

Consultation summary

Draft Model of Care (Youth Treatment Orders)

On 14 November 2019, legislation passed South Australian Parliament to provide the option of Court-ordered assessment and treatment for young people experiencing drug dependency. The [Controlled Substances \(Youth Treatment Orders\) Amendment Act 2019](#) will come into effect on 21 November 2021.

About the consultation

In November 2020, the Government of South Australia released a draft Model of Care for community and sector consultation.

Consultation ran for three months and included the following components:

- YourSAy online consultation hub
- direct mail and email to more than 180 stakeholders
- information on the SA Health website
- stakeholder video/teleconference sessions
- targeted staff consultation.

What are Youth Treatment Orders?

Youth Treatment Orders aim to respond to drug dependency, which can be devastating for a young person's health, wellbeing and future.

It is an option of last resort when a young person is at high risk of harm and needs urgent treatment.

The new laws mean that the Youth Court can order an assessment of a young person to see if they are experiencing drug-dependency. The Court can then make an order for the young person to undertake treatment.

Responses

Responses were received from a wide range of stakeholders, including service providers, community members, statutory officers, peak bodies, advocates, medical/health clinicians, and government departments.



While it was acknowledged that the intent of the program was to improve health outcomes for vulnerable South Australians, respondents raised a number of concerns about the proposed Model of Care. These included the need to:

- protect the rights of young people
- minimise the potential stress of a Court process and Court-ordered assessment and treatment
- maintain cultural safety, particularly for Aboriginal young people who are overrepresented in the youth justice system
- reduce the risk of further harm associated with past trauma
- provide sufficient voluntary treatment services to ensure the program is used as an option of last resort.

Next steps

As a result of this consultation, the state government will not pursue the previously proposed Model of Care and will instead move towards a more focused, highly-targeted program, still based exclusively at the Kurlana Tapa Youth Justice Centre.

This will involve a market approach, in which the government will engage an experienced service provider to deliver drug assessment and treatment services in line with the legislation that was passed by Parliament.

The provider will be required to demonstrate a proven track record of helping young people with drug dependency, as well as experience providing services that are culturally safe and appropriate, trauma-informed and child-focused.

This will bring Youth Treatment Orders in line with other Court-ordered treatments.

A tender process will begin on 24 September 2021.

Key points:

- The program will apply to young people already sentenced to detention at the Kurlana Tapa Youth Justice Centre. It will not apply to the broader community.
- Program numbers are anticipated to be small. It is estimated that fewer than 50 young people will be assessed for the program each year, and only a small number of those will meet the high threshold for Court-ordered treatment.
- Assessment and treatment will be delivered by an accredited provider with a proven track record of helping young people with drug dependency. All services will be provided by suitably qualified practitioners.
- The program will sit alongside health services already available to young people at the Kurlana Tapa Youth Justice Centre, including mental health support, medical treatment, and voluntary drug programs.
- Providers must demonstrate how they will provide services that are culturally safe and appropriate, trauma-informed and child-focused.