

Yuwaya Ngarra-li Briefing Paper:

Lessons from the Two River Pathway to Change Diversion Model 2018–2023

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Executive Summary

Yuwaya Ngarra-li, which means 'Vision' in the Yuwaalaray/Gamilaraay languages, is the partnership between the Dharriwaa Elders Group (DEG) and UNSW Sydney.

The purpose of Yuwaya Ngarra-li is for DEG and UNSW to work in partnership to improve the wellbeing, social, built and physical environment, and life pathways of Aboriginal people in Walgett through collaborating on evidence-based programs, research projects and capacity building, and to evaluate this as a model of CommUNITY-Led Development.

The Dharriwaa Elders Group deeply values working with young people in Walgett and holds grave concerns about the risk of them entering the justice system rather than in education and employment and thriving in their community. DEG identified this as an urgent priority for Yuwaya Ngarra-li.

The Dharriwaa Elders Group's vision for change is that Aboriginal children and young people in Walgett can learn, work, be safe, supported and thrive within a robust sense of belonging to their families, Community, Culture and Country.

In March 2018, Yuwaya Ngarra-li organised a [Youth Justice Forum](#) in Walgett to address problems faced by Aboriginal children and young people in contact with the criminal justice system. This led to the development of an [Action Plan for Children and Young People](#) through collaboration with stakeholders and agency representatives, with the goal of reducing the appearance of Aboriginal children and young people from Walgett in the Children's Court to less than 10%.

Yuwaya Ngarra-li has since developed its youth diversion demonstration model, named by DEG's Virginia Robinson as ***Baulaarr Bagay Warruwi Burranba-li-gu*** (Gamilaraay) "Two River Pathway to Change." The model has three interlinked strategies:

1. Influencing practices and services to support better outcomes for Aboriginal children and young people
2. Supporting engagement and leadership by Aboriginal Community Controlled Organisations (ACCOs), parents and carers
3. Working intensively with Aboriginal children and young people in Walgett to improve their wellbeing and reduce contact with the criminal justice system.

This Briefing Paper shares lessons from the implementation of the model from 2018 to 2023 and reflections on what is needed to reduce children and young people's contact with the justice system in Walgett long-term, including DEG's and Yuwaya Ngarra-li's contribution.

Key findings from developing, implementing, and refining the Two River Pathway to Change model from 2018 to 2023 include:

- Children and young people in Walgett are over-policed and under serviced.
- The cohort experiences complex mental health issues, stemming from intergenerational trauma, overcrowded housing and lack of access to appropriate support services.
- Urgent and critical mental health and wellbeing supports are needed for young people, including long-term counselling and assistance in accessing existing services.
- Many young people are excluded from education through long and successive suspensions and flawed return-to-school processes.
- Wellbeing checks conducted by DEG were effective in early intervention and building trust but are no longer happening due to staffing changes.
- The model emphasises the need to address broader conditions for children and young people's wellbeing, beyond changes in the justice system.
- Areas requiring significant shifts to support children and young people include trauma-informed education, access to mental health care and youth services that build trusting relationships.

The Two River Pathway to Change model effectively responds to the specific challenges around youth justice and wellbeing in the Walgett context, centring community-led priorities, recognising the inherent protective factors of family, Community, ACCOs and Culture, and working to coordinate holistic, flexible, trauma-informed support for Aboriginal children and young people. The model aims to avoid further criminalisation and marginalisation, emphasising both systemic and individual actions for positive change.

As a result of Yuwaya Ngarra-li's progress implementing the Two River Pathway to Change model, we have seen one of our early indicators of less than 10% of Aboriginal children and young people appearing in the Children's Court exceeded, with the most recent available data indicating the level to be 7.8%.¹

¹ This has been calculated from unit record BOCSAR data using a count of Aboriginal young people (age 10–17) with a Walgett residential postcode who had finalised court appearances in 2021, divided by an estimate of the number of Aboriginal young people (10–17) in Walgett (based on Census data adjusted for undercounting of Aboriginality in the 2021 census).

Through monitoring and evaluating our progress using the method of outcomes harvesting (see pages 21-24 of this Briefing Paper), we identified **83 outcomes** across individual, community, place and systemic levels, demonstrating the value of the Two River Pathway to Change model that has included:

1. Providing direct support to community members, including at times of crisis
2. Collaborating with and building capability of both ACCOs and mainstream agencies
3. Advocacy and engagement with community members, ACCOs, governments and non-government organisations grounded in research

Building on what has been learnt through Yuwaya Ngarra-li's work on youth justice and wellbeing over the past five years, we are now working in collaboration with the Walgett Aboriginal Medical Service (WAMS) and Aboriginal Legal Service (ALS) to develop a new ACCO-led Walgett Youth Wellbeing Service. It is intended that this new service will create a community-led, culturally connected service and accommodation model based on decades of community knowledge and advocacy. It will provide 24-hour coordinated support and advocacy for Aboriginal young people in crisis or contact with the justice system, addressing social determinants of justice and improving health, wellbeing and education outcomes.

Context

The Dharriwaa Elders Group (DEG) deeply values working with young people in Walgett and holds grave concerns about their futures, entering the justice system rather than education and employment, and thriving in their community.

The Dharriwaa Elders Group's vision for change is that Aboriginal children and young people in Walgett can learn, work, be safe, supported and thrive within a robust sense of belonging to their families, Community, Culture and Country.

DEG identified this as an urgent priority for Yuwaya Ngarra-li, acting to reduce Aboriginal young people's contact with police and the youth justice system.

