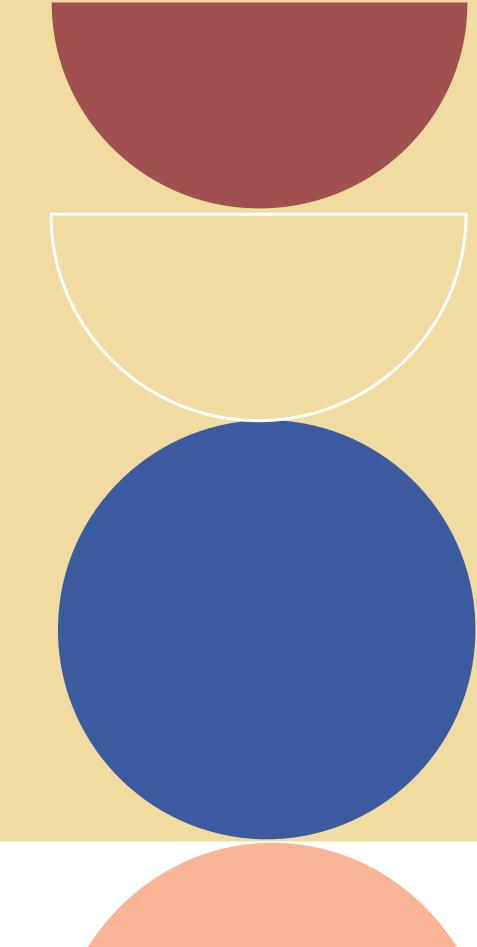


# THE CROSSOVER KIDS: WHO ARE THEY AND HOW TO BEST SUPPORT THEM



FACSIAR NOVEMBER 2021
JORDAN WHITE – YJ PROJECT OFFICER

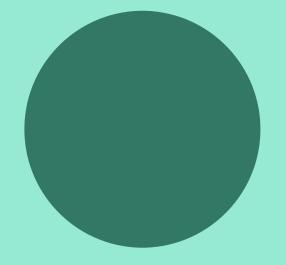


#### Acknowledgment

I acknowledge the Traditional Custodians of the various lands on which you are working today and the Aboriginal and Torres Strait Islander people participating in this webinar.

I pay my respects to Elders past, present and emerging and celebrate the diversity, knowledge and strength of Aboriginal peoples and their ongoing cultures and connections to the lands and waters.

Today, I am presenting on Dharawal land.



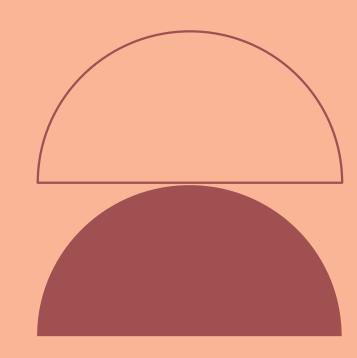


#### Who are we?

The Practice Team sits within the Policy & Practice Directorate in Youth Justice NSW

Central function is to drive our approach and way of working with young people

Primary aim is to achieve a consistent, system-wide approach to intervention that is grounded in evidence and research

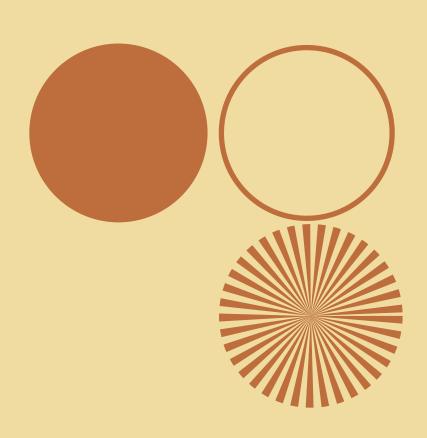




### Background & Overview



- National calls for research and policy
- Casework experience in OOHC, CP & dual clients of YJ/CS
- → YJRTP full length presentation in the future (2022)





## The Crossover Kids: A Scoping Review

#### **RATIONALE**

CP involved children are at least **twelve** times more likely to offend

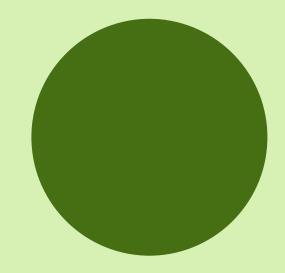
First Nations CP involved children are at least **sixteen** times more likely to experience crossover

'Care to Custody Pipeline'

'Crossover Kids'

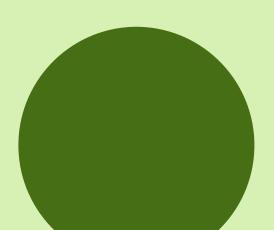
#### **RESEARCH QUESTIONS**

- 1) What are the characteristics of young people who are dual clients of Youth Justice and Child Protection agencies within Australia?
- 2) How might these characteristics inform future policy and practice responses?

