



## **POLICY STATEMENT: YOUTH JUSTICE**

### **Principles**

The *Commissioner for Children and Young People Act 2006 (WA)* establishes that the Commissioner's paramount concern must be the best interests of children and young people in WA. The Commissioner undertakes research with children and young people to ensure their voices inform the activities and priorities of the Commissioner.

Critically, children and young people must be informed about their rights, participate in decisions affecting them and are taken seriously. Significant international evidence demonstrates the value of lived experience in the development of policy, programs and services.

The Commissioner advocates to uphold the United Nations Convention on the Rights of the Child, UN Convention on the Rights of Persons with Disabilities, the UN International Convention on the Elimination of All Forms of Racial Discrimination, the UN Declaration on the Rights of Indigenous Peoples, and the Optional Protocol to the Convention Against Torture for the children and young people affected by the justice system.

### **Position**

A holistic view of the child and young person must be at the core of all policy, programs and services. The interconnectedness of matters such as health, education, housing, safety and the challenges of exclusion and vulnerability demand a connected service system.

Children and young people in contact with the justice system deserve holistic support to improve their emotional, social, cultural, and physical wellbeing.

In line with national and international evidence, the Commissioner advocates for youth justice to be focused on:

- early intervention, prevention, diversion and support
- rehabilitation and reintegration and restorative approaches
- children and young people to have specifically designed services and supports and be treated differently to adults
- privilege relationships and engagement
- tailored responses for different cohorts
- therapeutic, trauma-informed approaches.

The Commissioner supports international evidence demonstrating that punitive approaches to youth justice can leave children and young people exposed to trauma, and re-traumatisation. When detention is necessary, restrictive practices, and punitive approaches are unacceptable.

The Commissioner for Children and Young People will prioritise other issues of concern as needs arise. When necessary, the Commissioner will undertake inquiries, research, and literature reviews to inform advocacy priorities and evidence informed recommendations to Government.

