



Committee Secretary  
Legal Affairs and Safety Committee  
Parliament House  
George Street, Brisbane Qld 4000  
Via email: [lasc@parliament.qld.gov.au](mailto:lasc@parliament.qld.gov.au)

15 March 2021

Dear Secretary

### **Youth Justice and Other Legislation Amendment Bill 2021**

Please find attached a submission to the Committee on behalf of Life Without Barriers regarding the *Youth Justice and Other Legislation Amendment Bill 2021* (the Bill).

Our submission provides the Committee with information about the evidence-based Multisystemic Therapy program which is successfully addressing serious recidivist youth offending in South East Queensland. We hope that this information assists the Committee in its consideration of the proposed legislative amendments. Our submission also presents our view on the importance of access to schooling as part of an effective strategy to reduce youth offending and to reduce associated community harms. The submission does not seek to comment on the particular aspects of the proposed legislative changes in the Bill.

This submission has been approved by the Chief Executive of Life Without Barriers. If you have any questions, please don't hesitate to contact me by email at [REDACTED] or by phone on [REDACTED].

Kind regards,

A handwritten signature in black ink, appearing to read "Brad Swan".

Brad Swan  
Executive Director, Strategy and Engagement  
**Life Without Barriers**  
Encl.

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In the spirit of Reconciliation, Life Without Barriers acknowledges Aboriginal and Torres Strait Islander peoples as the Traditional Owners and Custodians of this country, and their connection to land, water and community. We pay our respect to them, their cultures and customs, and to Elders both past and present.

# Submission from Life Without Barriers to the Legal Affairs and Safety Committee regarding the Youth Justice and Other Legislation Amendment Bill 2021

## About Life Without Barriers

Life Without Barriers is a charitable organisation supporting close to 23,000 people in over 400 communities across every State and Territory in Australia. Established close to thirty years ago by a determined group of community members with a clear vision – to partner with people to change lives for the better – our foundational purpose carries us forward today as one of the largest national providers of social services in Australia.

We partner with Elders, communities, government, and sector partners to ensure positive long-term change for the people we work with. We support a range of clients including people with disability, children, young people, families, individuals with mental health needs, refugees and people who are homeless.

Life Without Barriers provides diversionary services to young Queenslanders involved in the youth justice system, through the delivery of the evidence-based Multisystemic Therapy (MST) program. MST works primarily through the parents or caregivers to change behaviour and implement boundaries and consequences for offending and other anti-social behaviour. We also support other organisations to deliver Multisystemic Therapy in our capacity as the Australian Network Partner for MST Services.

Life Without Barriers is a substantial provider of out-of-home care (OOHC) nationally, providing approximately 2000 placements in foster and kinship care and residential care services.

Life Without Barriers is the largest national provider of Status Resolution Support Services funded by the Department of Home Affairs. Since 2016, LWB has supported over 4100 people, including many families who have come to Australia seeking asylum and have been transitioned into the community while their application for asylum was or is being assessed or reviewed. LWB's caseload includes unaccompanied minors.

Life Without Barriers is also a very large provider of residential care for people with disabilities, including children with disabilities who require intensive support that their families are unable to provide.

Life Without Barriers has a wealth of experience in evidence-informed approaches and our geographic footprint allows us to focus on place-based interventions that build the capability of communities and support people across the lifespan. This integrated approach ensures we can build interventions that are responsive to individuals and adapt to their changing needs, and it allows us to refine our evidence-based suite of what works, when and for whom.

## About recidivist youth offenders in South East Queensland

Since 2017 Life Without Barriers has delivered a service targeted at reducing youth reoffending across South East Queensland. The program is funded through the YouthChoices Social Benefit Bond and is scheduled to run until October 2022. The service works with young people aged 10 to 16 years old, most of whom have committed large numbers of offences. Their offending histories often include one or more serious offences, such as armed robbery, aggravated assault occasioning bodily harm (assault with a weapon), and dangerous driving, which are the kinds of serious offences targeted by the Bill.

While most young people who offend will do so only briefly, with a single police caution or single court appearance often being enough to make them cease anti-social behaviour, there is a cohort of young people who demonstrate a complex range of behaviours and characteristics that are correlated with more persistent offending. These include educational disengagement, alcohol and drug abuse, community detachment, a strong association with anti-social peers, poor family functioning, and delinquent ideation. Some of these young people will likely become the persistent recidivist group that the *Youth Justice and Other Legislation Amendment Bill 2021* is designed to target and more often than not, will have been the subject of a supervised order.

In South East Queensland, the average number of criminal charges laid against young people on supervised orders each month has historically escalated by 89% over the 18 months after they complete their supervised order. The supervised orders group received over 27 charges in the 18 months after their order ended, which represents more than 1.5 charges per month. Life Without Barriers is aware that in recent years the average rate of offending by young people placed on supervised orders (who have not received MST) have escalated further. For example, the young people referred to LWB's MST program have on average been charged with over 3 criminal offences per month in the six months prior to referral to MST. We expect that similar trends would be observed across Queensland.

LWB is aware of the significant community impact from young people who are serious repeat offenders, and we believe it is important that the Queensland Government identifies and implements evidence-based measures that are demonstrated to reduce offending. There is now over 40 years of evidence that indicates these offending trajectories will only change if the correlates of offending behaviour are addressed. MST uses this suite of evidence to identify these correlates, then works with parents/caregivers to address the multiple correlates associated with offending, rather than relying on the justice system to address the offending. International evidence has demonstrated that MST is achieving outstanding success.

The Committee may be interested to know that the MST program can accept referrals for suitability assessment directly from the magistracy or judiciary either at sentencing or when bail is under consideration.