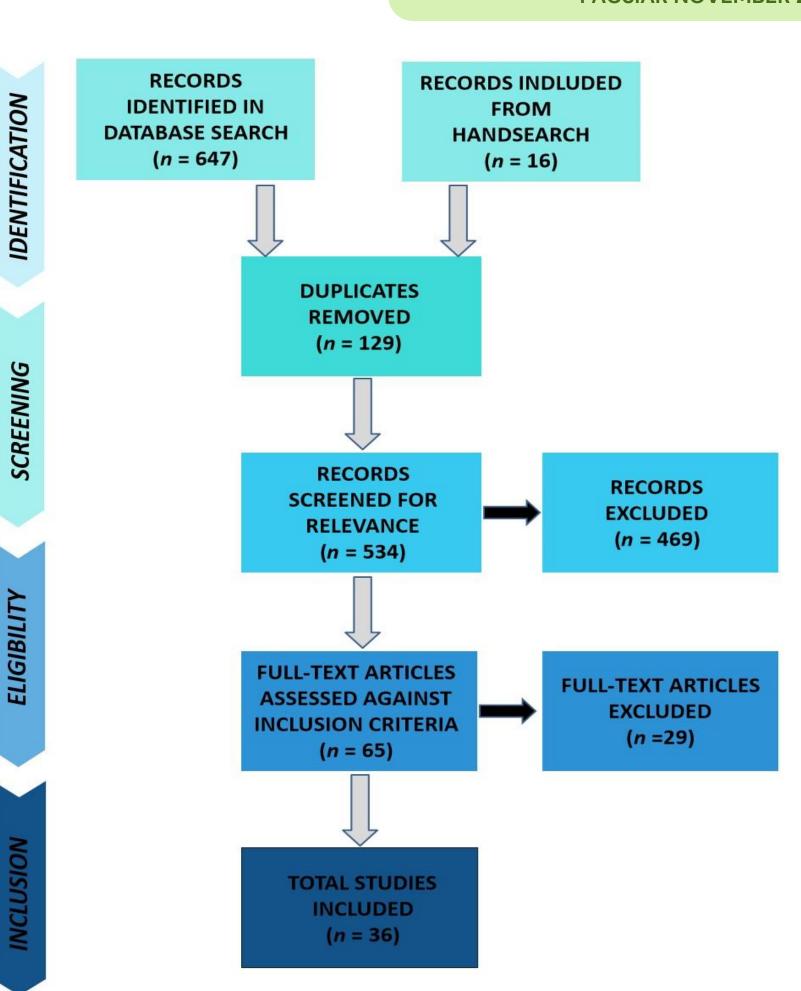




## The Crossover Kids: A Scoping Review



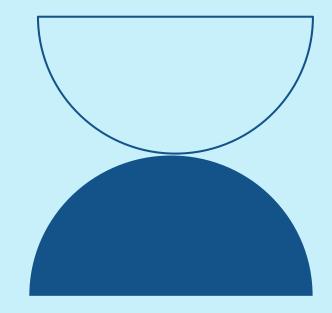
#### METHOD





#### Findings: Key Themes

- Childhood Adversity & Trauma
- Maltreatment Type & Timing
- Offending Onset & Context
- Educational Disadvantage & Disengagement
- Co − occurring Complexities
- Demographic Factors





