

YAPRap

Newsletter of the Youth Action and Policy Association NSW Inc

Vol 16 No 5 May 2006

Why young can't quit bad jobs

Debra Jopson

Almost one in five workers under 26 is unhappy with pay and conditions, but most young people will not quit a job straightaway even when they feel poorly treated.



A survey provided exclusively to the Herald gives this insight into the insecurity of young workers, while an

investigation by the newspaper has found many young Australians put up with poor pay, unreasonable sackings, bullying and shoddy contracts.

Most of the 400 young people surveyed were university, TAFE or school students, and employed mainly

as casuals, but their work was so important to them that just one in five said they would quit and look for another job if their pay and conditions turned out to be really bad.

The rest would simply "put up with it" and wait until they had more skills or had finished studying, or they would hang on until they got a better job, the Sydney-based Youth Action & Policy Association found in the survey.

However, while low-skilled young workers may not be game to quit, the picture is starkly different for apprentices and trainees. As many of these young people quit their courses as complete them.

And another set of survey results given to the Herald confirms union

Many of you helped with YAPA's *Negotiating at work* survey of young people earlier this year. YAPA's Policy Officer John Ferguson gained media coverage on the topic in the Sydney Morning Herald in April as part of *youth: an occupational hazard*, a major feature on young people and workplace injuries. Two of the Herald articles are republished here, along with YAPA's media release which summarises the survey's initial findings.

officials' private fears that, despite the weaker bargaining power of young

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YAPRap

YAPRap is YAPA's monthly newsletter. YAPA is the Youth Action and Policy Association NSW Inc, the peak organisation representing young people and youth services in NSW.

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Contributions

Contributions welcome from young people, youth workers and others. Email articles and listings to info@yapa.org.au or ring Nick Manning at YAPA to discuss your contribution. YAPA may also publish your contribution in other newsletters and on our website.

Advertisements and loose inserts

We run ads in YAPRap and insert loose flyers, when space permits. Contact Nick Manning to discuss your ad or flyer.

Deadlines for contributions, ads and loose inserts

(YAPRap is posted 2 weeks after the deadline.)

Monday 29 May

Monday 26 June

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Individual Membership Form

4 reasons to join YAPA

As a YAPA Individual Member you:

- get our newsletter YAPRap, regular email news, and other stuff
- get invitations to YAPA youth events and the chance to tell us what you think about youth issues
- can vote for, and stand for election to, the YAPA Board of Management
- support YAPA's work on behalf of young people across NSW and Australia.

Who can join YAPA?

You can join YAPA if you are aged 12 - 25 years old.

If you are 26 or older, you cannot be a member of YAPA but you can still subscribe to YAPRap and get YAPA Latest email news. See our YAPRap Subscription form.

To join as an organisation, ask for our Organisation Membership form.

What's it cost?

Individual membership costs \$22 (incl. GST) the first year you join.

When you renew your membership in future years, you can choose to get YAPRap:

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Reduce fines for low income earners

Gary Moore, Director, Council of Social Service of NSW (NCOSS)

NCOSS has strongly urged the NSW Government to look at developing a fines regime based on the offender's income.

The Public Interest Advocacy Centre (PIAC) has released an important report today, highlighting the fact that fines

offences like riding without a ticket or offensive language. It's very difficult to get your life back on track with this level of debt.

Many homeless people also face debts that they are unlikely to ever afford to repay.

The system has had a devastating

amounts, particularly for traffic infringements and CityRail fines.

The Government will earn \$245 million from fines in 2006-07. In order to ensure some social accountability, it must look at a range of options for reform of the fines system in NSW to get a

“ In order to ensure some social accountability, [the government] must look at a range of options for reform of the fines system in NSW to get a better deal for low income fine recipients. ”

cause significant hardship for many low income people in NSW. It is simply unfair for a low income person to face a proportionately higher burden than anyone else when they are hit with a fine.


Fines can lead to a spiral of debt, affecting the recipient's ability to access transport, jobs, education and services. Some young people have accumulated over \$15,000 in fines and enforcement costs for

effect for some rural and regional communities, particularly when people lose their license because they cannot afford to pay a fine.

A viable reform option is for the Government to offer reduced fines for low income people. NCOSS believes that the NSW Government could implement a system in NSW that allows Centrelink beneficiaries to receive reductions in on-the-spot fine

better deal for low income fine recipients.

At the same time, it can look much further at ways to model responsible behaviours through early childhood development, parenting support and a host of anti-poverty measures.

[NCOSS media release 6 April 2006] 

Youth Week - clarification

In the article about Youth Week funding in last month's *YAPRap*, **When marketers make over a message, youth has a problem**, by Hugh Evans, references to "the Government" referred to the Australian (Federal) Government.



Be vigilant on crime prevention too

Gary Moore, Director, Council of Social Service of NSW (NCOSS)

NCOSS calls on Premier Morris lemma to be vigilant with crime prevention at the same time as being tough on crime.

If the Premier can find \$80m for new police recruits and \$700,000 for a water cannon, then he can also find an equivalent amount to both prevent young people and others engaging in crime and to support those who are attempting to rehabilitate themselves.

We spend a paltry \$2.5m each year on specific community-based post release programs for people leaving the State's prisons. We modestly invest in the highly successful Youth Conferencing


program, with some small extensions into adult conferencing schemes.

We place not nearly enough emphasis on intensive programs in late primary and early secondary schools to reduce the number of early school leavers, and we still have not embraced actions that will prevent young people in Out of Home Care from entering the Juvenile Justice system.

An investment of the order of \$80m per annum in each of these crime prevention and early intervention areas would pay handsome dividends in terms of the quality of life for those seeking rehabilitation and for those who may be future perpetrators of crime, as

well as massively reducing over time the social and economic costs our community faces from crime.

