get to patients quickly, and before they end up in a state of crisis.

### **Access to Local Mental Health Services**

- Due to system constraints, mental health services are often inaccessible at the times when they would make the most difference, and the system largely operates in crisis mode. That is, it tends to react to mental health crises rather than preventing them. The system is complex and fragmented and, for those who do manage to get into it, difficult to navigate. People experience enormous frustration and distress when trying to identify the right mental health services for themselves or someone else. It is recommended that a responsive and integrated mental health and wellbeing system be established, in which people receive most services locally and, in the community, close to their families, carers, supporters and networks. In addition, emergency services' responses to people experiencing time-critical mental health crises are led by health professionals rather than police.
- Mental Health, Ambulance and Police Project (MHAPP) is a partnership involving Illawarra Shoalhaven Local Health District (ISLHD), Lake Illawarra Police, Wollongong Police District, and NSW Ambulance. MHAPP aims to support people experiencing a mental health crisis in the community by providing safe and timely access to a mental health assessment and referral, and avoiding unnecessary presentations to the emergency department. It is important that this type of support is provided 24 hours a day, seven days a week.

<sup>23</sup> Randall et al, 2023, Police apprehension as a response to mental distress, Opal.

- Justice Health is an important service in that they work with patients, families and carers to receive the best healthcare. They provide information about health services for people in custody and after release, support available for families and carers and how to access patient health information. This wrap-around model needs to be used for other support such as social prescribing, housing, education and training and employment to assist people after release in many avenues of their lives to reduce the chance of recidivism.
- There still remains a gap in young people with mental disorders accessing services. A small proportion are using new forms of delivery, including telephone and online providers <sup>24</sup>. Primary care and schools remain the main providers of services. It is imperative to have mental health services offered in settings where young people feel comfortable, for example schools and general practitioners as well as online options.
- Services need to be acceptable and appropriate for young people. The World Health Organization (WHO) differentiates between access: being able to obtain health services that are available, and acceptability: being willing to obtain those services <sup>25</sup>. Young people are less likely to engage with services they do not think fit them or their perceived mental health needs. Ensuring flexibility and an individualised approach to services delivery is paramount.

*(g) any other related matter.*

- It is recommended that the Committee hold public hearings and site visits to regional and rural NSW to hear from residents who live in these communities.

Thank you again for the opportunity to provide input as part of the parliamentary inquiry into community safety in regional and rural communities consultation. Please contact Dr Lauren Peters, Senior Community Planning Officer, on [REDACTED] or via email [council@shellharbour.nsw.gov.au](mailto:council@shellharbour.nsw.gov.au) with any questions or requests for further information.

Yours sincerely



Kate Jessep  
**Executive Director Community and Culture**

<sup>24</sup> Australian Institute of Family Studies, 2016, Young Mind Matter: Use of services by young people with mental disorders.

<sup>25</sup> World Health Organization, 2012, Making health services adolescent friendly: Developing national quality standards for adolescent friendly health services, World Health Organization, Switzerland