## Childhood Adversity & Trauma

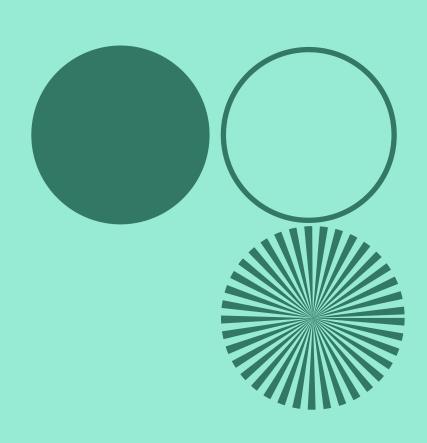
#### **CUMULATIVE ADVERSITY**

Increased maltreatment and adversity

~65% of this cohort experience 5+ ACE's

**Destabilising environments** are common in childhood

Extraordinary amounts of bereavement and loss in childhood

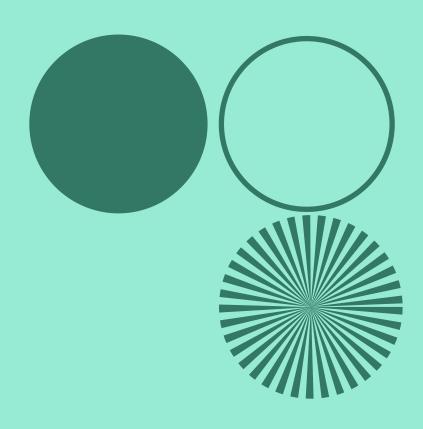




## Childhood Adversity & Trauma



- Increased likelihood of trauma and attachment related disorders
- Support requires increased stability from adults
- **Commitment** to listening, hearing and acting (and **advocating**) based on their experiences





### Maltreatment Type & Timing



**Neglect** and/or physical abuse

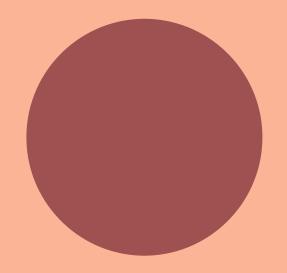
Poly – Victimised most at risk



Risk of offending increases with cumulative harm and CP notifications/involvement

Risk of offending is high for YP experiencing **persistence** of maltreatment into **adolescence** 

Maltreatment increases before and after transition points

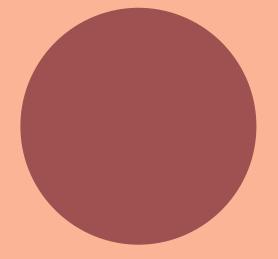




### Maltreatment Type & Timing

#### WHAT DOES THIS MEAN IN PRACTICE?

- Identifying harm (particularly neglect) early
- Working with families to reduce and prevent further harm
- **Holistic** support
- Aligned collaborative practice
- Developmental windows & transition points





## Offending Onset & Context



Earlier onset of offending

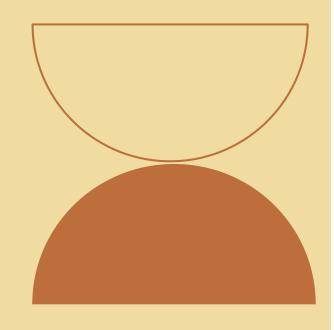
**Delinquency** increases before and after **transition points** 

More violent offending



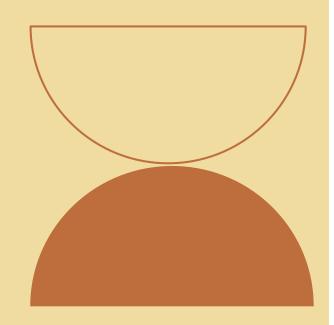
Offending occurs most often in the context of:

- Adolescent Family Violence
- Residential Care Settings
- Group Settings





## Offending Onset & Context



#### WHAT DOES THIS MEAN IN PRACTICE?

- Family support encouraging positive attachment
- Increasing caregiver capacity >> reducing relinquishment
- Pre-emptive, de-escalating & de-criminalising
- Holistic assessment & aligned collaboration
- Transition points



## Educational Disadvantage & Disengagement

#### **DISADVANTAGE**

Unmet protective, mental health, and disability needs

**Complex** family & care environments

#### **DISENGAGEMENT**

**Transitions points & destabilising events** 

Exacerbated by truancy, suspension & expulsion





### Educational Disadvantage & Disengagement

#### WHAT DOES THIS MEAN IN PRACTICE?

- Education are well placed to identify & support early
- Educational support allows for re-engagement
- Collaborative & aligned practice supports attendance
- School investment in the child and care team
- Stability, encouragement and belonging