Bureau of Crime Statistics and Research Chief, Don Weatherburn, has often stated that besides the heroin drought of recent years, the biggest next reason for a drop in several categories of crime figures is people getting and maintaining jobs.

The lemma Government should re-look at investing in specific employment correction programs targeting the 30-40 of the most disadvantaged communities across NSW so as to put much more downward pressure on the incidence of crime in the future. 

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Community services in NSW under huge pressure

Michelle Burrell, NCOSS Deputy Director

A major report *Australian Community Sector Survey 2006*, released today, shows that community services operated by non-government organisations (NGOs) in NSW are under considerable strain.

The survey shows that demand for services increased by 8% from 2003-04 to 2004-05, whilst 38%

waiting lists grew or stayed the same in 2004-05.

Long term housing, health services (including mental health and drug and alcohol services) and crisis and supported accommodation services were those identified as most needed by clients of the NGOs surveyed for this report.

Disturbingly, the report indicates that whilst income of the NGOs

face further barriers to service.

A failure to fully fund the 10.5% wage increase over the next three years will see even more desperate and disadvantaged people turned away or facing much longer waiting lists for services.

Today's report also confirms that the vast majority of NGOs are already squeezing more out of existing resources. 74% of agencies

“...the NSW Government must fully fund the March 2006 wages increase for the State's social and community services workers if the clients of these front-line NGOs are not to face further barriers to service.”

more people were turned away from receiving services during the same period.

Clearly the pressure on NGOs is increasing in NSW. Besides the overall growth in client demand, community sector agencies report that people coming through their doors have more complex needs than before.


Users of community services in NSW also face waiting lists with 46% of NGOs reporting that their

increased between 2003-04 and 2004-05 by \$14m, operating expenses increased by over \$17m. The overall deficit being carried by the surveyed NGOs now stands at 8% of total income.

Today's report provides further stark evidence that the NSW Government must fully fund the March 2006 wages increase for the State's social and community services workers if the clients of these front-line NGOs are not to

agreed that unfunded work by staff and volunteers had increased between 2003-04 and 2004-05.

This situation is not good in attempting to maintain, let alone increase the quality of services. And, it will only exacerbate growing skill shortages and the retention of highly skilled staff in several key service areas.

[NCOSS media release 18 April 2006] 



Rocks Fest kicks on again in 2006

Melanie Conlon, YAPRap Feature Writer

Rocks Fest 2005 was a film festival held in The Rocks, Sydney on 20 May last year and is set to rock again this year. This festival is organised and run by young people in the Millers Point area, predominantly supported by staff at the Abraham Mott Youth Centre and Lend Lease, along with many other local businesses and volunteers.

I spoke with the Social Worker and Youth Team Leader at Abraham Mott Youth Centre (run by City of Sydney Council). Helen Xiros has been working with this program since its

and the event organisers were overwhelmed with the response. There was a core group of 5 young ladies who took charge of the organisation of the event with the help of their mentors and youth workers such as Helen.

April says what she thinks!

I spoke with April, a young resident of Millers Point who has been involved in the program since the beginning.

How did you get involved?

When a couple of the Lend Lease mentors turned up to my school and

Centre and Lend Lease sat down and matched the young people with mentors.

What is your mentor like?

My mentor is a good support to me and helps me with my homework which is handy with assessments and studying. It's also great to be able to go into Lend Lease and have a coffee with the staff. That's certainly something most young people do not get to do.

What do you like about the program?

It's great getting the chance to organise something like Rocks Fest and it is a great experience. It is

“Helen describes Rocks Fest as a festival celebrating local talents and last year the venue was filled to capacity to watch the 5 films that had been directed, filmed and edited by young people”

inception and is an inspiring guide to the young people she helps to get involved in projects such as Rocks Fest.

Helen describes Rocks Fest as a festival celebrating local talents and last year the venue was filled to capacity to watch the 5 films that had been directed, filmed and edited by young people

Over 80 people filled the hall

the Youth Centre to talk about the program. We then got asked to go to an activity day at Shark Island with a few other young people and some mentors. At the end of the day the young people who were still interested wrote down which mentors they preferred talking to and the mentors wrote down which young people they preferred to work with. After that, staff from the Youth

awesome to have connections with a big corporate organisation such as Lend Lease as well as other big businesses in the area. I also love the help I get with my homework and going on fun activities such as to Centennial Park for Orienteering and the NSW Institute of Sport at Narrabeen for a weekend camp.



How did you find organising Rocks Fest last year?

It was easy in a way because the young people all knew each other really well and we were familiar with the local community. It was stressful though because we went to a lot of meetings and it took up a lot of time. We also argued about some of the details! After all this though, it was definitely worth it in the end and we learnt some great skills in organising such a successful event.

So what are you planning for this year?

We are planning another huge event, except this time we are

What would you say to other young people who would like to get involved in a project like this?

Get out there, talk to youth workers, your local youth centre and people in your local community. If you are thinking about doing it you should go for it, it's a great experience.

How the program works

Rocks Fest is just one part of a partnership program between 13 organisations within the community: "local people, local organisations, addressing local

won the Prime Minister's Award for excellence in Community Business Partnerships 2005.

Lend Lease provide 25 volunteers who act as mentors for young people from Year 6 through to teenaged young people. The mentors work one on one with the young people and can help them with their homework, finding a job or even just being a friendly ear to listen to their troubles. The young people are accessed through local schools or the Abraham Mott Youth Centre.

Helen from Abraham Mott Youth Centre reports that the Youth Centre accesses young people in the area who are predominantly 12 – 24 years old. Helen says they attracted young

“This program is an Australian award winning program which won the Prime Minister's Award for excellence in Community Business Partnerships 2005.”

running a Talent Quest instead of a films festival. We are still working out the details but it should be run sometime in the October school holidays and we are planning on running some auditions for the performers. We are looking for talented people aged 15 – 24 years old for the event. If you are interested check out the contact details for Abraham Mott Youth Centre below and give Helen a call or call Jessie at Lend Lease. We are expecting heaps more people this year and we will be asking spectators for a donation with all proceeds going to the Starlight Foundation – our charity of choice.

issues”.

