

Brisbane Youth Education and Training Centre Parents & Citizens Association
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13 September 2013

Education and Innovation Committee

Parliament House, George Street
Brisbane Qld 4000

Dear Committee,

This submission has been compiled by the members of the Brisbane Youth Education and Training Centre (BYETC) Parents and Citizens Association in response to the proposed Education (Strengthening Discipline in State Schools) Amendment Bill 2013.

We support and advocate for the BYETC's vision '*Our community: unlocking potential, transforming lives*' and seek to enhance community engagement with the school, its students and broader stakeholders. Given BYETC's role as the education and training facility within the Brisbane Youth Detention Centre, students who attend this Centre are connected to communities and other schools across Queensland.

We support the proposed changes enabling principals and schools to develop more structured in-school disciplinary interventions appropriate to their circumstances, in particular the community service interventions. We would further support increased school-based structured welfare support for young people and their families, incorporating wider community services that might be relevant.

Reflecting on Youth Justice experiences, the existing structure for students to return to the education system has hindered the opportunities and support available for some students when they transition from detention back into their communities either through being granted bail, fulfilling their sentence or being acquitted. We are concerned that the proposed changes to the Education Bill permitting exclusion for behaviours not connected to the school may lead to unintended negative consequences affecting a young person's transition.

While there are relevant circumstances for a young person who has offended to be excluded from a school (for example if this is connected to their offending) we need to consider the broader implications to which the proposed reforms may lead. If a young person engaged with the Youth Justice system was excluded from a school based on past criminal behaviour for which they have received and completed the court determined consequences, they are effectively punished twice for the 'one' offence and their rehabilitation into the wider community is affected negatively. Cutting off the option to return to their home school could further marginalize the young person and possibly increase recidivism. This could set a hazardous precedent for other sectors of the community. This is particularly the case where a young person returns to a community with limited alternative education or employment and training options. Many young offenders are from rural and regional Queensland.

It is important that young people transitioning from Youth Justice be supported in returning to communities where they have existing networks and schools play a central role in this. The overwhelming majority of these young people already face significant welfare challenges and stigma attached to their past experiences - at home and at school. Excluding these young people from their school community and support networks after they have received the appropriate consequences further

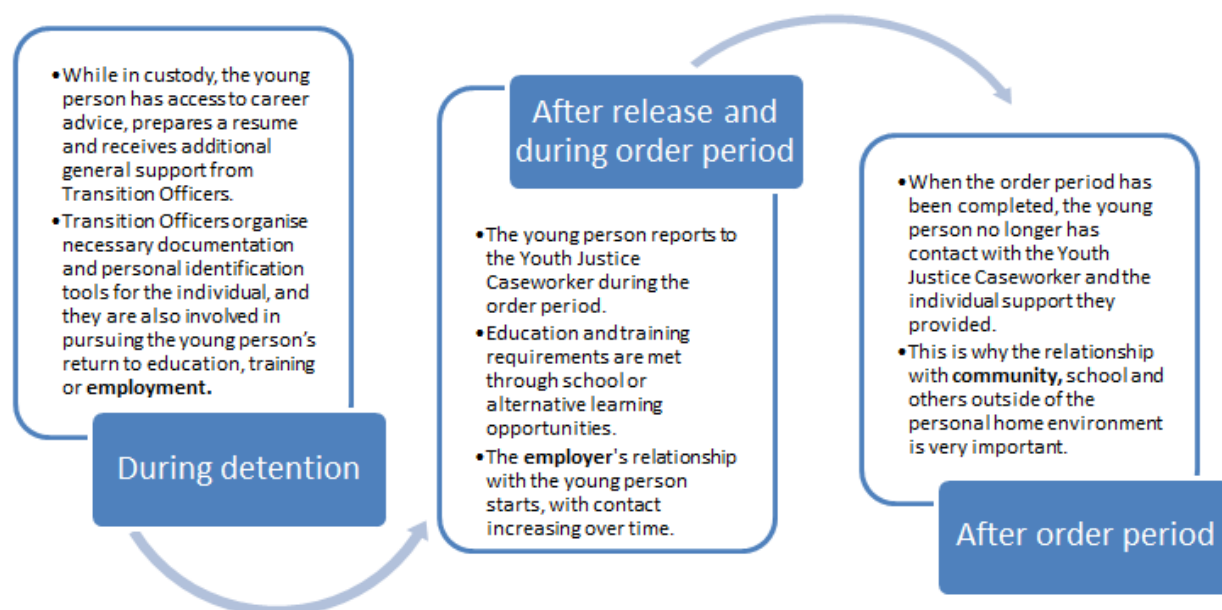
exacerbates the stigma associated with having been detained, and creates additional challenges for the young person and their family such as financial stress, transport strain and social pressure. This could also cause increased challenges for community, health and justice services in supporting the young person and their family – particularly in regional areas where alternative support services may not be as readily accessible.