### Co-occurring Complexities



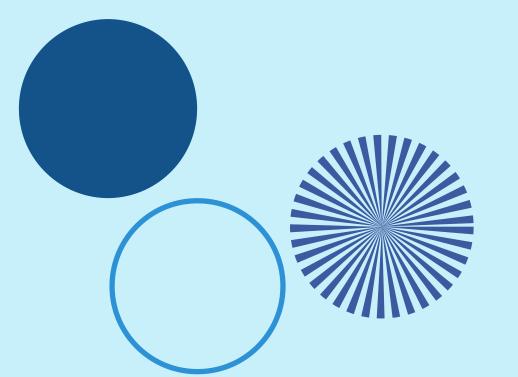
Over-representation of children with:

**Behavioural disorders** 

Severe mental health diagnoses &/or concerns

**Substance use & diagnosis** 

**Neuro-diversity & cognitive impairment** 

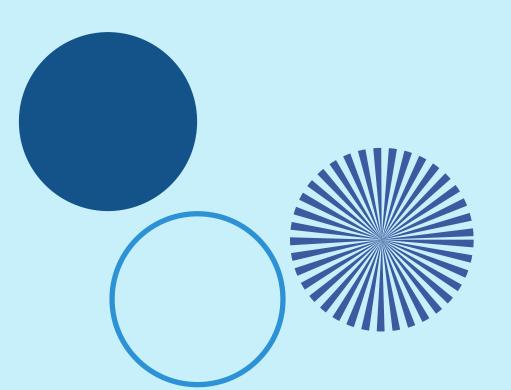




### Co-occurring Complexities



- Increased education & training
- **Early responsivity** & assessment
- Supporting caregiver capacity (practically and financially)
- Supporting child/YP capacity
- Reducing caregiver relinquishment





#### Demographic Factors

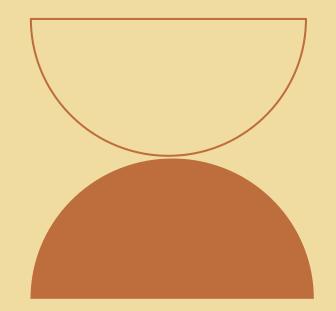
#### FIRST NATIONS PEOPLES

Severely overrepresented

Family violence, substance abuse and CJS involvement does not wholly explain

Intergenerational trauma

**Ongoing harm** 

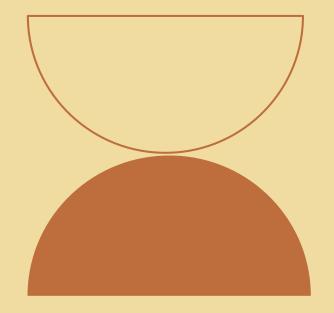




### Demographic Factors

#### WHAT DOES THIS MEAN IN PRACTICE?

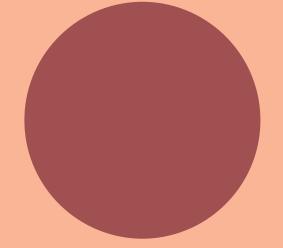
- Ongoing collaboration with community members, family & service providers
- Cultural education & training
- Culturally safe & appropriate responses







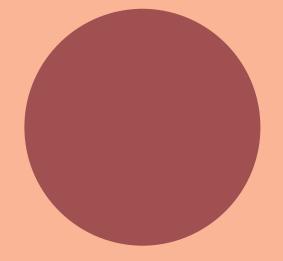
- Identify harm (particularly neglect) early
- --- Family support
- Increase positive attachment
- Increase capacity
- Decrease relinquishment
- Identifying & support co-occurring challenges early







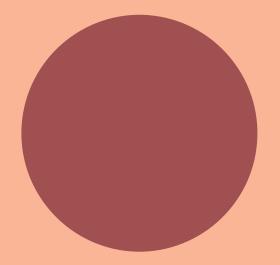
- Pre-emptive & de-escalation strategies
- De-criminalisation
- Sensitivity to adolescent development & transition points
- Aligned & collaborative practice
- Increased educational support







- Holistic practice
- Individual, environment, & systems
- Paid & unpaid stakeholders who are aligned by collaborating
- Culturally safe & appropriate
- **Trauma** informed
- Child centered & specific

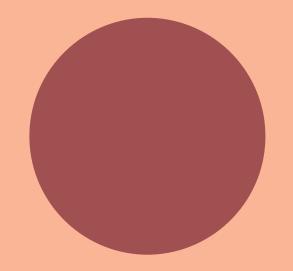




Crossover children experience increased and more cumulative maltreatment and adversity. These children are more likely to be among children convicted with earlier onset, rapid escalation, more violent and more voluminous offending. They have more complex histories, challenges, and understanding of the world they experience.