We have analysed how contact with the criminal legal system (charges, court and custody outcomes) has changed over time for young people in Walgett. We used data collected through the NSW courts system and held by the NSW Bureau of Crime Statistics and Research (BOCSAR). In our 2022 [Yuwaya Ngarra-li Research Report](#), our findings showed that:

- Most youth contact with the justice system in Walgett was for Aboriginal young people
- Following decreasing diversions from 2016 to 2018, there were overall increases in diversions in 2019 and 2020 but decreases again in 2021
- Increased diversions since 2018 for young Aboriginal women; while diversions for young Aboriginal men remained fairly stable from 2018 to 2020 then fell substantially in 2021
- Decreased use of Youth Justice Conferencing (YJC) in 2020 and 2021; in 2021, only around 10% of diversions were youth justice conferences, compared to 25% in 2017 to 2019
- More referrals to YJC from the courts than from police
- Police issuing more cautions than warnings
- Overall reductions in charges and court cases since 2018 (taking into consideration lag time from charge to court finalisation)
- A high number of non-violent offences (public order offences, property damage and theft) are being finalised in the Children's Court rather than receiving a diversion by police
- Longer court delays (time from first to final appearance) in Walgett, Bourke and Tamworth compared to other courts
- Overall since 2019, increased proportions of charges found not guilty in court or withdrawn
- Following increases from 2016 to 2019, decreased numbers of youth custody episodes since 2019
- Most custody episodes are remand (not sentenced).

Despite some improvements, these findings reveal that further work is needed to build on demonstrated progress and embed systemic change. The full report details and discusses several other factors that may have contributed to the above findings and identifies and discusses opportunities for action and advocacy based on these findings and current context.

Yuwaya Ngarra-li's early action on children and young people's wellbeing and justice

The Walgett Youth Justice Forum

In March 2018, Yuwaya Ngarra-li held a Youth Justice Forum in the Community Hub at Walgett Community College. The aims of the forum were to:

- Present data, evidence and information around what is known about young Aboriginal people in Walgett and the justice system
- Gather community members (young people, families, Elders) and all the critical services, organisations and Walgett stakeholders (police, legal and justice agencies, Walgett Community College stakeholders) together to discuss the needs of Aboriginal young people at risk of entering or who are already in the system, and possible responses
- Facilitate a public forum that is action-oriented and focused on positive, evidence-based solutions.

Speakers included visiting and local experts, state-wide and local agency representatives, and from Walgett, young people, parents and carers, all giving their perspective on what contributes to the high rates of young Aboriginal people entering the justice system. Key to the discussions was what local, evidence-based strategies could work to address this and support children and young people in Walgett to thrive in their community.

Walgett Action Plan for Children and Young People (2018–2020)

Ideas for local evidence-based strategies to address the problems identified at the forum were developed into an Action Plan for Children and Young People through collaboration with Aboriginal children and young people, key stakeholders and agency representatives. The action plan detailed four goals and a set of strategies to guide the work over three years. One of the goals of the action plan was that less than 10% of Aboriginal children and young people aged 10–17 from Walgett are appearing in the Children's Court.

Strategies underpinning the action plan included:

1. Building relationships of respect and developing effective coordination and collaboration between relevant people and organisations within Walgett
2. Significantly improving Aboriginal children and young people's education, training and employment participation and outcomes, including through increased access to relevant services and opportunities
3. Creating effective options for diversion of children and young people from the criminal justice system
4. Reflecting on practices and processes, building evidence around our shared knowledge and outcomes and planning the work that was required to consolidate and improve our impact.

Two River Pathway to Change

Since 2018, Yuwaya Ngarra-li has developed its Youth Diversion Demonstration Model, known as *Baulaarr Bagay Warruwi Burranba-li-gu* (Gamilaraay), which translates to 'Two River Pathway to Change'.

The model has **three interlinked strategies**:

1. Influence the practices and services and improve the accountability of responsible agencies to support better outcomes for Aboriginal children and young people
2. Support engagement and leadership by ACCOs, parents and carers to support better outcomes for Aboriginal children and young people
3. Work intensively with Aboriginal children and young people in Walgett to increase their rates of belonging, safety and wellbeing and reduce or prevent ongoing contact with the criminal justice system.

Walgett means 'the meeting of two rivers', and the Barwon and Namoi rivers have great cultural significance to Aboriginal people in the region. The rivers are the lifeblood of the Aboriginal Community, and the health of the rivers are interconnected with people's social and emotional wellbeing. Drawing on the river image which DEG and Community speak of frequently, we see Aboriginal children and young people being pulled into the flow of early contact with police, court appearances and disengagement from school due to systemic factors and failures. Contact with the police and court sees young people pulled into the slipstream of the adult criminal justice system, rather than providing a basis for them to take a different direction and thrive.