The Millers Point Youth Employment Partnership began in 2003 as a result of community consultation by Lend Lease, which now chairs the program. The main participants in the program include Lend Lease, City of Sydney Council (including Abraham Mott Youth Centre), Westpac, Sydney Secondary College, Fort Street Primary School, Ultimo College – Sydney Institute of TAFE, Rotary, Department of Housing, Chamber of Commerce and The Rocks Police.

This program is an Australian award winning program which

people to the program by making it a natural progression through to working with the mentors. She said that they didn't structure it too much as this often turns kids off. They organised an event to go to Shark Island and let the young people and mentors get to know each other before matching them up.

The Youth Centre staff report that it is helpful to have the mentors around, as when there are 30 or so young people attending the youth centre every day it has been hard for staff to attend to all the needs of the young people, particularly those

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Rocks Fest kicks on again in 2006

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who needed it the most. This program allows disadvantaged young people access to one on one support from the mentors who can guide them through troubled times or provide support when things are going well.

Other programs include a breakfast club where Lend Lease volunteers serve breakfast to

that the program has allowed some difficult students to remain engaged with school who may have otherwise dropped out.

A statement prepared last year by Andrew James – previously the Youth Liaison Officer at The Rocks Police, noted that “there has been a decrease in petty crimes in the area as a result of the program.

benefits noted for the community of Millers Point including: a more sustainable community which uses the strengths of its members, greater connection between corporate, residential sectors and young people in the area, young people participating in the programs become better role models for the younger

“ there are many ways in which the young people benefit...personal growth...increase in self esteem ...new skills, exposure to different career options...and improvements in school attendance and educational performance. ”

students before school and a homework club. Any young person can turn up to the homework club, which is run every Wednesday night as long as they call the Youth Centre to make a booking.

Mentor training and supervision of the Lend Lease volunteers is provided by Ultimo campus of TAFE.

What the businesses think


Sydney Secondary College recognised that the teachers have noticed improvements in the young people involved in the program including improvements in self esteem, exposure to positive role models and improved employment opportunities for those involved. They also noted

There have also been improvements to the young people in general ie. their self esteem levels have improved and they are much more comfortable relating to adults than they were prior to the mentoring program”.

The Prime Ministers Community Business Partnership Award 2005 submission, written by Lend Lease, has noted that there are many ways in which the young people benefit from a collaborated effort such as this. These include personal growth and development, increase in self esteem and confidence, building of new skills, exposure to different career options, greater social and business networks and improvements in school attendance and educational performance.

Also, the submission noted that there have been many indirect

generations and a return to the sense of pride of its residents.

It is great to see a program with so many partners working so well with young people in the community. This program is hoped to be an example for other communities to follow in their footsteps and create programs that work this way in their own unique areas to benefit young people. 

more info

Jessie Lenson
Millers Point Youth &
Employment Partnership
02 9277 2542

Helen Xiros
Abraham Mott Youth Centre
02 9244 3693



SAM

Does alcohol or other drug use affect the lives of the young people you work with? Are you looking for concrete ways to “empower” them through increasing their “capacity” to recognise and respond to substance related emergencies? Would you like them to be able to “save a mate”?

Save a Mate (SAM) is a training program designed to promote successful outcomes to emergencies resulting from alcohol and other drug (AOD) use. Of the plethora of AOD courses offered in the community, none take the unique approach of teaching individuals the skills to handle potential emergencies. Likewise there are a host of First Aid training courses available but none contextualise the information in a youth friendly format focussed on relevant, contemporary issues such as AOD.

Who is SAM for?

SAM is youth focused program designed for anyone who may potentially be present at an AOD crisis or emergency. Participants of SAM include:

- Young people
- Youth and AOD workers
- Nightclub staff and patrons
- Teachers, school and tertiary students

- Carers and family members of people with problematic drug use
- Young offenders, Prison inmates, Sex workers, Injecting drug users.

What does SAM training cover?

The program has two components:

1. AOD information

- What is a drug?
- Classifications of drugs
- Factors that influence the effect of any drug
- Factors that increase the risk for overdose or other drug related emergencies
- Signs and symptoms of AOD related emergencies

2. First Aid for AOD related emergencies

- What is first aid
- Ambulance procedures (including Police attendance at emergency)
- Emergency Action Principles
- Universal precautions (dealing with blood etc)
- Legal considerations
- AOD first aid (CPR – cardio pulmonary resuscitation)

Why participate in SAM?

- Red Cross is a world market leader in the provision of first aid training. Participants who complete the training receive a nationally recognised CPR certificate, valid for 12 months.
- Drug use affects everybody – the user, friends, family members, children and the wider community. The skills taught in the SAM program could save a life.
- SAM courses are interactive, informative and relevant. Training is delivered in a way that engages young people and promotes successful learning outcomes.

How much does a SAM course cost?

The standard cost per participant for attending SAM training is \$75.00. Wherever possible SAM strives to deliver training to those who identify a need for these skills. Reduced rates are available to not for profit and community organisations on application.

For more information contact Tom O'Brien SAM coordinator on (02) 9229 4142 or email nswsam@redcross.org.au . Check out our website www.saveamate.org.au 



Guide to Centrelink galaxy - for free

The Independent Social Security Handbook ONLINE is now available FREE for ALL workers in community and welfare agencies in NSW and to workers in many NSW Government Departments.

The ONLINE EDITION is available through the NSW Government HSNet website www.hsn.net.nsw.gov.au.

What is the Independent Social Security Handbook?