By definition, they are therefore also incredibly **resilient** children, who have experienced far greater adversity and loss than many adults will ever experience in a lifetime.

Supporting Crossover children requires us to be **stable** and **committed** practitioners that are **empowered** to actively listen to their experiences, hear what they need, and act (and advocate) based on their experiences.

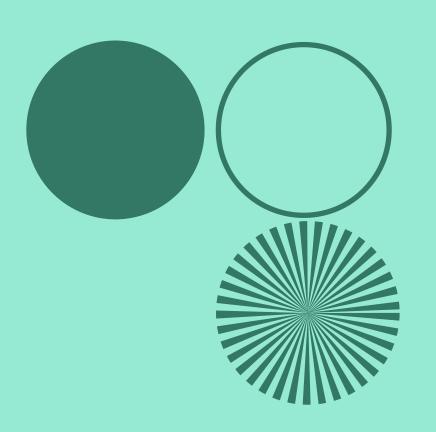




yjpracticeteam@dcj.nsw.gov.au



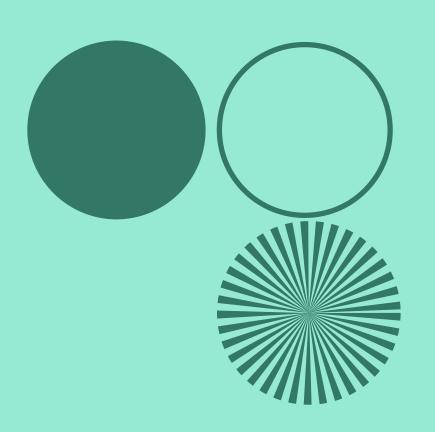
#### References



- 1. Baidawi, S 2020, 'Crossover Children: Examining Initial Criminal Justice System Contact Among Child Protection-Involved Youth', *Australian Social Work*, vol. 73, no. 3, pp. 280-295, DOI: 10.1080/0312407X.2019.1686765.
- 2. Baidawi, S, Mendes, P & Snow, P 2014, "Setting them up to fail: system responses to dual order child protection and youth justice clients, *Alternative Law Journal*, vol. 39, no. 1, pp. 31–35, https://doi.org/10.1177/1037969X1403900109.
- 3. Baidawi, S & Piquero, AR 2020, 'Neurodisability among children at the nexus of the Child Welfare and Youth Justice System', *Journal of Youth and Adolescence*, vol. 50, no. 1, pp. 803 819, https://doi.org/10.1007/s10964-020-01234-w.
- 4. Baidawi, S & Sheehan, R 2020, "Crossover" children in the youth justice and child protection system, Taylor & Francis Publishing.
- 5. Baidawi, S & Sheehan, R 2019a, Crossover kids: Effective responses to children and young people in the youth justice and statutory Child Protection systems: Report to the Criminology Research Advisory Council, Australian Institute of Criminology, Canberra.
- 6. Baidawi, S & Sheehan, R 2019b, 'Crossover Kids': Offending by child protection-involved youth: Trends and Issues Paper No 582, Australian Institute of Criminology, Canberra.
- 7. Baidawi, S & Sheehan, R 2019c, 'Maltreatment and Delinquency: Examining the contexts of offending amongst child protection-involved children', *British Journal of Social Work*, vol. 50, no. 7, pp. 2191 2211, doi: 10.1093/bjsw/bcz113.
- 8. Baidawi, S, Sheehan, R & Flynn, C 2020, 'Criminal exploitation of child protection-involved youth', *Children and Youth Services Review*, vol. 118, no. 1, pp. 1 9, https://doi.org/10.1016/j.childyouth.2020.105396.
- 9. Ball, R & Baidawi, S 2021, 'Aboriginal crossover children's characteristics, service needs and service responses: The views of Australian key stakeholders', *Children and Youth Services Review*, vol. 129, no. 1, 106176, https://doi.org/10.1016/j.childyouth.2021.106176.
- 10. Camilleri, P, Thomson, L & McArthur, M 2013, 'Needs or deeds? Child protection and youth justice in Australian Capital Territory', *Journal of Social Welfare and Family Law*, vol. 35, no. 2, pp. 193 206, DOI: 10.1080/09649069.2013.800285.
- 11. Cashmore, J 2011, 'The link between child maltreatment and adolescent offending: Systems neglect of adolescents', *Family Matters*, vol. 89, no. 1, pp. 31–41. Doolan, I, Najman, JM, Mills, R, Cherney, A & Strathearn, L 2013, 'Does child abuse and neglect explain the overrepresentation of Aboriginal and Torres Strait Islander young people in youth detention? Findings from a birth cohort study', *Child Abuse & Neglect*, vol. 37, no. 1, pp. 303 309, http://dx.doi.org/10.1016/j.chiabu.2012.12.005.
- 12. Fernandez, E, Bolitho, J, Hansen, P & Hudson, M 2013, 'The Children's Court in New South Wales', in R. Sheehan & A. Borowski (eds), *Australia's Children's Courts Today and Tomorrow,* Springer Science+Business Media Dordrecht, New York, pp. 27 44, DOI 10.1007/978-94-007-5928-2\_3.
- 13. Gerard, A, McGrath, A, Colvin, E & McFarlane, K 2019, "I'm not getting out of bed!" The criminalisation of young people in residential care, Australian & New Zealand Journal of Criminology, vol. 52, no. 1, pp. 76 93, DOI: 10.1177/0004865818778739.