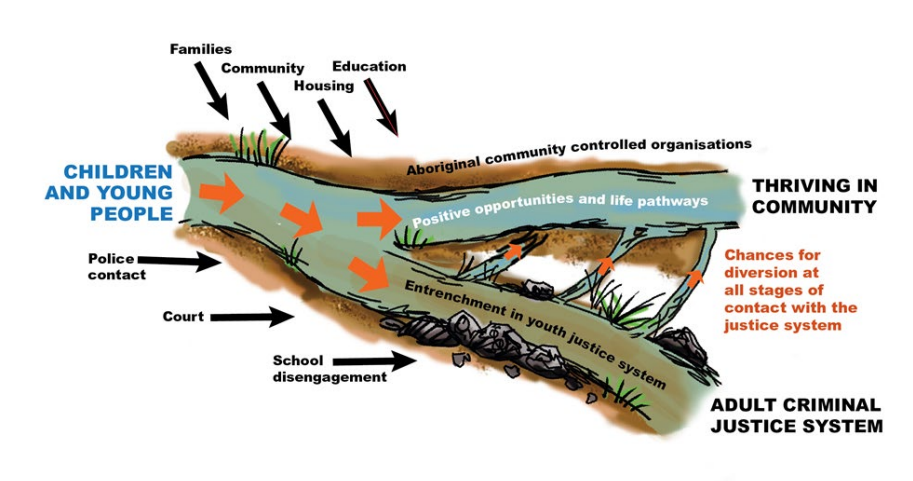


Figure 1 Yuwaya Ngarra-li's Two River Pathway to Change youth diversion model

By taking a holistic, community-led and culturally connected approach to working with children and young people at risk of or already in contact with the youth justice system, supporting engagement and leadership of ACCOs and families, and influencing and ensuring accountability by agencies with responsibility for young people, **the model can create new, positive flows and life streams for current and future generations** of Aboriginal children and young people.

Figure 1 above demonstrates that **the Two River Pathway to Change model is aimed upstream**, providing early intervention and support for children and young people at risk of contact with the criminal justice system. The model also focuses downstream, working intensively with young people already enmeshed in the youth justice system. Families and ACCOs are the healthy and strong riverbanks, supported by the model to reach young people getting swept the wrong way. Community, Culture and Country can ground and connect children and young people and help them to thrive. The connecting groundwater beneath nurtures healthy rivers and Community.

This Briefing Paper outlines the initiatives and mechanisms within each of the Two River Pathway to Change strategies (Figure 4, below), from 2018 to 2023.

1. Influencing and ensuring accountability of agencies and services
2. Building and supporting community leadership and family engagement
3. Working directly with children and young people.



Figure 4 Yuwaya Ngarra-li's Two River Pathway to Change strategies

Strategies and key initiatives

Influencing practices and services and improving accountability

The Walgett Holistic Working Group (2018 to present)

The Walgett Holistic Working Group is made up of key agencies with responsibilities for Walgett's children and young people: Walgett Police, Youth Justice NSW, Walgett Local Court, Aboriginal Legal Service (ALS) NSW/ACT, Legal Aid NSW, the NSW Department of Communities and Justice (DCJ), Walgett Community College and Walgett Aboriginal Medical Service (WAMS). It is convened by DEG and Yuwaya Ngarra-li. It is a collaborative group that is building capacity to respond in a timely and effective way to acute and systemic issues experienced at a community level in Walgett. It began in 2018 as the Youth Justice Working Group but was renamed in 2020 to reflect the importance of bringing in non-justice actors to support and improve the outcomes for Aboriginal children and young people in contact with the criminal justice system.

The working group has an ongoing focus on issues related the youth justice system and processes, for example:

- The operation of the Children's Court List in Walgett Local Court
- Youth diversion under the *Young Offenders Act* by police
- The role of the circuit court Magistrate in decision-making and monitoring use of and missed opportunities for diversion
- Youth Justice NSW recruitment
- Youth Justice Conferencing.

The working group also focuses on improving holistic outcomes, with relevant consideration of justice sector laws, policies and processes for Walgett's children and young people. This includes identifying and addressing unmet needs in priority areas such as:

- Mental health services for adolescents
- Improved school outcomes (attendance and re-integration)
- Training, jobs and access to health services
- Recreation, social connection and access to cultural knowledge and practices through DEG and Walgett-based family-centred activities.

The working group operates to collectively to advocate for resources to fill gaps in services available to young people (e.g. mental health services on the ground) and deploy resources held by agencies themselves to further the group's goals, activities and actions.

The working group is an important mechanism for accountability and problem solving for issues facing children and young people and their families, in particular during COVID lockdowns and

periods of emergency response in Walgett (e.g. flooding in 2022). Agency availability to attend meetings varies due to other commitments. The agency representatives most engaged are DCJ and Youth Justice NSW. Representatives from WAMS and DEG have been crucial in embedding community priorities in the working group. Every new Executive School Principal of Walgett Community College High School has been invited to and attended working group meetings during their tenure. While the Walgett Community College High School Executive Principal and other education staff do not regularly attend, issues and concerns regarding school outcomes are discussed frequently. The DEG Partnership Manager is a member of the Walgett Community College high school and primary school reference groups, which is a key way to ensure an effective flow of information and coordination on education issues.

One of the key strengths of the working group is that local Walgett Aboriginal Community members and organisations lead and shape its focus, which is a clear point of distinction from other government- and police-led approaches.

Achieving ongoing impact

In 2023, the Yuwaya Ngarra-li Secretariat for the working group set a series of goals to further enable its impact:

- **Membership:** Reenergise and recommit membership to the working group as a mechanism to increase accountability and build a shared agenda to improve youth justice and wellbeing outcomes for children and young people in Walgett.
- **Action building:** Develop a strategic plan 2023–2026 which includes three tangible and achievable goals for the working group itself to anchor the group and provide guidance on its purpose and aims.
- **Governance:** Increase opportunities and ways for members to participate and engage in the work, moving away from just talking in meetings to doing work for the group outside of meetings.
- **Community engagement:** Bring community along in using and accepting the working group as the main forum to address the acute and chronic challenges in Walgett impacting young people.