## Evidence of the effectiveness of Multisystemic Therapy in Queensland

### ***Profile of the group receiving the Multisystemic Therapy program in Queensland***

As mentioned above, many of the young people receiving LWB's Multisystemic Therapy program in South East Queensland are young people who are serious repeat offenders. Indeed, the young people treated by LWB have, on average, been more prolific and more serious offenders with more prior nights in custody, when compared to the overall group of young people on supervised orders between 2009 and 2015. Therefore the group that LWB treats includes young people who pose the greatest risk to the community, and who are a core target group of the *Youth Justice and Other Legislation Amendment Bill 2021*.

The former Department of Youth Justice (the Department) calculated changes in:

- i) numbers of criminal charges
- ii) prevalence of serious charges, and
- iii) nights in custody

for the young people referred to LWB's Multisystemic Therapy program. The Department has advised us that LWB has been successful on all three counts. Success was measured over an 18 month period after exit from the program to establish whether changes are sustained in the longer term. The benchmark for comparison is outcomes for similar offenders in South East Queensland observed between 2009 and 2015.

***Reduction in number of criminal charges***

Multisystemic Therapy has reduced reoffending (the count of charges laid) by over 21% in the group that was referred to LWB during its first year of operation. It appears likely that similar success will be achieved in the group measured for the program's second year.

We note that in the Youth Justice Strategy 2019-2023 "Working Together, Changing the Story", the Queensland Government targeted a 5% reduction in reoffending by young people aged 10 to 15 years across Queensland, so the 21% result reported for Multisystemic Therapy is making a significant contribution to meeting that target.

When only the young people who *completed* Multisystemic Therapy are considered, the reduction in charges exceeded 28%. We further note that the result for Year 1 was dramatically affected by one young person with extremely and prolific offending. If that one prolific offender is excluded, the reduction in charges exceeded 54% among the young people who completed the program, which is a dramatic improvement.

***Reduction in serious offending***

The Multisystemic Therapy program has had a strong result in reducing serious reoffending. Serious offending includes all violent offences and negligent acts that endanger others. The proportion of young people referred to the program who – if they reoffended at all – committed a serious offence, was reduced by 26%. This means that if the young people treated do reoffend, they are causing less community harm due to violent crime being reduced amongst this cohort.

***Fewer nights in detention***

Even more significantly, nights in detention were 76% lower for the group referred to Multisystemic Therapy over the 12 months following exit from the program when compared to the historical group (from 2009-2015). This is presumably linked to both the reduction in serious offending, and the overall reduction in offending frequency. The historical comparison group recorded large increases in custody nights through time.

***How Multisystemic Therapy works***

Multisystemic Therapy addresses the known causes of offending. As noted above these include:

- a lack of reinforcement of positive behaviour and positive relationships,
- exposure to negative peer influences
- alcohol and drug abuse
- disengagement from education
- poor family functioning, and
- inadequate parental supervision and monitoring.

Multisystemic Therapy works principally with the parent/s or other caregivers of the young person to help them improve their parenting capacity, their ability to problem-solve, and their ability to establish family rules and consequences for breaches. For example, a family rule may be no drug use by the young person, and compliance is monitored through urine testing, with a consequence of reduced mobile phone credit if a young person tests positive for drugs. Through this process, caregivers themselves sometimes have to acknowledge their part in enabling the offending of a young person in their household.

In parallel, program staff work with the parent or caregiver to increase the warmth of their bond with their young person, to increase the young person's motivation to meet parental expectations.

Program staff work also with the parent or caregiver to address drug/alcohol issues, and to transition their young person into education or employment and into structured extracurricular activities with pro-social peers, so the young person's time is spent with people who will be positive influences. LWB staff perform necessary advocacy to achieve these goals, as barriers are often encountered (discussed further below).

### The importance of engaging schools in the solution to youth recidivism

An overwhelming majority of young people who chronically offend are not engaged in education or work. This means many are spending their days with other anti-social peers who have disengaged from school, and these young people commonly use drugs and offend together. Re-engaging young people in education makes a huge difference, because it occupies a large part of their days in pro-social activities and encourages relationships with pro-social people.

In Queensland a young person can be denied access to a face-to-face education as a result of significant offending history. It is currently challenging to find schools in many parts of Queensland that are willing to enrol a young person who has a history of offending, particularly if they have been expelled from another school or are on a supervised order. This results in young people losing access to education. This in turn impacts on their future employment opportunities, and also makes it more likely that they will continue to mix with anti-social peers and continue to offend.

We recognise that FLO (flexible options) schools are most likely to enrol young people who have offended, and this education option is valuable for some young people who cannot cope with the structured environment of a mainstream school. However, if a young person can cope with a mainstream school, this will be the better option for them. This is because mainstream schools are populated by an overwhelming majority of pro-social young people, creating an environment that is most likely to support cessation of offending. Unfortunately, reinforcement of pro-social behaviour is not always possible in FLO schools. For young people who find mainstream schooling too challenging, we believe vocational options should be more actively explored and offered.

We would like to see legislation creating a clear right to a face-to-face education, so there are genuine options available to young people to support them to turn away from crime. Adequate school funding to support the reintegration of students who have been disengaged from school for extended periods is required to enable such a right to be exercised *in practice*.

### Concluding remarks

LWB hopes that the information provided in this submission about factors underlying serious and persistent youth offending is helpful to the Committee in its consideration of the *Youth Justice and Other Legislation Amendment Bill 2021*. We also hope that the Committee recognises the significant impact the Government's investment in the Multisystemic Therapy program is having, as an example of how evidence-based programs can be used to address youth offending.

We trust that the Committee can see the value of this type of program as an adjunct to police powers and punitive measures. If the committee would like further information about this program or about other aspects of the work of Life Without Barriers with young people, we would be glad to provide further support.