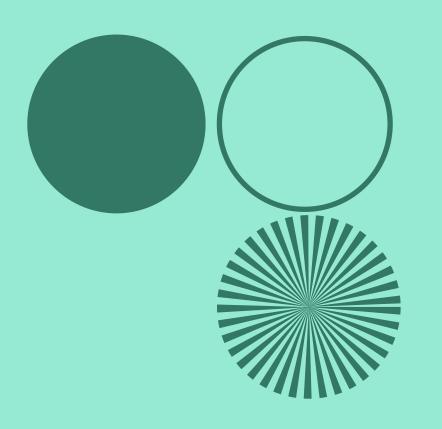
#### References



- 14. He, VY, Leckning, B, Malvaso, C, Williams, T, Liddle, L & Guthridge, S 2021, 'Opportunities for prevention: a data-linkage study to inform a public health response to youth offending in the Northern Territory Australia', *BMC Public Health*, vol. 21, no. 1, pp. 1600 1614, https://doi.org/10.1186/s12889-021-11645-4.
- 15. Hurren, E, Stewart, A & Dennison, S 2017, 'Transitions and turning points revisited: A replication to explore child maltreatment and youth offending links within and across Australian cohorts', *Child Abuse and Neglect*, vol. 65, no. 1, pp. 24 36, http://dx.doi.org/10.1016/j.chiabu.2017.01.002.
- 16. Malvaso, C, Day, A, Casey, S & Corrado, R 2017, 'Young Offenders, Maltreatment, and Trauma: A Pilot Study', *Psychiatry, Psychology and Law,* vol. 24, no. 3, pp. 458 469, https://doi.org/10.1080/13218719.2016.1247682.
- 17. Malvaso, CG & Delfabbro, P 2015, 'Offending Behaviour Among Young People with Complex Needs in the Australian Out-of-Home Care System', Journal of Child and Family Studies, vol. 24, no. 1, pp. 3561 – 3569, DOI 10.1007/s10826-015-0157-z.
- 18. Malvaso, CG, Delfabbro, PH & Day, A 2017a, 'Child maltreatment and criminal convictions in youth: The role of gender, ethnicity and placement experiences in an Australian population', *Children and Youth Services Review*, vol. 73, no. 1, pp. 57 65, http://dx.doi.org/10.1016/j.childyouth.2016.12.001.
- 19. Malvaso, CG, Delfabbro, PH & Day, A 2017b, 'The child protection and juvenile justice nexus in Australia: A longitudinal examination of the relationship between maltreatment and offending', *Child Abuse & Neglect*, vol. 64, pp. 32–46, http://dx.doi.org/10.1016/j.chiabu.2016.11.028.
- 20. Malvaso, CG, Delfabbro, PH & Day, A 2019, 'Adverse childhood experiences in a South Australian sample of young people in detention', Australia & New Zealand Journal of Criminology, vol. 52, no. 3, pp. 411 431, DOI: 10.1177/0004865818810069.
- 21. Malvaso, CG, Delfabbro, PH, Day, A & Nobes, G 2018, 'The maltreatment-violence link: Exploring the role of maltreatment experiences and other individual and social risk factors among young people who offend', *Journal of Criminal Justice*, vol. 55, no. 1, pp. 35 45, https://doi.org/10.1016/j.jcrimjus.2018.01.006.
- 22. Malvaso, CG, Delfabbro, PH, Day, A & Nobes, G 2019, 'Young people under youth justice supervision with varying child protection histories: An analysis of group differences', *International Journal of Offender Therapy and Comparative Criminology*, vol. 63, no. 2, pp. 159–178, DOI: 10.1177/0306624X18791735.
- 23. McFarlane, K 2018, 'Care criminalization: The Involvement of children in out-of-home care in the New South Wales criminal justice system', *Australian & New Zealand Journal of Criminology*, vol. 51, no. 3, pp. 412 433, DOI: 10.1177/0004865817723954.
- 24. McGrath, A, Gerard, A & Colvin, E 2020, Care experienced children and the criminal justice system: Trends and Issues Paper No. 600, Australian Institute of Criminology, Canberra.
- 25. Mendes, P, Baidawi, S & Snow, PC 2014a, Good Practice in Reducing the Over-Representation of Care Leavers in the Youth Justice System. Leaving Care and Youth Justice Phase Three Report, Monash University, Melbourne.
- 26. Mendes, P, Baidawi, S & Snow, PC 2014b, 'Young People Transitioning from Out-of-home Care in Victoria: Strengthening Support Services for Dual Clients of Child Protection and Youth Justice', *Australian Social Work*, vol. 67, no. 1, pp. 6 23, DOI: 10.1080/0312407X.2013.853197.