Research of Queensland youth detention indicates about 700 young people are detained per year in our state¹. These young people have typically been recurrently involved in the youth justice system, fall into the category of repeat offenders, and often have multiple social and health problems such as limited positive emotional support and addictions.

Within the structured activities of the Detention Centre, young people receive a considerable amount of support aimed at equipping young people to turn their lives around. The direct attention they receive with their learning through small class sizes, individual planning and relevant content makes a significant contribution in reducing reoffending. Learning and study are considered to be among the most important protective factors against involvement in crime. There is abundant international research which demonstrates that engagement in education, especially school, is strongly correlated to productive crime free living. The corollary of this is that if young offenders are prohibited from reengaging with education the likelihood of them reoffending is particularly high.

The transition from custody into the community is complex and it is therefore crucial that support is available for the young person at this time. . The change from the structured lifestyle in detention to a flexible and self-directed environment can be extremely challenging. Making new lifestyle decisions is hard under any circumstances, and it is particularly difficult for these young people who often have limited family, emotional and financial support. Schools can provide some of this structure for a young person at this time and the significance this can have for a young person's future should not be downplayed.

Below is a diagram outlining the reintegration process during and after detention and the order period:



¹ Commission for Children and Young People and Child Guardian, 2011, *Reports: Views of Young People in Detention Centres Queensland 2011*. Available at: http://www.ccypcg.qld.gov.au/pdf/publications/reports/Views-of-Young-People-in-Detention-Centres-Queensland_2011/Full-Report.pdf.

Starting from Day 1 in the community, transitioning youth need support to undertake flexible learning opportunities and for some young people and their family needs, 'earning' while learning is an important incentive. Cutting off any possibility of returning to their home school after serving time in detention due to the proposed exclusion changes will only work to increase the recidivism of some young people. It is contended that a 'moral hazard' is created in preventing youth offenders returning to schools – the education system may benefit in some way but the broader community will be disadvantaged as offending rates will increase in line with increased levels of disengagement.

Direct research with youth in detention reports that 'working' is central to reducing the likelihood of reoffending². Vocational education and opportunities such as school based traineeships facilitated by schools provide effective pathways to more productive lives. Structured and reliable learning systems within schools will also assist in preventing escalating behaviour from students with poorly developed abilities to cope with stressors (who have not yet or may not ever enter the Youth Justice system). The same school environment that would allow a student to transition successfully back into mainstream schools is likely to be an environment that would facilitate prevention and early intervention thereby reducing the suspension and expulsion rates across Queensland.

We note that at the Education and Innovation Committee briefing on 28 August 2013 Dr Watterson states that the foundation for a safe learning environment is 80% about relationships. We deduce that reliable systems that facilitate quickly formed, deep and enduring relationships would be of significant benefit to both sides of the youth detention 'fence'. This system design is supported by recent psychological guidelines which recommend "*engaging an array of services and professions to achieve a paradigm cultural shift in mental health and human service delivery*" which includes education³.

We would support increased opportunities for young people with these socio-emotional and educational needs (who are often engaged with Youth Justice Services) to transition into supported employment and training pathways. Cutting off the school option through the proposed new exclusion provisions significantly reduce rehabilitation options for young offenders. Schools are the crucial social institution for providing young people pathways to productive and engaging positive futures. We suggest that this also be considered by the Education and Innovation Committee.

We would support the proposed changes to extended school suspensions and the "Head of Power" provisions, should these be facilitated in conjunction with the proposed community-based disciplinary action or similar, that is productive for the young person rather than just "slamming the door" on education. Exclusion and suspension processes for young people who commit crimes could be similarly structured to those in other states of Australia⁴.

We, however, state that in some cases exclusion for a crime committed in the community could adversely affect the possibility of rehabilitation of the student and contravene the principal of 'natural justice' through punishing the young person twice.

We appreciate this opportunity to raise these concerns with the Committee and the Department of Education Training and Employment in Queensland.

² Id 1.

³ Kezelman C.A. & P.A. Stavropoulos 2012. Adults Surviving Child Abuse 2012 Practice Guidelines for Treatment of Complex Trauma and Trauma Informed Care and Service Delivery, ASCA: Sydney.

⁴ See White Lion in Victoria, Tasmania and South Australia: www.whitelion.asn.au; Save the Children's *Supporting Young People on Bail* in Tasmania; Red Cross *Step Out Program* in South Australia: <http://www.redcross.org.au/step-out.aspx>; Workready NT in Northern Territory; Marist Youth Care in New South Wales: <http://www.maristyc.com.au/programs-a-services/engagement-services/post-release-support-program>.

We welcome an opportunity to discuss the above further and please do not hesitate to contact our Association.

Sincerely,

The Brisbane Youth Education and Training Centre Parents and Citizens Association

Key contacts:

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