Supporting engagement and leadership by ACCOs, parents and carers

Yuwaya Ngarra-li research and evaluation (2018 to present)

Yuwaya Ngarra-li background papers, briefing papers and research reports

- *COVID-19 Crisis and Schooling* (briefing paper, May 2020)—prepared for the Walgett Community College School Reference Group
- *Background Paper: a summary of SRG and ACCO concerns and proposals, relevant evidence and recommendations for change* (background paper, May/June 2021)—prepared for DEG
- *Education Outcomes for Primary & High School Students at Walgett Community College* (briefing paper, August 2020)—prepared for DEG
- [*Has criminal justice contact for young people in Walgett changed over time? Analysis of diversions, charges, court and custody outcomes 2016-2021*](#) (research report, June 2022)
- *BOCSAR children's court data comparison analysis: Do trends in children's court appearances differ for Aboriginal young people in Walgett compared to all of NSW?* (briefing paper, June 2022)
- [*Housing in Walgett*](#) (briefing paper, March 2023) – identifies housing to reduce young people's contact with the criminal justice system
- [*Dealing with Fines*](#) (briefing paper, September 2023).

Yuwaya Ngarra-li systemic advocacy (2018 to present)

Education

- Overuse of long suspensions and expulsions for young people
- Wellbeing supports and resources for children and young people in school
- Transition pathways for young people wanting to return to school and education

Justice

- Use of police in the Walgett Community College to respond to incidents involving children and young people
- Young people held in police custody and on remand while in need of medical attention
- Accommodation for Walgett's young people in out-of-home care while bail refused and/or on remand.

Covid

- Coordination of wellbeing supports from community organisations and ACCOs for children and young people

- Raising the alarm on legal needs of children and young people during Public Health Order enforcement.

Walgett ACCO Training Series and Lunchtime Seminar Series

- Planning Youth Justice Conferences through a community-led approach (June 2021)
- Family is Culture Review – An Overview, Walgett ACCOs (February 2022)
- Yuwaya Ngarra-li, DEG and ALS Fines for community legal information and professional development for staff (September 2022)
- What we know about supporting young people with cognitive impairment, intellectual disability and mental health needs (October 2022)
- Lessons for ACCOs from the Two River Pathway to Change (November 2022)
- Ladies, lets get rid of your fines! Dealing with Fines Team Community Session (November 2023).

Walgett Wellbeing Collaboration (2023 to present)

Yuwaya Ngarra-li's work to date confirms a core aspect of the *Baulaarr Bagay Warruwi Burranba-li-gu* model—that addressing the criminalisation of young people cannot just focus on changes to the justice system, it must focus on broader conditions for children and young people's wellbeing. While policing practice must change, there are many other areas that require significant shifts to support children and young people, including trauma-informed education, access to flexible learning and education, access to appropriate trauma-informed mental health care and youth services and support that build trusting relationships and recognise the inherent protective factors of family, Community, ACCOs, Country and Culture.

ACCOs are critical to leading this work in Walgett and elsewhere, and this has been recognised by government in its Closing the Gap commitments and related strategies. ACCOs bring important histories, practices and strengths. Leading the way in this space are Community Controlled Health Organisations such as WAMS. It is important that ACCOs are appropriately supported and resourced to lead efforts to reduce Aboriginal children and young people's contact with the justice system and improve wellbeing and positive life pathways at local, regional, state and national levels. The relationships and partnerships between justice-focused ACCOs and health-focused ACCOs need to be built from the ground up.

Through designing, implementing and refining the Two River Pathway to Change model, we have learnt that a **new holistic Walgett Youth Wellbeing Service** built on the foundations of this knowledge and momentum is the next urgently needed step. Achieving this requires a new initiative under the model—a collaboration between DEG, WAMS and ALS. This service is informed by and builds on decades of community knowledge and advocacy, the recommendations

of reports including the Royal Commission into Aboriginal Deaths in Custody, Bringing Them Home and the National Aboriginal Health Strategy, as well as the current Closing the Gap Implementation Plan 2022–2024 (NSW).

An innovative new community-led, culturally-connected service and accommodation model is being developed based on what has been learnt through designing and implementing the Two River Pathway to Change youth diversion model since 2018 and the importance of addressing social determinants of justice for Aboriginal young people. The Walgett Youth Wellbeing Service will build up to providing 24-hour coordinated support and advocacy for Aboriginal young people in crisis and/or in contact with the justice system. It will include a specialist multidisciplinary team who work together to assist young people with their legal, health, disability, drug and alcohol, and housing needs. The service will take an intensive, holistic, non-punitive and therapeutic approach to providing coordinated support for Aboriginal young people with complex needs and improve health and wellbeing and participation in education, training and employment.

With support from the YN partnership, this new service will be a collaboration between:

- **DEG:** contributing knowledge from the Two River Pathway to Change program that is community led, holistic and culturally-connected, including the work of the Yuwaya Ngarra-li Youth Team, and the engagement and support of the Yuwaya Ngarra-li community troubleshooters, Dealing with Fines team and Partnership Manager, as well as contribution of Yuwaya Ngarra-li's Housing Manager and Research and Evaluation team.
- **WAMS:** contributing 30+ years of corporate experience offering frontline health services (GPs, eye health, mental health, sexual health, midwifery, dental), social and emotional wellbeing services (drug and alcohol services), and bringing allied health specialists to Walgett in the areas of speech therapy, occupational therapy, optometry, audiology and exercise physiology; and children and young people specialist services including the School Health Check Program and Goonimoo Playgroup.
- **ALS:** contributing expertise in legal representation and advocacy for Aboriginal young people in contact with the criminal justice system, including its well-established state-wide Children's Law Practice, soon to be established Youth Bail Project; and the Visiting Legal Service (wellbeing and legal rights check on Aboriginal young people in youth detention across NSW).