The Independent Social Security Handbook is produced primarily for community workers so that you can help your clients with their Social Security problems. To help clients you

will need some information about Social Security provisions and Centrelink procedures. All the information you need is included in the Independent Social Security Handbook ONLINE. If you need to know about the appeals system, or how to get information under Freedom of Information (FOI) provisions, or if your client has had their Social Security payment reduced or cancelled because of a breach, then the Handbook ONLINE contains all the information for you to help them. The Handbook contains 47 chapters and provides information on all of the major Social Security payments as well as information about issues such as a person's legal rights and appeal rights.

The Independent Social Security

Handbook ONLINE is fully updated every three months to take into account all the latest changes to Social Security law and policy and their administration by Centrelink.

And of course if you can't fix the problem or require further advice, don't hesitate to contact the Welfare Rights Centre on 9211 5300, or 1800 226 028 for people calling from outside the Sydney metropolitan area or 9211 0238 (TTY).

The Independent Social Security Handbook is produced by the Welfare Rights Centre. The Centre is a community legal centre which specialises in Social Security law and its administration. All services are free and the Centre is independent of Centrelink. 

INSIGHT: A mental health awareness program

INSIGHT needs volunteers to take presentations into secondary schools in an effort to help young people better understand mental health problems and disorders, reduce stigma and misconceptions and encourage early help-seeking.

If you have experienced a mental illness
or
you are a relative or friend of someone who has
and
you can relate well to people, work in a team and would feel comfortable talking about your experiences...

...please come along to our information session on **30 May 2006** in Rozelle 

more info

Barbara Moffatt, Training & Development Co-ordinator
02 9879 7602
bcmoffatt@ihug.com.au



Why young can't quit bad jobs

(continued from page 1)

people, many of them believe the boss knows best. Of 940 students answering a questionnaire distributed by the Sydney University Students' Representative Council with Unions NSW, four in 10 said they would contact their employer if they had a problem. Only 6 per cent said they would get in touch with a union.

The YAPA survey found the low-skilled jobs most young people occupied left them feeling weak when it came to bargaining. Only two in five said they felt "confident" or "very confident" about negotiating their own pay or conditions. Most said the main factor strengthening their boss's hand was "the job requires only basic or common skills".

"When they need that money, they're not prepared to leave that job and battle with 10 other young people for another job," said the association's policy officer, John Ferguson. "Young people are quite powerless when it comes to negotiating pay and conditions."

He called on the Federal Government to ban individual contracts for workers aged under 20. However, Kate Walshe, a spokeswoman for the Workplace Relations Minister, Kevin Andrews, said strong protection for young workers was provided by a requirement that a parent or guardian must authorise any workplace agreement signed by workers under 18.

Mr Ferguson said this was not enough. "A lot of parents wouldn't know enough. A lot would say: 'Little Johnnie, get a job.' The parents are just as vulnerable."

The prospect of more contracts

made the workplace future look bleak for the young, he said.

"Young people [already] experience unacceptably high rates of bullying and harassment at work. They are often coerced into doing unpaid work trials and unpaid overtime."

Tough at the bottom: what the surveys say

Casual affair

Australian Centre for Industrial Relations Research and Training (ACIRRT) 2005

Surveyed: 5262 people in NSW aged 12 to 25, of whom 72% were in paid work.

Findings

- 78 per cent were casuals
- 60 per cent were in retail or restaurants/hospitality
- One in seven working as casuals were asked to work unpaid overtime
- 12 per cent had worked an unpaid work trial
- 23 per cent had been bullied at work

Children at work

NSW Commission for Children and Young People 2005:

Surveyed: 11,000 children aged 12-16 years. Fifty-six per cent had worked in previous 12 months.

Findings

- 50 per cent casuals
- 38 per cent have regular work
- 29 per cent earned \$4 or less per hour
- 22 per cent earned \$6-8 per hour

- 48 per cent had been verbally harassed
- 23 per cent experienced physical harassment

Work pressure

SA Unions 2004:

Surveyed: 576 South Australians aged 15-35. Ninety-four per cent had worked at some time.

Findings

- 22 per cent said they had been fired for unfair reasons
- 17 per cent had been fired or lost shifts after a birthday
- One in four were bullied at work
- One in four aged 15-19 sometimes felt pressured to work overtime without pay
- Two in five 20-24 year olds felt pressured to work overtime without pay
- One in four in both age groups felt pressured to work while sick

Fast food folly

Jobwatch Victoria

Surveyed: 670 fast food industry workers aged under 25.

Findings

- Ten per cent were not being paid the legal minimum
- More than 43 per cent did not know whether they were paid the legal minimum
- More than a quarter were not paid or only sometimes paid for overtime
- More than 35 per cent had experienced workplace violence or bullying. Of these 68 per cent did not report it in the workplace

[First published April 25, 2006 in the Sydney Morning Herald]



Calls for state youth watchdog

Debra Jopson & Lisa Pryor

Youth advocates have called on governments to fund a NSW watchdog dedicated to helping young people with employment problems, in line with other states.

"We need a one-stop shop for young workers where you can get job assistance and legal advice," said Sharmila Sriskanda, a coordinator for Young Christian Workers.

The calls follow a Herald investigation which has found that workers younger than 25 in low-skilled casual jobs who very rarely belong to unions are often subjected to unsafe working conditions, shonky contracts, low pay and even a requirement that they sometimes work unpaid.

The policy officer for the Youth Action & Policy Association, John Ferguson, said: "I would support [a job watchdog] 100 per cent. From the research we have done, the majority of young people go to the

boss for their information. That is a bit scary given the power the boss now has."

The coordinator of Queensland's Young Workers Advisory Service, Aaron Allegretto, said there was a gap in NSW, which had no similar organisation to advise and advocate for people younger than 25.