#### References



- 27. Mendes, P, Snow, PC & Baidawi, S 2014c, 'The Views of Service Providers on the Challenges Facing Young People Also Involved in Youth Justice System Transitioning from Out-of-Home Care', *Journal of Policy Practice*, vol. 13, no. 1, pp. 239 257, DOI: 10.1080/15588742.2014.929074.
- 28. Moore, T & McArthur, M 2014, 'If only I, they, we had done things differently: Young people talk about school difficulties and crime', *Children and Youth Services Review*, vol. 44, no. 1, pp. 240 255, http://dx.doi.org/10.1016/j.childyouth.2014.06.015.
- 29. Moss, M & Lee, AD 2019, 'TeaH (Turn 'em around healing): a therapeutic model for working with traumatised children on Aboriginal communities', *Children Australia*, vol. 44, no. 1, pp. 55 59, https://doi.org/10.1017/cha.2019.8.
- 30. Papalia, N, Baidawi, S, Luebbers, SS & Ogloff, JRP 2020, 'Patterns of maltreatment co-occurrence in incarcerated youth in Australia', *Journal of Interpersonal Violence*, pp. 1 31, https://doi.org/10.1177/0886260520958639.
- 31. Sentencing Advisory Council (SAC) 2019, 'Crossover Kids': Vulnerable Children in the Youth Justice System. Report 1: Children Who Are Known to Child Protection among Sentenced and Diverted Children in the Victorian Children's Court, SAC, Melbourne.
- 32. Sentencing Advisory Council (SAC) 2020a, 'Crossover Kids': Vulnerable Children in the Youth Justice System. Report 2: Children at the Intersection of Child Protection and Youth Justice across Victoria, SAC, Melbourne.
- 33. Sentencing Advisory Council (SAC) 2020b, 'Crossover Kids': Vulnerable Children in the Youth Justice System. Report 3: Sentencing Children Who Have Experienced Trauma, SAC, Melbourne.
- 34. Stewart, A, Dennison, S & Waterson, E 2002, 'Pathways from child maltreatment to juvenile offending', *Trends & Issues in Crime and Criminal Justice*, vol. 241, no. 1, pp. 1–6.
- 35. Stewart, A, Livingston, M & Dennison, S 2008, 'Transitions and turning points: Examining the links between child maltreatment and juvenile offending', *Child Abuse and Neglect*, vol. 32, no. 1, pp. 51 66, doi: 10.1016/j.chiabu.2007.04.011.
- 36. Walsh, T 2019, 'From Child Protection to Youth Justice: Legal Responses to the plight of 'Crossover Kids', *University of Western Australia Law Review*, vol. 46, no. 1, pp. 90 110.