Data and evaluation in our collaboration

The development and implementation of the Walgett Youth Wellbeing Service and Accommodation model through the collaboration (see Figure 5 below) will be informed and underpinned by data, research and evaluation. In particular, the Yuwaya Ngarra-li Children and Young People Linked Dataset which will include police, court, custody, youth justice, fines, education, health, public housing, out of home care and child protection data for children and young people from Walgett and their immediate family members. Analysis of these data will enhance understanding of the relationships between different experiences and outcomes for children and young people in

Walgett and what works to help Aboriginal children and young people to thrive, including in relation to this new service. It will enable us to evaluate the progress and impact of the Walgett Youth Wellbeing Service and other factors on outcomes and pathways for Aboriginal children and young people in Walgett.



Figure 5 Walgett Wellbeing Collaboration

Working directly with children and young people

DEG Youth Team (2020–2022)

Wellbeing checks

The wellbeing checks the DEG Youth Team began during COVID lockdowns are a unique mode of building connection, trust and rapport with a young person with the aim of increasing engagement over time and became the key way for DEG to reach young people during its crisis support response from 2020 to 2022. Through building this connection, the Youth Team could better understand the support needs of children and young people and build their trust.

The wellbeing checks centred the young person but also considered the role of key adults in the young person's life, including parents, grandparents, part-time carers and other responsible adults such as aunts and uncles. Family and community connection is one of the key factors that made the wellbeing checks culturally appropriate. The kinds of information shared between young people and DEG during a wellbeing check were:

- Challenges and issues they were facing
- Conflict between young people
- Relationships with parents/family
- Sorry business
- Legal issues including court matters
- Needing help to access medical treatment.

The Youth Team found that wellbeing checks often acted as early intervention around emerging issues for the young person, such as mental health concerns and challenges. They were especially important for young people that otherwise did not have positive adult support outside of their families, in particular those disengaged from school. This number was higher during the height of COVID restrictions, as DEG staff were also providing food vouchers, water and PPE, assisting with school packs and education resources and helping young people manage their reporting requirements under youth justice supervision. Engaging with parents as part of working with the young person resulted in greater involvement and understanding of what was happening with the young person's court matters, health issues and education.

Regular wellbeing checks with children and young people are an effective model of outreach that could valuably be continued and more closely integrated with health and legal services as part of the Two River Pathway to Change model.

Cell Support

The Youth Team began to provide support to young people in police custody after parents and carers came to the team with concerns about the lack of information about their child and for their wellbeing. After advocacy from DEG staff, police would give the team access to the young person held in custody where they could do a wellbeing check and advocate for the young person depending on what they needed, for example, urgent medical care. DEG staff were also able to gather information about any charges or release from custody from police and convey this to parents and carers.

While there are existing agencies that could be providing this support, the Youth Team found that was not happening for the young people they were supporting. They also found that there were limited opportunities to intervene in the strict police process of taking a young person into custody and processing them through charge and bail or holding them in remand. This is despite police needing critical information about, for example, the young person's family context, housing and mental health to inform decisions they are making about how to process the young person in

custody and when to use discretionary options available to them. DEG staff advocacy and relationships and knowledge of police responsibilities and processes enabled important interventions to ensure police were communicating better with families and that the most punitive options were not the default. Improved cell support is critical to improving outcomes for Aboriginal children and young people in contact with the criminal justice system in Walgett.

Improving staff and community understanding about police processes when taking a young person into custody is needed, as is resourcing, recruiting and training an ongoing specialist cell support role in Walgett. This wouldn't necessarily have to be an ongoing role for DEG staff, but would need to be filled by an appropriate person who could communicate well with young people, families and other services.

Court Support

The Youth Team has also been providing support for young people to attend court, helping to ensure that their court matters are progressing and in avoiding further contact with police for court non-attendance. Failure to attend can result in the court issuing an arrest warrant for the young person, especially if the young person has bail conditions as part of their court matters. Through this support, DEG learns of a young person's court attendance date directly from the young person or through their ALS or Legal Aid lawyer. DEG staff pick the young person up from home or wherever they were staying and transport them to court. As the Children's Court sits as a closed court, DEG staff being able to accompany children and young people into court was important recognition of their special role in the community and to the young person, given otherwise only their solicitor, court staff and police prosecutors are permitted. The Youth Coordinator acts as a trusted emotional and cultural support for the young person, but also as an observer and translator of the proceedings, for example, what was said by the lawyer and magistrate to the young person and explaining this to their families afterwards. DEG staff often also act as a liaison between the parents and the solicitor, and sometimes even between the young person and their solicitor. The Youth Justice Advisor coached the DEG staff in how to work with a young person and their parents to regularly get information from the young person about their court matters, and how to work with the ALS and Legal Aid lawyers.

It is apparent that the Children's Court list management needs improvement in Walgett. Improved court support is critical to improving outcomes for Aboriginal children and young people in contact with the criminal justice system in Walgett. As with cell support, this wouldn't necessarily have to be an ongoing role for DEG staff, but would need to be filled by an appropriate person who could communicate well with young people, families and other services.