For instance, after a tip-off from a school guidance counsellor, his organisation is helping five boys who signed contracts to collect shopping trolleys for about \$5 an hour with a clause that said they could have to pay up to \$5000 if they damaged property.

It would be timely for NSW to consider following Queensland and Victoria's lead, said Zana Bytheway, executive director of Job Watch, a state and federally funded Melbourne legal rights centre for workers.

Young people were often reluctant to seek help, and the potential for

them to be exploited was even greater under the new federal workplace laws, she said.

Predominantly mothers called on behalf of their children angry about work conditions, she said. The complaints included underpayment, unsafe conditions, long work hours and young people working on a trial basis for no pay.

[First published April 26, 2006 in the Sydney Morning Herald] 

more info

To read **youth: an occupational hazard**, the very extensive Herald coverage of young people and workplace injuries, go to <http://newsstore.fairfax.com.au/apps/newsSearch.ac> and search for **JOPSON** in **April 2006** in the **Author/Byline**. You will however, have to register and pay \$2.20 for each article.

Tell your work story with a hip hop beat

Whether you work after school or the weekend, have done work experience or have some good ideas about work and workers' rights - Worksite wants to know all about it.

What do you do at work? Who do you meet? Is it fun? What's good and what's bad about work?

Tell us your story.

If you don't have a job, tell us your ideas on work, about a dream job, or how you feel about getting your first job.

Try rhyming your working words and listen to the rhythm they make when said out aloud - the winner will get the chance to have their entry recorded as a hip-hop Worksite podcast.

You could win:

- Your own work recorded by DJ Smitten and DJ Perplex as a hip-hop Worksite podcast - for all to log on and listen to
- One of four \$25 runner-up prizes

Entries close on Friday 23 June 2006.

www.worksite.actu.asn.au 



Call to ban individual contracts for young workers

New research shows young people in weak bargaining position in workplace

John Ferguson, YAPA Policy Officer

The Federal Government must ban individual work contracts for workers under the age of 20, following the results of the latest research from YAPA.

The YAPA report, which surveyed over 400 young workers, showed that:

- The majority of young people thought they would be better off under an award.
- Less than 1 in 5 young people thought they would be better off negotiating their own pay and conditions.
- The majority of young people are not confident to negotiate their own pay and conditions.
- Young people are more likely to put up with poor pay and conditions than to quit and look for another job.
- Over 40% of young people under 18 were unsure about the conditions of both the award system and individual negotiation.

It is a myth that people who are unhappy with their pay and

conditions will simply quit their job to find another one, especially when youth unemployment is so high.

The Federal Government claims that it is patronising to say that young people cannot negotiate their own pay and conditions, however this report clearly shows that young people are not confident to negotiate and that they would prefer to work under an award. This is not patronising, it is simply realistic.

It is grossly unfair to expect a young person to negotiate their livelihood with people 2 or 3 times their age and with years more experience.

Young people are commonly in casual employment in positions that only require basic skills. Young people feel powerless due to the fact that an employer can easily find someone else, particularly another young person who is willing to work for less pay and conditions.

The new IR system for young people is less about negotiation and more about desperation. With youth unemployment so high and a diminishing welfare system, employers will have the power to

hire the young people most desperate for work.

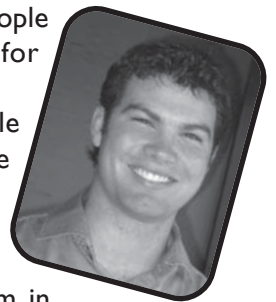
For young people trying to secure work in competition with others, it will be a race to the bottom in terms of pay and conditions.

Young people are usually working while also studying full time. Their pay and conditions are vital to support their basic needs and keep them in education.

These findings were consistent across age, gender, education and location, further emphasising the breadth of which individual negotiation is not beneficial for young people.

From our recent study, the new workplace looks increasingly bleak. Young people will become even more powerless and more at risk of exploitation, bullying and harassment.

[YAPA media release: 25 April 2006]



The politics of youth crime

Garner Clancey, CHD Partners

This is the final article in the Youth Crime Series.¹ The first 5 articles dealt with: 1. statistics on youth crime; 2. causes of crime; 3. crime prevention; 4. skate parks and crime; 5. Over-representation of Indigenous young people in the juvenile justice system.



Young offenders - political footballs

Let me make a bold prediction: youth crime and young offenders will cop a hammering in the lead up to the NSW election in March 2007. If previous elections are anything to go by, then we can expect promises of more police, more prisons, longer prison terms and reduced discretion for police in diverting young people from court.

The first salvos have been already fired in the election's 'toughest on crime' battle. Confirming Stanley Cohen's observation that "working class jobs are the most enduring of suitable enemies"², the current leader of the Opposition, Peter Debnam and the Minister for Juvenile Justice, Tony Kelly, have commenced trading suggestions about how best to deal with the scourge of youth crime (and young people more generally).

On 22 January 2006 Peter Debnam gave an address to the Federal Young Liberal Convention. In this address, titled 'Young People and Community Values',³ Mr Debnam outlined both his concerns about and his proposed strategies for tackling youth crime. In this address, Mr Debnam suggested that the small number of people who do not obey the law "have not been called to account in the last decade. In fact, their criminal and contemptuous behaviour has been positively reinforced by the inaction of the State Government". In response to this 'positive reinforcement', Mr Debnam suggested the following:

1. Re-instate the 600 police slashed by Labor and especially boost numbers in Highway Patrol, public transport and criminal investigation.
2. Legislate to officially re-instate the name "NSW Police Force" (currently it is just "NSW Police").
3. Re-empower police in relation to arrest and search with an urgent reform of the Law Enforcement (Powers and Responsibilities) Act.
4. Strengthen police powers in relation to offensive language and conduct with the aim of raising the acceptable standards of public decency.
5. Re-instate the Graffiti Task Force and strengthen related penalties and powers of

magistrates.