Youth Justice Conferencing

Youth Justice Conferencing (YJC) is a formal alternative to finalising a young person's criminal matters and considered to be a key diversionary option under the *Young Offenders Act*, especially for young people who have longer histories of involvement with the criminal legal system. As a diversion option, their effectiveness to support young people to address offending behaviour is highly dependent on the availability of quality local youth-specific supports. Successfully conducted YJC and completed Outcome Plans by the young person are largely dependent upon the high capability, knowledge and practice of police and juvenile justice agency staff and personnel.

From 2017 to 2019, YJC made up 25% of all finalised diversions. This rate then began to fall, and in 2021 YJC only made up 10% of finalised diversions. More referrals to YJC were issued by the courts than the police. Only in 2020 were the majority of finalised YJCs referred by the police.

YJC has been under-used as a formal diversion in Walgett due to a range of factors including the inability of Youth Justice NSW to recruit a local convenor. In the absence of a local convenor over the past two years, Yuwaya Ngarra-li's Youth Coordinator began providing this critical support to both clients and to the Youth Justice NSW contractor who travels to Walgett from Dubbo to convene YJCs, with intensive training and practice clinics provided by Yuwaya Ngarra-li's Youth and Legal Advisor.

The coordination and support that the Youth Coordinator provided was critical to all steps of a successful process: setting up the conference with the young person and their family, ensuring the Outcome Plan was prepared (which is provided to the Children's Court) and which the young person agrees to and is required to complete over a period of two to three months post-conference. Without this coordination and support in place, the conference fails to take place, or the outcome plan lapses before being completed, causing a young person to be sent back to Court to be sentenced. Yuwaya Ngarra-li has identified important lessons and strategies for Youth Justice NSW, the agency responsible for implementing the process, that could positively influence the operation of YJC in Walgett and NSW more broadly.

A local YJC convenor and more effective coordination by Youth Justice along with Walgett police referring eligible young people for YJCs are all important to YJCs being a meaningful diversionary option in Walgett. Again, this doesn't have to be an ongoing role for DEG staff, but Yuwaya Ngarra-li could assist by providing advice to Youth Justice NSW and other agencies regarding how to ensure YJCs can fulfil the aim of reducing the contact of Aboriginal children and young people with the criminal justice system in Walgett.

Initiatives to support and engage young people by Yuwaya Ngarra-li (2018–2023)

Surveys of Children and Young People

- Yuwaya Ngarra-li Pool Day Surveys

Youth-led initiatives

- Walgett youth-led anti-bullying workshops
- Walgett Kids Working Party

Specialist Youth initiatives

- Sexual health workshops
- Kobie-Dee Gomeroi Nations Tour with local acts
- Youth Work Community of Practice

Working with families initiatives

- Grandmothers and Aunties Alliance

Responding to Community Priorities initiatives

- Trail bike helmet advocacy
- Advocacy to decrease police attending high school
- School suspension policy and conciliation advocacy

Key Findings and outcomes 2018–2023

Key Findings

Children and young people in Walgett are over-policed and under served

Through implementing the Two River Pathway to Change model, we have learnt a significant amount about the experiences and needs of the cohort of Aboriginal children and young people in contact with the criminal justice system in Walgett, the significant stressors and punitive responses they experience and lack of access to safe, holistic and trauma-informed support. In summary:

- All children and young people who came to the attention of DEG, including through COVID responses, had had contact with police. This occurred when children and young people are spending time in public spaces, when police are regularly called to the school or doing bail checks, or when young people are in crisis and families have nowhere else to turn.
- Every young person over 12 years old that engaged with DEG had appeared in the Children's Court at the Walgett Local Court. This resonates with our analysis of BOCSAR data showing that many first and minor offences (public order offences, property damage and theft) are being finalised in the Walgett Children's Court rather than receiving a diversion from police.
- This cohort of children and young people experience complex mental health issues. They face a large amount of stress, often from the compounding factors of intergenerational trauma, over-crowded housing, being treated punitively and with suspicion in public spaces and institutions (including schools) and lack of access to appropriate mental health and community services and support. Self-harm and self-medicating with 'yarndi' (cannabis) to deal with stress is common. Only one young person in the cohort had accessed mental health care resulting in a diagnosis and treatment.
- Children and young people are in urgent and critical need of mental health and wellbeing supports of all kinds. This includes long-term counselling and support around daily stressors in their lives, interpersonal relationships with friends and family, more serious complex trauma related illnesses, and undiagnosed complex mental health issues. New resources and services are needed for this cohort, and young people need assistance to access existing services. These health pathways need to be set up formally through a new approach.
- Many young people are excluded from education through the use of long and successive suspensions (multiple suspensions for 20 days at a time in succession is common), flawed return to school processes at the high school and restricted access at the primary school (there is a class that only allows for children to attend school from 9am-11am each day with children as young as 10 years old in the class).
- From 2020 to 2022, DEG undertook wellbeing checks with young people—including as part of its crisis response during COVID—building trust and connection and getting to know the support needs of young people as well as dropping off food vouchers, water, activity

supplies, PPE, helping young people under youth justice supervision manage their reporting requirements and participation in YJC, and assisting with school packs and access to technology. In 2022, around nine wellbeing checks were completed per month and often acted as early intervention for emerging issues. This model of outreach support was very effective, but is not the approach taken by other services in Walgett or the region with responsibilities for children and young people in Walgett.