6. Strengthen the role of the Judicial Commission to make judges and magistrates more accountable to the community.
7. Reduce to one warning and one caution for young offenders to get rid of Labor's unlimited warnings and three cautions.
8. Change centralised Local Area Commands to locally led, locally based policing.
9. Urgently reform Police promotions and also the complaints system.
10. Change the Police Commissioner's employment contract to actively encourage the reporting of all crime and public disorder.
11. Reduce the NSW Policy Ministry bureaucracy and Police Media spin doctors by 70% and transfer savings to frontline police.

According to Mr Debnam the solutions to juvenile crime lie mainly within the hands of the police. Funding for education, support services for families struggling to survive in periods of high personal debt, child care placements, mental health services, youth accommodation services and job creation programs in regional and rural areas fail to rate a mention in the Mr Debnam's eleven point plan on young people and community values.



Not to be out done, the Minister for Juvenile Justice, Tony Kelly, found an opportunity to reassure us that he has not gone soft on youth crime. Mr Kelly, in an article titled, 'Kelly Happy to Get Tough on Young Offenders'⁴ was quoted as saying, "I haven't got a reputation for being soft, in fact I've got the opposite reputation. If they want to get tough on these kids then I'm quite happy to do that". It is perhaps somewhat ironic that a Minister of the current government could be regarded as 'soft on crime'. The current Government has:

- presided over the transfer of Kariong Juvenile Justice Centre to the Department of Corrective Services (the department which manages adult offenders)
- limited the number of cautions available to young people
- introduced legislation to stop young adults serving out their time in juvenile justice centres (where their offences were committed before their eighteenth birthday)
- introduced a series of bail reforms limiting access to bail
- introduced regular searches by drug detection dogs in juvenile justice centres
- presided over a massive increase in the number of adult prisoners and built (and are building) numerous prisons.

Yet sadly, the Minister still needs to affirm his tough stance on crime and young offenders.

In this upcoming election, as with previous elections, young people and youth crime will be key political issues. Each team will attempt to out-manoeuvre and out-score the other on their credentials as being tough on crime, particularly youth crime.

Does it have to be like this?

On 24 August 1992, Dr Marie Bashir, the then Chairperson of the NSW Juvenile Justice Advisory Council (JJAC) presented the *Green Paper: Future Directions for Juvenile Justice in New South Wales* to the then Minister for Justice, Terry Griffiths (Liberal Party). This Green Paper outlined 429 recommendations for preventing youth crime and reforming the juvenile justice system. The Green Paper proved influential in shaping many subsequent reforms, some of which will be briefly discussed here.

Before considering the impact of the Green Paper on Juvenile Justice, it is perhaps beneficial to explain the nature and purpose of green papers, given their general demise in NSW policy development in recent times. For those unfamiliar with a green paper process, governments sought advice on complex policy areas from often diverse and central figures in the particular area of practice or discipline. The resulting deliberations were captured in a green paper, which provided a blueprint for reform in that particular policy domain.

In the case of the Green Paper on Juvenile Justice, the NSW Juvenile Justice Advisory Council was central to its development. The Council, at that time, included the following members: the Senior Children's Magistrate, the Commissioner for Police, the Director General of the then Office of Juvenile Justice, senior representatives from the Public Interest Advocacy Centre, TAFE, Department of School Education, the Legal Aid Commission, Sydney City Mission and other distinguished members (including

Dr Marie Bashir, who is now the NSW Governor). This Council created numerous working parties, comprising over 50 people with knowledge and expertise in juvenile justice issues, to assist in the development of the Green Paper.

Perhaps the nature of contemporary juvenile justice policy formulation provides a stark contrast.

Impact of the Green Paper

The Green Paper (and the subsequent White Paper) had significant ongoing consequences for the operation of the NSW juvenile justice system. It is not possible to directly address all 429 recommendations of the Green Paper. Rather, some key developments will be highlighted.

Recommendation 5: A Juvenile Crime Prevention Division should be established

In 1995 a Juvenile Crime Prevention Division was created in NSW. This Division, which soon became the Crime Prevention Division, continues to operate today, playing a significant role in promoting local crime prevention planning through local governments across the state.

Recommendation 29: Development of the position of Police Youth Officer

In 1997, NSW Police introduced Youth Liaison Officers (YLOs), with one YLO position created in each of the 80 Local Area Commands. These positions are responsible for various elements of the *Young Offenders Act 1997*, working to improve police-youth relations and liaising with local youth services. YLOs are (in the main) full-time positions, in

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contrast to the previous arrangements, where officers supplemented their existing general duty responsibilities with youth duties.

Recommendation 41: Police instructional guidelines be developed on how and when to effectively caution, involving the offender with family group and victim with family group

This and related recommendations contributed to the development of the *Young Offenders Act 1997*. This Act introduced a hierarchical series of interventions for young offenders and established Specialist Youth Officers to oversee determinations under the Act.

Recommendation 54: An evaluation be undertaken by the Police Service into the position of a Custody Officer who would be responsible for a range of prescribed duties for all juveniles in police control at a Police Station during each shift

This recommendation (and a series of other events) contributed to the development and appointment of Custody Managers in each police charging station and introduction of new legislative requirements to enhance safer custody practices. Upon reception at a police station, clear procedures now operate to ensure that young people are made aware of their rights, are provided with an opportunity to access legal advice and to have appropriate persons present during any interview procedures. Custody Managers assume considerable responsibility

for ensuring the safe custody of all young people entering police custody.

Recommendation 69: Community Legal Centre lawyers and private practitioners should be encouraged to attend education and training seminars proposed for solicitors on Children's Court duty rosters

The NSW Law Society now operates an accreditation scheme for lawyers active in children's law. This scheme serves to ensure that all lawyers acting on behalf of young people understand the particular nuances of legal protections afforded to children and young people.