These insights reinforce a core aspect of the *Baulaarr Bagay Warruwi Burranba-li-gu* model—that addressing the criminalisation of young people cannot just focus on changes to the justice system; it must focus on broader conditions for children and young people's wellbeing. While policing practice must change, there are many other areas that require significant shifts to support children and young people including trauma-informed education, access to flexible learning and education, access to appropriate trauma-informed mental health care, and youth services and support that build trusting relationships and recognise the inherent protective factors of family, Community, ACCOs and Culture.

Evaluating our approach and measuring our outcomes

Since 2020, Yuwaya Ngarra-li has made substantial progress and impact in relation to its community-led model of diversion from the criminal justice system. The Two River Pathway to Change model was developed, tested, documented, and refined during this period, informed by relevant national and international evidence and local priorities while giving simultaneous attention to strategies at systemic, community and individual levels to effect change. As a result, we have seen one of our early indicators of less than 10% of Aboriginal children and young people appearing in the Children's Court exceeded, with the most recent available data indicating the level to be 7.8%.²

We have documented DEG providing direct assistance to 144 Aboriginal community members around criminal justice-related matters, including:

- 17 young people provided intensive support by the **Youth Team**
- 14 young people and 19 adults assisted by the **Community Troubleshooter Team**

² This has been calculated from unit record BOCSAR data using a count of Aboriginal young people (age 10–17) with a Walgett residential postcode who had finalised court appearances in 2021, divided by an estimate of the number of Aboriginal young people (10–17) in Walgett (based on Census data adjusted for undercounting of Aboriginality in the 2021 census).

- 94 clients (18–25+-year-olds) of the **Dealing with Fines Team**.

What we have learnt in the past year has underpinned the development of a new Walgett ACCO Youth Wellbeing Service, which provides an innovative model of collaboration between DEG, WAMS and the ALS that could be replicated nationally to respond to one of the nation's most pressing human rights and policy challenges. Since we began our work together in 2018, a series of local crises impacted on our plans, such as the COVID-19 pandemic, fires and floods in Walgett, with each of these involving important emergency response roles for the DEG requiring re-prioritisation of focus and approach. Throughout we have been able to ensure that children and young people remained in clear focus while working according to the principles of the Yuwaya Ngarra-li partnership: holistic, strengths-focused, community-led, culturally connected, and rights based.

This necessary shift in focus also led to a broadening of our goals to include the establishment of a [local DEG-led program to address fine debt in Walgett](#). This became an urgent priority in the Walgett community due to the issuing of 'COVID-19 fines' as police heavily enforced Public Health Orders. Its purpose to reduce criminalisation and improve wellbeing and positive pathways fits within the Two River Pathway to Change model.

Outcomes and Results

In 2021, Yuwaya Ngarra-li decided to adopt an outcome harvesting method to understand its influence and contributions to change for individuals, in the Aboriginal Community, its broader place-based impacts in Walgett and its systemic influence on thinking, policy, practice and relationships beyond Walgett³. Outcomes are actions by or changes for individuals, organisations or groups influenced by Yuwaya Ngarra-li (not activities or actions taken by Yuwaya Ngarra-li). In our wellbeing and justice work for children and young people, we identified **83 outcomes** across individual, community, place and systemic levels, demonstrating the value of the Two River Pathway to Change model:

- Direct support to community members, including at times of crisis
- Collaborating with and building capability of both ACCOs and mainstream agencies
- Advocacy and public engagement grounded in research.

Figure 2 below illustrates numbers of different types of outcomes, including:

- 44 outcomes for individuals, for example supporting successful diversion from the justice system for specific young people

³ The detail of the methodology and its use in the evaluation and monitoring of our work will be published by Yuwaya Ngarra-li in 2024.

- 26 outcomes demonstrating increased respect or collaboration (identified in Yuwaya Ngarra-li's theory of change as critical to long term and sustained change in Walgett), for example Dharriwaa Elders Group engaged directly by the local school in shaping practice and sharing knowledge with students
- 6 outcomes of increased ACCO capability such as enhanced collaboration between ACCOs in Walgett around youth wellbeing
- 18 community-wide outcomes, such as increased use of the Young Offenders Act by police
- 22 outcomes of influencing practice and policy, for example contributing examples and advocacy to efforts that led to cancellation of COVID fines
- 4 outcomes where this work is being used as an 'exemplar' by others to shape policy and practice, for example NSW Government using Yuwaya Ngarra-li as an example of a community-led data initiative in their work to build capability around Indigenous Data Sovereignty

Meanwhile, Figure 3 below illustrates how the work in this area has benefited the whole community (for example, through contributing to the introduction of vocational training at the Walgett Community College) with increasing systemic influence over the course of 2022-2023. This is an important dimension of this work that is focused on the long-term vision of the Elders and improved wellbeing for Aboriginal children, young people and their families in Walgett but ultimately produces benefits shared by all who live in the community by influencing positive shifts in the town.