Recommendation 82: The Legal Aid Commission employ at least one salaried solicitor full-time at Burwood and Bidura Children's Courts

The NSW Legal Aid Commission's Children Legal Service now operates across metropolitan Children's Court, ensuring that many more young people appearing at a Children's Court are granted access to appropriate representation. The Children's Legal Service also operate a telephone legal advice line to support young people coming into police custody and conduct a visiting legal service to juvenile justice centres.

Recommendation 157: The Office of Juvenile Justice make available post release assistance to any juveniles who wish to make contact with Juvenile Justice Officers on a voluntary basis

Amongst other initiatives, the Department of Juvenile Justice has invested resources in establishing

voluntary post-release support mechanisms. Various community organizations are funded to support young people upon release from detention.

Recommendation 160: All programs developed and conducted by the Office of Juvenile Justice must either address individual offending behaviour, the causes of the behaviour or develop skills for community integration

The Department of Juvenile Justice has in recent years purchased and developed programs directly focused on 'ending offending'. These programs specifically seek to attend to criminogenic (crime-producing) risk factors through individual and group work.

Recommendation 207: All case management plans developed for juveniles [in custody] must address, and be directed toward, their reintegration into the community

The Department of Juvenile Justice introduced a comprehensive case management policy in recent years which links case plans developed in custody to reintegration into the community. The continuum of care established under this policy reflects the spirit of this recommendation.

Recommendation 224: A Juvenile Offenders Review Committee be established

The establishment of the Serious Young Offenders Review Panel (SYORP) in 1998 directly attends to this recommendation. SYORP has been is responsible for reclassifying serious young offenders and granting initial day



and overnight leave for serious young offenders.

Recommendation 360: A position of Drug and Alcohol Services Coordinator be created, to ensure consistency between centres and between other professional services within the Office of Juvenile Justice

Such a position was created within the Department of Juvenile Justice. Subsequent expansion of psychological and clinical services within the Department has seen increased priority to alcohol and other drug issues and health and clinical services more generally.

There are many, many more recommendations which have been partially or completed addressed in the years following the release of the *Green Paper: Future Directions for Juvenile Justice in NSW*. Further to these developments there have been some substantial positive outcomes within the juvenile justice system, perhaps as a direct or indirect consequence of the Green Paper. Some of these positive outcomes include:

- Creation of the Department of Juvenile Justice – as is apparent, the Green Paper refers to the Office of Juvenile Justice. The Office of Juvenile Justice was created from the forerunner to the Department of Community Services in the early 1990s as a means of separating welfare and justice issues. Former arrangements saw young people on welfare matters incarcerated alongside young offenders. The overwhelming demands of young people in care often swamped those requirements of young people in trouble with the law. The separation and subsequent development of the

Department of Juvenile Justice enabled (and continues to allow) particular priority to be given to those issues confronting young people who have offended.

- Reduction in numbers of young people in detention - there has been significant reductions in the numbers of young people in custody between 1993 and 2006. According to the Australian Institute of Criminology, the number of detainees in NSW has fallen from 312 in 1993 to 198 in 2004.⁵ While this fall is consistent with general trends in juvenile detention data across the country, it is in direct contrast to the increases occurring in adult custody numbers in NSW. This significant reduction in the numbers of young people in detention should be applauded given the adverse consequences of detention on young people.
- Introduction of the *Young Offenders Act 1997* – the commencement of the *Young Offenders Act* on 6 April 1998 marked the climax of many years of research, deliberation and planning. The approximately 40% reduction of Children's Court matters in the period since the Act was introduced is a direct outcome of the introduction of this legislation. Less serious offending behaviour is now routinely dealt with by way of warnings or cautions (and youth justice conferences for more serious offences), reducing the time police need to spend waiting in Children's Courts, increasing the speed with which matters are finalised (helping to pair consequences with

actions) and increasing the involvement of victims in the juvenile justice system. Despite fears that such diversionary practices would be promote further offending, there is no evidence suggesting that youth crime has increased since the introduction of the Act. Rather, crime data from the NSW Bureau of Crime Statistics in recent years reveal downward trends in many crime categories.⁶

There have been some very positive developments (as described here) since 1993 when the *Green Paper: Future Directions for Juvenile Justice in New South Wales* was publicly released. The comprehensive deliberation, the well researched policy development and the bi-partisan political support for many initiatives emanating from the Green Paper allowed important and courageous reforms to be introduced. Both major political parties in NSW should be applauded for their past support and commitment of these reforms.

The road ahead

I think that it is important that we ponder the lessons of the past and protect those initiatives that have been successful. In these times of incessant news stories decrying the state of youth crime, it is easy to believe that more needs to be done to 'solve' youth crime. It is also easy to assume that little good is happening in responding to the needs of young offenders, as certain media outlets and commentators pounce on any mistake or mishap within the operation of the juvenile justice system. Media pundits become experts at law and feel compelled to dissect bureaucratic and judicial

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decisions without always appreciating the complexity of the lives of the people involved. Under this form of scrutiny it is perhaps sadly inevitable that policies get developed on the run and decisions are made without a clear framework to guide complicated considerations. In these circumstances, we are at risk of witnessing well considered developments slip away in the tide of punitive populism.

My original intention in writing this article was to provide some recommendations about how the juvenile justice system might be improved. However, throughout the course of reviewing the Green Paper, reflecting on the strengths of the processes adopted in its developments and the far-reaching, comprehensive nature of its recommendations, I decided that just one recommendation is necessary. I believe that we need less, not more, tinkering and unnecessary incremental 'reform'. Consequently, I recommend that future developments within the juvenile justice system and responses to youth crime be informed by the type of deliberation, discussion, analysis, research and debate befitting a democracy. By taking the time to develop an overall framework for how the juvenile justice system should operate into the future (as was done 13 years ago), less time and money will be wasted with false reforms, hollow announcements and reactionary policy. A new blueprint (or green paper) must inform future policies on youth crime.

Charter of Principles for Juvenile Justice in NSW

(selected principles have been copied from the Green Paper February 1993)

It is proposed that the following key principles underpin the juvenile justice system in New South Wales:

- Prevention, diversion and reintegration be the primary focuses of juvenile justice policy; Victims of crime be given the opportunity to actively participate, where appropriate, in the juvenile justice system;
- The community accept responsibility for the support of juveniles and provide positive opportunities to enable them to become valuable community members;
- Children and adolescents should be treated differently and separately from adults and according to their developmental needs;
- Where possible young offenders should be dealt with in their communities in order to reintegrate them and to sustain and enhance family and community ties;
- A balanced approach should be sought between the needs of an individual, the rights of the victim and the interests of the community;
- A coordinated and consultative approach between all levels of government and non-government sectors be the basis for the development and

implementation of juvenile justice policy;

- Juvenile justice processes and outcomes be monitored by appropriate accountability mechanisms.⁷

You might wish to ask your elected Member of Parliament (and other candidates for the next election) their views on these principles and their position on youth crime in the lead up to the election. Invite your local member and their competitors to attend a youth inter-agency to discuss their views on youth issues and youth crime. Conversely, take a delegation of youth workers (and young people) to meet with your elected representatives.

Contact

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Notes

1. It has truly been a privilege to be able to share my views on these issues. For this opportunity, I extend thanks to Nick Manning and Kristy Delaney of YAPA.

2. Page viii, Cohen, S. (2002) **Devils and Moral Panics** 3rd Edition, Routledge, London.

3. Information regarding this address is from www.younglibs.org.au/speeches/2006_debnam_fed_con.php accessed on 19/2/06.

4. www.abc.net.au/news/items/200602/1560427.htm?midnorthcoast accessed on 19/2/06.

5. www.aic.gov.au/publications/tbp/tbp018/03_generalTrends.html#tab2c accessed on 20/2/06

6. [www.lawlink.nsw.gov.au/lawlink/bocsar/ll_bocsar.nsf/vwFiles/CJB90.pdf/\\$file/CJB90.pdf](http://www.lawlink.nsw.gov.au/lawlink/bocsar/ll_bocsar.nsf/vwFiles/CJB90.pdf/$file/CJB90.pdf) accessed on 20/2/06.

7. Pages 5 and 6, Juvenile Justice Advisory Council (1993) **Green Paper: Future Directions for Juvenile Justice in New South Wales.**



What's On

24-26 May 2006, Randwick

5th International Conference on Drugs & Young People

www.adf.org.au/download.asp?RelatedLinkID=324 or www.adf.org.au

30 May, 25 August, 21 November 2006, Sydney CBD

LGCSA Youth Division meeting

Local Government Community Services Association Youth Division meets quarterly. All council youth officers welcome. Contact John Gilbert, Community Worker Children & Youth, Waverley Council (02) 9369 8216 or johngi@waverley.nsw.gov.au

31 May 2006, Redfern

Available in Widescreen - Seeing the complete picture on young people's health and safety choices

A forum hosted by Youthsafe: Adopting healthy behaviours can sometimes be difficult for young people, especially when there are social, cultural and environmental factors that act as barriers to such change. Why are healthy and safe choices so hard? How can we make these choices easier? Who can help and how do we gain their attention? Hear from passionate and innovative speakers from the fields of public health research, advocacy, politics and media communications. Free of charge. Dianne Naylor 02 9809 4615 or office@youthsafe.org

31 May 2006, Marrickville

Fines Education Session

For youth and community workers who deal with clients with outstanding fines with the Infringement Processing Bureau or the State Debt Recovery Office. Run by Marrickville Legal Centre. Email Julianne_Elliott@fcl.fl.asn.au

May-June 2006, various locations

Industrial Relations in NSW

This seminar explains the industrial relations environment that operates in NSW. 30 May - Chatswood, 6 June - Castle Hill, 6 June - Nowra. <http://tinyurl.com/kk5c9>

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What's On

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6 June, Newcastle, 22 August 2006, Parramatta **Frontline Workers Duty of Care training course**

* Just what is duty of care? What is negligence? Can you be sued? * Who is responsible: Employer or employee? What about volunteers? * What if the client puts themselves at risk? * Confidentiality and privacy versus safety * Vehicles, clients and accidents - where do you stand? * Assisting clients with medications: what are the rules? CCWT on (02) 9281 8822 or <http://acwa.asn.au/CCWT/>

18-24 June 2006

Drug Action Week

www.drugactionweek.org.au

26-27 June 2006, Parramatta

A survival guide for youth workers

2 day YAPA training program for non-residential youth workers. Have you been employed as a youth worker for less than 6 months or want to update your skills? info@yapa.org.au, ext. 3 on (02) 9319 1100 or 1800 627 323, www.yapa.org.au/yapa/events

26-27 June 2006, Newcastle

17th Annual RYDON Conference for youth workers and people who work with young people

Theme: Evidence 2 Action - Working From the Inside Out. Contact: Julia Woods on 02 4922 1506

7-8 September 2006, Homebush Bay

From Tolerance to Respect: Cultural Competence in Practice

Practical approaches to working with people from diverse backgrounds. Local, national and international perspectives on best practice in responding to community diversity and competing needs. www.mdaa.org.au

9-10 November 2006, Illawarra

Illawarra & South Coast Region Youth Services Conference 2006

Berenice Murphy berenice.murphy@det.nsw.edu.au

There is a lot more what's on at www.yapa.org.au. To submit your own event for what's on, email the details in one paragraph in the body of the email (no attachments) to info@yapa.org.au with the subject line: whats on.