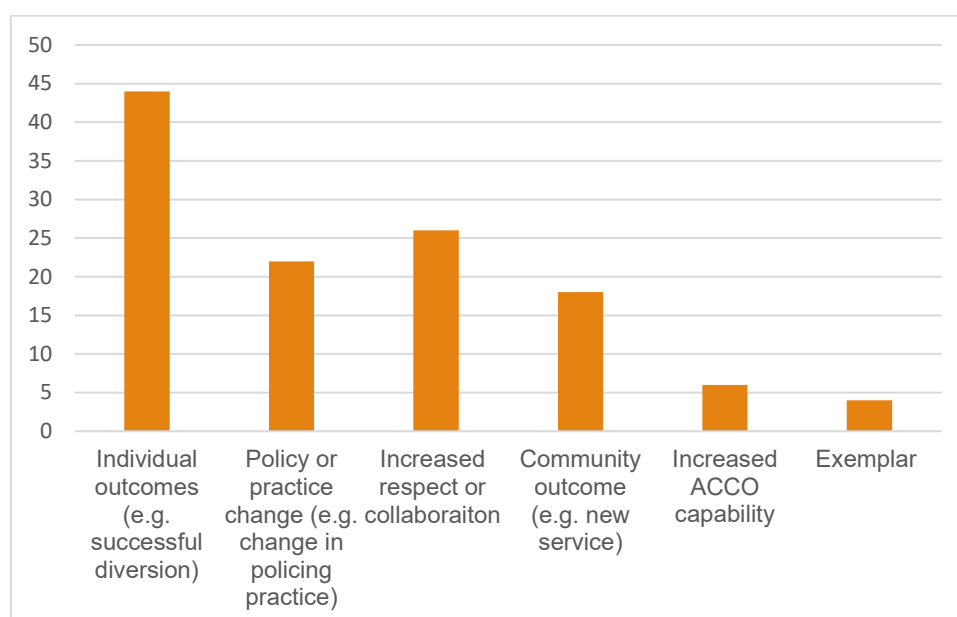


Figure 2 Types of outcomes

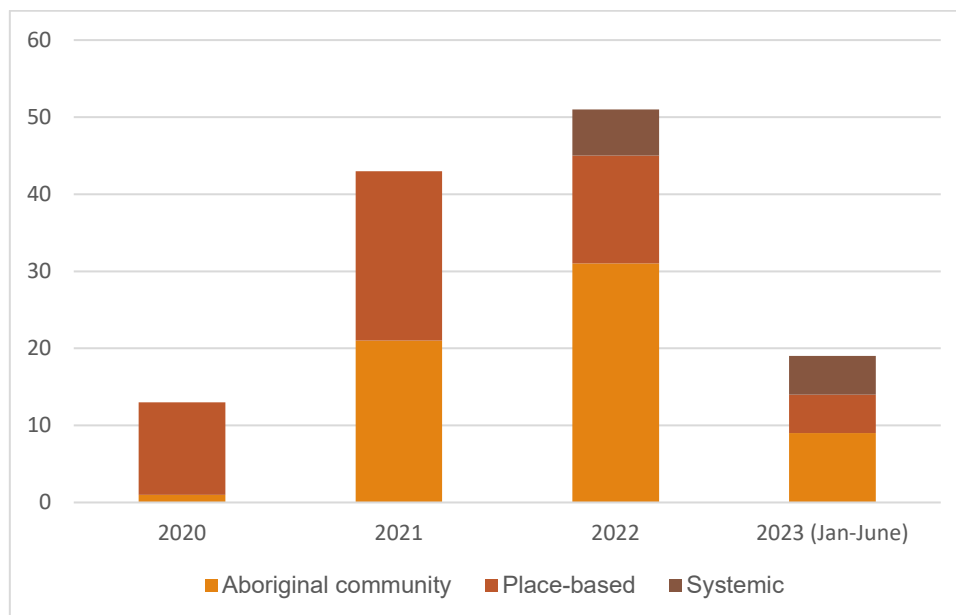


Figure 3 Level of outcomes: youth wellbeing, justice and fines

Data sources

The Yuwaya Ngarra-li Research and Evaluation team used data from various sources to evaluate and measure our progress and impact:

- Police and BOCSAR data
- Australian Bureau of Statistics Census data
- Community surveys and surveys of young people
- Yuwaya Ngarra-li progress tracker
- Yuwaya Ngarra-li outcomes harvesting drawing on diverse materials (media references, emails, reports, internal tracking etc)
- Revenue NSW fines dashboard
- Dealing with Fines program data.

Results

The key results from 2020-2023 were:

- 7.8% of Aboriginal children and young people aged 10–17 from Walgett appeared in a Children’s Court in 2021 (Census comparison year)
- DEG provided direct assistance to 144 Aboriginal Community members to improve accountability regarding police powers and conduct
- 94 Aboriginal Community members (including young people) supported to have their fines written off or to participate in WDO activities to clear their fines

- \$178,112 worth of fine debt written and worked off (\$120,882 written off permanently; \$57,230 worked off via the DEG WDO program)
- Five case studies of WDO clients compiled.

Conclusion

In reflecting on what has been learnt under the Two River Pathway to Change Model, it is apparent that it effectively enables DEG and Yuwaya Ngarra-li to:

- Respond to the unique conditions of the Walgett context (remoteness; challenges and deficiencies inherent in government-led coordination, service modelling and practice; workforce availability and readiness)
- Centre the community-led priorities where flexibility is needed (such as community-wide crisis response)
- Give priority to Walgett Aboriginal Community development priorities (ACCO leadership and control, resourcing, sustainability and practice) and ACCOs as solution leaders
- Make children and young people an explicit strategic focus
- Ensure that families and community, as a core component of a social and emotional wellbeing approach, are included in activities aimed at improving the life outcomes for Aboriginal children and young people
- Give simultaneous attention to the systemic, community, and individual actions and strategies required to effect change
- Establish a systematic approach to advocacy, education and service provision which does not further criminalise and marginalise Walgett's Aboriginal children and young people, particularly those young people who are in contact with the criminal justice system.